



C.L. "BUTCH" OTTER  
GOVERNOR

## NEWS RELEASE

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### **FEDERAL JUDGE AGREES WITH GOVERNOR THAT SLICKSPOT LISTING IS FATALLY FLAWED**

(BOISE) – Governor C.L. "Butch" Otter today hailed a judge's denial of the federal government's request that she reconsider her August decision that the listing of slickspot peppergrass as a "threatened species" under the Endangered Species Act was fatally flawed.

The primary issue was whether the listing would remain in place while the federal government addressed the problems cited by Chief U.S. Magistrate Candy Dale's earlier ruling. Had the listing remained in place, the U.S. Fish and Wildlife Service could immediately proceed with designating "critical habitat" for the plant's recovery.

This week's ruling by Dale requires the Fish and Wildlife Service to reevaluate the listing according to her instructions.

"I strongly encourage the federal government to take Judge Dale's reasoned decision to heart and recognize that there is not a slam-dunk case for simply relisting the plant," Governor Otter said.

The Governor was a member of Congress in 2003 when he took part in developing a State conservation plan aimed at preventing an ESA listing for slickspot peppergrass. Despite that effort, the Obama administration listed the species as threatened in 2009. That prompted Governor Otter and his Office of Species Conservation to challenge the listing in federal court.

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