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Federal Appeals Court Revives Lawsuit Over Management Of Yellowstone Bison

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A bison raises its head after eating grass beneath the snow in Yellowstone National Park.

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A federal appeals court this week revived a lawsuit filed by an environmental law firm that challenges the state of Montana and the federal government's management of bison from Yellowstone National Park.

Monday's 9th U.S. Circuit Court of Appeals ruling reversed the decision by a lower court in February, which had dismissed the lawsuit from the Cottonwood Environmental Law Center, a nonprofit law firm and conservation organization based in Bozeman.

A three-judge panel said by allowing hunting and hazing of bison, the federal government had taken actions that were a valid target of the lawsuit.

The panel returned the case to U.S. District Judge Sam Haddon for further proceedings and to decide if Cottonwood's lawyers have valid claims against the state of Montana.

Cottonwood's executive director, John Meyer says the news was cause for a celebration.

"Ultimately our goal here is to get more bison all across the state of Montana on public land and that will ensure there's a safe hunt and will also bring in more tourism dollars," Meyer says.

The lawsuit filed in 2018 alleges the Secretary of the Interior, along with the National Park Service, Forest Service and the state of Montana manage bison in a way that is outdated and endangers the public.

Bison migrate out of the park each winter in search of food at lower elevations. Meyer says the current hunting zones concentrates hunters, which means there's a greater chance of someone getting hurt. He says it's also not fair to the bison.

"You can see 30-40 native or non-native hunters lining up on the park boundary. It's not fair chance ethics. It's just not right," Meyer says.

Meyer says some of the changes Cottonwood is seeking include lifting designated boundaries, which would allow bison and hunters to spread out. Another change would be raising the population goal from 3,000 to 7,500 bison in Yellowstone. He says this would eliminate the need to capture and slaughter bison that leave the park and are not hunted.

One of the reasons the interagency bison management team controls where bison are allowed to move and tries to keep the population in-check is due to concern that bison could spread brucellosis, a bacterial disease, to cattle.

There has not been a confirmed case of this happening while there have been confirmed cases of elk transmitting the disease.

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