

Writers on the Range

A political fish-kill is in the making

Essay - July 16, 2008 by Ted Williams



Grayling are artifacts from the Pleistocene, little fish of big country with flanks of pink and silver and sail-like dorsal fins trimmed with orange and splashed with red, white, turquoise, green and neon blue.

Fluvial grayling, the race that dwells in rivers, are common in the Arctic and sub-arctic, but in the Rocky Mountain West, they survive in only 4 percent of their historical range, and they're barely hanging on in Montana's Upper Big Hole River system. Should they be allowed to die out? Yes, says the Bush administration. No, says the Endangered Species Act, which requires the federal government to recover "distinct population segments" that persist outside a species' principal range. The law is very clear on this. There is no wiggle room.

Montana's fluvial grayling were petitioned for listing under the act in 1982 and 1991. Both times the U.S. Fish and Wildlife Service determined that they did indeed constitute a "distinct population segment."

No legitimate researcher could possibly have concluded otherwise. Montana's fluvial grayling population has been proven to be genetically unique. What's more, it is the only one that exists in rivers collected by the Gulf of Mexico instead of the North Pacific, the Arctic Ocean or Hudson Bay.

So the U.S. Fish and Wildlife Service made the segment a "candidate" for listing. That wasn't good enough for the Center for Biological Diversity and the Western Watersheds Project, which sued the agency for clearly violating the law. This action spawned a 2005 settlement in which the Fish and Wildlife Service agreed to make a final determination on listing by April 16, 2007.

Its determination -- not to list -- stunned the scientific community, including the agency's own biologists. In explaining the flip-flop, the Department of Interior laid down smoke like a Navy destroyer, contradicting itself whenever it lapsed into intelligible diction. For example, after citing "clear heritable differences" between fluvial and adfluvial, or lake dwelling, grayling, after referencing a study that demonstrated these differences and after acknowledging that adfluvial grayling cannot survive in rivers, it stated that fluvial grayling "do not differ markedly in genetic characteristics from adfluvial populations."

The determination disgusted and dismayed legitimate fisheries biologists inside and outside the Fish and Wildlife Service. Every agency biologist who worked on grayling had strongly advocated listing. That unanimous determination to list was reversed by Interior's Washington, D.C., office.

One political appointee who loudly and aggressively inserted herself into the process was Julie MacDonald, a civil engineer with no knowledge of or interest in fish and wildlife. On April 30, 2007, she resigned in disgrace after the Inspector General confirmed that she had "been heavily involved with editing, commenting on, and reshaping the Endangered Species Program's scientific reports" and that she "disclosed nonpublic information to private sector sources" which were inconvenienced by and adamantly opposed to the Endangered Species Act.

But the only thing aberrant about this Interior official was that she got caught. At every turn the Bush administration has contravened, circumvented and flouted the Endangered Species Act, and it continues to do so.

By writing off Montana's fluvial grayling, the administration has discarded one of the Endangered Species Act's most efficient tools--"Candidate Conservation Agreement Assurances." This is how it had worked: In exchange for such habitat restoration as fencing cows from the river, installing fish ladders and screens and plugging water diversions, ranchers received a guarantee that they wouldn't be charged with violating the Endangered Species Act if the population segment got listed. "There's no hammer anymore," complains Noah Greenwald of the Center for Biological Diversity.

And Montana Trout Unlimited director Bruce Farling makes this observation: "The recent Fish and Wildlife Service decision indicates that the administration's hatred of the Endangered Species Act is so extreme that it is willing to throw out promising examples of how the law can work for everyone."

It is not just illegal for the federal government to allow fluvial grayling to flicker out in the contiguous states. It's a heist of priceless jewels that belong to the world.

There may be plenty of fluvial grayling in the far north, but Aldo Leopold's observation in A Sand County Almanac applies equally to the West's population segments of this fish and of our great bear: "Relegating grizzlies to Alaska is about like relegating happiness to heaven; one may never get there."

Ted Williams is a contributor to Writers on the Range, a service of High Country News in Paonia, Colorado. He is conservation editor of Fly Rod & Reel magazine and lives in Grafton, Massachusetts.

Add Comment

I agree with Mr. Williams, and am ashamed that Ms. MacDonald is a civil engineer, since I am also. I remember catching greyling in the Gallatin River in 1994-are they still there?

Peter Wilner, P.E.

TU Life member

Reply

The Grayling of the Gallatin River in '94 were replants that didn't take hold. The only places you can catch Fluvial Grayling in Montana at the current time are the Big Hole River, where they are still holding on despite the dire circumstances Ted describes above and a severely dewatered river annually, and the Ruby river where they have been re-introduced for 7 years with very little to show for it. IMO the Gallatin represents the best chance for success, the Ruby re-introduction is simply an expensive experiment since eventually the grayling will migrate to the Ruby reservoir and lose the Fluvial characteristics that make them special.

Reply

