



# Conservationists Sue Gov't for Records

## Conservationists Sue Interior Dept. for Information About Endangered Species Rulings

By **MATTHEW DALY**  
Associated Press Writer

A conservation group sued the Interior Department on Thursday seeking documents about decisions on endangered species the group alleges were tainted by political pressure from a former high-ranking Interior official.

Julie MacDonald resigned as deputy assistant secretary in May amid questions about alleged interference in dozens of endangered species decisions, including at least one in which she stood to benefit financially.

The Center for Biological Diversity, in court papers, said the Interior Department and the Fish and Wildlife Service have failed to produce records on MacDonald and failed to respond to its requests in a timely fashion.

"This is a lawsuit we've been forced to file to receive documents that we're entitled to that demonstrate the severity of Julie MacDonald's involvement in overturning endangered species and habitat decisions," said William Snape, the group's senior counsel. Snape filed the suit under the Freedom of Information Act.

Hugh Vickery, a spokesman for the Interior Department, declined to comment on the lawsuit. But he said the department has responded to a



(AP Photo)

variety of requests for information on MacDonald, including from the Interior inspector general and the House Natural Resources Committee.

"We're cooperating with all the official inquiries," Vickery said. "As for what specific information any group has or has not received, we have FOIA officers who go through this stuff, and they do it for everybody."

Last month, the Fish and Wildlife Service reversed seven rulings that denied endangered species increased protection. The actions came after an investigation found the actions were tainted by political pressure from MacDonald, then the top official

overseeing the Fish and Wildlife Service.

The agency acknowledged that its actions had been "inappropriately influenced" and that "revising the seven identified decisions is supported by scientific evidence and the proper legal standards." The reversal affects the protection for species including the white-tailed prairie dog, the Preble's meadow jumping mouse and the Canada lynx.

MacDonald also was involved in a decision to remove protections for the Sacramento splittail, a fish found only in California's Central Valley, where she owned an 80-acre farm on which the fish live. Biologists

in the Sacramento field office had concluded the fish should remain on the threatened list, but they were overruled.

The lawsuit filed Thursday was one of a number of actions environmental groups are taking to determine what role MacDonald played in undermining decisions regarding endangered or threatened species.

Lawsuits filed last week ask federal judges to put the Fish and Wildlife Service under a deadline to review decisions to cut or deny critical habitat for 13 species, including a frog, a toad, seven plants, three snails and a freshwater shrimp. The species are found in Oregon, California, New Mexico and North Carolina.

In all, lawsuits addressing a total of 55 species have been or are expected to be filed in coming weeks.

“We think there is a much deeper, bigger problem than anyone has come to grips with,” Snape said. “It goes way beyond Julie MacDonald. What we are trying to figure out is how high up the Bush administration food chain this actually goes.”

Earlier this month a federal judge in Idaho said the Fish and Wildlife Service failed to use the best science when it denied protection to the sage grouse, a bird found in the inland West. Judge B. Lynn Winmill ordered the agency to reconsider its decision, saying MacDonald’s role “taints” the decision.

“Her tactics included everything from editing scientific conclusions to intimidating staffers,” Winmill wrote.

Meanwhile, the Interior Department’s inspector general has said he will expand an investigation into the alleged political manipulation of decisions on 18 endangered species, including the northern spotted owl, marbled murrelet and bull trout.

The administration scaled back federal safeguards for some of those species after legal agreements with the timber industry, which sees the safeguards as obstacles to logging.