

JULIE MACDONALD, PART OF A LARGER PROBLEM AT THE DEPARTMENT OF THE INTERIOR.

The American public has a right to expect all science-based public policy decisions to be based on the best science available. In some cases, that is actually a legal requirement. The U.S. Fish and Wildlife Service (FWS), for example, is required to use the best available science when making determinations about whether to list a species under the Endangered Species Act (ESA).

However, recently obtained documents demonstrate that Deputy Assistant Secretary Julie MacDonald has systematically distorted, manipulated, and misused the scientific process prescribed by the ESA. In several notable cases, this interference resulted in changing a “positive” finding – in favor of listing and thus providing greater protections to a species – to a “negative” finding. In making these changes, MacDonald, whose training is in engineering, overrode the recommendations of the agency’s own biologists.

A Union of Concerned Scientists (UCS) survey of scientists at the FWS, released in February 2005, demonstrated pervasive political interference in science at the agency. The significant editing of scientific documents demonstrates that the misuse of science at the FWS has continued. Below, we describe Julie MacDonald’s documented suppressions of endangered species science and the larger problem of suppression of science within FWS.

POLITICAL APPOINTEE JULIE MACDONALD REVERSES SCIENTISTS’ DECISIONS BY DECREE

Gunnison’s Prairie Dog

The buff-colored Gunnison’s Prairie Dog lives in sagebrush grasslands in the four corners area of Arizona, New Mexico, Utah, and Colorado. Its current habitat has been reduced by more than 90% of its historical range, and the onslaught on its home territory has not diminished. Oil and gas drilling, urban sprawl, sylvatic plague, and continued shooting and poisoning of these animals all threaten the species with extinction.

Forest Guardians, in response to a routine FOIA request, received several documents that show that as of January 19, 2006, the Gunnison's Prairie Dog was on track for a positive 90-day finding—that is, a FWS determination that the species may warrant listing as endangered based on scientific evidence. Nevertheless, because of explicit orders from Julie MacDonald, the Mountain-Prairie Regional Office of FWS (Region 6) was forced to change their positive finding to a negative one.

White-Tailed Prairie Dog

The White-Tailed Prairie Dog, with its characteristic white-tipped tail and black cheek markings, makes its home in higher-elevation grasslands across the western half of Wyoming, western Colorado, eastern Utah, and southern Montana. Unfortunately, the white-tailed prairie dog is suffering severe declines, having vanished from 92 percent of its historical habitat, and is headed for extinction without assertive and committed conservation action.

Documents show that MacDonald directly tampered with a scientific determination by FWS biologists that the white-tailed prairie dog could warrant ESA protection, and further, prevented the agency from fully reviewing the animal's status. Handwritten and Microsoft Word "track changes" edits show MacDonald herself eliminated or disregarded information from the draft finding that would have led to a positive determination, while declaring that further study is necessary. She also changed scientific conclusions, and even added erroneous scientific information that confused the distinct white-tailed and black-tailed prairie dog colonies. Accompanying emails indicate MacDonald ordered the finding to be changed from positive to negative.

Roundtail Chub

A similar reversal was made for a distinct population segment of the Roundtail Chub--a southwestern fish imperiled by a combination of non-native fish introductions and degradation of its stream and river habitat-- in the lower Colorado River Basin. In response to a petition from the Center for Biological Diversity to list the population, FWS determined that the lower Colorado River population of the Chub is not significant to the species as a whole and thus did not qualify for listing. This finding reversed the conclusions of the field office in Arizona, which determined that the population was significant because its loss would mean the species was eliminated from

roughly a third of its range, because it occurs in a unique ecological setting, and to a lesser extent because of genetic differences.

SCIENCE OVERTURNED AT POLITICIANS' REQUEST

Gunnison Sage-grouse

Gunnison Sage-grouse is a distinct species from Greater Sage-grouse and occurs in eight isolated populations in southwestern Colorado and southeastern Utah. Gunnison sage-grouse have experienced significant declines from historic numbers and only about 4,000 breeding individuals remain.

The ESA listing for Gunnison Sage-grouse was subject to delay and then reversal by Julie MacDonald and other Department of the Interior officials in Washington, DC. After exhaustive scientific study, FWS biologists and regional and field staff prepared to list Gunnison Sage-grouse as "endangered" and recommend designation of critical habitat for the species in summer 2006. The agency even drafted media releases to announce the proposed listing. Then, documents show, MacDonald became involved after receiving three telephone calls concerning the proposed listing, including one from the governor of Colorado.

MacDonald first delayed the proposed listing by questioning the science used to designate Gunnison Sage-grouse as a separate species from Greater Sage-grouse. She was also involved as the FWS Headquarters required Region 6 (which submitted the listing) to reduce the substantial listing proposal to a mere outline of information—resulting in the removal of much of the text that supported listing the species. Based on the outline, and contrary to the recommendations of FWS biologists, sage grouse experts, and field staff, FWS Headquarters decided not to list the species. Documents show that the Washington office was extensively involved in drafting the new "not warranted" listing determination, demanding extensive edits to the former listing proposal. FWS biologists made a last attempt to respond to and refute comments pertaining to the distinctness of the species, its historic range, the accuracy of literature cited, and habitat loss and threats to the species, but the new information was disregarded.

Tabernaemontana rotensis, a rare island plant

Tabernaemontana rotensis is a medium-sized tree with white flowers and orange-red fruit that grows in the Northern Mariana Islands. The species is reduced to approximately 30 plants found primarily on lands managed by the U.S. Air Force. In 2000, FWS published a rule recognizing *T. rotensis* as a species and proposing to list it as an endangered species. In April 2004, the decision to list was reversed because FWS decided to no longer recognize *T. rotensis* as a species. Documents show that DOI made the decision not to recognize the species in response to comments from the Air Force. This decision runs counter to the recommendations of the Pacific Islands office of FWS, the primary scientists that work on the species, and the peer reviewers of the proposed rule, who all supported listing, and to all of the published literature, except one book. Although we do not have direct evidence of Julie MacDonald's involvement in this decision, which may only be because they redacted her name, the documents do show direct meddling by DOI in undermining protection for a highly imperiled plant.

SYSTEMIC PROBLEMS AT FWS

Lagging on listing

The Center for Biological Diversity has found that FWS under the Bush Administration has protected the fewest number of species (56) of any administration since the Act was passed at the lowest rate of any administration (10/year). This compares to 512 species listed under the Clinton Administration and 234 under the Senior Bush Administration. See <http://www.biologicaldiversity.org/swcbd/PROGRAMS/policy/esa/Bush-attacks.pdf>

U.S. Fish and Wildlife Service: An Agency in Trouble

A 2005 UCS survey of FWS scientists showed pervasive political interference in science at the agency. Nearly half of all respondents whose work is related to endangered species scientific findings (44 percent) reported that they "have been directed, for non-scientific reasons, to refrain from making jeopardy or other findings that are protective of species." One in five agency scientists revealed they have been instructed to compromise their scientific integrity—reporting that they have been "directed to inappropriately exclude or alter technical information from a FWS scientific document." In essay question responses, a few scientists named Julie MacDonald as a significant part of the problem and called for her removal to help restore scientific integrity to the agency. See http://www.ucsus.org/news/press_release/politics-trumps-science-at-us-fish-and-wildlife-service.html.