

Fired Official's Endangered Species Decisions Revisited

WASHINGTON, DC, July 20, 2007 (ENS) - Eight decisions made by a disgraced Bush administration official under the Endangered Species Act could be reversed after questions were raised about the integrity of the science used and whether the decisions were made illegally, the U.S. Fish and Wildlife Service said today.

The decisions in question were overseen by former Deputy Assistant Secretary for Fish and Wildlife and Parks Julie MacDonald, who resigned April 30 under a cloud of scandal.



The Preble's meadow jumping mouse is listed as threatened. MacDonald proposed delisting. (Photo courtesy [DOT](#))

Her resignation followed a Department of the Interior Inspector General's report in March finding that MacDonald violated federal ethics rules by leaking sensitive government documents to industry lobbyists, browbeating U.S. Fish and Wildlife scientists, and illegally overturning scientific recommendations to squelch protections for endangered species.

Deputy Secretary of the Interior Lynn Scarlett promised a Congressional committee on May 9 that she would review endangered species actions that MacDonald may have inappropriately influenced.

Scarlett asked U.S. Fish and Wildlife Service Director Dale Hall to review MacDonald's decisions to determine if any of them should be revised.

Hall says he looked at "hundreds of actions" and identified eight decisions that require further review. "Many other decisions influenced by MacDonald involved application of law and policy that were within her authority to make as deputy assistant secretary," he said.

"The integrity of the Endangered Species Act and the decisions made under its authority depend on the rigorous and impartial analysis of scientific evidence, as well as consistent application of the legal standards of the Act and our regulations," said Hall.

"When I became director I made scientific integrity my highest priority, and these reviews underscore our commitment to species conservation, he said.

The Service has already begun reviewing three decisions. The original date of publication is included in brackets.

- White-tailed prairie dog, 90-day petition finding (November 9, 2004)
- Preble's meadow jumping mouse, 12 month petition finding/proposed delisting (January 28, 2005)
- 12 species of Hawaiian picture-wing flies, proposed critical habitat (August 15, 2006)

Five decisions require additional review, Hall decided.

- Preble's meadow jumping mouse, final critical habitat (June 23, 2003)
- Arroyo toad, final critical habitat (April 13, 2005)

- Southwestern willow flycatcher, final critical habitat (October 19, 2005)
- California red-legged frog, final critical habitat (April 13, 2006)
- Canada lynx, final critical habitat (November 9, 2006)

Although MacDonald worked on other Endangered Species Act decisions, Hall determined that her involvement in the outcome of those decisions did not affect the species' status.

Some conservationists were cautiously optimistic that the reviews would lead to better species protection.



The California red-legged frog may get more protected habitat. (Photo courtesy [USFWS](#))

"We applaud the agency's decision to take a look at species with whom Julie MacDonald interfered, and we hope that it signals the beginning of real reform at the Fish and Wildlife Service," said Dr. Nicole Rosmarino of Forest Guardians.

But some conservationists say the scope of the review of too narrow.

"Although we are glad these species will receive consideration for additional protection, the list of decisions to be reconsidered is outrageously incomplete and appears to be a token effort designed for damage control and cover up, rather than an attempt to address the problem," said the Center for Biological Diversity, CBD.

"Fish and Wildlife's reconsideration of eight decisions tainted by former assistant secretary Julie MacDonald is a day late and a dollar short," said CBD conservation biologist Noah Greenwald.

"Despite no scientific training, MacDonald interfered in dozens of scientific decisions concerning endangered species - only a full and transparent accounting of all the decisions tainted by MacDonald's malignant influence can undue the damage she has done," Greenwald said.

Greenwald says the list fails to include decisions to not list the Mexican garter snake, to potentially delist the marbled murrelet, and to sharply reduce critical habitat for the bull trout, even though regional directors of the Fish and Wildlife Service specifically requested that these decisions be reconsidered because of MacDonald's influence.

The list also fails to include reconsideration of critical habitat for a fish called the Sacramento splittail, even though a story by the "Contra Costa Times" newspaper revealed that MacDonald may have illegally limited designation of its habitat to avoid an 80 acre farm she owns in Dixon, California.

MacDonald's financial disclosure statement shows that she earns as much as \$1 million per year from her ownership of the Dixon farm.

MacDonald is known to have been involved in reversing numerous other decisions by agency scientists to protect species, including the Gunnison sage grouse, Montana fluvial arctic grayling, and the Southwestern bald eagle, said Greenwald. "These decisions should also be reconsidered," he said.



The Southwestern bald eagle is the subject of a conservation lawsuit. (Photo courtesy [SBEMC](#))

The Center for Biological Diversity and the Maricopa Audubon Society filed a lawsuit in January challenging the Bush administration's suppression of scientific reports concluding that the Southwestern bald eagle, also called the Arizona bald eagle, should remain on the endangered species list.

The suit seeks an injunction barring the U.S. Fish and Wildlife Service from delisting the eagle and requiring it to incorporate the scientific reports in its management plans.

Hall said, "We have acted to correct problems. Should our reviews indicate that additional corrective actions are necessary, we will take appropriate action as quickly as we can."

For more information on the decisions to be reviewed, please visit the Service's Endangered Species Program website at: <http://www.fws.gov/angered/>

For more ENS coverage of this issue see:

[Congress Investigates MacDonald's Farm](#)

[Reign of Bush Fish and Wildlife Official Ends in Disgrace](#)

[Interior Assistant Secretary Manipulated Endangered Species Science](#)