

Political Interference in Endangered Species Science

A Systemic Problem at the U.S. Fish and Wildlife Service

United States Department of Interior Deputy Assistant Secretary Julie MacDonald and other Interior Department officials have systematically distorted scientific findings to prevent the protection of a number of highly imperiled species under the Endangered Species Act. The Endangered Species Act requires decisions about species to be made on the best available science. This is one of several case studies, available at www.ucsus.org/scientific_integrity.

Case: Roundtail Chub

The Center for Biological Diversity petitioned the U.S. Fish and Wildlife Service (FWS) to list 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 the petition, 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 protection under the Endangered Species Act.

This decision reversed the conclusions of the FWS 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. The decision was based largely on questions and comments from Chris Nolin, Chief of the Division of Conservation and Classification in the DC office of the U.S. Fish and Wildlife Service.

1. Washington, D.C. staff question scientists' conclusions

A draft scientific finding recommending Endangered Species Act protection for the Roundtail Chub was sent to the Director of FWS in March 2006, including a briefing paper that explained the rationale for listing a distinct population segment of the Roundtail Chub in lower Colorado River Basin. Both the briefing paper and the draft finding concluded that Roundtail Chub populations in the Lower Colorado River are discrete and significant to the species as a whole because their loss would result in a significant gap in the range of overall species.

In response, Chris Nolin, who is Chief of Conservation and Classification at FWS, questioned the rationale for considering the Roundtail Chub population in the lower Colorado River Basin significant to the species as a whole, a finding that is necessary in order to recognize and classify that population as a distinct population segment deserving of protection under the Endangered Species Act. Below is the text of the original document, with a comment added by Chris Nolin (Supporting Document #1).

marked genetic distinctiveness, although it indicates such distinctiveness may exist.

However, we find that the Lower Colorado River Basin DPS is significant to the species

because the loss of the segment would result in a significant gap in the range of the

species.

Conclusion

Comment [CN17]: How strong is the conclusion that this is a third of the historic range if the historical distribution is not well known? Why is it important to the species persistence that this portion continue to exist? Are there any ecological differences between upper and lower basin that would be significant?

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2. Positive finding suddenly reversed

As late as March 21, 2006, versions of the finding still recommend that the species be considered for listing under the Endangered Species Act. However, in an abrupt reversal on March 22, 2006, the finding concludes that the Roundtail Chub does not warrant listing because populations in the lower Colorado River Basin are not considered discrete from those in the upper Basin (below, Supporting Document #2):

within the lower basin we can not find discreteness between the two basins. We conclude that the upper and lower basin populations are not markedly separated and that they are not discrete based on the best available genetic data. Based on this finding the DPS analysis concludes at this point and we will not assess significance or conservation status of the roundtail in the lower basin, since the lower basin population of the roundtail chub is not considered a listable entity.

In the end, however, the finding hedged on the question of discreteness and instead determined that Roundtail Chub populations in the lower Colorado River Basin are not significant to the species, or taxon, as a whole, stating:

“Following a review of the available information, we conclude that the roundtail chub populations in the lower Colorado River basin are not significant to the remainder of the taxon.” **Federal Register** / Vol. 71, No. 85 / Wednesday, May 3, 2006, page 26010 (final finding attached to this email).

In making this determination, the finding never addresses the question of why loss of at least one third of the species' range does not qualify as a significant gap in range.

3. Fisheries biologists say the “not warranted” finding contradicts science

A letter from four prominent fisheries biologists with expertise in the biology of Roundtail Chub concluded in a letter (Supporting Document #3):

“The Service’s not warranted finding for roundtail chub in the lower Colorado River basin is inexplicably and overtly in contradiction to the scientific data and the Service *Policy Regarding the Recognition of Distinct Vertebrate Population Segments* (DPS).”