

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 species protection decisions to be made on the best available science. This is one of several case studies, available at www.ucsusa.org/scientific_integrity.

Case: White-tailed Prairie Dog

Documents show that Julie MacDonald directly tampered with a scientific determination by U.S. Fish and Wildlife Service (FWS) biologists that the white-tailed prairie dog could deserve Endangered Species Act protection, thus preventing the agency from further reviewing the animal's status.

1. MacDonald edits the biologists' finding that the prairie dog should be considered for Endangered Species Act protection

The staff biologists found that the white-tailed prairie dog's situation should be investigated. In the Microsoft Word document from late October 2004 shown below (Supporting Document #1), MacDonald rewrote agency scientists' conclusions to state that substantial information wasn't available.

The image shows a side-by-side comparison of two versions of a document. The left version is the original text, and the right version is the text after Julie MacDonald's edits. Red dashed lines connect specific changes between the two versions. Annotations in red boxes explain the deletions. A yellow highlight on the right version shows the final published text.

Deleted: However,

Deleted: We believe further evaluation of the extent of leasing and current and projected oil and gas development is necessary to complete a thorough assessment of the direct, indirect, and cumulative effects of oil and gas development to white-tailed prairie dogs and their habitat. Further evaluation also is necessary to determine if such development is currently or is likely to result in significant impacts to the species either singly or in combination with other factors such as plague.

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64896 Federal Register / Vol. [Illegible]

tailed prairie dog. However, while both documents identify current or projected threats to the species due to oil and gas development impacts to habitat, the identified threats are speculative and neither document provides substantial scientific or commercial information supporting the speculation.
The petition cites agricultural land

Page 26 of Julie MacDonald's edits (left): MacDonald deleted the biologists' finding that oil and gas drilling may threaten the prairie dog. These edits were retained in the final published decision (right, Supporting Document #2).

Here's how the text changed after MacDonald's interference (emphasis added):

Original finding: "However, both documents clearly identify current and projected threats to the species including mortality and habitat loss, fragmentation, and degradation. We believe further evaluation of the extent of leasing and current and projected oil and gas development is necessary to complete a thorough assessment of the direct, indirect, and cumulative effects of oil and gas development to white-tailed prairie dogs and their habitat. Further evaluation also is necessary to determine if such development is currently or is likely to result in significant impacts to the species either singly or in combination with other factors such as plague."

After MacDonald's edits: "And while both documents clearly identify current and projected threats to the species including mortality and habitat loss, fragmentation, and degradation, the identified threats are speculative and neither document provides substantial scientific information supporting the speculation."

Published finding: “However, while both documents identify current or projected threats to the species due to oil and gas development impacts to habitat, the identified threats are speculative and neither document provides substantial scientific or commercial information supporting the speculation.”

2. MacDonald orders the U.S. FWS to adopt her edits and make a negative finding, preventing a status review

Fish and Wildlife Service e-mails like this one dated November 1, 2004 indicate MacDonald ordered the finding to be changed from positive to negative (Supporting Document #3).

Just spoke with Chris Nolan and Kurt Johnson. Julie McD and the Department want to go with a not warranted 90-day finding. Julie suggested we go with her version of the document sent to us last week. Kurt is working on incorporating her edits into the newest version. A draft will be available in an hour for anyone who would like to read it.

3. FWS publishes a negative finding, reversing biologists' draft positive finding, which prevents the agency from considering the protection of the prairie dog under the Endangered Species Act

On November 9, 2004, the Fish and Wildlife Service published a negative 90-day finding for the white-tailed prairie dog, blocking the agency from reviewing the species' status. The published finding reflected MacDonald's edits to the original draft finding.

unsatisfactory (U.S. General Accounting Office 1988, 1991). Because 55 percent of

white-tailed prairie dog occurs on BLM land, this is an important consideration.

However, neither the Petition nor the Assessment provide substantial scientific information demonstrating that overgrazing and fire suppression are a present or threatened source of habitat loss. Any habitat losses due to fire suppression or over-grazing are the result of historic practices rather than current practices.

Deleted: there is a need to evaluate the influence of rangeland health to white-tailed prairie dog viability (Seglund et al. 2004).

Based on the preceding discussion, we believe that substantial information

indicating that present or threatened destruction, modification, or curtailment of habitat or range may, rise to the level of a threat to the continued existence of the species over a significant portion of the species range.

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reference BLM's finding that 68 percent of the public rangelands are rated as degraded or unsatisfactory (U.S. General Accounting Office 1988, 1991). Because 55 percent of white-tailed prairie dog occurs on BLM land, this is an important consideration. However, neither the petition nor Conservation Assessment provide substantial scientific information demonstrating that livestock grazing or fire suppression are threatened or present sources of habitat loss.

Based on the preceding discussion, we do not believe that substantial information is available indicating that present or threatened destruction, modification, or curtailment of habitat or range may, either singularly or in combination with other factors, rise to the level of a threat to the continued

Page 28 of Julie MacDonald's edits (left, Supporting Document #1): MacDonald deleted the Service's decision to undertake a status review, and her added assertions that substantial information isn't available are retained on p. 64896 of the published finding (right, Supporting Document #2). The Service had concluded that habitat loss was a threat – this is reversed in the finding (see second paragraph both documents above).

Both the petition and the states' assessment found that white-tailed prairie dogs have disappeared from over 90% of their former habitat. Plague, oil and gas drilling, overgrazing, and lack of conservation efforts were cited in both the petition and the states' assessment as threats. There are 5 prairie dog species in North America: white-tailed prairie dogs are found in the sagebrush lands of Wyoming, Colorado, Utah, and Montana. For more information, contact Erin Robertson at 303.546.0214 or erin@nativeecosystems.org. The published negative finding, petition, states' Conservation Assessment, and a high-resolution photo are available at: <http://www.nativeecosystems.org/species/white-tailed-prairie-dog/>