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See A4 and A5.



"In several conversations with the Washington office and regional office, numerous comments were made that listing the Gunnison Sage-grouse would not get through Ms. MacDonald ... The field office still believed that listing as threatened was warranted."

- In a recently released internal U.S. Fish and Wildlife Service memo — from Assistant Regional Director of Fisheries and Ecological Services **Mike Stempel** — discussing the involvement of Julie MacDonald, a former Deputy Assistant Secretary for Fish and Wildlife and Parks, who has been investigated for inappropriately influencing decisions to list species under the Endangered Species Act. See A6.

ESA probe points to tampering

Michelle Burkhart
Times Staff Writer

Evidence is mounting that a top Bush administration appointee with the Department of the Interior changed biological findings that could impact future management of the Gunnison Sage-grouse and Gunnison's prairie dog.

A recently unearthed internal U.S. Fish and Wildlife Service (FWS) memo "confirms previous, circumstantial evidence," said Sagebrush Sea Campaign Director Mark Salvo, who requested the memo via a Freedom of Information Act (FOIA) request.

The memo — from Assistant Regional Director of Fisheries and Ecological Services Mike Stempel to the Region 6 Director Mitch King — was in response to a request for review of all decisions Julie MacDonald, a former Deputy Assistant Secretary for Fish and Wildlife and Parks, may have influenced.

MacDonald stepped down last May, following the release of a report by the Department of Interior Inspector General that investigated if she inappropriately influenced the FWS, and just days before a congressional hearing was scheduled to investigate the same.

The June memo describes how biologists at the FWS initially recommended the grouse be listed as endangered under the highly controversial Endangered Species Act. It indicates that the field office changed its recommendation from endangered to

threatened after internal discussions with the regional and Washington offices. Later the higher offices told it to drop the recommendation for listing altogether and prepare a "not warranted" listing, the memo states.

"In several conversations with the Washington office and regional office, numerous comments were made that listing the Gunnison Sage-grouse would not get through Ms. MacDonald," the memo reads. "The field office still believed that listing as threatened was warranted."

MacDonald's influence has been called into question because she has a degree in civil engineering and no background in biology.

According to the ESA, a listing decision should be solely based on the best scientific information available.

MacDonald's involvement in the sage-grouse decision is also documented in records released by another FOIA request last fall.

The newly revealed memo also shows MacDonald had her hand in a decision about whether the Gunnison's prairie dog deserved a complete analysis to decide if it should be listed under the ESA.

The memo stated that the field office decided a petition to list the rodent warranted further review.

However, later the field office received an e-mail from Chris Nolin, of the FWS Endangered Species Program, instructing it "to revise the finding to negative 'per Julie's instructions,'" the memo states.

Last spring, FWS Director Dale

Hall requested that every regional office review ESA listing decisions in which MacDonald was involved, and recommend which, if any, decisions the Washington office should reconsider.

King, in another memo to the last June, stated that he had consulted with field and regional staff and found that MacDonald "did not affect" the outcome of decisions made on the Gunnison's prairie dog and Gunnison Sage-grouse.

The regional office saw the situation differently than the field office and had reasons for saying MacDonald didn't affect the final outcomes, said FWS Region 6 spokeswoman Diane Katzenberger.

For example, with the grouse, the regional office felt the field office failed to draft a "cogent" argument for listing.

The FWS publicized the King memo on its Web site.

"The public was left to believe that Julie MacDonald's interference ... was not so intrusive after all," Salvo opined. "However, tucked away in an agency file was this other memorandum."

Based on the internal review process, the FWS picked eight species to reconsider, not including the two local candidates. The Gunnison's prairie dog is, however, being reconsidered for listing as a result of litigation. The grouse decision is also being litigated.

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