

Taking a Stand for Science: Documents Show FWS Scientists Disagreed with Wolverine Decision

What do sage grouse, wolves, and burying beetles have to do with politics? A lot when we look at how decisions to protect or not protect these species have gotten tied into political debates. Instead of discussions focused on whether populations of these species are threatened, we've instead had conversations about the intersection of [sage grouse territory with fracking sites](#), how [wolf conservation](#) impacts interstate commerce, and whether [burying beetle habitat](#) overlapped with Keystone XL pipeline plans. Now scientists are stepping up to bring the conversation back to science.

Of wolves and wolverines

[A newly released document](#) now confirms that FWS scientists disagreed with FWS leadership on its decision not to list the wolverine under the Endangered Species Act. Last year, I wrote about this decision when [a leaked memo](#) showed FWS leadership choosing not to list the species, despite concerns from scientists about how climate change and potential lessening of snowpack would affect wolverine populations in the northern mountain states.



Scientists are asking that the FWS better allow for independent science to inform species listing decisions, like that of the wolverine earlier this year. Photo: FWS/Roy Anderson

The new document—that the Union of Concerned Scientists obtained through a Freedom of Information Act request to the FWS—is a memo from the Assistant Regional Director of Ecological Services in FWS Region 6 detailing the region's scientific recommendation and justification for the wolverine needing federal protection. The memo states that based on the best-available science, “The Montana Field Office recommends that the wolverine listing be

finalized as threatened under the [Endangered Species] Act.”

The revelation raises questions about whether the agency’s decision not to list the species, despite this recommendation from its own scientists, was based on science, as the Endangered Species Act requires. Specifically, the Act states that “the Secretary [of the Interior or of Commerce] shall make determinations ... solely on the basis of the best scientific and commercial data available...”

In another recent case, the FWS chose to delist gray wolves nationwide, ignoring the best available science coming from the independent scientific community. The FWS claimed that most of the nation was unsuitable for wolves due to “...[a lack of tolerance of wolves](#)...”. Yet [a review of >100 articles](#) on the science of tolerance for wolves does not support the claim and a summary of the literature commissioned by the FWS itself did not support the claim.



Many in the broader scientific community disagreed with the DOI decision to delist gray wolves in 2013. Photo: John and Karen Hollingsworth/USFWS

The scientific opinion of the Montana Office in the case of the wolverine and the opinions in the broader scientific community in the case of wolves were not heeded in the two cases described above. Was there additional scientific information that went into the FWS’ decision not to list the wolverine or the decision to delist the wolf? And importantly, why are the bases for this FWS decisions still unclear more than a year later? These unanswered questions

demonstrate the need for an improved process for endangered species determinations at the FWS.

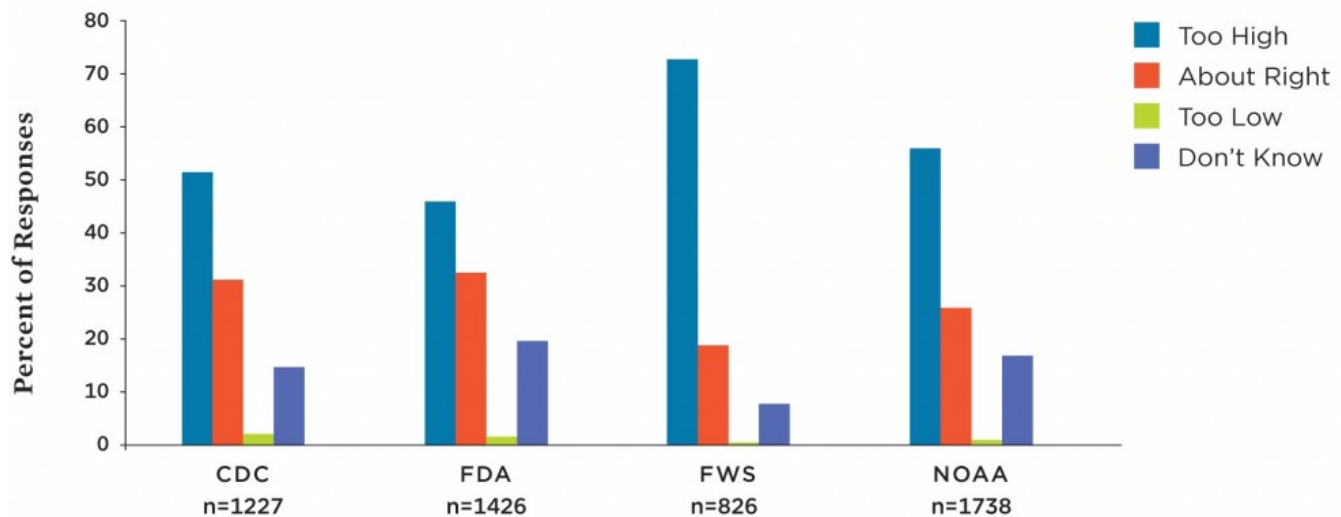
Let the scientific community determine what is the best available science

A growing group of scientists have signed onto a letter asking the Department of the Interior (DOI) and the Department of Commerce (DOC) to follow a process for obtaining independent scientific advice on listing and delisting decisions under the Endangered Species Act (ESA). The scientists' letter outlines how the ESA mandate for best available science could be respected by relying on external, independent scientific input, without interference from non-scientists.

Specifically, the scientists are asking the DOI and DOC to entrust the scientific evaluation of species listing and de-listing determinations to an external committee of scientists who are best suited to assess the scientific evidence and make a public recommendation to the agency, based solely on the scientific and commercial data available, as the ESA requires.

Such a process makes a lot of sense. It could be implemented by the federal agencies without requiring changes to the law and it would enable the Fish and Wildlife Service and National Oceanic and Atmospheric Administration to focus on implementing the ESA. The proposal would also provide the public with a better understanding of how species listing decisions are made at the agency, increasing transparency and accountability for such decisions. This could lead to less political interference in what should be science-based decisions on endangered species.

In your opinion, how appropriate is the level of consideration of political interests at the agency?



In a recent UCS survey of government scientists, 73 percent of FWS respondents thought the level of consideration of political interests at the agency was too high. A group of scientists have proposed a consistent, transparent process for endangered species determinations to address some of these concerns. Source: UCS's Progress and Problems, ucsusa.org/scientistsurvey

A sensible proposal

A recent [survey of scientists at the FWS](#) conducted by the Union of Concerned Scientists finds that such a proposal might address some concerns among agency scientists. Seventy-three percent of respondents (601 scientists) felt that consideration of political interests was too high at FWS. When asked what would most improve scientific integrity at the FWS, one scientist suggested, “clear documentation on what standards are being used to make recommendations and what standards are used in the final decision. For example, under the ESA the FWS is prohibited from considering economic considerations when making a listing recommendation. However, final decision makers are known to apply a political/industry filter to those decisions because of the perceived impact an ESA listing will have to a segment of the economy.”

Another respondent noticed a discrepancy between the level of science required to list vs. de-list a species. “Frequently, information on a particular issue (e.g., petition to list) must be overwhelming to decide to list a species,

although downlisting or delisting does not have the same standard of overwhelming information to prove that a species has recovered.” A process for independent scientific advice as proposed above would seek to address these issues of political interference and inconsistent decision making within the agency.

It’s also worth noting that such a process is not unprecedented when it comes to science-based decision making at federal agencies. Take the Environmental Protection Agency, for example, which uses external Science Advisory Boards for making decisions on its rule making. The EPA’s Clean Air Scientific Advisory Committee, which [I’ve written about](#) extensively, assesses scientific understanding of ambient air pollutants and their health effects and makes recommendations to the agency on what air quality standards should be. This process creates a space for exclusive consideration of scientific evidence supporting a rule and it allows the public to observe scientific consensus-building.

Importantly, a standard, uniform process designed by the independent scientific community creates a separation between the scientific recommendation and the political decision that follows, allowing for accountability for the agencies’ decision. First, this gives the agency political cover if it does make a decision based on science and it allows the public to hold them accountable when they don’t. Why don’t the DOI and DOC enact a similar process for species listings?

Scientists are proposing a solution that allows independent science to better inform endangered species determinations and do so in a transparent and consistent way. [**Please join me in supporting better use of science to protect threatened species in the US.**](#)

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