



# PEERreview

A Publication of Public Employees for Environmental Responsibility

## Biden's 30 x 30 Conservation Challenge

In one of his first actions, President Biden committed his administration “to achieve the goal of conserving at least 30 percent of our lands and waters by 2030” as a central strategy in America’s climate policy. That is a breathtaking goal.

But his administration’s first interagency report, *Conserving and Restoring America the Beautiful*, fails to provide a meaningful path forward. Moreover, the report’s reliance on voluntary “local” actions suggests that the administration does not intend to protect more federal lands or waters. If that is the case, the U.S. will fall far short of the 30x30 goal.

To put this challenge in perspective, the U.S. currently conserves about 12 percent of its land in a largely natural state. As for its waters, while some 26 percent of its coastal waters have some form of protection, only 1% of continental state waters, and 0.01% of continental federal waters are strongly protected. Meanwhile, the state of America’s oceans is in decline.

In the coming months, PEER will be pressing the Biden administration toward its 30 x 30 goal on three fronts:

### Rangeland

An upcoming PEER report documents that 40 million acres, an area the size of Washington State, fail the U.S. Bureau of Land Management’s (BLM) own minimum standards for quality of water, vegetation, and soils, as well as the ability to support



PHOTO: NASA

**A Conservation Vision That Can Be Seen from Space.** President Biden posits a firm link-age between conservation and combatting climate change.

wildlife. These livestock failure figures are major underestimates of damage since a substantial proportion of allotments yet to be assessed are in regions where livestock failure rates are remarkably high. (See related article on page 11).

Severely degraded landscapes cannot be counted as conserved. Moreover, deepening drought conditions enveloping the Sagebrush West will make these conditions even more severe.

We will be working to commit the Biden administration and the new BLM leadership to a major improvement to rangeland health and range conservation if it hopes to have any chance to meet its 30% land conservation goal by 2030.

### Agricultural Lands

The Biden administration is developing ways to pay farmers for sequestering greenhouse gas (GHG) such as carbon dioxide, methane, and nitrous oxide. Releases of GHGs are associated with many agricultural practices. Indeed, farming and ranching together cause 10%–14% of global human-caused GHG emissions.

A Biden Executive Order calls for providing a subsidy, tax credit, or other payment for adopting “green” practices. But these programs can be easily scammed. PEER will be watchdogging them to ensure that subsidies do not merely support practices that the farmer should be doing anyways, or that do not result in real and permanent



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## FROM THE EXECUTIVE DIRECTOR

### A View of the Climate Emergency

With a mega drought and record heat wave engulfing much of the western United States, one question we often get is how we plan to work on climate change issues with so much dysfunction in Washington.

The good news is advancements in wind, solar and battery storage technologies mean a decarbonized electricity supply may be within our grasp despite the political gridlock in this country. However, given the power of the fossil fuel industry and the far-right in this country, we can't take this transition for granted and must step up our efforts to support laws and policies that move us to a clean energy economy.

However, as an organization with deep roots in the conservation movement, we know that just replacing fossil fuels with renewable energy will not stop the climate crisis. Renewable energy production requires the use of precious natural resources, causes pollution, and results in habitat destruction, species loss and greenhouse gas emissions. While this destruction is less than that of fossil fuels, these impacts cannot be ignored or discounted.

That's why we will be so heavily invested in putting teeth into the President's vision to conserve 30 percent of our lands and waters by 2030 (see page 1). Opponents of this vision are calling it a land grab, and the President's initial roadmap for realizing this vision steps back from his ambitious campaign promises and simply calls for support of 'voluntary' local efforts to 'conserve' working lands and waters.

That's not enough. This moment in history calls for bold action on conservation as part of any climate plan. Our work this coming year will include increasing the amount of park wilderness in the National Park Service, implementing a green parks program, reforming the BLM's grazing program, reining in destructive recreation on federal lands, increasing the number of Marine Monuments, and reviewing proposals for new energy projects for compliance with environmental laws. All of these steps are necessary to address climate change and save our planet.

Reducing greenhouse gas emissions, and stopping species extinction, land degradation and deforestation are monumental and interrelated challenges. Time is too short, and the climate math is too rigorous, for us not to engage as heavily as possible in helping our country address all aspects of this national climate emergency.

— Tim Whitehouse, Executive Director

### About Us

PEER protects public employees who protect our environment. We are a service organization for local, state, federal and tribal public employees, including scientists, law enforcement officers, land managers, and all others dedicated to upholding environmental laws and values. Through PEER, public servants can choose to work as "anonymous activists" so that public agencies must confront the message, rather than the messenger.

## PEOPLE &amp; WILDLIFE

## Welcome to PEER!

Helen Jenkins, our Director of Development and Communications, joins PEER with more than ten years' professional development experience focused on conservation and the environment. Helen served for seven years with the Nature Conservancy, Montana, and previously with the Seattle Audubon Society and the Montana Veterans Foundation. Helen looks forward to growing the individual giving program, strengthening relationships with funders, and raising

awareness about PEER's unique niche and power in protecting the environment.



PHOTO: HELEN JENKINS

Derek Segars, our Legal Intern, is a rising 2L pursuing an advanced environmental certificate at Elisabeth Haub School of Law at Pace University. Prior to law school, Derek was Roger Airliner Young (RAY) fellow, where he worked on marine mammal, Ocean Planning, and sustainable fisheries issues at Ocean Conservancy and Rare. Species recovery, habitat protection, and urban sustainability are some of Derek's primary interests and he is looking forward to having the opportunity to provide

support on species and habitation conservation lawsuits.



PHOTO: DEREK SEGARS

Katherine Wilkin, our Legal Intern, is a student at Columbia Law School, where she is pursuing a focus on environmental justice and the intersection of human rights and climate change as a Public Interest/Public Service Fellow. Prior to law school, Katherine worked as a community organizer in her Appalachian hometown fighting the expansion of fracked gas infrastructure. Katherine is enjoying working with PEER and getting to learn about a new side of environmental legal practice among

a team of dedicated and welcoming team members.



PHOTO: KATHERINE WILKIN

## Colorado Wolf Trap

PEER has revealed that a senior state parks official has been fully reinstated after he was [caught using public resources in a private campaign against reintroduction of wolves in Colorado](#). Department of Parks and Wildlife (DPW) Northwest Regional Manager JT Romatzke was a vocal opponent of Ballot Initiative 114, which voters passed in November 2020. That measure gave the DPW a mandate for gray wolf reintroduction by the end of 2023.

One month after its passage, Romatzke directed his subordinate employees to run a shadow political campaign during official time and to use state funds to discredit perceived pro-wolf appointees and slow plans by the Governor to accelerate wolf releases.

An internal investigation prompted by a

whistleblower complaint led DPW to suspend Romatzke but then it fully reinstated him as Northwest Regional Manager. This was despite the fact that the state investigation found that some of the allegations were true. Contrary to assurances that they would be protected if they officially filed a complaint, DPW put the employees who had blown the whistle back under Romatzke's command. DPW failed to inform staff or notify the two targeted Commissioners as to what had happened.

"These actions are fundamentally incompatible with the basic principles of public service," stated PEER Rocky Mountain Director Chandra Rosenthal, arguing that the state should be transparent with the public, protect the employee who blew the whistle, and justify Romatzke's supervisory status. "State employees are



PHOTO: CPW.STATE.CO.US

**Back by Popular Demand.** Some state wildlife officials bitterly opposed voter-directed wolf reintroduction.

certainly entitled to their own views but are not entitled to pursue their own political agendas using public resources and the authority of their office." ■





## U.S. GEOLOGICAL SURVEY

# Biosafety Whistleblower Reinstated

The U.S. Geological Survey has “rescinded” the removal of a veteran microbiologist who had charged biosafety failures in its wildlife disease laboratories endangered the public and compromised research results and subjects. The agency’s reversal occurred as PEER’s legal challenge to the firing headed to hearing.

Eveline (Evi) Emmenegger, a microbiologist, managed the highest biosafety level containment laboratory at USGS’ Seattle-based Western Fisheries Research Center (WFRC.) She had filed a Scientific Integrity

complaint concerning the breakdowns that led to the lab releasing pathogen-contaminated wastewater into the wetland adjoining Seattle’s Lake Washington for more than six months, among other, related issues.

After USGS dismissed her Scientific Integrity complaint but conceded that “science produced at WFRC may have been adversely affected,” the same supervisor cited in that complaint began a process that led to a proposed removal in January 2020, based on alleged lapses in a research paper. For more than a year, USGS took no further action, leaving Evi on suspension, until the agency finalized its removal decision in March 2021.

“Evi Emmenegger is a textbook example of whistleblower retaliation, and we are very happy she has been restored,” stated PEER General Counsel Paula Dinerstein, the leader of her legal team. “We hope this is an early signal that whistleblowers will be treated differently in the Biden administration.”

WFRC’s welcome to Evi upon her return



PHOTO: USGS

**Safety First.** USGS sought to stop Evi Emmenegger’s repeated reports about dangerous biosecurity breaches. We hope that her reinstatement is a signal that whistleblowers will be treated differently under the Biden administration.

has been somewhat strained, however, and the highest-level biosafety lab has been shut down since before Evi was put on leave. So, PEER is working to ensure that all her prior duties and access are also fully restored. ■

## Scientific Integrity Task Force

In one of his earliest executive orders, President Biden commissioned a Task Force to determine why scientific integrity policies adopted under President Obama did not work, including “an analysis of any instances in which existing scientific integrity policies have not been followed or enforced.” The Task Force plans to produce a report later this year and propose reforms.

Unfortunately, thus far, the administration appears to be focusing only on scientific integrity abuses under Trump. PEER is submitting a series of analyses of prior cases that occurred under both Democratic and Republican administrations with recommendations to help prevent these violations from recurring.

Until there is a realization that political manipulation of science can and does happen under either party, we will not achieve effective safeguards for scientists or science. ■

## Biosecurity Insecurity

PEER is leading a coalition of conservation, animal welfare, and public interest groups pressing USGS to submit to the accepted standards in the scientific community for live animal laboratories including independent verification of meeting standards for biosafety and animal care. Most every other federal agency with animal labs, including CDC, FDA, EPA, USDA, and NIH, undergo such independent accreditation. We intend to pursue this matter with the nominee for USGS Director once he or she is named. ■

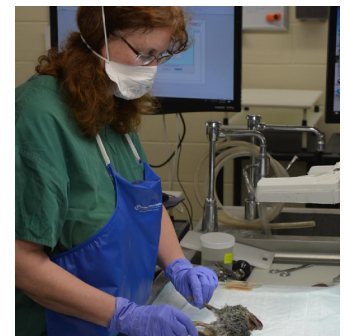


PHOTO: USGS

**USGS Wildlife Disease Research.** Researching animal diseases requires high levels of bio-containment to prevent releases of viruses and other pathogens.

## PFAS FOREVER CHEMICALS

## Forever Chemicals Infest Flea Collars

Popular pet flea collars and treatments [contain high levels of toxic PFAS chemicals](#). PEER sent several flea and tick products to a certified lab, which found that:

- Frontline Plus for Dogs, a popular topical product, contains 2,390 parts per trillion (ppt) of four different PFAS. Frontline is a liquid pesticide applied between the pets' shoulder blades once a month; it is absorbed into the animal's body.
- Seresto flea and tick collars contain 250 ppt of PFAS. These collars contain insecticides that are released over time and coat an animal's fur.

By way of comparison, the U.S. Environmental Protection Agency (EPA) has yet to promulgate legal limits but has established a 70 ppt lifetime health advisory for two types of PFAS (PFOA and PFOS) in drinking water. Notably, leading scientists have called for a drinking water safety limit of 0.1 ppt for PFOA alone.

PFAS (per- and polyfluoroalkyl substances)

are associated with a variety of human ailments, including suppressed immune function, thyroid disease, testicular and kidney cancers, and liver damage. A major concern is people can be exposed to PFAS through the skin by petting and playing with their pets. Children face even greater risk through their frequent hand-to-mouth behavior.

EPA regulates flea and tick control products as pesticides. Yet, these PFAS findings underline EPA's failure to provide proper oversight of pest control.

At the same time, EPA has received more than 75,000 complaints linking the Seresto flea collar to harms ranging from skin irritation to nearly 1,700 pet deaths. Yet the agency has taken no action such as recalling the product or issuing a public warning about potential dangers.

Meanwhile, EPA insists that pesticides do not contain PFAS as deliberately added ingredients, yet PFAS are on EPA's approved list of both inert and active ingredients. Thus, on one hand, EPA declares the urgent need to control



PHOTO: KYLA BENNETT

**Kyla Bennett.** PEER's Science Policy Director is leading PEER's efforts to expose and address widespread PFAS contamination of products we use every day.

the spread of PFAS, while its other hand facilitates the spread of PFAS through lax regulation.

PEER's work exposing the extent of PFAS in pesticides is designed to both spur effective PFAS control measures and to reform EPA's thoroughly broken pesticide regulatory process (see related story on Page 7). ■

## Firefighter Turnout Gear Progress

In our last issue, we reported that the turnout gear firefighters wear to combat blazes contains high levels of PFAS. This puts firefighters into direct contact with dangerous cancer-causing chemicals which can be absorbed through the skin, ingested, or inhaled. Moreover, industry influence means that current standards for turnout gear require the presence of PFAS.

We are providing aid and guidance to concerned firefighters (some of whom are themselves dealing with cancer diagnoses), who are making progress on two

fronts:

- A proposal to remove PFAS from turnout gear is advancing through the National Fire Protection Association; and
- Legislation to shield firefighters from PFAS contact both in firefighting foam and turnout gear is moving at both the federal and state levels.

Beyond the gear, studies show that PFAS is contaminating firehouses themselves, and can be detected in station-house dust. That means firefighters are carrying PFAS contamination home to their families. We



PHOTO: FEMA

**Turnout Gear.** The same harmful chemical in firefighting foam is in the turnout gear firefighters must wear.

are working within the firefighting community to make sure that the PFAS risks are known, monitored, and, hopefully soon, remedied. ■



## PFAS FOREVER CHEMICALS

## Chemical Assessments Doctored to Mask Risks

Risk assessments for new and existing chemicals have been, and still are being, [improperly altered to completely eliminate or minimize risks to human health](#), according to U.S. Environmental Protection Agency (EPA) chemists represented by PEER.

Following landmark 2016 amendments to the Toxic Substances Control Act, EPA undertook evaluation of risks from both existing chemicals as well as new substances prior to manufacture or import into the U.S. These risk assessments are the public health safety net to ensure that both workers and consumers are aware of potential consequences of exposure.

The chemists charge in a complaint PEER has filed with EPA's Office of Inspector General (IG) that civil service managers, both during and after the Trump administration, routinely accessed risk assessments to –

- Delete language identifying potential adverse effects, including developmental toxicity, neurotoxicity, mutagenicity, and/or carcinogenicity;
- Alter report conclusions to indicate that there are no toxicity concerns despite significant data to the contrary; and
- Reassign them to inexperienced staff in order to secure their agreement to remove issues.

In almost every case where this type of



PHOTO: IDAHO STATE UNIVERSITY

**Hidden Dangers.** EPA's toxicological information, which cautions workers on exposure pathways, symptoms, and delayed, immediate, or chronic effects from short- and long-term exposure is often incomplete or inaccurate.

interference has occurred, the revised assessment was no longer as protective of worker safety. Thus, the resulting Material Safety Data Sheets lack information vital to prevent harmful exposures, such as proper handling procedures, personal protection needed, accidental release measures, first aid and firefighting measures.

The complaint asks the IG to identify all the alterations and restore the correct risk information. In addition, some of the altered risk assessment documents have been overwritten and intermediate comments have been erased in violation of EPA's Records Management Policy.

"These alterations of risk assessments are not just artifacts of the Trump administration, but have spanned across administrations," stated PEER Science Policy Director Kyla Bennett, a scientist and attorney formerly with EPA. "All of these altered assessments need to be pulled back and corrected in order to

protect both workers handling chemicals and the American public."

EPA staff scientists had raised these concerns internally, but endured harassment from managers named in the complaints.

"EPA's lack of accountability for scientific misconduct poses a direct danger to public health," added Bennett, calling for removal of those civil service managers found responsible. "Inside EPA, scientific integrity has become an oxymoron and a cure will require a complete overhaul." ■

### Thank You!

*This quarter, we would like to express our gratitude for the exceptional generosity of members Jerome Toporek and James Biasco.*

*We would also like to thank the Joseph Robert Foundation, the Deer Creek Foundation, and Ceres Trust for their generous support.*

*"These alterations of risk assessments are not just artifacts of the Trump administration, but have spanned across administrations" --PEER Science Policy Director Kyla Bennett*



## Standing Up for Children

The expert the U.S. Environmental Protection Agency recruited in 2015 to enhance protection of children's health [has won a national award even as she fights to return to her position](#). The Trump administration removed Dr. Ruth Etzel as Director of its Office of Children's Health Protection in 2019 after she repeatedly spoke out about EPA's failure to protect children's health from lead and other environmental pollutants. PEER is leading a legal effort to restore Dr. Etzel.

Both a pediatrician and an epidemiologist, Dr. Etzel is an internationally recognized expert on child health and the environment. In April of this year, the Academic Pediatric Association named her as the 2020 recipient of the prestigious Public

Policy and Advocacy Award.

Unfortunately, her current EPA assignment is as a biologist in EPA's Office of Water where she has no contact with children's health and is not allowed to work on prevention of lead poisoning.

"EPA cast one of the world's leading experts on protecting children's health into a bureaucratic purgatory for the sin of championing strong public health safeguards," stated PEER General Counsel Paula Dinerstein, who is leading Dr. Etzel's legal team. "Repairing damage done within EPA during the prior administration requires bringing some of its best and brightest out of exile." ■

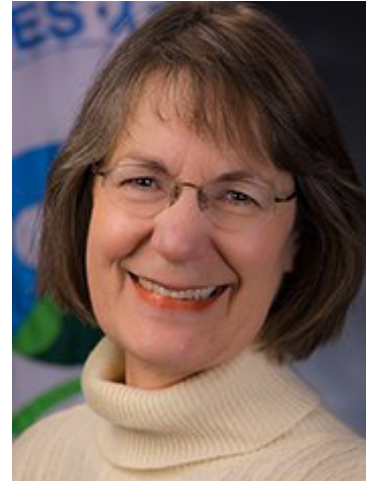


PHOTO: US NATIONAL ARCHIVES

**Child Health Advocate.** The case of Dr. Etzel poses a litmus test for the Biden-run EPA which has pledged to repair the damage.

## Fixing Our Broken Pesticide System

In many states, cities and towns can spray schools or town parks and athletic fields with toxic herbicides like 2,4-D, which was a component of the infamous defoliant Agent Orange and is linked with liver and nerve damage. In agricultural areas, large-scale spraying of the highly toxic organophosphate group of pesticides may take place adjacent to homes and day cares, while farmworkers can be exposed both at work and at home.

And now PEER has produced conclusive



PHOTO: EPA

**Wiping Out Pollinators Is Only One Aspect of Our Pesticide-Driven Agriculture.** The U.S. uses over a billion pounds of pesticides annually.

evidence that many pesticides may contain toxic per- and polyfluoroalkyl substances, or PFAS, known as "forever chemicals" because they do not break down under natural conditions.

The primary federal pesticide law, the Federal Insecticide, Fungicide and Rodenticide Act, or FIFRA, was passed in 1947. World War II had ended, factories were shifting to peacetime manufacturing, and the economy was taking off – with vastly expanded chemicals production as part of this growth. "Better living through chemistry" was the mantra of the times.

Over time, FIFRA has proven to be utterly inadequate. It is based on a flimsy system of registration and labeling. The EPA has continued to blithely approve products that are inadequately tested or that cause serious environmental and health concerns.

As the ecological and public health damage from this chemically-driven approach accumulates, it has become undeniably clear that dramatic change is needed now. The U.S. must rapidly move away from dependence on toxic pesticides; more strictly control the pesticides we use; and embrace organic and regenerative agriculture and land care practices.

Working with a growing network of former and current EPA scientists, PEER has started banging a steady drumbeat on the dysfunction plaguing this system. The resulting exposés are forcing new Biden appointees to reverse some recent egregious mistaken pesticide approvals, but this is only the opening rounds of what will be a very long but extraordinarily worthwhile fight. ■



## COLORADO

## Rebellion of the Air Modelers

The entire air modeling staff for the Colorado Department of Public Health and the Environment (CDPHE) charge that they are being directed to issue illegal permits, ignore violations, and refrain from modeling pollution emissions, according to a complaint filed through PEER. Colorado's entire Front Range, which surrounds Denver, remains in violation of National Ambient Air Quality Standards and is classified as in "serious nonattainment" for ozone since 2012, due to excess sulfur dioxide, nitrogen dioxide, and particulates.

Their complaint led the CDPHE to rescind a March order to cease modeling for criteria pollutants in existing and pending permits. Meanwhile, the state Attorney General has undertaken an investigation.

PEER has also asked the U.S. Environmental Protection Agency to intervene to address two of Colorado's dirtiest powerplants:

- The Xcel Cherokee power station, which the state has allowed to operate without air modelling for its emissions. The plant emits pollutants into Commerce City, just north of metro Denver, one of the most polluted areas in the country occupied by a low-income community of color already facing a disproportionate pollution load; and
- The Pawnee coal power plant which independent modeling arranged by PEER reveals regularly exceeds short term standards for SO<sub>2</sub>.



PHOTO: USDOE

**Can You Find Denver? Unhealthy levels of ozone are worsening along Colorado's Front Range.**

"Colorado's critical air quality safeguards are being monkey wrenching by mid-level officials," stated PEER Rocky Mountain Director Chandra Rosenthal. "Coloradans, and especially the residents of Commerce City, deserve far better than what they are getting from the state's pollution control agency." ■

### An Agency Held Hostage

A Trump appointee leading the federal agency investigating and preventing industrial explosions and other chemical accidents is engaged in a taxpayer-financed spending spree. At the same time, the U.S. Chemical Safety and Hazard Investigation Board (CSB) is down to only 11 investigators, about half of what it had just six years earlier.

Through Freedom of Information Act requests, PEER learned that Katherine Lemos, the sole member of the five-member board overseeing CSB, charged taxpayers \$33,000 for travel during the past year, primarily from her home in San Diego to DC. She also incurred hotel bills, including several nights at DC's Park Hyatt in violation of the rule against paying for lodging within 50 miles of the employee's duty station. One trip was for her and her

husband to attend a Trump Christmas party. She also spent \$20,000 on office renovations, including \$9,000 in new furniture. This tab exceeds the \$5,000 cap on office renovations for federal officials.

Instead of hiring sorely needed accident investigators, Lemos has hired two senior aides on a noncompetitive basis at undisclosed salaries, who, like Lemos, have no experience in chemical industrial safety.

"Chairwoman Lemos is running up big expenses at a very small agency – expenses that benefit her personally but have no demonstrable impact on industrial safety," stated PEER General Counsel Paula Dinerstein.

Meanwhile, Lemos has finalized a new "Board Order" giving her sole authority

over all CSB spending. It also confers on her complete control over release of information, including a new power to bring "misconduct" charges against colleagues. President Biden's nominees for three new CSB Board slots are awaiting Senate confirmation. Meanwhile, Congressional committees are finally beginning to ask questions. ■



PHOTO: PEER

**PEER General Counsel Paula Dinerstein.**



## NATIONAL PARK SERVICE

## Plastic Free Parks

In a major step to “green” national parks, PEER, in concert with GreenLatinos and Beyond Plastics, has filed a rule-making petition seeking to ban sale of plastic water bottles. This would reverse an action by the Trump administration forbidding parks from restricting sales of single-use water bottles.

Plastic bottles are the single biggest component of park waste streams. Yellowstone estimates they constitute fully half of its trash. Besides the cost of hauling them away, plastic bottles sold in parks consume lots of energy and add to the carbon footprint of park operations. In addition, they contribute to the growing plague of

plastic pollution afflicting the planet.

Action by PEER prevented Coca Cola from leveraging its “charitable contributions” to block Grand Canyon from going plastic bottle free under Obama. But Coke and other bottlers later persuaded the Trump administration that parks should not infringe upon “consumer choice” when it came to hydration options.

“Consumer choice is for shopping malls, not national parks,” stated PEER Executive Director Tim Whitehouse, noting that the petition calls for reducing plastic usage throughout the park system by 75% in the next five years. “The conservation



[Sign the petition for plastic-free parks.](#)



mandate for national parks should extend through all their operations, including their concessions.” ■

## Yellowstone’s Thermal Turmoil

PEER is protesting a plan to bury 187 miles of fiberoptic cable by trenching thermal areas. The plan would multiply bandwidth in the park some 300,000-fold by digging up tracts that “risk permanently impairing the Old Faithful hydrothermal system,” according to a report from an expert panel the park convened in 2014. In some instances, existing roads

have already “catastrophically” harmed resources, such as excavation for the Old Faithful overpass which dried up nearby hot springs.

With so many unanswered questions and unknown impacts, PEER is urging the park to withdraw this proposal or subject it to far more extensive study. ■



PHOTO: NPS

**Iconic Hot Spots.** Yellowstone’s unique hydrothermal features were a major reason it became our first national park in 1872.

## Grand Canyon Game Farm

Grand Canyon National Park recently made international news when it advertised for “volunteers” to come shoot bison living on its North Rim. That invitation

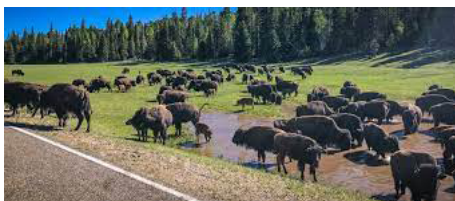


PHOTO: NPS

**Cattalos of Grand Canyon.** This hybrid herd has been stranded on the park’s North Rim for decades.

sparked 45,000 applications. From this avalanche of interest, only 12 people will be selected by lottery. Each “winner” gets the right to shoot an animal and pack its carcass out of the park.

The herd, which consists of remnants of imported bison interbred with cows, number around 600 animals. The park’s eventual goal is to reduce the herd to around 200 to minimize the damage they cause to the soil, waters, and flora of the park’s Kaibab Plateau. However, killing only 12 animals will make no discernible

reduction. PEER warns that this begins the transformation of Grand Canyon from a national park into a game farm. These initial dozen “volunteers” will likely grow in number each year, so that soon scores of armed non-hunters will be escorted by Arizona Game & Fish to lethally remove a beefalo.

The episode underlines the Park Service’s desperate need for leadership willing to solve conservation challenges, rather than kicking the can down the road. ■



## PEER PERSPECTIVE

## Zero Omission Vehicle



### Montana Governor Greg Gianforte

Montana Gov. Greg Gianforte has ended a decade-long effort to develop a plan to allow free-roaming bison outside of Yellowstone National Park. In doing so, he said “In its effort to spread bison across parts of Montana, [his own Department of Fish, Wildlife and Parks] didn’t do enough to account for the impacts to local communities” – although no locality had yet to be affected. His action blocks adoption of any bison restoration plan for the next 10 years and kills efforts to return bison to the Charles M. Russell National Wildlife Refuge and near the Blackfeet Reservation in the state’s northwest. The result is that no bison will be allowed in most of Montana for the foreseeable future. Thus, Yellowstone’s bison will continue to be slaughtered if they venture beyond park boundaries.



### U.S. Fish & Wildlife Service Scientist Paul Henson

During the darkest days of the Trump years, Henson risked his career by repeatedly speaking truth to power. Henson, the FWS Oregon State Office Supervisor and its leading northern spotted owl expert, protested plans to drastically shrink critical habitat for this threatened species in a memo warning of the bird’s extinction and seeking to “clarify and correct some potential misinterpretations of the scientific information and conclusions” contained in an “extinction analysis” written by then-FWS Director Aurelia Skipwith. He added that “the director’s memo seems to misunderstand how the service uses the demographic data to inform decisions regarding [the owl].” Ouch. Fortunately, the Biden administration has put Trump’s move on hold “to avoid placing undue risk on the conservation of the northern spotted owl.”



### District of Columbia Attorney General Karl Racine

After the U.S. Food & Drug Administration conceded that it would take no action following a congressional report documenting high levels of arsenic, lead, mercury, and cadmium in four major baby food brands, DC Attorney General Racine sued Beech-Nut Nutrition, Co, the nation’s second largest brand of packaged baby food, for misleading claims about the safety of its products. Beech-Nut says its products undergo the most stringent testing and are safe for babies. “No company should profit by illegally deceiving parents about products that actually jeopardize the health and safety of their children,” Racine said in a statement referencing the neurotoxins that harm development in babies.



### Washington State Senators Kevin Van De Wege and Christine Rolfes

A bill introduced by state Senators Wege and Rolfes to ban seabed mining in Washington state marine waters is now state law. Ocean mining for precious metals and minerals is on the rise worldwide, and in Washington, interest has been in mining black sands containing iron, titanium and other hard minerals. Seabed “mineral extraction” ranges from dredging to removal of the top 12 inches of seafloor. Articles are now popping up in major journals about how to “sustainably” mine the sea floor, a sure sign that the industry is working to provide a “green” cover to politicians. Washington state got it right – now all states should ban seabed mining.



### Indiana Attorney General Todd Rokita

Indiana is one of 19 states to petition the U.S. Supreme Court to review the limits of the U.S. Environmental Protection Agency’s power to regulate environmental issues. “These ideological activists,” says AG Rokita, presumably referring to the EPA, “and the groups that act in concert with them, ultimately are bent on destroying capitalism and our way of life.” In normal times, one could dismiss the antics of Rokita, who has been described as a “self-styled working man’s hero who wears tasseled loafers and enough product in his hair to keep it in place even in a tornado.” But given the current makeup of the Supreme Court and the politics of our country, Rokita and his 18 brethren are ones to watch warily.



### Jennifer Hoffman, Wyoming Department of Transportation engineer

Hoffman is one of a growing number of highway professionals from Vermont to California who are now spending their time building road crossings for wildlife. These projects along Route 191 in Wyoming’s Pinedale region have reduced wildlife collisions some 90%. Each year there are between one to two million collisions between vehicles and large animals causing more than 26,000 injuries, about 200 human deaths, and around \$8 billion in damages. Thanks to Hoffman and her colleagues there are more than a thousand dedicated wildlife crossings in the U.S. today, up from just a handful in the 1980s.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

# Alaska's Red King Crab Dethroned by Fraud

During the past half-century, the Bristol Bay red king crab has plummeted from Alaska's most valuable single-species fishery to a remnant population nearing commercial extinction. This precipitous decline was the result of long-standing scientific obfuscation and falsification by the fisheries branch of the National Oceanic and Atmospheric Administration (NOAA), according to a PEER complaint.

The complaint was written by Dr. C. Braxton Dew, a fisheries biologist with more than 40 years of experience, 25 of them with NOAA Fisheries, charges that the agency paved the way for this collapse by engaging in sampling bias and data falsification, which inflated annual population estimates and led to a multi-year regime of ruinous overfishing. Even after that collapse and for the ensuing forty years, NOAA Fisheries has –

- Attributed the sudden loss of millions of crabs to “a drastic increase in natural mortality” and “massive die-offs,” claims for which no evidence ever materialized;

- Ignored massive indirect fishing mortality associated with record fishing harvests and multi-ton cod-ends of commercial trawls stuffed with red king crabs; and
- Never admitted that overfishing was occurring or that today's nearly depleted stock was ever overfished.

“Managers pushed the natural mortality story because they knew it might divert the focus from overfishing to natural catastrophe, thus avoiding the Magnuson-Stevens Act requirement for a cessation of fishing under a rebuilding plan,” said Dr. Dew. “It appears to have worked.”

The PEER complaint was filed under the Information Quality Act, which requires that information distributed by federal agencies, especially technical and scientific information, be complete and accurate. The complaint seeks a correction of the scientific record, including rescission of NOAA Fisheries stock assessment and fishery evaluation reports for the Bristol Bay red king crab for the years between 2015 and 2020.



PHOTO: DOUG SMITH

**“Red Bag.”** Before the population crash, thousands of large females with developing egg clutches were routinely discarded, devastating the brood stock. Yet, NOAA continued to count these losses as natural mortality unrelated to fishing.

“For decades, NOAA has pretended the red king crab collapse was caused by unidentified natural causes rather than by its own mismanagement,” stated Pacific PEER Director Jeff Ruch, noting that President Biden has directed agencies to improve the integrity of their scientific work. “How NOAA Fisheries responds to this complaint will indicate whether the agency will finally be honest and admit what it did – and is still doing.” ■

## Range Reform – Now is the Time

In the coming months, PEER will be pursuing a big, perhaps generational, opportunity to reform public lands management across the West and shake up one of the most ingrained of all federal bureaucracies – the U.S. Bureau of Land Management (otherwise known as the Bureau of Livestock & Mining).

Public lands grazing has been a public policy backwater, largely ignored as a major issue since 1992, when Bill Clinton first promised “Range Reform” and then abandoned it due to opposition from

Western Democrats. Ever since, grazing has remained something of a political third rail – everyone is afraid to touch it.

However, with a new Interior Secretary, Deb Haaland, who co-sponsored the Green New Deal, and the Biden pledge to protect 30% of U.S. lands and oceans by 2030 (see cover story), there may be an opportunity for major change. Nonetheless, it is a daunting challenge akin to transforming an auto junkyard into a Tesla factory. ■



**Moonscape of Tomorrow.** Desert grazing in the midst of a deepening drought is the epitome of public land mismanagement.





## Public Employees for Environmental Responsibility

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### 30 x 30 — Continued from page 1 ►

GHG reductions, or that merely shift emissions elsewhere.

With ramped-up activity under these programs, the environment will benefit only if the focus is not just on more subsidies for massive commodity crop farms (mostly corn and soybeans), which already are imposing nationwide damage in terms of reduced water quality, high pollinator mortality, biodiversity loss, conversion of natural habitats, and widespread pesticide harms to humans and wildlife.

## Oceans

America's oceans are beset by overfishing, climate change, acidification, and pollution. Many marine species are threatened or endangered, and entire marine ecosystems, ranging from sea ice to coral reefs, are severely in decline. Our collective failure to protect the oceans is imperiling ecosystems that we depend on to live.

Led by [Board Member and marine ecologist Rick Steiner](#), PEER is advocating the prioritization of highly threatened, productive continental shelf waters for protection as Marine National Monuments.

Marine National Monuments are the strongest and most direct policy instrument available to President Biden to achieve the 30% goal for the oceans. That was the conclusion of a joint letter organized with help from PEER from more than 90 university deans, department chairs, distinguished professors, researchers, independent scientists, conservation scientists, agency scientists, and scientific luminaries such as Dr. Jane Goodall. In short, these experts say that President Biden must “go big” with major policy initiatives to achieve his stated ocean protection goal.

Conserving 30 percent of our lands and waters by 2030 is what this moment in history demands. The example America

sets will affect our planet's future. Your support will help us all reach this goal. ■



2021

**White House Report Light on Specifics.** This preliminary report on achieving the President's 30x30 goals has been criticized as failing to provide a meaningful path forward. Even House Democrats in voicing support note that it does not lay out “a clear, actionable, and measurable plan for achieving targeted conservation outcomes.”