



# PEERreview

A Publication of Public Employees for Environmental Responsibility

## Sorely Needed Range Management Reforms

PEER has assembled the first comprehensive digital map illustrating the ecological health of rangelands managed by the Bureau of Land Management (BLM). It paints a bleak picture of conditions across the Sagebrush West, particularly in the cold desert regions. BLM's own records indicate that huge swaths of rangeland fail fundamental landscape health standards, with commercial livestock grazing identified as the principal cause.

BLM administers 155 million acres of leased grazing allotments on public lands in 13 western states. The map creates a visual compilation of official data on the rangeland health of each allotment. It shows:

- More than 50 percent of BLM acres assessed fail the agency's own land health standards (LHS) with livestock overgrazing as a significant cause. This means an area of 54 million acres, roughly the size of Wisconsin, fail to meet BLM's own minimum standards for soil and water quality, vegetation, and functional wildlife habitat due to overgrazing;
- Much of the land identified as priority habitat for the threatened Greater Sage-grouse lies in ecoregions where more than forty percent of assessed lands fail to achieve land health standards due to livestock grazing; and
- BLM has yet to assess 27% of leased grazing allotments, or nearly 41 million acres, an area about the size of Arizona, and many of these unassessed areas are surrounded by allotments not meeting LHS standards due to overgrazing.

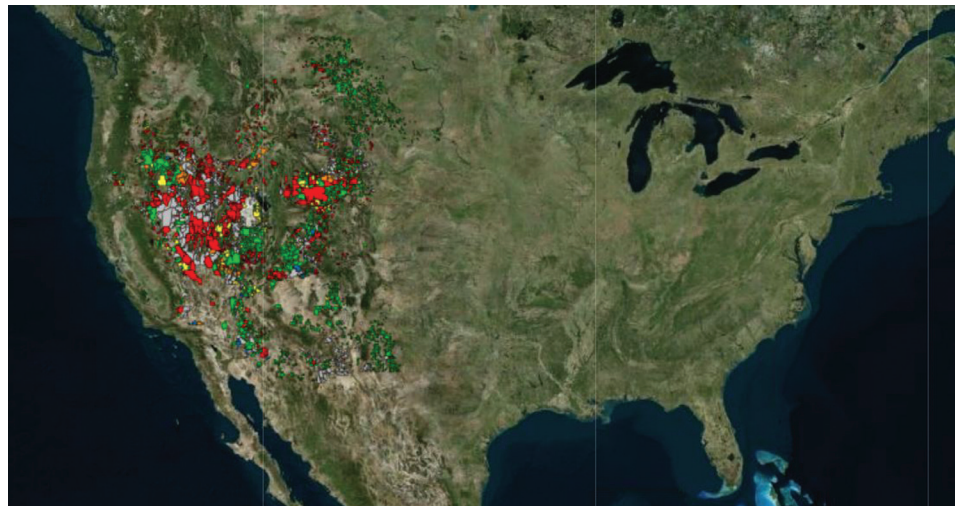


PHOTO: PEER

**Mapping the Range:** Our Interactive Rangeland Health Map reveals BLM's most current land health standards

In short, BLM's own data document that it is presiding over an unfolding ecological disaster – massive deterioration of the increasingly arid Sagebrush West. This management breakdown belies the BLM mission to “sustain the health, diversity, and productivity of public lands for the use and enjoyment of present and future generations.”

### Modernizing Horse & Buggy Tools

BLM still maintains the land health assessments of allotments in field offices. Though the agency is moving to ecoregion management, it has not digitized its land health data or created a centralized, integrated data warehouse of the allotment level information.

Through the Freedom of Information Act, PEER collected the entire set of BLM

allotment land health evaluation records for more than 21,000 allotments. After we compiled, corrected errors, and updated this data, we combined it with other federal data layers from National Wilderness Areas, ecoregions, Greater Sage-grouse habitat areas, wild horse management areas, the U.S. Drought Monitor Map, and the BLM Assessment, Inventory, Monitoring data, which are collected to understand the status, condition, and trends on BLM lands.

To make this integrated data come alive in an interactive map, we draped high-resolution satellite imagery over it. The result is a remarkable tool that provides both the latest land health status as well as a birds-eye view of ground conditions for all allotments in 13 states.



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## FROM THE EXECUTIVE DIRECTOR

### Fighting Government Secrecy

Over the past few years, PEER has been spending more time collecting environmental data from federal agencies. Too often, we find that agencies are coming up short in their stewardship of environmental information, and that is having real world consequences.

Here are just a few examples:

As we discuss on page 1, PEER obtained data through the Freedom of Information Act on the health of over 155 million acres of land managed by the Bureau of Land Management. This data sat largely unused in office filing cabinets until PEER digitized the data and created an interactive map. The data shows many of our public lands are failing to meet the agency's own rangeland health standards, particularly in the cold desert regions of the West. BLM needs to start using information to make better resource management decisions.

We have also been talking a lot lately about our work on the toxic class of chemicals known as PFAS. We recently ended a three-year effort to get all Environmental Protection Agency data on PFAS contamination through the Freedom of Information Act. The data we received showed PFAS contamination was much more widespread than many outside experts had thought. Only when we started publishing this data and making it available in a map form did EPA finally relent, quietly publishing the data on its own website.

That EPA would keep this information from the public is very disturbing. But it gets worse. We are now finding that much of EPA data on chemicals appears to be classified as Confidential Business Information, meaning it cannot be released to the public. This effectively blocks independent scientists from researching these issues and keeps the public in the dark about what is happening in their communities.

If government were working correctly, we wouldn't need to be constantly fighting to release data and analyzing it ourselves. But government isn't working correctly, which is why your support for our data work is so important, and why it will be a growing focus of our efforts in the coming years.

Take care,

— 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.

## WILDLIFE SURVIVAL

## Manatee Calamity Unfolding

Hundreds of Florida manatees have died in the first weeks of 2022, as unabated pollution in Florida waters continues to smother seagrasses, the manatees' major food source.

Through March 18, 2022, there have been more than 440 manatee deaths, putting the state on a path to a second year of record mortality, after a total of 1,101 manatee deaths were tallied in 2021. Last year's mortality accounted for roughly 15% of the entire manatee population, then estimated at 7,520 animals.

If manatees keep dying at the current rate, then 2022 will more than double last year's record losses. Unfortunately, there appears to be scant cause for optimism. Water pollution, which suffocates seagrasses and spurs toxic algal blooms, continues with little if any state enforcement to curb violations. Meanwhile, the Florida Legislature has again deadlocked on approaches to help restore depleted seagrasses.

"Florida lacks a coherent strategy for saving the manatee," stated Florida PEER Director Jerry Phillips, a former enforcement attorney for the state Department of Environmental Protection, who has chronicled the decline in water pollution abatement. "The shallow waters that harbor manatees are more sensitive to the impacts of pollution and are in desperate need of relief."

Compounding these problems is the fact that the state has sharply reduced the rate of necropsies, so precise causes of manatee deaths are harder to pinpoint. Thus far this year, more



PHOTO: FWC

**Starving Manatees.** As seagrasses die off, starvation mounts. A joint federal-state emergency effort has already dropped more than 100 tons of lettuce and other produce in an unprecedented feeding effort.

than 70% of the manatee carcasses have not been necropsied, an even higher percentage than in 2021.

"Without necropsies, state officials are flying blind in the middle of a biological storm," added PEER Executive Director Tim Whitehouse, noting that major causes of manatee mortality, such as watercraft strikes, are not being tracked. "Not pinpointing the causes makes it that much harder to recognize effective solutions."

### Welcome Jaime Honkawa



We are delighted to welcome Jaime Honkawa as our Director of External Communications. Jamie joins PEER with over a decade of professional communications and digital marketing experience. Based in Los Angeles, she worked in the entertainment industry before a dear friend's cancer diagnosis would spark her co-founding the PFAS Action Group. This meaningful work in environmental and public health advocacy has become Jaime's passion and has shifted her career trajectory into the non-profit sector. She is thrilled to translate her skillset to grow PEER's digital and media presence as well as draw increased awareness to the organization's impactful work of protecting the people who protect our environment.





## RANGE REFORM

## 30x30 Shrinks in 20/20 Vision



PHOTO: DOI

**America the (Ambiguously) Beautiful.** This signature Biden conservation initiative is still trying to define its terms.

In the year since President Biden announced his ambitious goal of conserving 30% of America's land and waters by the year 2030 (30x30, aka America the Beautiful), the project is still in its definitional stage, trying to determine what counts as conserved.

In response to a call for comments, PEER urged the Department of the Interior to count only lands that are permanently conserved in their natural state or similarly conserved with minimal wildfire

of flood suppression activities. PEER cautioned against counting degraded rangelands that fail minimal Landscape Health Standards (see cover story), vast tracts of active and abandoned mines, oil extraction areas or orphaned wells toward this conservation goal. Recently, an Interior spokesperson touted 30x30 as including everything "from synthetic turf to new wilderness lands", suggesting a disquieting laxness toward what might be counted as conserved.

PEER submitted separate comments on conserving U.S. waters, pointing out that current estimates of protected waters are inflated, and do not indicate the duration or strength of safeguards. In addition, nearly 90% of protected waters are in the remote Pacific. By contrast, only 1% of continental state waters, and 0.01% of federal waters are strongly protected.

Even using the most generous measures, the Biden administration would have to extend new protections to vast areas of land (conservatively, the size of Texas) and waters (bigger than the land area of France) to meet the 30x30 goal. Yet, there is little sign of any actions or even plans to conserve previously unprotected lands and waters. Without such an effort, 30x30 would remain little more than an empty campaign promise.

### The PEER Casefile



**We are thankful for Mr. Loewen's efforts to seek to protect migratory birds and other environmental values in this over-exploited region.**

event, despite his whistleblower status. We are working with Mr. Loewen to consider a possible appeal.

#### Fight for BLM's Soul

On March 16th, Judge Samantha Black in Denver upheld the Bureau of Land Management's (BLM) removal of long-time Planning and Environmental Specialist Walter Loewen. PEER had appealed his termination on his behalf. The judge did agree that Mr. Loewen proved he was a whistleblower during the Trump Administration regarding the massive Converse County oil and gas project in Wyoming and that may have contributed to his termination. Nevertheless, she determined that BLM would have terminated him in any



**Now in Civilian Combat.** Jackson retired after a military career with the rank of Chief Naval Petty Officer and went to work for Butte County, CA.

the case went to hearing, there was a mediation. Stephen called in PEER and the case was settled, though many of the underlying issues remain.

#### What Flows Downhill

Stephen Jackson is an engineer with Butte County Public Works where he witnessed numerous instances of managers pumping contaminated stormwater leachate into a conservation easement with a protected wetland. He reported these violations to state and federal authorities. That action resulted in him being transferred. He then filed an environmental whistleblower complaint with the U.S. Department of Labor, which, after a year-long investigation, upheld his complaint. The County appealed and before

## FOREVER CHEMICALS

## Sprawling Forever Footprint

Over the past decade, EPA has kept the public in the dark about the growing crisis of Polyfluoroalkyl substances (PFAS) pollution and exaggerated its role in stemming the spread of these toxic chemicals. For three years, PEER has fought to obtain data on sources and concentrations of PFAS in the environment. This struggle has involved multiple Freedom of Information Act requests and one federal lawsuit.

PFAS are a class of chemicals associated with cancer, birth defects, developmental damage to infants, and impaired functioning of the liver, kidneys, and immune system. Since they do not break down in the environment, they are called “forever chemicals.”

As information has emerged, we have published it on our website. Last October, we posted an EPA dataset and created an interactive map set on some 120,000 industrial facilities that “may be handling” PFAS – a figure more than three times higher than outside experts had estimated.

In January, we published another EPA dataset with a map showing the generation, storage and/or disposal of 6,545 shipments of almost 14 million kilograms of waste contaminated with PFAS between July 2018 and August 2021. This data was voluntarily reported to EPA and vastly understates the amount of PFAS waste in this country.

This is significant because there is no known safe way to dispose of PFAS and no national tracking system for PFAS waste.

Now EPA has finally publicly released its datasets for PFAS in Ambient Environmental Sampling, Drinking Water Testing, Manufacture and Imports, Superfund Sites, Clean Water Act Discharge Monitoring, and Spills. These data show widespread contamination of our soil, waters, and food sources.

This information provides regulators and researchers with important information about the growing crisis of PFAS pollution on a gargantuan scale across the U.S. They are also key tools for measuring whether and how well EPA will control the release of PFAS into the environment.

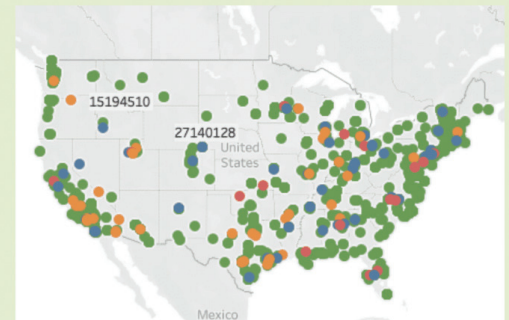
## Petitioning EPA on PFAS Waste

The absence of federal standards for tracking and managing waste contaminated with toxic PFAS poses a significant and growing threat to our health, water, and soil. That is why, over two years ago, PEER petitioned EPA to develop standards for the management and disposal of waste contaminated with PFAS. EPA has not yet responded to our petition. Now over 41 other groups have signed a letter supporting our petition as we renew our effort to

get EPA to respond to this request. Without standards, the problems associated with PFAS contamination will grow exponentially worse over time, imposing tremendous financial, health, and environmental costs on society, while allowing those who created the problem to avoid or minimize financial responsibility for the harm caused by this waste.

### MAPPING PFAS

#### PFAS Waste Generation and Disposal



#### Over 120,000 Facilities “May Be Handling” PFAS

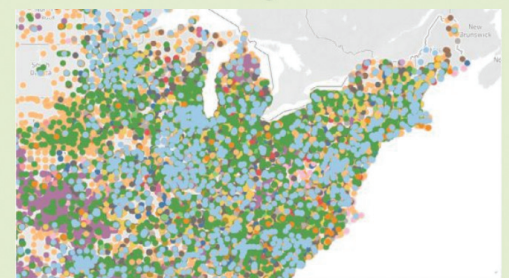


PHOTO: PEER

PEER has been mapping PFAS contamination throughout the United States as the result of information it has received through the Freedom of Information Act from EPA. The data underscore the urgency for EPA to regulate these toxic chemicals.



## ENVIRONMENTAL PROTECTION AGENCY

## EPA Sets a Low Bar – And Trips Over It

As medical awareness of the link between chemical exposures and cancers and other ailments grows, the principal Environmental Protection Agency program designed to protect the public from chemical hazards continues to be woefully inadequate. The law requiring chemicals to be screened to prevent unreasonable risks was passed in 2016, but Congress and President Trump let the chemical industry gut the new safeguards.

Unfortunately, little has changed under Biden. The same cadre of senior managers continue to remove crucial information from risk assessments in new chemical approvals. This means workers and consumers using these chemicals have no way of knowing the dangers of exposure.

One illustration of how bad the program has become is that EPA stopped posting in their public facing database warnings that industry sends them about substantial risks posed by their chemicals. Scientists assessing these same chemicals had difficulty accessing these industry risk warnings.

PEER began pressing EPA to resume public release of the approximately 1,300 hidden industry risk reports. To our amazement, we had to sue under the Freedom of Information Act. Shortly after the lawsuit was filed, EPA began posting some of those reports.

EPA spokespeople blamed this cessation on a staff shortage - but that does not explain why EPA found staff to operate an online



PHOTO: EPA

**Chemistry 101.** Under the Toxic Substances Control Act, industry is required to immediately notify EPA when chemical substances present a substantial risk of injury to health or the environment..

tool enabling chemical companies to track their products through the approval process – internally called the “pizza tracker.”

“These events both raise and reinforce basic questions about the competence and candor of officials running EPA’s chemical programs,” remarked PEER Science Policy Director Kyla Bennett. “While this one glaring problem is being belatedly fixed, EPA has approved hundreds of chemicals with inadequate or inaccurate risk assessments, but still refuses to address the public health threats its past malfeasance has created.”

### Epic Fail

One point of agreement for both industry and environmentalists is that EPA’s program for assessing risks of new and existing chemicals is way understaffed. EPA estimates it has only half the staff it needs. Yet, the budget enacted to cover the rest of FY 2022 contains funding for only 25 more scientists, less than 7% of the estimated specialist gap.

Meanwhile, the agency assigned a dozen scientists and a manager to provide technical assistance to the chemical industry, in a program called Safer Choices. For months, EPA has declined to produce any justification for this expenditure forcing PEER to again sue to obtain its release.

“It is unconscionable that EPA assigns staff to help the chemical industry when it lacks sufficient scientists to protect public health,” commented PEER Science Policy Director Kyla Bennett.

### Petty Threat

Six major environmental groups sent a letter to Assistant Administrator Dr. Michael Freedhoff and Administrator Michael Regan supporting the PEER whistleblowers’ disclosures and urging removal of managers “where evidence shows that they engaged in serious misconduct that failed to conform to EPA scientific integrity principles or otherwise violated agency policies.”

Shortly thereafter, in a quarterly meeting she holds with these groups, Dr. Freedhoff warned that if they again publicly suggested EPA managers had been influenced by industry, they would no longer be welcome to meet with the agency. Well, at least that’s a tiny bit of transparency.



# EPA's Myth of Scientific Integrity

In mid-March, following a scathing USA Today exposé of industry domination of new chemical reviews, based upon disclosures from PEER clients (see previous page), EPA Administrator issued a defensive agency-wide memo declaring:

"We have one of the strongest and most robust scientific integrity policies in the federal family...We are working on several initiatives to enhance our culture of scientific integrity" such as "identifying ways to prevent inappropriate interference."

This statement is untrue, both on paper and in practice.

Among its many weaknesses, EPA's scientific integrity policy lacks any protocol for verifying misconduct. As a result, EPA has not conducted a single investigation in four years, according to documents PEER obtained from the agency through the Freedom of Information Act (FOIA). Thus, for most of Trump's term and Biden's first year, EPA pursued no lapses in scientific integrity, despite a stream of

well-documented complaints. Another weakness is that EPA imposes no penalties for violations.

What does this mean inside the cubicles? One clue is in recent results of a "Climate Survey" within the office conducting chemical risk assessments and regulating pesticides. The results were so scathing, EPA did not share them with staff. Again, PEER obtained those through FOIA. The feedback was laced with blistering comments such as :

- "Work has been dysfunctional, stressful, and hostile. There is virtually nothing good about this environment."
- "Most staff believe that they are not protecting the public and decisions favor industry instead."
- "It is clear to staff that they will never see a manager removed or disciplined for anything. The staff knows that their only recourse, when confronted with unethical or illegal actions by management, is to leave."

- "People are made to cry regularly."
- "Retaliation, intimidation, lack of transparency, improper alterations of assessments without staff knowledge."

Many thought morale would rebound after Trump, but that has not been the case EPA needs leadership that listens to the scientists and holds mid-level managers accountable for their failures.

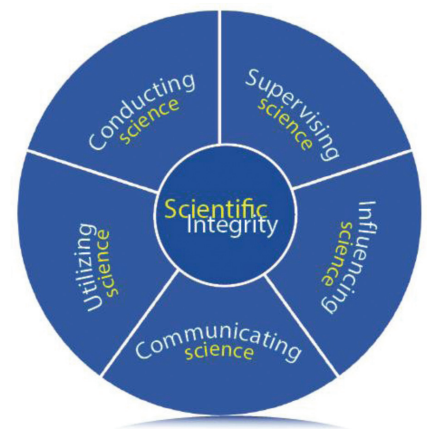


PHOTO: EPA

**Talking in Circles.** EPA's scientific integrity program is all rhetoric.

## Pollution Enforcement Still Slumping



PHOTO: NASA

**Pollution Will Not Police Itself.** Meaningful progress on Biden's environmental justice priority requires more, not less, enforcement.

Record low criminal enforcement levels under Trump remain largely unchanged under Biden. One key measure is much worse, however: EPA referrals for prosecution in FY 2021 fell by one-third from just the year prior and look even worse for FY 2022. This represents the lowest number of new cases in 33 years, and less than half the new cases referred just eight years prior, according to figures compiled by PEER.

These dismal figures appear to reflect EPA's failure to hire many more criminal investigators. Presently, the number of Criminal Investigation Division agents stands at only 161, one hundred below those employed in 1998 and well below the 200-agent minimum prescribed in the U.S. Pollution Prosecution Act of 1990.

By focusing attention on actual performance, PEER hopes to induce EPA to reverse its criminal enforcement trajectory, now at the lowest ebb in this century.

## CALIFORNIA

## Runaway Runoff Permit



PHOTO: GOOGLE EARTH

**America's Most Contaminated Place.** Besides a partial nuclear core meltdown, Santa Susana had 30,000 rocket engine tests, numerous explosions, and spills.

Located at the headwater of the L.A. River and just miles from downtown, Santa Susana Field Lab should be a top cleanup priority for California. In fact, the site is under a legally binding cleanup order for both soil and groundwater that was supposed to be completed by 2017. Yet that cleanup has not begun. The principal owner, Boeing, has resisted complying and the state has not pursued enforcement.

Meanwhile, the site has a state water discharge permit to control runoff of radiation and chemicals every time it rains. More than 350 violations occurred in the years before the massive 2018 Woolsey fire. Rains following that fire caused another 57 exceedances, but almost all of the fines were waived.

The state has proposed to renew but weaken this permit by eliminating discharge limits for 90% of the 300 contaminants detected at Santa Susana, and dramatically weakening discharge limits for the others. PEER,

with a coalition of allies, has become a formal party in permit proceedings. We have—

- Blocked, for now, issuance of the weaker permit;
- Discovered new violations (which the proposed permit would allow) during recent rains; and
- Forced disqualification of a key official involved in the fine waivers who was receiving but not reporting funds directly from Boeing through a nonprofit where she is the principal employee. By law, she should be barred from state board membership altogether, an outcome we are still pursuing.

In the big picture, PEER is pressing for full site remediation. Otherwise, discharges will continue after every storm. We are also exposing contributions (political and otherwise) Boeing is using to evade cleanup responsibility.

### Cutting Colorado's Choking Ozone

Colorado's Front Range has some of the deadliest ozone in the nation, and conditions are getting worse. Last year, with PEER's assistance, the state's entire air modeling staff charged that they are under orders to issue illegal permits, ignore violations, and not monitor emissions. In essence, Colorado's air permitting practices are fueling worsening pollution.

In the succeeding year, their disclosures were validated in both state and federal reviews and —

- The head of the state air pollution division was replaced, and the Air Program Manager is leaving. While the state created a science panel to develop a new modeling protocol, it has yet to allow the air modelers to participate or even be part of the discussion;
- The lead whistleblower has briefed U.S. EPA staff, including the new Region 8 Administrator, KC Becker, a former state legislator and Boulder resident. Although Becker seems open to a new approach, EPA's posture has yet to change; and
- U.S. Rep. Diana DeGette (who has also asked for a briefing) and Sen. Michael Bennett are advocating stricter EPA oversight on state air permit renewals

Recently, Rocky Mountain PEER Director Chandra Rosenthal addressed the newly created state Environmental Justice Task Force on behalf of our modeler clients. Meanwhile, EPA's Office of Civil Rights announced an environmental justice review of the state's air permitting.

So, while there has been some progress, the situation remains fluid. The reforms our clients advocate gain traction. Their biggest strength has been staying together as a group to support each other, presenting a solid wall of dissent that could not be discounted.



## NATIONAL PARK SERVICE

# National Park Wilderness at Crossroads

The National Park Service has a mixed relationship with the 1964 Wilderness Act. On one hand, NPS manages 44 million acres of designated wilderness, more than any other agency. On the other hand, NPS has not advanced wilderness designations for another 26 million acres – an area the size of Tennessee. Consequently, several “flagship” nature parks such as Yellowstone, Glacier, and Grand Canyon do not have a single acre of designated wilderness and are “protected” only by NPS policies that can be waived or changed.

That may be changing for Texas’ Big Bend National Park. Back in May 1978, President Carter asked Congress to designate more than 500,000 of Big Bend’s 800,000 acres as wilderness. Congress never acted on that request or similar presidential requests for 16 other parks.

In succeeding years, there has been no movement. Now a citizen’s group, called “Big Bend Wild” which includes PEER Board



PHOTO: NPS

**Rescuing Orphaned Park Wilderness.** A movement to legally designate a half-million acres of Big Bend as wilderness is gaining steam.

Member Frank Buono, a retired career NPS manager, is trying to get Congress to belatedly revive this 1978 recommendation.

While not a part of this effort, Big Bend’s Superintendent Bob Krumenaker is supportive, saying that while these lands are managed as wilderness, “That was basically a handshake deal, and a future superintendent might someday decide we need another lodge or another developed campground. The Wilderness Act recommends those areas that could remain wild should be guaranteed wild.”

PEER has long urged NPS to fulfill its Wilderness Act responsibilities. Without wilderness designation, park backcountry remains vulnerable to commercial intrusion from more transmission corridors, pipelines, cell towers, and other structures (see accompanying story). Wilderness designation also strengthens park anti-degradation air quality protections and prevents mechanized recreation from penetrating deep into park backcountry. Perhaps the Big Bend initiative will revive the lost wilderness legacy in our national parks.

## Surprise! New Cell Towers

Under a policy adopted without public notice, the National Park Service has dispensed with the requirement to inform the public about applications for new cell towers. Besides rescinding public notice requirements, revised NPS policies –

- Repeal requirements that applicants make available information about signal coverage or strength or conduct balloon tests to assess visual impacts of new towers;
- Allow modification or expansion of existing permits without public notice or environmental review; and
- Block the public from appealing approvals for cell towers or other facilities.

“Under its new rules, the Park Service gives telecom companies prerogatives it denies to the public,” stated Pacific PEER Director Jeff Ruch, pointing out that emergence of 5G technology will put even more pressure on parks to approve new and expanded current wireless capacity. “Before national parks surrender their serenity values, viewsheds, and soundscapes to commercial operators, the public should have the opportunity to meaningfully weigh in.”

These rules were issued in the final days of the Trump administration. Ironically, they were developed in response to a critical 2019 report from Interior’s Inspector General that confirmed complaints lodged by PEER. The IG recommended NPS

take steps to improve public notice and involvement in wireless decision-making. Yet, after concurring with this recommendation, NPS proceeded to do the opposite by repealing the very public notice rules that the IG found parks were ignoring.

PEER is asking the new NPS Director Chuck Sams to review the Trump midnight changes and restore both public participation and transparency to the process.

“Before national parks surrender their serenity values, viewsheds, and soundscapes to commercial operators, the public should have the opportunity to meaningfully weigh in.”



## PEER PERSPECTIVES

## Q-Anon Reveal Party



### Drs. Anthony Blanford and John Bellville, the Alaska Psychiatric Institute

Alaska Governor Mike Dunleavy is not known for his subtlety. Upon taking office, he demanded the resignation of not just political appointees and department heads but also from hundreds of lawyers, doctors, and other professionals with no policymaking role. Drs. Blanford and Bellville, two state psychiatrists, sued Dunleavy and his chief of staff. A state court ruled that Dunleavy was imposing an illegal loyalty pledge and ordered nearly \$500,000 in damages for the two doctors. Rather than appeal, Dunleavy's office settled with an agreement that the state cannot fire employees for their political views in non-policy positions. The one concession was that the state treasury, and not Dunleavy personally, pay the damages. Thus, Alaska taxpayers had to foot the bill for the hubris of an egotistical politician.



### Idaho State Senator Steve Vick

Financial regulators across much of the globe are demanding greater corporate commitment to environmental, social, and corporate governance, known as ESG. Like the mouse that roared, Idaho is pushing back against this international movement with a resolution to prohibit state investment in companies exhibiting eco-justice or socially responsible tendencies. A leading sponsor, Republican Sen. Vick explains that ESG is "counter to the values of Idaho." Should there have been any doubt, the Gem State prefers to invest in rapacious and reckless wreckage of communities and ecosystems by rampaging corporate pirates. That is why Idaho's motto is "Esto Perpetua" or "twas ever thus."



### U.S. District Court Judge Mark Pittman

As an organization that does a lot of Freedom of Information Act work, we had to recognize a strong ruling by Judge Pittman of the Northern District of Texas. A non-profit group was seeking all records from the Food & Drug Administration about the approval of COVID vaccines. FDA had resisted, claiming that the voluminous production was too burdensome. Quoting first James Madison ("[a] popular Government... or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps, both.") and then John Kennedy ("a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people."), Judge Pittman tossed aside FDA's objections and ordered a rapid and robust production schedule at a rate of 55,000 pages every 30 days.



### Kurt Davis, Arizona Game & Fish Department Commission Chair

We applaud Arizona Fish & Game's move to ban hunters from using remote cameras to help track wildlife. Trail cameras are often mounted by watering holes or wildlife feeding areas. This allows hunters to learn which animals visit and when. Chair Kurt Davis, who led a unanimous Commission decision, said the cameras violate the Fair Chase Doctrine, which respects "the traditions of hunting and angling by emphasizing the development of an individual's skills rather than reliance on practices or technologies that overwhelm the quarry's ability to elude detection or take." Tech-crazed hunters will now have to resort to tracking wildlife with satellite transponders.



### Florida Agricultural Commissioner Nicole Fried

Commissioner Fried was the only statewide officeholder in Florida to actively oppose plans for oil drilling in Big Cypress National Preserve. The Trump administration had approved seismic exploration, and the company was preparing to drill. Fried's direct appeal to Interior Secretary Deb Haaland may have contributed to the recent decision to require additional environmental review, a move that caused the oil company to table its plans to drill horizontally under Big Cypress, through which flows 40% of the water feeding Everglades' "river of grass." In her letter decrying the threat to "this vast wilderness, part of the most unique and delicate ecosystem on Earth," Fried also did something increasingly unusual in Florida politics by explicitly citing and endorsing concerns raised by environmental groups.



### Thomas P. Hogan, Director Minnesota Environmental Health Division

In a detailed and very polite letter, Hogan had to explain to the U.S. EPA's Office of Water that its conclusion that communities with large amounts of PFAS contamination in their water will get more of their exposure from water, so they should have a relative source contribution (RSC) of 0.5 instead of 0.2 "was not an appropriate function for an RSC value, as it would tend to make health-based guidance values higher (less stringent) for exposed populations than for non-exposed populations." That is because the Maximum Contamination Limit (MCL) for water is inversely proportional to the RSC. In other words, EPA had its calculations backwards. Ouch.



## MISSION ACCOMPLISHED

# Space Mercury Threat Averted

A multi-year effort by PEER and allies has paid off. The United Nations has just acted to phase out the use of mercury as a satellite propellant by 2025.

PEER first sounded the alarm back in 2018, in trying to block a plan by an American company, Apollo Fusion, to use elemental mercury as a propellant in thrusters for satellites launched by communications companies as part of the boom in satellite “mega-constellations.”

That amount of unregulated orbital mercury emissions into near orbit would reverse global progress in reducing mercury in the environment. PEER filed a formal complaint with the Federal Communications Commission, which issued the license. Through this process, we found that U.S. regulators had an official blind spot when it came to mercury pollution in outer space.

Due to its high density, mercury is a cheap and excellent propellant, but it is also a potent bio-accumulative neurotoxin. Expelled from a thruster to maintain altitude and adjust satellite orbits, liquid mercury is vaporized into an ionized gas. Those mercury



PHOTO: NWS

atoms then drift through the stratosphere down to the earth’s surface.

The UN action was taken under the Minamata Convention on Mercury that obligates its 137 parties (the U.S. was the first signatory) to reduce mercury uses, releases, and exposures. The resolution cited the 2018 PEER complaint as showing why international action is needed.

## Give us a Piece of Your Mind

In 2022, PEER, like many organizations, has launched into strategic planning. We are working to build a three-year plan that will ensure the sustainability of the organization, offer a general guide for the priority projects we will undertake, and most importantly, keep us true to our mission to defend public employees that protect our environment. This survey will go out to everyone in the PEER community including donors, whistleblowers, journalists, and community members. Your feedback is critically important to helping us stay relevant and



better serve public employees. Enclosed in this issue of PEERreview, you will find the community survey. We invite you to take this anonymous survey by either returning it in the remit envelope enclosed, submitting it online at <https://s.surveypal.com/pjsotxyx> or by using the code at left. We welcome your feedback and advice. Thank you!

## We Thank You!

*This quarter we extend a special thanks to the **Lisa and Douglas Goldman Fund** and **ReMain Nantucket** for their continued support. Thanks also to the **19 supporters** who made their very first gift to PEER in 2022.*





## Public Employees for Environmental Responsibility

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## RANGE MANAGEMENT REFORMS — Continued from page 1 ►

### Official Reaction

In early January before making the integrated map public, PEER briefed top agency officials, including BLM Director Tracy Stone-Manning and Deputy Director Nada Culver, who both expressed a strong interest in learning more about PEER's efforts.

When the PEER map was publicly unveiled, BLM issued a statement saying:

"While we disagree with some of PEER's conclusions..., we acknowledge there is work to be done in the face of a changing climate and other challenges. The BLM will prioritize assessments for areas where land health standards have never been evaluated or where standards are not being met and is also working to improve how it reports land health data."

By contrast, and not surprisingly, the cattle industry condemned the effort within hours after it went live. The head of the National Cattlemen's Beef Association decried "PEER's cherry-picked hit map" contending that it was "wholly unscientific and disappointing."

### Next Steps

Under President Biden, BLM has promised its decisions will be science-based. To keep that promise, the agency cannot keep ignoring its own and other agency data.

PEER is pressing BLM to use this data to begin reversing these widespread and growing landscape failures. BLM has the power to change the timing or even reduce the number of livestock permitted on allotments to redress the failure of land health standards.

PEER plans to brief congressional committees on the map, including appropriators who have the power to hold BLM to its commitments to reduce its assessment backlog and promptly act upon reports of landscape health failures.

Finally, this map provides every conservation group in the West a tool to watchdog BLM livestock management decisions, especially decisions to renew permits where overgrazing is threatening landscape health.

"This map is a wakeup call for BLM to not only improve and modernize their data collection and mapping efforts but also to take action to address the vast amounts of degraded lands," stated Rocky Mountain PEER Director Chandra Rosenthal. "Based upon the dismal and declining range conditions we can now all see, it is high time to make changes."