



PEERreview

CELEBRATING 30 YEARS OF PEER

Strategy Needed to Avert Whale Mortality

Collisions between whales and ships are on the rise in US waters, causing considerable loss to whale populations. However, a coherent and comprehensive nationwide strategy for avoiding ship strikes is sadly lacking. PEER now leads the charge for the creation of Whale Safety Zones in territorial waters what would reduce this carnage dramatically.

At least three large whale species in U.S. waters are on the brink of extinction, with more listed as endangered. This could potentially become the planet's first large whale species extinction in recorded history.

Preventable ship strikes are the leading cause of death for many of these species. Even as the number of collision victims grows, the true extent of whale mortality is obscured, since a large number of carcasses sink to the ocean floor and go undetected.

Larger, Faster Ships the Culprit

Increasingly, cargo is transported by larger ships traveling at higher speeds through coastal waters that are prime whale habitats. Since 2006, the size of the largest container ships has more than doubled. With each year, ship size is projected to continue to grow.

At the same time, global trade continues expanding almost exponentially, exacerbating ship traffic in the world's oceans. Currently, close to four times as many ships roam the seas compared to only three decades ago.

With increased ship congestion on a number of US sea routes, impacts on



PHOTO: NOAA

Not Even a Speed Bump. Supertankers and other cargo ships are so large that whale collisions go undetected.

whale habitats from massive vessels can only worsen. For instance, the Southern California shipping lanes to San Francisco which include the two busiest hubs in California, not surprisingly, are also the two hotspots for whale mortality from ship collisions.

Many of today's ships are so large that whale strikes go undetected. Both ship size as well as cargo volume are projected to continue their upward spiral. As ship size has grown, so have ship speeds, now averaging between 20 to 25 knots. Larger cargo ships moving at greater speeds inevitably increase the likelihood of collisions with whales.

"Ship strikes are already the leading cause of whale mortality in U.S. waters, and the threat is growing," stated Rick Steiner, a marine ecologist and Chair of

PEER's Board of Directors, noting that a large ship creates a "bow null effect" that blocks engine noise by the bow, creating a quiet zone in front of the vessel, which impedes from recognizing the pending threat. "Simply put, many of our busiest coastal shipping routes are death traps for whales."

New Hazards in Alaskan Waters

Alaskan waters today host one of the largest and most diverse populations of whales on the planet. As the climate changes and vessel traffic increases, they will be increasingly vulnerable to ship strikes. Warmer temperatures and retreating sea ice are creating a new navigable ocean in these waters, with the Arctic Ocean projected to become ice-free for half of the year by the end of this century.



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FROM THE EXECUTIVE DIRECTOR

Our Shared Climate Future



Three decades ago, PEER was formed on the premise that public servants should also be activists that advance their agencies' mission when institutional efforts fall short.

I was thinking about how essential this mission remains today as I poured over the recent Intergovernmental Panel on Climate Change (IPCC) report. The document paints a dire picture of the trajectory global warming has taken, but emphasizes how we can stop the worst consequences of climate change if we act with urgency.

So why does PEER's mission come to mind when reading the IPCC report?

Because as the effects of climate change intensify, more and more public servants are coming forward to speak to us about the urgent need for better climate solutions, and how their agencies are falling short.

One area of shortfall is the protection and enhancement of existing ecosystems. Here the IPCC report is clear: reforestation and protecting and enhancing ecological resources are critical components of any climate solution because these systems play essential functions in carbon removal.

Another area is in honestly analyzing the effectiveness of new and existing laws and programs that claim to help address climate change. As more companies and governments wrap themselves in green banners, candor is needed in assessing whether climate programs are delivering on their promises and not detracting from more effective climate solutions.

As PEER builds its climate efforts, we are grateful for the unique and valuable role that public servants play in advancing important climate work throughout the country and in coming to us when their agencies fall short.

Yours in the Fight,

— Tim Whitehouse, Executive Director



Want to learn more? Check out our climate and energy page.

Scan the QR code or visit the link: <https://peer.org/areas-of-work/climate-and-energy/>

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.

ENVIRONMENTAL PROTECTION AGENCY

Capturing Incinerators' Toxic Output

In partnership with the Energy Justice Network, PEER is leading a coalition of more than 300 groups demanding that the U.S. Environmental Protection Agency require incinerators to report their emissions to the Toxic Release Inventory (TRI). Toxic releases from these facilities currently are not reported even though they are substantial.

The PEER sponsored petition to the EPA addresses all municipal waste, including medical and infectious waste, sewage sludge incinerators, as well as pyrolysis and gasification units listed under the TRI, covering approximately 400 facilities nationwide.

Burning waste introduces heavy metals—such as lead and mercury, as well as toxic chemicals, like dioxins and per- and polyfluoroalkyl substances (PFAS) into our air, land, and water. Far from being a clean energy source, energy from incinerators is dirtier than coal.

Pyrolysis and gasification involve heating waste, usually plastics, and adding chemicals to create a new product, often a fuel. While touted as a way to create clean energy from plastics, one of these new EPA-approved fuels carries an astronomical cancer risk of 1 in every 4 persons exposed, nearly 250,000 times the level EPA considers safe.

Although EPA has the legal authority to add incinerators to the TRI, it has not done so despite clear environmental risk to adjacent communities. Industries producing trash, sewage sludge, and commercial medical waste disproportionately affect impoverished communities.

The Toxics Release Inventory currently contains detailed information on over 770 chemicals in 33 categories in use by more than 23,000 industries. Capturing incinerator emissions through the TRI would help bridge the significant data



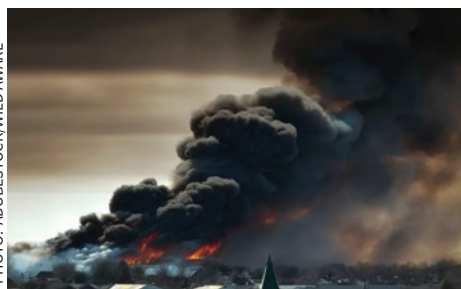
PHOTO: WIKIPEDIA/FLETCHER6

Up in Smoke. Waste burned in incinerators discharged dangerous chemicals into the air such as dioxins.

gap on chemical exposure from these facilities and would advance the goals of the Emergency Planning and Community Right to Know Act, enacted back in 1986.

EPA's East Palestine Fiasco

PHOTO: ADOBESTOCK/WILD AWAKE



The Fire This Time. Setting toxic chemicals on fire spread contamination rather than containing it.

Following the February derailment of a Norfolk Southern train carrying nearly 116,000 gallons of vinyl chloride in East Palestine, Ohio, EPA Administrator Michael Regan declared that he had “no concerns” about the safety of residents returning to their homes after tests for a limited number

of chemicals revealed the air and water to be “safe.” Some residents returned to homes covered in ash and soot, and now face an uncertain future.

Significantly, EPA did not participate in the fateful decision to ignite the highly toxic chemicals in a “controlled burn” that made an already bad situation considerably worse after flames created a massive plume of deadly dioxin, a byproduct of burning vinyl chloride and the most potent carcinogen on earth.

With heavy pushback from outside experts, EPA finally required Norfolk Southern to test for dioxins, finding high levels in soil near the crash site. So far, there has been no PFAS testing, despite extensive amounts of fire-fighting foam used to extinguish the blaze.

Neighboring states also protested the relocation of remaining waste across their borders, prompting the EPA to approve its disposal at local incinerators, thereby compounding the chemical fallout (see accompanying story).

The EPA's response is reminiscent of its own Deepwater Horizon spill response: underestimating the damage and minimizing the risks in order to create a false sense of normalcy. This less-than-inspiring effort not only let down the residents of East Palestine, but also raises a red flag regarding its capacity to respond to environmental crises. It is also glaring that EPA's top emergency management slot has been vacant since President Biden's inauguration.



SCIENTIFIC INTEGRITY

Attack on Public Health Scientist Thwarted

Legal intervention by PEER spurred the restoration of Dr. David O. Carpenter, a long-tenured professor and founding Dean of the State University at Albany's School of Public Health. He had been suspended from teaching and banned from campus since May 27 without an official explanation.

We uncovered the reason, however. A law firm representing the chemical company Monsanto, now owned by Bayer, Inc., the principal manufacturer of toxic PCBs, AND the subject of many of Dr. Carpenter's more than 400 peer-reviewed studies, had filed Freedom of Information Law requests with the University. They sought to uncover details on his grants and his use of expert witness fees.

These requests panicked university officials, who put Dr. Carpenter on "alternate assignment" while they conducted a review. That move, in turn, led company lawyers to file a motion about Dr. Carpenter's expert qualifications in a

pending PCB toxic tort case as they tried to capitalize on the suspension they had themselves sparked. With PEER's help, that self-serving motion was quashed in court.

On the day PEER filed an academic freedom complaint on his behalf with the Faculty Senate, the university backtracked and restored Dr. Carpenter's teaching and other privileges. Moreover, the university admitted it could find no wrongdoing since the academic reintegrates all expert witness fees to his graduate student program. As Dr. Carpenter himself pointed out: "I do not take corporate funding, which is one reason that I have been such an effective witness."

While he is now back on campus, the controversy has not subsided. The campus chapter of United University Professions issued a statement endorsing PEER's complaint, while the Faculty Senate initiated an investigation into the University's handling of the matter.

Monsanto's Target. Dr. David Carpenter, one of America's most prominent public health specialists, is a frequent expert witness in toxic tort cases.



"Like any SUNY faculty member, Dr. Carpenter has the right to testify in court based upon his expertise on his own time," affirmed PEER Litigation & Policy Attorney Colleen Teubner, a former Assistant District Attorney for the Suffolk County District Attorney's Office in New York, who drafted the academic freedom complaint. "We aim to ensure that this sort of infringement never happens again."

Model Science Policy Implodes on Launch



In Search of Scientific Integrity. Halfway through the Biden term, a reform effort has gone astray.

The White House Office of Science & Technology Policy's (OSTP) effort to implement President Biden's January 2021 directive to fix broken agency scientific integrity policies has become utterly muddled. OSTP issued a "Model Policy" for agencies to emulate that is far from a paragon. For instance, it requires that each agency Scientific Integrity Officer must be a full-time, senior government employee without any independent oversight. It encourages the expression of scientific dissent but offers no protection for those who do so, and it lacks any enforcement against "political interference" by political appointees, the most likely source.

Perhaps, the worst part is its proposed ban of any government scientist "making or publishing statements that could be construed as being judgments of, or recommendations on, Federal Government policy." This incompetent gag rule has drawn protest from scientific circles nationally and even abroad.

"Besides being unconstitutional, this prohibition serves no discernible public purpose," remarked Pacific PEER Director Jeff Ruch, who is leading the charge to refocus OSTP's effort. "Government scientists should not have to cast a profile in courage to openly discuss the implications of their research."

BUREAU OF LAND MANAGEMENT

BLM Fumbling “Seeds of Success”

One of the U.S. Bureau of Land Management’s (BLM) most important and far-reaching programs may well be one of its worst managed. The Seeds of Success program collects wildland native seeds for ecosystem restoration, for example, after floods or fires. It also supplies native seeds for research and ongoing conservation projects.

A sufficient supply of seeds from native plants is vital to ecological restoration. Conversely, using the “wrong” seeds can cause revegetation failure and harm the local biome. As the nation’s largest land manager, BLM plays a central role in maintaining America’s supply of native seeds.

BLM issues Contracts for the Sale of Vegetative Resources to private contractors that collect seeds to be sold back to BLM as needed. These contracts have restrictions on the location, harvest season, amounts and types of seeds to be collected. Thus, contractor participation is critically important for the success of the program.

However, BLM has been unwilling or unable to produce documents that record contractor oversight, despite our long-standing Freedom of Information requests currently under litigation. Federal officials describe a program adrift with insufficient funding to match its mandate.



Legacy Material. Federal agencies use millions of pounds of native seeds every year.

“Healthy native plants are essential to healthy wildlife,” stated Rocky Mountain PEER Director Chandra Rosenthal. “We cannot afford to let BLM continue treating its seed program as an afterthought rather than a key component of its landscape management.”

Federal Grazing Fee Muzzles BLM

For a fifth year in a row, the federal lands grazing fee has stayed at the statutory minimum of \$1.35 per cow/calf pair per month. In contrast, leasing comparable livestock grazing on private ranchlands costs more than \$23.

This bargain fee doesn’t come close to covering BLM’s administrative costs to run its grazing program, nor to address gaping staff shortfalls that allow little oversight of allotments. PEER argues that this amounts to subsidizes for overgrazing, pointing out BLM’s records that show millions of public rangeland acres failing minimum standards for vegetation, water quality, and wildlife habitat.

Sage Grouse Exceptions Sidestep the Rule



Wyoming is ground zero for protecting sage grouse. BLM is key to the species’ recovery as it oversees more sage grouse habitat than any other federal agency. BLM lands in Wyoming support far greater numbers of sage grouse than any other state.

Sage grouse are extremely sensitive to human disturbance. In key grouse habitat, human activity, such as mining or drilling, is supposed to be prohibited. However, BLM can issue “exemptions”

that allow oil and gas and other industry activities in areas set aside for the protection of sage grouse and migratory raptors.

These exemptions are supposed to be limited, but a review of documents obtained by PEER under the Freedom of Information Act indicates that Wyoming BLM field offices granted 90% of the 127 industry exemption applications.

“This iconic bird, the keystone species for sagebrush habitats across the West, cannot survive death by 1,000 cuts,” said Chandra Rosenthal, PEER’s Rocky Mountain Director, pointing out that Wyoming allows activities much closer to the bird nests than other states. In releasing these documents, ten other conservation organizations joined us in asking the BLM to cease issuing waivers of habitat protections in Wyoming until it can assess the impacts to sage grouse habitat.



NATIONAL PARK SERVICE

Fossils vs. Fossil Fuels at Tule Springs

Plans for a mega-transmission corridor in Nevada have hit a roadblock after a survey revealed its route through a national park would likely destroy a trove of prehistoric fossils. The ground-penetrating survey of Tule Springs Fossil Beds National Monument found “vertebrate skeletal elements” and “visible mammoth tusks” along the proposed right-of-way.

When Congress created Tule Springs Fossil Beds National Monument in 2014 to protect invaluable Ice Age paleontological discoveries, it also authorized a nearby transmission corridor (called Greenlink West) to carry “primarily renewable energy resources.” In the intervening years, two things changed: 1) the Greenlink West project would serve natural gas facilities, and 2) it was to be rerouted to cross the Monument.

To accommodate the utility company (NV Energy), it appears that The Department of the Interior will support the right-of-way through Tule Springs, over the objections of its subordinate agency, the National Park Service, which had warned about irreparable damage to world-class fossils. Those fears led to a ground-penetrating survey that confirmed those fears. PEER obtained the survey under the Freedom of Information Act.

The policy presents major legal problems. The Park Service’s own Organic Act forbids impairment of park resources – and in this case, the fossil resources are what this park was created to protect. In addition, the Paleontological Resources Preservation Act

forbids the destruction of fossils on federal lands. These are legal barriers that cannot be modified.

“Less than a decade after Congress created this small monument to preserve prehistoric fossils, it is already under threat of destruction,” remarked Rocky Mountain PEER Director Chandra Rosenthal, who is leading the effort to reroute the transmission line. “It is beyond ironic that this fossil fuel project entails the destruction of fossils.”



PHOTO: USGS

Why The Name Fossil Beds National Monument? The Nevada protected area is brimming with Ice Age relics, such as this mastodon tusk.

Park Air Tour Plan Should Be Grounded

In 2020, PEER won a suit against the Federal Aviation Administration and National Park Service to force the promulgation of long overdue measures to reduce noise and disruption from more than 47,000 annual flights across 24 national parks. The court gave the agencies until the end of August 2022 to finalize plans. However, the deadline has come and gone, and there are still no management plans for several of the parks.

For those plans that were implemented, the agencies did so by violating the National Environmental Policy Act, foregoing studies, discarding alternatives,

and instead locking in current flight levels. This means inadequate mitigation of noise, wildlife disturbance, and other adverse impacts that are the plans’ statutory purpose.

So, PEER is taking the agencies back to court to rescind one plan that covers four parks in the San Francisco Bay Area: Golden Gate National Recreation Area, Point Reyes National Seashore, Muir Woods National Monument, and San Francisco Maritime National Historic Park. That plan allows 2,548 commercial air tours per year, the 7th highest in the park system.

The plan’s fails to address pleas to keep overflights at least 2,000 feet above ground level to avoid disturbing migratory seabirds, seals, and other wildlife. It only imposes a 2,000-foot buffer over the dairy herds at Point Reyes.

“This plan is a disgrace and should be rescinded,” affirmed PEER General Counsel Paula Dinerstein, who is also seeking sanctions against the agencies for violating the 2020 court order. “These agencies did not just cut corners, they completely shirked their legal obligations to protect wildlife, natural soundscapes, and visitors from the buzz of commercial overflights.”

Alaska's Parks Offer Little Refuge



PHOTO: PEER

Unsustainable “Harvest.” Hunters on snowmobiles can wipe out all wolf packs throughout a “hunting management unit.”

For the past 15 years, Alaskan wildlife officials have embraced “Intensive Management,” a program that targets predators for removal in hopes of increasing “game” populations, such as caribou and moose. While study after study belies this proposition, there is plenty of evidence that stable populations such as wolves and bears can be destabilized by excessive culling.

While around 60% of Alaska is within the national park system and no hunting is allowed in national parks, more than 40 million acres (an area larger than Wisconsin) are park preserves where

hunting is allowed. Hunting is also generally allowed in Alaska’s national wildlife refuges, which at 76 million acres is about the size of New Mexico.

These two vast systems have become a wildlife war zone between the federal and state governments. In reaction to the emergence of Alaska’s Intensive Management program, the National Park Service, which oversees parks and preserves, and the U.S. Fish & Wildlife Service, which oversees wildlife refuges, began to restrict many of the more questionable “predator control” techniques Alaska permits, such as hunting bears over bait, killing bear cubs and wolf pups in their dens, and hunting from snowmobiles.

President Trump came into office and repealed these restrictions, deferring to state wildlife management practices, however questionable. The Biden administration has begun to restore wildlife protections somewhat tardily and unevenly, but a lot of damage has been done already. Wolves who venture outside of parks can be taken with either no bag limit or excessive limits, such as 10 wolves a day. Snowmobiles can chase animals to exhaustion with the caveat that they may not be shot from a moving vehicle.

As a result the normal predator-prey relationship has been broken in much of the state, while predators, such as wolves, once commonly seen in parks like Denali, are no longer sighted.

At PEER, our priority is to work to remove sizeable federal subsidies administered by the U.S. Fish & Wildlife Service that lend support to Alaska’s Intensive Management regime.

Park Safety Net Unravelling

Despite an upsurge in funding for the National Park Service (NPS) and the rebound of record-breaking park visits, its law enforcement staffing continues to shrink. Most dramatically, the ranks of NPS Special Agents who handle complex criminal investigations have fallen by nearly half in the past 20 years, leaving only 30 on duty today. As a result, Special Agents are now restricted from investigating property, drugs, and “crimes against society” in what NPS euphemistically calls a “streamlined service model.”

Meanwhile, since 2005 the number of permanent, uniformed park service law enforcement rangers has also dropped by

more than one-seventh, while the number of seasonal rangers hired during peak seasons has dropped by almost one-third.

Two related NPS shortcomings compound the effects of these falling staff levels: 1) the lack of a coherent criminal incident reporting system and; 2) the disappearance of meaningful deployment planning. This means the agency is flying blind, with far fewer personnel, even as demand for law enforcement coverage within the national park system continues to grow.

In response, PEER is leading an effort to restore ranger and agent ranks coupled with a return to a system of law enforcement needs-assessments, something



PHOTO: NPS/GROSSMAN

There for the Taking. Rangers report they lack the resources to conduct long-term investigations needed to break up poaching rings.

required by NPS policy but long abandoned in practice. We hope it will not take a horrific tragedy to spur official action.



PFAS

Get PFAS Out of Plastics



PHOTO: ADOBESTOCK/ARPAD NAGY-BAGOLY

Toxic Container Strategy. The process of “fluorination” creates per- and polyfluoroalkyl substances (PFAS) during the manufacture of tens of millions of plastic containers and bottles.

PEER and the Center for Environmental Health are suing the world’s principal manufacturer of fluorinated plastic containers in federal court, seeking to halt it from generating toxic PFAS or “forever chemicals” in its containers. PFAS in the inner and outer surfaces of fluorinated containers leach into container contents, thus creating millions of undetected toxic exposure pathways.

Tens of millions of plastic containers used in vast sectors of the economy undergo fluorination before they are filled with products and distributed to consumers and businesses. They are used to ship and store foods and hold products sold directly to consumers. They are also used to ship a wide array of products not sold directly to consumers, ranging from insecticides to industrial lubricants.

The issue of PFAS leaching from plastic containers into their contents came to the attention of the U.S. Environmental Protection Agency (EPA) after PEER discovered high levels of PFAS in a widely used pesticide over two years ago. The EPA did not file suit until after we filed our Notice of Intent to sue. Previously, EPA had only issued a Notice of Violation to the company, Inhance Technologies USA of Houston, for failure to file required notices with the agency, and took no further action when Inhance defied the agency’s direction to stop manufacture. The EPA has gone so far as to seek dismissal of our suit on grounds that it is effectively prosecuting the violations, but EPA has not taken action in its own lawsuit requiring that Inhance cease the manufacture of PFAS during the fluorination process.

“EPA has already stated that these PFAS have serious health effects at near zero concentrations in drinking water,” says Tim Whitehouse, Executive Director of Public Employees for Environmental Responsibility. “EPA needs to act now to get these PFAS out of plastic containers.”

In March, EPA proposed landmark regulations to reduce six PFAS in drinking water to extremely low levels. EPA set standards for one of those PFAS, called PFOA, at a level that is significantly below the amount present in fluorinated plastics. In setting its standard for PFOA, EPA stated “there is no dose below which [PFOA] is considered safe.”

It is inexplicable that the agency has failed to exercise this authority to keep PFAS out of plastics. We will keep pressing until it does.

EPA’s Not-So-Transparent PFAS Definition

After months of litigation, the U.S. EPA has yet to produce any documents revealing the scientific basis for the “working definition” it currently uses for regulatory purposes. This working definition is far narrower than those being adopted by other countries, states, or even used by other branches of EPA.

“While it would seem this suddenly appeared out of thin air, we suspect it actually sprung from a chemical

industry lobbyist’s pen and the agency is too embarrassed to admit it,” remarked PEER Science Policy Director Kyla Bennett, a scientist and attorney formerly with EPA who has directed our nearly two-year search for the definition’s origin and justification. “This new PFAS definition is both a profound public health retreat, but also a multi-billion-dollar gift to chemical companies.”



PHOTO: ADOBESTOCK/EXPRESS

Not So Transparent. EPA’s current working definition leaves many toxic and persistent PFAS beyond federal control.

CLIMATE CHANGE

Putting National Green Guides on Right Path



PHOTO: PEER

Keeping Green Real. PEER's Monica Mercola is leading PEER's effort to stop deceptive environmental marketing claims.

Concern about climate change creates fertile ground for misleading marketing claims around environmental issues. An important tool in protecting consumers from phony marketing schemes is the Federal Trade Commission's (FTC) "Green

Guides." The FTC is currently seeking comments on updating these guides.

PEER's Climate Integrity Project has stepped forward and proposed significant modifications to the Green Guides by cracking down on misleading claims concerning "renewable" energy, "net zero," and "carbon offsets."

One focus of our effort revolves around renewable energy credits, or RECs, which are electronic certificates representing one megawatt of renewable electricity. Many RECs are bought, sold, and negotiated in closed, untransparent markets, leading to false or duplicate claims regarding who actually is using and consuming renewable energy. Our recommendation to the FTC is simple—only entities that purchase clean or renewable energy should be allowed to claim clean or renewable energy credits.

PEER is also targeting misleading claims about carbon offsets marketed as representing greenhouse emission reductions. Purchasers of offsets continue to emit greenhouse gases and pay for projects that are assumed to provide climate benefits elsewhere. Yet, many of these offsets are not incremental, enforceable, or verifiable, rendering any "net zero" claims utterly unsubstantiated. We recommend that the FTC provide clear language stipulating that, while offsets can provide environmental benefits, purchasers cannot use them to claim actual greenhouse gas reductions or to make "net zero energy" claims.

Tough FTC guidelines help curtail these deceptive marketing practices and strengthen real climate solutions.

Walrus Rafts for Survival

The significant decline in sea ice in America's Arctic waters is imperiling Pacific walrus, which need sea ice as offshore resting platforms to easily access their preferred seabed prey, clams and mussels. This sea ice decline is projected to carry on until the end of the century.

As the ice-free, open water season expands in the Arctic, walrus are forced into more frequent swims to and from onshore sanctuaries. This increases the risk of drowning and trampling mortality at overcrowded onshore haul-outs in summer.

To reduce the impacts of the loss of sea ice on walrus during the open water season, PEER Board Chair Rick Steiner, an internationally known marine ecologist, has proposed a pilot project to design, build,

and anchor a large (100m x 50m) raft during the open water season at a critical walrus feeding area (such as Hanna Shoal in the Chukchi Sea, approximately 150 miles offshore the north coast of Alaska) to test its suitability as artificial haul-out habitat for walrus in the absence of sea ice.

At the beginning of freeze-up in autumn, the raft will be retrieved to overwinter at a more secure, southerly location and then be ready for a tow out again the following spring.

The pilot project would test whether walrus can remain at the offshore feeding area longer and, if so, does it enhance the overall reproductive fitness, recovery, and stability of the Pacific walrus population.

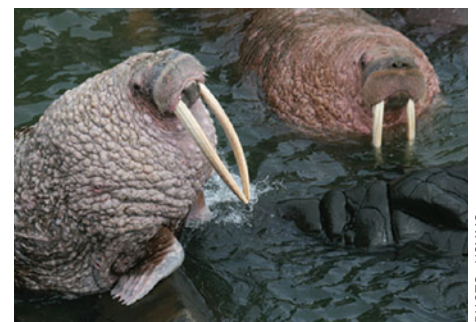


PHOTO: USMMC

Give It a Rest. Shrinking sea ice increases walrus mortality, especially calves, from trampling and drowning in long open water transits.

PEER is attempting to secure a small appropriation for this pilot project. We see it as a creative and cost-effective alternative to litigation under the Endangered Species Act to limit human intrusion in walrus habitat.



PEER PERSPECTIVES

Inclusive, Divisive or Both



Indiana State Senator Jean Leising

After experiencing major floods during extreme weather events, Indiana's Department of Natural Resources created an interactive website that displays state flood susceptibility. It uses new flood-mapping technology to show the flood risk around thousands of small streams that had never been analyzed and is far more complete than FEMA flood maps. Yet its accuracy and completeness have spawned a backlash, drawing complaints of reduced property value and development restrictions in areas now known to be vulnerable. Enter Sen. Leising, author of legislation now on its way to enactment that allows local zoning officials to ignore state flood maps. "None of us want to see anybody build where they're going to be flooded. But I don't want to see people's property devalued," she explained, notwithstanding the new maps' entire purpose is reducing flood damage by preventing further development in floodplains. Ignorance may be bliss, but it will soon be Indiana's official state flood policy.



Australia Energy Minister Chris Bowen

Shortly after Environment Minister Tanya Plibersek blocked a major mine proposed near the Great Barrier Reef, Australia's energy minister ruled out a ban on new coal mines as part of the new Labor government's overhaul of climate policy. "That's not part of our agenda," Bowen declared. Australia is one of the world's greatest per-capita polluters because it relies on coal for power and also exports vast amounts. The center-left Labor government elected last year pledged to reduce emissions by 43% by 2030 from 2005 levels but has yet to say how it will accomplish that goal. Unfortunately, it appears that Bowen will rely on carbon credits to offset emissions (see Page 9 story). "When you're embarking on such an ambitious proposal, you should provide flexibility," Bowen explained. The hope is that "flexibility" is not just another environmental hoax.



U.S. Trade Representative Katherine Tai

Even as the safety and side-effects of the systemic pesticide glyphosate (see page 11 story) are still being debated in this country, the Biden administration is pushing Mexico to remove its restrictions on the insecticide and on genetically modified crops they are designed to protect. With strong backing from chemical companies and Big-Ag, the U.S. Trade Office is asking for formal trade talks, claiming that Mexico's import bans are not based on science. Mexico responds that the U.S. position springs from political motivation and is not a genuine trade conflict. So far, it appears the U.S. effort is backfiring, as Mexico announced plans to keep its GMO ban in place for animal feed and corn flour to make tortillas.



Washington Senator Maria Cantwell

Senator Maria Cantwell is one of a handful of U.S. Senators speaking out against the Bureau of Land Management's recommendation to allow the Willow oil drilling project on Alaska's North Slope to move forward. The Willow project, comes at a high price. According to the administration's own estimates, the project would generate greenhouse gas emissions equivalent to 2 million gas-powered cars on the roads over three decades, a real climate time bomb. Cantwell notes that the "industrialization of fragile Arctic ecosystems, like climate change, is irreversible and irresponsible to future generations. Oil companies already have record profits, and access to drilling rights on millions of acres of public lands which they should be using to meet our current fossil fuel needs." More elected officials need to hold the Biden administration accountable for backtracking on its promise to end new oil and gas drilling on public lands and waters.



Maryland State Delegate Dana Stein

The transition to clean energy is fraught with many perils for the public as powerful corporations jostle for a piece of the green energy market. In Maryland, Delegate Stein has introduced a modest but important bill that seeks to shed some light on that state's growing problem with energy greenwashing. His bill, entitled, *Residential Retail Electricity — Green Power — Renewable Energy Credits and Marketing Claims*, would rein in the type of "energy credits" that electricity suppliers could sell to consumers as renewable energy, and would require modest disclosures on what consumers are paying for in their bills. The bill has sparked a fierce backlash from energy companies who want to keep the public in the dark about the products they sell, proving once again that transparency is an indispensable element for climate integrity.



Gila National Forest Supervisor Camille Howes

Unclaimed feral cattle have plagued the Gila Wilderness in southwestern New Mexico for years. In these arid forests, cattle are as much an invasive species as pythons in Florida. When it became clear there was no other way to remove them from this sensitive area, Supervisor Howes ordered that they be tracked down and shot, arguing it was "the most efficient and humane way to ensure a Gila Wilderness that is safe and resilient for generations to come." Her decision sparked protests from the ranching community, which had not been any help in otherwise resolving the problem. The move even prompted negative comments from the Governor. Despite the criticism, the Forest Service pushed ahead. Too often, public land managers buckle under political pressure and sacrifice natural resources. It took guts for Supervisor Howes to stick to her guns, so to speak.

POLLINATORS

Fixing a 40-Year-Old Mistake to Save Pollinators

In 1984, Ronald Reagan's Environmental Protection Agency (EPA) made a fateful error. It eliminated the need for a pesticide manufacturer to show its product had "efficacy" – i.e., that the product actually provided specific benefits – before gaining registration for its use. Since that time, EPA simply "presumes that benefits exceed risks" without requiring data to show net benefits.

Twenty years ago, that presumption opened the door for the EPA to approve of systemic insecticides that work by injecting plants with poisons from within. Today, the most widely used insecticides are neonicotinoids, a group of systemics that indiscriminately kill beneficial insects in addition to targeting pests.

Study after study document the devastating effects neonics have had on pollinators and other animal populations, ranging from honeybees to grassland

birds. These have also contaminated rural soils and water bodies nationwide, creating the type of sterile environments that Rachel Carson warned about over 60 years ago in *Silent Spring*.

Even more irrational is the use of neonicotinoid-coated seeds when these are unnecessary in most situations. As matter of fact, in some cases, seeds reduce crop yields, which flies in the face of why farmers use them in the first place.

"The threat that neonics pose to long-term ecosystem integrity is especially insidious," stated PEER Senior Counsel Peter Jenkins, who organized a rule-making petition demanding that EPA restore the efficacy standard. "EPA cannot continue to ignore the voluminous evidence on the eco-havoc these agents are wreaking, including that caused by their prophylactic overuse."



PHOTO: ADOBESTOCK / ELONA

Buzz Off Not an Option. Three-quarters of our crops benefit from pollination, yet pollinator populations across the U.S. are declining, with many insects, such as rare bumblebee species, facing extinction.

Sixty-five groups have now signed onto the PEER petition, including most of the country's major pollinator protection organizations. This is one critical step in a larger PEER drive to reform America's broken pesticide framework.

We Thank You!

*This quarter we would like to thank the **12 supporters** who made their very first gift to PEER in 2023. We'd also like to thank the following institutional donors for their continued support:*

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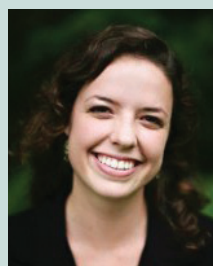
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Tell us More



Helen Pent Jenkins,
Director of Development

We are excited to launch our 2nd annual Community Survey. Last year's survey helped us shape our strategic plan and trajectory for the next several years. This year we hope that you will help us continue to explore how to best defend public employees, protecting the environment, and keeping government honest. This survey will go out to everyone in the PEER community, including donors, whistleblowers, journalists, and community members. As a supporter of PEER, your feedback is critically important. 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 or by submitting it online. We welcome your feedback and advice. Thank you!



Share your 30th anniversary story.



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NATIONAL WHALE SHIP STRIKE STRATEGY NEEDED — Continued from page 1 ►

Safety Zones

To meet this challenge, our rulemaking petition urges the National Oceanic & Atmospheric Administration (NOAA) to establish Whales Safety Zones for all large ships entering or leaving U.S. ports, or transiting marine sanctuaries and monuments. While in these Whales Safety Zones, ships must reduce their speed and adopt other whale avoidance measures, which studies show sharply reduce whale mortality.

Currently, collision avoidance measures are mostly voluntary, so shippers seeking to cut shipping time simply ignore them.

“Only mandatory whale safety measures will stem the rising tide of preventable whale deaths,” added PEER Executive Director Tim Whitehouse. “NOAA needs to act now if it wants to prevent what will be a cascade of whale extinctions.”

Science magazine recently featured a letter by PEER’s Dr. Kyla Bennett and two other whale experts decrying congressional postponement of critical court-ordered safeguards for six years. She warned, “Americans should be ashamed that North Atlantic right whales are facing extinction as a species because their ultimate demise is entirely preventable.”



PHOTO: NOAA

Deadly Marine Dodge Ball. Ship traffic in prime whale coastal habitat waters is so dense that collisions are inevitable.