



## Council candidate comment lacks adequate peer review

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**By Lawrence A. Kogan, Esq./Special to the Monitor**

Saturday, June 21, 2014 at 11:15 am

I must express my keen disappointment after reading former Candidate Ed Birnbaum's op-ed, "Op-ed comments not scientifically valid" (Los Alamos Monitor, June 11).

As a scientist and educator, Mr. Birnbaum should have reveled at the teaching opportunity provided by Ms. Noon's article, "EPA hides their use of 'bad science.'"

He chose to respond to the article in an ad-hominem fashion, disparaging the "scientific credentials" and "agendas" of those about whom she wrote and with whom he apparently disagrees, rather than to address the merits of her claim — a time-honored Washington political maneuver.

The ironic thing is her claim is largely true. Inadequate peer review of administration "science" is responsible for the array of pervasive and intrusive environmental regulations currently impairing local ranchers' economic livelihoods.

For example, it is true that detailed documented Institute for Trade, Standards and Sustainable Development research incorporated in Freedom of Information Act requests previously filed with the Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA) reveals that agency peer review of the climate science supporting the EPA Administrator's 2009 greenhouse gas (GHG) endangerment findings failed to conform with United States law (the Information Quality Act) on four distinct levels.

The EPA then used these findings to enact costly emissions control regulations pursuant to the Clean Air Act that have already begun to raise the cost of living for all Americans, impacting the recovery of our national economy.

Similarly flawed and apparent systemic administration peer review practices were also employed to validate the science supporting new listings of "endangered species" under the Endangered Species Act and soon-to-be released onerous new "U.S. waters" regulations under the Clean Water Act.

It is noted that EPA has been slow-walking the Institute's FOIA's because of official concern that the substantial evidence the requests present is likely to further erode public trust in this Administration and its environmental policies. ITSSD's research, approved by its credentialed board of advisors, is publicly available online should Mr. Birnbaum care to review it.

It is not surprising that informed voters have decided not to leave Councilman Birnbaum in office after having adequately considered his views. They clearly recognized that more burdensome and economically damaging environmental regulation supported by mere belief that global warming/climate change rather than poor land management is largely responsible for forest fires, was actually close to the heart of his true agenda.

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