

# Groups skeptical of science panel proposal

By MATEUSZ PERKOWSKI  
Capital Bureau

SALEM — A bill before Oregon lawmakers has raised a philosophical question: Is it possible to achieve an unbiased scientific opinion?

Or more precisely, is a politically appointed scientific panel capable of reaching such an impartial truth?

Legislators recently pondered this problem while deliberating Senate Bill 198, which would create an Independent Science Review Board to ponder some of the thornier controversies facing state regulators.

Oregon's farmers and ranchers are no strangers to science-related disputes over wolves, pesticides and genetically engineered crops, among others.

Natural resources groups, while commending SB 198's noble aim, are nonetheless skeptical of how the review process would play out in reality.

State agencies that make "high impact" decisions affecting natural resource industries are already overseen by boards and commissions, said Mike Freese, vice president of Associated Oregon Industries, who testified at a Feb. 22 hearing before the Senate Environment and Natural Resources Committee.

"Simply having the same debate in front of a new board doesn't make a lot of sense to me," said Freese, who testified on



Capital Bureau file photo

**Proposed legislation would create Independent Science Review Board to study controversial issues. Natural resources groups, while commending SB 198's noble aim, are nonetheless skeptical of how the review process would play out in reality.**

behalf of AOI and other groups, including the Oregon Farm Bureau, Oregon Forest Industries Council and Oregon Dairy Farmers Association.

Under SB 198, the Independent Scientific Review Board would be appointed by Oregon's governor, just like the commissions overseeing state agencies. The governor would also hire an administrator for an Oregon State University "secretariat" to assist the board with its work.

The current version of the legislation doesn't adequately ensure the Independent Science Review Board would be free of

political influence, Freese said.

As a result, the new panel would become another venue for advocacy groups to seek a stamp of approval for their policy positions in "age-old debates," he said.

Natural resources industries are concerned about perceived biases not only in panel's conclusions, but also in the type of questions that it decides to pursue, Freese said.

Sen. Alan Olsen, R-Canby, said he hopes the Independent Science Review Board would provide clear, transparent information to help lawmakers make decisions involving multiple agencies or

scientific disciplines.

Lawmakers would ideally present scientific questions for the panel a year before the pertinent legislation is introduced, he said.

It's currently difficult for legislators to decide whose experts to listen to, said Sen. Herman Baertschiger, R-Grants Pass.

Sen. Arnie Roblan, D-Coos Bay, said he's "seen belief trump science repeatedly" in the Legislature and noted that advocates often bring in their own scientists to discount opposing views.

The current language of SB 198 has raised some concerns among task force members who recommended the Independent Science Review Board's creation.

While the task force generally supports the bill, the administrator overseeing the panel's "secretariat" would be more insulated from political influence if appointed directly by panel members, rather than the governor, said Dan Edge, associate dean of OSU's College of Agricultural Science.

The task force is also troubled by the possibility that SB 198 would allow the Independent Science Review Board to be funded with grants and donations, said Edge.

It'd be preferable for the panel's money to come from the state general fund, to avoid the perception that large donors can steer the review process, he said.

"We're very concerned we might end up in a 'pay to play' situation," Edge said.

# Judge: Reporter won't have to testify at refuge trial

PORTLAND (AP) — A former Oregon Public Broadcasting reporter won't have to testify at the ongoing conspiracy trial of four men who joined Ammon and Ryan Bundy at last winter's armed occupation of a national wildlife refuge, a federal judge ruled Friday.

Asserting journalist's privilege, Oregon Public Broadcasting and reporter John Sepulvado fought a government subpoena to testify about whether his January 2016 story about occupation leader Ryan Bundy was authentic and accurately depicted Bundy's point of view. U.S. Attorney General Jeff Sessions approved the subpoena shortly after his confirmation.

Defense lawyers contend Bundy's statements to Sepulvado

shouldn't be admitted as evidence because it's unknown what questions were asked and what responses were omitted during the editing process.

Defense attorney Jesse Merrithew told the judge at a Friday afternoon hearing that the reporter described the men as thugs and terrorists in public Twitter posts, and expressed disappointment that the Bundy brothers were acquitted in a trial last fall. "This is a person who doesn't make any qualms about his bias against these men," Merrithew said.

U.S. District Judge Anna Brown said it would be impossible to question Sepulvado about the accuracy of his story without getting into his editorial process. She granted Oregon Public

Broadcasting's motion to quash the subpoena.

The judge, however, has yet to decide whether the radio story can be admitted as evidence. Brown could allow jurors to hear it without authentication. She and an attorney for Oregon Public Broadcasting also raised the possibility that Ryan Bundy could testify about its authenticity and whether the reporter fairly depicted his position.

The four defendants are charged with conspiracy to impede federal employees from doing their jobs at the wildlife refuge through the use of force, threats or intimidation.

Defense lawyers both trials contend the occupation was a mostly spontaneous protest against the federal control of

Western lands and the imprisonment of two ranchers convicted of setting fires on public rangeland. They say there was no conspiracy to impede workers.

In the interview with Sepulvado, shortly after the takeover, Ryan Bundy said many ranchers lost their land to make way for the refuge, and he blamed the refuge for the charges that put the ranchers in prison.

He said the tyranny is "being facilitated from this office. So by being here, it puts a stop to that."

Assistant U.S. Attorney Geoffrey Barrow told the judge that Bundy's statement goes directly to the point of the case — that the men wanted to thwart federal workers. "There is no piece of evidence in this case that is more relevant," he said.

# Lawsuit seeks to keep Columbia, Snake rivers cold for salmon

By JES BURNS  
OPB/EarthFix

A lawsuit filed Thursday by salmon advocates aims to reverse a trend of high summer water temperatures on the Snake and Columbia rivers.

The groups are asking the U.S. District Court in Seattle to compel the Environmental Protection Agency to issue a warm water pollution standard for the rivers. The standard, called the "Total Maximum Daily Load" (TMDL), sets limits on how high the water temperature can rise and still meet water quality requirements.

The EPA released a draft plan in 2003, but it was never finalized.

Salmon need cool water to complete their life cycles. Sustained water temperatures over about 70 degrees can hurt their chances of reproducing and surviving.

In 2015, drought and high temperatures in the Columbia River basin caused the premature death of an estimated 250,000 spawning sockeye salmon. This was a wake-up call for environmental and fishing groups, says Kevin Lewis of Idaho Rivers United.

"It took us realizing that rising temperatures in the Snake and Columbia River were not going to be an occasional event," he said. "It was going to be a, more often than not, standard — basically due to climate change."

Idaho Rivers United is one of five plaintiffs in the new lawsuit. The others are the Pacific Coast Federation of Fishermen's Organizations, Snake River Waterkeeper, The Institute for Fisheries Resources and Columbia Riverkeeper.

In addition to climate change, the groups point to dams throughout the basin as a factor promoting high river temperatures.

"We have a problem with hot water on the Columbia River and the dams contribute to that," says Brett VandenHeuvel of Coloumbia Riverkeeper. "The fact that climate change is causing the heat problem to get worse faster, means that we need to take action, take some swift action."

If the lawsuit is successful, new TDML standards for temperature could bolster the case for dam removal on the Snake River.

But the idea of dam removal is controversial, and opponents say it would take a toll on the economy of the region. Dam removal is strongly opposed by farmers, ports, utilities, and others who point to benefits for the region from low-cost hydroelectricity and dam-created reservoirs that make the rivers navigable for shipping vessels.



## Grocery Outlet - Pendleton, OR 2016 Commercial Recycler of the Year



At the end of each year the employees of Pendleton Sanitary Service, Inc. (PSSI) nominate several commercial businesses or institutions for the Commercial Recycler of the Year award. The winning recipient is determined by a vote of PSSI employees, as they are the individuals who deal directly with the recycled materials, and are impacted by the quality of those materials. This award is given to a commercial recycler that does an outstanding job in recycling, and/or has made significant improvements to their recycling efforts over the past year.

The employees of Pendleton Sanitary Service voted unanimously to choose Grocery Outlet as Pendleton's Commercial Recycler of the Year for 2016.

In August of 2014, Grocery Outlet began cardboard recycling services with PSSI. Because of Grocery Outlet, and the large amount of baled cardboard they produced, through a joint effort, PSSI devised a container system which allowed us to collect baled cardboard. In 2016 Grocery Outlet generated 113 bales of cardboard totaling 50.85 tons! In addition to cardboard, Grocery Outlet makes a concerted effort to minimize waste and reduce, reuse, and recycle all items possible from their waste stream. One example is the wooden pallets that they return to distribution rather than recycling them — a terrific example of Reuse before Recycle! Grocery Outlet also promotes Reduce and Reuse through donating food to Capeco through the Fresh Alliance program three days per week. Lastly, Grocery Outlet is very environmentally conscious, as they contract with a hazmat collection company for any chemical breakage or spills. Other items recycled from the store include aluminum cans and plastic bottles.

Not only does Grocery Outlet do an outstanding job of recycling with the significant volume of materials they produce, the quality control in their recycling effort is extraordinary, which makes a significant impact on reducing waste going to the landfill. A special thanks go to Dan Canale and the team at Grocery Outlet!! Great job!

Pendleton Sanitary Service would like to congratulate and thank Grocery Outlet and their employees for the outstanding efforts in recycling!



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