

**FOR IMMEDIATE RELEASE:**  
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<http://feinstein.senate.gov/>

## **Feinstein Criticizes Park Service for Manipulating Point Reyes Science**

**Washington, D.C.** – U.S. Senator Dianne Feinstein (D-Calif.) today sent a letter to Interior Department Secretary Ken Salazar and National Park Service Deputy Director Peggy O’Dell in response to a report detailing National Park Service misconduct at the Point Reyes National Seashore.

The report is available online [here](#).

Following is the text of Senator Feinstein’s letter:

March 23, 2011

The Honorable Ken Salazar  
Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Ms. Peggy O’Dell  
Deputy Director  
National Park Service  
1849 C Street, N.W.  
Washington, DC 20240

Dear Secretary Salazar and Deputy Director O’Dell:

I write to express concern that the National Park Service and the Department of the Interior have once again failed to grasp the severity of recent misconduct at Point Reyes National Seashore. Rather than accepting the Frost Report’s verdict of misconduct and taking decisive action, the Department of the Interior responded defensively by noting the absence of “criminal violation,” admitting that “mistakes” were made, and declining to inform the public whether corrective action is taken.

This response does nothing to rebuild confidence in the objectivity of the National Park Service. Three separate investigativereports have reached the same conclusion:

- ◆ The Frost Report details a “collective but troubling mindset” (p. 32) of misusing science for advocacy purposes. “This misconduct arose from incomplete and biased evaluation and from blurring the line between exploration and advocacy through research.” (p. 35)
- ◆ The National Academy of Sciences found that the Park Service “selectively presented, over-interpreted, or misrepresented the available science on the potential impacts of the oyster mariculture operation.”
- ◆ Likewise, the Office of the Inspector General concluded that the Point Reyes science advisor “misrepresented research.”

It is of paramount importance that the only “collective mindset” of Park Service scientists should be the rigorous and objective pursuit of scientific truth. I urge you to take strong and decisive action to reassure the public that you will tolerate no other approach to administering the use of national parks.

I find it unacceptable that the National Park Service had available a series of 250,000 minute-by-minute, dawn-to-dusk, time- and date-stamped photographs of the oyster boats’ interactions with harbor seals but chose to withhold this extensive database from the National Academy of Sciences investigating panel. The Academy panel was very interested in seeing such photographs; in fact the panel stated that the effects of the oyster farm could not be clearly determined without “a data collection system that could be independently verified, such as time and date stamped photographs.”

It is likewise unacceptable that Park Service scientists selectively relied on this collection of photos to support their arguments on a secondary issue but chose to ignore the database when they found no evidence in it to support their underlying argument that oyster boats were harming harbor seals. Here again the agency scientists acted as if they were advocates with no responsibility to fairly evaluate the scientific data.

To compound these problems, I understand that the Seashore has designated as its project manager for the environmental review process an individual with a history of presenting discredited science, including a detailed presentation to the Marin Board of Supervisors. I request that you immediately remove any individual

with a history of presenting or conducting disputed science from the environmental review process for Drakes Bay Oyster Company.

The reference list for Drakes Bay Oyster Company's Environmental Impact Statement includes 11 papers that Park Service scientists had previously misused to attribute environmental harms to the oyster farm, in the view of the Academy and the Inspector General. These papers include: Allen (1984, 1988, 1989), Anima (1990 and 1991), Applied Marine Sciences (2002), Becker (2009), Elliot-Fiske (2005), Harbin-Ireland (2004), National Park Service (2007a), and Weschler (2004). I request that you publicly acknowledge how these reports have been misinterpreted in the past and explain clearly how they will be interpreted during the environmental impact process.

Finally, I ask that you be as transparent as possible about any corrective actions taken in the wake of the Frost Report. I urge you to release information about the steps you take, which is permissible as long as personally identifying information is redacted.

It is critical to the integrity of the National Park Service and the Department of the Interior that you publicly disavow the practice of selectively misusing and misconstruing science to achieve a desired outcome. Whether it was intentional or because of personal bias, these practices must not be tolerated nor allowed to continue.

I hope and trust that you will take these needed actions.

Sincerely,

Dianne Feinstein

United States Senator

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