



1899 L Street, N. W, Twelfth Floor
Washington, DC
31st July 2013

The Honorable Mr. Paul Broun
Chairman
Subcommittee on Oversight
Committee on Science, Space, and Technology
U. S. House of Representatives
Washington, DC 20515

Dear Chairman Broun,

I want to thank you for holding a hearing in your Oversight Subcommittee on 1st August on the EPA's Bristol Bay Watershed Assessment. There are a number of troubling issues that I expect the witnesses will raise in their testimony. I would like to call to your attention one issue that may not be raised or at least not in the detail that it deserves. This is the reliance of the Assessment for several key points on the expert analyses of Dr. Ann Maest and Stratus Consulting. Dr. Maest and Stratus Consulting's Executive Vice President, Douglas Beltman, have given sworn affidavits to a federal court, in which they admit that they provided fraudulent technical reports in the case brought in Ecuador against Chevron. I have attached CEI's comment to the EPA on the Bristol Bay Watershed Assessment, which gives links to the two affidavits and other relevant documents.

The fact that Dr. Maest and Stratus Consulting provided false expert assessments to a paying client naturally leads to the suspicion that this may not be the only instance in which they have done so. I would like to suggest that it would

be appropriate for your subcommittee to investigate Stratus Consulting's contracts with the EPA and other federal agencies with an eye to exposing similar fraudulent conduct.

An investigation may find other instances of misconduct, but even if it does not, I would further suggest that the evidence in the sworn affidavits of Dr. Maest and Mr. Beltman provides sufficient reason to ban Stratus Consulting and Dr. Maest from future consulting contracts with the federal government. A rider in the Interior, EPA, and Related Agencies appropriations bill may be the appropriate way to accomplish such a ban.

Thank you for your attention to CEI's concerns. We will be happy to provide further information on this issue that you may desire.

Yours sincerely,

Myron Ebell
Director, Center for Energy & Environment

From: Anthony Ward
Sent: Friday, June 28, 2013 4:36 PM
To: 'Docket_ORD@epa.gov'
Subject: EPA-HQ-ORD-2013-0189-0002

Comments submitted on behalf of the Competitive Enterprise Institute by Myron Ebell, Director, Center for Energy and Environment, and Director of its Resourceful Earth Project, Competitive Enterprise Institute, 1899 L. Street, N. W., Twelfth Floor, Washington, DC, 20036. Telephone: (202) 331-1010. E-mail: mebell@cei.org.

The Competitive Enterprise Institute (CEI) has a number of criticisms of the EPA's Bristol Bay Watershed Assessment. In general, we think it is a shoddy and inadequate assessment that was thrown together for blatantly political purposes. However, most of our criticisms substantially duplicate those made in other comments already submitted. We will therefore confine our comments to one issue--the reliance of the Assessment for several key points on technical assessments and analyses conducted by Stratus Consulting and one of its scientists, Dr. Ann Maest.

When CEI first objected to the fact that the EPA had invited Dr. Maest and other Stratus Consulting scientists from speaking at and participating in a Hardrock Mining Conference in Denver, the CEO and President of Stratus Consulting, Joshua Lipton, Ph.D., wrote a letter to Administrator Lisa P. Jackson. A copy of this letter, dated 3rd April 2013, may be found at <http://www.scribd.com/doc/138877069/Stratus-Letter-to-EPA-on-CEI-and-Ann-Maest>.

Dr. Lipton in his letter attacks the credibility of CEI and defends the integrity of Dr. Maest and Stratus Consulting. Our objections were based on the fact that Chevron had filed a RICO suit in federal court that named Stratus Consulting as one of the defendants. Dr. Lipton wrote to Administrator Jackson:

"Chevron's claims against Stratus Consulting are false and represent a gross misuse of the federal courts. Stratus Consulting never engaged in the misconduct alleged

by Chevron, and Chevron knows as much. That Chevron has knowingly filed a series of false charges against Stratus Consulting is reprehensible."

We now know as a result of affidavits sworn and signed by Dr. Ann Maest and the Executive Vice President of Stratus Consulting, Douglas Beltman, that these and other claims in Dr. Lipton's letter are false. A copy of Maest's affidavit may be found at <http://www.scribd.com/doc/135573650/Declaration-of-Ann-Maest-of-Stratus-Consulting>. A copy of Beltman's affidavit may be found at <http://www.scribd.com/doc/135570356/Beltman-Witness-Statement>.

Under penalty of perjury, both Maest and Beltman admit that their work for the plaintiffs' attorneys in a case filed in the courts of Ecuador was fraudulent. Both Maest and Beltman conclude their sworn affidavits: "I disavow any and all findings and conclusions in all of my reports and testimony on the Ecuador Project."

We think that the detailed admissions in Maest's and Beltman's statements call into question the integrity of Stratus Consulting across the board. We therefore request that the sections of the Assessment that rely on references to studies prepared by Stratus Consulting be removed.

Further, we request that the EPA refer all EPA contracts and consulting arrangements with Stratus Consulting to the EPA Inspector General for investigation of fraud or other misconduct. A ban on all future contracts with Stratus Consulting and referrals to the Department of Justice may be in order as a result of these investigations.