

Center for Biological Diversity Employs Effective Two-Pronged Attack on Western ESA Issues

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In my column last month, I wrote about the Center for Biological Diversity (CBD), a group of environmental activists well-known to many in the West, which is now making its presence felt in California. CBD's recent court and media-driven tactics associated with trying to "save" tiny fish in California's Bay-Delta hold the potential for impacting millions of Californians (not just farmers) in the coming year. In that state, CBD points to little-known or rarely seen fish like Delta smelt, longfin smelt, and lampreys as indicators that Bay-Delta and the rivers that feed it – notably, the Sacramento and San Joaquin – are on the brink of ecologic collapse.

It is more probable that critters like lampreys and smelt are selected as priorities for CBD because these same critters happen to live in environments directly impacted by resources producers. Some believe that the approach used by CBD is intended not so much to help the critters but to find ways to hurt producers like irrigators that rely upon the same water bodies to support their existence. It's a simple but very clever approach:

- ☞ Find a little-known species that very few people understand (or care about) that shares habitat with a targeted industry that is frowned upon by CBD (i.e. off-road recreation, development, farming and ranching);
- ☞ Demonstrate that the species – however unappealing it may be – is actually an "indicator" species, and that if it goes extinct, you can be sure that the rest of the ecosystem (with species that appeal more to the general public, like salmon) will do the same;
- ☞ Link the very existence of the species to a simple action associated with the targeted industry;
- ☞ Characterize the targeted industry in as unflattering and inhuman terms (e.g. "corporate farms", "subsidized agribusiness", etc.) as possible;
- ☞ Repeat the message in simple terms through a coordinated and sustained media barrage.
- ☞ Schedule the timing of said press barrages to specific events that maximize the potential for media coverage. Press events associated with announcements that another Endangered Species Act (ESA) lawsuit has been filed are popular, as are the sudden discovery of "leaked" government turned over by "intimidated" public employees. Often times, press statements are jointly issued by CBD and Public Employees for Environmental Responsibility (PEER), an organization that encourages public servants to work as "anonymous activists".

For the most part, many urban Western newspapers appear to have no problem with picking up on the press statements issued by CBD, PEER, EarthJustice and the like, and running with their message. In the past year, these groups have had remarkable success with getting some media outlets to carry their attack against Julie MacDonald, the Bush Administration appointee at the U.S. Department of the Interior, who they claim allegedly employed a heavy hand in

management of ESA administrative issues. Large newspapers have essentially broadcast the claims made by environmental groups like CBD, painting an unflattering portrait of MacDonald. Politicians – critics of the Bush Administration – joined the fray, and on July 31, the House Natural Resources Committee (“Committee”) actually conducted an oversight hearing on this matter, where an inspector general’s (IG) report on MacDonald was a key topic of discussion.

After the hearing, others in the media began to raise their eyebrows. The Colorado Springs *Gazette* last September presented an editorial introducing some key facts that previous reporters apparently missed. For example, Macdonald says was never solicited by the IG for an opportunity to rebut its report. She also found that “Fish and Wildlife Service did not always consider all the data and often ‘cherry picked’ for sources and reviewers which supported their position.” The *Gazette* editors sadly observe that the record may be impossible to set straight. And that may be a testament to the success of CBD’s media campaign.

Media success is a point of considerable pride at CBD. The organization’s 2006 annual report claims that CBD “is way ahead of the pack in our effectiveness at garnering media for endangered species and habitat protection.” CBD admittedly puts a great deal of energy and focus into generating media on conservation stories, and they closely monitor their success. Based on the long-term average of media hits on Google News measured across several 30-day spans in 2006 and 2007, CBD claims that its communication strategy has made them “by far the most effective conservation organization in the country at generating media relative to budget size.” And, even setting aside its “modest” budget, the 2006 CBD annual report claims that CBD has “no competition” when it comes to generating media, “outperforming groups five, 10, 20, even 40 times our size.”

Coupled with this media savvy, the other arm of the CBD pronged attack comes from the court room. In California alone, CBD claims its actions have affected management of over half the state’s total land mass. And one of CBD’s latest actions could have a very serious impact on producers and landowners in other states, as well. On November 15, with plenty of media exposure, CBD filed simultaneous lawsuits to protect six endangered species ranging over hundreds of thousands of acres from Montana to Alabama. According to CBD, the suits were “the first phase of a national campaign to challenge political interference by high-level Bush administration officials that have stripped protections for 55 endangered species and 8.7 million acres of land.” The allegations regarding Julie MacDonald form the core arguments for reversing previous administrative decisions affecting these millions of acres of land and the people that use it.

In next month’s column, we will further investigate CBD’s tactics and the surprising sources from which it receives contributions.

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