

## COVER STORY

The Endangered Species  
Act at 40: Forty Things  
Journalists Should Know

The Tangled Tale of the  
Endangered Wolf

Also inside:

IJNR Inspires Journalists To  
Get on Their Boots

Freelance Files: Got a Travel Habit?

A quarterly publication of the  
**Society of Environmental Journalists**

SEJ CHATTANOOGA • OCT. 2 - 6, 2013



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Society of Environmental Journalists 23rd Annual Conference

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To strengthen the quality, reach and viability of journalism across all media to advance public understanding of environmental issues

The Society of Environmental Journalists (SEJ) is a non-profit, tax-exempt, 501(c)(3) organization. The mission of SEJ is to strengthen the quality, reach and viability of journalism across all media to advance public understanding of environmental issues. As a network of journalists and academics, SEJ offers national and regional conferences, publications and online services. SEJ's membership of more than 1,350 includes journalists working for print and electronic media, educators, and students. Non-members are welcome to attend SEJ's annual conferences and to subscribe to the quarterly *SEJournal*.

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# SEJournal

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An endangered red wolf ambles through the Alligator River National Wildlife Refuge in coastal North Carolina. A successful captive breeding program brought the species, which once roamed over much of the eastern United States, back from the brink of extinction. Similarly, its sister species, the gray wolf, has just been proposed for delisting. For more on impact that the Endangered Species Act has had on both wildlife and people over the course of its first forty years, see page 10. And for more on the gray wolf delisting, see page 11.

Photo by Steve Hillebrand, U.S. Fish and Wildlife Service

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# Host City for SEJ Conference Maintains Sustainable Attitude

By DON HOPEY

Chattanooga is much, much more than a train song.

It sings a more complicated and well-orchestrated sustainability refrain.

Fifteen years ago, when SEJ paid its first conference visit to Chattanooga, and sustainability was still a murky buzzword on its way to theoretical concept in many other American cities, this once-tarnished "Buckle of the Bible Belt" was already on that track and well on its way to making it real.

This year's 23rd SEJ conference, in Chattanooga Oct. 2-6, builds on and highlights that sustainability theme, which has entered its second generation and garnered worldwide recognition.

Although it was known as the "Dynamo of Dixie" during the 1950s and early 1960s when its prosperous persona was riveted to iron, steel, coal and chemicals, Chattanooga was a polluted mess by 1969 when Walter Cronkite, during an evening newscast, labeled it "the dirtiest city in America." By 1983 it was an industrial wasteland and had a steep grade to climb.

The turnaround came via a sustainability-based urban recovery program that used visionary leadership and public-private investment partnerships to clean the air and water, direct redevelopment inward to the city center and open up the riverfront for public access and use.

## Chattanooga then and now

By 1998, when SEJ arrived at this broad bend of the Tennessee River for the first time, there were already two made-in-Chattanooga electric buses purring through the city's downtown, looping past the new Tennessee Aquarium, the largest freshwater fish bowl in the nation, and the refurbished Tivoli Theatre, which housed the city's symphony and opera company. The Walnut Street Bridge, built in 1890, had been repurposed for foot traffic and linked to a new, five-mile long Riverwalk Park and marina. Plans were in place to clean up a two-mile-long section of Chattanooga Creek that was a federal Superfund site.

Just as important – some say more so – there was also a new, hard-won, public mindset that embraced sustainability as not just a means to an end, but an end leading to a new beginning.

"Sustainability isn't the electric buses or the aquarium or the greenways," David W. Crockett, then the City Council president and a leader with pioneering spirit, said at the time. "It's a powerful concept. Its goal is cumulative prosperity and looking at things – the economy, environment, education, development – in an integrated way."

Crockett acknowledged then that sustainability was an ongoing battle, and a raft of persistent problems shows it's still a hard one to win. Chattanooga Creek cleanup and environmental justice remain mostly goals. So do links between ecosystem biodiversity and its role in creating a sustainable place where people want to live.

But there is little doubt that this city of 150,000 has carved itself a sustainable green niche that has allowed it to prosper on the knife edge of technology and economically sustainable environ-

mental initiatives. Today, it proudly trumpets a new multi-faceted fiber optics program; energy-efficient LED street lights that can also act as air monitors and emergency alerts; the world's first platinum-LEED-certified auto assembly plant, built by Volkswagen; a new saltwater aquarium; and "green" roofs and streetscapes.

## Conference lineup draws on local resources, global expertise

Like the city, the conference builds around the sustainability theme but also features a strong and diverse lineup of speakers, plenaries, panels and field trips put together by conference director Jay Letto and conference chairs Anne Paine, recently retired from *The Tennessean* in Nashville, David Sachsman, West Chair in Communication and Public Affairs at the University of Tennessee at Chattanooga, and Pam Sohn, editorial page editor and former environment reporter at the *Chattanooga Times Free Press*.

The Thursday trips include opportunities to snorkel with rare darters in the gin-clear Conasauga River; tour Oak Ridge National Laboratory, where the atomic bomb was born and climate change research is booming; inspect the Sequoyah nuclear power plant and see the site of the 2008 Kingston coal ash slurry spill; and see how unmanned drones fly and why they're not just for war anymore.

The speakers list is distinguished by its international, national and local flavor, including M. Sanjayan, the lead scientist for The Nature Conservancy, where he specializes in human well-being and conservation, Africa, wildlife ecology; and Crockett, whose namesake ancestor opened up the Tennessee frontier 200 years before he reopened the Chattanooga riverfront.

"I think there's some very concrete things that have come from Chattanooga's sustainability work," Sohn said. "Is it the thing that has made the city successful? Maybe, maybe not. But there have been a whole lot of really good things that have come from it – the electric buses, aquariums, smart street lights. And the attitude. The auto manufacturer [VW] saw that and liked that, and decided to locate here."

So maybe Harry Warren and Mack Gordon had it right in 1941 after all when they penned the music and lyrics for the city's theme song and advised, "Get aboard... / All aboard... / Chattanooga choo choo / Won't you choo choo me home."

You'll need to look up the train schedule yourself, but you can find the conference schedule and information at <[www.sej.org/initiatives/sej-annual-conferences/AC2013-main](http://www.sej.org/initiatives/sej-annual-conferences/AC2013-main)>.

Get there on time.

*Don Hopey covers environment at the Pittsburgh Post-Gazette, and teaches at the University of Pittsburgh and the Pitt Honors College Yellowstone Field Course.*



# If It's Tuesday, This Must Be Guyana (Or Qatar, or France): How One Freelancer Supports a Travel Addiction

By ERICA GIES

In the president's mansion, I sat interviewing the man himself for an article on his groundbreaking low-carbon development strategy for Guyana. His aim: to save the virgin rainforest that covered 75 percent of the country while lifting its economic prospects.

An hour later, I left, giddy. The night air was warm, I'd just interviewed the president of a country, and in the days before I'd explored the nearby jungle, meeting a jaguar, a giant river otter, countless other amazing critters, and a host of insects probably unknown to science.

I was nearly as giddy when the resulting piece ran in the *International Herald Tribune* and online at [nytimes.com](http://nytimes.com). In the last decade I've also published work from Qatar, Turkey, Wales, India, Tibet, Syria, the Andaman Islands, Cuba, China, South Africa, Montana, British Columbia and France.

I can travel so much because, as a freelancer, I make my own schedule. Of course, globe-trotting comes with carbon guilt. But I believe that travel is the best way to gain perspective on myself, my country and the common problems we all face.

For example, sitting in my comfortable San Francisco flat, it's easy to say that the Guyanese should conserve their rainforest. But staying with Amerindians, seeing their subsistence way of life firsthand, underscores the issue's complexity. Their natural knowledge is immense, and they are comfortable in the forest. But a poisonous snakebite can be mortal. And educational opportunities are limited.

I want to experience things, places and people for myself. The only real question for me is how to pay for it? The answers include creativity, chutzpah, attitude adjustment and plenty of flexibility.

While it's possible to come out financially ahead, I don't approach trips as moneymakers. Instead, my goal while reporting on the road is to neutralize travel expenses and, of course, enrich both the travel experience and my work.

Usually, I plan the trip before the story.

I choose my destinations through an amalgam of desire and

*Editor's Note: Freelance Files is a regular column for and by SEJ freelancers. A rotating cast of journalists share hard-earned wisdom here about myriad aspects of weaving a life and business out of their independent status. SEJournal welcomes submissions for this column. Contact Freelance Files editor Sharon Oosthoek at [soosthoek@gmail.com](mailto:soosthoek@gmail.com).*

opportunity. Friends who live abroad, conferences and friends who want to travel with me present opportunities. I will go just about anywhere, at the slightest suggestion, but I also have a long list of dream destinations for which I keep an eye out.

After buying the ticket, I begin to look for stories. Ideally, I pitch and land an assignment before I go. That way I can make sure to get the interviews, images, or sound I need while I'm there.

Landing an assignment pre-travel also opens the possibility of getting some expenses covered. Yes, even in the apocalyptic death throes of journalism as we know it, some editors still have travel budgets. This is where the chutzpah comes in: Ask. Usually this works better with an editor with whom you already have an established relationship.

But not always. I broke into *The New York Times* travel section

by pitching a story on the obscure Andaman Islands – where I planned to go anyway. I had a free airline ticket to India from a friend, and the *Times* gave me \$800 toward my expenses, which covered my plane fare from the mainland to the islands and my hotel there.

I also pitch stories after returning home. I'm unlikely to find a scoop via advance online research. So I keep my ear to the ground while in country and then call people for follow-up interviews. (From Skype to VOIP phones, there are plenty of ways to call internationally now for very little money.) While in Istanbul last fall, I got a tip on a novel water engineering project about which there had been almost no

coverage outside of Turkey. That story ran in the *International Herald Tribune* in April.

An important way to make travel affordable is to write off your expenses. I save receipts for airfare, ground transportation, hotels and meals. After my days on the Andamans, I traveled around India for a few weeks and found several stories for my *Forbes* blog that justified writing off my expenses.

Experienced travelers also know how to keep costs down en route: frequent flyer rewards, traveling midweek or Saturdays to minimize airfare, staying with friends or traveling with a friend to split hotel expenses.

However, some destinations are just so expensive that they remain out of reach. Guyana has very little infrastructure, so traveling into the jungle means costly flights on tiny planes and eye-popping prices for boat and land transfers and lodging – even

*Continued on page 23*



Footloose on vacation in Crete, the author doesn't necessarily approach trips as moneymakers, but instead seeks primarily to neutralize travel expenses through her reporting on the road.

Photo by Peter Fairley

# IJNR Institute Inspires Reporters To Get on Their Boots



The group gets a view of the mouth of the Kalamazoo River where it meets Lake Michigan, during a hike on Michigan's coastal freshwater dunes.

Photo by Adam Hinterthuer, IJNR

By **ADAM HINTERTHUER**

No self-respecting news organization would employ court reporters who didn't report from the courtroom, or lead with government coverage from writers who'd never set foot in city hall. Yet, all too often, stories on the complex relationship between economy and ecology are written by journalists who never go out in the field.

Cue the Institutes for Journalism and Natural Resources. Since 1995, IJNR has gotten more than 800 journalists out from behind their desks and into programs that bring them up close to emerging environment issues around North America. And it gets them talking to the industry representatives, government agencies and local citizens working to address those issues.

This year alone, working in collaboration with SEJ, IJNR secured a grant from the Joyce Foundation to run two "institutes" highlighting energy, resource and environment issues in the Great Lakes Basin, plus a scientist/journalist communication workshop. (For more on the latter see "Changing the Language of Climate Change" in the *SEJournal's* Spring 2013 issue.)

One institute this past May saw the latest crop of IJNR "fellows" gathered at Michigan State University's Kellogg Biological Station north of Kalamazoo. Over four days, the group traversed the length of the Kalamazoo River to learn about everything from Superfund site management, to development on rare coastal freshwater dunes, to a massive spill of Alberta crude on U.S. soil.

For a glimpse of what it's like to be on an IJNR institute, go ahead and travel with those fellows via the selected logbook-style excerpts below. Plus, check out the tipsheet (see sidebar, p.9) on pressing issues and expert sources to dig deeper into these stories

or ones in your own watershed.

## Wednesday, May 1st – It begins 7:00pm

We've been planning this Kalamazoo institute for a year, and as we introduce ourselves at dinner, I'm struck yet again by how dedicated good journalists are to getting at the hard truths buried in complicated stories. Tight deadlines and heavy workloads often stand in the way of comprehensive coverage, but each person here is excited and engaged, ready for four days of doing nothing but digging deeper and learning more.

After dinner, Steve Hamilton, an ecosystem ecologist and professor at Kellogg Biological Station, welcomes us to our four-day tour of what may be "America's most expensive river." Between the legacy pollution of polychlorinated biphenyls, or PCBs, from the paper industry and the more recent addition of 800,000-plus barrels of heavy Canadian crude, this river can't catch a break. Which means we came to the right place.

## Thursday, May 2nd –The lasting legacy of Superfund sites 1:38pm

It's our first day in the field, and we're standing on an overpass in downtown Kalamazoo looking at what used to be Portage Creek. A tributary of the Kalamazoo River, it's now a "time critical" cleanup operation for the U.S. Environmental Protection Agency.

The EPA's on-scene coordinator, Paul Ruesch, is gesticulating and shouting to be heard above the roar of water spilling out of a couple of giant black pipes that are re-routing water around the creek bed, which is currently host to a handful of backhoes dig-

ging out sediment contaminated with toxic PCBs. For a project requiring the removal and replacement of an entire creek bed, his energy seems like a great fit for the job.

## 2:51pm — Landfill full of PCBs

While the sheer invasiveness of the Portage Creek cleanup is remarkable, the more contentious current issue in Kalamazoo involves a less dynamic site.

Plopped down in the middle of the Edison neighborhood is a 45-acre landfill full of PCBs from the defunct Allied Paper, Inc. From our vantage point in the backyard of a home owned by local resident Dick DeVisser, the landfill looks like little more than a gently sloped, grass-covered hill. The only signs of something amiss are the chicken wire surrounding the premises and the thick steel retaining wall following the contours of where the hill meets Portage Creek.

Until 1990, when the EPA slapped the site with Superfund designation, no one quite knew what Allied Paper had left behind. DeVisser tells us that, when he was a kid, he and his "erratically foolish" friends used to walk out on the crust formed by the paper pulp that rose to the surface of retaining lagoons and baked hard in the sun.

The City of Kalamazoo, environmental non-profit groups, and Edison neighborhood residents are all in agreement that "Mount PCB" has to go. The EPA has estimated that would be a \$366 million project.

Earlier in the day, Jim Saric, the EPA's remedial project manager for the entire Kalamazoo River, stressed to us that a final decision hadn't been made, but Bruce Merchant, director of public services for the city, has been in on discussions with the EPA and indicates they are leaning toward a less expensive (roughly \$30 million) "cap and monitor" option.

Merchant tells us that's not good enough. Without removal, the city will never be able to redevelop those 45 acres. What's more, the site sits on top of an aquifer that supplies Kalamazoo with drinking water. That makes officials uneasy. There's a man named Murphy with a famous law – if the seal should ever buck expectations, even decades from now, the city would, once again, be mired in a toxic legacy.

Both sides are now exploring a \$120 million proposal from Michigan's only landfill licensed to hold PCBs in hopes it can split the difference and put the Allied issue to rest.

## Friday, May 3rd - The biggest oil spill you never heard of 8:39am

The EPA's Incident Command Center for the Enbridge oil spill is an austere place – an office building where no one bothered to decorate on the assumption that they'd be setting up shop for only a few months.

Ralph Dollhopf, who has served as the federal on-scene coordinator and incident commander for the biggest oil spill ever on American soil, tells us that now, three years later, his crews have entered "q-tip mode," foregoing the vacuum trucks and power washers that dominated the initial response to the spill.

Since it occurred during BP's big fiasco in the Gulf, this spill near Marshall received relatively scant media attention. We're hoping our visit can help jumpstart a few new stories.

While Dollhopf is candid when talking about the sheer magnitude of the cleanup itself, he's not willing to go much further. The EPA once issued estimates of the spill that were more than 200,000 barrels higher than Enbridge's assessment of what the Canadian oil pipeline company and the EPA call "the discharge."

That's not an unimportant number, since the amount Enbridge

*Continued next page...*



Paul Ruesch, on-scene coordinator for the U.S. EPA's "time critical" cleanup of Portage Creek, explains the logistics of rerouting the creek (through the black pipes in the foreground) so that contaminated sediment in this section of the creek in downtown Kalamazoo can be removed.

Photo by Adam Hinterthuer, IJNR

*Continued next page*

ultimately pays in fines is tied to it. Recently, though, the EPA lowered its estimate. Dollhopf declines to comment on that and waves off a softball follow up simply asking who is involved in setting that final number.

Dollhopf does concede the Kalamazoo response wrote the script for how to handle future spills of this new crude. No one expected it to sink to the bottom of the river. Thanks, in part, to Enbridge's insistence in the first several days that the oil was "regular" crude, the EPA's initial response was to deploy surface skimmers and floating booms. While those collected a lot of oil, they missed a substantial amount that sank into the river bottom.

### 11:35am — Looking for the Sheen

Late morning and we're a drifting flotilla of canoes and kayaks, seeing for ourselves what a river can look like three years after a major oil spill.

Our journalists are snapping pictures of faint oil rings left on shoreline trees and prodding the river bottom with paddles in hopes of seeing a sheen billow up, but the river appears, overall, to be in good health. An article referencing "environmental devastation" would be way off base. We see a nesting sandhill crane and startle muskrats and blue herons plying the shallow waters along the shore.

While scientists are still trying to assess the impacts the sinking crude had on the bottom-dwelling insects that form the base of the Kalamazoo food web, Steve Hamilton tells us the lasting environmental impact is not as severe as was initially feared. In fact, this section of the Kalamazoo is in far better shape than the area lined with Superfund sites downstream.

Despite the relatively clean bill of health, we learn that oil sheens are a deal-breaker for the EPA. Small sheens continue to pop up in the reservoirs and pools behind dams, and Enbridge was summarily ordered to re-dredge several sites on the river.

Late morning and we're a drifting flotilla of canoes and kayaks, seeing for ourselves what a river can look like three years after a major oil spill.

### 4:45pm — Backyard pipeline

A line of colored flags stretches off into the distance on one side of Dave and Karin Gallagher's backyard. On the other, it runs smack dab into a stand of mature spruce trees Karin planted when she was a kid. Soon, everything in the path of these flags will be dug up so Enbridge can lay Line 6B replacement pipe, a state-of-the-art pipeline that will be a far safer means of carrying oilsands crude than the four-decades-old pipe that ruptured in 2010.

Gallagher admits to our group that he knew there was an easement on the property when he bought the home. Of course knowing that and envisioning a future where a pipeline carrying millions of barrels of oil a day would be installed seven feet from his back porch is another matter.



Jeff Insko talks about his experience as a homeowner on the Line 6B replacement pipeline route. New pipe has already been laid on Insko's property and the experience led him to create the Line 6B Citizen's Blog to provide information and support to other homeowners dissatisfied with the project.

Photo by Adam Hinterthuer, IJNR

What's more, he's incensed by the way Enbridge has conducted business with him, saying they've been curt and unresponsive, offering \$6,400 to agree to the plan via a letter from their lawyers, with the caveat that, should he refuse, eminent domain will enter the picture.

The Line 6B replacement isn't a replacement in the true sense of the word. The old pipe will be taken off line, but stay in the ground. But, by calling it a replacement pipe, we learn, Enbridge is able to build a new, higher-capacity pipeline to transport Canadian crude across Michigan without the presidential permit process that its competitor, TransCanada, is currently dealing with for Keystone XL. The pipeline will hook up to refineries in northern Indiana and reach ports on the Great Lakes.

Keystone or no Keystone, some company is going to get Canadian crude through U.S. pipelines and out to international markets.

### Saturday, May 4th - Connecting the dots 3:30pm

We're capping off the institute with a conversation about development on Lake Michigan's freshwater coastal dunes. We've chartered the Star of Saugatuck for a private cruise and given our journalists two excellent (and captive!) sources - Jon Allan, who directs the Office of the Great Lakes for the Michigan Department of Environmental Quality, and former state senator and legislator Patty Birkholz, a force for conservation in Michigan.

Access to sources like these is a cornerstone of an IJNR institute and it's good to see our group get to lob questions to their heart's content. At one point, Allan turns the tables, snatches the microphone out of WMUK reporter Rebecca Thiele's hands, and uses it for an ambush interview of Associated Press reporter John Flesher. It's a nice moment of levity after a day hearing about a development plan that has dragged the community into several years' worth of lawsuits and accusations.

As we head out the mouth of the Kalamazoo River and into Lake Michigan, I'm struck by the connectedness of everything we've seen on the trip. The Portage Creek cleanup and Kalamazoo oil spill and development along the shoreline of this amazing inland sea are all part of the same watershed and all have implications for the communities depending on the health of the river for their industrial operations, their drinking water, their canoe

rental outfit, their weekend fishing trips, their shoreline tourist destinations, and, perhaps most important, their fantastic beer!

Soon we'll head back to the dock and maybe even let our journalists play tourist for an hour, then it's off to our closing dinner and on to planning our next trip.

Adam Hinterthuer is director of programs for the Institutes

for Journalism and Natural Resources. He also serves as the outreach specialist for the University of Wisconsin, Madison's Center for Limnology (the study of lakes, basically). Adam lives in Madison with his wife, Carrie, and their two daughters. He received his master's degree in journalism from the University of Wisconsin School of Journalism and has a bachelor's degree from Carleton College in Northfield, Minn.

## Tipsheet for Stories in Your Own Watershed

Here are some story ideas that came out of our institute for similar stories in your watershed.

### Agriculture and Water Quality

After drought ruined many Midwest crops in 2012, farmers are trying to make up for the losses, often by planting corn right up to their property lines. What will the increased production and subsequent loss of buffer strips mean for lakes, rivers and streams as ag runoff increases? Will 2013 be a bumper year for low water quality issues like algae blooms (see: Erie, Lake)?

- Phil Robertson — professor of ecosystem sciences, Kellogg Biological Station: (269) 671-2267; robert30@msu.edu
- Jeff Reutter — director, Ohio Sea Grant College Program, Stone Laboratory, and Great Lakes Aquatic Ecosystem Research Consortium, The Ohio State University: (419) 285-1800; reutter.1@osu.edu

As always, there's an EPA webpage for that: <http://water.epa.gov/polwaste/nps/agriculture.cfm>

And, in many states, it's the Department of Natural Resources (or equivalent) that encourages and enforces best practices and slow runoff on farms. Some, like Wisconsin, even have cool interactive maps:

<http://144.92.93.196/app/runoffrisk>

### Fundraising for Superfunds

Cleaning up legacy pollution isn't cheap, and getting money from the "potentially responsible parties" isn't easy. Original polluters are often long gone, non-existent, or bankrupt. On the Allied Paper property, the current owners filed for bankruptcy and the EPA settled with the company for \$53 million, far lower than originally hoped and setting a precedent for other responsible parties. The federal government (and taxpayers) end up with the rest of the tab.

- Is there a Superfund site near you? The National Institutes of Health has an outstanding map of all the Superfund sites across the United States here: <http://toxmap.nlm.nih.gov/toxmap/superfund/select.do>

- For information on toxic sites in Canada: <http://www.tc.gc.ca/eng/programs/environment-contaminatedsites-menu-78.htm>

### It's Gotta Go Somewhere

Just because toxic waste gets removed from a Superfund site, doesn't mean it's gone. Across the country, only a couple of dozen facilities are licensed to receive some of American industry's more toxic by-products. Where are these sites? Who keeps them up to code? Are their environmental concerns to be considered in the moving of millions

of cubic yards of waste?

- For information on Class I injection wells, visit [http://water.epa.gov/type/groundwater/uic/wells\\_class1.cfm](http://water.epa.gov/type/groundwater/uic/wells_class1.cfm)

### The Crude Beneath Our Feet

While national media attention is fixed on TransCanada and the proposed Keystone XL, crude derived from the oil-sands of Alberta is already coursing through U.S. pipes. Enbridge's was the first spill, but as Exxon's March 2013 "discharge" in Arkansas shows, probably not the last. There are ways around the presidential permitting process. Who else is laying pipe to get heavy crude to foreign markets? What have we learned that will inform future cleanup efforts?

**Tip:** Considering oil companies' ability to install no-fly zones above spills and freeze journalists out of the site, it might be hard to find sources who were there when the spill occurred and can offer observations from the front line. An advanced Twitter search, though, can get you tweets from a specific time range and latitude and longitude reading, potentially leading to sources who had firsthand experience in the story.

- John Griffin, Associated Petroleum Industries of Michigan: (517) 372-7455, [griffinj@api.org](mailto:griffinj@api.org)
- Josh Mogerman - deputy director, National Media, Natural Resources Defense Council: (773) 531-5359; [jmogerman@nrdc.org](mailto:jmogerman@nrdc.org)

### Cleaning Up "New" Crude

The Enbridge spill became a case study for responding to spills of Alberta crude. What worked and what didn't? Are there ways to know what we're dealing with before a company grudgingly gives up its "trade secret?" Human health, etc.

- To see the oilsands pipeline nearest you, here is a map from the Canadian Association of Petroleum Producers: [www.capp.ca/canadaIndustry/oil/Pages/PipelineMap.aspx](http://www.capp.ca/canadaIndustry/oil/Pages/PipelineMap.aspx)

### The New Dam Debate

Decades after the giant dam-building boom in the U.S., many of those dams are deteriorating. States are now moving to remove defunct dams as a quick way to restore aquatic habitat and allow passage of native fish upstream. But dam removal has its down sides. Invasive fish species can also gain access to whole new sections of river. And those dams often trapped contaminated sediment, preventing the spread of toxic waste downstream. Is a dam likely due for removal where you live? If so, it's probably being debated right now.

- Check with your state's department of environment or natural resources for information about dams. In Michigan: <http://1.usa.gov/10vmqfW>

# The Endangered Species Act at 40

Forty Things Journalists Should Know

By JOHN R. PLATT

It has been called the most successful piece of environmental legislation ever, but at times it has also been one of the most controversial. Over the past 40 years the Endangered Species Act has helped

to bring several threatened species — including the iconic bald eagle — back from the brink and to stabilize the declining populations of the majority of the other species that it protects. But despite its successes, the ESA in many ways remains both poorly understood and under threat from political forces that seek to undermine or dismantle it. As we head toward 40th anniversary of the Endangered Species Act in December, here are 40 things that environmental journalists should know about the act and how they can cover it. This is hardly comprehensive, but it may help to illuminate some of the issues in question as the act prepares for its second 40 years.

## The basics

1. President Richard M. Nixon signed the Endangered Species Act, or ESA, into law on December 28, 1973, although it was not actually the first U.S. law protecting threatened species. The Lacey Act of 1900, which is still on the books, placed the first limitations on interstate transport in threatened plant and animal species. The Migratory Bird Treaty Act of 1918 and the Marine Mammal Protection Act of 1972 — both of which are also still in effect — offered safeguards for certain species in the air and ocean. The Endangered Species Protection Act of 1966 offered some protection for 76 charismatic species, although it only protected vertebrates and could only do so by acquiring key habitats. The ESA replaced that law and added the ability to protect all species and ecosystems through a variety of mechanisms.

2. The primary responsibility of conserving species on the ESA falls to the U.S. Fish and Wildlife Service, or FWS, for terrestrial and freshwater species. The National Marine Fisheries Service, or NMFS, handles protections for marine species and some fish that migrate into fresh water. FWS falls under the aegis of the Department of the Interior while NMFS is division of the

Only 26 species added to the ESA have ever recovered enough to be delisted. ... Only 10 U.S.-based species protected under the ESA have gone extinct.

National Oceanic Atmospheric Administration (which itself is an agency of the Department of Commerce).

3. In addition to the ESA, many other laws serve to protect rare species. “There are a number of federal environmental and land-use laws that have conservation as part of their objective,” says Gary Frazer, assistant director for endangered species at FWS, who calls the ESA a “safety net” for when these other mechanisms are not effective. The United States is also a signatory to the 1975 Convention on International Trade in Endangered Species of Wild Fauna Flora, or CITES, which controls or bans cross-boundary traffic of threatened species. This year Lebanon became the 178th nation to join CITES.

4. States, too, often have their own endangered species lists, which may or may not contain the same species as the federal list.

## How the ESA works

5. Species are selected to be protected under the ESA based on their taxonomic uniqueness, as well as the imminence and magnitude of the threats they face. Threats can include habitat loss or destruction, overharvesting, disease or predation, inadequacies of other protections, and other manmade factors that affect a species’ existence.

6. The ESA has two categories: Endangered species, which are in danger of extinction either as a species or in a significant portion of its habitat, and threatened species, which are likely to become endangered based on current threats.

7. The ESA protects species by prohibiting individuals or organizations from “taking” a listed species. “Take” has a fairly broad definition: “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such action.” Habitat modifications that would impact breeding, feeding or shelter are also included in the definition of “take.”

8. Plants have a different definition of “take.” People can collect or harm endangered plants unless they are located on federal land.

9. Federal agencies must consider the impact on listed species any time they authorize, fund or carry out activities that could impact the species. FWS or NMFS usually recommend “reasonable and prudent alternatives” to lessen the chances that these activities will jeopardize a listed species.

10. FWS and NMFS write detailed recovery plans for most species protected under the ESA. These plans cover biological protocols, necessary research and any management actions that would help bring a species to recovery. These documents are not action plans,

*Continued on page 14.*

Photo Illustration; U.S. Fish and Wildlife Service



# The Tangled Tale of the Endangered Wolf

By LAURA LUNDQUIST

The University of Colorado students who showed up for the Biology Club meeting on a winter’s afternoon in 1996 were in for a rare treat.

A discussion of wolves was on the agenda because the long-endangered species was just being reintroduced into Yellowstone National Park and central Idaho. They existed nowhere else in the Western U.S., outside of a few packs in northwestern Montana.

So, few students, including me, expected a real wolf to trot into the small classroom and jump on the front table.

I was captivated as Kent Weber of Mission: Wolf, an educational nonprofit based in Westcliffe, Colo., explained wolf behavior while he confined the canine to the tabletop. He said we could look into the wolf’s eyes but not to stare because that was a sign of aggression.

As Weber talked, the wolf’s golden eyes scanned the room and momentarily locked with mine before casually looking away. It was a connection I’ve never forgotten, but even then, there were plenty of people who wouldn’t hesitate to put a bullet between those eyes.

Now, 17 years later, wolves have spread through the northern Rocky Mountains, spilling over into adjacent states, and one even made it to California. Others track prey in Michigan, Minnesota and Alaska.

In late April, it was reported that the U.S. Fish and Wildlife Service was preparing to remove the gray wolf from the endangered species list in the lower 48 states.

Some — namely scientists and wildlife advocates — claim the move is premature, while some wildlife agencies, ranchers and hunters complain it’s long overdue.

For example, at a June 6 Montana Fish, Wildlife & Parks meeting, a citizen advisor told the agency director that residents in his county wanted the state to allow more predator control. “Ranchers want to see more done, due to zero tolerance for wolves,” the man said.

## Delisting spotlights how conflict, courts define wolf recovery

On June 7, Fish and Wildlife Service Director Dan Ashe formally announced the decision to delist the gray wolf (but not the Mexican wolf in the Southwest). A 90-day comment period follows and the final rule will be issued within a year.

Fish and Wildlife’s Ashe justified the delisting, saying that wolf populations were likely to continue growing in range and number beyond the 6,100 now in the U.S.

“Our analysis suggests that the gray wolf no longer faces the threat of extinction or requires the protection of the Endangered Species Act,” Ashe said. “Wolves cannot physically occupy all of their historic range but they don’t need that to be recovered.”

In Montana, wolf-hunt changes alone can prompt around 30,000 e-mails, both pro and con, so the Fish and Wildlife office will no doubt be buried in comments.



A full-grown gray wolf observes biologists in Yellowstone National Park after being captured and fitted with a radio collar.

Photo by William Campbell, U.S. Fish and Wildlife Service

Such polarization, along with political interference and legal challenges, has driven the trajectory of wolf recovery, which in turn influenced the evolution of the Endangered Species Act of 1973 (for more on the Endangered Species Act, see our separate feature on the opposite page). The ESA was modified through the years to try to ensure incremental wolf successes, but some tweaks may have hampered the final outcome.

Some say delisting and hunts are signs of the wolf’s success. The Rocky Mountain population alone has grown to almost 1,700 from the original 66 transplanted in 1995.

But beyond the numbers, there was a hope that once wolves became more common, the initial fervor would die down. That hasn’t happened yet.

Communities that seem to have settled down can explode into pent-up rage over livestock deaths or debates over hunting regulations.

“A lot of this was done without thinking ahead; it was basically wishful thinking,” said Brooks Fahy of the Eugene, Ore.-based Predator Defense. “Meanwhile this anti-wolf thing developed. There’s no way you can say this has been a success — it’s a failure with tens of millions of dollars wasted.”

When lawmakers crafted the ESA, they needed to give the law some teeth.

In a move that would probably be avoided today, they chose to give special emphasis to citizen suits. They depended on the public to keep agencies honest while science was supposed to drive the process.

In recent years, that’s been turned on its head.

Citizen suits have initiated almost all Fish and Wildlife Service actions, according to the Center for Biological Diversity, headquar-

*Continued on page 17*

Cover Feature: ESA



One reason Steller sea lion numbers in Alaska have fallen by 70–80 percent since the 1970s may be due to competition with commercial fishermen over the same food supply. They're also known to feed on other endangered fish, creating a complicated conflict between two species both protected by the ESA.

Photo by Lon E. Lauber, U.S. Fish and Wildlife Service



Above: A piping plover guards its nesting site in the sand on a Massachusetts beach. The decline in its population and range due to habitat loss from increased development and other nearby human activity was significantly reversed once ESA protection began, but the species native to the East Coast remains in serious danger.

Photo by Bill Byrne, U.S. Fish and Wildlife Service

Below: A piping plover in Puerto Rico at the opposite end of its natural range in winter.

Photo by Mike Morel, U.S. Fish and Wildlife Service



The northern spotted owl, seen here in Oregon, was at the heart of a protracted dispute between wildlife conservationists and logging interests concerned that ESA protection of the bird's habitat in the old-growth forests of the Pacific Northwest would eliminate well-paying jobs in the timber industry.

Photo by John and Karen Hollingsworth, U.S. Fish and Wildlife Service



Discovered only in 1973, the tiny snail darter's existence immediately put the ESA's authority to the test, threatening the completion of a dam project on the Tennessee River, but the Supreme Court ultimately came to the dam's defense, forcing the U.S. Fish and Wildlife Service to find a new home for the diminutive fish (only two to three inches long).

Photo: © Jerry A. Payne, USDA Agricultural Research Service, Bugwood.org



Grizzly bears in Yellowstone National Park were delisted by the U.S. Fish and Wildlife Service from ESA protection in March, 2007, but a federal judge later ordered them reinstated in 2009 due to the decline of the whitebark pine tree, whose nuts are a main source of food for the bears.

Photo by Terry Tollefsbol, U.S. Fish and Wildlife Service

but they are used to determine the need for funding and other ongoing activities.

**11.** The process for getting a species listed involves many steps and usually takes at least a few years. This rulemaking or regulatory process (the same used in other areas of the government) starts with an initial petition, often filed by citizens or environmental groups, followed in 90 days by a response that a species may or may not have “substantial” need for protection. If it moves forward, the next step involves a status review, followed in 12 months by a finding that protection is warranted, not warranted, or warranted but precluded by other priorities. If the 12-month finding declares protection may be warranted, another year-long process begins. Steps here include publishing a proposed rule, a 60-day public comment period, public hearings if necessary, and finally, if approved, finalization of the new rule to protect a species.

**12.** Each species protected under the ESA must be reevaluated at least every five years. These five-year reviews use the best available science to determine if a species should maintain its current protected classification, be changed from threatened to endangered (or vice versa), or delisted.

**13.** The ESA does not regulate private ownership of endangered species, although it does regulate their transport. This means citizens can, depending on state laws, own many animals such as tigers, chimpanzees and other “exotic” pets (case in point: the tragedy in Zanesville, Ohio, where 56 animals were killed after being released from a private reserve). They cannot, however, legally transport

“We view success as preventing a species from going extinct, to keep them from sliding further.” —Gary Frazer, U.S. FWS

these animals across state lines without a permit. The nonprofit Born Free USA maintains a list of state exotic animal laws here: [http://www.bornfreeusa.org/b4a2\\_exotic\\_animals\\_summary.php](http://www.bornfreeusa.org/b4a2_exotic_animals_summary.php)

**14.** Some endangered species, such as the Mexican gray wolf, can be reintroduced to a former range and live in what is known as experimental populations which can either be classified as essential or non-essential to the survival of the species. A non-essential classification is often used in controversial cases like that of the wolf, since it means in effect that the species doesn’t receive the full protection of the law, allowing wildlife managers greater flexibility to remove animals if they conflict with humans or livestock.

**15.** What constitutes success under the ESA? “We view success as preventing a species from going extinct, to keep them from sliding further” says FWS’s Frazer, who equates the job to that of an emergency room doctor stabilizing a patient. “That’s our primary focus and I think we’ve been very successful at that. Very few species have gone extinct when we still had a population to manage once they were listed.”

**16.** The biggest successes come not just from one government

agency but from a broad series of partnerships. “It’s far beyond the Fish and Wildlife Service,” says Frazer. “Private landowners, local

and state governments, other federal agencies — all of those parties have a role in how habitats and species populations are managed and restored.” He credits almost all major success stories under the ESA to this collaboration toward conservation.

#### The Endangered Species Act by the numbers

**17.** As of June 1, a total of 2,095 species were protected under the ESA. Updated counts are always available at [http://ecos.fws.gov/tess\\_public/pub/Boxscore.do](http://ecos.fws.gov/tess_public/pub/Boxscore.do)

**18.** Another 205 species are listed as “candidates” for ESA listing. For FWS, this means the agency has enough information to determine that a species could be proposed for ESA protection but other species have a higher priority. Under the NMFS definition, species require additional information before they can be formally proposed for ESA listing.

**19.** These numbers do contain overlaps. Species may have multiple recovery plans based on different sub-populations and can be counted more than once as a result. For example, the Steller sea lion is listed as threatened in its eastern distinct population and endangered in its western distinct population.

**20.** Only 26 species added to the ESA have ever recovered enough to be removed (“delisted”) from the act’s protections. Critics say this is evidence that the ESA does not work, but in reality bringing a nearly extinct species back to healthy population levels takes decades, if it is even possible. You can find reports on all delisted species at [http://ecos.fws.gov/tess\\_public/pub/delistingReport.jsp](http://ecos.fws.gov/tess_public/pub/delistingReport.jsp)

**21.** Only 10 U.S.-based species that have been protected under the ESA have gone extinct over the past 40 years. Most of these may have actually been extinct at the time they were first listed under the ESA. The Caribbean monk seal, for example, was last confirmed seen in 1952. It was listed as an endangered species in 1979 while scientists kept looking for evidence that it still existed. It was finally declared extinct in 2008.

**22.** Several additional species have been delisted because their original taxonomy has been reevaluated or new scientific data has come to light that suggested the original listing was not warranted.

**23.** Species that do not live within the United States can be, and frequently are, protected under the act. The ESA protects 619 international species by banning or limiting their import and trade in their body parts. Rhinos, elephants and tigers are among the species protected in this manner.

#### How much does the ESA cost?

**24.** Expenses related to the ESA totaled \$1,590,513,332 for fiscal year 2011, the most recent year for which numbers are available. This includes expenditures by all federal agencies as well as \$58,446,266 paid by states. Full expenditures broken down by year and species are available at <http://www.fws.gov/endangered/esa-library/index.html>

**25.** Chinook salmon received the highest level of ESA funding: nearly \$270 million.

**26.** ESA expenditures of over \$1 million each went to 144 species. And 566 species had ESA expenditures of under \$50,000 each, while five species had expenditures of just \$100 each. Hundreds of species did not receive any ESA funding in fiscal year 2011.

#### Misconceptions about the ESA

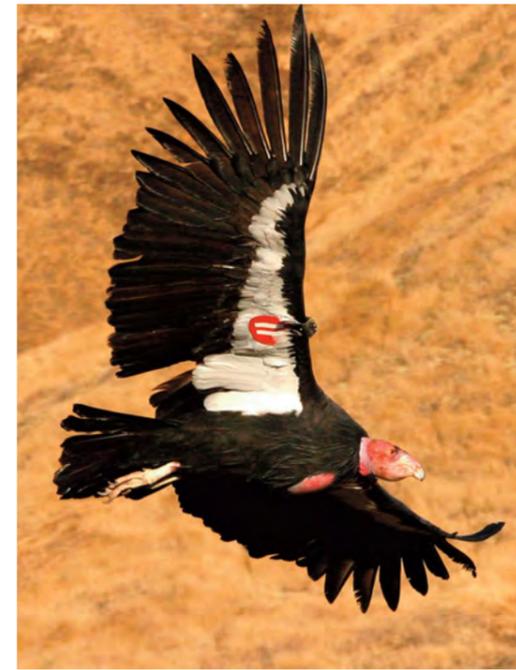
**27.** A plan to protect a species under the ESA often includes a designation of “critical habitat,” indicating that certain geographic areas contain the features necessary to the survival of that species. The most misunderstood aspect of the ESA, critical habitat designations only affect actions by federal agencies or actions that the federal government funds or permits on those habitats. A critical habitat designation “doesn’t mean that every acre is inviolate,” says Frazer, although it is often perceived as such. “If the basic ability of that habitat to support eating or reproduction or basic ecological functions is compromised, that’s when the act creates a break in those activities.” Although privately held land can be designated as critical habitat, that designation does not impose responsibilities or otherwise affect private landowners or their property rights.

**28.** Many foes characterize the ESA as being in opposition to economic activities (“lizards vs. oil jobs”). On the other side of the aisle, animal activists sometimes complain the government doesn’t go far enough to protect endangered species (“condors vs. wind power”). But Frazer says, “a conservation plan that serves to protect a species is also a conservation plan that provides for the reconciliation of the species’ conservation needs and economic development needs.” He says it is “almost never a ‘this or that’” decision, “it’s finding a path forward for both objectives to be obtained,” even if it requires some changes in behavior to minimize the risks to a threatened species.

**29.** Lawsuits have driven a lot of ESA activity over the years, creating both results and controversy. The law allows any citizen or organization who thinks the government is not fulfilling its responsibilities to file a lawsuit. Frazer acknowledges that sometimes the volume of lawsuits “overwhelms our capacity so that we are not able to do work that is meaningful for conservation,” although he maintains that “has not generally been the case.”

**30.** These lawsuits did result in FWS settling with the Center for Biological Diversity and other organizations in 2011. Under the settlement, FWS agreed to review 757 species by 2018 to decide if they need protection. “We found a path forward that is allowing us to once again be centered in applying the limited resources we have to the things that have the greatest conservation benefit,” Frazer says. This has often been mischaracterized as a “backdoor deal” by foes of the ESA.

**31.** The law affects private landowners in one way: they cannot kill or harm a protected species on their properties. A commonly repeated myth, however, states that homeowners could lose their properties under the act. This has never happened, and in fact the FWS provides several ways in which landowners can work with the agency to coexist with any species that live on their properties.



A California condor outfitted with tracking tags flies over the Bitter Creek National Wildlife Refuge in California’s Kern County. Purchased in 1985 to protect the birds’ dwindling habitat, the 14,000-acre refuge is where the last wild female condor was captured by the U.S. Fish & Wildlife Service in 1986 in an unprecedented effort to save the species by taking its last twenty-two survivors into captivity. Numbers have since increased.

Photo: U.S. Fish and Wildlife Service

#### Future of the Endangered Species Act

**32.** Sen. John Cornyn (R-TX) this year introduced the “Endangered Species Act Settlement Reform Act,” which would give a wide selection of industry groups and local governments the ability to intervene in any future lawsuit settlements. The Center for Biological Diversity calls this “an assault ... on citizen involvement.”

**33.** Several other lawmakers recently introduced a bill that would make it illegal for environmental groups to receive “economic gain” from filing lawsuits under the ESA, seen by environmentalists as another attack on citizen involvement since some environmental groups have received court costs from FWS following lawsuits.

**34.** Some states have attempted to assert state rights over the federal ESA. Earlier this year Idaho Gov. Butch Otter signed a bill making it illegal for the federal government to introduce any endangered species into the state without local approval. Critics say the move flies in the face of the nation’s federalist system.

**35.** Numerous riders attached to other bills have attempted to defund or delay ESA actions, while the most recent U.S. House of Representatives Farm Bill contained language blocking the EPA from taking any action that would protect

endangered species from pesticides without prior approval from pesticide manufacturers.

**36.** House Republicans this year also created a “working group” to consider how the ESA works and “could be updated.” The group is co-chaired by Rep. Doc Hastings (R-WA), who has consistently voted against environmental protections.

#### Finding story ideas for covering the ESA

**37.** The FWS maintains communications points of contact for ESA, both on a national level as well as within each of its eight regions. Updated contacts can be found at <http://www.fws.gov/external-affairs/contacts.html>

**38.** Want local stories? You can find which endangered species live in your state by visiting <http://www.fws.gov/endangered/>

**39.** Want to know more about the science of any species on the ESA? Read the Federal Register filings. They’re usually a great source of information.

**40.** Talk to the FWS biologists on the ground. They’re fascinating, passionate people often doing remarkable work against great odds.

*John R. Platt writes the Extinction Countdown blog for Scientific American (<http://blogs.scientificamerican.com/extinction-countdown/>). He has written more than 1,300 articles about endangered species. He was recently profiled on the SEJ.org’s “Member Spotlight” feature.*

*Follow on Twitter @johnrplatt.*

## Not-so-hidden Resources for Busy Environmental Journalists

By EDITORS OF THE *SEJOURNAL*

When SEJ decided last year to survey members about which SEJ programs they value most, a funny thing happened – we discovered that many of the programs most popular among some members aren't even on the radar screen for others. In fact, in comments at the end of the survey, some members expressed a desire for programs ... that SEJ already offers.

We also heard from many members who seemed in responding to the survey to express doubt about how much SEJ can help them. For example:

"I don't have time to take advantage of a lot of SEJ offerings because I'm just too busy at work and completely overloaded with incoming information, so I left several of the above categories blank as I don't have an opinion."

But, hey! Let SEJ help you with that lack of time. After reviewing the survey results, the editors of *SEJournal* thought we'd use this issue's Reporter's Toolbox to give you a rundown of SEJ offerings you may not be aware of, or may not have sampled. Contrary to the comment above, we've found that taking advantage of SEJ's offerings is actually a way to save yourself work, imbue your stories with depth, and make you a more effective and efficient journalist.

Thanks so much to board members Ashley Ahearn and Jeff Burnside and SEJ staffers Jeanne Scanlon and Beth Parke for fashioning and carrying out the survey.

Here is a partial list of the efforts SEJ is making to ensure that you are the best-equipped, most-informed journalist possible:

**SEJ-Talk:** Hard to believe, because this is one of SEJ's most valuable and enduring services, but some members aren't aware of the instant and far-reaching help available from fellow members. Let's say you're working on a daily breaker (or just starting research) on some arcane subject, e.g. pesticides and bees; the energy values of coal versus biomass versus natural gas; or how Superfund cancer risks are calculated. Post a question to the list and usually within an hour or so (sometimes much less) you'll start to get responses. They come from all kinds of SEJers – from graybeards who have covered the topic for years to new members who have had a pass at it recently. You'll get perspective and context and – possibly – sources and phone numbers and people who'd like to

argue about the issue. (Feel free to ignore the latter or engage as you see fit.) Lots goes on in this space – debates, job notices, condolences, collective hand-wringing/plan-making about what's happening with our craft, and on and on. This is where a lot of the day-to-day and week-to-week help SEJ provides can be had. (Potential downside: This is a \*very\* active list, and it can be mailbox-clogging if you're not careful. We've found that using gmail, which groups strings together, makes this a lot less frustrating to subscribe to.) Search topics at <http://www.sej.org/listserv-signup-archives#archives>. (With member login, of course.)

**Other SEJ listservs:** Most of the other listservs are not nearly as active but also have lots to offer, including SEJ-Freelance, SEJ-Diversity and others. More at <http://www.sej.org/listserv-signup-archives#archives>

**EJToday:** Sure, there are lots of environmental-news roundups, but for our money there is only one to go to if you want the top 10 really important EJ stories of the day. That's the EJToday list produced by SEJ's Joe Davis. If you want a broad and smart and nuanced look at the top EJ stories of the day, this is for you. You can find the list here:

<http://www.sej.org/headlines/list>

**Mentoring:** If you're a journalist who is just starting out, who is new to environmental journalism or who just wants some back-stopping, this is definitely for you. Think about seeking help here, but also remember that you can give back by being a mentor yourself. Connect here: <http://www.sej.org/initiatives/mentor-program/overview>

**SEJ.org:** Don't forget the truly amazing congregation of deep background on the SEJ website, including in-depth information and contacts on most any environmental topic you may be covering. Start by searching [sej.org](http://www.sej.org).

**Annual conference:** Most people do know about this. It's a huge opportunity. If you haven't been to one, you really should make it a point to get to Chattanooga this October. Huge, huge, huge opportunity. More here: <http://www.sej.org/initiatives/sej-annual-conferences/overview>

Make sure you're getting the most out of your membership. Check <http://www.sej.org/sej-member-benefits> for a complete list of member benefits.

shifting forums to SEJ.org.

"Media on the Move" editor Judy Fahys of the *Salt Lake Tribune* ([fahys@sltrib.com](mailto:fahys@sltrib.com)) will continue to review and regularly publish your updates online, and allow members to offer links to their latest work, social networks and member profiles. In addition, she will work with *SEJournal* editors to expand some of the most important and interesting member developments for the print edition of the *SEJournal*.

You can help us get started. Let us know what's going on with your career. If you've changed jobs, moved to another part of the country (or to another country), won a fellowship or award, published a book, got a promotion, retired...it's easy to let us know; just fill out the easy online form to get started: [www.sej.org/media-move-changes-form](http://www.sej.org/media-move-changes-form)



The "Media on the Move" column has tracked the comings and goings of SEJ members since 2004. Now, nearly a decade later, with a vibrant SEJ website in place, providing faster, easier ways to share what members are doing, "Media on the Move" is

tered in Tucson. Science has been pushed to the backseat.

That litigious trend could continue past delisting.

"Our position has always been that wolves should have full protection until they're recovered. When they delist, we'll sue on that," said Mike Garrity, executive director of Alliance for the Wild Rockies in Helena, Mont. Garrity's group was behind several of the big suits that pushed wolves back onto the list every time Fish and Wildlife tried to remove protections.

But they weren't the only plaintiffs. During the past 17 years, organizations on both sides of the wolf issue have multiplied. By 2009, 14 organizations had joined the lawsuits to keep wolves listed.

### ESA "hijacked by politics"

If the courts took the lead role in the first decade of the 21st century, the second decade saw politics reassert itself.

Sen. Jon Tester (D-MT) was just a few years away from a tough re-election in 2012. Montana and Idaho had just held their first wolf hunts in 2009, only to see their authority yanked away by the courts.

Many rural residents were furious over what they saw as an activist court.

Their frustration was often goaded by stories – true or not – of ranchers who couldn't continue to operate in wolf country or misguided perceptions that big game herds were being decimated by wolf packs alone.

Even now, when the press reports any negative trend in elk numbers, comment pages fill with barstool biologists indicting wolves.

So, like many Western legislators, Tester cosponsored a bill in September 2010 to take wolves in Montana and Idaho off the endangered species list. By March 2011, most of the 14 environmental groups settled their delisting challenges.

"The 10 big groups decided to settle because they worried it would hurt Tester's re-election," Garrity said.

Mike Leahy of Defenders of Wildlife, based in Washington, D.C., told Northwest News Network that he settled because lawsuits were becoming increasingly controversial. Environmentalists often won cases on technicalities, but were losing in the court of public opinion, Leahy said.

Yet just as hunters and ranchers were angered when courts took their say away, Garrick Dutcher of Living With Wolves in Sun Valley, Idaho, was infuriated that politics muted his say.

"The Endangered Species Act was hijacked by politics. These are decisions that should be made by scientists," Dutcher said.

### Wolf's story a challenging one for reporters

For environmental journalists covering the wolf, the decades of twists and turns make the story of wolf recovery difficult to tell. The many details and nuances rarely fit neatly into a 500-word news story or even a 1,500-word feature.

Simplification and labeling of players can lead to inaccuracies. The cast of characters populates a spectrum running from those

who would kill every wolf to those who want to save every one. Those at the extremes tend to be the loudest and are not prone to compromise, giving each group its bad rap.

Yet not all ranchers and hunters hate wolves, and not all wolf advocates oppose hunting wolves. While Predator Defense wants no wolves killed, the Montana Wildlife Federation supports wolf hunting as a way to gain acceptance for wolves.

"It's unrealistic to think we would never have hunting. Some wolves will have to die so others can live," said Montana Wildlife Federation spokesman Nick Gevock.



A gray wolf receives a health examination after capture in Canada in 1996. Wolves were later released in the United States in an effort to establish self-sustaining populations, so the species could eventually be removed from the endangered species list. Photo: U.S. Fish and Wildlife Service

With news of the June 7 delisting, it was the no-kill groups that jumped to rally their supporters, claiming that wolves hadn't been restored to their historic habitats and that delisting would allow wolves to be increasingly shot and trapped.

A primary reason the no-kill groups oppose delisting is they say they distrust state management.

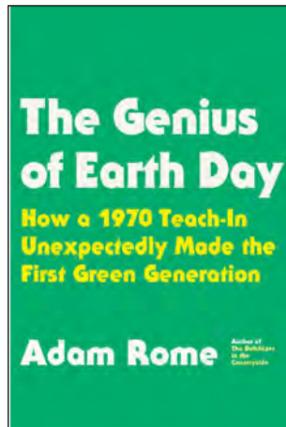
While Oregon has a fairly progressive wolf-management plan — modified at the end of May to make killing a last resort for wolves that prey on livestock — states like Wyoming wanted to treat wolves as "varmints" with unrestricted hunting.

"Wolves would have never recovered under state management," Dutcher said. "Every state is trying to figure out how to kill wolves, lobbied by agriculture and hunters."

Fish and Wildlife Service managers set the minimum population for recovery at 300 wolves and 10 breeding pairs in Montana, Idaho and Wyoming.

Many state politicians, urged on by their rural constituents, have tried to enact legislation to knock populations back down to

*Continued on page 22*



**The Genius of Earth Day: How a 1970 Teach-In Unexpectedly Made the First Green Generation**  
By Adam Rome  
Hill and Wang, \$30

Reviewed by TOM HENRY

This fascinating book does a great job of distilling the history of Earth Day in an unemotional and objective way. That, in itself, is valuable. Too often, books with an Earth Day theme have been cheerleader-like campaigns or memoirs in which Earth Day is a stage prop or anecdote. There are surprisingly few others – perhaps none – that take this serious of an assessment of that event and explain it in terms of the socio-political impact it had.

But Adam Rome’s ambition doesn’t end there. A former journalist and SEJ member who now teaches environmental history and environmental nonfiction at the University of Delaware, Rome shows how Earth Day evolved into something few people expected.

Not a faux holiday for major corporations to trot out new marketing gimmicks, either. It evolved into the first green generation.

It’s hard for people to think back to the country’s sentiment about the environment long before the late 1960s movement that led to Earth Day. Not only was there a dearth of regulatory agencies to protect our public health and the environment. But there also were scant few environmental groups, save for some of the oldest conservation groups, such as the Sierra Club.

Earth Day itself didn’t necessarily give rise to the vastly expanded network of environmental groups, regulatory agencies and – yes – the creation of and support for environmental writers at mainstream newspapers.

But the movement did. And Rome presents convincing evidence that, cynicism about Earth Day aside, that movement changed America and the psyche of its next generation of people.

Sadly, though, there’s evidence throughout this book – not so much in a preachy way, though – that many lessons have been forgotten, that people were more environmentally conscious and committed to improvements then. One cannot read this without wondering what happened – why, with the benefit of so much more knowledge we have today about protecting land, water, and air, that

we haven’t moved forward more than we have.

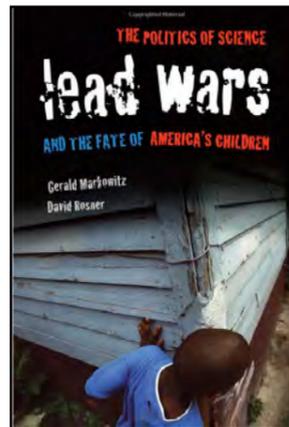
What’s cool is how Rome, who’s obviously passionate about the environment, stays detached enough to show how Earth Day wasn’t nearly the event its founder Gaylord Nelson, a former Wisconsin governor and U.S. senator, had envisioned. The event took on a life of its own, not that Nelson objected.

The first Earth Day in 1970, conceived as a nationwide teach-in, inspired thousands of events across the country, becoming larger than any of the civil rights or anti-war demonstrations. Some 1,500 colleges and 10,000 schools were believed to have participated, not to mention countless churches, temples, city park districts, businesses, and government agencies.

Rome’s book shows how Earth Day gave rise to lobbying organizations, such as the League of Conservation Voters, and how it defined new career paths for thousands of adults involved in education, lobbying, regulation, scientific research, communications, or other aspects of the environment.

It’s an inspiring, yet unsentimental, look at one of the most monumental events in modern history. It’s meticulously researched and deftly written, a page-turner that sets the stage for the times we face now while raising legitimate questions about the direction we’re going.

*Tom Henry is a Toledo-based journalist. He is SEJournal’s book editor, and serves on the SEJournal Editorial Advisory Board and SEJ’s Board of Directors.*



**Lead Wars: The Politics of Science and the Fate of America’s Children**  
By Gerald Markowitz and David Rosner  
University of California Press, \$34.95

Reviewed by BILL KOVARIK

Metallic lead is, historically, humanity’s oldest known poison, and yet Americans are still trying to deal with its pernicious effects on public health, especially on the

most susceptible low income and racial minorities.

Even though it has been removed from paint and gasoline in the United States and Europe in recent decades, more lead is being mined and crafted into products today than ever before.

Although much of the basic history about public health risk

and industry deceit by the leaded paint and gasoline industries was already well known, “Lead Wars” is a solidly crafted historical narrative that fills in an important and little known area of the public health research side of the story.

Markowitz and Rosner begin the story in 2001, as a Maryland state court finds that Johns Hopkins University researchers have acted unethically in using inner city Baltimore residents to do lead abatement research. The residents were not informed and in some cases were harmed by the research.

The court said that, while not as severe, the case presented problems similar to those in the Tuskegee Syphilis Study and other unethical human subjects research.

How is it, Markowitz and Rosner ask, that research by the nation’s leading public health institution was being compared to the bottom rung of public health ethics? The authors look to history for explanations that match the scale of the problem.

They explain that in the mid-to-late 19th century, environmental reform animated Progressive-era public health movements in Europe and the United States.

Physicians, journalists and social activists joined forces with public health agencies and campaigned for housing reforms, mass vaccinations, clean water, sewage systems, and pure food laws.

Those campaigns achieved great victories by the 1930s, although, as it turned out, not in the area of leaded paint and gasoline, where the authors stated that “rapacious industries have knowingly profited from human suffering.”

As the Progressive movement faded into the Depression, a new and more “professional” approach to public health emerged, and the emphasis shifted to a concern for curing the individual rather than reforming the environment. Clinical studies of individual medical cases became the central focus of the profession.

For instance, therapies for reducing high blood lead levels in workers and children (over 60 µg/dl) received far more attention than the possibility that environmental lead from paint and gasoline could have a general impact. That applied not only to lead, but to all kinds of environmental toxics.

By the 1970s, animal tests showed that lower levels of lead induced hyperactivity, and as research accumulated, it became clear that many toxics, including lead, did not follow a linear dose-response relationship. Instead, researchers found that low levels of exposure to toxics like lead, especially at susceptible developmental stages, could result in chronic illnesses or a range of individual harms for which there were no cures.

Also in the 1970s, revelations emerged about a number of highly unethical medical experiments, particularly the 600 impoverished Tuskegee, Alabama sharecroppers whose syphilis was studied for 40 years and who were never told about their disease or

given any well-known cures. Outrage about these experiments led to the Belmont Report, a 1978 statement about ethical principles for protecting human subjects. Among the principles: do no harm, ensure informed consent, and ensure that experiments do not go beyond normal risks.

In 1992, Johns Hopkins researchers at the Kennedy Krieger Institute wanted to know how well three types of lead abatement treatments for houses would help in avoiding high blood lead levels.

The experimental design involved finding a practical lead abatement technique that would help prevent the abandonment of inner city housing. The three treatments — costing \$1,650, \$3,500 and \$7,000 — were used in homes rented to 108 inner city residents. The residents were not told which type of home they were in, nor that there were ‘hot spots’ in some of the homes, nor that the lower-cost lead abatement techniques would not protect their children.

The study design was approved by an institutional review board which was told of potential benefits from using children as experimental subjects but, apparently, did not foresee potential harm in partly abated homes.

While some children with high blood levels did have lead levels drop, no children had blood lead levels come below the then-existing level of concern of 10 µg/dl (the threshold has since been lowered to 5 µg/dl).

While parents were clearly not informed about the experiment, and some children were exposed to harm, one of the questions that came up in Baltimore, and in other studies involving low-income populations, involves how a ‘normal’ risk is defined.

The future of public health, according to Markowitz and Rosner, involves the choice between remaining true to the traditional mission of preventing disease or accommodating the politics of economic feasibility.

“Lead Wars” is a deeply conceived and well-written book by two of America’s best public health historians.

It’s also an important background briefing on the politics and ethics of scientific research for journalists who will be covering environmental health issues like these.

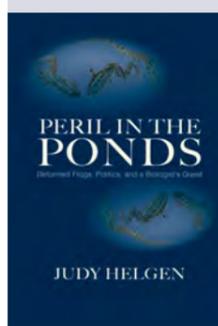
*Bill Kovarik, a former SEJ board member, is a communication professor at Radford University in Virginia.*



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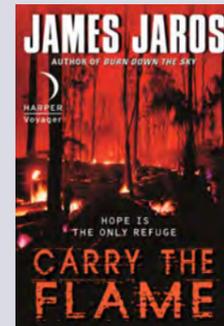
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**Peril in the Ponds**  
Deformed Frogs, Politics, and a Biologist’s Quest  
By JUDY HELGEN  
University of Massachusetts Press  
[judyhelgen.com/book-peril-in-the-ponds](http://judyhelgen.com/book-peril-in-the-ponds)

A government biologist gives an insider’s view of the highly charged, controversial issue, deformed frogs, that aroused the public, politicians, media and scientists.



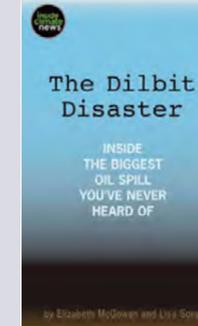
**Carry the Flame**  
By JAMES JAROS  
Harper Collins Canada  
[harpercollins.ca/books/Carry-Flame-James-Jaros](http://harpercollins.ca/books/Carry-Flame-James-Jaros)

A thriller set after climate change has triggered a worldwide collapse of natural systems. “Gutsy,” *Publishers Weekly*. “Stunning,” *The Big Thrill*, *International Thrill Writers Magazine*.



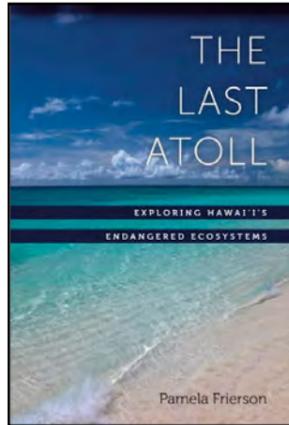
**How to Raise Chickens**  
Everything You Need to Know  
By CHRISTINE HEINRICHS  
Voyageur Press  
<http://www.goodreads.com/book/show/17124954-the-how-to-raise-chickens>

Whichever comes first for you, the chicken or the egg, this book will show you what to do next with longtime chicken breeder Christine Heinrichs explaining all the helpful DOs and important DON’Ts.



**The Dilbit Disaster:**  
Inside the Biggest Oil Spill You’ve Never Heard of  
by ELIZABETH MCGOWAN & LISA SONG  
<http://bit.ly/VDYiyo>

This narrative page-turner on the million gallon spill of Canadian tar sands oil into the Kalamazoo River explains why and how the U.S. is not prepared for the flood of coming imports.



**The Last Atoll: Exploring Hawai'i's Endangered Ecosystems**  
 By Pamela Frierson  
 Trinity University Press, \$16.95

Reviewed by ELIZA MURPHY

As a kid in Hawai'i, author Pamela Frierson knew of only eight islands that comprised her home state.

After later discovering islands and atolls strung further north, she embarked on a 10-year odyssey which put her face-to-face with marvelous and imperiled inhabitants eking out a bare bones existence in confined spaces scarred by human impacts. Frierson spent a decade living for months at a time with a menagerie of wildlife and a cast of characters devoted to protecting those fragile islands and their wild inhabitants.

Her book takes the reader to remote places where birds such as the Laysan albatross live over open water and touch down on land only when, according to Frierson, they are "herded by their hormones" to breed on "small spaces that could be refuges – or fatal traps."

By all accounts, Polynesians were the first to arrive at this end of the archipelago. In a barrage of what paleoecologist David Steadman called a "triple whammy," they decimated the place by "directly preying on birds that had no defenses against predators, introducing predators like the rat, and destroying habitat, all in the process of establishing their own transported landscape."

Polynesians may have been the first marauders, but they weren't the last. Guano miners, bird-feather poachers, turtle and seal hunters and fishermen all took their turn. One upside of the pillage of bird colonies was the Migratory Bird Treaty Act of 1918, the world's first international treaty acknowledging that environmental conservation must transcend national boundaries.

Frierson debunks myths that islands exist independently of the large land masses, supporting the theory that islands do not exist in isolation.

"Islands are the proverbial canaries in the mine, microcosms where the forces that will shape our global future are already revealing themselves," Frierson wrote.

Some island wildlife face unique threats. The endangered monk seal, for example, engages in rather rough sex, with mobs of

randy males ganging up against a solitary female, a situation that can turn fatal. Attempts were made to move some repeat offenders.

Frierson shows biologists taking great care to do no harm. And she provides vivid evidence of the need to continue wrangling unwitting subjects without their informed consent to assess damage.

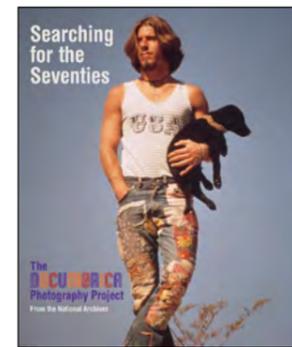
Neither the interconnectedness nor the isolation was lost on the military. Remote locales proved irresistible for secretive missions. Only a fraction of the military's activities are known, but that didn't interfere with Frierson's determination to uncover its operations.

This book wrenches the heart with an all too familiar story of yet another exquisite place teeming with marvels too tempting for people to resist, a beguiling and pristine place that has been ransacked, exploited and plundered – another place on Earth where people ravaged the locals and introduced unwelcome dangers. Some problems, such as rats and invasive weeds, are eradicable. But others persist, such as the toxic residues left behind by the military. Some are still circulating through our closed planetary system in the flesh of birds.

"The Last Atoll" delights as it instructs. Frierson's language is as beautiful as the places she describes and creatures that animate the text. Her intimate contact with the wildlife softens the numerous blows. She shares her luck at being among monk seals by sharing her glimpse of a pair who "seemed to be blowing bubbles into each other's whiskers."

This book offers a testament to the extraordinary people who forgo a life of leisure to secure protection for what remains of the wild world. And it makes a strong case for the world to adopt a "aloha 'aina" – a traditional Hawaiian spiritual belief, a belief that caring for the land is a sacred trust. Frierson offers a prescription for healing our wounded world.

Eliza Murphy is an SEJ member and freelance writer based in Eugene, Ore.



**Searching for the Seventies: The DOCUMERICA Photography Project**  
 By Bruce I. Bustard  
 D Giles Ltd., \$35

Reviewed by ROGER ARCHIBALD

During its infancy in the 1970s, the U.S. Environmental Protection Agency embarked on a campaign to document the state of America's environment through photographs,

**Green Illusions: The Dirty Secrets of Clean Energy and the Future of Environmentalism**  
 by Ozzie Zehner  
 University of Nebraska Press  
 www.greenillusions.org

Green Illusions delivers a backstage tour of solar, wind, hydrogen and electric cars. Are these technologies the solution to growth and productivity, or the problem?

**Opportunity Montana: Big Copper, Bad Water and the Burial of an American Landscape**  
 by Brad Tyer  
 Beacon Press  
 http://bit.ly/1156OvB

A memoir exposé examining our fraught relationship with the West and our attempts to redeem a toxic environmental legacy.

to create a visual baseline against which all future environmental changes could be compared.

Project Documerica, backed by the first EPA Administrator William Ruckelshaus, was the visionary idea of Gifford Hampshire, a former *National Geographic* picture editor who wanted to do for the environment what the Works Progress Administration photographers had done for American agriculture in the 1930s.

For the next few years, more than a hundred photographers, drawn mostly from the ranks of freelancers, were contracted. An edited set of approximately 22,000 color transparencies emerged.

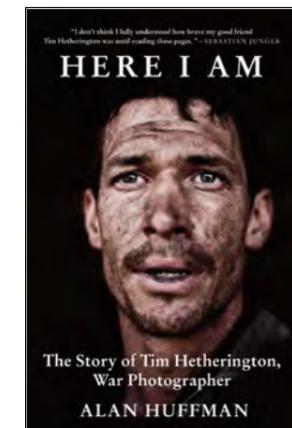
But Documerica was cut short by Ruckelshaus' departure. Funding dried up, and assignments ceased. The image collection eventually found its way to the National Archives in College Park, Md.

Now, in commemoration of the EPA's 40th anniversary, the Archives has mounted an exhibit of Documerica imagery, and released the book, whose author Bruce Bustard is a senior curator there.

The book includes more than 100 photographs and profiles of several of the photographers, many of whom went on to gain prominence as journalists. There also is a forward by Ruckelshaus.

Despite some shortcomings, it is a remarkable document — the collective summation of more than 100 image makers bent on documenting what they believed were the most important environmental issues to record for history.

Roger Archibald is SEJournal's photo editor. In 1975, he met with Documerica Director Gifford Hampshire, seeking to join the project, without success. He wrote at length about Documerica in the cover story of the Winter 2011-12 SEJournal.



**Here I Am: The Story of Tim Hetherington, War Photographer**  
 By Alan Huffman  
 Grove Press, \$25

Reviewed by TOM HENRY

This is not an environmental book. But it's one in which all journalists, including SEJ members, can glean something about their craft – and perhaps themselves.

It's a penetrating, gritty look at what drove one of the world's top war photographers, British-born Tim Hetherington, to lose his life in his unwavering quest to uncover truth and achieve near-perfection in storytelling.

This book is, after all, about passion.

There are times in which American author Alan Huffman's writing leaves readers with the impression that Hetherington's fate

**For God, Country & Coca-Cola**  
 by Mark Pendergrast  
 Basic Books

"Behind the glitz and fanfare, the bubbly brown beverage has had a tortured and controversy-filled history, meticulously chronicled in For God, Country and Coca-Cola." — *The Wall Street Journal* (fully updated 3rd edition)

was tragic, yet inevitable – not in a thrill-seeking way, but as a street-savvy photojournalist and humanitarian hard-wired to do incredible storytelling about those devastated by war.

With a stark, unsentimental writing tone, Huffman builds a crescendo which shows how Hetherington went beyond even his own inner psychological boundary.

After first limiting himself to war-time feature shots that offered the illusion of safety, Hetherington was seduced by the heart-pumping, adrenalin-racing action of the front lines.

He was driven to tell the story there.

Sure, there were times in which Hetherington came off slightly cocky with his almost invincible, rough-hewn persona. But as the story developed, it became more obvious he was so mentally locked in on his photographic mission that he became oblivious to danger.

Hetherington, 40, died from a mortar blast while covering the Libyan Civil War on April 20, 2011. A recipient of the Alfred I. duPont Award, the broadcast equivalent of the Pulitzer Prize, Hetherington received an Oscar nomination for his work as co-director with Sebastian Junger on "Restrepo," the highly acclaimed 2010 documentary about the most dangerous outpost in Afghanistan.

Being embedded with troops in Iraq wasn't good enough for him. Hetherington was part of an elite corps of photojournalists who would settle for nothing but the most daring conflicts. He set his own terms on how long to stay.

It's inspiring stuff in this age of media downsizing and sanitized, corporate-driven journalism. That's not to say everyone needs to put their lives on the line. But the writing gives a sense of fierce determination that can be applied to all genres, including environmental journalism.

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## Cover Feature: WOLF...continued

the minimum. In Idaho, a rancher tried to pass a bill that would have allowed aerial shooting and the use of live bait to lure wolves to traps or riflemen.

Thus the wolf is the only recovered species where the population is not encouraged to increase.

“From the get-go, it was anticipated that states would take over recovery but not to just keep it on life support,” said Defenders of Wildlife conservationist Suzanne Stone. “You can’t maintain low numbers and still call it recovery.”

As the states take over and hunting is established nationwide,

time will tell whether the wolf’s first 17 years of successful reintroduction continues.

*Laura Lundquist is the environmental and political reporter for the Bozeman Chronicle in Bozeman, Mont. She has worked for other newspapers in Montana and Idaho. She received her master’s degree in journalism from the University of Montana in 2010 after working in the fields of environmental consulting and aviation. Follow her on Twitter at @llundquist.*

## Freelance Files...continued

when staying with Amerindians. To make that trip happen, I applied for grants.

I applied for three and got one: a professional development grant for \$2,500 from the National Association of Science Writers. However, grant applications significantly add to your workload for a story, so I consider them to be a last resort. Some entities that offer reporting or travel grants include the SEJ Fund for Environmental Journalism, the European Journalism Centre, Investigative Reporters and Editors and the Fund for Investigative Journalism.

Of course, professional opportunities can also lead to travel.

Fellowships are great because all expenses are covered. They also require a lot of time spent on applications but are worth it for the payoff and professional prestige. Fellowships abound for people at various stages of their careers and for different focuses.

When I was a Vermont Law School fellow, I visited friends, saw my grandmother’s hometown, and did a lot of hiking. That trip yielded good stories — not about Vermont, but derived from sources I met there. Likewise, I won one of the SEJ 20-20-20 fellowships to attend the 2010 Missoula conference, where I got an assignment on the spot for *High Country News* and a tip that led to a Montana story the following year for the *International Herald Tribune*. SEJ has a long list of fellowships on its website.

Trips organized and financed by story sources are another way that people get paid travel, but I avoid them. Many publications won’t run stories obtained from such junkets. In fact, some publications (including *The New York Times*) blacklist reporters who take junkets — even when the story is for another publication.

Some reporters benefit by focusing locally; I now have more of a “citizen of the world” portfolio. In some cases, I’ve published stories years after a visit — dialing up sources but doing so with firsthand perspective on how things actually work — or don’t — in these places. Also, sources are often more open when talking with a foreign journalist by phone once they learn that I’ve visited their country.

Surprisingly, one of the biggest hurdles is to get editors interested in these fascinating stories. Many seem to believe their readers aren’t curious about the world. Guyana, being a small country that many people (including the executive editor of a top publication) incorrectly presume is in Africa, was a particularly hard sell. I pitched that story for a year and a half because I thought it was unique and important — and I wanted to go to Guyana. Finally, the UN’s REDD+ was building momentum leading up to COP 15 in Copenhagen, and my *International Herald Tribune* editor agreed to use that as the news hook.

Working the angles to facilitate adventures can be a lot of work. But that work leads to fun — and to deeper stories. Travel isn’t always an easy high, but it’s epic, strengthening one’s abilities to adapt and observe. Perhaps most important, it fosters empathy and understanding, key ingredients for powerful stories.

You too can get these stories — and get to them.

*Erica Gies is a freelance journalist from San Francisco who writes for The New York Times, the International Herald Tribune, The Economist, Forbes, New Scientist, and other publications. This year she is living in Paris and taking advantage of cheap travel to Turkey, North Africa and around Europe.*



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Morgan Sherburne, staff writer for *The News-Review* in Petosky, Mich., checks out the current conditions on the Kalamazoo River in western lower Michigan near the spot where just three years ago an oil spill covered the waterway in Alberta heavy crude. The two-hour canoe trip, part of a four-day field orientation excursion organized by the Institutes for Journalism & Natural Resources, let participating journalists see the results of the river restoration efforts firsthand. To learn more about the IJNR's Kalamazoo River Institute, see page 6.

Photo by Adam Hinterthuer, IJNR