



**Western
Environmental
Law Center**

Summer 2017

WE DEFEND THE WEST



> Fighting Wildlife Services

> Resisting Trump

> Expanding in Seattle

> National Monument Defense

> Methane Mega-Win

> Victory for Bull Trout



THE WESTERN ENVIRONMENTAL LAW CENTER IS A
NONPROFIT, PUBLIC INTEREST ENVIRONMENTAL LAW FIRM.

WE USE THE POWER OF THE LAW TO SAFEGUARD THE
WILDLIFE, WILDLANDS, AND COMMUNITIES OF THE
AMERICAN WEST.

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Cover photo: The Sierra Nevada range in California. We're fighting to modify grazing in meadows and along streams to protect clean water and threatened amphibians in this region. Photo by Tom Fassbender.

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LOOKING ACROSS THE WEST

“WHEN THE WAY IS FLAT AND DULL IN TIMES OF GRAY ENDURANCE,
MAY YOUR IMAGINATION CONTINUE TO EVOKE HORIZONS.”

- JOHN O'DONOHUE, “FOR ONE WHO HOLDS POWER”

What a moment we find ourselves in! Mired in controversy, President Trump is a wounded but dangerous threat. His decision to withdraw the U.S. from the Paris climate agreement is the most recent example of his reckless, morally reprehensible behavior—behavior that cedes U.S. leadership and credibility on the world stage while risking immense suffering to the American West's most vulnerable wildlands, wildlife, and communities. Meanwhile, our Republican-controlled Congress has moved forward with aggressive, ideological legislative attacks. Candidly, it is a dark, anxious time.

Yet imagination flourishes, compelled by our collective need to avoid normalizing the current political moment and to chart a course through the darkness.

These are not mere words. Working with you, we've stepped up to defend Oregon's iconic Cascade-Siskiyou National Monument from legal challenge. We've defeated Congressional attacks against

pioneering rules that will prevent climate pollution equivalent to that of 3.3 million cars. And we're breaking down the doors to shine a light on secretive back-room discussions underlying the Trump administration's attacks on the climate and our public lands. We've also brought on new capacity in Washington state to protect Puget Sound and to support our defensive advocacy against the Trump administration.

So yes, dark and anxious times. But also a time to stand together in solidarity. And a time that, in some not-so-distant future, we'll reflect upon and proudly say, “In that moment, I helped defend the West's wildlands, wildlife, and communities.”



For the West,

Erik Schlenker-Goodrich
Executive Director



FIGHTING TRUMP

ENFORCING THE PARIS AGREEMENT FROM THE GROUND UP

We're taking Paris climate agreement enforcement into our own hands through cases targeting fossil fuel development in the Colorado River Valley, the Powder River Basin, and through a federal West-wide leasing initiative. These cases comprise more than 10.5 million acres of public land, over 20,000 projected oil and gas wells, and 11 billion tons of coal. We're fighting from the ground up to hold the Trump administration accountable to climate science, carbon budgets, and to keep fossil fuels in the ground.

DEFENDING CASCADE-SISKIYOU NATIONAL MONUMENT

We're actively intervening to protect an expansion of southern Oregon's Cascade-Siskiyou National Monument from three logging-related lawsuits. In an attempt to rob Oregonians and all Americans of a biological treasure deserving of permanent protection, these lawsuits fly in the face of overwhelming local support for the monument's expansion. The law is on our side and we will defend Cascade-Siskiyou National Monument from any and all attacks.

FIGHTING THE LNG PIPELINE IN OREGON

President Trump's chief economic adviser stated he wants to permit a liquefied natural gas (LNG) export facility in the Northwest, referencing the Jordan Cove LNG Terminal and Pacific Connector Pipeline, a proposal WELC has fought for years—and won. The proposal calls to clearcut a 200+ mile corridor 50 feet wide across rivers, national forests, the Pacific Crest Trail, and private property. We're on the front lines and ready to go back to court to stop it—again.



WILDLIFE UPDATES

SAVING COUGARS AND BEARS FROM WILDLIFE SERVICES

We are using the power of the law to challenge a controversial Wildlife Services plan to kill wild carnivores in Colorado. Wildlife Services is a federal program that kills roughly 4 million animals per year with almost no accountability. The plan in Colorado was designed to increase mule deer populations by killing up to 120 black bears and mountain lions. The best available science shows habitat loss from oil and gas development is the driving factor in mule deer decline, not predation from black bears and mountain lions.

VICTORY FOR NATIVE BULL TROUT IN IDAHO

In response to our lawsuit, the Payette National Forest in Idaho will reconsider how it manages roads and motorized trails to better protect threatened bull trout. The Forest Service will undergo a review that integrates all new research since 2007 and an updated analysis of how the motorized use it allows on the forest harms bull trout critical habitat. The agencies have told the court that they intend to complete this process in 2017, and we'll hold them to that.

PROTECTING AMPHIBIANS IN THE SIERRA NEVADA

High elevation meadows in the Stanislaus National Forest in the Sierra Nevada between Yosemite National Park and the John Muir Wilderness are suffering from illegal cattle grazing. Cattle are trucked up the mountain from private ranches to graze, fouling the water and harming the Yosemite toad and the Sierra Nevada mountain yellow-legged frog. We're fighting to modify grazing in meadows and along streams to protect clean water and threatened amphibians.

WE DEFEND THE WEST



OUR LEGAL WORK AND ADVOCACY OCCURS AT THE NATIONAL, REGIONAL, AND LOCAL LEVELS. HERE ARE SOME OF OUR RECENT CASES. MANY MORE CAN BE FOUND AT WESTERNLAW.ORG.

1

PROTECTING YELLOWSTONE’S GRIZZLY BEARS

Grizzly bears in the Yellowstone region are at historically low numbers and this population plays an important role in helping other grizzlies across the West survive. However, the U.S. Fish and Wildlife Service plans to strip their Endangered Species Act protection and states have already said they will sell \$1,000 licenses for trophy hunting. We are using the law to stop this and to protect these icons of the West.

2

REPRESENTING TERRY TEMPEST WILLIAMS

In 2016, author and conservationist Terry Tempest Williams and her husband Brooke Williams bid on two federal oil and gas leases in Utah. They intended to keep the fossil fuels in the ground until science supports their sustainable use. The government denied these bids even though oil and gas companies commonly leave leases undeveloped for economic reasons. We’re challenging this double standard.

3

PROTECTING GREATER CHACO FROM FRACKING

We filed the opening brief in our case to protect Chaco from unstudied fracking. The Bureau of Land Management is using a resource management plan from 2003 the agency admits never studied multi-stage fracking to approve a predicted 3,960 wells. We’re committed to stopping this assault on the native communities of Greater Chaco and the irreplaceable and sacred cultural resources throughout the region.

4

SAVING MEXICAN WOLVES IN THE SOUTHWEST

This spring, WELC attorneys went to court and fought for endangered Mexican wolves in Arizona and New Mexico. The U.S. Fish and Wildlife Service considers Mexican wolves a “non-essential experimental sub-species,” which astonishingly caps the population at too low a level for them to achieve success in the wild. WELC played a key role in compelling the federal government to reintroduce Mexican wolves into wild, and we pledge to see that commitment through.



DEFENDING THE METHANE RULE VICTORY IN COURT

WE'RE DEFENDING OUR VICTORY PROTECTING PUBLIC LANDS, CLEAN AIR, AND COMMUNITIES BY HOLDING THE OIL AND GAS INDUSTRY ACCOUNTABLE TO METHANE WASTE.

WELC played a key role in a huge Trump-era conservation victory this spring when, against all odds, Congress rejected an industry-backed attempt to repeal the Obama administration's Bureau of Land Management methane waste rule.

This win capped off a decade-long fight by our legal team to protect our air, climate, public lands, and communities from the serious harms of methane pollution and waste. It also marked anti-environmentalists' first Trump-era failure to undo Obama climate policies.

BLM's methane rule will knock out climate pollution equivalent to that of 3.3 million cars and will protect families from the harms of oil and gas drilling each and every day. Leaked methane exposes people to volatile organic compounds, benzene, asthma irritants, and carcinogens, creating

major health problems near oil and gas development.

Even though we won in Congress, industry is challenging the rule in federal court. In January, we defeated an attempt by industry to delay implementation of the rule, but they haven't given up. Moreover, the Trump administration may try to delay, weaken, or even withdraw the rule because they feel oil and gas profits are more important than our environment and communities.

Now, we're focusing on defending the methane rule from ongoing lawsuits from the fossil fuel industry and against future attacks by the Trump administration.

We will fight at every step of the way to preserve our victory and uphold the critically important methane rule.

INCREASING OUR IMPACT IN THE NORTHWEST



WELC is staffing up to better defend the West from a White House and Congress increasingly hostile to the wild places we love, the wildlife that live there, and the climate on which we all depend.

We're expanding our presence in Seattle to expand our work in the Pacific Northwest and to resist the Trump administration's agenda, staffed by two new attorneys: Andrew Hawley and Shannon Laun.

Andrew brings to WELC significant Clean Water Act and litigation experience. Prior to WELC, he has worked for Northwest Environmental Defense Center and Defenders of Wildlife in Washington, D.C., serving as the Walter Kulman Legal Fellow and as a staff attorney. There, he worked to protect North Atlantic right whales, Florida panthers, bald eagles, wolverine, lynx, and other wildlife.

Shannon Laun graduated from Harvard Law in 2012 and went on to hold two fellowships. The first with Environmental Defense Fund and then with the Environmental Law Institute. After her fellowships, she served as a staff attorney with Connecticut Fund for the Environment. Shannon brings considerable climate law experience, from which we've already begun benefiting.

The Seattle office will work to restore Puget Sound, fight the Department of Ecology's plan to reduce stream flows in the Spokane River, protect Washington's waterways from industrial agriculture pollution, and implement climate change policy.

WELC's roots are in the Pacific Northwest, and we're elated to have found such talented new attorneys to increase our capacity for good in the region.

WOMEN HIKING FOR A CAUSE



THE INTREPIDIDS

WELC supporters all have their own reasons for choosing to help fund our public interest environmental advocacy. We enjoy hearing from our supporters and wanted to share an inspiring story from this spring. It's from a group of women in New Mexico who call themselves the Intrepidids. These women hike the Rio Chama Valley, including trails in the Santa Fe and Carson National Forests.

The Intrepidids formed in January 2014 when founder Wendy Dolci attended a birthday lunch for Lisa Faithorn and suggested the idea of a women's hiking group. Many signed up that day, and over time, with word passing from friend to friend, the group has grown to include 75 New Mexican women.

To celebrate the Intrepidids' third anniversary, and Lisa's birthday again, the group decided as a way to

honor the land they would take up a collection, draw a hiker's name from a bowl, and have the winner choose a non-profit organization to receive the donation of their pooled funds.

Tracy McBride's name was drawn, and she chose the Western Environmental Law Center.

Tracy said this is why she chose WELC: "WELC was an easy choice because of the urgency of the work. So many ancient, sacred and delicate lands and sites are threatened by BLM leases to oil and gas companies. The county where we Intrepidids reside is in the center of this battle. I want to support those who are in the front lines of protecting the land, those who have the intricate knowledge of the law, procedures, requirements, how to persist against corporate power—and win. This is what WELC has done."

Thank you, Tracy, Wendy, Lisa and all the Intrepidids for your support. Our impact across the West is made possible by supporters like you.

WAYS TO GIVE



We fight in court to defend the American West on behalf of our clients free of charge, but we can't do it without your support. As a public interest law firm, we rely on charitable gifts from individuals, families, and foundations to achieve our mission.

Your donation to the Western Environmental Law Center is tax-deductible as allowed by law. WELC's Federal Tax ID Number is 93-1010269.

YOU CAN HELP DEFEND THE WEST AT [WESTERNLAW.ORG/DONATE](https://westernlaw.org/donate)

Make your first gift or join our lifetime of supporters. We have a variety of simple and convenient ways for you to donate to the Western Environmental Law Center and make a difference for the American West.

We offer monthly giving; will, trust, or other estate plans; stock gifts; charitable gift annuities; and more.

NEW! VEHICLE DONATIONS: We've teamed up with Donate For Charity to make donating your vehicle to us easy. Whether the vehicle is running or not, Donate For Charity can help process the donation. They will arrange for your car to be picked up and handle all the issues associated with donating your car. You'll get a minimum \$500 tax deduction (or higher, depending on what your car sells for) and we receive the net proceeds.

Please contact David Lawlor, Director of Development at (541) 255-0209 or lawlor@westernlaw.org with questions or to learn more.



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VICTORY FOR CRATER LAKE

The Crater Lake region in Oregon has some of the last remaining untouched Western forests and was threatened by a 1,400 acre logging plan. We defended this natural area in court—and won.

> More victories and case updates inside. Thank you for your support!