



**Western
Environmental
Law Center**

WE DEFEND THE WEST

Summer 2021

As part of our broader strategy to spur bold action on climate, we are representing 22 Tribal, conservation, recreation, and agricultural groups in court defending the Biden administration's pause on new oil and gas leasing on public lands.

[Read more inside >>](#)

> Victory for clean air

> Science-based forestry

> Grizzlies, lynx, orcas, and salmon

> Protecting wild places

> Clean water rights

> Victory keeping coal in the ground



GREEN WORKPLACE AWARD

We are honored that *Oregon Business* magazine named us among the top 100 best green workplaces in Oregon. This award is based on an evaluation of sustainable workplace practices. At the Western Environmental Law Center, we match 100% of our energy use with renewable energy certificates, offset 100% of our unavoidable emissions, and balance 100% of our water use with water restoration certificates. Our Eugene office is Leadership in Energy and Environmental Design (LEED) Certified Gold. In addition, our publications are printed on 100% post-consumer paper with soy ink. This award recognizes the value we place on environmental protection, both at our workplaces and in our mission to defend the West.

LOOKING ACROSS THE WEST

For many of us, the summer brings joy. The joy of seeing family and friends after a long, hard winter. The joy of witnessing life amidst the green forests, free-flowing rivers, astounding and awe-inspiring mountains of the Western U.S. we work so hard, with your help, to defend.

For others, the summer brings reflection. Reflection of the year now passed, of those we have loved and lost. Reflection on our country's still precarious, deeply troubling politics and how we may make urgently needed progress on the most critical issues of our time: repairing our democracy, remedying a legacy of racial and social injustice, and acting to secure a thriving, resilient future from the perils of interwoven climate and ecological crises.

Navigating this complexity requires wisdom coupled with skill to use the right advocacy tools in the right place and at the right time.

While the Biden administration has made bold, inspiring, and promising commitments, these commitments must run a gauntlet of obstruction in legislatures and the courts.

Whether through litigation, policy advocacy, or collaboration, we'll work to boost the Biden administration's vision and ambition, hold it to its commitments, and fight, tooth and nail, against obstruction of this needed progress.

Change occurs only through strategic, thoughtful, and persistent advocacy that pressures political leadership to take action.

This is a moment like no other. It imbues us all with the responsibility to act; to make the world a better place.

It's that responsibility that animates each of us at the Western Environmental Law Center. And I'm confident that it's that responsibility that will lead you to read the words of this newsletter.

Thank you.



For the West,

A stylized black ink signature of Erik Schlenker-Goodrich.

Erik Schlenker-Goodrich
Executive Director



DEFENDING BIDEN'S OIL AND GAS LEASING PAUSE

Oil and gas drilling is moving at a fervent pace. It is time to reconsider our future.

A full quarter of U.S. emissions come from fossil fuels extracted on public lands. Communities in the West and nationwide are suffering from climate-based extreme weather, severe wildfire, and existential droughts.

And the science is clear: Bold, urgent action to curb greenhouse gas emissions is the only way to stop these already tough challenges from becoming much worse for our communities, economies, and the wild places we love.

That is why, as part of our broader strategy to spur bold action on climate, we are in court defending the Biden administration's pause on new oil and gas leasing on public lands from lawsuits by the Western Energy Alliance and the state of Wyoming.

We are representing 22 Tribal, conservation, recreation, and agricultural groups in defense of the pause. Beyond that, we authored a letter signed by more than 200 groups

urging the administration to perform a comprehensive review of the federal fossil fuel leasing program to align it with U.S. climate goals.

The pause is legal and a necessary step toward limiting global warming to 1.5 degrees Celsius—the global scientific target to prevent the worst climate change effects.

In addition, front- and fence-line communities have much to gain from reevaluating the ravenous fossil fuel extraction in so much of the West.

Indeed, environmental justice means powering our existence without poisoning the air, water, and day-to-day lives of people living in the shadow of industrialized fossil fuel extraction.

The Biden administration's sensible time out on leasing will not affect oil and gas companies for years, and we're hopeful it will lead to meaningful action toward a livable climate for our communities, our treasured Western landscapes, and for future generations.

PROTECTING OLD GROWTH FORESTS IN OREGON—COLLABORATIVELY

In WELC's collaborative forest restoration work in eastern and central Oregon, we place a premium on the use of the best available science to inform and guide national forest management. In fact, it is a prerequisite to our participation.

Over the past several years, researchers have learned that past management—high-grade logging, fire suppression, and grazing—created unsustainable conditions that threaten what old growth trees remain.

In particular, experts now know that fire suppression has allowed a proliferation of smaller fire-intolerant grand fir trees—which grow large quickly and guzzle precious water in this arid region—to encroach old, fire-tolerant ponderosa pine and larch trees.

This creates highly flammable conditions that put old growth forests, wildlife, and watersheds at risk of uncontrolled wildfire.

As a result, experts recommend that we carefully thin larger grand fir trees and

restore managed fire to the landscape in order to adapt to climate change and save the last of the old growth larch and yellow-belly pine.

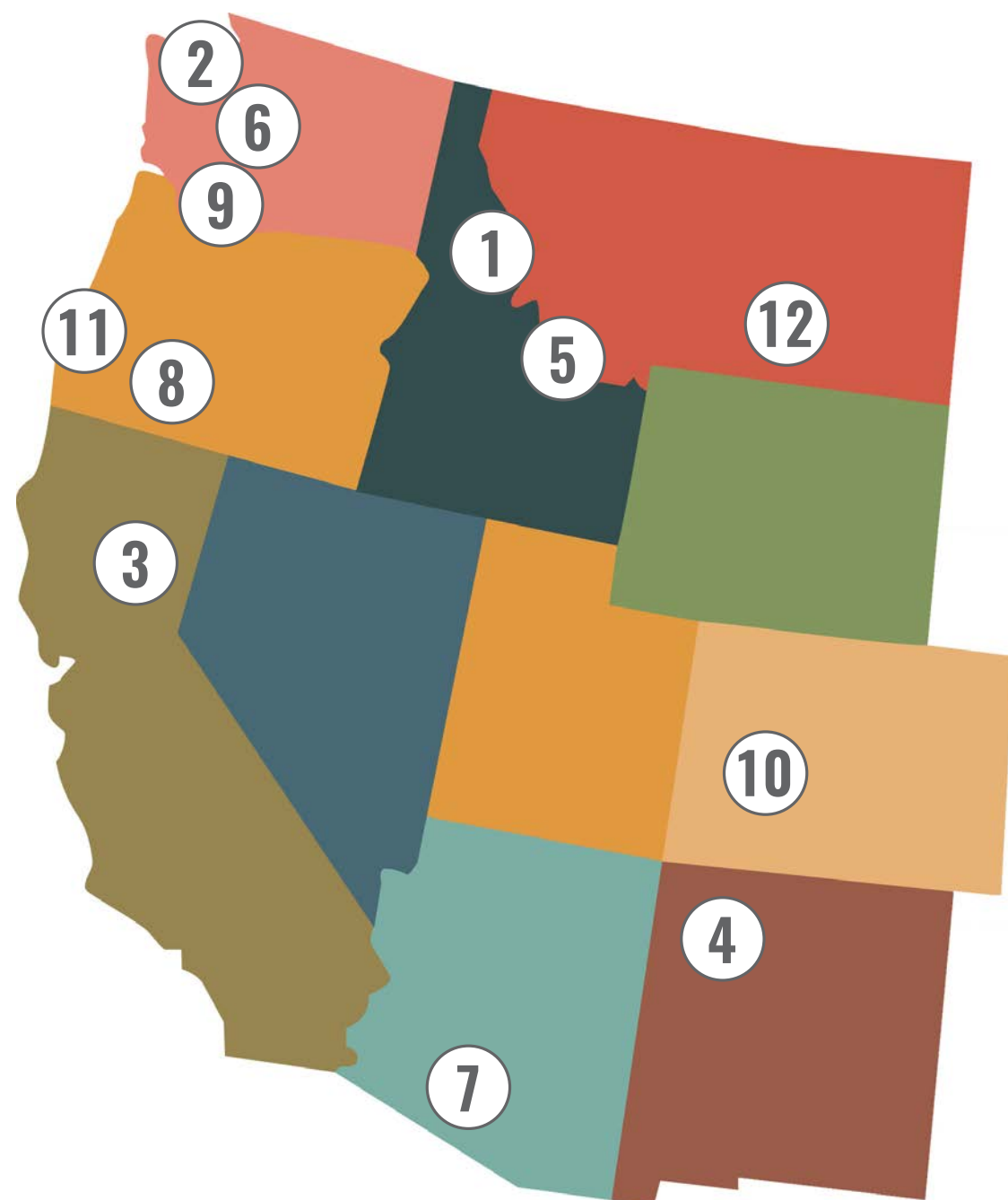
That's why we recently supported a forest plan amendment to make this science-driven restoration work possible, which will help restore ecological integrity to millions of acres.

Protecting these precious, older forests from uncontrolled wildfire requires a strict adherence to the best available science.

The amendment isn't perfect—none are. But it's a pragmatic step in the right direction, requiring extensive monitoring and adaptive management, public engagement, retention of dead trees called "snags" that are essential for many species of wildlife, and, for the first time, protection of *small* old growth trees.

In the coming years, we'll work to make sure the U.S. Forest Service follows through on these commitments.

WE DEFEND THE WEST



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We represent more than 185 clients each year. We do not charge for our services.

- 1 PROTECTING TROUT, GRIZZLIES, AND ELK IN IDAHO'S PROPOSED GREAT BURN WILDERNESS**

We're challenging a U.S. Forest Service plan to allow people to drive motorized vehicles in Idaho's Fish Lake area, a special place the agency recommended for wilderness designation in 1987. Known as the proposed Great Burn Wilderness, it is used extensively by threatened grizzly bears and elk. In addition, the area is home to a unique bull trout population that would suffer greatly under the treads of off-road vehicles due to increased stream temperatures and sedimentation.
- 2 RACING TO SAVE PUGET SOUND FROM TOXIC WATER POLLUTION AFFECTING PEOPLE, SALMON, AND ORCAS**

Washington state's Puget Sound supports local communities and is home to a broad variety of iconic marine life including salmon and orcas. Pollution from municipal sewage and factory farms is overwhelming the sound, causing harm to the people and wildlife in the region. Rapidly increasing algal blooms and toxic pollution affecting the waters must be stopped. WELC is working to force the state to address this ecosystem-wide emergency and save Puget Sound.
- 3 STRENGTHENING THE CLEAN WATER ACT IN CALIFORNIA AND ACROSS THE NATION**

We are working with the state of California in court to clarify Clean Water Act rights granted to states and Tribes on federally permitted projects. In our case, the operator of the Yuba-Bear Hydroelectric Project wants to limit California's ability to protect threatened Chinook salmon and steelhead trout downstream of the dam. We aim not only to safeguard these fish, but to also ensure federally permitted projects comply with local water quality requirements nationwide.
- 4 PREVENTING FURTHER OIL AND GAS EXPLOITATION IN NEW MEXICO'S GREATER CHACO REGION**

The Greater Chaco region in New Mexico is sacred to more than two dozen Tribes, including Pueblo and Diné peoples. It is also an energy sacrifice zone, where more than 90% of available land is leased for oil and gas drilling, impacting modern Diné communities. Working with Indigenous-led groups and conservation organizations to protect public health and our climate, we challenged a Trump administration plan to drill on more than 1 million additional acres in this region.

DEFENDING WILDLIFE



PROTECTING GRIZZLIES FROM BEAR BAITING

We are protecting threatened grizzlies in Idaho and Wyoming national forests from being shot at bear baiting stations—places where people deposit piles of food to attract black bears in order to shoot them. Grizzlies have also been killed at bear baiting stations, and we want federal agencies to reconsider the impact on recovering grizzlies of allowing bear baiting in national forests. We prevented the Safari Club, which sought to oppose us, from becoming a party in the case.

SAVING SALMON, BULL TROUT, AND STEELHEAD IN WASHINGTON

The Puyallup River originates in glaciers along the slopes of Mount Rainier and flows through lands owned by the Puyallup Tribe to Commencement Bay in Puget Sound. The Electron Dam on the Puyallup River illegally kills protected Chinook salmon, bull trout, and steelhead, also harming Puget Sound orcas. We're seeking to ensure that the project operator will not kill these threatened fish.

FIGHTING FOR SCIENCE-BASED WOLVERINE PROTECTIONS

Wolverine are very rare in the contiguous U.S. Scientists estimate only 250-300 remain in fragmented habitat, which is shrinking due to climate change. Despite these struggles and a previous WELC win, the Trump administration refused to protect this animal under the Endangered Species Act. We are back in court to force federal wildlife managers to reconsider providing protections these wolverine need.

STANDING UP FOR STRUGGLING CANADA LYNX

Canada lynx and their habitat are threatened by climate change, wildfires, logging, development, motorized access, and trapping. Since designating lynx as threatened in 2000, the U.S. Fish and Wildlife Service has gone to extraordinary lengths to deny protections to the big cat. We're continuing our years of advocacy for lynx recovery in two legal cases, and will challenge the agency's planned elimination of lynx Endangered Species Act protections.

PROTECTING WILDLANDS



PROTECTING SONORAN DESERT NATIONAL MONUMENT FROM SHOOTING

We won a case forcing the U.S. Bureau of Land Management to reconsider its decision to allow target shooting throughout Sonoran Desert National Monument. Under pressure from the NRA and against its own previous recommendation to close the monument to shooting altogether, the agency then decided to protect only 10% of the monument. We are challenging that decision because saguaro cacti and ancient petroglyphs need protection from irresponsible shooters.

VICTORY FOR FORESTED OWL HABITAT IN OREGON

WELC won a victory for forests and great grey owls related to an Oregon timber sale called Griffin Half Moon. The project would have logged more than 900 acres home to perhaps the largest and most well-known population of great grey owls in southwest Oregon. A federal judge must still finalize the initial ruling and remedy, but it is safe to say it will likely be good news for forests and great grey owls.

SAFEGUARDING A NATURAL MARVEL AT MOUNT ST. HELENS

WELC is representing scientists and conservationists in a case challenging a U.S. Forest Service plan to build a road through the blast zone of Mount St. Helens National Volcanic Monument to assess a natural dam at Spirit Lake. The road would destroy this exceptional ecology and end more than 40 years of unique research. Prudent planning can ensure public safety while preserving this scientific jewel.

PRESERVING ENVIRONMENTAL REVIEW IN POST-FIRE LOGGING

The Trump administration introduced new U.S. Bureau of Land Management rules that would create a logging free-for-all in forests recovering from wildfire. Once viewed as "free wood" for the logging industry, science now tells us that logging these snag forests greatly hinders natural regrowth, with negative consequences for wildlife and plant life. We are preparing to fight new categorical exclusions that would eliminate environmental review for much post-fire logging across the West.

CLIMATE JUSTICE



VICTORY PROTECTING 1 MILLION ACRES FROM OIL AND GAS DRILLING

Our legal advocacy caused the Bureau of Land Management to withdraw a drilling plan spanning more than 1 million acres in western Colorado on climate grounds. Revoking this plan creates an opportunity to protect and support resilient landscapes and thriving communities, while also advancing U.S. climate goals and commitments. This is yet another victory in a 14-win streak made possible by our cutting-edge legal advocacy to spur climate action at the federal level.

KEEPING 52 MILLION TONS OF GREENHOUSE GAS IN THE GROUND

We are in court challenging a fracking plan for the North Fork Valley and Thompson Divide in Colorado's Grand Mesa, Uncompahgre, and Gunnison national forests covering 35,000 acres. Federal land managers failed to assess the plan's water and climate pollution. A victory would prevent 52 million tons of greenhouse gas pollution, equivalent to a dozen coal-fired power plants annually.

STOPPING JORDAN COVE LNG IN OREGON

Our decade-plus fight against the proposed Jordan Cove Liquefied Natural Gas Terminal and Pacific Connector Pipeline took a positive turn in 2021. Preventing the Trump administration from green-lighting the project was not easy. Now, the company behind the proposal has asked federal regulators to withdraw its consultation requests. WELC and our partners will keep the pressure on.

VICTORY KEEPING 85 MILLION TONS OF COAL IN THE GROUND

In early 2021, WELC and our partners successfully blocked a 1,100-acre, 85-million-ton coal expansion at Montana's largest coal mine, Spring Creek. The judge found the U.S. Office of Surface Mining flouted federal law by failing to address the impacts of trains hauling coal from the mine, the air pollution consequences of burning more coal from the mine, and the climate costs of greenhouse gas emissions that would result from more mining and burning of coal.

WAYS TO GIVE



OUR WORK ISN'T POSSIBLE WITHOUT YOUR GENEROUS SUPPORT. GIFTS OF ALL SIZES ARE WELCOME AND APPRECIATED—THANK YOU!

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, businesses, and foundations to achieve our mission. We receive no government funding and your donation is tax-deductible as allowed by law.

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

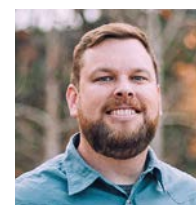
We have a variety of simple and easy ways for you to donate and make a difference for public lands, wildlife, and communities across the American West.

KEYSTONE PARTNER MONTHLY GIVING PROGRAM: Automatic monthly gifts are convenient for you and provides us with reliable support year-round.

GIL F. STAENDER LEGACY CIRCLE: Name WELC in your will, trust, or other estate plans and leave a lasting legacy to defend the West.

ASSETS: Gifts of stocks, bonds, and mutual funds.

CHARITABLE REMAINDER TRUSTS AND CHARITABLE GIFT ANNUITIES: Payments are made to beneficiaries during their lifetime and the remainder is added to our endowment fund.



We can also receive donations from workplace giving, business giving, real estate and vehicle donations, tribute gifts, and more.

Please contact David Lawlor, Director of Development at (541) 255-0209 or lawlor@westernlaw.org with questions or to learn more. We're happy to help and discuss options with you.



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WESTERNLAW.ORG

We are a nonprofit, public-interest environmental law firm.
We use the power of the law to safeguard the public lands,
wildlife, and communities of the American West in the face
of a changing climate.



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Restoring wolf protections nationwide We're in court to restore nationwide protections for gray wolves prematurely—and indefensibly—eliminated by the Trump administration. Hundreds of wolves have already been killed under this illegal decision, harming ecosystems and wolf recovery. Scientists estimate that only 281 wolves exist in the Pacific Northwest as of 2020. The Endangered Species Act is clear: We must restore wolves in the ample habitat of the wildlands throughout the West. A victory in our case would ensure the work to help wolves recover nationwide will continue.

