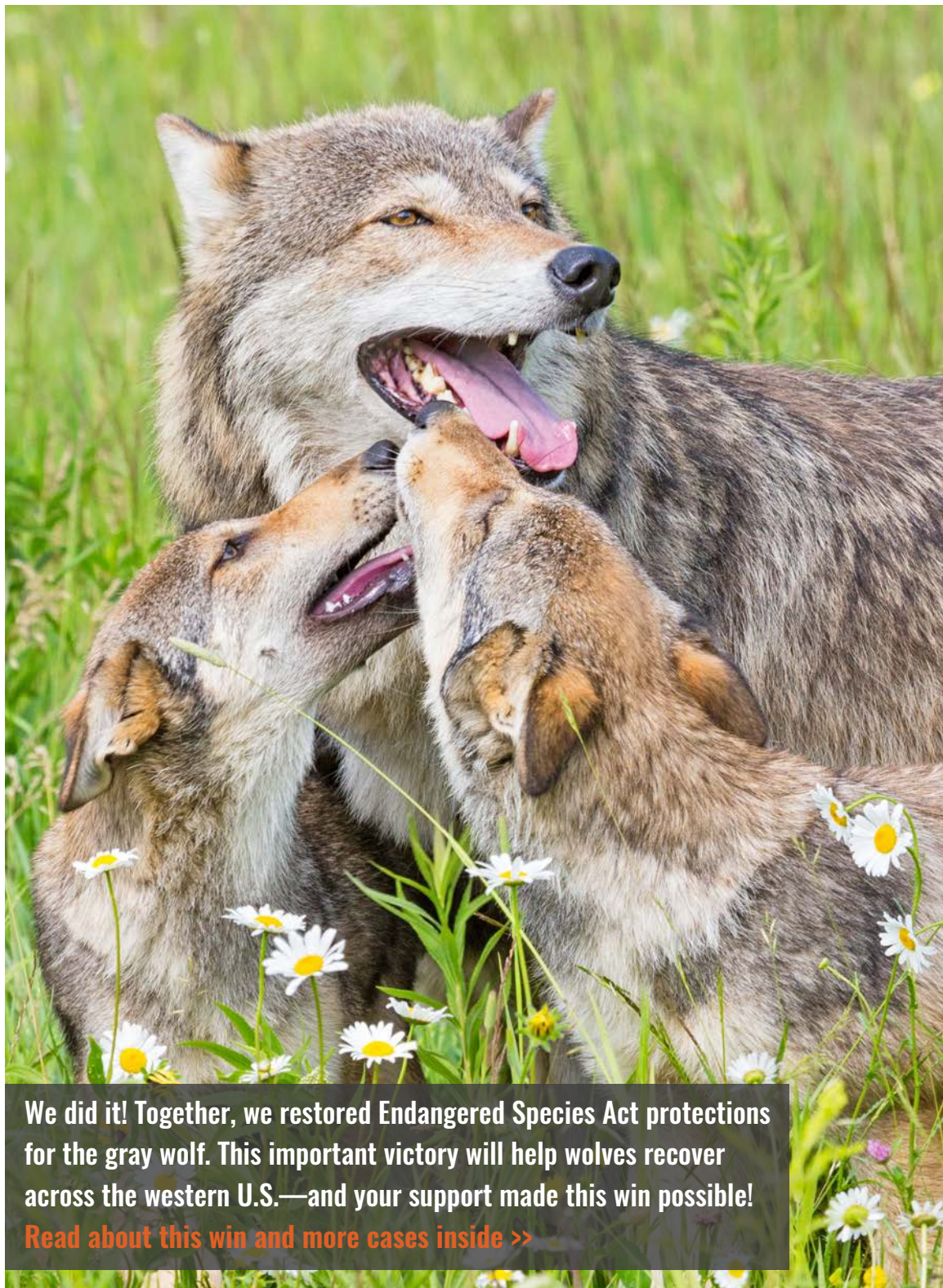




**Western  
Environmental  
Law Center**

**Spring 2022**



**We did it! Together, we restored Endangered Species Act protections for the gray wolf. This important victory will help wolves recover across the western U.S.—and your support made this win possible!**

**[Read about this win and more cases inside >>](#)**



## MAKE A DIFFERENCE FOR YEARS TO COME BY JOINING OUR GIL F. STAENDER LEGACY CIRCLE

By naming Western Environmental Law Center in your will, trust, or other estate plans, you'll make a lasting contribution to the protection of the public lands, wildlife, and communities of the western U.S.

We offer a variety of donation options and planned giving opportunities. Here are a few examples:

- Charitable Remainder Trusts
- Charitable Gift Annuities
- Gifts of Stocks, Bonds, and Mutual Funds
- Automatic Monthly Giving
- Workplace Giving
- Real Estate and Car Donations

We fight in court to defend the western U.S. on behalf of our clients free of charge, but we can't do it without your support.

Your entire donation to the Western Environmental Law Center is tax deductible as a charitable contribution for federal income tax purposes, as allowed by law. WELC's Federal Tax ID Number is 93-1010269.

Please contact David Lawlor at 541-255-0209 or [lawlor@westernlaw.org](mailto:lawlor@westernlaw.org) to join our Gil F. Staender Legacy Circle or to learn more about planned giving options. We appreciate and welcome gifts of all sizes.

# LOOKING ACROSS THE WEST

Moments of crisis provide a moral clarity for action.

We have witnessed immense bravery by the Ukrainian people standing up for their freedom and sovereignty in a war of aggression brought by an authoritarian leader, Vladimir Putin. Putin's war brings into sharp focus the absurdity of U.S. dependence on fossil fuels—a dependence that fails to open new doors to a thriving, resilient future.

Remember: Russia relies on fossil fuels for 60% of its exports and 40% of its budget. Without fossil fuels, Putin's power to build a menacing military and threaten Russia's neighbors evaporates.

And we have witnessed the Intergovernmental Panel on Climate Change once again ringing alarm bells that the climate crisis presents a clear and present danger to geopolitical stability and ecological resilience.

As the IPCC concluded in its Sixth Assessment Report, the "rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt."

To many of us, this is all as obvious as the rising sun. We've seen snowpack

in the western U.S. decline and melt earlier and faster than before, degrading the vitality of rivers and streams, our public lands, and the communities that depend on them.

Each summer, drought and catastrophic wildfire are ever-present threats. And we know, deep in our hearts and minds, that the world we all love is at risk. These challenges are poised to only intensify.

At the Western Environmental Law Center, we're committed to ending the reign of petrostate authoritarians and fossil fuel oligarchs. We can do that by sparking a swift and just transition away from fossil fuels that achieves our vision: a thriving, resilient western U.S., abundant with protected public lands and wildlife, powered by clean energy, and defended by communities rooted in an ethic of conservation.

So join us. Support us.

And win with us.



For the West,



Erik Schlenker-Goodrich  
Executive Director







# VICTORIES FOR WOLVES

**W**ELC's skilled attorneys have spent years applying our legal expertise to resist—and undo—many of the Trump administration's most monstrous attacks on the environment. With the unscientific removal of endangered species protections for wolves, that also meant resisting the Biden administration, which defended Trump's political decision to end federal wolf restoration efforts.

**In February, WELC and our partners won a resounding victory restoring federal endangered species protections for wolves.**

The Trump administration had stripped wolves of federal protections, saying that improved wolf populations in Midwestern states meant protections should be lifted there *and* in the western U.S. Yet, only 132 wolves are believed to exist in Washington, 173 in Oregon, and a handful in California. Wolves remain functionally absent from their historical habitat in Nevada, Utah, and Colorado. Thanks to our victory, federal wildlife managers must

resume restoration efforts in those and most other states. In addition, states are now forbidden from holding hunts like the one last year that killed a full third of Wisconsin's wolf population in under 72 hours. Unfortunately, wolves in the Northern Rockies are still unprotected because of a legislative delisting a decade ago, and more than 20 Yellowstone wolves have been killed in 2022. Interior Sec. Haaland can restore these protections with an emergency order.

We are also working to help Mexican wolves recover in Arizona and New Mexico. Thanks to pressure from WELC and other advocates, the U.S. Fish and Wildlife Service is improving its management rule for *lobos* to remove an arbitrary population cap, make it more difficult to legally kill Mexican wolves, and better address problems with their genetic diversity.

WELC will continue to follow the science and promote good wolf management. Wolves belong, and we are dedicated to ensuring these iconic animals thrive in the wild nationwide.



# STANDING AGAINST FOSSIL HYDROGEN IN NEW MEXICO

**T**his year, a huge climate threat arose in New Mexico: A political steamroller driven by Gov. Lujan Grisham and oil and gas interests to pass a "hydrogen hub" bill in New Mexico's 2022 legislative session to promote fossil gas hydrogen, a false climate solution.

The accepted truth as the session began was fossil gas hydrogen was unstoppable—new statutory authority and \$125 million of taxpayer subsidies would go to the fossil fuel industry, and we could only plead for guardrails to reduce the harm more fracking would inflict on exploited communities and the climate.

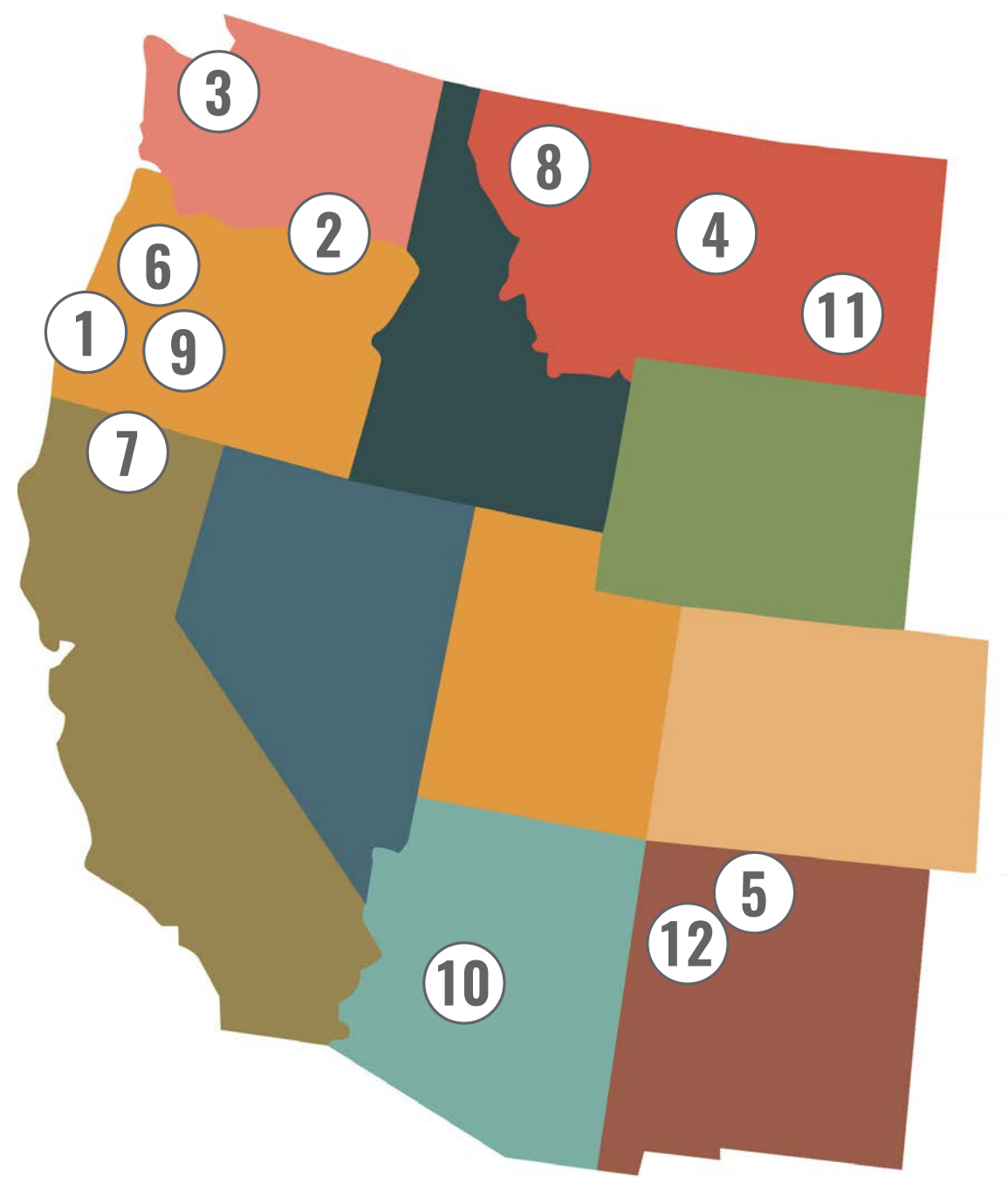
The governor and bill sponsors explicitly focused on "blue" fossil gas hydrogen, calling it "clean." However, science shows that fossil gas hydrogen emits more climate pollution than just using natural gas, and far more than renewables. The proposals hinged on carbon capture and storage, which is expensive and has a long history of failure. It's what failed to make "clean coal" clean, wasting billions of dollars.

Hydrogen promoters claimed fossil gas hydrogen use would create markets for "green hydrogen," but there is no economic or infrastructure overlap between the two. They claimed fossil gas hydrogen would be applied to "hard-to-decarbonize" sectors such as transportation, aviation, and steel, when the real end uses were generating electricity and heating buildings. And all the while, boosting fracking for fossil gas hydrogen in New Mexico would prolong and worsen the oil and gas industry's harms on front-line, already exploited communities.

**The New Mexico environmental community stood in unity against this false solution, with WELC and 350 New Mexico leading the way.**

We not only stopped the governor's hydrogen bill in a true David and Goliath victory, we scuttled three additional attempts to resurrect it and blocked the appropriation. This battle is not over, but the strength and determination of our coalition has already achieved major results, and gives us hope for New Mexico's future.

# WE DEFEND THE WEST



- 5 Defeating hydrogen in New Mexico, p. 3
- 6 Victory for northern spotted owls, p. 6
- 7 Helping coho salmon in California, p. 6
- 8 Fighting for imperiled wolverines, p. 6
- 9 Guarding old-growth Oregon forests, p. 7
- 10 Sonoran Desert National Monument, p. 7
- 11 Victory for Montana's water, people, p. 8
- 12 Protecting Greater Chaco Canyon, p. 8

We represent more than 195 clients each year. We do not charge for our services.

- 1 VICTORY! OREGON SAFE FROM MASSIVE JORDAN COVE LNG TERMINAL AND PIPELINE**

Thanks to WELC and our partners' advocacy, the proposed Jordan Cove Liquefied Natural Gas Terminal and Pacific Connector Pipeline is dead. It would have ravaged Coos Bay and cut a 200-mile gash inland, taking private property for a fossil fuel project that would have been the largest climate polluter in Oregon. Our coalition generated massive popular and legal opposition to the project, and now for a third and we hope final time, the developers have withdrawn all their applications.
- 2 PRESERVING FIRST FOODS OF PACIFIC NORTHWEST TRIBES**

As part of a new, growing area of our advocacy, we are researching the First Foods of Pacific Northwest Tribes. First Foods provide the cultural backbone of many Tribes and their communities, requiring healthy, thriving ecosystems to survive and flourish. By learning about the cultural and spiritual ties Indigenous people have to traditional sources of sustenance, we hope to form and strengthen partnerships with Tribes and Indigenous people in the Northwest for mutual benefit.
- 3 PROTECTING SALMON AND ORCAS FROM CYANIDE IN WASHINGTON'S WATER**

We are challenging the Environmental Protection Agency and Washington Department of Environmental Quality for allowing levels of cyanide pollution that are known to harm endangered salmon and, in turn, the orcas that depend on the fish as their primary food. This cyanide pollution also harms steelhead and bull trout. These harmful water quality standards have been in place for more than 20 years, and we aim to bring them down to safer levels.
- 4 DEFENDING MONTANANS' RIGHT TO A LIVABLE CLIMATE**

Montana is one of only a handful of states that recognizes a constitutional right to a clean and healthy environment, including the climate. With our partners at Our Children's Trust and the McGarvey Law Offices, we are representing 16 youths who, like us, believe Montana supporting and promoting a fossil fuel-driven energy system that contributes to the climate crisis violates these rights. Early next year, we'll be in court advancing the first youth climate case to go to trial in U.S. history.



# DEFENDING WILDLIFE



## VICTORY! SAVING NORTHERN SPOTTED OWLS FROM EXTINCTION

On its way out the door, the Trump administration eliminated about a third of the critical habitat for the perilously endangered northern spotted owl. With our Pacific Northwest partner groups, we sued to reverse that decision and succeeded in restoring protections to 3.4 million acres of critical habitat in Washington and Oregon. While this gives the iconic owl a fighting chance at recovery, the Biden administration failed to protect 200,000 acres of critical habitat in Oregon. We are experts in wildlife protection, and we are evaluating options on how to further protect these owls and their habitat.

## HELPING WILD COHO SALMON RECOVER IN CALIFORNIA

Coho salmon in California's Shasta River are extremely close to extinction. The minimum number of returning adults for the population to merely survive is 144 fish. In 2020, only 37 coho were counted at the river mouth weir. We are challenging the National Marine Fisheries Service's decision to allow river diversions to ranches that would kill even more of these endangered salmon. These fish and their contributions to the Shasta River are too important to allow to disappear. You can count on us to aid in their protection and recovery.

## FIGHTING FOR IMPERILED WOLVERINES

We have a long-standing history advocating for wolverines to receive the endangered species protections they need to recover from historically low counts. Even though only about 300 wolverines remain in the lower 48 states, the U.S. Fish and Wildlife Service has repeatedly refused to provide federal protections for this rare animal. We are in court to force the Biden administration to follow scientific recommendations and its legal obligations to take action to restore protections for these fierce but vulnerable icons of the western U.S.

# PROTECTING WILDLANDS



## VICTORY! SAVING THE CLEAN WATER ACT FOR STATES AND TRIBES

WELC litigation overturned a Trump administration Clean Water Act rollback that would have allowed federal agencies to approve harmful projects over state and Tribal objections, including fossil fuel pipelines, dams, industrial plants, and wetland removal. Our case restored the local authority for ensuring these federal projects do not pollute state and Tribal waters. When the Biden administration proposed a plan to revise the rules over a multi-year process, our attorneys took legal action that resulted in a sweeping victory restoring these water protections immediately.

## GUARDING OLD-GROWTH OREGON FOREST FROM THE AXE

We are challenging a Bureau of Land Management post-fire logging plan in the wake of the 2020 Archie Creek Fire in Oregon. The agency plans to log public land along the North Umpqua River, including northern spotted owl habitat, protected streamside forests, old-growth reserves, and Wild & Scenic River corridors in violation of environmental rules and the agency's own management plan. The BLM failed to consider many factors in its logging plan, and we are standing up for the Archie Creek "snag forests" in court.

## PROTECTING THE SONORAN DESERT NATIONAL MONUMENT IN ARIZONA

The Sonoran Desert National Monument is one of the most biologically diverse areas of the North American desert. The monument also contains significant archeological and historical sites. But that didn't stop the Bureau of Land Management from allowing haphazard recreational shooting throughout the monument, endangering plants, wildlife, and ancient petroglyphs. We challenged that decision in court and won, but the agency came back with a plan protecting only 10% of the monument. We are challenging that unacceptable decision, too.



# CLIMATE JUSTICE



## VICTORY! SAFEGUARDING MONTANA'S WATER AND COMMUNITIES FROM COAL MINE POLLUTION

In an important Montana victory, we protected water and communities from harm due to a proposed expansion at one of the largest coal mines in the nation, the Rosebud mine, near Colstrip. Our legal work prevented this expansion, proving that the Montana Department of Environmental Quality repeatedly ignored the law and failed to protect water quality. This victory and the court's order sends a clear message to the agency that continuing to elevate the interests of industry over public health will not be tolerated.

## PROTECTING GREATER CHACO IN NEW MEXICO FROM FRACKING

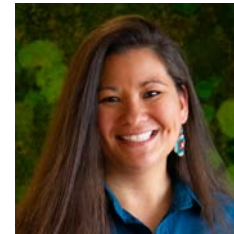
Thanks to continued WELC and community advocacy, the Department of Interior is pursuing a 20-year ban on new oil and gas leasing within a 10-mile radius around Chaco Culture National Historical Park. However, Diné and Pueblo communities, and the cultural significance of the area, deserve more. We stand with Indigenous groups calling for meaningful—and permanent—protections for Greater Chaco. We all have a duty to repair the historical injustices inflicted on this area and its people, including a legacy of prioritizing exploitation. Our team will continue working to protect this special region.

## PETITION TO PHASE OUT FEDERAL OIL AND GAS PRODUCTION

We joined a coalition of more than 360 climate, Tribal, faith, and conservation groups petitioning President Biden to use his executive authority to phase out oil and gas production on public lands and oceans by 2035. Public lands fossil fuel production causes nearly a quarter of U.S. greenhouse gas emissions. We provided a framework for a very achievable managed decline to near zero. President Biden promised to address climate change, and we are using the power of the law to hold him accountable. Our future depends on it.

# GROWING OUR ADVOCACY AND EXPERTISE

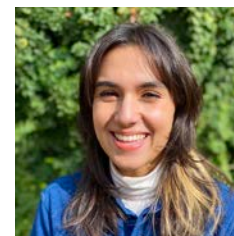
**WEL**Come to our new board and staff members!



**Nellis Kennedy-Howard, Board Member.** Nellis is a Navajo activist and attorney, and the former director of equity, inclusion, and justice at the Sierra Club. She brings great perspective and expertise on federal Indian law and natural resources law. Her advocacy stems from the country's largest uranium spill, just miles from her family's Navajo Nation home.



**Barbara Chillcott, Senior Staff Attorney.** Barbara joined WELC after 15 years working on water law and policy in Montana. She was also previously an attorney for the Montana Department of Natural Resources & Conservation. She focuses on climate issues including oil and gas leasing as well as our groundbreaking Montana youth climate case (see p. 5).



**Rose Rushing, Staff Attorney.** Rose specializes in public interest law and policy as well as racial justice. She is an inspiring advocate for Native issues, and New Mexico Gov. Michelle Lujan Grisham chose her to serve on the state's Missing and Murdered Indigenous Women Task Force. Rose will focus on our New Mexico and Four Corners cases.



**Sadie Normoyle, Staff Attorney.** Sadie joined WELC as a Tribal and water law attorney. She earned her law degree at Lewis & Clark Law School with a certificate in environmental law and with an emphasis in Tribal law. She is diving in on our forestry issues, First Foods (see p. 5), and endangered species work. Sadie is based in Oregon.



**Marlee Goska, Collaborative Conservation and Legal Fellow.** Marlee earned her law degree from the University of Michigan. While in law school Marlee was named a Wyss Scholar for Conservation, an Outlaws Public Service Fellow, and published a paper on Tribal co-management. She focuses on our collaborative forest restoration, First Foods, and forest litigation.



**Renata Harrison, Communications and Outreach Associate.** Renata brings her communications expertise to WELC, focusing on forest and climate issues. Previously, she did media and communications for the National Park Service at Glacier National Park, Joshua Tree National Park, and Klondike Gold Rush National Historical Park. She works from Montana.



WESTERN ENVIRONMENTAL LAW CENTER  
120 Shelton McMurphey Blvd.  
Suite 340  
Eugene, OR 97401

OREGON | WASHINGTON | NEW MEXICO | MONTANA | COLORADO

NonProfit Org  
US Postage  
PAID  
Eugene, OR  
Permit No. 17

## 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 western U.S. in the face of  
a changing climate.



Printed on 100% post-consumer paper with soy inks.

Photo credits iStock.com. Cover: /KenCanning, inside cover /skynesher,  
pg 2 /KeithSzafranski, pg 3 /JannHuizenga, pg 4 /Alliya23, pg 6 /Chris  
McCafferty, pg 7 /bradleyhebdon, pg 8 /FatCamera,  
back /MikeLane45, remit envelope /miodrag ignjatovic.

## LINKED VICTORIES FOR LYNX AND WOLVES

For decades, the U.S. Fish and Wildlife Service  
has fought Canada lynx recovery efforts, and  
WELC's legal team has fought back.

Our intrepid attorneys negotiated with the  
agency to abandon its intentions to remove  
lynx endangered species protections and  
instead write a new recovery plan. This "two-  
point swing" could mark a major shift in  
federal management of lynx—for the better.

In addition, we leveraged a previous win  
creating lynx protection zones in Greater  
Yellowstone and the Crown of the Continent  
in Montana to stop snaring for wolves in  
these regions.

These victories to protect lynx and wolves  
were made possible with your support.

Thank you!

