



**Gray wolves were wrongfully denied federal Endangered Species Act protection earlier this year. You can count on us to use the power of the law to restore the protections these imperiled wolves need to thrive in the wild.**

> Wins for our climate

> Victory for salmon

> Safeguarding clean water

> Protecting grizzlies

> Meet our new staff

> Fighting oil and gas pollution





## VICTORY FOR CONSERVATION AND CLIMATE IN FEDERAL LAND MANAGEMENT

This April, the Bureau of Land Management elevated the role of conservation in public lands management to match uses such as fossil fuel extraction, improving the balance of its multiple-use mission. The agency manages 40% of all public lands—245 million acres mostly in the western U.S. We led a coalition of 30 groups that petitioned for this change. We are proud to have helped modernize public lands management for conservation and climate protection.

# ACROSS THE HORIZON

When we reflect on the strategic advocacy contained in this newsletter’s pages, we’re reminded of the closing lines of Mary Oliver’s sublime poem, “The Summer Day.”

In it, she asks us to ponder a simple but profound question: “Tell me, what is it you plan to do / with your one wild and precious life?”

With you, we’ve dedicated our lives to the hard work of making steady, persistent progress toward a thriving western U.S., abundant with protected and interconnected ecosystems, powered by renewable energy, and cared for by communities brought together in an ecology of kinship.

With your essential support, we’re able to defend the right of wolves to roam free and wild, compel the removal of dams on Rogue River tributaries to safeguard endangered coho salmon, press the Biden administration to take climate action that centers the

health and ecological resilience of our public lands, and uplift the voices of brave Montana youth calling for transformative climate action.

This is our plan. This is our charge. This is our life’s work.

We’re also acutely conscious of the path ahead, and the uncertainties and worries that plague it.

From national elections fraught with peril, to tragic wars causing unimaginable suffering and ecological disaster, it is a challenge to maintain confidence in our world’s future.

But we hope you also see, in the pages of this newsletter, the keys we are forging, together, to open new doors to a thriving, resilient future.

So imagine. And don’t just plan, but act, taking pride in choosing what it is we will do—again, together—with our “one wild and precious life.”



For the West,

Erik Schlenker-Goodrich  
Executive Director

Sristi Kamal, Ph.D.  
Deputy Director





## VICTORY! DAM REMOVAL TO OPEN HABITAT FOR ROGUE RIVER SALMON

In Oregon's Rogue River Basin, coho salmon are federally recognized as threatened with extinction. On the Applegate River, a tributary to the Rogue, Murphy Dam has harmed coho since it was built in 1902 to divert water to farms and, later, to a golf course as well.

The Oregon Department of Fish and Wildlife identified Murphy Dam as a "high priority fish passage barrier" to be removed due to its location only 12 miles upstream from the Applegate River's confluence with the Rogue River, and its outsized negative impacts to coho salmon.

Murphy Dam creates many "false attraction flows" that migrating adult coho instinctively move toward but cannot ascend or pass.

It has an old fish ladder not up to federal standards, its diversion ditch can divert these ecologically important fish, and the impoundment behind the dam creates still water where invasive pike minnow can prey on juvenile coho.

On behalf of WaterWatch of Oregon, in early 2024 we sued the dam owner for harming coho salmon in hopes we could compel its removal after 70 years of restricting access to 100 miles of upstream habitat.

**In response to our lawsuit, Murphy Dam's owners agreed to allow WaterWatch of Oregon to seek public funding to remove the dam, screen the diversion, and restore the area.**

If funded, the project will construct a solar-powered system of electric pumps to replace the dam, allowing irrigators to continue to thrive.

We are hopeful a plan can be funded in time to begin initial dam removal work during the low-water period beginning in late summer of 2025 with completion in 2026.

This victory is due in large part to the good groundwork laid by our client WaterWatch of Oregon, and WELC supporters helped push it across the finish line.



## FIGHTING FOR WESTERN WOLF PROTECTIONS

On behalf of 10 clients, we are challenging the U.S. Fish and Wildlife Service's failure to protect western wolves under the Endangered Species Act.

The Service's decision ignores obvious threats to wolves, runs contrary to the best available science, and relies on biased population models that some scientists say overestimate wolf populations by as much as 50%.

Days after we filed our lawsuit, Wyoming man Cody Roberts gained notoriety for an indescribably horrible incident in which he ran down a yearling female wolf with a snowmobile, captured her, tortured her, and killed her after taking her to a bar. He was fined only \$250 for his reprehensible actions.

This ghastly event exemplifies the hostility of some states toward wolves, despite the fact that they have played a keystone role in ecosystems since long before colonization. If we win our case, future actions similar to Roberts' could

be subject to harsh penalties under the Endangered Species Act, including large fines, potential jail time, and confiscation of vehicles and equipment used in harming wolves.

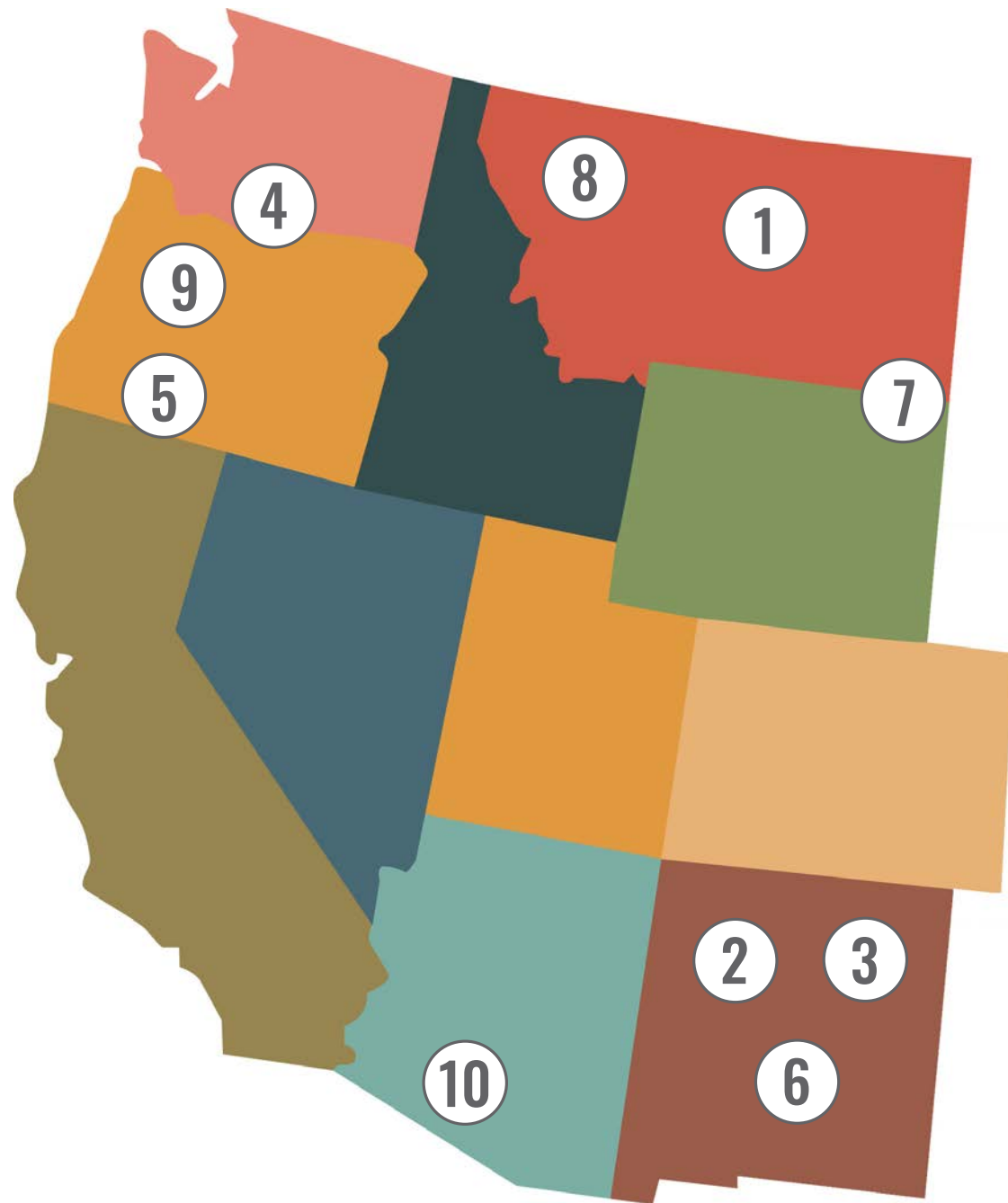
Indeed, the states of Idaho, Montana, and Wyoming currently run aggressive wolf-killing regimes under the guise of "management."

**Our case strategically aims to bar the Service from transferring management to states across the West, which would likely spell disaster for wolf recovery in the western U.S.**

Wolves have yet to recover across vast portions of the western U.S., existing in only small populations in the West Coast and Colorado habitats they are slowly re-inhabiting.

Our legal challenge asks for the protections needed for this iconic animal to be rightfully restored across these wild landscapes—protections that some states have shown only the Endangered Species Act can provide.

# WE DEFEND THE WEST



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Visit [westernlaw.org](https://westernlaw.org) to learn more about our cases and advocacy.

- 1 LEVERAGING MONTANA YOUTH CLIMATE VICTORY TO LIMIT CLIMATE POLLUTION**

We are building on our landmark youth climate victory in Montana that confirmed Montanans’ constitutional right to a clean and healthful environment includes a stable climate. We petitioned the state’s utility regulatory commission to integrate climate change impacts when overseeing gas and electric utilities. As a result, the Montana Public Service Commission held a hearing in April. Failing to include climate in its regulatory decision making will harm human health, contribute to stranded utility assets, and have serious economic consequences across Montana.
- 2 PROTECTING CLEAN WATER IN ARID NEW MEXICO**

When the Supreme Court severely weakened the Clean Water Act in its *Sackett* decision, more than 90% of New Mexico’s precious waters lost pollution protections overnight. New Mexico is one of only three states without a surface water pollution permitting system. The situation is so dire, American Rivers ranked *all* the state’s waterways as the “most endangered river” in the nation in its annual Most Endangered Rivers report. We are working hard to protect New Mexico’s rivers, streams, and wetlands in the next legislative session.
- 3 DEFEATING NM’S HIGH-POLLUTING OIL AND GAS LOOPHOLE**

In New Mexico’s 2023 legislative session, the oil and gas industry snuck in a tax exemption loophole that would have effectively forced taxpayers to pay low-producing oil well operators’ costs to comply with air pollution rules including venting and flaring. We successfully lobbied the governor to veto this unnecessary and unsound tax giveaway. This veto helped dispel the myth that low-producing wells are run by struggling small businesses, when more than half these belong to major oil and gas companies in New Mexico.
- 4 DEFENDING A SACRED TRIBAL PLACE IN WASHINGTON STATE**

In Washington, we are fighting to protect a site sacred to the Ka-milt-pah people—today called the Rock Creek Band of the Yakama Nation—from debasement for the proposed upper reservoir of the Goldendale Energy Storage Hydroelectric Project. The project, which would be the largest of its kind in the Pacific Northwest, would destroy irreplaceable Tribal cultural resources, including ceremonial, archaeological, burial, petroglyph, monumental and ancestral use sites at Put-a-lish, or the Goodnoe Hills.



# CLIMATE JUSTICE



## VICTORY REINING IN OIL AND GAS ‘SUPERPOLLUTERS’

In March, the Bureau of Land Management finalized a rule we supported to limit the methane oil and gas companies can wastefully vent directly to the atmosphere and burn off in flares on public land. The industry wasted enough climate- and health-damaging methane on federal and tribal lands in 2019 alone to fuel nearly all households in New Mexico, North Dakota, Utah, and Wyoming combined. The rule aims to conserve energy, protect taxpayers, rein in climate pollution, and protect the health of frontline communities. We will work to ensure strong implementation and enforcement of these new rules.

## REQUIRING BIG OIL CLEAN UP ITS MESSSES IN NEW MEXICO

Across New Mexico, thousands of old, abandoned oil and gas wells and infrastructure leak methane and other harmful pollutants into the air and water, damaging health and burdening communities. Due to inadequate cleanup and bonding requirements, taxpayers may be on the hook for the staggering \$8.2 billion gap in the cost to plug and clean up abandoned well sites in the state. We are working to update regulations for oil and gas in New Mexico to ensure the industry cleans up its own messes—not taxpayers.

## HISTORIC WIN KEEPS 48 BILLION TONS OF COAL IN THE GROUND

WELC has prioritized keeping Powder River Basin coal in the ground for more than a decade. More than 85% of coal mined on public lands comes from this area, which represents the largest single source of carbon dioxide pollution in the U.S. We won two district court cases and urged three successive presidential administrations to stop new leasing there to protect our climate, public health, and the environment. This spring, the Biden administration ended coal leasing in the basin, a historic victory for WELC and the planet, keeping 48 billion tons of coal—and its massive climate pollution potential—in the ground.

# WILDLIFE & WILDLANDS



## PROTECTING THREATENED GRIZZLIES FROM WILDLIFE “SERVICES”

We are challenging a program in Montana run by the notorious Wildlife Services—a federal wildlife-killing program—for killing and removing threatened grizzly bears migrating between designated recovery zones in the state. Science tells us the lack of connectivity and genetic interchange between grizzlies in Montana threatens grizzly recovery in the contiguous U.S. We are asking the court to require new environmental and biological analyses, and halt the unnecessary killing of grizzly bears in Montana. Wildlife Services must comply with the law.

## DEFENDING NATIVE STEELHEAD TROUT IN OREGON

Native winter steelhead trout are threatened in Oregon’s Willamette River Basin, with returning populations of only 822 in 2017. One reason for winter steelhead’s struggles is a U.S. Army Corps of Engineers hatchery program that releases up to 122,000 non-native summer steelhead annually in the North and South Santiam rivers, which hinder native steelhead recovery. We are challenging the hatchery program because protected native fish such as winter steelhead must be prioritized over recreational fishing.

## SAFEGUARDING SONORAN DESERT NAT’L MONUMENT FROM SHOOTING

The Sonoran Desert National Monument in Arizona is one of the most biologically diverse deserts in North America. Its saguaro cactus forests and three wilderness mountain ranges provide excellent habitat for wildlife and significant archeological and Indigenous cultural sites, including the recently discovered Kumatke Trail. Historically, target shooting was allowed in 99% of the monument, damaging resources. This summer, after two rounds of litigation, the Bureau of Land Management is now poised to protect nearly the entire monument from shooting. We will ensure this anticipated decision survives any legal challenges.



# WELCOME NEW STAFF



**Suze Wehr, Communications and Marketing Associate, Portland, OR.** Suze brings her diverse background in digital communications and outreach to our team. As a lifelong multi-disciplinary artist, she is passionate about harnessing creativity to protect the planet and its inhabitants. Suze honed her craft as an art director in the marketing world before moving into the non-profit communications sector, where she worked in place-based advocacy at Bark for Mt. Hood and early childhood policy with Children's Institute.



**Rain Rue, Litigation Assistant, Eugene, OR.** Rain joins us after seven years in executive administration for an academic consultancy. She holds a B.A. in environmental studies with an interdisciplinary focus on art, ecology, and geology from Hampshire College. Rain has worked for academic, nonprofit, and governmental entities in scientific, conservation, mapping, and riparian restoration roles. She is currently pursuing a certificate in paralegal studies with an emphasis in environmental law from Portland Community College.



**Meridian Wappett, Summer Law Clerk, Helena, MT.** Meridian grew up in northern Idaho and graduated from Utah State University with a degree in conservation-restoration ecology. Her background recreating and guiding on western rivers led her to pursue law school to advocate for protecting these important places. Previously, she worked as a researcher and field technician, a staffer on political campaigns, and at environmental nonprofits across the West, including Advocates for the West last summer.

## YOUR GIFT EMPOWERS WELC TO ACHIEVE GREAT THINGS

All the cases, advocacy, and wins highlighted in this newsletter are made possible by our generous supporters. Individual, business, and foundation gifts allow us to fight in court to defend the western U.S. on behalf of our clients free of charge.

We offer a variety of donation options and planned giving opportunities including: charitable gift annuities; gifts of stocks, bonds, and mutual funds; automatic monthly giving; workplace giving; and more. Donors who have included us in their estate plans join our honored Gil F. Staender Legacy Circle.

Make a lasting contribution by including WELC in your estate plans—or make a gift now to see your impact reflected in the issues that are important to you today. Gifts of all types and sizes sustain WELC to use the power of the law to foster thriving, resilient western U.S. lands, waters, wildlife, and communities in the face of a changing climate.

Please contact Jenna Kloeppe at 575-305-3993 or [jennak@westernlaw.org](mailto:jennak@westernlaw.org) for more information, or to learn more about planned giving options.

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.



## SUMMER EVENTS: SAVE THE DATE!

Please save the date for two upcoming WELC summer events:

**Taos, New Mexico on June 6**

**Santa Fe, New Mexico on July 27**

Contact Jenna Kloeppe at [jennak@westernlaw.org](mailto:jennak@westernlaw.org) or 575-305-3993 for more information or to RSVP.





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We are a nonprofit, public-interest environmental law center. We use the power of the law to foster thriving, resilient western U.S. lands, waters, wildlife, and communities in the face of a changing climate.

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## PROTECTING THE SONORAN DESERT TORTOISE

We challenged the U.S. Fish and Wildlife Service in 2019 over its decision to deny the Sonoran desert tortoise protection under the Endangered Species Act, and the agency agreed to reconsider. Unfortunately, the Service recently came back with the same decision despite habitat loss and climate change harming these lovable creatures' recovery. We will go back to court this summer to ensure the Sonoran desert tortoise receives the protection it needs to truly recover.