

WESTERN ENVIRONMENTAL LAW CENTER 2005 DOCKET

The Western Environmental Law Center is a non-profit, public interest law firm dedicated to protecting the West's forests, wildlife, water, and communities. This docket provides a summary of the critical legal services we are providing on behalf of over one hundred grassroots groups, Indian tribes, and individual activists.

Please visit www.westernlaw.org for more information.

Wildlife

STATE & Lawyers	CLIENTS/CAMPAIGNS	ACTION
NM, CO <i>Bishop</i>	Sinapu, Center for Native Ecosystems, Animal Protection Institute, Animal Protection of New Mexico, Forest Guardians, Carson Forest Watch	Actions to protect the Canada lynx in the Southern Rocky Mountains from trapping, hunting, and predator control activities.
NM <i>Bishop</i>	Defenders of Wildlife, Center for Biological Diversity	Lawsuit defending the reintroduction of the Mexican wolf to the Gila Wilderness.
CO <i>Atwood</i>	American Lands Alliance, Forest Guardians, The Larch Company, Center for Native Ecosystems, Sinapu	Endangered Species Act suit against Fish and Wildlife Service for failure to protect the Gunnison sage grouse.
MT, WY <i>Bahr Schlenker- Goodrich</i>	American Lands Alliance, Biodiversity Conservation Alliance, George Wuerthner	Lawsuit filed against Bureau of Land Management proposal to develop over 57,000 new coalbed methane wells in the Powder River Basin. Proposal threatens to destroy habitat crucial to survival of sage grouse and black-tailed prairie dogs.
OR <i>Fink, Frost</i>	Hells Canyon Preservation Council, Oregon Natural Resources Council Fund	Strategic lawsuits forcing the Forest Service to protect the threatened lynx and the forests that provide lynx habitat.
ID, MT, WA <i>Fink, Atwood</i>	Alliance for the Wild Rockies, The Lands Council, Defenders of Wildlife, Conservation Northwest	Two lawsuits to protect isolated and threatened populations of grizzly bears in the North Cascades Ecosystem, Cabinet-Yaak and Selkirk Ecosystems.
AZ <i>Kenna</i>	Center for Biological Diversity	Intervention in an industry lawsuit that seeks to invalidate the listing of the pygmy-owl as an endangered species and the designation of critical habitat areas which are selected to ensure the owl's survival and recovery.
CA <i>Kenna</i>	Center for Biological Diversity	Intervention in an industry lawsuit that seeks to invalidate the listing of the Buena Vista Lake shrew as an endangered species and also a cross-claim against the FWS to remedy their failure to designate of critical habitat areas to ensure the shrew's survival and recovery.
CA <i>Kenna</i>	Center for Biological Diversity, California Native Plant Society	Intervening in a lawsuit to defend FWS designation of critical habitat areas for 27 different species against an industry challenge.
MT <i>Hickcox</i>	Center for Biological Diversity, The Ecology Center	Suit to ensure survival of the endangered Kootenai River population of white sturgeon which has not successfully spawned since the installation of a dam altering their spawning habitat in 1974.

CA, OR <i>Atwood</i>	Center for Biological Diversity, Klamath-siskiyou Wildlands Center, Cascadia Wildlands Project, Oregon Natural Resources Council, Environmental Protection and Information Center	Suit to protect two species of northwest salamander whose existence is threatened by logging of old-growth forest habitat. The salamanders were formerly protected under the Northwest Forest Plan's "Survey and Manage" program, which the Bush Administration eliminated in 2004: the subject of several other WELC lawsuits.
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Indian Tribes and Cultural Resources

STATE & Lawyers	CLIENTS/CAMPAIGNS	ACTION
MT <i>Atwood</i>	Fort Belknap Indian Community	Indian trust doctrine suit to ensure proper reclamation of lands damaged by past cyanide heap-leach mining, and to assist the Tribes in securing the long-term protection of cultural lands.
MT <i>Rodgers</i>	Fort Belknap Indian Community	Citizen suit against mine owner for extensive water pollution caused by defunct Zortman-Landusky gold mine.
NM <i>Herskovits</i>	Picuris Pueblo	Assisting Pueblo in developing aboriginal land claim to reclaim and prevent destruction of sacred sites that are affected by open-pit mica mine.
WA <i>Rodgers</i>	Snoqualmie Indian Tribe	Assisting Tribe in preserving water quality and spiritual and cultural heritage of the 268 ft tall Snoqualmie Falls. The Falls rise 86 feet higher than Niagara Falls and are threatened with expanded hydroelectric development

Forests and Public Lands

STATE & Lawyers	CLIENTS/CAMPAIGNS	ACTION
AZ <i>Bishop</i>	Arizona Wildlife Federation	Suit and on-going enforcement of settlement agreement to force Forest Service to reduce grazing to protect the pronghorn antelope and unique wetlands and marshes on the Anderson Mesa in the Coconino National Forest.
OR <i>Fink Rodgers</i>	Siskiyou Regional Education Project, Klamath-Siskiyou Wildlands Center, Oregon Natural Resources Council Fund, Sierra Club, American Lands Alliance, The Wilderness Society, Pacific Rivers Council and Defenders of Wildlife	Assisting organizations in administrative and legal actions to prevent damaging post-fire logging in the wake of southern Oregon's Biscuit Fire.

National <i>Fink</i>	American Lands Alliance, Cascadia Wildlands Project, Citizens for Better Forestry, The Ecology Center, Friends of the Clearwater, Gifford Pinchot Task Force, Headwaters, Idaho Sporting Congress, Kettle Range Conservation Group, Klamath Siskiyou Wildlands Center, The Lands Council, Utah Environmental Congress, Center for Biological Diversity, Environmental Protection Information Center, Oregon Natural Resources Council, Southern Appalachian Biodiversity Project	Lawsuits challenging both the Clinton and Bush regulations that govern management of the 155 national forests covering 192 million acres of Forest Service system lands across the country to ensure that the regulations will not jeopardize endangered species that live in the forests.
CA, OR, WA <i>Frost</i>	American Lands Alliance, Gifford Pinchot Task Force, Klamath Siskiyou Wildlands Center, Northcoast Environmental Center, Conservation Northwest, Oregon Natural Resources Council Action, Oregon Natural Resources Council Fund, Siskiyou Regional Education Project, Umpqua Watersheds, Environmental Protection Information Center, Klamath Forest Alliance, Center for Biological Diversity, Bark, and Cascadia Wildlands Project	Lawsuits seeking to protect the remaining old growth forests of the Pacific Northwest, by ensuring that the Forest Service survey for certain rare and uncommon species, and to protect them, in any forests proposed for logging.
CA <i>Frost</i>	Forest Service Employees for Environmental Ethics, High Sierra Hikers Association, Wilderness Watch	Lawsuit to compel the Forest Service to protect the values of the John Muir and Ansel Adams Wilderness Areas in the Sierra Nevada's "Range of Light," by curbing excessive commercial packstock use that harms wilderness trails, lakes, and meadows.
OR <i>Bahr</i>	Siskiyou Regional Education Project, Wilderness Watch	Defending victories preventing motorized access to mining claims within the Kalmiopsis Wilderness Area.
NM <i>Schlenker-Goodrich</i>	Chihuahuan Grasslands Alliance, New Mexico Wilderness Alliance, Sky Island Alliance	Suit protecting pristine grasslands area with significant wilderness value from destructive oil and gas development.
NM <i>Schlenker-Goodrich</i>	Coalition for the Valle Vidal	Assisting clients administratively to prevent coalbed methane ("CBM") development within the Valle Vidal Unit of the Carson National Forest, on occasion referred to as the "Yellowstone" of New Mexico.
CA <i>Schlenker-Goodrich</i>	Environmental Protection Information Center	Challenge to a timber sale of late-successional and old-growth forest adjacent to the Yolla Bolla Wilderness in the headwaters of the Thomas Creek, an "eligible" river under the Wild and Scenic Rivers Act.
Western States <i>Fink, Bahr</i>	Forest Service Employees for Environmental Ethics	Lawsuits challenging the Forest Service's use of chemical fire retardant in fighting wildfires on national forests.
ID <i>Atwood</i>	Friends of the Clearwater, Alliance for the Wild Rockies, Idaho Sporting Congress, The Ecology Center	Lawsuit to force the Nez Perce NF to allow public participation in revision of its forest-wide old growth strategy and prevent logging within old growth habitat until the amendment is finalized.
WY <i>Schlenker-Goodrich</i>	Biodiversity Conservation Alliance, Wyoming Wilderness Alliance, Sierra Club, Wyoming Chapter	Suit challenging an intensive energy development project affecting 279 square miles of the fragile, wilderness-like Red Desert.
CA <i>Frost</i>	Wilderness Watch, Pacific Rivers Council	Suit challenging the Forest Service's decision to maintain and operate 11 dams in the Emigrant Wilderness Area.

CA, National <i>Fink</i>	Conservation Congress, Klamath Forest Alliance, Citizens for Better Forestry	Suit to ensure that the Forest Service allows public comments on Environmental Assessments before making a final decision.
CO, National <i>Kenna</i>	Colorado Wild, Heartwood	Lawsuit challenging national Forest Service regulations exempting fire or insect infestation salvage sales under 250 acres from environment review under NEPA.
National <i>Kenna</i>	Center for Biological Diversity, Heartwood	Lawsuit challenging the Appeal Reform Act which seeks to limit Forest Service actions that can be publically appealed.
OR, CA <i>Rodgers, Frost</i>	Soda Mountain Wilderness Council	Suit challenging BLM's management of grazing and other ground disturbing activities within the biologically and botanically unique and diverse Cascade Siskiyou National Monument.
WA <i>Frost</i>	Wilderness Watch, Public Employees for Environmental Responsibility, Olympic Park Associates	Defending a district court victory which prevents the installation of structures in the pristine, designated wilderness within the Olympic National Park.
Western States <i>Bahr, Atwood</i>	Wildlands CPR	Evolving campaign to assess existing legal and illegal roads on Western National Forests and the ecological impact of roads and off-road vehicles.

Western Watersheds

STATE & Lawyers	CLIENTS/CAMPAIGNS	ACTION
AZ <i>Bishop</i>	American Rivers, Friends of Arizona's Rivers, Arizona Wildlife Federation, Central Arizona Paddlers Club, Maricopa Audubon Society, Sierra Club	Wild and Scenic River Act lawsuit forced Forest Service to prepare management plan for Verde River. We are now reviewing the plan and working with the Forest Service.
AZ, CO, NM <i>Bishop Schlenker- Goodrich</i>	Center for Biological Diversity, Central Arizona Paddlers Club, Colorado Rivers Alliance, Taxpayers for the Animas, Amigos Bravos	Lawsuits to compel agencies to identify and protect rivers eligible for designation under the Wild and Scenic Rivers Act.
NM, WA <i>Tebbutt Rodgers Kenna</i>	Confined Animal Feeding Operations (CAFOs) Clean-up Initiative	Series of Clean Water Act suits against commercial dairies, chicken farms, feedlots, and other industrial agricultural operations for illegal discharges of animal waste and other pollutants into public waterways.
OR <i>Frost</i>	Siskiyou Regional Education Project	Lawsuit seeking to restore wild salmon in the Siskiyou National Forest by forcing the Forest Service to require plans of operation for instream mining operations, and to consider the impacts of any mining before it is allowed.
CA <i>Rodgers Herskovits Hickcox</i>	Environmental Protection Information Center, Friends of the Van Duzen	Lawsuit to protect the Van Duzen Wild and Scenic River Watershed and marbled murrelet, coho salmon, and steelhead habitat from aggressive logging.

CA <i>Herskovits</i>	Mountain Resources Conservancy, San Geronio Chapter, Sierra Club	Developing a comprehensive campaign to prevent illegal groundwater extraction which has, in combination with severe drought, caused greater than 50% mortality in the forests of the rare sky islands of southern California's San Jacinto Mountains.
NM <i>Bishop</i> <i>Schlenker-Goodrich</i>	Amigos Bravos, Gila Resources Information Project, New Mexico Trout, New Mexico Acequia Association, Sierra Club, 1000 Friends of New Mexico	Successful administrative process to establish strong water quality standards for New Mexico. We are now protecting this victory against a challenge by industry groups.
CA <i>Tebbutt</i>	Northern California River Watch	Suit protecting Russian River and adjacent wetlands from unpermitted discharges by a city sewage treatment plant.
WY, MT <i>Herskovits</i> <i>Schlenker-Goodrich</i>	Powder River Basin Resource Council	Develop litigation strategy to combat groundwater depletion due to coal bed methane development.
CO <i>Hickcox</i>	San Juan Citizens' Alliance, Southern Ute Grassroots Organization	A suit against the BLM for failure to consider the cumulative impacts of coal bed methane development throughout the San Juan Basin and the Southern Ute Indian Reservation.
National <i>Bishop</i>	American Rivers	Research paper assessing federal land managers' application of the Wild & Scenic Rivers Act.
CA <i>Frost</i>	Californians for Alternatives to Toxics, Wilderness Watch, Laurel Ames, and Ann McCampbell	Actions to prevent the use of aquatic pesticide rotenone to poison Silver King Creek in the Carson-Iceberg Wilderness Area as a method to eliminate unwanted aquatic organisms in the effort to restore or preserve others.
Western States <i>Bahr</i>		Campaign to evaluate past and future impacts of pollution from abandoned mines across the West. We have created a database of abandoned mines and produced a white paper on impacts of such mines in Oregon.
MT <i>Bishop</i>	Montana Wilderness Association	Monitoring the BLM process of preparing a new management plan for the Upper Missouri Breaks National Monument that will destroy the wild, untamed characteristics of "the Breaks". BLM is proposing to construct 6 to 9 new airstrips, allow speedboats throughout the Wild & Scenic River sections, consider oil and gas development and sanction continued livestock grazing.

Toxics and Pollutants

STATE & Lawyers	CLIENTS/CAMPAIGNS	ACTION
National <i>Tebbutt</i>	Northwest Coalition for Alternatives to Pesticides	Lawsuits filed to compel the Environmental Protection Agency to require manufacturers to list all inert pesticide ingredients on product labels to protect public health and the environment.
ID <i>Tebbutt</i>	Saint John's Organic Farm, Peter Dill	Suit regarding Gem County Mosquito Abatement District's attempts to control mosquitoes through aerial and ground applications of toxic pesticides.

Western Communities

STATE & Lawyers		CLIENTS/CAMPAIGNS	ACTION
NM <i>Herskovits</i>	667	Rio Arriba County Board of County Commissioners	Successful defense of Rio Arriba County in action challenging county's restrictive logging regulations. Tenth Circuit decision upholds county's right to impose strict land use regulations to protect vital local resources.
NM <i>Herskovits,</i>	672	Mora Valley Acequia Association	Development of case to protect water supply of traditional agrarian communities from improper excessive upstream diversions.
NM <i>Herskovits, Schlenker- Goodrich</i>	697	Oil and Gas Accountability Project	Draft and develop model oil & gas ordinance for New Mexico counties.
NV <i>Herskovits</i>	675, 680	Mineral County, Walker Lake Working Group	Representing rural Nevada county and group of local citizens fighting to save Walker Lake, one of 11 terminal desert lakes in the world, from complete collapse due to upstream diversions and drought. We seek to ensure adequate water levels in the lake to protect the threatened Lahontan cutthroat trout fishery, the recreation and tourism-dependent local economy, and the larger ecosystem which relies on the lake for survival.
ID <i>Rodgers</i>	625	North Idaho Community Action Network	Challenging ill-planned changes to US 95 as it passes through Sandpoint ID, including permit to dredge and fill Sand Creek.
NM <i>Ames</i>	633	New Mexico Environment Department	Providing legal consultation to NMED in support of its efforts to curtail air pollution by prosecuting polluters and enacting stronger legislation. We are also assisting NMED in defending New Mexico's water protection laws against industry challenge.
OR <i>Bahr</i>	632	In Defense of Animals	A case enforcing the OR Public Records Act which provides that requests for public records made in the public interest may enjoy a waiver of fees and ensuring that fees, when charged, are reasonably related to the actual cost of production.