Protecting the California Desert
On behalf of client National Parks Conservation Association, Clinic students challenged the federal government’s approval of a large pumped storage hydropower project and miles of water supply and transmission pipelines that would seriously impact Joshua Tree National Park and the surrounding desert area (read more here). **Thomas Miller (JD ’20), Bryan Shpall (JD ’20), and Joe Zabel (JD ’20)** also worked closely with the National Parks Conservation Association to formulate a policy strategy to fight development in the desert, including drafting fact sheets for legislators summarizing the issues with this pumped-storage hydropower project and an op-ed in opposition to the ill-conceived Cadiz groundwater pumping project, another proposed major project in the California desert (read more on the Cadiz project here).

Fighting Agricultural Pollution
Over one million Californians statewide are drinking unsafe water from wells contaminated by agricultural pollution. To help address this humanitarian and environmental crisis, Clinic students, representing conservation, environmental justice, and fishing groups, sued the State Water Resources Control Board, alleging that it has failed to adequately regulate agricultural discharges in the Central Coast, in violation of state law. This fall, the California Court of Appeal agreed, finding that the state must do more to control agricultural pollution being discharged into California’s central coast waterways (read more here). The battle continues, though, with clinic students **Daniel Tirosh (JD ’19), Brittany Cazakoff (JD ’20), Lori Ding (JD ’20), Daniel Rubin (JD ’20), and Bryan Shpall (JD ’20)** engaged in a multi-pronged administrative and judicial attack against both the state and various regional water boards to ensure more stringent pollution control requirements. Building on the written public comments from the fall student team, **Michael Golz (JD ’20) and Emily Gruener (JD ’20)** delivered a detailed presentation at the Central Coast Regional Water Board this winter on the legal requirements for the Regional Water Board’s proposed new Agricultural Order for the Central Coast. Getting the Agricultural Order right is critical because it is the mechanism through which the Regional Water Boards regulates agricultural dischargers.

Protecting the Bi-State Sage Grouse
This summer, a federal court agreed with the Clinic that the U.S. Fish and Wildlife Service wrongly denied the bi-state sage grouse protection as a threatened species (read more here). Threats to the sage grouse continue, however, with off-road vehicle organizations challenging a National Forest Plan Amendment that includes many protective measures for the sage grouse, including limiting the times when off-road vehicles may travel through prime sage-grouse habitat and setting a wide buffer around breeding grounds. Representing our environmental coalition clients, clinic students **Michael Golz (JD ’20) and Joe Zabel (JD ’20)** filed a motion in federal district court to intervene on behalf of the federal government to defend the Forest Plan Amendment.

Defending the California Coast
Clinic students have engaged in a number of policy and litigation matters to defend the California coast from short-sighted development threats, from large scale commercial desalination projects to offshore oil drilling to blufftop mansions. These matters include:

- Clinic students, on behalf of coalition of coastal protection groups, are fighting a large-scale commercial desalination project in Huntington Beach. Clinic student **Peter Gilchrist (JD ’19)** argued in California superior court this fall that a large-scale commercial desalination project in
Huntington Beach has not undergone adequate environmental review. Annelise Corriveau (JD ’20) and Will Setrakian (JD ’20) drafted our opening brief on appeal, which will be filed this summer.

- The California Court of Appeals sided with Clinic client Surfrider Foundation and unanimously upheld land use policies that encourage public access and restrict coastal armoring in Solana Beach (read more here).
- On behalf of Surfrider Foundation, Thomas Miller (JD ’20) and Annelise Corriveau (JD ’20) drafted an amicus brief in the California Court of Appeal in litigation that will likely set important precedent on how California beaches are managed and protected in the face of sea level rise. Lindstrom v. California Coastal Commission involves permitting for a new blufftop home in San Diego. In order to protect public access and use of the beach below the home, Surfrider urged the court to uphold the Coastal Commission’s development permit conditions requiring an adequate setback and a restriction on future shoreline armoring.
- Lori Ding (JD ’20) drafted an amicus letter to the California Supreme Court this spring, urging the court to grant a petition for review of an appellate decision that could eliminate judicial review of certain aspects of mandatory environmental impact analysis under the California Environmental Quality Act.
- In response to the Trump administration’s plans to open up California to offshore oil drilling, Katherine Worden (JD ’20) and C.J. Biggs (JD ‘19) drafted a model land use ordinance that is being adopted by several local governments in an effort to use local land use restrictions to limit offshore oil drilling.

**Geothermal Development in Medicine Lake**

The Environmental Law Clinic represented its long-time Native American and environmental clients in the Ninth Circuit Court of Appeals this spring, seeking to uphold the invalidation of 26 geothermal leases that threaten the Pit River Tribe’s sacred Medicine Lake Highlands. ELC students Sam Lazerwitz (JD ’20) and Caleb Wright (JD ’20) argued the appeal in the Ninth Circuit on May 14 in Seattle. Watch them in action here!

In an effort to end the remaining handful of illegal geothermal leases in the Medicine Lake Highlands that were not part of the appeal, the Environmental Law Clinic also filed a new lawsuit in Spring 2019 on behalf of the Pit River Tribe and local environmental groups against the federal government and Calpine Corporation in the Northern District of California. The new lawsuit seeks to invalidate the remaining federal geothermal leases within the Highlands, arguing that Calpine has violated federal law by failing to comply with the lease requirements for more than 25 years and that the federal government has unlawfully abdicated its obligation to oversee and terminate the leases for noncompliance. ELC’s clients are seeking an order from the court directing the federal government to terminate Calpine’s lease rights (read more here). Clinic students Sam Lazerwitz (JD ’20), Caleb Wright (JD ’20), Daniel Rubin (JD ’20), and Thomas Miller (JD ’20) drafted the complaint in the new case.