

RISING ISSUES



Earthrise Secures Success on USDA Regulation of CAFOs



In September, Earthrise, on behalf of its client Food & Water Watch, received an important ruling from the D.C. District Court in a case which seeks to require the U.S. Department of Agriculture (USDA) to more closely regulate the adverse environmental impacts of Confined Animal Feeding Operations (CAFO's). The case challenges a loan guarantee by the USDA to enable the construction and operation of a chicken CAFO in eastern Maryland. The federal government aggressively challenged Food & Water Watch's constitutional standing, argued that the case was moot because the CAFO had already been built, and refused to include many critical documents in the administrative record.

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Earthrise Holiday Party!



Please join us on Wednesday, November 28th from 6 to 9 pm for a fun evening of holiday cheer, food, drinks, and updates on Earthrise's work. We'll be hosting a party at the Lagunitas Community Room in Northeast Portland. Entry is \$20, which includes a Por Que No? taco bar for dinner and one drink ticket. We will also have a silent auction with some fun items.

[Register Here](#)

Earthrise Settles Case Challenging Oregon's Industrial Stormwater Permit

On behalf of our clients Columbia Riverkeeper and Northwest Environmental Defense Center (NEDC), Earthrise successfully settled a lawsuit challenging Oregon's general NPDES permit for discharges of industrial stormwater. The September 20th settlement requires a two-phase permit revision process that will ultimately result in first-ever numeric limits for a host of toxic pollutants and other permit conditions to strengthen water quality protections for vulnerable aquatic species.

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Meet our 2018-19 Clinic Class



Earthrise welcomes our 2018-19 clinical students for this year! We are excited and fortunate to have these great students working with us!

Pictured above from left to right: Ben Kirsch, Chris Warren, Shanna McCormack, Shannon Suehr, Megan Amos, Byron Harmon, Dani Replogle, Ross Stansberry, Lucy Brookham, Jesse Caldwell, Zeslie Zablan, and Destiny Shellton.

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Earthrise Hosts Successful Event at Patagonia

Thank you to Patagonia's Portland retail store, Rick Hafele, and everyone who came to Earthrise's September event and Rick's talk on the Willamette River Basin. If you weren't able to join us, you can check out Rick's presentation [here](#). Rick covered the

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- Precedent-Setting CAFO ruling
- Habitat for Dusky Gopher Frogs
- New Earthrise Class
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- Holiday Party!

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Please consider becoming a monthly donor of Earthrise to help sustain our important work!

Protecting the Dusky Gopher Frog

Earthrise co-founder and Of Counsel attorney Dan Rohlf recently combined forces with professors and students at the Georgetown and Vermont law school environmental law clinics to write an amicus brief which was filed in an Endangered Species Act case now before the U.S. Supreme Court. The brief, on behalf of law professors, supports the government's position in *Weyerhaeuser v. U.S. Fish and Wildlife Service*, a case involving a landowner's challenge to designation of critical habitat for dusky gopher frogs in the southeastern U.S. At stake is the scope

history of the Willamette River, especially from 1850 to today, with respect to water quality, water use, dams, hydrology, fishing, and flooding.



of agencies' authority to designate critical habitat outside the current range of listed species -- designations that will become increasingly important as climate change forces managers to focus on protecting species' future habitat in the face of shifting ecosystems. Eight justices heard oral argument in the case on the Court's first day of the term October 1st; it is unclear whether newly appointed Justice Brett Kavanaugh will participate in the decision.

At Earthrise, we are passionate about using the law to protect and restore the environment and the planet's natural resources, and about training law students to become skilled environmental advocates.

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