

PUGET SOUND LAWSUIT—ABOUT LOGGING’S EFFECT ON STREAM TEMPERATURES— IS NOW BEFORE THE COURT

Temperature pollution, primarily from logging and farming, affects rivers and streams throughout the Pacific Northwest. While climate change is a contributor, it is the removal of streamside trees and stream flows that drives most warming.

The Deschutes River flowing into Puget Sound’s Budd Inlet is nothing special in this regard; it’s merely yet one more example of how the states and EPA give lip service to protecting salmon from stream temperatures without doing anything. We have now briefed the federal court in our lawsuit challenging two TMDL clean-up plans for the Deschutes River. These TMDLs absurdly endorse the very same logging practices that have already rendered 91 percent of the watershed lethal to salmon, as if continuing to do the same thing will result in a different outcome.

This lawsuit also challenges Ecology’s reliance on a future fake clean-up plan for Puget Sound to reduce by—a whopping 61 percent—nitrogen entering Budd Inlet. In its Budd Inlet TMDL, Ecology claimed its future plan would include *individual* pollution reduction limits for all Puget Sound sources. No surprise that this summer’s draft plan for contained zero individual limits.

NWEA is represented in this case by Bryan Telegin and Abbie McCeney of Telegin Law, and Kevin Cassidy and Zach Nacev of the Earthrise Law Center. Thanks to experts Alison Gallensky of Rocky Mountain Wild and Bob Baumgartner.