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In Front of a Packed Courtroom, Young Petitioners Ask Judge to Uphold Their Rights to a Safe Environment

Seattle, Washington – Today, young Washington citizens sat in a packed King County courtroom and watched as their attorney, Andrea Rodgers gave a stunning and impassioned argument to the court as she fought for her clients' right to a healthy environment and safe climate. Judge Hollis Hill heard oral argument in the important case brought by seven young petitioners to address Washington Department of Ecology's (Ecology) persistent refusal to set science-based carbon pollution limits.

This is the second time this year the petitioners have found themselves in a King County courtroom. In May, Judge Hill heard oral argument in the case and, based on the undisputed climate science, ordered Ecology to reconsider its first denial of the youths' petition. Doubling down on obsolete science, Ecology denied the youths' petition a second time.

Today, the young petitioners sat stunned as counsel for Ecology told the court "I do not know if there is an inherent right for a healthful environment" and proceeded to tell the court that it was up for the legislature to decide. Ecology was steadfast in their position that they are not required to regulate carbon dioxide emissions based on the current science.

"These brave kids have worked extremely hard to present Ecology with the most current and best available climate science, all of which the agency has ignored," said Western Environmental Law Center Attorney Andrea Rodgers. "It is now time for the court to step in and direct Ecology to initiate a rulemaking process based on the best available science – not the most convenient policy – to protect these youths' fundamental rights. Ecology's legal obligations to protect the air and water resources in this state are clear; now it is up to the judge to enforce those laws."

In response to the youth petitioners' lawsuit, Ecology plans to initiate rulemaking as directed by Gov. Inslee "to set a regulatory cap on carbon emissions and to develop reductions in carbon dioxide emissions using its existing authority." As it stands, Ecology plans to use targets from the 2008 standards that the agency has already admitted "should be adjusted to better reflect the current science," and "need to be more aggressive in order for Washington to do its part to address climate risks." Counsel for the

youth petitioners made it clear to the court that Ecology’s non-scientific rulemaking effort does not remedy the youth petitioners’ legal claims alleged in the case.

The youths argue that a carbon cap and emissions reductions must be based on a target of atmospheric carbon dioxide concentrations of no more than 350 parts per million (ppm), as put forth by their experts [Dr. James Hansen](#), Dr. Pushker Kharecha, [Dr. Ove Hoegh-Guldberg](#), [Dr. Richard Gammon](#), and [Matthew McRae](#).

Rodgers argued to the court that more delay in resolving their legal claims will lock in the infringement of their fundamental rights.

“Andrea Rodgers gave a profound argument on behalf of the youths and called on the court to rule on the youths’ legal rights by ordering Ecology to take science-based action,” said Julia Olson, executive director and chief legal counsel at Our Children’s Trust.

Judge Hill is reviewing the extensive briefing in the case and will issue a written decision before the end of the year.

The seven youth petitioners are represented by Andrea Rodgers of the Western Environmental Law Center. The lawsuit was filed with the help of Our Children’s Trust, an Oregon-based nonprofit orchestrating a global, game-changing, youth-driven legal campaign to establish the right to a healthy atmosphere and stable climate.

Plant-for-the-Planet connects children around the world as Ambassadors for Climate Justice, planting trees, educating the public, influencing decision makers, and now going to court with expert legal guidance. Children inspire children at Academies, free one-day workshops where children ages 8-14 find their voice speaking out for their future and taking action to create a better world.

Our Children’s Trust is a nonprofit organization advocating for urgent emissions reductions on behalf of youth and future generations, who have the most to lose if emissions are not reduced. OCT is spearheading the international human rights and environmental TRUST Campaign to compel governments to safeguard the atmosphere as a “public trust” resource. We use law, film, and media to elevate their compelling voices. Our ultimate goal is for governments to adopt and implement enforceable science-based Climate Recovery Plans with annual emissions reductions to return to an atmospheric carbon dioxide concentration of 350 ppm. www.ourchildrenstrust.org/

The Western Environmental Law Center is a public interest nonprofit law firm. WELC combines legal skills with sound conservation biology and environmental science to address major environmental issues throughout the West. WELC does not charge clients and partners for services, but relies instead on charitable gifts from individuals, families, and foundations to accomplish its mission. www.westernlaw.org

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