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Oregon Political Leaders, Businesses, Agricultural And Student Native Groups and Legal Scholars Support Youth In Climate Change Lawsuit

Eugene, Oregon – Today Oregon showed its broad-base support of two Eugene youth taking legal action on climate change. Oregon’s political leaders, businesses, agricultural groups and student native groups came together and filed an amicus curiae (“friend of the court”) brief in support of Kelsey Juliana and Olivia Chernaik’s appeal seeking to compel Governor Kitzhaber and the State of Oregon to take action to protect Oregonians from climate change by complying with their fiduciary duties under the Public Trust Doctrine. The brief details potentially devastating impacts the state faces due to greenhouse gas emissions and climate instability, from ocean acidification to a decrease in agricultural productivity and significant decreases in snowpack and water supply. The Western Environmental Law Center also filed a separate amicus curiae brief today on behalf of twenty-two top legal scholars from around the country urging the court to apply the Public Trust Doctrine to the atmosphere and allow the case to proceed.

The lawsuit was filed against Governor Kitzhaber and the State of Oregon for failing to protect essential natural resources, including the atmosphere, as required under the Public Trust Doctrine. Kelsey, Olivia, and their mothers brought the case to compel the Oregon State government to create a viable climate recovery plan for reducing carbon dioxide emissions in order to protect Oregon’s natural resources. In October of this year, the Oregon Court of Appeals decided to hear their climate suit and legal briefing is currently underway.

The amici represent a diverse group of Oregonians who have substantial and varied interests in protecting public resources from climate change. Eugene’s Mayor Kitty Piercy, Willamette Farm and Food Coalition, Art Paz, Chair of the Oregon Board of Education, SeQuential Biofuels, and numerous other individuals, businesses and organizations have chosen to stand behind Kelsey and Olivia and ask Governor Kitzhaber and the State of Oregon to take action on climate change, before it’s too late.

“Our city recognizes that the climate crisis is one of the biggest human rights issues coming our way and we will continue to take action to reduce Eugene’s carbon emissions,” said Mayor Kitty Piercy. “I support these courageous youth, who are acting to protect the public trust resources of our state. They have a community of support behind them.”

The large amount of public support the youth have received for their Oregon Atmospheric Trust lawsuit coincides with a report researchers at Yale published in September, indicating broad national public support for action on climate change. They found that:

“A large majority of Americans (88%) say the U.S. should make an effort to reduce global warming, even if it has economic costs.”
Closer to home, DHM Research conducted a Climate Change and Consumption Survey for the City of Eugene last year. The survey found that Eugene residents believe individuals can make a difference in addressing climate change and that action is necessary. More specifically the survey found that:

“81% agreed that climate change requires us to entirely rethink our behavior; and 74% disagreed that individuals are incapable of solving climate change and that their own actions won’t make a difference.”

Amici’s brief cites to government reports showing that climate change threatens to leave our youngest generations and future generations with substantially altered natural systems and impaired public resources.

“The effects of climate change will be pervasive. The abundance and timing of snow in the Cascades will drastically shift by mid-century, changing our energy and water supplies, harming wildlife, and threatening our summer irrigation. Summer drought and increased disease infestation will harm our...agricultural industry, and threaten forest species. Oregon’s coastlines and ocean resources are already suffering the harmful effects of human-caused carbon dioxide emissions...Climate change hurts human health through increased air pollution from forest fires and increased levels of pollen, both of which exacerbate asthma and allergies. The emergence of vector-, water-, and food-borne diseases in Oregon, which did not exist in the past, also threaten human health. The cumulative effects of climate change on Oregon translate into unprecedented natural resource and economic impacts for the state, putting further pressure on all aspects of our economy and public systems in the years to come.”

http://ourchildrenstrust.org/sites/default/files/Climate%20Change%20in%20Oregon%20Amicus%20Curiae%20FINAL.pdf

To do its part, Oregon must reduce the state’s carbon dioxide emissions by six percent each year or risk our climate reaching tipping points beyond which there is no return. Each year Oregon delays making the necessary reductions, makes it harder to protect our climate system, our oceans, and the Oregon way of life.

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To learn more about the Oregon Climate Case visit:
http://ourchildrenstrust.org/state/oregon

To watch a short film featuring Kelsey visit: http://ourchildrenstrust.org/video/392/trust-oregon

The Plaintiffs are represented by the Crag Law Center a non-profit law firm that supports community efforts to protect and sustain the Pacific Northwest's natural legacy and by the law firm of Hutchinson, Cox, Coons, DuPriest, Orr & Sherlock, P.C.

Western Environmental Law Center is a nonprofit public interest law firm that works to protect and restore western wildlands and advocates for healthy environments on behalf of communities throughout the west.

Our Children's Trust is a nonprofit focused on protecting earth's natural systems for current and future generations. We are supporting youth in the coordinated Atmospheric Trust Litigation effort. We are here to empower youth as they stand up for their lawful inheritance: a healthy planet. We are mothers, fathers, grandparents, aunts, uncles, teachers. We are adults, part of the ruling generation, and we care about the future of our children—and their children's children.

iMatter is a youth-led campaign of the nonprofit group, Kids vs Global Warming, that is focused on mobilizing and empowering youth to lead the way to a sustainable and just world. Using multiple platforms at the local, state, and national level, we are committed to raising the voices of the youngest generation to issue a wake-up call to live, lead and govern as if our future matters.
WITNESS is the global pioneer in the use of video to promote human rights. We empower people to transform personal stories of abuse into powerful tools for justice, promoting public engagement and policy change. In partnership with the iMatter TRUST Campaign we seek to bring visibility to the challenges our youth already face because of the changing climate and call for a massive assault on fossil fuel emissions. Without an all-out assault, effects will range from drought to disease; from food shortages to tainted water supplies; from the loss of homes due to floods, erosion and fire to massive relocations. The human rights challenge is most succinctly summarized by Mary Robinson, “Climate change will, in short, have immense human consequences.” WITNESS partnered on this campaign in hopes that predictions will not become realities. To view the stories from our youth included in the TRUST Series go to www.witness.org/campaigns/all-campaigns/imatter or www.ourchildrenstrust.org.

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