



FOR IMMEDIATE RELEASE
March 17, 2015

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Washington Youth's Climate Case Moves Forward

Seattle, Washington – Yesterday, eight young citizens of Washington state filed their [opening brief](#) in their climate change case, *Zoe & Stella Foster v. Washington Department of Ecology*, to King County Superior Court. The young petitioners are appealing the Washington Department of Ecology's [denial](#) of their request that the Department of Ecology ("Ecology") promulgate a rule that would limit carbon dioxide emissions in Washington according to what scientists say is needed to protect our oceans and our climate system.

"Under the law, the people of this state, including the kids who have brought this case, have a fundamental right to a healthy environment," said Andrea Rodgers of the Western Environmental Law Center, attorney for the youth petitioners. "Faced with the increasing harms posed by climate destabilization and ocean acidification, the young people brought this lawsuit to vindicate this right on behalf themselves and future generations."

Ecology acknowledges that climate change is currently happening and will have devastating impacts on the natural environment of Washington. After the youths filed their case, Ecology issued an alarming December 2014 update to the legislature that confirms the young people's assertions:

The sea level is rising on most of Washington's coast, ocean acidification has increased, and there's long-term warming. Glaciers and spring snowpack have declined and the timing of stream flows has changed for many rivers. And, climate extremes like floods, droughts, fires and landslides are already affecting Washington's economy and environment.

The effects of climate change on water supplies, public health, coastal and storm damage, wildfires, and other impacts will be costly unless additional actions are taken to reduce greenhouse gases.¹

¹ Ecology Update to Legislature, December 2014, p. v.

Ecology agrees that if immediate action is not taken, the costs of climate change and ocean acidification impacts to Washington are projected at \$10 billion per year by 2020.

Ecology's report to the legislature supports precisely what the youth petitioners seek.

Washington state's existing statutory limits should be adjusted to better reflect the current science. The limits need to be more aggressive in order for Washington to do its part to address climate risks.

Remarkably, Ecology actually tells the legislature NOT to act to address climate change until the conclusion of the Paris international climate talks this December, even though Ecology has recognized that "we are imposing risks on future generations (causing intergenerational inequities) and liability for the harm that will be caused by climate change that we are unable or unwilling to avoid."

"Kids understand the threats climate change will have on our future," said 12-year-old petitioner Zoe Foster. "I'm not going to sit by and watch my government do nothing. We don't have time to waste. I'm petitioning my government to take real action on climate, and I won't stop until change is made."

The petition to Ecology cited alarming [research](#) of one of our nation's top climate scientists. According to Dr. James Hansen, "the science is crystal clear—we must rapidly reduce fossil fuel carbon dioxide emissions if we are to have a chance of protecting Earth's natural systems for these young people."

Current climate science finds that atmospheric carbon dioxide levels must be reduced from the current global annual mean concentration of 399 parts per million to 350 ppm by 2100 in order to achieve climate stabilization and protect our oceans from catastrophic acidification.

The youth petitioners filed the petition 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. The legal effort advances the fundamental duty of government today: to address the climate crisis based on scientific baselines and benchmarks, and to do so within timeframes determined by scientific analysis.

***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/*

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