



**ELAW**

**advocate**

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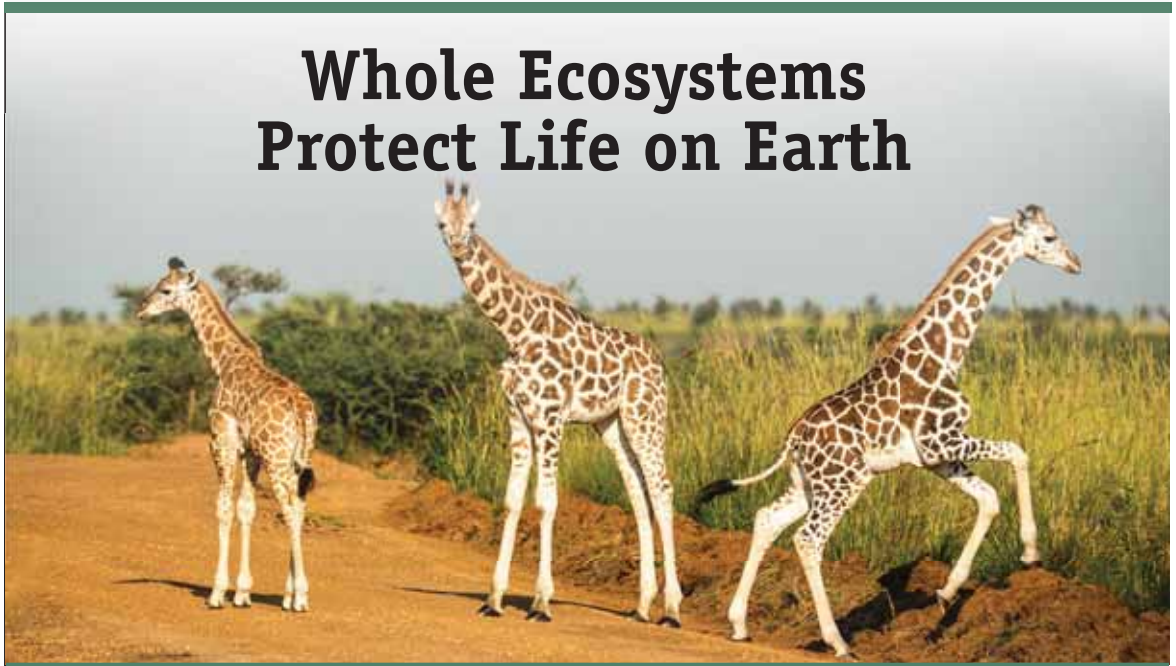
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# Whole Ecosystems Protect Life on Earth

Murchison Falls National Park, Uganda. PHOTO: 2H Media on Unsplash

Loss of biodiversity and the degradation of our natural environment threaten all life on earth. ELAW is working with partners around the world to protect and restore ecosystems so that nature remains resilient and functional.

ELAW provides legal, scientific, and other technical support to level the playing field for grassroots advocates and the communities they support. ELAW also helps improve our partners' security and respond when they are threatened so they can continue their critical work, ensuring communities have a voice at the table and the tools they need to defend their rights and protect ecosystems.

Together, we mitigate the consequences of the climate crisis and challenge short-sighted exploitation of natural resources. When the natural world thrives, we thrive.

The following are examples of our work with partners in Argentina, the Democratic Republic of Congo, the Dominican Republic, Peru, Slovakia, Uganda, and Ukraine.

## Protecting National Parks

National parks hold the promise of safeguarding valuable and iconic ecosystems, biodiversity, and wildlife for future generations. Sadly, national parks are on the radar of multinational corporations and others seeking timber, oil, gas, and valuable minerals. In

Ukraine, national parks are jeopardized by the ongoing Russian assault.

In the face of these challenges, ELAW partners are working tirelessly to protect national parks and nearby communities in Uganda, the Democratic Republic of Congo, and Ukraine.

## UGANDA

### *Murchison Falls National Park*

Last year, oil drilling began in Murchison Falls National Park, Uganda's largest and most visited national park. ELAW partners at the Africa Institute for Energy Governance (AFIEGO) are working overtime to protect the park's stunning wildlife from this short-sighted oil development, including elephants, buffalo, big cats, giraffes, chimpanzees, and Nile crocodiles.

A recent report from AFIEGO details biodiversity loss and how drilling vibrations are chasing elephants from the park. AFIEGO is a 2022 winner of the Right Livelihood Award, also known as the "alternative Nobel Prize."

Diana Nabiruma, AFIEGO Senior Communications Officer, spoke with Agence France-Presse:

"Ugandans shouldn't be burdened with biodiversity loss, with grave human rights abuses, and with environmental risks, just so that other countries can benefit from the oil in the country."

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ELAW helps communities speak out for clean air, clean water, and a healthy planet. We are a global alliance of attorneys, scientists, and other advocates collaborating across borders to build a sustainable, just future.

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# Whole Ecosystems Protect Life on Earth



Leaders of community organizations in Uganda and the Democratic Republic of Congo gather in Murchison Falls National Park after meetings with nearby communities affected by oil development. PHOTO: AFIEGO

## Uganda (CONTINUED)

French energy giant Total Energies' Tilenga project involves drilling over 400 oil wells in western Uganda, many in Murchison Falls National Park. Total has partnered with the China National Offshore Oil Corporation (CNOOC). The vast project includes the nearly 900-mile East African Crude Oil Pipeline (EACOP) to transport oil to the Tanzanian coast for export.

Biodiversity experts and park guides are concerned about the impacts of the new oil rigs, well pads, roads, noise, and light pollution on the park and its vast, complex ecosystem that includes Lake Albert and a Ramsar Wetland of International Importance.

"We support the development of all energy sources that are environmentally, socially, and economically sustainable to make our country and the world a better place, but oil drilling in Murchison Falls National Park is a big mistake," says Dickens Kamugisha, CEO of AFIEGO.

Dickens says ELAW has helped his team fact-check the project's environmental and social impact assessment (ESIA) reports, revealed project risks, and simplified complex scientific information for citizens.

"We will continue the fight saying no to fossil fuels so that our children and grandchildren can enjoy our national parks and a healthy climate," says Dickens.

**"The park is key to our tourism industry, and Lake Albert is the source of almost half of the nation's fish catch. Why threaten this natural resource for a project that fails to benefit local communities and exacerbates the climate crisis?"**

Dickens Kamugisha  
CEO, Africa Institute for Energy Governance

## Democratic Republic of Congo Virunga National Park

Virunga National Park in eastern Congo is one of the last remaining habitats for the rare mountain gorilla. The park was named a UN World Heritage Site because of its rich diversity of habitats, exceptional biodiversity, and species found nowhere else in the world. Since 1994, the park has been on UNESCO's "List of World Heritage in Danger."

ELAW partner Olivier Bahemuke Ndoole has worked for years to protect Virunga. He says illegal logging and mining, wildlife trafficking, and invasion of park lands by armed militia pose serious threats. "Oil ambitions of multinational corporations and the Congolese government only add to the challenges," he says.

Olivier Bahemuke Ndoole authored "*Defenders of Land and Environmental Rights and Insecurity in the Virunga Landscape in North Kivu, Democratic Republic of Congo: The Need to Listen and Protect*" (August 2024, L'Harmattan).





# Whole Ecosystems Protect Life on Earth

## Democratic Republic of Congo (CONTINUED)

Olivier is an attorney at the Congolese Alert for Environment and Human Rights (ACEDH), based in Goma. In July, Oliver shared good news:

The Goma Courthouse issued a landmark decision advancing ACEDH's case seeking protective measures for Virunga National Park, including stronger actions to counter encroachment and preserve biodiversity.

"This is an important and historic decision in litigation between a civil society organization and the State for climate inaction and protecting biodiversity," says Olivier. "ELAW experts will continue to provide strong technical support as the case progresses."

The court ruled that ACEDH has the right to hold the government legally accountable for environmental damages in Virunga National Park. The ruling "marked a significant turning point for environmental law in the DRC," reports Kilalo Press.

ELAW has provided ACEDH with valuable legal and scientific support and helped Olivier defend against attacks aimed at him and his organization. Olivier won a 2024 Global Citizen Prize and a 2023 Human Rights Defenders at Risk Award from Front Line Defenders.



Mountain Gorilla, Virunga National Park.  
PHOTO: LuAnne Cadd, CC BY-SA 3.0, via Wikimedia Commons

## Ukraine

### Svyati Hory National Nature Park

Ukraine's national parks are suffering under the Russian assault. Svyati Hory National Nature Park (also known as "Holy Mountains" NNP) is in the conflict zone in the Donetsk Region along the Siverskyi Donets River in eastern Ukraine. "The park was under Russian occupation from April 1 to October 3, 2022, resulting in destroyed landscapes including chalk cliffs that are 80-100 million years old, as well as changes to the microclimate and devastation to flora and fauna," says Dr. Kateryna Polianska.

Dr. Polianska was a 2022 ELAW Fellow. She is conducting soil sampling in the park to determine the impacts of military operations and identify the cost of reclamation. Dr. Polianska leads the science team at the Kyiv office of Environment People Law (EPL). The EPL team has conducted four field trips to the park, developed maps of the park's forest habitat, and identified areas destroyed by fire.

"It will take years, if not decades, to assess all the damage and implement recovery measures – but nature has a great ability for self-recovery and, with hope, our generation will see the park returning to its previous condition," says Dr. Polianska.

Svyati Hory contains many archaeological, natural, and historical sites. Most of the park is forested, including 100-year-old stands of oak. More than 900 species of plants have been recorded in the park which is home to dozens of fish species, over 200 bird species, many reptile species, and mammals, including foxes, martens, and wolves.

Land mines, fortification structures, and movement of heavy equipment, as well as soil contaminated by chemical substances from bombs and fuel spills, have taken a heavy toll.

EPL has worked with ELAW since 2022 to hold Russia accountable for widescale environmental destruction in Ukraine, including destruction in national parks. ELAW scientists helped Dr. Polianska's team assess impacts and calculate the costs to restore oak trees in Svyati Hory.



Dr. Kateryna Polianska, EPL scientist, during a recent field trip to Svyati Hory National Nature Park. In the rear of the photo is an unexploded projectile launched from a BM-27 Uragan, designed in Russia to deliver cluster munitions.

**"We hope that the war will end soon and the enemy will leave our lands, and we will be able to clean and restore Ukraine's natural beauty."**

Dr. Kateryna Polianska  
Scientist, Environment People Law



Sheep graze in Povrazník, Slovakia. "Damage to livestock is often used to support the narrative of bear culling instead of installing protective measures which would help decrease damages significantly," says Pavol.

# Whole Ecosystems



## Protecting Bears and Wolves in Slovakia

Poaching and illegal trade of wildlife in Slovakia is on the rise. "Human-wildlife conflicts have increased, but officials are exaggerating the dangers of bears and wolves to open space for easier culling of these protected species, and even justify their illegal killing," says Pavol Žilinčík, a lawyer at World Wildlife Fund Slovakia.

Pavol is working to improve human-wildlife conflict management in Slovakia and developing new tools to report crimes against wildlife.

"We are a densely populated small country with mountainous areas," says Pavol. This means bear and wolf habitats and community lands inevitably overlap. "Unfortunately, politicians are using social media to spread a false narrative about bear and wolf attacks, to further their interest in trophy hunting protected species and weakening wildlife protection law."

An analysis of court decisions on wildlife crime in Slovakia revealed that minimal penalties fail to deter perpetrators.

The ELAW Science Team has been collaborating with Pavol to explore the landscape of data collection possibilities, informed by lessons learned from parallel fields such as the fight against illegal, unreported, and unregulated (IUU) fishing at sea.

"Pavol and his team have been building on this landscape to articulate tiered data collection opportunities that could be initiated in the short term, and built upon over the long term, to augment a data-driven strategy against wildlife crimes in Slovakia," says ELAW Scientist Dr. Melissa Garren. She adds: "The ultimate goal is a robust and multi-faceted data collection system that helps hold criminals accountable and empowers citizens to protect valuable wildlife."

As part of his work, Pavol teamed up with Zuzana Dagmar Kubíková, WWF Slovakia Legal Assistant, to co-author "Wildlife Conflict as an Elevator to Power" in a recent WWF newsletter. Pavol participated in the 2024 ELAW Annual Meeting and joined ELAW partners from Canada, the Democratic Republic of Congo, and Nepal on a panel at the 2024 Public Interest Environmental Law Conference: "The Fight for Nature: Advocacy to Confront the Biodiversity Crisis."

"We are seeking a balance between conservation and human interests. This is a particularly challenging task at a time when wildlife fearmongering is also being used to score political points," says Pavol.

## Protecting the Ocean & Coastlines

ELAW Scientist Dr. Bree Yednock hosted an expert panel to share key takeaways from working with communities to protect mangroves in Colombia, Ecuador, India, the Philippines, and Thailand. Experts included Rahul Choudhary, Environmental Lawyer, Founding Member, and Trustee, Legal Initiative for Forest and Environment (LIFE, India); Gloria "Golly" Estenzo Ramos, Vice President, Oceana Philippines; Ana Lucía Maya-Aguirre, Director and Co-founder, Observatorio para la Gobernanza Marino Costera (Colombia); and Aldo Simone, Marine Program Manager, WildAid (USA).



Nearly 100 participants from 35 countries attended our Marine Working Group workshop: Protecting Mangroves Around the World: Legal & Community Toolkit (June 11, 2024).



# Protect Life on Earth



## Protecting the Ocean & Coastlines (CONTINUED)

ELAW Scientist Dr. Gilles Wendling hosted a workshop on "unconventional" oil and gas wells to help ELAW partners around the world understand the real impacts of hydraulic fracturing (fracking).

"In the '70s, the technique for drilling directional was discovered," says Dr. Wendling. "Now, once the target zone is encountered, the driller 'turns' to follow the play horizontally for several kilometers – currently up to 5 km!"

Dr. Wendling shared how fracking works and its impacts on water quality, water quantity, and human health. "Not every well is equal, so I spoke about the economics of fracking and how wells lose integrity and can be a ticking time bomb," he said.

Dr. Wendling served as senior hydrogeologist assessing the impacts of fracking in northern British Columbia, Canada, where over 30,000 wells have been drilled.

## Protecting Argentina from Offshore Oil and Gas Development

Argentina's West Malvinas Basin is rich in marine biodiversity. The Basin provides critical habitat for many threatened species, including the rockhopper penguin, northern royal albatross, atlantic petrel, fin whale, southern right whale, and southern river otter. Oil companies, such as Total Austral, Equinor Argentina, and ENI Argentina Exploración y Explotación, among others, are proposing seismic surveys with vessel-mounted air guns to search for deposits below the basin's seafloor. These air guns emit loud bursts every ten seconds for 24 hours per day and can continue for months at a time, causing devastating impacts to wildlife, including whales, dolphins, seabirds, and corals.

"Environmental assessments should include cumulative and climate impacts, a consideration of energy alternatives, and a cost-benefit analysis in the context of a just energy transition," says Cristian Fernández, Attorney, Fundación Ambiente y Recursos Naturales (FARN). He adds that a strategic environmental assessment (SEA) is required for projects in the Argentine Sea.

The ELAW Science Team reviewed the EIA for the "Malvinas Oeste" offshore oil project and found numerous flaws, including mitigation measures for the high-volume air guns do not consider the effects that seismic activity would have on krill, zooplankton, cephalopods, fish, and other organisms which birds and marine mammals feed on in the project area. ELAW's analysis also found that the EIA did not adequately assess the cumulative effects of the project, which joins other similar projects in the area, along with noise generated by commercial navigation, sonar systems, and compromised habitat due to loss of food sources, light pollution, and risk of oil spills, among other threats.

The next steps are using all the scientific information available to think about legal strategies to protect the biodiversity of the Argentine Sea from oil and gas activities.

## Challenging Polluting Power Barges in the Dominican Republic

ELAW is working with attorney Euren Cuevas and his team at Instituto de Abogados para la Protección del Medio Ambiente (INSAPROMA) in the Dominican Republic to protect communities from polluting powerships. Some of these floating fossil fuel-fired power plants use bunker fuel, the heaviest and most polluting remnant of the oil refining process. They pollute the air, discharge hot water, and produce noise and vibrations that destroy marine life and ecosystems. Authorities claim the power barges are a temporary fix to meet electricity needs, but they have become entrenched and are not subject to the environmental regulations that apply to traditional land-based power plants.

Euren has filed criminal and civil lawsuits to hold Karpowership Dominican SAS accountable for its polluting operations in Puerto Viejo de Azua. The company is based in Turkey and operates powerships around the world.

The ELAW Science Team is helping INSAPROMA work with local scientists to conduct air, water, and noise sampling to identify the true impacts of the powerships on communities and ecosystems. Samples are being collected and analyzed by a local laboratory.

In July, INSAPROMA met with the Deputy Attorney General of the Dominican Republic to coordinate an investigation into the harmful impact of the powerships in Puerto Viejo de Azua. We will keep you informed as this work progresses.



Powerships in Puerto Viejo de Azua, Dominican Republic.

# ELAW Fellows Program

## Vanessa Cueto

Lima, Peru | June 30 – September 1, 2024



**Vanessa Cueto** (above left) is a Peruvian lawyer and Coordinator of the Sustainability Program at the Lima office of Derecho Ambiente y Recursos Naturales (Environmental and Natural Resources Law, DAR). She works to protect the Peruvian Amazon and Indigenous communities from negative impacts of oil and gas exploration and exploitation in protected areas and buffer zones. She serves on the international board of Extractive Industries Transparency Initiative (EITI), where she negotiates with governments and companies to improve the transparency of the extractives sector. Vanessa helped draft the Peru 2030 Mining Vision and is published widely on the socio-environmental impacts of energy infrastructure, policies, and projects.

During her ELAW Fellowship, Vanessa completed the University of Oregon American English Institute (AEI) Intensive English Program. Thanks to AEI for providing Vanessa with a Janet Hughes Mersereau Scholarship. And thanks to Shannon Micheel, Michael Kresko, Ginnie Lo, and Paul Nicholson for serving as host families.



### Why did you become a lawyer?

I want to help make the world a more just place, where everyone's rights are respected, especially the most vulnerable. Environmental law gives me the opportunity to help take care of the planet and our natural resources, today and for future generations.

### What environmental problems do you seek to solve?

My priority is making infrastructure and energy projects more sustainable. In Peru, we need more respect for environmental and social standards. Environmental impact assessments (EIAs) must reveal the true environmental impacts of proposed projects. Certification processes have been weakened to attract investments. In the long run, this brings pollution and deforestation. The Indigenous peoples who live in the areas where the activities take place are living in fear due to an uptick in killings of environmental defenders.

### How is DAR addressing these problems?

We are strengthening the legal framework for environmental protection and ensuring that Indigenous peoples are consulted. Proposed projects must truly benefit the local population and respect rights to territory. We are also advising on issues tied to the climate crisis to ensure that our government complies with its climate and biological diversity commitments, with participation of Indigenous peoples, in the energy transition process.

### What did you accomplish as an ELAW Fellow?

I learned about the management and administration of U.S. protected areas. Sharing our experience with gas projects in Madre de Dios and learning about oil and gas activities in Alaska and the impacts of hydrocarbons was particularly valuable. I shared our experience monitoring illegal fishing in the Peruvian sea and learned about model practices. In my role as a member of the EITI Board, I learned about human rights and the transparency of access to information around the world. Finally, I improved my English through the University of Oregon American English Institute Intensive English Program.

ELAW Scientist Dr. Bree Yednock (top left photo, at right) joined Vanessa on a four-day field trip to the southern Oregon Coast to visit state and federal protected areas, including stops at wetland and forest restoration sites in various stages of implementation and recovery. They met with experts and toured the Dean Creek Elk Viewing Area (top left), Oregon Islands National Wildlife Refuge, Bullards Beach State Park, Bandon Marsh Refuge, Cape Arago State Park, and the Charleston Marine Life Center. Vanessa also toured the South Slough National Estuarine Research Reserve, by kayak, with a group led by Education Specialist Eric Dean (bottom left and top right).



## Inside ELAW : Summer 2024 Interns

ELAW Interns help advance ELAW's mission and get real-world experience before graduating from law school or their undergraduate program—many thanks to our Summer 2024 ELAW Interns!

### Legal Interns, Law Program

**Franklin Lagat** is a Kenyan lawyer pursuing an LL.M. in international human rights law at Lund University in Sweden. During his ELAW internship, Franklin conducted legal research across diverse regions, identifying relevant laws and cases that can bolster public interest litigation efforts.

*"I am deeply committed to advancing the rights of vulnerable communities in the face of climate change and its cascading effects. I believe that empowering communities with knowledge, resources, and legal tools is crucial in navigating the complexities of climate-induced disasters and ensuring a just and sustainable future for all."*

**Naomi Hodges** is in her final year of law school at Tulane University, where she focuses on environmental and energy law. During her ELAW internship, Naomi conducted research for ELAW partners on legal protections provided to Indigenous communities and the environment tied to oil and gas extraction within Alaska's natural protected areas. Before law school, Naomi worked with organizations serving queer migrant communities, advocating for equitable public-school funding and fighting racial disparities in environmental injustice.

*"While environmental struggles are felt locally, these struggles are interconnected with regional and global activities that require collective and strategic action. I want to contribute to transnational efforts to protect human rights through environmental law."*



Franklin Lagat



Naomi Hodges



Ardalan Sayahfar

### Legal Interns, Defending Defenders Program

**Ardalan Sayahfar** is a 2nd-year law student at the University of Western Ontario (Canada). He developed a keen interest in international law and the environment through a mentorship with ELAW Defending Defenders Attorney Charis Kamphuis. During his ELAW internship, Ardalan conducted research on strategic lawsuits against public participation (SLAPP suits). These frivolous lawsuits are brought by entities seeking to silence and dissuade activists, journalists, and others from speaking out.

*"There is an urgent need for anti-SLAPP laws. I am impressed by the lasting impact that ELAW's work has on marginalized communities and the environment."*

**Saijal Bains** is pursuing an Honours Bachelor of Arts degree at Ivey Business School and a JD at Western Law, in Canada. This summer, she worked with ELAW's Defenders Team to research organizations focused on protecting environmental defenders and anti-SLAPP efforts.

*"I was excited to work with ELAW because it offered a chance to explore the legal side of environmental advocacy. I am very interested in international law, so this was a great learning opportunity."*

**Colin Rosadino** is in his final year of law school at the University of Connecticut School of Law. He received a BA in political science from George Washington University. During his ELAW internship, he worked on an amicus brief highlighting the human rights violations intrinsic to extraordinary service agreements between state law enforcement and the extractive industry.

*"I want to pursue a career defending people from and mitigating against the violence caused by the extractive industry. ELAW is doing instrumental work on this front. I learned so much in a very short time. I hope to be an advocate alongside ELAW and its partners for many years to come."*



Saijal Bains



Colin Rosadino

### Undergraduate Intern

**Hadley Robinson** is in her senior year at Oregon State University, majoring in environmental science and Spanish. During her summer internship, she helped catalog ELAW's environmental case summaries and economics resources to make them more accessible to ELAW partners.



Hadley Robinson



# ELAW

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Support from Arcadia—a charitable fund of **Lisbet Rausing** and **Peter Baldwin**—helps make it possible for ELAW to collaborate with grassroots lawyers protecting endangered biodiversity and ecosystems in dozens of countries around the world. Find examples in this issue from Argentina, the Democratic Republic of Congo, the Dominican Republic, Peru, Slovakia, Sri Lanka, Uganda, and Ukraine.

Every year, ELAW collaborates on hundreds of cases with partners in more than 80 countries to advance environmental justice and defend ecosystems and biodiversity. Your tax-deductible donations help us respond quickly to requests for support from grassroots advocates around the world working to protect communities and ecosystems. Please visit [elaw.org/give](http://elaw.org/give) to make a gift today!



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