

Fall 2022



Dear friends and alumni,

As fall yields to winter, the conclusion of Native American Heritage Month presents the perfect time to delight in the addition of [Nazune Menka](#) and [Antonette \(Toni\) Cordero](#) (pictured middle and right below) to the clinic as supervising attorneys. Nazune is Koyukon Athabaskan (AK) and Lumbee (NC) and Toni is an enrolled member of the Coastal Band of the Chumash Nation (CA).



Their insights as to how best reinforce Indigenous relationships with the natural environment and restore Tribal access to ancestral lands; their personal and professional networks of connection; and their project design acumen have all enabled the clinic to realize a long-held

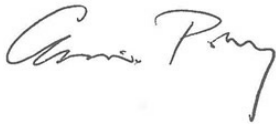
hope to expand work with Native American Tribes and Indigenous-led organizations in need of free legal service. Below, we describe one such project in California, and another in Michigan.

In yet another matter (albeit a non-Tribal one) that aims to address problem structures rather than simply their symptoms, the clinic has sued a local air district that lacks sufficient enthusiasm for regulating the 400 air-polluting facilities within its jurisdiction.

This semester indeed had the most ELC project activity yet, with 27 students and five attorney supervisors deployed on seven different matters that span rulemaking, legislation, litigation, and technical assistance.

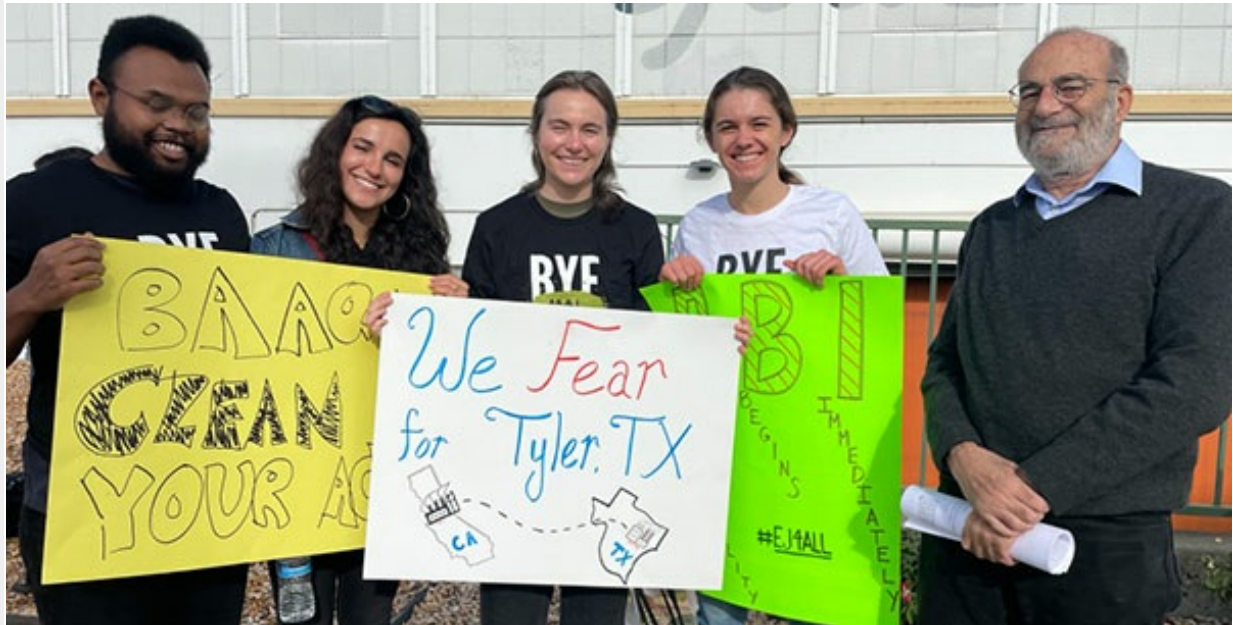
We hope you enjoy the snapshot of our work below. And we remain tremendously grateful

for your support!



Claudia Polsky
Director, Environmental Law Clinic

Clinic News



Student clinicians **Drake Goodson '24**, **Livia Jaramilo '24**, **Margaret Parker '24** and **Martha Boben '24**, and Supervising Attorney Steve Castleman (left to right) join Communities for a Better Environment at a community protest against air polluter AB&I Foundry in East Oakland in October.

ELC takes aim at major air polluter and its complacent regulator

In October 2022, the clinic and its client Communities for a Better Environment [filed suit against AB&I Foundry](#), the worst air polluter in East Oakland. The foundry has long emitted high levels of hexavalent chromium and formaldehyde, both known carcinogens. Noxious odors from its manufacturing processes have been the subject of more than 700 community complaints to the putative regulator, the Bay Area Air Quality Management District. Plaintiff names the district as an additional defendant, alleging that it has unlawfully weakened air emissions control by promulgating illegal, "underground" regulations that contravene California's Administrative Procedure Act. Our case was covered in the [San Francisco Chronicle](#), on TV ([FOX](#) and [ABC](#)), and on [KQED radio](#).

Clinic partners with Michigan environmental justice client to protect Great Lakes



(L to R) Supervising Attorney Nazune Menka, student clinicians [Annie Pinto '23](#), [Helen Lober '23](#), [Katalina Hadfield '23](#), and [Era Gjonbalaj '24](#) (and Director Claudia Polsky behind the camera) discuss pollution from nuclear fission reactors with Jesse Deer in Water and Jessie Pauline Collins from CRAFT.

Regardless of one's position on expanding nuclear energy as a climate change solution (ELC clients trend strongly negative), communities nationwide continue to grapple with thermal pollution and radiation risks from decades-old, under-regulated nuclear plants. The clinic represents the Indigenous-led group Citizens Resistance at Fermi Two ([CRAFT](#)) in an advocacy project that aims to strengthen pollution controls in the permit for an aging nuclear reactor along Lake Erie. CRAFT's multi-year, multi-pronged nuclear abolition efforts, combined with those of partner organizations, may be helping to change the conversation: local utility DTE recently publicly announced its retreat from a planned investment in building new nuclear plants, in favor of expanding wind and solar power.

Nazune Menka joins as supervising attorney, expands ELC's Tribal docket



Nazune Menka [joined the clinic](#) this fall after serving as the law school's Tribal Cultural Resources Project Policy Fellow for two years. She has worked on policy issues at the Alaska and Hawaii state legislatures, the U.S. Department of Energy, and the Environmental Protection Agency.



Nazune and her project team recently met with the Office of the Tribal Attorney on the Yurok Reservation in Klamath, California to strategize about increasing Tribal control over environmental decision-making on Yurok ancestral territories.

ELC faculty offer courses in environmental health and justice



To meet ever-rising student demand for courses in environmental justice and environmental health, ELC faculty are offering [three new courses in 2022](#). This fall, 83 students enrolled in these electives in Environmental Justice and Health Equity; Environmental Justice and Advocacy in California; and Environmental Health Law Through Film. (Left: Senator Connie Leyva, author of many equity-focused bills in the California legislature, spoke with students in

one of Supervising Attorney Sabrina Ashjian's new environmental justice courses.)

Clinical Program releases 2021-2022 annual report



More than 300 students enrolled in clinics last year and took advantage of the unparalleled opportunities to use the conservative institution of the law in radical and innovative ways. Take a look at [the Clinical Program's annual report](#) to learn more about how clinics stand with threatened individuals and communities in pursuit of transformative justice.

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