



Seattle
City Attorney's Office

Peter S. Holmes, City Attorney

May 10, 2018

Jenny A. Durkan, Mayor
Seattle City Hall, 7th Floor
Seattle WA 98104

Bruce A. Harrell, Council President
Seattle City Hall, 2nd Floor
Seattle WA 98104

Subject: Climate Change

Dear Mayor Durkan and Council President Harrell:

Like you, I believe that climate change poses a very real, existential threat to our planet. We are all inspired by New York's and San Francisco's legal actions against fossil fuel companies for their contributions to climate change-related damages to their respective cities, and you no doubt know about Martin Luther King, Jr. County's very recent decision to seek similar relief. I am writing today to inform you of the measures my office has undertaken to identify the impacts of climate change on the City of Seattle and available legal avenues for seeking redress.

For the past two years, attorneys in my office have been studying the development of climate science through a legal lens. We have met with scientists who are especially knowledgeable about the changes occurring in the Pacific Northwest. We have also tracked the progress of lawsuits filed by state and local governments, conferring with many attorneys representing these other jurisdictions. Simultaneously, we have been conferring with City staff who work on climate-related issues to better understand climate impacts unique to Seattle.

The fossil fuel industry obviously commands enormous resources, and my office requires outside legal counsel to take on another such major case. I consequently considered proposals from several law firms nationwide to represent the City on a modified contingent fee basis. We recently engaged Keller Rohrback LLP, a Seattle-based law firm, and have negotiated an agreement in which they will only be paid attorneys' fees if they successfully secure a settlement or victory in the courtroom. Assistant City Attorney Laura Wishik, Director of our Environmental Protection Section, is Keller Rohrback's key point-of-contact for my office. (Laura already oversees the City's Monsanto litigation regarding PCB contamination, as well as the Duwamish River cleanup.)

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Keller Rohrback's initial assignment is to complete the exploration of facts specific to Seattle, including what scientists know about the impact of climate change in our region, and the City's available legal options. We are proceeding expeditiously but also with awareness that engaging in major litigation of this kind requires significant professional attention and commitment from our office and other Departments throughout the City.

I have consulted with Mayor Durkan and several Councilmembers and all are fully supportive of this process. I'm happy to discuss any details with your further, and I will keep you apprised as our climate change project moves forward. Thank you for your support and encouragement in service to the City of Seattle.

Very truly yours,



PETER S. HOLMES
Seattle City Attorney

cc: Councilmember Sally Bagshaw
Councilmember M. Lorena González
Councilmember Lisa Herbold
Councilmember Rob Johnson
Councilmember Debora Juarez
Councilmember Teresa Mosqueda
Councilmember Mike O'Brien
Councilmember Kshama Sawant