Holland & Hart



PRACTICES

Environmental Litigation
Appellate
Federal Lands Permitting
Environmental

INDUSTRIES

Mining
Energy and Resources
Oil and Gas

EDUCATION

University of Notre Dame Law School, J.D., 2011
summa cum laude
Notre Dame Law Review, Executive Editor

University of Kansas, B.G.S., 2008
Highest Distinction, Honors Program

BAR ADMISSIONS

District of Columbia

COURT ADMISSIONS

U.S. Supreme Court
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the District of Columbia
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit

Amelia Yowell

Of Counsel

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Amelia translates complicated scientific and regulatory issues into compelling legal arguments to help clients navigate federal laws and regulations before, during, and after litigation.

An experienced regulatory litigator, Amelia crafts creative legal strategies that avoid common pitfalls and appeal to generalist judges. She has handled appeals in eight of the thirteen U.S. Courts of Appeals, with deep experience in the Ninth and D.C. Circuits. Amelia has also represented clients at the trial level, providing assistance on critical motions and joining trial teams as embedded appellate counsel. She is adept at sifting through dense administrative records to find the best arguments for potential litigation with an eye toward winning on appeal.

As a former appellate attorney in the Department of Justice's Environment and Natural Resources Division, Amelia understands how federal agencies work and has first-hand knowledge of agency policies, procedures, and thinking.

Amelia also brings unique insight into government litigation from both sides of the courtroom. She has extensive experience defending federal agency approvals for development projects—including mining operations, oil and gas development, and electricity infrastructure—while working closely with industry intervenors. She's also successfully handled cases where the government opposed intervention, giving her valuable perspective on effective intervention strategies for clients.

Amelia is well-versed in the Administrative Procedure Act, National Environmental Policy Act, Endangered Species Act, and the Mining Law of 1872. She has handled appeals for numerous federal agencies and their sub-agencies, including the Departments of Interior, Agriculture, and Commerce. With this subject-matter expertise, Amelia anticipates potential vulnerabilities early on and develops successful strategies throughout a project's lifecycle.

Before joining the DOJ, Amelia practiced as an appellate associate at an AmLaw 50 law firm. She also served as a judicial law clerk to Judge Mary H. Murguia of the U.S. Court of Appeals for the Ninth Circuit and to Judge Julia Smith Gibbons of the U.S. Court of Appeals for the Sixth Circuit.

EXPERIENCE

Environmental & Natural Resources Litigation and Appeals

- Administrative Procedure Act (APA)

- Clean Water Act (CWA)
- National Environmental Policy Act (NEPA)
- Federal Land Policy and Management Act (FLPMA)
- Mineral Leasing Act
- Mining Law of 1872
- Endangered Species Act

Appellate Strategy & Advocacy

- Lead attorney for the government in dozens of cases before the federal courts of appeals, including presenting ten oral arguments;
- Developed litigation strategies for appeals of agency decisions;
- Provided strategic counsel to the Office of the Solicitor General on whether to appeal adverse decisions;
- Advised on intervention strategies and procedural issues
- Briefed critical dispositive motions in trial court and served as embedded appellate counsel at trial.

Regulatory & Administrative Law

- Administrative record development and review
- Defense of federal approvals for energy and resource projects
- Strategic guidance on regulatory compliance
- Litigation risk assessment for agency decisions
- Challenges to agency decisions and rulemakings

CLIENT RESULTS

Mining

Center for Biological Diversity v. U.S. Fish & Wildlife Serv., 33 F.4th 1202 (9th Cir. 2022)
Submitted brief and presented argument as lead government counsel in this case presenting issues of first impression under the Mining Law. The resulting decision changed the way federal agencies evaluate and approve proposed waste rock and tailings facilities.

Western Watersheds Project v. McCullough, 2023 WL 4557742 (9th Cir. July 17, 2023)
Submitted brief and presented argument as lead government counsel in case challenging the Bureau of Land Management's approval of a large lithium mine under the Administrative Procedure Act, the National Environmental Policy Act, the Mining Law, the Federal Land Policy and Management Act, and the National Historic Preservation Act. Successfully defended against a motion for preliminary injunction pending appeal and obtained favorable decision on all issues on appeal.

Earthworks v. Department of the Interior, 105 F.4th 449 (D.C. Cir. 2024)
Submitted brief as lead government counsel in case challenging a Department of the Interior rulemaking regarding the location of mill sites

under the Mining Law. Obtained favorable decision on appeal upholding the mill site rule under the Administrative Procedure Act, the Mining Law, and the National Environmental Policy Act. In the decision, the Court reached an issue of first impression, holding that the agency's rule was consistent with the plain language of the Mining Law.

Other Project Approvals and Agency Permits

Native Village of Nuiqsut v. Bureau of Land Management, 9 F.4th 1201 (9th Cir. 2021)
Submitted brief and presented argument as lead government counsel in case challenging the Bureau of Land Management's approval of winter drilling exploration activities in the National Petroleum Reserve-Alaska. Plaintiffs challenged the agency approval under the Administrative Procedure Act, the National Environmental Policy Act, and the Alaska National Interest Lands Conservation Act. Obtained favorable decision dismissing appeal as moot based on later agency actions and factual developments.

Sierra Club v. U.S. Army Corps of Engineers, 997 F.3d 395 (1st Cir. 2021)
Submitted opposition to motion for injunction pending appeal as government counsel in case challenging the U.S. Army Corps of Engineers approval of an electric transmission power corridor under the National Environmental Policy Act, the Clean Water Act, and the River and Harbors Act. Also reviewed government brief in merits appeal. The Court issued a favorable decision.

Environmental Protection Information Center v. Van Atta, 2025 WL 470894 (9th Cir. 2025)
Submitted brief and presented argument as lead government counsel in case challenging the National Marine Fisheries Service's issuance of safe harbor agreements and enhancement of survival permits under the Endangered Species Act to landowners in the Shasta River valley. Obtained favorable decision dismissing environmental organization's appeal for lack of appellate jurisdiction.

General Intervention Issues

Center for Biological Diversity v. Bureau of Land Management, 69 F.4th 588 (9th Cir. 2023)
Submitted brief and presented argument as lead government counsel in support of affirming the district court's denial of a motion to intervene in a lawsuit against the Bureau of Land Management challenging the grant of two rights-of-way. Obtained favorable decision dismissing proposed intervenors' appeal as moot.

Yankton Sioux Tribe v. Bernhardt, D.C. Cir. No. 19-5099
Submitted brief and presented argument as lead government counsel in support of affirming the district court's denial of a motion to intervene. After argument, the Court dismissed the case as moot based on later developments.

PUBLICATIONS

"ESA "Harm" Rescission: Implications Far Beyond Habitat," *Wildlife and Protected-Species Update*, July 13, 2026

"Roadless Rule Revocation: Lost in the Wilderness?," *40 Natural Resources & Environment 3*, Winter 2026