



Daily Climate News and Analysis

# After Filing \$19 Billion of Lawsuits, Activist Leaders Take a Whirlwind Tour of the Gulf

*by Jacoba Charles - Aug 19th, 2010*

NEW ORLEANS, LA. -- Executive Director of the Center for Biological Diversity, Kieran Suckling, is on his cell phone as he steers a rental car through downtown New Orleans. Beside him, the Center's assistant director Sarah Bergman gives directions while working on a laptop and sending email from her cell.

Since the Deepwater Horizon oil rig exploded on April 20, the controversial environmental organization has filed seven lawsuits worth \$19 billion against BP and Secretary of the Interior Ken Salazar. Yet this is the first trip its busy directors have made to the place that they have been fighting to protect.

On the second day of Suckling and Bergman's whirlwind tour of Louisiana, the White House Council on Environmental Quality released a long-awaited report which recommended ending the use of "categorical exclusions" to approve oil drilling in the gulf. Between that news, and an unrelated controversy involving off-road vehicle use in California, Suckling's phone is even busier than usual as reporters call him for his reliably colorful quotes, and staff call to craft press releases.

He is on the phone as Bergman drives them south through a bayou forest dripping with Spanish moss.

During lunch at a roadside diner in Larose, he is outside talking to a reporter from the New York Times while his grilled cheese sandwich (with jalapeño and tomato) gets cold on the table. And on the still-oiled beaches of Grand Isle, he strips off one blue glove to answer his phone while wading in the rainbow sheen of the surf.



## Muckraking and Litigation

Most of the calls are from, or about, the media. The Center for Biological Diversity, which is based in Tucson, Arizona, has advocated for environmental change through a combination of muckraking and litigation for over 20 years. Their projects have ranged from preserving owl habitat to restricting pesticide use.

As the scope of the Deepwater Horizon disaster became evident, the Center was quick to take action.

“As soon as we realized it was going to be as bad as it was we’ve been working on it super intensively,” Suckling says. “I’d say 80 percent of my time has been spent on the Gulf since the explosion.”

The Center was instrumental in unveiling the federal Minerals Management Service’s cozy relationship with the offshore oil industry, which led to the dismantling of the agency.

But the organization’s main focus has been on lawsuits to hold BP and the government accountable for violations of the clean water act, the endangered species act, and other rules and regulations.

The Center’s litigation includes a suit to make BP and the Environmental Protection Agency reveal the chemical content of the dispersants, and another to stop 49 drilling projects that had been granted “categorical exemptions” from environmental review. A third suit seeks \$19 billion in compensation from BP for violations of the Clean Water Act.

Bergman says that they are concerned that the Federal Government hasn’t signed on as a co-plaintiff in the Clean Water Act violation lawsuit.

“We expected them to join the suit within the first few days, but they haven’t,” Suckling adds. “So we don’t really know what is going to happen.”

## **A Whirlwind Tour**

Even while Suckling and Bergman multitask, they are working to absorb as much of the environmental situation in Louisiana as they can. In keeping with the Center’s mission, their three-day trip is designed to assess not only the oil damage but also the overall diversity of the bayou ecosystem.

“We have a direct relationship with a lot of the issues we work on,” Suckling says. “But here I think we were missing that experience and connection. We’ve put our heart and soul into the work, but we hadn’t

seen the place for ourselves.”

The pair starts the day off with a tour of the storm surge barrier that is being built eight miles east of New Orleans. The barrier is a massive wall, two miles long, standing 26 feet high and built from enough steel to make eight Eiffel Towers.

“There isn’t anything like it in the world,” says Vic Zillmer, resident manager of the Army Corps of Engineers project. “The entire system acts like a safety valve.”

In the early afternoon, Bergman points the rental car south toward Grand Isle, one of the areas hardest hit by the oil spill. They stop by the raised, shingled trailer that houses offices of Dean Blanchard Seafoods. The company was one of the largest shrimp wholesalers in the state before the spill. Now business has come to a near-complete halt, with seven employees where there usually are 90.

Dean Blanchard, the owner, is critical of the response to the oil spill – and supportive of the Center’s lawsuits.

“We’ve got different standards for different classes of people in this country,” says Blanchard, lighting a cigarette and leaning back in his leather office chair. “They are too big to fail and too big for somebody to make them do the right thing, it looks like.”

The last stop of the day is the Grand Island State Park, where remnants of the oil that poured into the gulf for 88 days still linger on the shores. Suckling and Bergman put on blue rubber gloves to touch the tarry globs that ooze up from beneath the sand.

“It’s been almost 5 months this week and we’re getting all these reports that the oil is gone,” Bergman says. “Being down here, you can see it’s not gone. You touch the beach and it starts bubbling up.”

“I’m going to remember this pile of oil soaked mud in my hand, and it is what is will keep us going,” Suckling adds. “The \$19 billion we are seeking is to clean this up.”

*Jacoba Charles is on assignment for SolveClimate, reporting from Texas to Florida on the people living on the edge of the Gulf disaster.*