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BP Spill Fine May Undercount Dead Turtles, Dolphins, Group Says

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Editors: Fred Strasser, Peter Blumberg

April 12 (Bloomberg) -- BP Plc's oil spill in the Gulf of Mexico killed or sickened as many as 200 times the number of animals estimated by the government, an undercount that could limit the company's spill-related fines, an advocacy group said.

The Center for Biological Diversity, an environmental group based in Tucson, Arizona, said in a study released today it found five times as many sea turtles, 10 times as many birds and 200 times more marine mammals were injured or died than official estimates. BP faces civil penalties based, in part, on the number of wildlife and fish killed or harmed by more than 4.1 million barrels of crude that poured into the Gulf last year.

The government's counts haven't been updated to reflect the dozens of bird, turtle and dolphin carcasses that are washing ashore this spring. Tierra Curry, a biologist with the center, said in today's report. The group added those casualties to the official tallies, then multiplied those numbers "by accepted scientific multiplication factors" to reach what it calls the "true mortality counts," she said.

"The numbers of animals injured by the Gulf oil spill are staggering," Curry said. "The government's official count represents a small fraction of the total animals harmed by this disastrous spill."

U.S. tallies released in mid-February counted wildlife harmed by the spill to include 1,146 sea

turtles, 8,209 birds, and 128 dolphins and whales Curry said, citing government data.

By the center's estimate, the spill caused harm or death to about 6,165 sea turtles, 82,000 birds of 102 species and as many as 25,900 marine mammals, including four species of dolphins and whales.

Separate Studies

Scientists working for environmental groups and government agencies have been conducting separate studies to estimate the spill's impact on Gulf wildlife, including fish and shrimp populations. The studies rely on multipliers, as scientists say exact counts of killed or sickened animals are impossible, given that the majority of carcasses sink into the ocean, rot unseen in marsh grasses or are consumed after death by predators, according to Curry.

The center has filed a citizen's suit against London-based BP for Clean Water Act violations. It has also sued the Interior Department over offshore drilling policies' impact on wildlife. Both lawsuits are pending along with hundreds of cases against BP and other companies involved in the oil spill, which are consolidated in New Orleans federal court.

Kendra Barkoff, an Interior Department spokeswoman, and Justice Department spokesman Wyn Hornbuckle immediately responded to requests for comment on the advocacy group's tallies. BP spokesmen Daren Beaudou had no immediate comment.