

Kivalina - Preparing for the Storm

Posted by Steve Berman on Oct. 9, 2008

In Noah's day, one gigantic flood destroyed the world. He was warned that a debilitating storm was coming and heeded that warning. He spent one hundred years gathering the resources necessary to build an ark to save his family and the animal kingdom.

Unfortunately, a small Arctic village of Inupiat Eskimos does not have a hundred years to save themselves. On a daily basis, these Native American villagers watch as the edge of their village erodes into the sea.

After years of greenhouse gas emissions and fossil fuel production, the small barrier island on the Chukchi Sea, home to 400 Native Americans and years of cultural traditions, is just one big storm away from total annihilation.

We believe global warming caused this tragedy. Compounded drastically by large fossil fuel interests in the United States - electric utilities, oil companies as well as the nation's largest coal company - we think that this potential doomsday was avoidable for many more years.

On behalf of the city and village of Kivalina, we filed a lawsuit to cover the cost of relocation. For this entire village to relocate the U.S. Army Corps of Engineers estimates total costs between \$95 and \$400 million - a price tag these people cannot afford.

While the defendants, some of the main contributors to global warming in the area, filed a motion to dismiss the case, we consider the suit to be of tremendous merit. Earlier this week, as a response to the defendants' motions to dismiss, we filed a consolidated opposition on behalf of Kivalina and its residents.

Regrettably, as we allege in the lawsuit, much of the global warming in the area correlates directly to the massive emissions of greenhouse gases from fossil fuels. We believe that the harmful emissions have knocked the natural carbon cycle of plants and animals out of balance and caused the Earth to heat up.

What's worse is that many of these companies knew what was happening, but instead of changing practices, these companies continued down a hazardous path.

As with most environmental cases, this is an example of a classic public nuisance. Companies like Chevron and Edison International have caused indivisible injury to property and natural resources in Kivalina.

Short of building a massive ark to rescue Kivalina's residents, we at HBSS, are doing our best to ensure the residents of Kivalina receive the help and resources they need.

As the case progresses, we'll make updates to the case page and this blog. You can visit www.hbsslaw.com/Kivalina for more information.