



REGIONAL SPOTLIGHT

THE GULF

The Gulf is a sun-drenched oasis, full of vibrant communities and precious biodiversity. Its waters, the lifeblood of the region, teem with giant tuna, blue marlins, and other fish that have sustained the local economy for generations. But America’s third coast is also choked with oil and toxic pollution. Crude oil refineries and petrochemical plants spew deadly emissions into residents’ backyards. Rivers grow more polluted, and shores are eroded by giant oil export tankers.

As the fossil fuel industry targets the Gulf to build a new generation of polluting infrastructure that will increase carbon emissions, communities are fighting a David-and-Goliath battle – and we are fighting alongside them. Building on a history of partnership in the Gulf, in 2022 Earthjustice opened its 15th regional office in Houston, Texas, the self-proclaimed “energy capital of the country.” Led by managing attorney Jen Powis, the newest Earthjustice office works with community partners to curb pollution, end fossil fuel expansion, protect the region’s

OFFICE AT A GLANCE**Location:** Houston, Texas**Founded:** 2022**Managing Attorney:** Jen Powis**Total staff:** 5**Attorneys:** 4**Regional focus:** Louisiana, Mississippi, Texas**Signature work:** Partner with communities to stem pollution

End fossil fuel expansion

Protect the region’s precious places and wildlife

Spur the shift to an equitable, just clean energy future

precious places and wildlife, spur the transition to clean energy, and drive climate solutions that work for everyone.

Earthjustice is present as no other big green is in the region.

The futures in play in the Gulf demand that we be here now, in full force: whether the fossil fuel industry succeeds at their energy takeover could influence the fate of the entire planet. Earthjustice is present as no other big green is in the region. In solidarity with our partners, we are taking on entrenched bad actors that, for too long, have treated Gulf communities as [sacrifice zones](#). The challenges here are huge in scale and significance, and we need all hands at this pivotal moment. Thank you for being here now.

Stemming Pollution, Supporting Communities

Though the consequences of a fossil fuel buildout in the Gulf will be global, the people fighting it are mostly local residents. These communities face the harshest impacts from sea level rise, intensified hurricanes, toxic air pollution, and oil spills. New fossil fuel projects layer a new injustice on top of an old one. Many Black communities located near industrial sites in the Gulf are descendants of formerly enslaved people who stayed in the area after emancipation. Additionally, early redlining practices by the federal government and co-signed by the banking and petrochemical industries restricted Black and Brown homeownership to areas zoned for industrial use.

But locals aren't giving up the Gulf without a fight. We're working with communities to oppose any projects that threaten their health and livelihood. In addition to fossil fuels, we're addressing the region's industrial pollution broadly. Chemical recycling burns plastics into the air. Aluminum

production coats nearby neighborhoods in toxic red dust. False climate solutions like blue hydrogen production and carbon capture and storage require harmful facility sprawl that poisons the land and the communities that rely on it. We're fighting these projects and pushing back on the notion that production of goods and power requires compromising people and the planet.

As a key tactic, our attorneys fight new proposals by going for the root: the permits for key projects that can cause similar projects to be delayed or stopped. Relying on our advocacy, litigation, and communications expertise, we're forcing

Victories Spotlight

With your support, Earthjustice has:

- Forced Tallgrass Energy to abandon a gargantuan project to export fracked oil in Plaquemines Parish, Louisiana
- Scored massive wins to block a petrochemical buildout in St. James Parish, Louisiana
- Pressured the U.S. Army Corps of Engineers to withdraw approval to dredge the Matagorda Bay shipping channel in Texas

Key Fights on the Horizon

Now we have our sights set on:

- Protecting community health and civil rights history from the threat of a port expansion in Gulfport, Mississippi
- Protecting people in and along "Cancer Alley" from the highest mercury emitter in America
- Ensuring natural green infrastructure, like our coastal and inland wetlands, are preserved through any means
- Protecting the golden cheeked warbler from development and safeguarding its Texas Hill Country home, one of the most biologically diverse regions in the country



John Beard, Robert Taylor, Sharon Lavigne, and Harry Joseph, left to right, speak to fellow activists from “Cancer Alley” to urge President Biden to declare a state of emergency in St. James Parrish, Louisiana, during a protest outside the White House on Tuesday, October 25, 2022, in Washington. The procession of activists carried photographs of community members who died because of the toxic impact of fossil fuels. Kevin Wolf / AP Images for Fossil Free Media

companies to account for their own waste and internalize the cost of their pollution.

Beyond providing legal representation, Earthjustice aids Gulf communities on the ground by doing extensive legal and scientific research to back our claims. This research can be difficult for local advocates who are juggling grassroots activism while living under the cascading effects of industrial pollution themselves. Our support helps create space for communities to build power. While we focus on long-haul legal strategy, our partners can more effectively lead the intertwining movements for climate action, environmental justice, and biodiversity protection.

Across Louisiana, Mississippi, and Texas, we’re privileged to partner with powerful environmental justice leaders to reduce emissions and shield communities from toxic pollution. We’re

advocating for substantive environmental justice reviews in all state permitting decisions, which require public participation and cumulative impacts analysis to examine the effect of multiple environmental stressors. And we’re working with these same groups to protect the unique ecosystems of this dynamic region, such as the iconic swamps and sprawling prairie flatlands. Together, we’re ensuring that we work holistically in protecting people and the planet, and leaving racist policies in the past.

Louisiana. When Sharon Lavigne was growing up in St. James Parish, Louisiana, her family lived off the land. There were fig and pecan trees, vegetables that flourished in the rich, dark soil, and fish that practically jumped out of the Mississippi River flowing just feet away from her home. Now, all of that is disappearing.

“We are boxed in from all sides by petrochemical plants, tank farms, and noisy railroad tracks,” says Lavigne, who lives on her grandparents’ land in the small, close-knit community of Welcome, Louisiana, which is part of St. James Parish’s historically Black Fifth District. Lavigne and her neighbors are fighting what many believe to be the largest proposed industrial facility yet.

Beginning in the 1980s, the massive influx of polluting industries ushered in a wave of severe health problems for residents of St. James Parish’s Fifth District, a hamlet of predominantly African-American communities that dot the west bank of the Mississippi River, where sugarcane plantations once stood. The area, still home to some 20,000 people, became known as part of “Cancer Alley” – an 85-mile stretch along the Mississippi River known for having a high concentration of industrial plants and high rates of cancer among local residents.

“We’re not going to dwell on what we can’t do — we’re going to dwell on what we can do.”

Sharon Lavigne,
director of RISE St. James

Lavigne founded [RISE St. James](#), a local community organization, to stop the \$9.4 billion petrochemical complex proposed by Taiwanese company Formosa Petrochemical Corporation. Dubbed the “Sunshine Project,” the plant would have included 14 facilities that would emit more than 13 million tons of air pollution each year, according to Formosa Plastic’s air permit application. That’s as much as 2.8 million passenger cars. The plant would process ethane from fracked gas and turn it into various chemicals used to create everything from throwaway plastics to drainage pipes and antifreeze.

After we and RISE St. James challenged the project, a Louisiana court vacated air permits for Formosa Plastics’ massive petrochemical complex in September 2022.

This was a crucial victory for the community and for our planet, but Formosa Plastic’s proposed behemoth was a harbinger of more to come from an oil and gas industry pivoting away from energy production and toward a renaissance of plastics and toxic chemicals. This is just one of the reasons we prioritized opening our latest regional office in the Gulf: to not only sustain efforts like this, but to engage even further in supporting these clients who are taking on the largest, most entrenched industries in our country.

“We plan to continue doing marches and writing letters. We plan to go to the governor’s mansion,” Lavigne says. “We’re not going to dwell on what we can’t do – we’re going to dwell on what we can do.” This is just the start of a growing effort to stop the petrochemical industry’s threat to the health of local communities and the future of our planet.

Mississippi. In the predominantly Black community of North Gulfport, Mississippi, we’re partnering with Ruth Story and Katherine Eglund, co-founders of the [Education, Economics, Environmental, Climate, and Health Organization \(EEEECHO\)](#). The two leaders have been outspoken advocates for the community for decades. They fought an aging Gulfport coal plant, cited as failing in the NAACP’s “Coal Blooded” report, and stopped a port connector road that posed environmental hazards to historically Black neighborhoods. Survivors of Hurricane Katrina, both Story and Eglund were instrumental in the restoration efforts in its aftermath. They also endured the BP Deepwater Horizon Gulf Oil Spill in 2010, which contaminated the Mississippi Gulf Coast just blocks from their homes.

We’re representing EEECHO and the North Gulfport Community Land Trust in partnership



Demonstrators, under arrest, walk off the beach at Biloxi, Mississippi, after staging a wade-in to desegregate the Gulf Coast beach on June 23, 1963. The group was led by Dr. Gilbert Mason, center foreground, and minister Rev. R.G. Gallagher, third in line. *Jim Bourdier / AP*

with the ACLU of Mississippi to require the state to conduct environmental justice reviews in permitting facilities that impact water quality. The Port of Gulfport's expansion plans, for instance, cut across North Gulfport, and because the expansion would occur on an existing contaminated site, the project threatens to further pollute the community's groundwater and surface water with lead and arsenic.

North Gulfport is just up the road from the birthplace of the Biloxi wade-ins: civil rights protests held by local Black Americans, including North Gulfport residents, on the beaches of Biloxi, Mississippi between 1959 and 1963. The demonstrations to desegregate beaches on the Mississippi Gulf Coast were the first major civil rights campaign in the state. Expansion of the port could obliterate this history, yet another instance of Black Americans' exclusion and excision from documented history, which has spanned

centuries with terrible consequences. In the face of such erasure, it's critical that we protect this community's deep civil rights roots.

Texas. In December 2019, fourth-generation shrimper and executive director of [San Antonio Estuarine Bay Waterkeeper](#) Diane Wilson won a landmark case against Formosa Plastics for the illegal dumping of toxic waste on Texas' Gulf Coast. The \$50 million settlement is the largest award in a citizen suit against an industrial polluter in the history of the Clean Water Act.

Texas is the nation's largest chemical-producing state, with most industry located on the state's Gulf Coast. We're partnering with Wilson to continue protecting the region and its people.

In May 2022, Earthjustice represented San Antonio Bay Estuarine Waterkeeper, Earthworks, Environmental Integrity Project, Turtle Island



Diane Wilson, Executive Director of San Antonio Estuarine Bay Waterkeeper and winner of the 2023 Goldman Environmental Prize. *Goldman Environmental Prize*

Restoration Project, and Texas Campaign for the Environment in filing a lawsuit against the U.S. Army Corps of Engineers over its proposal to dredge the Matagorda Bay shipping channel. The 27-mile-long dredging project would stir up toxic mercury and imperil the livelihoods of those working in the fishing, oyster, and shrimp businesses. It would also enable greater exports of fossil fuels by allowing massive oil tankers expedited passage through the Gulf of Mexico.

As a result of our efforts and in a huge win for people, marine ecosystems, and our climate, the U.S. Army Corps of Engineers withdrew approval to dredge the channel and committed to an extensive additional environmental review, including a full supplemental environmental impact statement.

“Our fishing community will not stand by and let this toxic dredging project upend decades of hard

work to bury industrial waste dumped in the bay,” said Wilson. “We’re celebrating today but we know the fight isn’t over to protect our health and livelihoods from dirty fossil fuel companies trying to make a profit.”

Let Nature Work

We know that the extraction and consumption of fossil fuels are destabilizing the earth’s climate patterns. But our reliance on oil and gas is also a major contributor to a second crisis we are facing: the biodiversity crisis, in which the web of species and ecosystems that anchor all life on Earth, including us, is collapsing.

While habitat destruction from agriculture, residential sprawl, and other sources is currently the largest driver of biodiversity loss, scientists predict that climate change will soon become the biggest threat to biodiversity. The two crises



The golden cheeked warbler in Austin, Texas. Sergio Flores for Earthjustice

are interlinked: the destruction of ecosystems also reduces the planet's natural defenses for withstanding climate impacts. The biodiversity crisis calls for a comprehensive strategy that can work alongside efforts to tackle climate change.

It is no surprise that recent research identifies Texas and the middle Gulf as landscapes that must be preserved. This region is home to biodiversity hotspots, including the corals of Flower Garden Banks National Marine Sanctuary and the cypress-tupelo swamps in the Atchafalaya Basin.

But at every stage of their lifecycle, fossil fuels directly contribute to biodiversity loss by causing pollution, planet-warming carbon emissions, and the destruction of critical habitats. Working closely with our partners and collaborating with teams across Earthjustice, our Gulf office is dedicated to protecting the region's most critical ecosystems and imperiled species.

Wetlands. The loss of coastal and inland wetlands throughout the Gulf is well documented, yet the Gulf is incredibly important for migratory birds, with each of the four major flyways in North America touching the Gulf Coast states. In partnership with our expert teams of lawyers in Oceans, Biodiversity Defense, and others in our Clean Water practice group, we're working to combat the loss of these wetlands and preserve our natural coastline throughout the Gulf. For example, the state of Louisiana's proposal known as the East Grand Lake project would fill high quality wetlands area with sediment in order to create land for development. This project is currently awaiting a Clean Water Act 404 wetland fill permit and our attorneys are engaged in the administrative advocacy process to stop them from getting it.

Rising Tides Along the Coast. We're also engaged with [Bayou City Waterkeeper](#) and a coalition of Texas-based nonprofits advocating for



A Kemp's Ridley hatchling on Padre Island National Seashore in Texas. Terry Ross / CC BY-SA 2.0

cost-effective and natural solutions to rising tides and stronger storms along the Gulf Coast. One proposed project known as the Ike Dike seeks to build a gate across the ocean floor, altering currents, obliterating estuaries, and providing minimal protection to people. Our attorneys are working closely with this coalition to ensure that any proposed project protects the community and nature. As just one example, the current project will be detrimental to sea turtles and piping plovers, two iconic – and endangered – species of the Gulf. Earthjustice is working with the [Turtle Island Restoration Network](#) to protect loggerhead and Kemp's Ridley sea turtles along the Texas Gulf Coast by combating the proposed impacts on these turtles from this and other projects.

Protecting Biodiversity from Offshore

Drilling. In 2021, scientists confirmed the discovery of a new subspecies of whale: the Gulf of Mexico whale, also known as Rice's whale. Exciting as the news was, scientists also concluded

it's one of the world's most endangered whales, with likely fewer than 50 individuals remaining. Unlike other large whales, the Gulf of Mexico whale stays within the northeastern Gulf year-round. The species is now confined to the only area of the Gulf that has an oil drilling moratorium – just a sliver of their historic range, which spanned the broader Gulf that's now riddled with oil and gas infrastructure.

Every aspect of offshore oil drilling is harmful to whales. Take seismic blasting: ships constantly blast air guns in the Gulf of Mexico to search for oil and gas pockets in the sea floor. The sound waves travel hundreds of miles, assaulting whales who rely on echolocation to communicate, locate food, and mate.

Then there's oil pollution. Thousands of oil leaks pollute the Gulf each year. Oil causes pneumonia, immune dysfunction, and reproductive issues in marine animals. BP's Deepwater Horizon oil spill



Sunrise over Olney Pond at the Brazoria National Wildlife Refuge on the Texas Gulf Coast. *Rebecca L. Latson / Getty Images*

in 2010 was particularly disastrous, killing one-fifth of the whales' entire population. After BP's oil spill, the government published a deeply flawed assessment of offshore oil and gas drilling that left the Gulf of Mexico whale and other species at risk. Earthjustice is challenging that assessment in court and has separately urged the government to protect the whales from seismic air guns. We are also going after the source: offshore oil leasing in the Gulf. In 2021, Earthjustice represented conservation groups in a successful lawsuit against the Biden administration to stop the sale of 80 million acres in the Gulf of Mexico to oil and gas companies. We will never stop advocating for the Gulf's threatened and endangered species, no matter the forum.

Thank You

The struggles for climate stability and environmental justice depend on our success in the Gulf. We cannot achieve either without contending with this region and its legacy of environmental degradation and racism. For decades, industry has sold a false narrative that to have jobs, we must destroy our home. But there are ways to power our country without destruction, and across the Gulf Coast, people are saying "no more" to industry's license to pollute without consequence, and to destroy land without mitigation. With your support and trust, we are honored to partner with communities throughout the Gulf to protect people and planet alike. Thank you for joining us as we take on the highest-stake fights in the Gulf and beyond.