

Checks & Balances

The dedicated litigators of SELC make sure Mother Nature isn't ignored

BY JON YARIAN • PHOTOGRAPHS BY REESE MOORE

“The common misconception about environmental lawyers,” says Blan Holman from his Broad Street office, “is that they are anti-everything. It simply isn't true.” Holman and his colleagues, Chris DeScherer and Lisa Saltzburg, are the Charleston-based attor-



Mapping It Out: An SELC map of rail lines on the Charleston Neck demonstrates how increasing rail use to transport shipping containers at the port could decrease diesel pollution and energy use, while making road travel safer and faster.

The Defense: From left: Chris DeScherer, Lisa Saltzburg, and Blan Holman of the Southern Environmental Law Center, a legal advocacy organization that opened a Charleston office in 2007.

neys with the Southern Environmental Law Center (SELC), a legal advocacy organization dedicated to conservation and sustainability issues throughout the Southeast. While Holman and his colleagues aren't “anti-everything,” they have made headlines with their public opposition to such hot-button local issues as the proposed continuance of the Mark Clark Expressway through John's Island, plans for an expansion of the shipping terminal at the Port of

Charleston, and offshore drilling on the Carolina coast.

Since opening a Charleston office in the summer of 2007, SELC has become a central player in some of the most controversial issues facing the Lowcountry today. “It's a combination of litigation and policy,” Holman explains. “We work with clients, regulators, and lawmakers considering new developments or initiatives to see that environmental concerns are adequately



Port O' Law: SELC opposes the 300-acre expansion at the Port of Charleston, arguing that truck traffic from the project would overwhelm I-26 and increase air pollution.

addressed." Only when those concerns are not addressed, or when important regulations are not enforced, does SELC seek to effect change in court. It's an aspect of the job that Holman, DeScherer, and Saltzburg don't always relish, but they are quick to point out that lawsuits are only part of what they do.

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*—Dana Beach,
Coastal Conservation League*

"They aren't just lawyers," says Coastal Conservation League (CCL) founder and executive director Dana Beach. "They're involved in the strategic planning of our causes, and their perspective is very important to our approach." As one of the organization's most influential clients, CCL has been the driving force behind SELC's efforts to protect wetlands, fight air pollution, and

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—Blan Holman, SELC

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oppose highway expansion.

Since its inception more than 20 years ago, SELC has steadily grown in size and stature. Today, with more than 70 staff members in seven offices across the Southeast, the organization has established itself as the preeminent force in environmental defense. The results have been remarkable: a landmark 2007 Supreme Court ruling requiring Duke Energy to install emissions reducing controls on coal plants across the Southeast; a Federal court decision protecting wetlands in Georgia; and congressional legislation barring the construction of a jet fighter runway bordering the Pocosin Lakes National Wildlife Refuge in North Carolina, to name a few.

SELC is funded exclusively through the support of foundations, trusts, and individual donations. Consequently, services are



Eye on the Sky: A 2007 Supreme Court ruling ordering Duke Energy to reduce emissions from its coal plants is among SELC's recent big wins.



Making a Difference: Columbia native and UNC grad Blan Holman is one of three lawyers with the Charleston office of the SELC.

offered at no cost to clients, separating SELC from potential conflicts of interest and freeing them to pursue cases that would otherwise be neglected. Their effectiveness is the result of a dedicated team of lawyers on the ground in various Southern communities, sometimes entirely on their own. That was the situation when Chris DeScherer came to Charleston to launch SELC's first Lowcountry office on Archdale Street.

"It wasn't much of an office," the New York City transplant recalls with a laugh. Despite the lack of elbow room, DeScherer soon established a presence among local environmental groups. Within months, he was joined by Holman, a Columbia native and UNC grad well-versed in Palmetto State issues. They relocated to their present offices on Broad Street this year, and have recently been joined by Saltzburg. And considering the list of issues they face, more reinforcements may be needed.

For starters, DeScherer offers a chilling piece of trivia: If SELC's six-state region (Alabama, Georgia, North and South Carolina, Virginia, and Tennessee) were taken as a whole and compared to the rest of the world, it would rank as the seventh-largest contributor of greenhouse gases, surpassing entire nations such as France, Italy, or Spain. Such a statistic should be especially noteworthy to a population perched on the edge of a rising ocean, the inevitable effect of emission-fueled global warming.

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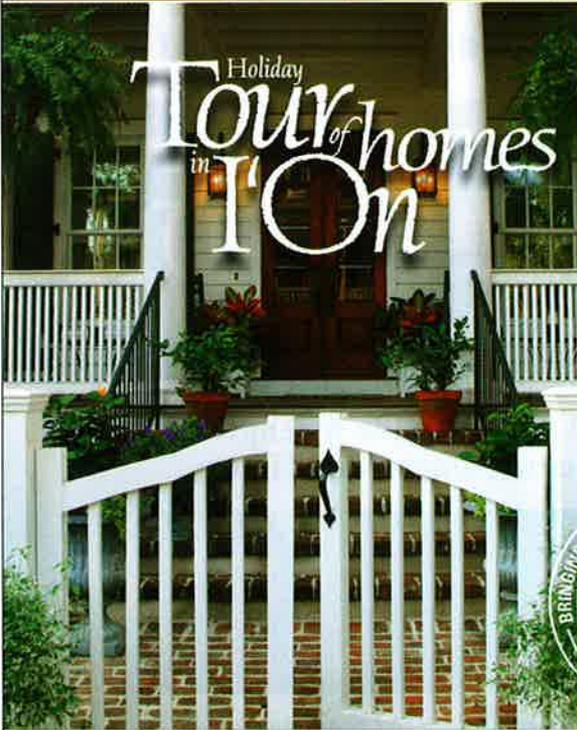
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A Shore Thing: The safety of coastal drilling is among the organization's hot-button topics.

In the case of offshore drilling, the SELC team has suddenly been forced to become experts on unintended consequences. "For most people, Federal approval seems like the end of the story, and they assume that drilling will go forward," Holman says. "But what about refineries? Where do they go? How will the fuel be transported? When you consider the range of questions involved, you see how we have to get involved."

In addition to large-scale problems, SELC is also embroiled in fierce local debates over roads, bridges, coal, wetlands, and more. Many of these issues, in Holman's opinion, come down to outmoded methods of planning and development. "We need to support economic expansion within livable communities," he says. Speaking specifically of the proposed Mark Clark expansion onto John's Island, he argues for reconsidering the 1960s model of zoning and growth that emphasizes ever-expanding access over all other quality-of-life considerations.

To opponents, Holman, DeScherer, and Saltzburg are costly roadblocks to projects that create jobs and cut down on commute time. To supporters, they're often the difference-maker in protecting what makes the Lowcountry so unique. "Much of our success as a movement is due to our ability to employ a wide range of tools," Beach concludes. "Litigation is one of them, and the SELC staff is the best at it." ©

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