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"There are no games going on," said Jane West, an environmental lawyer from St. Augustine. "It's time to put away that kind of rhetoric coming from [the governor's] office and get serious about this issue." | Getty

Climate lawsuit supporters fire back at Scott's response claiming it's 'political theater'

By **BRUCE RITCHIE** | 04/16/2018 03:22 PM EDT

TALLAHASSEE — Supporters of a lawsuit filed Monday by young people claiming the state has failed to act on climate change say the measure wasn't intended as a shot against the campaigns of Gov. Rick Scott and Agriculture Commissioner Adam Putnam.

Scott announced last week he is running as a Republican for Senate against Democratic incumbent [Bill Nelson](#). Putnam is seeking the Republican nomination for governor after Scott leaves because of term limits.

Any impact on those campaigns would be "unintended consequences," Guy M. Burns of Tampa, the lead lawyer on the case said during a press conference Monday in Tallahassee.

Still, lawsuit supporters blamed Scott, Putnam and other state officials for ignoring the threat of climate change to Florida's coast and tourism economy. The lawsuit is supported by the Oregon-based nonprofit Our Children's Trust, which is involved in similar lawsuits across the nation involving climate change.

The governor's office said in response Monday that Scott signed one of the largest environmental protection budgets in Florida's history last month.

"The governor is focused on real solutions to protect our environment — not political theater or a lawsuit orchestrated by a group based in Eugene, Ore.," spokesman McKinley Lewis said.

But supporters fired back that the governor's response fails to recognize the crisis facing Florida's environment and economy or the dedication of the eight people, ranging in ages from 10 to 20 years old, who are named as plaintiffs.

"There are no games going on," said Jane West, an environmental lawyer from St. Augustine, during the Tallahassee news conference. "This is serious. It's time to put away that kind of rhetoric coming from his office and get serious about this issue."

"We're here because we want to see the state we love continue to be there," said Oscar Psychas, 20, of Gainesville, and the only plaintiff to appear at Monday's press conference. "I hope Governor Scott cares about the same things as we do."

Our Children's Trust is involved in similar lawsuits across the nation involving climate change. A federal judge in Oregon last week set an Oct. 29 trial date in a case involving 21 young people suing the federal government.

The Florida lawsuit was filed against Scott, Putnam, Department of Environmental Protection Secretary Noah Valenstein, the Florida Public Service Commission and Cabinet members sitting as a board overseeing state lands.

The lawsuit seeks to enforce common law rights and the Florida Constitution including Article II, Section 7 establishing the policy of the state "to conserve and protect its natural resources and scenic beauty."

Talbot "Sandy" D'Alemberte, former president of Florida State University and the American Bar Association, also is involved in the case and said it has a sound legal basis rooted in the "public trust" doctrine.

"I think there is a good chance guys you will get a favorable reception with this case [in the courts]," D'Alemberte said. "It's going to shock people a little bit that the lawsuit was brought."

The lawsuit says the National Oceanic and Atmospheric Administration has predicted eight feet of sea level rise by the year 2100. With 1,200 miles of coastline, a six-foot rise in sea level in Florida would displace 6 million people and 934,411 homes would be lost — more than any other state.

Florida is a major contributor to fossil fuel combustion, emitting 227 million metric tons of carbon dioxide in 2014, the lawsuit says. If Florida were a country, it would rank 26th in the world in CO2 emissions.

The Department of Environmental Protection has been significantly downsized due to budget cuts, with the number of employees since 2011 decreasing from 3,500 to 2,900, the lawsuit says.

Scott is required to prepare and update the state's comprehensive plan to protect fisheries, beaches and coastal ecosystems. But there are no goals, policies or directives to reduce Florida's greenhouse gas pollution or pursue other climate change mitigation or adaptation strategies, the lawsuit said.

The Legislature in 2011 transferred the state's energy program from DEP to the Department of Agriculture and Consumer Services. The lawsuit says the department under

Putnam has not implemented an energy and climate program to prevent the effects of climate change.

In response to the lawsuit, department spokeswoman Jennifer Meale said, "Commissioner Putnam takes a backseat to no one in his commitment to conservation, stewardship and protecting the natural resources that make Florida, Florida."

DEP in 2011 denied a petition filed by several youth to reduce climate change, the lawsuit said. And the complaint seeking declaratory and injunctive relief adds that the department is not pursuing any programs or projects to address climate change.

Actually, the 2018-19 state budget that Scott signed in March includes \$3.6 million to assist local governments in sea level rise planning, protecting coral reefs and other projects. Experts said the funding is a drop in the bucket compared to what is needed but some said they were encouraged that Scott requested the funding.

Susan Glickman, of the Southern Alliance for Clean Energy, told reporters on Monday that the state had approved natural gas power plants and pipelines that will allow continued carbon emissions. SACE is backing the lawsuit but not providing financial support for it, Glickman said.

She said Scott's response to the lawsuit was "selfish political theater."

"We already are seeing the impacts," Glickman said. "We have known about it a long time. And we have a government and government officials who have knowingly, willfully and proactively have reversed course in many case."

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