

Headlines:

Court – Chukchi Sea drilling EIS struck down;
South Carolina – suit against cruise line dismissed;
EC – state aid to Italian company must be recovered; and
Panama Canal – record tonnage.

January 23, 2014



Bryant's Maritime News

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Court – Chukchi Sea drilling EIS struck down



Over one partial objection, the US Court of Appeals for the Ninth Circuit ruled that selection by the Bureau of Ocean Energy Management, Regulation, and Enforcement (BOEMRE) of one billion barrels of oil as the benchmark for analyzing the environmental impact of proposed leases for oil and gas development in the Chukchi Sea off the northwest coast of Alaska was arbitrary and capricious. Plaintiff local village sued the Secretary of the Interior alleging that the environmental impact statements supporting the leases violated the National Environmental Protection Act (NEPA). The court held that the impact statements properly took account of incomplete or unavailable information, but that reliance on a one billion barrel estimate of total economically recoverable oil was improper. The case was remanded for further proceedings. [Native Village of Point Hope v. Jewell](#), No. 12-35287 (9th Cir., January 22, 2014).

South Carolina – suit against cruise line dismissed



The South Carolina Supreme Court dismissed for lack of standing a suit filed by several citizen groups against a cruise line operator alleging nuisance and zoning claims and seeking an injunction. Plaintiff citizen groups alleged that defendant cruise line's use of the Union Pier Terminal near the Historic District of Charleston as the homeport of a large cruise ship created a nuisance and violated local zoning ordinances. The court ruled that plaintiffs alleged only generalized grievances suffered by the public as a whole and failed to allege any particularized harm. **Carnival Corporation v. Historic Ansonborough Neighborhood Association**, No. 27355 (South Carolina, January 22, 2014).

EC – state aid to Italian company must be recovered



The European Commission (EC) issued a **press release** stating that it has concluded that part of the support measures that Sardinia had granted to the maritime company Saremar in 2011 and 2012 was incompatible with EU state aid rules and must be recovered. (1/22/14).

Panama Canal – record tonnage



The Panama Canal Authority issued a **press release** stating that a record amount of tonnage (87.7 million PC/UMS) passed through the Canal during the first quarter of the current fiscal year. (1/22/14).

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