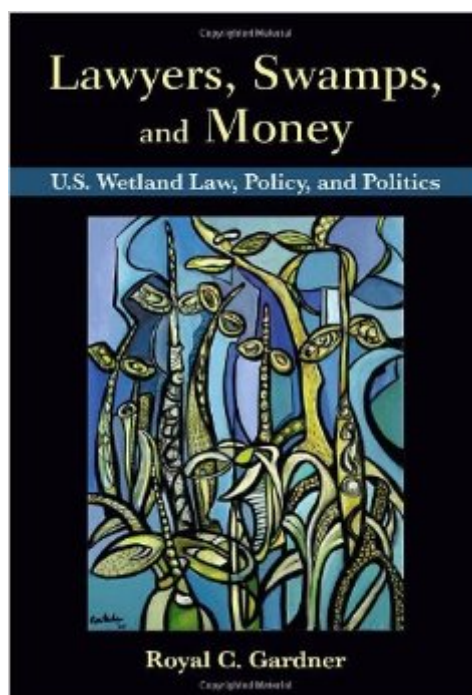


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Lawyers, Swamps, And Money: U.S. Wetland Law, Policy, And Politics



Synopsis

Lawyers, Swamps, and Money is an accessible, engaging guide to the complex set of laws governing America's wetlands. After explaining the importance of these critical natural areas, the book examines the evolution of federal law, principally the Clean Water Act, designed to protect them. Readers will first learn the basics of administrative law: how agencies receive and exercise their authority, how they actually make laws, and how stakeholders can influence their behavior through the Executive Branch, Congress, the courts, and the media. These core concepts provide a base of knowledge for successive discussions of: the geographic scope and activities covered by the Clean Water Act the curious relationship between the U.S. Army Corps of Engineers and the Environmental Protection Agency the goal of no net loss of wetlands the role of entrepreneurial wetland mitigation banking the tension between wetland mitigation bankers and in-lieu fee mitigation programs wetland regulation and private property rights. The book concludes with insightful policy recommendations to make wetlands law less ambiguous and more effective. A prominent legal scholar and wetlands expert, professor Royal C. Gardner has a rare knack for describing landmark cases and key statutes with uncommon clarity and even humor. Students of environmental law and policy and natural resource professionals will gain the thorough understanding of administrative law needed to navigate wetlands policy-and they may even enjoy it. A

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Customer Reviews

Gardner does a great job of making the arcane principles of wetlands regulation understandable. Fascinating case histories, personal stories, and cartoons enliven the text. Every nationally

important legal battle of wetlands regulation is addressed: Lucas v. South Carolina, SWANCC, etc. Major Florida legal cases are also highlighted (or at least summarized): Disney Wilderness Preserve, Pembroke Pines Mitigation, Zabel v. Tabb, Florida Rock, Old Cutler Bay, etc. (Interestingly, there is only one reference to Craig Pittman's 2010 book (Paving Paradise: Florida's Vanishing Wetlands and the Failure of No Net Loss) on wetlands regulation in Florida.) This book is explicitly aimed at the issues of wetland permitting and does an excellent job of hitting that target. I suggest, however, that the biggest threats to wetlands today are not old-fashioned "dredge-and-fill" permitting like that covered thoroughly in this new book. In 1980, Nelson Blake's book (Land into Water-Water into Land: A History of Water Management in Florida) on water management in Florida had an apt title because flood and drainage facilities continued to very actively degrade the state's water resources. However, as Gardner notes, the pace of permitted wetlands conversion has slowed significantly in recent decades. The biggest threats today fall outside the scope of traditional wetland permitting. For example, Gardner notes the major problems created by invasive species but doesn't focus on them.

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