RELEASE
January 15, 2013

FGCU Everglades scientist contributed to Supreme Court hearing on protecting wetlands

Prof. Bill Mitsch, Director of Florida Gulf Coast University’s new Everglades Wetland Research Park (EWRP) at the Naples Botanical Garden, Naples, Florida, was one of 12 wetland scientists submitting an Amicus Brief that was part of a U.S. Supreme Court hearing in Washington DC today on wetland protection. He also attended the hearing today.

The hearing on the case, entitled “Coy A. Koontz, Jr. v. St. Johns River Water Management District” was on the issue of whether Federal and Florida state laws had the right to require mitigation for wetland destruction. Koontz was arguing that this represented a “ takings” of his resources in the St. John’s watershed when the U.S. Army Corps of Engineers and the St. Johns River Water Management District denied him a Clean Water Act permit to drain wetlands because of inadequate mitigation. In the United States, an important policy is called “no net loss” whereby if someone or some organization destroys a wetland, they are usually required to compensate for that loss with a wetland creation or restoration of a similar or greater area. The Supreme Court case is summarized at http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/11-1447.htm
The amicus brief supported by the 12 wetland scientists is attached.

FGCU Professor Bill Mitsch, second from left, flanked by Royal Gardner, Stetson University College of Law and Jan Goldman-Carter, Counsel of Record, National Wildlife Federation at the Supreme Court on January 15, 2013. Gardner and Goldman-Carter submitted the Amicus Brief on behalf of 12 wetland scientists in support of mitigation for the loss of wetlands.