



regulating wetlands protection

ENVIRONMENTAL FEDERALISM AND THE STATES

■ RONALD KEITH GADDIE AND JAMES L. REGENS ■

Regulating Wetlands Protection Environmental Federalism And The States

Erin Ryan



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Regulating Wetlands Protection Ronald Keith Gaddie, James L. Regens, 2000-01-01 Wetlands are a valuable natural resource yet over 200 000 acres are destroyed in the United States per year This book examines whether states should assume the role of protecting wetlands rather than the federal government *Regulating Wetlands Protection* Ronald Keith Gaddie, James L. Regens, 2000-01-01 Wetlands are a valuable natural resource yet over 200 000 acres are destroyed in the United States per year This book examines whether states should assume the role of protecting wetlands rather than the federal government *Redefining Federalism* Douglas T. Kendall, 2004 If federalism is about protecting the states why not listen to them In the last decade the Supreme Court has reworked significant areas of constitutional law with the professed purpose of protecting the dignity and authority of the states while frequently disregarding the states views as to what federalism is all about The Court according to the states is protecting federalism too much and too little Too much in striking down federal law where even the states recognize that a federal role is necessary to address a national problem Too little in inappropriately limiting state experimentation By listening more carefully to the States the Supreme Court could transform its federalism jurisprudence from a source of criticism and polarization to a doctrine that should win broad support from across the political spectrum In this important book six distinguished authors redefine federalism and reaffirm Justice Louis Brandeis s vision of states and localities as the laboratories of democracy *The Economic Realities of Political Reform* James L. Regens, Ronald Keith Gaddie, 2005-11-24 The central political issue in American politics during the 1990s is the need for political campaign reform The authors examine the United States Senate elections to determine the potential impact of several electoral reform proposals They conclude that spending limits contribution limits and public financing proposals will not necessarily have the impact expected by advocates The final fate of reform resides with self interested incumbents who will design reform Federalism and the Tug of War Within Erin Ryan, 2011 As environmental national security and technological challenges push American law into ever more inter jurisdictional territory this book proposes a model of Balanced Federalism that mediates between competing federalism values and provides greater guidance for regulatory decision making **Environmental Law and Policy** James Salzman, Barton H. Thompson, Barton H. Thompson (Jr.), 2007 *Environmental Law and Policy* is a user friendly concise inexpensive treatment of environmental law Written to be read rather than used as a reference source the authors provide a broad conceptual overview of environmental law while also explaining the major statutes and cases The book is intended for four audiences students both graduate and undergraduate seeking a readable study guide for their environmental law and policy courses professors who do not use casebooks relying on their own materials or case studies but want an integrating text for their courses or want to include conceptual materials on the major legal issues and practicing lawyers and environmental professionals who want a concise readable overview of the field The first part of the book provides an engaging discussion of the major themes and issues that cross cut

environmental law Starting with the first chapter's brief history of environmentalism in America the second chapter goes on to explore the importance and implications of basic themes that occur in virtually all environmental conflicts including scientific uncertainty market failures problems of scale public choice theory etc It then presents three dominant perspectives in the field that drive policy development environmental rights utilitarianism and environmental justice Chapter Three fills in the remaining legal background for understanding environmental protection reviewing the theory of instrument choice the basics of administrative law core concepts in constitutional law e g takings the commerce clause and the doctrines associated with how citizen groups shape environmental law such as standing The second part of the book examines the substance of environmental law with separate sections on each of the major statutes International issues such as ozone depletion climate change and transboundary waste disposal are also addressed These chapters build on the themes and conceptual framework laid down in the first part of the text in order to integrate the discussion of individual statutes into a broad portrait of the law

Controlling Environmental Policy Susan Rose-Ackerman, Ely Professor of Law and Political Economy Susan Rose-Ackerman, 1995-01-01 Although many people feel that Germany provides a model for environmental policymaking this book shows that it does not German administrative law which focuses on individuals complaints against the state for violating their rights does not deal adequately with the broad issues of democratic legitimacy and accountable procedures raised in American courts Susan Rose Ackerman compares regulatory law and policy in the United States and Germany and argues that the American system can provide lessons for those seeking to reform environmental policymaking in Germany and the newly democratic states of eastern Europe Democratic governments says Rose Ackerman face the problem of balancing the desires and expertise of conflicting interest groups such as those that concern themselves with environmental protection Under German law however environmental associations with policy agendas have no enforceable legal right to participate in federal policymaking and regulation writing is much less open and accountable than in the United States The U S Supreme Court is moving in the direction of the German system away from review of the rulemaking process and toward a focus on individual rights Those who support this trend should look critically at the German solution

Preemption Choice William W. Buzbee, 2008-12-15 This book examines the theory law and reality of preemption choice The Constitution's federalist structures protect states sovereignty but also create a powerful federal government that can preempt and thereby displace the authority of state and local governments and courts to respond to a social challenge Despite this preemptive power Congress and agencies have seldom preempted state power Instead they typically have embraced concurrent overlapping power Recent legislative agency and court actions however reveal an aggressive use of federal preemption sometimes even preempting more protective state law Preemption choice fundamentally involves issues of institutional choice and regulatory design should federal actors displace or work in conjunction with other legal institutions This book moves logically through each preemption choice step ranging from underlying theory to constitutional history to preemption doctrine to assessment

of when preemptive regimes make sense and when state regulation and common law should retain latitude for dynamism and innovation **The Influence of Federal Grants** Martha Derthick, 1970 *Wetlands* Sharon L. Spray, Karen L.

McGlothlin, 2004-02-16 The purpose of the Exploring Environmental Challenges A Multidisciplinary Approach series is to publish a collection of short texts that each explore a specific environmental issue and describe the methodologies theories and findings pertaining to that issue from both natural and social science perspectives Each text contains three natural science essays three social science essays and a concluding essay Intended for introductory environmental studies courses these balanced thoughtful and rigorous texts aim to provide students with a deeper understanding of the relationship between people and their environment and to serve as a foundation for further inquiry and discussion *Wetlands* introduces students to the natural ecological functions and policy issues of wetlands so they will have a solid understanding of why these ecosystems are necessary and why their governance remains a significant environmental challenge Although not a comprehensive overview on wetlands it does provide background material for a more comprehensive investigation into the science behind and the management of these ecosystems **Unlikely Environmentalists** Paul Charles Milazzo, 2016-02-08 Environmental activism has most often been credited to grassroots protesters but much early progress in environmental protection originated in the halls of Congress As Paul Milazzo shows a coterie of unlikely environmentalists placed water quality issues on the national agenda as early as the 1950s and continued to shape governmental policy through the early 1970s both outpacing public concern and predating the environmental movement Milazzo examines a two decade crusade to clean up the nation's water supply led by development boosters pork barrel politicians and the Army Corps of Engineers all of whom framed threats to the water supply as an economic rather than environmental problem and saw pollution as an inhibitor of regional growth Showing how the legislative branch acted more assertively than the executive the book weaves the history of the federal water pollution control program into a broader narrative of political and institutional development covering all major clean water legislation as well as many other landmark environmental laws Milazzo explains how the evolution of Congress's internal structure after World War II with its standing committees and powerful chairmen ultimately shaped the scope and substance of important legislative policies He reveals how Representative John Blatnik of Minnesota chairman of the House Subcommittee on Rivers and Harbors shepherded the first permanent water pollution control legislation through Congress in 1956 how Senator Robert Kerr of Oklahoma embraced pollution control to deflect criticism of the public works budget and how Senator Edmund Muskie of Maine used an unwanted pollution subcommittee chairmanship to create a more viable federal water quality program at a time when few Americans demanded one By showing that a much more diverse set of people and interests shaped environmental politics than has generally been supposed Milazzo deepens our understanding of how Congress took the lead in addressing environmental concerns like water quality that ultimately contributed to the expansion of government His book demonstrates that the rise of the environmental regulatory state ranks

as one of the most far reaching transformations in American government in the modern era The Wildlife Techniques Manual Nova J. Silvy, 2012-03 A standard text in a variety of courses the Techniques Manual as it is commonly called covers every aspect of modern wildlife management and provides practical information for applying the hundreds of methods described in its pages To effectively incorporate the explosion of new information in the wildlife profession this latest edition is logically organized into a two volume set Volume 1 is devoted to research techniques and Volume 2 focuses on management methodologies **Water Pollution Policies and the American States** John A. Hoornbeek, 2012-01-02 The relationship between federal and state water pollution policies is revealed and assessed in this incisive volume Focusing on Congress's statutory directions in the Federal Water Pollution Control Act of 1972 and state compliance this study throws into relief the complex and often troubled relationship between the laws enacted by Congress and the public policies produced by state governments that implement them Compliance at the state level can be affected and sometimes disturbed by state politics particular policymaking processes and the effects of federal oversight practices As convincingly demonstrated in these pages American water pollution policy reflects neither runaway bureaucracies nor Congressional control but rather a complex intergovernmental process that is structured around Congress's statutory directions True Green Ronald Brand, Thomas Kelly, A. Stanley Meiburg, Robert Wayland, Susan Wayland, David Ziegele, 2012-06-21 Drawing on the careers of senior executives of the US Environmental Protection Agency True Green identifies the concrete actions that work in protecting our nation's environment By examining the exquisitely difficult tasks of executive leadership in environmental protection one of the most conflicted public issues of today these scholars provide lessons of executive effectiveness in the principal government institution essential to national environmental progress The EPA shoulders great expectations from the public and political leaders on fulfilling its statutorily assigned activities As a result EPA must act in concert with state and local governments nongovernment organizations and interest groups as well as business and industry This volume also highlights the career civil servants who bridge across from policymakers to the government bureaucrats who must make real the abstract policy choices of politicians True Green uses the experiences of the individual contributors to provide a deeper understanding of the practices associated with effective executive behavior in the Environmental Protection Agency **Federalism of Wetlands** Ryan W. Taylor, 2014-07-17 This book investigates the consequences of redundant state and federal environmental regulations in the United States Drawing on the most exhaustive statistical analysis of US federal wetland permits ever constructed the book uncovers the disjointed world of wetland regulation The author starts by examining the socioeconomic and environmental factors driving individuals to apply for environmental regulatory permits and the regional inconsistencies encountered in federal environmental regulatory program performance The book goes on to demonstrate that states have more power in federal relationships than scholars often believe and that individual state policies are important even in a time of strong federal governance Evidence shows that such

intergovernmental redundancy serves to increase overall regulatory program effectiveness This book breaks new ground in the subjects of federalism and environmental regulation by rejecting the traditional approach of picking winners and losers in favour of a nuanced demonstration of how redundancy and collaboration between different levels of governance can make for more effective governmental programs The book is also innovative in its use of the perspectives of regulated citizens not as a point of judgment but as a means of introducing a constructive new way of thinking about political and administrative boundaries within a federalist system of governance The book provides relevant context to wider political debates about excessive and duplicative regulatory oversight and will be of interest to Environmental Policy students and administrators

Science and Politics Brent S. Steel, 2014-04-21 Recent partisan squabbles over science in the news are indicative of a larger tendency for scientific research and practice to get entangled in major ideological divisions in the public arena This politicization of science is deepened by the key role government funding plays in scientific research and development the market leading position of U S based science and technology firms and controversial U S exports such as genetically modified foods or hormone injected livestock This groundbreaking one volume A to Z reference features 120 150 entries that explore the nexus of politics and science both in the United States and in U S interactions with other nations The essays each by experts in their fields examine Health environmental and social cultural issues relating to science and politics Concerns relating to government regulation and its impact on the practice of science Key historical and contemporary events that have shaped our contemporary view of how science and politics intersect *Science and Politics An A to Z Guide to Issues and Controversies* is a must have resource for researchers and students who seek to deepen their understanding of the connection between science and politics

Regulatory Program of the United States Government United States. Office of Management and Budget, 1985

The Law and Policy of Ecosystem Services J. B. Ruhl, Steven E. Kraft, Christopher L. Lant, 2013-03-19 *The Law and Policy of Ecosystem Services* is the first comprehensive exploration of the status and future of natural capital and ecosystem services in American law and policy The book develops a framework for thinking about ecosystem services across their ecologic geographic economic social and legal dimensions and evaluates the prospects of crafting a legal infrastructure that can help build an ecosystem service economy that is as robust as existing economies for manufactured goods natural resource commodities and human provided services The book examines the geographic ecological and economic context of ecosystem services and provides a baseline of the current status of ecosystem services in law and society It identifies shortcomings of current law and policy and the critical areas for improvement and forges an approach for the design of new law and policy for ecosystem services Included are a series of nine empirical case studies that explore the problems caused by society's failure to properly value natural capital Among the case study topics considered are water issues The Conservation Reserve Program the National Conservation Buffer Initiative the agricultural policy of the European Union wetland mitigation and pollution trading *The Law and Policy of Ecosystem Services* is a groundbreaking look

at the question of whether and how law and policy can shape a sustainable system of ecosystem service management It is an accessible and informative work for faculty students and policy makers concerned with ecology economics geography political science environmental studies law and related fields Environmental Policy and Politics Michael E. Kraft, 2007 Concise and yet thorough Environmental Policy and Politics is an interdisciplinary engaging and up to date examination of environmental natural resource and energy policy and politics Drawing from work within environmental science policy analysis and political science this text critically assesses the key strengths and weaknesses of policymaking processes today as well as the promise of new policy approaches Arguing that strong public support is necessary for achieving environmental policy goals the Fourth Edition stresses the opportunities available to all citizens to influence environmental politics at every level of government **Handbook of State Government Administration** John J. Gargan, 2020-01-27 Devised to meet the ongoing challenge of identifying the skills and knowledge necessary for expanding the governing capacity of state and local authorities this book discusses the fiscal consequences of get tough approaches to crime and presents more effective and less expensive policy options Surveying the range of administrative and management practices employed by state governments the editor and contributors explore the results of the governmental reform tradition the impact of federalism and intergovernmental relations and the effects of political culture on state government by focusing on economic development welfare corrections and environmental programs and policies

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