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## Growth Pains

### Wetlands suffer dearly despite protections

*July 9, 2001*

June spelled near doom for natural wetlands, those magical, sometimes-sloshy habitats that absorb and filter water. A few more months like that and wetlands will be about as common as free-range bison in Michigan.

- **Caseville airport OK'd:** At least 17 acres of a dune wetland can be filled for a new airport about 1 1/2 miles from Saginaw Bay, state Department of Environmental Quality Chief Russ Harding decided, overriding his staff and an administrative law judge. Harding did tell the airport group to create more wetland elsewhere on the property at a ratio of two acres for each one filled. But if there's that much area to create new wetlands, why isn't the airport on that part of the property? Besides ...
- **Wetlands programs stink:** The National Academy of Sciences reported that new wetlands created to compensate for ones that are filled are a colossal failure. They don't always work, don't usually replicate the type of wetland being lost, and sometimes don't get created at all. The report has many solid ideas, such as protecting calcium-rich fens and acidic-soil bogs, which no one has figured out how to imitate, and planning compensation projects by watershed. Which will become even more important because . . .
- **Courts won't stop anyone:** In a confusing decision that sends a Rhode Island coastal marsh dispute back to the lower courts, the U.S. Supreme Court seems to open the door for unending legal challenges whenever a township, county or state tries to protect wetlands or other natural features.

Economic value is deemed to be "taken" from a property owner if government rules limit future reasonable development. This court ruling allows owners to make a "takings" claim no matter how much time has passed or how many other owners there have been since wetlands rules were enacted.

"Future generations, too, have a right to challenge unreasonable limitations on the use and value of land," the opinion says.

By this logic, saving wetlands amounts to having to buy them.

But wetlands serve the common good as they maintain water quality, control flooding and keep numerous species healthy. Filling them, in essence, causes economic harm to people everywhere. Maybe future generations will realize how reasonable it is to save them.

Then, of course, we have to hope there are wetlands left to preserve.

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