

Obama takes executive action on environment

By William Yardley, Los Angeles Times

In April 1989, a Michigan developer named John Rapanos dumped fill on 54 acres of wetlands he owned to make way for a shopping center. He did not have a permit, and when the state told him to stop, he refused. Courts found him in violation of the federal Clean Water Act. Prosecutors wanted to send him to prison.

Rapanos took his case all the way to the U.S. Supreme Court, which found that the wetlands on his property, about 20 miles from a river that drained into Lake Huron, did not fall under the Clean Water Act's jurisdiction over discharges into "navigable waters."

Rapanos became something of a celebrity among property rights advocates, but the ruling raised as many questions as it answered. Although the court upheld federal protections for wetlands and streams when they connected with navigable waters, it left unclear what constituted a connection.

Now, nearly a decade later, the Obama administration is seeking to clarify those ambiguities, and the effort is causing controversy of its own. This week, the Environmental Protection Agency is expected to release a new rule to protect a significantly larger percentage of streams and wetlands that provide habitat for wildlife and sources of drinking water.

[Read the whole story](#)