

# Bush wetlands policy stiffens land controls

by Marcia Merry

As of Aug. 9, the public has a 60-day official "comment period" to reply to the Bush administration's announcement of new government wetlands management plans. The public should tell Washington officials that they are all wet.

President Bush's program, which he referred to as "a comprehensive plan for improving the protection of the nation's wetlands," has three main points. The one getting all the publicity, is the criterion by which a parcel of land is considered "wet" and subject to special government protection. The new Bush proposal states that land that is not soaked at the surface for at least 21 consecutive days a year, is not subject to regulation. This is a relaxation of the criterion from a 1989 proposal which said that land saturated just seven straight days, at a depth of 18 inches, is a wetland, and subject to usage regulations.

A hue and cry has been raised against this from the malthusian lobby. The National Wildlife Federation has appealed to Bush to review his decision. They assert that there are only 100 million acres of wetlands in the contiguous 48 states, and they must be set aside. But this arm waving provides cover for the evils of the program.

The other two points of the Bush program are extensive land control mechanisms designed to restrict land use in the interests of financial and commodities cartels. These mechanisms suit the environmentalist lobby just fine, as they are funded in great part by the same financial interests which expect to gain from them—the Ford Foundation, the Rockefeller Brothers Fund, Atlantic Richfield Foundation, and Exxon, U.S.A., to name just a few funders of the National Wildlife Federation and Conservation Foundation.

The Bush plan calls for an expansion of the program to acquire wetlands. According to a fact sheet issued Aug. 9 by the Environmental Protection Agency (EPA), the program includes: "the purchase of approximately 450,000 acres, at a cost of over \$200 million, of critical wetlands habitat; a 40% overall funding increase for wetlands protection efforts in the FY 1992 budget to \$709 million; a nearly threefold increase, from \$15 million in FY 1989 to \$45 million in FY 1992, for wetlands R&D programs; and the establishment under the provisions of the 1990 Farm Bill, of a 600,000 acre wetlands reserve."

To put this in perspective, this program is far more costly than the Interior Department R&D program for water desalination, which would provide vast new quantities of pure

water for regions such as California and Florida where the ecology is under immediate threat.

The third point to the proposed program is a raft of regulations and surveillance over local lands and citizens that is worthy of imperial Britain's colonial office control over Crown property.

Approved by the White House Domestic Policy Council, some of the enforcement measures include: Satellite surveillance of designated wetlands is to be increased. Any citizen wanting to use land currently deemed a wetland, must apply for a permit to the U.S. Army Corps of Engineers. If granted, it can still be denied by the EPA. As a sop, the White House is promising that the citizen facing this awesome phalanx of authorities, is to be guaranteed a decision on his request for a permit within six months—unless the agencies decide otherwise. Beyond that, the potential user of the land may go through a maze of procedures referred to as "mitigation," in which he might make use of the land in question if he restores some land to a wetland condition elsewhere.

The EPA Aug. 9 fact sheet describes a proposed "market-oriented mitigation banking system" to facilitate creating new wetlands in exchange for draining and making use of other wetlands. The idea is that these "transactions" are to take place within the same state or hydrological unit, for example the Upper Missouri Basin.

## Whatever happened to swamps?

In the late 1960s, the environmentalist lobby, led by the Conservation Foundation/World Wildlife Fund, launched a campaign to extol "natural" water systems (including swamps, marshes, bogs, "white-water" rivers, etc.), and to denigrate high-technology sewage treatment systems, large-scale water development programs, desalination technologies, etc. The term "wetland" was introduced as a buzzword to connote a happy, watery habitat. Hollywood began casting swamp creatures, turtles, and other such characters to indoctrinate the public. In 1972, Congress passed the Clean Water Act which contained the proviso that anyone seeking to fill in a wetland must obtain a permit from the Army Corps of Engineers.

All of this served to rationalize the disastrous decline over the 1970s and '80s in maintenance and new construction of water management projects. The real crisis is the decline in the amount of water available per capita, which is manifest in the water shortages and drainage crises in the Western states, Florida, and other Eastern coastal regions. Only technology can fix this.

In contrast, the Bush policy is worsening the environment and depriving thousands of citizens of their rights and responsibilities to make use of the land. Individuals in Maryland, Pennsylvania, and elsewhere have been jailed or threatened with jail under the wetlands regulations. And thousands of people are being denied water because of cases such as the cancellation of the Two Forks Dam in Colorado. In 1989, the EPA vetoed the proposal, overriding the Army Corps of Engineers.