

Department of Environmental Science and Policy Seminar Series

Giving Science Its Day in Court: Efforts to Inform Judicial Decisions and Protect Aquatic Ecosystems by Engaging Scientists in Clean Water Act Cases

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DATE: Friday, 3/31/2023 TIME: 10:30 am ROOM: SLAB103

Zoom: <https://bit.ly/3GQ6ZGn>



Abstract: The Clean Water Act is a federal statute that seeks “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” For decades, there has been intense disagreement about which waters the statute should cover, and the federal agencies that administer the Clean Water Act have issued various regulations in an attempt to clarify the scope of the statute. Over the years, numerous lawsuits have challenged the scope of the Clean Water Act and the agencies’ regulations. For several years, I have worked with a small team of attorneys to prepare and file amici curiae (“friend of the court”) briefs on behalf of scientists and scientific societies in some of these cases, including two cases before the Supreme Court of the United States. The goal of these amici curiae briefs is to inform judges about the importance of taking science into account when making decisions in these cases. This presentation will provide a brief overview of the Clean Water Act, its regulations, and some of the key lawsuits decided over the years—including a significant upcoming decision from the Supreme Court of the United States. It also will highlight the important role that scientists can play in helping judges make informed decisions that appropriately balance science and policy to achieve the goals of the Clean Water Act and other environmental laws.

Bio: Erin Okuno is a Professor of Legal Writing and Lecturer in Law at the University of Miami School of Law, where she teaches Animal Law and Legal Communication and Research Skills. Erin earned a B.S. from the Georgia Institute of Technology and a J.D. from Stetson University College of Law. A licensed attorney, she previously worked at a law firm in Tampa and most recently was the Assistant Director of the Institute for Biodiversity Law and Policy at Stetson Law. Erin’s research and scholarship focus on environmental law and policy, particularly wetlands, endangered species, and international environmental law. She has authored and co-authored articles in *Ecology Law Quarterly*; *Environmental Law Reporter*; *Administrative & Regulatory Law News*; *Marine & Freshwater Research*; *Wetlands*; and *Wetland Science & Practice*. She also has conducted research and co-authored several reports for the Ramsar Convention on Wetlands of International Importance.

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