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FOR IMMEDIATE RELEASE

Environmental Groups Ask U.S. Supreme Court to Enforce Clean Water Act and Protect Wetlands

Washington, D.C. — January 27, 2026 — Glynn Environmental Coalition, the Center for a Sustainable Coast, and Jane Fraser, a local Georgia resident, filed a petition with the U.S. Supreme Court urging the Court to reverse a ruling by the U.S. Court of Appeals for the Eleventh Circuit that weakens enforcement of the Clean Water Act and threatens wetlands nationwide.

The case, *Glynn Environmental Coalition, Inc., et al. v. Sea Island Acquisition, LLC*, asks the Court to decide whether companies that receive federal permits to fill wetlands can later evade accountability by challenging whether those wetlands were protected under federal law—despite having expressly waived that right in order to obtain the permit.

Under the Clean Water Act, wetlands that qualify as “waters of the United States” generally cannot be filled without a permit from the U.S. Army Corps of Engineers. This case, originally filed in 2019, alleges that Sea Island violated the Clean Water Act when it fraudulently obtained a permit to fill a wetland near the Inn at Sea Island Company by falsely representing to federal regulators that it would construct an office building, and then subsequently violated the permit by filling the wetland with sod instead.

“This case is about the integrity of environmental enforcement,” said Rachael Thompson, Executive Director of the Glynn Environmental Coalition. “Federal law allows citizens and their non-profit representatives to file litigation to enforce the Clean Water Act when federal agencies fail to properly enforce the law. A developer should not be allowed to accept a permit to destroy wetlands and then argue those wetlands were never protected in the first place.”

Local environmental groups and a nearby resident brought a citizen suit under the Clean Water Act alleging violations of the permit and the statute. The Eleventh Circuit dismissed the case, holding that the company’s waiver was inapplicable and allowed the company to contest whether the wetlands were protected—despite the waiver’s plain language. That decision, the petition argues, undermines one of Congress’s core enforcement tools: citizen suits that allow members of the public and states to act as “private attorneys general” when government enforcement falls short.

“If allowed to stand, this ruling creates a roadmap for polluters to game the system,” said David Kyler, co-founder and director of the Center for a Sustainable Coast. “It invites developers to destroy wetlands first and litigate jurisdiction later—after the evidence is gone.”

The petition emphasizes that wetlands play a critical role in protecting drinking water, preventing flooding, buffering coastlines, and providing habitat for wildlife, including many endangered species. A 2024 US Fish & Wildlife report shows rapid disappearance of vegetated wetlands between 2009 and 2019 has resulted in a loss of 670,000 acres, an area approximately equal to the land area of Rhode Island. The declines in vegetated wetlands primarily occurred in the Southeast, with decreases particularly prevalent in the coastal watersheds.

The Supreme Court is expected to consider whether to take up the case later this year.

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Founded in 1990, the Glynn Environmental Coalition works diligently to assure a clean environment and healthy economy for citizens of coastal Georgia. Glynn Environmental Coalition serves the community through education and outreach, community organizing, preparing technical assistance reports, comment submission, and requesting public hearings.

The Center for a Sustainable Coast was established in 1997 to advance the application of science in protecting coastal Georgia's environment and quality of life. The Center's board and staff are committed to improving the outcome of development decisions by advocating well-founded positions on public policy, regulations, and the law.