

Making a Splash:

A Turning Point in Environmental Protection Legislation

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Process Paper

We chose our History Day topic by considering that Luke enjoys the outdoors, Bailey is interested in environmental issues, and we wanted to do a regional topic with broad implications. A court case seemed like a logical choice for the theme “Turning Points in History.” As we researched Minnesota court cases, we read about *Freeborn County v. Bryson* and recognized that the case fit our criteria.

We found many sources that were useful to our project. The most important was our phone interview with Joseph Sax, a pioneer in environmental law, former counselor to the Secretary of the U.S. Department of the Interior in President Clinton’s administration, and current professor emeritus at Berkeley School of Law. He helped us to understand the national implications of the role that the Minnesota Supreme Court case *Freeborn County v. Bryson* played in establishing citizen suit legislation. Another significant source was the Minnesota Historical Society oral history interview with William Bryson, which provided us with details of the case. We found several law review journal articles, which helped us to understand the legal implications of the Bryson case, as well as to clarify its legal jargon. Other academic journals provided us with a better understanding of Aldo Leopold’s land ethic and its influence on environmental legislation. We also conducted email interviews with Vicki Munson, a North Star Sierra Club representative, Charles Dayton, an attorney involved in the passage of the 1971 Minnesota Environmental Rights Act (MERA), and Doug Norris, current Minnesota Department of Natural Resources (DNR) Wetlands Program Coordinator. Additionally, we conducted an email and personal interview with John Idstrom, an expert witness for Bryson’s case from the DNR, as well as two personal interviews with Bill Bryson at his home in Alden, Minnesota. Mr.

Bryson showed us a scrapbook with newspaper and journal articles about the case, many of which we later found on microfilm during our two visits to the Minnesota Historical Society.

Our greatest difficulty in our research was the changing focus of our project due to the many implications of the case. What began as a project about wetland legislation broadened into one about the much larger issue of environmental law. Later, it came to include the ethics underlying the study and application of environmental law. This required us to continually rethink our thesis and extend our research.

Our project ties to the theme “Turning Points in History” because the Minnesota Supreme Court decision in *Freeborn County v. Bryson* was a turning point in environmental legislation. Citing Aldo Leopold’s land ethic, the case firmly established the Minnesota Environmental Rights Act as a precedent for future citizen suits, shifting the role of environmental protection from government agencies to citizens. As a result, the Act has been used as a model for citizen suit legislation in other states, as well as at the national level. In addition, the plight of Minnesota’s wetlands was addressed and Bryson’s marsh was saved.

Bibliography

Primary Sources

An Act to Regulate and Encourage the Drainage of Lands, No. 73 Minn. Sess. Law Serv. 182 (West 1858). <https://www.revisor.mn.gov/data/revisor/law/1858/0/1858-073.pdf>.

This statute encouraged the drainage of wetlands in Minnesota. It provided us with context for the lack of environmental protection of wetlands in the 1800s and the calls for environmental protection in the 1970s.

"Aerial - Long Point - Waterford Ponds - Big Creek Wetland." YouTube. Video file. January 29, 2013. <http://youtu.be/dFYciLStkCo>.

We used this video to illustrate the poetic Minnesota Supreme Court decision from the 1976 case *Freeborn County v. Bryson* that we used in the introduction to our documentary.

Albert Lea Evening Tribune (MN). "State Supreme Court Backs Bryson Appeal." August 31, 1973.

Some of the specific issues addressed by the courts in the Freeborn case the first time it reached the state level were discussed in this newspaper article, as well as other details of the case from a firsthand perspective. It helped us to understand these issues and the specific processes of the case.

Belknap, Bill. "High Court Forbids Road Through Marsh." *Albert Lea Evening Tribune* (MN), June 18, 1976.

This newspaper article from the *Albert Lea Tribune* reported on the second Minnesota Supreme Court decision. Because it was written after the second decision, it provided us with an overview of the entire ordeal, beginning with the first county case.

Brown, Terry. "Justices bar road across state marsh." *Minneapolis Star* (MN), June 18, 1976.

This *Minneapolis Star* article not only helped us to further understand the story of the Freeborn case, it also provided us with an example of how the case drew public attention to the environment.

Bryson, Arlene, comp. William Bryson's Scrapbook. 1971. Bryson Home, Alden, MN.

We were able to look at this scrapbook, put together by Mr. Bryson's wife, when we visited the Bryson home the second time. It contained newspaper clippings about the case, some of which we were later able to find on microfilm at the Minnesota Historical Society. Unfortunately, many of the dates or names of the original newspapers were cut off, which prevented us from finding them.

Bryson, William. Interview by Margaret Robertson. Bryson home, Alden, MN. April 30, 1988.

We were given a more in-depth view of Mr. Bryson's experiences with the court cases by watching this interview. It was conducted closer to the time of the case than our personal interview and therefore, his experiences were fresher in his memory than at the time of our interview with him.

———. Interview by the author. Bryson home, Alden, MN. February 25, 2013.

Our personal interview with Mr. Bryson provided us with his story in his own words. He also answered several questions we had about the case and its national implications.

———. "Interview with William Bryson" Transcript. Interviewed by Margaret Robertson. Accessed February 29, 2013. Minnesota Historical Society.

This interview transcript provided a thorough first person account of *Freeborn County vs. Bryson*. We used this to understand Mr. Bryson's story and answer the remaining questions after our interview with him.

———. "The Battle of Bryson Marsh." *The Minnesota Conservation Volunteer*, July/August 1979, 17-23. Accessed February 23, 2013.
http://webapps8.dnr.state.mn.us/mcv_pdf/articles/1488_Battle_of_Bryson_Marsh_The.pdf.

Written by William Bryson, this article, one of the first we read about our topic, contains Mr. Bryson's personal account of the *Freeborn County v. Bryson* case. It helped us to understand the order of the court cases and presented us with the emotional aspect of the story.

Carson, Rachel. *Silent Spring*. Houghton Mifflin Company Boston, 1962.

A *New York Times* bestseller at the time, this book brought public attention to the need for environmental protection in the early 1960s. From it, we learned that attitudes toward the environment were undergoing a major shift in the 1960s.

Chapter 468, Minn. Sess. Law Serv. 794 (West 1937).

<https://www.revisor.mn.gov/data/revisor/law/1937/0/1937-468.pdf>.

This statute was proposed to conserve, protect, and utilize the water resources of the state, but allowed the drainage of wetlands and focused on government protection. We used this to demonstrate how wetlands were left out of earlier environmental protection laws, and how the environment was protected by the government, not by individuals.

Chapter 108, No. 108 Minn. Sess. Law Serv. 141 (West 1883).
<https://www.revisor.mn.gov/data/revisor/law/1883/0/1883-108.pdf>.

This statute declared that any landowner could drain their land as long as the drainage did not affect another property. It is another example of the government control of environmental legislation prior to the passage of the Minnesota Environmental Rights Act and the Freeborn case, as well as an example of a lack of concern for the environment in general.

Chapter 142, Minn. Sess. Law Serv. 218 (West 1947).
<https://www.revisor.mn.gov/data/revisor/law/1947/0/1947-142.pdf>.

The policy of water conservation held by the Minnesota Government in 1947 was declared in this statute. From it, we learned that environmental protection was the government's role at that time; individual citizens could do little to protect the environment even if it involved their property.

Chapter 257, Minn. Sess. Law Serv. 278 (West 1897).
<https://www.revisor.mn.gov/data/revisor/law/1897/0/1897-257.pdf>.

This statute defined the rights of shore property owners on the beds of streams or lakes within the state. It provided us with another example of government action, rather than individual citizen action, to protect the environment.

County of Freeborn by Tuveson v. Bryson, 243 N.W.2d 316 (Minnesota State Supreme Court 1976). Accessed February 23, 2013.
http://www.leagle.com/xmlResult.aspx?xmlDoc=1976559243NW2d316_1537.xml&docbase=CSLWAR1-1950-1985.

This court case was the second Minnesota Supreme Court decision, with the Court again ruling in Mr. Bryson's favor. We used the content of the case to demonstrate the precedent it set in its application of the Minnesota Environmental Rights Act and how it was a turning point in environmental legislation.

County of Freeborn v. Bryson, 210 N.W.2d 290 (Minnesota State Supreme Court 1973). Accessed February 23, 2013.
http://www.leagle.com/xmlResult.aspx?xmlDoc=1973500210NW2d290_1466.xml&docbase=CSLWAR1-1950-1985.

In this Minnesota Supreme Court case, the first time Bryson reached the state level, the Minnesota Environmental Rights Act was established as a precedent for future citizen suits, although this was challenged by the county and the case was tried again.

Dayton, Charles. E-mail interview by the author. March 4, 2013.

Our email interview with Mr. Dayton cleared up several legal questions we had regarding the Minnesota Environmental Rights Act and confirmed the importance of the Bryson case.

Friends of The Earth, Inc., et al v. Laidlaw Environmental Services Inc., 528 U.S. (Jan. 12, 2000). <http://www.law.cornell.edu/supct/html/98-822.ZS.html>.

This court case provided us with a modern example of a citizen suit at the national level. It was a challenge to the Clean Water Act and broadened the definition of who has standing in a citizen suit.

Gold, Kenneth C. "U.S. Supreme Court Revives Citizen Suit Standing." *Michigan Environmental Compliance Update*, March 2000.
<http://www.honigman.com/files/Publication/6d72d2f7-3943-4c4f-9ea3-44996adb1b67/Presentation/PublicationAttachment/dc9f0408-806b-4983-a48b-382a719f02d7/ingimgGoldA406285.pdf>.

This article provided us with an in-depth description of the U.S. Supreme Court case, *Friends of the Earth v. Laidlaw*, and discussed its importance as a reversal in a decade-long trend of disfavoring citizen suits.

Haden, Gary. "Counties called timid on wildlife: DNR attorney raps boards' policies." *Mankato Free Press* (MN), May 8, 1975.

This final installment of a three part series of articles on wetland drainage was written after the second decision. It helped us to understand public opinion on wetland drainage, as well as provided an interesting perspective, blaming the county for environmental damage.

Idstrom, John. Interview by the author. Idstrom home in Owatonna, MN. February 25, 2013.

Mr. Idstrom, in our personal interview with him, defined wetlands, explained his role in the case, and taught us about the Public Waters Inventory. He also clarified for us the disaster putting a road through a wetland would cause to the environment.

———. Telephone interview by the author. February 15, 2013.

This telephone interview confirmed that Mr. Idstrom was a witness who testified for Mr. Bryson in the court cases. He also answered a few preliminary questions we had about the case as well as his involvement.

Lang, Sylvia. "Minnesota farmers battle Big Brother." *St. Paul Pioneer Press* (MN), August 22, 1976.

This article helped us to understand the general feeling of activism held by the public, specifically farmers trying to protect their land, in the mid-1970s. It mentions Mr. Bryson in the context of historic farmer revolt against the government, arguably placing him in an unfavorable light.

Leopold, Aldo. *A Sand County Almanac*. New York: Oxford University, 1948.

Aldo Leopold's concept of "Land Ethic" is a central thread through much of environmental law, including *Freeborn County v. Bryson* and the Minnesota Environmental Rights Act.

Minneapolis Star. "Court backs land-saving power." August 31, 1973.

This newspaper article described the general court case history, and established that the Minnesota Environmental Rights Act (MERA) limited the power of a county to condemn land. It also explained how the highway would adversely affect the environment and demonstrated why the case was ruled in favor of Mr. Bryson under MERA.

Minneapolis Tribune (MN). "Another round on Bryson's Marsh." January 25, 1976.

This article discussed some of the implications that building a road would have on Mr. Bryson's marsh.

Minneapolis Tribune (MN). "Bryson's marsh." February 8, 1976.

The author of this editorial argued that the road's benefits would outweigh the negative environmental effects, and questioned Mr. Bryson's intentions, as had been done in the past with many farmers trying to protect the environment. It provided us with a different perspective on *Freeborn County v. Bryson*.

Minneapolis Tribune (MN). "A marshland ruling." August 24, 1974.

This article helped us to understand some of the technical aspects of the cases, such as the possibility for the road, which had been disallowed on Mr. Bryson's marsh, being moved to his neighbor's land.

Minnesota Environmental Rights Act, Minn. Stat. Ann. § 116B.01 - 13 (1971).

The Minnesota Environmental Rights Act was the basis for the rulings in favor of William Bryson in both cases brought before the court. It was validated when the Minnesota Supreme Court ruled in favor of Mr. Bryson in 1973 and again in 1976, resulting in a turning point in environmental legislation by the citizen suit precedent it set.

Neutkens, Debra. "Lake restoration group sues DNR." White Bear Press. Accessed December 5, 2012. http://www.presspubs.com/white_bear/news/article_88d9728a-3e74-11e2-93db-0019bb2963f4.html.

This web article provided a general overview of a current application of the *Freeborn* precedent in White Bear Lake. The White Bear Lake Association is suing the Minnesota Department of Natural Resources for giving permits for usage of water in White Bear Lake to too many nearby towns, resulting in record low water levels.

Ramsey, Alexander. "Annual Message of Governor Ramsey to the Senate and House of Representatives." Speech, St. Paul, MN, 1861.

Governor Ramsey's speech encouraged drainage of wetlands. It helped us to understand the view of the public in the 1800s that natural resources were to be used, instead of preserved, and that what little protection existed was from the government.

Sax, Joseph L. *Defending the Environment: A Strategy for Citizen Action*. New York: Vintage Books, 1971.

Joseph Sax introduced the concept of citizen suit legislation as environmental protection. His book proposed a strategy for citizens to pursue environmental action and predicted some of the implications of citizen suits.

———. Email interview by the author. March 3, 2013.

Joseph Sax, a pioneer in environmental law, former counselor to the Secretary of the U.S. Department of the Interior in President Clinton's administration, and current professor emeritus at Berkeley School of Law, explained the national implications of the Minnesota Environmental Rights Act in this email interview. Professor Sax was instrumental in creating what was known as the Michigan Model Act which was essentially the model used to write the Minnesota Environmental Rights Act.

———. Phone interview by the author. April 29, 2013.

Our phone interview with Mr. Sax helped us to answer our remaining questions after our email interview with him, especially helping us to understand some of the more complex ideas about citizen suits and their importance in environmental law.

St. Paul Dispatch (MN). "Editorials: Environment Law Test." August 6, 1971.

This article provided an overview of the case before it had been concluded at the county level and summarized some of the central issues being addressed by the case.

St. Paul Pioneer Press (MN). "Farmer's Fight Detours Road to Neighbor's Land." August 17, 1974.

With this article, we were able to clarify a few questions that we had regarding the outcome of the case the second time it was in District Court.

St. Paul Pioneer Press (MN). "New Law Faces Duck Pond Test." August 4, 1971.

Even as the *Freeborn* case was occurring, this article demonstrated that all parties involved were aware that it was a test of the newly passed Minnesota Environmental Rights Act.

St. Paul Pioneer Press (MN). "Not so eminent domain." August 14, 1976, Editorial Page.

This article provided an interesting commentary on the cost of the court cases, which Mr. Bryson was expected to pay, and how he had to spend his own money to prevent a government body from breaking the law. It gave us insight into the difficulties Mr. Bryson faced while enduring the legal battle.

White Bear Lake Restoration Association. Accessed March 4, 2013. <http://www.wblra.org/the-lake/>.

The White Bear Lake Restoration Association is a non-profit organization of concerned activists who recently sued the Minnesota Department of Natural Resources over restoring a community resource, White Bear Lake, back to its natural state. This website described this group and why they are suing the Minnesota DNR under the Minnesota Environmental Rights Act.

White Bear Lake Restoration Association v. Minnesota Department of National Resources (District Court).

The White Bear Lake court case is a contemporary example of the precedent set by *Freeborn County v. Bryson* and MERA to sue, ironically, the Minnesota DNR. The case has not yet been decided.

Secondary Sources

Adler, Jonathan H. "Stand or Deliver: Citizen Suits, Standing, and Environmental Protection." *Duke Environmental Law and Policy Forum* 12, no. 39.

This journal article provided us with another perspective on environmental protection citizen suit cases because it argued that the establishment of citizen suits resulted in a large number of frivolous lawsuits.

Advameg. "Citizen Suits." Pollution Issues. Accessed May 1, 2013.
<http://www.pollutionissues.com/Br-Co/Citizen-Suits.html>.

This website defined citizen suits, helping us to better understand *Freeborn County v. Bryson's* implications.

Amato, Anthony J., Janet Timmerman, and Joseph A. Amato, eds. *Draining the Great Oasis: An Environmental History of Murray County, Minnesota*. Marshall, MN: Crossing Press, 2001.

This book provided us with an example of drainage in the early 1900s of an area with an environment similar to that in Freeborn County. The story in Murray County gave us a better understanding of the extent and type of drainage occurring in southern Minnesota.

"Citizen Suits." State Environmental Resource Center. Accessed May 1, 2013.
<http://serconline.org/citizensuits/background.html>.

With the information provided by this website about citizen suits, especially relating to their importance in federal environmental law, we were better able to understand the importance of the Bryson decision.

Doremus, Holly. "Symposium Introduction: Environmental Ethics and Environmental Law: Harmony, Dissonance, Cacophony, or Irrelevance?" *Environs* 27, no. 1 (Fall 2003).

This article from an international symposium on environmental law helped us to understand how Aldo Leopold's land ethic is the common thread through most of environmental law, including the Minnesota Environmental Rights Act and *Freeborn County v. Bryson*.

"Environmental History Timeline: World War II and the Postwar Years." Radford. Accessed March 1, 2013. <http://www.radford.edu/wkovarik/enhist/7forties.html>.

This website provided a history of environmental events in the mid-1900s. It helped us to put the Bryson case in context.

"Environmental Protection--Eminent Domain and the Minnesota Environmental Rights Act: A Shift in the Balance of Power?" *Urban Law Annual: Journal of Urban and Contemporary Law* 9, no. 1 (1975): 237-44. Accessed February 20, 2013. <http://digitalcommons.law.wustl.edu/urbanlaw/vol9/iss1/10/>.

This journal article helped us to understand the Bryson case's importance as not only the first test of the act, but also as a critical first interpretation of MERA regarding such issues as the government's power of eminent domain and the establishment of a prima facie case. Its extensive bibliography also led us to other sources.

Feduschak, Markian. "Curious Nature: Aldo Leopold's land ethic." *Vail Daily* (CO), December 5, 2011. <http://www.vaildaily.com/article/20111204/NEWS/111209921>.

Aldo Leopold's land ethic is woven through many other environmental rights issues and legislation, such as the 1964 Wilderness Act. This article helped us to understand this.

Hartkop, Bob, narr. *Echoes of Cry of the Marsh*. Produced by University of Minnesota-Morris and Pioneer Public Tv. 2007. Accessed March 4, 2013. <http://cryofthemarsh.morris.umn.edu/>.

We used some of the footage of wetlands being destroyed from this video in our project. We also used the video to support our claim that wetlands were not sufficiently protected by the government before the *Freeborn County v. Bryson* decision.

Herwig, Mark. "A Maverick for Wetland." Minnesota Department of Natural Resources. Accessed February 18, 2013. <http://www.dnr.state.mn.us/volunteer/marapr10/wetlands.html>.

This online article told the story of Mr. Bryson's fight for his marsh and the court cases that he endured. It provided us with details about the cases and gave us a general overview of the order of events in the story.

Hoff, Mary. "A Century for the Trees." Minnesota Conservation Volunteer. Accessed March 1, 2013. http://www.dnr.state.mn.us/volunteer/marapr11/forestry_centennial.html.

We used this web article to provide context to our project. It was an example of how environmental protection was government based prior to the Bryson case, and largely unsuccessful.

"Issue: Citizen Suits." State Environmental Resource Center. Accessed May 1, 2013.
<http://www.serconline.org/citizensuits/stateactivity.html>.

This website confirmed that the Minnesota Environmental Rights Act was modeled after the Michigan Environmental Protection Act, and listed the specific resources that are clearly defined in MERA that have made it successful and broader in its scope than other states' laws. It also provided a list of the sixteen other states that have passed legislation with similar citizen suit provisions to MERA.

Lass, William E. *Minnesota: A History*. New York, NY: W. W. Norton and Company, 1977.

This book provided us with a broad view of Minnesota's history, including the increased use of agriculture, which resulted in increased wetland drainage. It reported specific numbers of the wetlands drained, as well as helped us to understand the inadequacy of government environmental protection in the early 1900s.

McKenzie, Patti. *The Importance of Citizen Suits in the Enforcement of the Clean Water Act*. South Carolina Environmental Law Seminar. N.p. 2006.

This report was instrumental in our understanding of how significant citizen suits are today in enforcing national environmental law by empowering citizens to protect the environment.

Minnesota Board of Water and Soil Resources. "Wetlands-Wetland Conservation Act Fact Sheet." Minnesota Board of Water and Soil Resources. Accessed February 28, 2013.
http://www.bwsr.state.mn.us/wetlands/WCA_factsheet.html.

We used this website to gain factual information about the Wetland Conservation Act of 1987. It helped us to understand how the awareness raised by the Bryson case impacted future legislation that further protected wetlands.

Minnesota Board of Water and Soil Resources. "BWSR- History of Wetland Regulation and Conservation in Minnesota." Minnesota Board of Water and Soil Resources. Accessed February 20, 2013. <http://www.bwsr.state.mn.us/wetlands/wca/history.html>.

This article was very helpful because it provided a timeline of wetlands and public waters management legislation passed in Minnesota since it first became a state, which enabled us to find several state statutes at the Minnesota Historical Society. The article was especially useful in our determining that prior to the passage of the Minnesota Environmental Rights Act and its validation by the *Freeborn County v. Bryson* case, environmental protection was by the government and was largely ineffective.

Minnesota Department of Natural Resources. "History of Water Protection." Minnesota Department of Natural Resources. Last modified 2013. Accessed February 20, 2013. http://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/history.html.

This article, provided by the Minnesota Department of Natural Resources, reinforced and provided details about the events from the Board of Water and Soil Regulation's timeline. It also explained the Public Waters Inventory Program in great detail. The program was inspired by political attention from the Bryson case.

Minnesota Department of Natural Resources. "Environmental Review - Permitting." Minnesota Department of Natural Resources. Accessed February 17, 2013. <http://www.dnr.state.mn.us/eco/ereview/permitting.html>.

This article gave us an example of how the Minnesota DNR regulates public projects, ensuring that damage to the environment is avoided to the greatest extent possible. It helped us to understand some of the implications of the Bryson case, as well as better understand the precedent established by the case in the application of the Minnesota Environmental Rights Act.

Munson, Vicki. Email interview by the author. February 10, 2013.

Our email interview with Ms. Munson, a representative from the North Star Chapter of the Sierra Club, provided us with information about the Sierra Club and its involvement in *Freeborn County v. Bryson*. Ms. Munson also provided us with contact information for environmental attorney, Mr. Charles Dayton.

The New Patriots. Lutheran Brotherhood. 1976.

This film gave us a better understanding of how the Bryson case started, as well as provided details about the case that we had not previously known.

Norris, Doug. E-mail interview by the author. February 18, 2013.

Our email interview with Mr. Norris, current Minnesota Wetland Programs Coordinator, provided us with an updated list of Minnesota wetland legislation, links to other wetland website articles, and several books about wetlands.

Northern Prairie Wildlife Research Center. "Wetlands of the United States: Their Extent and Their Value To Waterfowl and Other Wildlife: A Century of Wetland Exploitation." Northern Prairie Wildlife Research Center. Last modified February 2, 2013. Accessed February 19, 2013. <http://www.npwrc.usgs.gov/resource/wetlands/uswetlan/century.htm>.

Wetlands in the northern prairies of the United States, specifically in Minnesota, have a history filled with calls for their drainage by both the national and local governments. This article helped us to understand this history, providing us with context to *Freeborn County v. Bryson*.

Olson, Dan. "Forty years later, one wetland is still roadless." Minnesota Public Radio. Last modified June 22, 2010. Accessed February 15, 2013.
<http://minnesota.publicradio.org/display/web/2010/06/21/wetlands-restoration>.

We used this web article to understand the story of Mr. Bryson and his fight for his marsh, begin our research, and lead us to other sources.

106 Group. "Preservation Laws: Summary of Legislative Requirements for the Treatment of Historic, Archaeological and Cultural Resources." 106 Group. Accessed February 28, 2013. <http://www.106group.com/preslaw.htm>.

The Minnesota Environmental Rights Act was explained and summarized in this web article. It helped us to understand some of the definitions and implications of the Act.

Piela, Andrew J. "A Tale of Two Statutes: Twenty Year Judicial Interpretation of Citizen Suit Provision in the Connecticut Environmental Protection Act and the Minnesota Environmental Rights Act." *Boston College Environmental Affairs Law Review* 21, no. 2 (1993).

This law review journal article was very useful in helping us to understand much of the dense legal jargon used in the Bryson decision. It also explained the significance of the citizen suit provisions in the Minnesota Environmental Rights Act by comparing it with other states' legislation and their similar citizen suit provisions.

Robinson, Nicholas A. "Enforcing Environmental Norms: Diplomatic and Judicial Approaches." *Hastings International and Comparative Law Review* 236 (2003).

The author of this article introduced the concept of environmental norms. The article helped us to understand these norms as well as further understand Aldo Leopold's "Land Ethic."

Tester, John R. *Minnesota's Natural Heritage*. Minneapolis, MN: University of Minnesota Press, 1995.

The environmental protection laws concerning wetlands after *Freeborn County v. Bryson* were contained in this book, helping us to understand the implications of the case.

U.S. Environmental Protection Agency. *State Profiles: Minnesota*. State Wetland Protection: Status, Trends, & Model Approaches. Environmental Law Institute, 2008. PDF.

This document explained the significance of several pieces of environmental legislation, including the Minnesota Environmental Rights Act, as well as how MERA has been successful.

United States Environmental Protection Agency. "Citizen Suits." Pollution Issues. Accessed May 27, 2013. <http://www.pollutionissues.com/Br-Co/Citizen-Suits.html>.

This article confirmed our understanding of citizen suits, as well as led us to the 2000 U.S. Supreme Court case *Friends of the Earth v. Laidlaw Environmental Services*.

Vileisis, Ann. *Discovering The Unknown Landscape: A History of America's Wetlands*. Washington D.C: Island Press, 1997.

We obtained detailed definitions of wetlands and a brief history of wetlands in Minnesota with this book.

"Wetland Regulation in Minnesota." Minnesota Board of Water and Soil Resources. Accessed February 23, 2013. <http://www.bwsr.state.mn.us/wetlands/publications/wetlandregulation2.html>.

This article by the Minnesota Board of Water and Soil Resources described the contemporary view by the Minnesota government about wetlands' importance, as well as defined what criteria must be met today for land to be considered a wetland. It helped us to contrast the government protection of wetlands prior to the Bryson case with the current citizen suit protection.

"Who was John Muir?" Sierra Club. Accessed March 1, 2013. http://www.sierraclub.org/john_muir_exhibit/about/default.aspx.

We used this website to gather information about the famous preservationist John Muir, whose environmental work serves as an example of the largely ineffective environmental conservation efforts prior to the Bryson case.