

[PROFILES]

WILLIAM W. SAPP (LL.M.'95)

It was only natural for Bill Sapp to pursue a career in environmental law. He grew up near Lake Placid in New York's Adirondack Mountains, with nature in his backyard. But as a senior attorney in the Atlanta office of the Southern Environmental Law Center (SELC), he is focused on protecting a landscape very different from the rolling peaks and clear glacial lakes of his boyhood.

Sapp is a wetlands attorney who uses his legal skills to defend the swamps, tidal creeks, and vast expanses of salt marsh that line the Georgia and Alabama coasts. These species-rich environments provide a host of benefits, he points out, from filtering pollutants and absorbing floodwaters to providing

the first line of defense against hurricanes and other coastal storms.

They also face a host of threats, he adds, including intense growth pressures that continue to mount even in the struggling economy. To counter these pressures, Sapp and his SELC colleagues have helped organize Save Georgia's Coast, which combines the strengths of 10 local, state, and regional conservation groups dedicated to preserving one of the nation's ecological gems. Sapp serves as the coalition's chief legal advocate and also is helping to shape and implement its conservation strategies.

He brings a wealth of experience to this task. After receiving his J.D. from Harvard, he became assistant counsel for environmental law and regulatory programs for the Army Corps of Engineers and helped draft the Tulloch Rule and other wetlands guidance and regulations. While completing his LL.M. degree at GW Law, he accepted a federal judicial clerkship in Savannah, where he discovered the unspoiled natural treasures of the Georgia coast. He then practiced with the Atlanta law firm of Alston & Bird for six years before becoming lead wetlands attorney for Region 4 of the U.S. Environmental Protection Agency (EPA). He moved to SELC in 2007 and recently completed a term as chair of the environmental law section of the State Bar of Georgia.

With his insider's knowledge of the Corps and the EPA, Sapp tries to bridge the divide that can form between regulatory agencies and environmental groups pushing to protect a special place or clamp down on polluters. "Environmental groups will invariably say that agencies don't do their jobs. But I say we can help agencies do their

jobs by identifying the capabilities they and our conservation partners can bring to the table and taking advantage of what everyone has to offer," he said.

Among the issues Sapp and his SELC colleagues are tackling are the legal uncertainties arising from the U.S. Supreme Court's *SWANCC* and *Rapanos* decisions, which in Sapp's view have shattered the fundamental framework of the Clean Water Act. He was one of the contributors to *Courting Disaster: How the Supreme Court Has Broken the Clean Water Act and Why Congress Must Fix It*, a report providing case studies of valuable wetlands that have been lost or put in jeopardy due to the confusion created by the Court's decisions.

"The nut of the problem is the Court's misinterpretation of the phrase 'navigable waters' in the original Clean Water Act," he explains. "As a result of these decisions, individual districts of the Corps of Engineers must determine case by case whether certain streams and wetlands are covered by the law, and often the Corps makes the wrong call. The aim of our report is to educate members of Congress on the impacts of the Court's decisions and to secure passage of legislation that makes clear that all the waters of the United States are protected by federal law."



WILLIAM W. SAPP

J. BRETT GROSKO (J.D. '00)

As a child hiking through the North Georgia mountains and collecting animals of all kinds around his house, Brett Grosko was drawn to environmental issues at a young age.

Today, he defends federal agency decisions concerning the management and protection of wildlife as a trial attorney for the U.S. Department of Justice's (DOJ) Environment and Natural Resources Division, Wildlife and Marine Resources Section. At DOJ, Grosko represents the Fish and Wildlife Service and other federal agencies when their decisions are challenged under various federal wildlife statutes. His caseload encompasses the defense of fishery closures, Forest Service land management decisions, wild horse gathers, and listing decisions under the Endangered Species Act. The job constantly challenges him to think about new aspects of the statutes he works on. A typical day involves writing briefs or preparing for oral argument in federal district court.

Grosko brought a wealth of experience to DOJ. Before law school, he spent a year in Costa Rica studying forestry law enforcement on a Fulbright scholarship. After earning his J.D. at GW Law and an M.A. in international affairs from Johns Hopkins University School of Advanced International Studies, he served as a judicial law clerk at the U.S. Court of International Trade in Manhattan before spending four years in private practice at a large firm in Miami.

In 2005, Grosko returned to Washington, D.C., as an attorney advisor at the National Oceanic and Atmospheric Administration (NOAA). At NOAA, his tasks included drafting for the secretary of commerce Coastal Zone Management Act consistency appeal decisions, which weigh the



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