

Print - Patuxent Riverkeeper Scores Victory in Prince George's Battle Over Woodmore Towne Center | wusa9.com

wusa9.com

5:05 PM, Oct 10, 2011

LARGO, Md. (WUSA) -- The little guy has scored some important points in a David vs. Goliath environmental battle in Prince George's County.

Maryland's highest court has upheld the rights of environmental groups and individuals to fight government approvals of permits citizens believe cause environmental damage.

Even though developers planted trees and constructed wetlands elsewhere to offset the construction, Linthicum and Tutman believe runoff from developments like Woodmore have cumulatively hurt water quality in the Patuxent watershed.

"It's like death from a thousand cuts," Linthicum says.

At first, Linthicum and the Riverkeeper lost in a lower court. "The wetlands permit ... has not affected Mr. Linthicum's day to day life on the river in any manner whatever." a lower court judge wrote, noting Linthicum doesn't live anywhere near Woodmore.

But the decision was overturned in a 5-2 decision by the Court of Appeals of Maryland. The majority opinion stated writing: "Linthicum... shares a sufficient nexus to the issuance of the non-tidal wetlands permit, because ... stream crossings at headwaters and wetlands ... can cause negative affects downstream."

Linthicum claimed the state harmed his "aesthetic, recreational, and economic interests ... as an avid paddler and mapmaker" when it approved a permit for Woodmore to build a causeway and culvert on top of a wetland area in 2010. Even though developers planted trees and constructed wetlands elsewhere to offset the construction, Linthicum and Tutman believe runoff from developments like Woodmore have cumulatively hurt water quality in the Patuxent watershed.

Linthicum claimed the state harmed his "aesthetic, recreational, and economic interests ... as an avid paddler and mapmaker" when it approved a permit for Woodmore to build a causeway and culvert on top of a wetland area in 2010. Even though developers planted trees and constructed wetlands elsewhere to offset the construction, Linthicum and Tutman believe runoff from developments like Woodmore have cumulatively hurt water quality in the Patuxent watershed.

"It's like death from a thousand cuts," Linthicum says.

At first, Linthicum and the Riverkeeper lost in a lower court. "The wetlands permit ... has not affected Mr. Linthicum's day to day life on the river in any manner whatever." a lower court judge wrote, noting Linthicum doesn't live anywhere near Woodmore.

But the decision was overturned in a 5-2 decision by the Court of Appeals of Maryland. The majority opinion stated writing: "Linthicum... shares a sufficient nexus to the issuance of the non-tidal wetlands permit, because ... stream crossings at headwaters and wetlands ... can cause negative affects downstream."