



Environmental Law & Policy: Nature Law and Society (Aspen Casebook)

Zygmunt J.B. Plater, Robert H. Abrams, Robert L. Graham, Lisa Heinzerling, David A. Wirth, Noah D. Hall

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Environmental Law & Policy: Nature, Law & Society is a coursebook designed to access the law of environmental protection through a “taxonomic” approach, exploring the range of legal structures and legal methodologies of the field—rather than simply designing it according to air, water, toxics, etc. as subject media (which often results in duplicative legal coverage). All the major subject areas of pollution and resource conservation are covered, but they are covered according to the legal approaches they represent.

The book is “Saxist,” because it originally arose and continues to carry on themes from the teaching, guidance, and writings of the late Joseph Sax, the eminent pioneer of the environment law field who emphasized the interaction between common law and public law statutory structures, and introduced the public trust doctrine as a thread undergirding and running through the entire field of environmental law.

Key Features:

- Includes teaching analysis of the completely-revised Toxics Substances Control Act by co-author Robert Graham, Esq. of Jenner & Block who is advising corporate clients on the new law.
- Coverage of the Dec 2015 Paris COP-21 climate agreement in its several different aspects, incorporating analysis by coauthor Prof David Wirth who played an active role in international preparations for the Paris accord.
- Expanded material on carbon pricing, until recently widely thought to be a politically impossible alternative avenue for mitigation of global climate disruption.
- Tracking major recent revisions in toxic substance regulation, with essential comparisons to the current European model of market access chemical regulation.
- An updated guide through the complexities of tensions between private property rights and environmental protections, and an innovative clarification of recent Supreme Court caselaw.
- An innovative chapter on official “planning”— a basic and problematic element of environmental governance, whether at the local level or national public lands level.

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