

Cambridge University Press

978-0-521-19513-3 - Nature's Trust: Environmental Law for a New Ecological Age

Mary Christina Wood

Index

[More information](#)

Index

- Ackerman, Bruce, 104
 acronyms, 113, 261, 273
 Adams, Ansel, 336
 administrative deference doctrine, 10, 110–12,
 235–8, 248, 336
 Administrative Procedure Act, 55, 93, 99, 113, 195
 agency
 bias, 89–91
 capture, 50–1, 52, 68, 256
 discretion, 7, 10, 68, 70, 74, 77, 81
 enforcement failures, 77–81, 92
 interference with science, 33, 87–9
 politicization, 68, 77
 public deception, 99–101
 regulatory delay, 25, 44
 techno-jargon, 100–1, 262, 273
 trust duties. *See* public trust doctrine: agency
 trustees
Alabama v. Texas, 135
 American Geophysical Union, 40, 45
 Aoki, Keith, 325
 appropriation riders, 106–7, 139, 198–9, 336
 Arnold, Craig Anthony, 276, 324
Arnold v. Mundy, 148
 assets in trust
 air, 160
 atmosphere, 160, 215
 beaches, 160
 ecological *res*, 125, 147
 groundwater, 148, 150
 navigable waters, 143, 146
 oceans, 17, 215
 public concern test, 144, 151–2
 public lands, 160
 submerged lands, 143
 water, 150
 wetlands, 150, 157, 330
 wildlife, 147
 Astyk, Sharon, 298, 299
 atmosphere
 carbon dioxide pollution. *See* climate crisis
 litigation protecting. *See* Atmospheric Trust
 Litigation
 as public trust asset. *See* assets in trust
 Atmospheric Trust Litigation, 47, 153, 218,
 220–1, 226–9, 256, 278, 338, 341
 attribute of sovereignty. *See* public trust doctrine:
 attribute of sovereignty
- Bach, Tracy, 168
 Bakan, Joel, 300
 Barbour, Haley, 23–4, 30–1
 Barcott, Bruce, 86
 Barlow, Maude, 143, 267, 324
 Barnet, Richard J., 211, 302
 Berry, Wendell, 312–3, 316
 Bartholomew I, Ecumenical Patriarch, 267, 277
 Bartolini, Stefano, 297
 Batker, David, 286, 297
 Benedict XVI, Pope, 265, 267–8, 277, 279
 beneficiaries. *See* public trust doctrine:
 beneficiaries of trust
 Bierce, Ambrose, 300
 Bingham, Sally, 277, 279
 biodiversity, 4, 8, 145, 146, 150, 152, 157, 169, 176,
 210, 215, 271, 325
 Birnie Patricia W., 213
 Birol, Faith, 228
 Blackstone, 209
 Blumm, Michael, 82, 92, 93, 147, 154, 212, 308,
 312, 318, 321, 322, 324, 328, 329, 330, 332
 Bollier, David, 161, 162, 163, 283, 339, 345

- Brandeis, Justice Louis, 195
 Braungart, Michael, 295–6
 Bremby, Roderick, 36
 Brook, Ed, 35
 Brown, Lester, 291, 342
 Brown, Peter, 126, 128, 129, 142, 189, 274–6
 Brundtland Commission, UN, 211
 Buck, Susan, 209
 Bureau of Land Management, 56, 103
 Burnett, Jason, 37, 42, 43, 44
 Bush II Administration, 20, 23–7, 30–3, 36, 39, 41–2, 44, 70, 71, 73, 76, 78, 79, 82, 85, 88, 89, 92–3, 100, 101, 104, 173, 344
 Bush, George W., 16, 19, 20, 22–7, 30, 40, 43, 44, 46, 47, 71–4, 76, 78, 79, 86–7, 94, 107, 114, 277
 Business As Usual, 11, 13, 19, 221, 283–4
 Butler, Jaime Lynn, 227

 California prison litigation, 243–4, 248, 249–50, 252–3, 255
 California, public trust doctrine, 150, 152, 157, 159, 160, 180, 239, 324, 325
 Cardozo, Justice Benjamin, 188, 189, 236
 Cavanagh, John, 211, 302
 Center for a New American Security (CNAS), 156, 290–1
 Chapin III, F. Stuart, 183
 checks and balances, 52, 53, 102, 104, 105–7, 111, 138, 206, 234, 236, 336
 Cheever, Federico, 59, 90
 Cheney, Dick, 22, 23, 24, 37, 77, 79
 Cherniak, Olivia, 227
Citizens United, 108, 191, 193, 272
 civil disobedience, 36, 45, 103, 105, 277, 345
 Cizik, Richard, 277
 Clark, Sara, 235
 Clarke, Tony, 267, 324
 Clean Air Act, 6, 8, 9, 16, 19, 20–5, 29, 30, 32, 34–5, 37, 42, 44, 46, 51, 55, 61, 71, 78, 79, 100
 Clean Water Act, 6, 50, 51, 54, 55, 57, 60, 65, 70–5, 79, 82, 171, 178, 181, 182
 climate crisis, 156, 183
 adaptation, 11
 carbon dioxide levels, 21, 35
 carbon dioxide regulation, 24, 25, 28–30, 33, 37, 42–4, 46
 carbon sinks, 11, 12
 climate litigation. *See* Atmospheric Trust Litigation
 climate treaty negotiations, 39, 41–2, 46–7, 210, 211
 disinformation campaign, 25–8
 effects of climate change, 10–11, 21, 34, 42, 44, 47, 291, 319
 failure to regulate. *See* climate crisis: carbon dioxide regulation
 prescription for carbon reduction, 41, 45, 47, 204, 222, 225, 227–8, 249, 341–2
 sea level rise, 35, 38, 45, 183, 289
 tipping points, 10–2, 20, 31, 33, 34–6, 38, 41, 120, 139, 154, 184, 202, 221–2, 248, 336
 Clinton, Bill, 211
 CNA Corporation, 290–1
 coal mining, 49–50, 80, 176. *See also* mountaintop removal
 coal-fired plants, 4, 34, 36, 38, 44–5, 61, 71, 78, 86, 88, 92, 168, 176, 208
 Australia protests, 45
 Greenpeace Kingsnorth action, 36, 44–5
 Kansas denial of permit, 36–7
 Cohen, Boyd, 283–9, 291, 293, 295–6, 300, 303
 Collins, Craig, 52, 58, 69, 78–81, 178–9, 194
 Columbia River Fish Management Plan, 253
 Columbia River salmon, 56–7, 63
 Columbia River salmon litigation, 242–3, 249, 252–4
 commodity view of land, 143, 161, 312–13, 316–19, 324, 332–4, 345
 common law, 17, 53–4, 100, 109–10, 129, 145, 159, 171, 185, 213, 231, 238, 257, 311
 commons, distinguished from trust, 161–4
 commonwealth view of land, 312, 313–16, 334
 Comprehensive Environmental Response, Compensation, and Liability Act, 55, 153, 182
 Congress
 campaign contributions, 81, 91, 107–8, 139, 171, 191, 234, 272, 301
 as trustee of public assets. *See* public trust doctrine: legislative trustees
 Congressional investigations, 26–9
 Connaughton, James, 29, 39, 85
 consumerism. *See* consumption
 consumption, 264, 268–9, 278, 297–8
 Convention on Biological Diversity, 215
 Conway, Erik, 96, 98
 Cooney, Phil, 25–31, 86
 corporations
 causing environmental damage, 78, 165, 302

- corporate charters, 304–5
- fiduciary corporations, 305
- fossil fuel, 25, 34, 79, 96, 99, 340
- influence on government, 30, 69, 78–9, 84–5, 91, 95, 97, 108, 139, 166
- power of, 301–3
- co-tenancy, 17, 209, 213, 217–19, 221, 223
- co-trustees of public assets. *See* public trust doctrine: co-trustees
- courts
 - contempt of court, 254
 - continuing jurisdiction, 227, 253
 - deference to agencies. *See* administrative deference doctrine
 - generally, 53, 108, 230–1, 233–4
 - judicial check, 239–40
 - judicial veto, 238–40
 - remedies for statutory violations, 112–13
 - role enforcing public trust, 139–40, 232–4, 237–40
 - role in statutory law, 231–2
 - structural injunctions, 241, 247–8
- covenant, generational, 213, 265, 280, 281, 338, 351
- cradle-to-cradle design, 295–6
- Craig, Larry, 107
- Cullinan, Cormac, 270

- Daily, Gretchen, 289
- Dalai Lama, 277, 280
- Daly, Herman, 293
- Data Quality Act, 94–5
- Daubert v. Merrell Dow Pharmaceuticals*, 237
- Davidson, John, 49, 129, 152, 216, 266, 327
- Davidson, Osha Gray, 94–5
- Davis, Devra, 51, 93, 97
- de Graaf, John, 269, 286, 293, 297
- De Young, Raymond, 347
- dead zones, 3, 102, 165, *See also* oceans: health of
- DeChristopher, Tim, 105
- Deep Water Horizon Oil Spill, 89, 168, 173, 194, 199, 201, 205, 216, 282, 327
- Department of Justice, 29, 78, 91–3, 103, 195
- Diamond, Jared, 5, 6, 10, 14
- Dickinson, Tim, 27
- Dingfelder, Jackie, 91
- disinformation campaigns, 26–7
- Doremus, Holly, 75–6, 100
- Douglas, Justice William O., 130, 135, 155, 163, 236, 270
- Duin, Steve, 80
- Duncan, Myrl, 312, 322, 330–1
- Dunning, Harrison, 159, 238

- Dworkin, Ronald D., 261

- Earth Day, 51, 60
- Earth Endowment, 16, 18, 163, 170, 208, 209, 214, 283, 286–7
- Earth Jurisprudence, 270
- Echeverria, John, 118
- ecological balance, 150, 151, 164, 263, 313
- ecological bankruptcy, 8–9
- ecological *res*. *See* assets in trust
- ecosystem services, 151–2, 163–4, 184, 289, 300
- Edmund Burke, 130, 264, 315
- Emerson, Ralph Waldo, 319
- Endangered Species Act, 6, 8, 50–1, 55, 60, 63, 69, 75–6, 106, 112, 114, 182, 203, 242
- endangerment finding, 20, 34, 37, 39, 40, 42, 43, 44, 46, *See also* climate crisis: carbon dioxide regulation
- environmental democracy, 17, 52, 88, 105, 114–5, 120, 336
- environmental groups, 74, 100, 115–17, 270
- environmental law
 - damage allowed by, 13, 61–4, 72–3, 74
 - generally, 6–8, 52–4, 56
 - permit system, 7, 9, 13, 50, 53–4, 58, 60–1, 63–7, 172
- Ethyl Corp v. EPA*, 201
- externalities, environmental, 208, 287–8

- Fairfax, Sally, 331
- federal public trust obligation. *See* public trust doctrine: federal government as trustee
- Federalist Papers, 256
- fiduciary obligations
 - accounting, 203–4
 - alienating trust assets, 186–7
 - delegation of duties, 197–9
 - duty against waste, 170–1, 174–7, 224–6
 - duty of good faith and reasonable skill, 200
 - duty of loyalty, 108, 189–94, 236, 240
 - duty of protection, 167–9
 - duty of restoration, 182–5
 - general, 167
 - maximizing value of assets, 175–81
 - recouping natural resource damages, 185–6
 - scrutiny of private use, 179–81
 - substantial impairment of assets, 167, 181, 186, 327
 - towards planetary assets, 218–20
- Fifth Amendment, U.S. Constitution, 311–12, 318, 322–3, 330, 332–3
- fill rule, 74

- Finn, Justice Paul, 128
 fisheries, 4, 136, 212, 213
 Foltz, Richard C., 280
 Food and Drug Administration, 89
 fossil fuel industry. *See* corporations: fossil fuel
 Founding Fathers, 52, 104, 113, 129, 195, 302
 fracking, 152, 303, 327
 Freedom of Information Act, 55, 79, 195, 204
 Freyfogle, Eric, 313–14, 317, 319, 329
 Friedman, Lawrence, 304, 306
 Friedman, Thomas, 11, 173, 290
 Fukushima nuclear disaster, 208, 216
 future generations. *See* public trust doctrine:
 beneficiaries of trust
- Gandhi, Mahatma, 18, 268, 280, 345–6
Garcetti v. Ceballos, 90
Geer v. Connecticut, 14–15, 125–7, 147,
 179, 189
 Gelbspan, Ross, 25–6, 40, 99, 116–7, 156
Georgia v. Tennessee Copper Co., 53, 127
 Gerberding, Dr. Julie, 37
 gerbil cage, 33
 Gladwell, Malcomb, 349–50
 Glavin, Terry, 158
 global trust assets, 208, 213–8
 Goble, Dale, 320
 Gore, Al, 20, 22, 26, 35, 38, 40–2, 45, 104–5, 106,
 107, 211
 Gorsuch, Ann, 82
 Gottlieb, Roger, 268–9
 Graham, Dr. John, 94
 Grant, Douglas, 130, 239–40
 green chemistry, 179
Greenhouse Development Rights Framework,
 226
 Greider, William, 301–2
 Griles, Steven, 74, 87
 Gross Domestic Product, 286–7, 301
 Guthrie, R.D., 154
- Hall, Dale, 75
 Hamilton, Alexander, 256
 Hamilton, Clive, 292
 Hanauer, Nick, 341, 348
 Hand, Judge Learned, 230
 Hansen, James, 11, 20–1, 31, 33–8, 41, 44–7, 88,
 119, 173, 184, 221, 222, 228, 289
 Hardin, Garrett, 161
 Hawaii, public trust doctrine, 132, 145, 148, 150,
 152–3, 158, 169, 171, 177, 179–80, 181, 201–2,
 273, 324–5
- Hawken, Paul, 5, 286, 341–2, 350
 hazard resources, 152, 216, 327, 340
 heat waves, 21, 28
 Heinberg, Richard, 291–2
 Hendricks, Bracken, 291
 Hoggan, James, 96
 Holmes, Justice Oliver Wendell, 157, 159, 231,
 315, 332
 Holmstead, Jeffrey, 30, 44, 86–7
 Hopkins, Rob, 347–8
 Houck, Oliver, 60, 63, 68, 70, 101, 121
 Huffman, Jim, 132, 234
 human right, trust as, 14, 126, 141, 162, 263, 268,
 278, 324, 326, 340
 Hurricane Katrina, 31, 287, 319
- Illinois Central Railroad Co. v. Illinois*, 15, 53, 126,
 129, 131–2, 144, 146, 149, 152–4, 156–7, 160–1,
 186, 231, 238–9, 266, 308, 320–4, 326, 327
 India, public trust doctrine, 130, 143, 154, 158, 174,
 275–6, 331
 Indian tribes. *See also* public trust doctrine: tribal
 trustees
 federal Indian trust obligation, 137
 indigenous land ethic, 136–7, 154, 263, 267–9,
 275, 315
 natural law, 3, 6, 136, 268–9
 Navajo Nation, 136, 269
 salmon management, 136, 170
 treaty rights, 137
 indigenous land ethic, 316
 industrialization, 4, 7, 9, 11–12, 53, 171, 263, 286,
 292, 308, 333
 industry
 disinformation campaigns, 98–9
 manipulation of science, 95–8
 Inslee, Jay, 291
 Intergovernmental Panel on Climate Change
 (UNIPCC), 30, 32, 35, 38, 40, 42, 288
 International Energy Agency, 228
Izaak Walton League v. Butz, 59
- Jackson, Lisa, 46
 Jefferson, Thomas, 130, 144, 149, 264, 299, 301,
 303, 314–15, 317, 350
 Jindal, Governor Bobby, 282
 Johnson, Stephen, 42–3
 judiciary. *See* courts
 Juliana, Kelsey, 227
jus publicum, 135, 312, 328–31, 333
Just v. Marinette County, 150, 330
 Justinian Code, 5, 126, 160, 164, 215

Cambridge University Press

978-0-521-19513-3 - Nature's Trust: Environmental Law for a New Ecological Age

Mary Christina Wood

Index

[More information](#)

Index

433

- Keiter, Robert, 150
 Kelly, Michael, 77
 Kennedy, John F., 262, 291
 Kennedy, Robert F. Jr., 22–4, 49–50, 51, 72–4,
 78–9, 85, 87, 94, 95
 Kenya, public trust doctrine, 324
 Keystone XL Pipeline project, 89, 118–19, 345
 Khalid, Fazlun, 277
 Kingsolver, Barbara, 346
 Klamath Basin, 76–7, 92, 183
 Klein, Naomi, 101, 283, 285, 304
 Kloppenberg, Lisa, 109
 Kolbert, Elizabeth, 5
 Koons, Judith, 270
 Korten, David, 298, 300, 302–3, 339
 Kyoto Protocol, 22, 211
- LaDuke, Winona, 268
*Lake Michigan Federation v. U.S. Army Corps of
 Engineers*, 186, 239, 321
 Lakoff, George, 166
Lamprey v. Metcalf, 266
 land trusts, 316
 Lavelle, Rita, 82
 Lazarus, Richard, 6, 85, 91, 105–7
 Leonard, Annie, 269
 Leopold, Aldo, 151, 154–5, 269, 312, 314–15, 334
 Lieu, Eric, 341
 life tenants, 170–1, 331
Light v. United States, 135
 Lincoln, Abraham, 105, 299, 301, 303, 344
 Liu, Eric, 348
 localization. *See* relocation
 Locke, John, 126, 128–9, 310, 315
 Loeb, Paul, 114
 Loorz, Alec, 227
The Lorax, 64, 177
 Louv, Richard, 318
 Lovins, Hunter, 283–9, 291, 293, 295–6,
 300, 303
Lucas v. South Carolina Coastal Council, 318, 332
 Luntz, Frank, 96–7
 Lyons, Oren, 3, 4, 6
- MacDonald, Julie, 76
 Magna Carta, 18, 126
 Makhijani, Arjun, 291
 Manila Bay litigation, 246–51, 255
Marks v. Whitney, 150, 157, 239
Massachusetts v. EPA, 30, 31–6, 39, 42–3
Matthews v. Bay Head Improvement Association,
 329
- Mavani, Dr. Hamid, 280
 McDonough, William, 295–6
 McKibben, Bill, 5, 41, 289, 298, 301, 304–5, 307–8,
 318, 340–2, 344
 M'Gonigle, Michael, 120–22, 293
 Michaels, David, 65, 66, 78, 83,
 95–9, 202
 Milbank, Dana, 97
 Minerals Management Service, 77, 89, 168, 190,
 194, 199, 201
 Mintz, Joel, 78–9
 Mombiot, George, 20, 26, 47
 Mono Lake, 159, 180, 324
 Moore, Kathleen Dean, 263, 265, 270
Mount Laurel land use litigation, 242, 248–50,
 252, 254
 mountaintop removal, 50, 57, 71, 73, 81,
 262, 277
- Nace, Ted, 301, 304
 Nanda, Ved, 212
 National Environmental Policy Act, 6, 50,
 55, 113–19, 133, 171, 178, 201, 204
 National Forest Management Act, 6, 51, 55,
 58–60, 90, 171
 National Marine Fisheries Service, 7, 56, 76,
 88–9, 91, 242–3
 National Research Council, 24, 29, 31–2
 natural capital, 152, 169, 170–2, 176, 181, 283, 286,
 294, 306
 natural capitalism, 17, 288, 295–6
 natural inheritance, 163
 natural law, 126, 162, 222, 263, 266, 279
 natural use doctrine, 330, 332
 Nature's laws, 3, 6, 8, 120, 148, 154, 163, 168, 209,
 218, 335
 Nature's Trust paradigm, 5, 14–16, 18, 68, 125, 136,
 138–42, 149, 164, 167, 172, 177, 212, 214, 220,
 230, 236, 261–3, 271, 281, 294–6, 299, 306, 328,
 336–7, 339–40, 348
 Nature-Deficit Disorder, 318
 Nelson, Michael P., 227, 263, 265, 270
 new ecological age, 5, 121, 183, 288
 New Jersey, public trust doctrine, 145, 157,
 159–60, 329
 Newton, Aaron, 298
Newton v. Commissioners, 131
 Noonan, Judge, 91, 236–7
 Nordhaus, Ted, 117
 Norton, Gale, 86
 Noss, Reed, 147, 150, 152, 155
 nuisance law, 53–4

Cambridge University Press

978-0-521-19513-3 - Nature's Trust: Environmental Law for a New Ecological Age

Mary Christina Wood

Index

[More information](#)

434

Index

- Obama, Barack, 19, 46–8, 72, 82, 87, 168, 173, 205, 227, 282, 288
- Occupational Safety and Health Administration, 66–7, 78, 83
- Occupy protests, 345
- oceans
as carbon sinks. *See* climate crisis: carbon sinks
health of, 3–4
as public trust assets. *See* assets in trust
as shared trust assets. *See* global trust assets
- O'Connor, Justice Sandra Day, 212, 257
- Office of Information and Regulatory Affairs, 95
- Office of Management and Budget, 21, 28, 42, 44, 88, 91–5, 200
- O'Neill, Catherine, 75
- Oposa v. Factoran*, 126, 132, 151, 156, 158, 171, 247, 276
- Oregon Department of Environmental Quality, 80, 91
- Oregon, public trust doctrine, 158, 160, 328
- Oreskes, Naomi, 96, 98
- orphan share, 223
- Orr, David, 277, 347
- Our Children's Trust, 228
- over-consumption. *See* consumption
- Pachauri, Rajendra, 30, 38, 40, 42, 288
- Pacific Northwest treaty rights litigation, 244–6, 249–50, 252
- Paperwork Reduction Act, 93
- Parenteau, Patrick, 47, 70
- peak oil, 158, 174, 289, 291, 298
- Pennsylvania Coal Company v. Mahon*, 332
- Perkins, John, 274, 284, 301–2
- permits to pollute. *See* environmental law: permit system
- Persistent, Bioaccumulative Toxics, 179
- Philippines, public trust doctrine, 126, 132, 151, 156, 158, 171, 234, 246–7, 276
- Phillips Petroleum*, 148–9
- Piven, Francis Fox, 344–5
- planetary heating. *See* climate crisis
- planetary patriotism, 341, 343
- police power, 127–8, 129, 132, 153, 238, 240
- political operatives, 85–9
- popular sovereignty, 14, 128, 140, 336
- Pound, Roscoe, 108, 232–3, 236
- Powell, Richard, 310
- powering down, 292
- PPL Montana v. Montana*, 133
- precautionary approach, 155, 201, 203, 337
- preemption doctrine, 238
- Princen, Thomas, 347
- private property
conditions, covenants, and restrictions, 317
easements, 328–9
life tenants. *See* life tenants
public hazard revocations, 326–7
regulation of land use, 313–4
servitudes, 329–32
takings. *See* Fifth Amendment, U.S.
Constitution
- privatization of trust assets. *See* public trust doctrine: alienating trust assets
- Proverbs 13
22, 265
- public concern test, 15, 149, 152–3, 156, 161, 163
- Public Employees for Environmental Responsibility, 75, 82, 90, 97, 194, 200
- public trust
easements. *See* private property
servitudes. *See* private property
- public trust doctrine
agency trustees, 139
alienating trust assets, 320–3
attribute of sovereignty, 129, 132–4, 145, 238
beneficiaries of trust, 125, 127, 142, 161, 167, 169–70, 182, 185, 188–90, 196–7, 203, 204, 212, 214, 216–17, 219, 226, 237, 239, 241, 248, 265, 273, 276, 337
constitutional nature, 129–33, 139, 163, 238
co-trustees, 133–6, 198, 213, 217, 222, 276
federal government as trustee, 133–6, 138, 185, 213
legislative trustees, 138–9
public interests protected by, 145–6
states as trustee, 133
tribal trustees, 136–8
- Radin, Margaret Jane, 318
- rationing, 174
- Raymond, Leigh, 331
- recycling, 295
- Redden, Judge James, 243
- Reliance Natural Resources v. Reliance Industries Ltd.*, 130
- religious environmentalism, 267, 280
- relocalization, 343, 347–9
- remaindermen, 170, 331
- reserved powers doctrine, 130, 131, 133, 154, 239, 266
- Revere, Paul, 349
- Rey, Mark, 86–7, 254

Cambridge University Press

978-0-521-19513-3 - Nature's Trust: Environmental Law for a New Ecological Age

Mary Christina Wood

Index

[More information](#)

Index

435

- Richard Andrews, 9
 Rights of Nature, 270–1, 315
 Ris, William, 212
 Ritchie, Lucus, 329
 Roberts, David, 343–4
 Rodgers, William, 119, 331
 Rohlf, Dan, 63
 Romm, Joseph, 39
 Roosevelt, Franklin Delano, 342
 Roosevelt, Theodore, 264–5
 Rousseau, John Jacques, 127, 310
 Ruch, Jeff, 75, 82, 90
 Ruckleshaus, William, 51
 Ruhl, J.B., 152
- Safe Drinking Water Act, 55, 62, 80
 Salzman, James, 152
 Sand, Peter, 209, 214, 217–18
 Sanders-Reed, Akilah, 227
 Savage, Charlie, 104
 Sax, Joseph, 14, 16, 125, 140, 156, 158, 193, 233–4, 239, 333
 Schoenbrod, David, 58, 69
 Schor, Juliet, 283–4, 286–7, 293, 295, 297–8, 299
 scientific integrity, 33, 87, 90, 200, 253
 scientific uncertainty, 24, 26, 29, 31, 149, 201–2, 337. *See also* industry: disinformation campaigns
 Sebelius, Kathleen, 37
 seed patents, 325–6
 separation of powers, 91, 104, 112, 197
 sewage sludge, 62
 Shellenberger, Michael, 117
 Shiva, Vandana, 326
 Shoenberg, David, 114
 Shulman, Seth, 89, 101
 Siemen, Sister Patricia, 270
Sierra Club v. Espy, 236
Sierra Club v. Morton, 155, 270
Sierra Forest Legacy v. Rey, 236–7
 Singleton, Judge Sarah, 153
 South Africa, public trust doctrine, 157, 324
 species extinction, 8, 64, 158
 Speth, James, 5, 8, 12–13, 52, 283–5, 288, 293, 297, 300–1, 303–5, 339
 standing doctrine, 108–9
 State Department, 89, 118
 statutory law
 citizen suits, 109
 steady-state economy, 293–4
 Steffen, Alex, 12
 Steinzor, Rena, 95, 98
- Stern Review, 287
 Stone, Rabbi Warren, 277
 Strickland, Rennard, 138, 262
 subsidies, 24, 288
 Surface Mining and Control Act, 50
- Thiebes, John, 227
 Thomas Burke, 66
 Thomas Jefferson, 130
 Tickner, Joel, 178, 201
 Tim DeChristopher, 103
 Torres, Gerald, 126, 129, 147, 157, 190, 193
 Toxic Substances Control Act, 6, 55, 61
 toxins, 9, 56, 66, 80, 82, 101, 172, 176, 178–9, 296, 327
 Triana, Judge Gisela, 153
 trustees. *See* public trust doctrine
 Tsosie, Rebecca, 315
 Turnipseed, Mary, 134
- U.S. Army Corps of Engineers, 7, 57, 71
 U.S. Department of Agriculture, 89, 254
 U.S. Environmental Protection Agency, 7, 9, 19, 20, 22–30, 32, 34–7, 39–40, 42–6, 47, 51–2, 56, 60–2, 65–7, 69, 71–3, 75, 78–80, 82, 86, 88, 89, 94, 97, 178, 181, 197, 200–1, 203, 223
 U.S. Fish and Wildlife Service, 7, 56, 58, 60, 63, 64, 71, 75–7, 88–91, 255
 U.S. Forest Service, 7, 56, 58–60, 64, 68, 86, 100–1, 107, 111, 194, 236
U.S. v. 1.58 Acres of Land, 134–6
U.S. v. Trinidad Coal, 135
 UNFCCC, 22, 202, 215, 221, 224, 226
 Union of Concerned Scientists, 25–6, 33, 87–91, 93–4, 199, 200
 United Nations Convention on the Law of the Sea, 215
United States v. 1.58 Acres of Land, 213
 urban homestead movement, 299
 usufruct, 130, 170, 175, 264, 315, 324
- VanDevelder, Paul, 57
 Velasco, Justice, 234, 246, 247, 251
Vermont v. Central Vermont Railway, 321
Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council, 119
 Vernacular Law, 162–3
 Victory Gardens, 298, 313
 Victory Speakers, 343–4, 346–7
 Voluntary Simplicity Movement, 269

Cambridge University Press

978-0-521-19513-3 - Nature's Trust: Environmental Law for a New Ecological Age

Mary Christina Wood

Index

[More information](#)

436

Index

- Wagner, Wendy, 95, 98, 100, 235
Waiahole Ditch decision, 132, 150, 179–80, 201–2, 273
 Washington State education litigation, 245–6, 253, 255–6
 Washington Toxics Coalition, 179
 water privatization, 324–5
 Watt, James, 82
 Weeramantry, Christopher, 216, 268, 279–80, 331
 Weiss, Edith Brown, 4, 169, 174, 176, 212, 216, 265, 275
 Weston, Burns, 162, 168, 264, 283, 339, 345
 Whistleblower Protection Act, 90, 196
 White House Council on Environmental Quality, 25, 27–31, 39, 85, 88
Whitman v. American Trucking Associations, 69
 Whitman, Christine Todd, 23, 27, 28, 29
 Wilkinson, Charles, 56, 126, 144, 159, 244
 Williams, Terry Tempest, 349
 Wilson, E.O., 263, 278
 Wisconsin, public trust doctrine, 139, 150, 152, 157, 330
 Withen, Diana, 50
 WITNESS Organization, 228
 Woods, Fronda, 245
 World Heritage Convention, 216
 World War II, 174, 268, 269, 298, 313, 342, 343, 344, 346, 350
 Zellmer, Sandra, 104, 234
 zero waste concept, 12, 179