

# Natural Resources Law: A Place-based Book of Problems and Cases (Aspen Casebook)

## DESCRIPTION

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# Natural Resources Law A Place Based Of Problems And Cases

**Kimberly K. Smith**



## **Natural Resources Law A Place Based Of Problems And Cases:**

**Natural Resources Law** Christine A. Klein, Federico Cheever, Bret C. Birdsong, 2005 This new casebook takes a distinctive place based approach to convey the passion and drama lurking behind resource disputes and policy Natural Resources Law A Place Based Book of Cases and Problems uses the same statutory interpretations and standards of review that other books treat as dry but necessary pieces of information but brings them to life the casebook can enliven your course through its broad national coverage that goes beyond traditional public lands issues to address a wide array of topics of interest to both eastern and western students place based approach which introduces most cases with a photo or map of the location under discussion along with a context setting paragraph The authors capture the love of place shared by most professors in the field traditional resource users such as ranchers miners and loggers and modern recreational users skillful use of factually rich discussion problems which introduce each group of cases Many of these problems mirror traditional essay exam questions while others raise contemporary policy issues the book includes a balanced selection of foundational cases and new decisions *Utah Association of Counties v Bush* on Utah's Grand Staircase National Monument *South Florida Water Management District v Miccosukee Tribe of Indians on the Florida Everglades* *Mineral Policy Center v Norton* on administrative mining reform *Kentuckians For The Commonwealth Inc v Rivenburgh* on Kentucky mountaintop mining *Okanogan v National Marine Fishery Service* and *Rio Grande Silvery Minnow v Keys* on ESA water rights conflict *Conti v United States* on Atlantic swordfishing permit *Mobil Oil Exploration Producing Southeast Inc v United States* on North Carolina's Outer Banks the authors offer extra support for instructors readings are grouped into discrete assignment sized chunks allowing coverage of two to four cases or one problem during each class section emphasis is on primary sources with relevant statutory and regulatory sections at the beginning of each chapter detailed Teacher's Manual answers all questions asked in the text a website and a CD ROM provide PowerPoint slide and color versions of the photos in the casebook as well as photos of additional places a listserv alerts adopters to new materials available online including edited versions of new judicial opinions as they are handed down

### **Natural Resources Law: A Place-Based Book of Problems and Cases ,**

Beyond Environmental Law Alyson C. Flournoy, David M. Driesen, 2010-02-26 This book offers a vision for the third generation of environmental law designed to enhance its ability to protect our environment The book presents two core proposals an Environmental Legacy Act to preserve a defined environmental legacy for future generations and an Environmental Competition Statute to spark movement to new clean technologies The first proposal would require for the first time that the federal government define an environmental legacy that it must preserve for future generations The second would establish a market competition to maximize environmental protection The balance of the book provides complementary proposals and analysis The first generation of environmental law sought broad protection of health and the environment in a fairly fragmented way The second sought to enhance environmental law's efficiency through cost benefit

analysis and market mechanisms These proposals seek to create a broader more creative approach to solving environmental problems Social-Ecological Resilience and Law Ahjond S. Garmestani, Craig R. Allen, 2014-02-25 Environmental law envisions ecological systems as existing in an equilibrium state or a balance of nature reinforcing a rigid legal framework unable to absorb rapid environmental changes and innovations in sustainability For the past three decades resilience theory which embraces uncertainty and nonlinear dynamics in complex adaptive systems has shown itself to be a robust and invaluable basis for sound environmental management Reforming American law to account for this knowledge is key to transitioning to sustainability This volume features top legal and resilience scholars speaking on resilience theory and its legal applications to climate change biodiversity national parks and water law Making Climate Lawyers Kimberly K. Smith, 2024-04-11 Why did it take so long for American law schools to start teaching about climate change Although most environmental law professors were aware of climate change by 1990 it took nearly fifteen years for them to incorporate the topic into their curriculum In her innovative new work Kimberly K Smith explores how American environmental law professors have addressed climate change identifying the barriers they faced how they overcame them and how they created climate law as a domain of legal specialization Making Climate Lawyers explores the history of why American law schools were resistant to teaching about climate change and how that changed over the course of a forty year period resulting in law schools across the country incorporating climate change into their curricula with many even establishing centers on the environment Smith challenges dominant explanations of why the United States was slow to develop climate policy it wasn't just political opposition or short sightedness Creating climate legal professionals required changing the fundamentals of legal education Based on dozens of interviews with faculty and students Making Climate Lawyers fills a gap in the literature on the intellectual history of climate change most of which focuses on the history of climate science Smith focuses instead on how the climate problem fits or doesn't fit into the structure of American law She uses this story as a lens through which to understand both the transformation of legal education since the 1980s and the nature of climate change as a policy problem

Mississippi River Tragedies Christine A Klein, Sandra B Zellmer, 2017-08-01 A stunning and important book It tells a sweeping tale of folly greed ignorance injustice and unintended consequences We all should heed its lessons David Baron award winning author of The Beast in the Garden American engineers have done astounding things to bend the Mississippi River to their will forcing one of its tributaries to flow uphill transforming over a thousand miles of roiling currents into a placid staircase of water and wresting the lower half of the river apart from its floodplain American law has aided and abetted these feats But despite our best efforts so called natural disasters continue to strike the Mississippi basin as raging floodwaters decimate waterfront communities and abandoned towns literally crumble into the Gulf of Mexico In some places only the tombstones remain leaning at odd angles as the underlying soil erodes away Mississippi River Tragedies reveals that it is seductively deceptive but horribly misleading to call such catastrophes natural Authors Christine A Klein and Sandra B

Zellmer present a sympathetic account of the human dreams pride and foibles that got us to this point weaving together engaging historical narratives and accessible law stories drawn from actual courtroom dramas The authors deftly uncover the larger story of how the law reflects and even amplifies our ambivalent attitude toward nature simultaneously revering wild rivers and places for what they are while working feverishly to change them into something else Despite their sobering revelations the authors final message is one of hope Although the acknowledgement of human responsibility for unnatural disasters can lead to blame guilt and liability it can also prod us to confront the consequences of our actions leading to a liberating sense of possibility and to the knowledge necessary to avoid future disasters

**Net Zero and Natural Resources Law**, 2024-09-05 States corporations and other actors worldwide have committed to measures aimed at bringing down global emissions to net zero by the year 2060 or earlier While the need for a clean energy transition is clear incoherently designed transition programs can pose complex environmental social and governance risks including legal liability and protracted disputes At the same time the rush for minerals needed to manufacture clean energy technologies raises fundamental questions most crucially how to ensure the exploration and development of energy transition minerals in a manner that does not exacerbate resource conflicts resource nationalism human rights violations protectionism energy insecurity social exclusions and inequity especially in conflict affected and high risk regions By studying the legal and regulatory systems of Africa Asia Europe Australasia and North and South America through the themes of sovereignty security and solidarity **Net Zero and Natural Resources Law** provides an in depth discussion of tools and techniques for addressing the legal and contract risks relating to the clean energy transition This book offers a comprehensive and authoritative account of the nature scope and guiding principles of natural resources law and policy in a net zero era Consideration is given to the integrated resource governance roadmap that is needed to improve coherence and coordination in the design financing and implementation of energy transition programs across the entire natural resource value chain

**Legal Systems for the Management of Protected Areas in Italy and Ukraine** Gianfranco Tamburelli, 2008

**Ohio State Journal on Dispute Resolution**, 2010

**The AALS Directory of Law Teachers**, 2007

**Teaching and Learning in Environmental Law** Kennedy, Amanda, du Plessis, Anél, Fowler, Rob, Hamman, Evan, Warnock, Ceri, 2021-08-27 This unique book focuses specifically on teaching and learning in environmental law exploring theory and practice as well as innovative techniques tools and technologies employed across the globe to teach this ever more important subject Chapters identify particular challenges that environmental law poses for pedagogy It offers practical guidance and serves as a source of authority to legal scholars who are seeking to take up or improve their teaching and knowledge of this subject

**Miscellaneous Public Land Bills** United States. Congress. Senate. Committee on Energy and Natural Resources. Subcommittee on Public Lands, Forests, and Mining, 2013

**OECD Environmental Performance Reviews: United States 2005** OECD, 2006-01-10 This book presents OECD assessments and recommendations regarding US efforts to manage its environment including air water

nature and biodiversity in a sustainable manner      *Zoning and Planning Law Handbook* ,2006      *Public Lands and Forests Legislation* United States. Congress. Senate. Committee on Energy and Natural Resources. Subcommittee on Public Lands and Forests,2010      **Collaborative Land Use Management** Robert J. Mason,2008 Collaborative Land Use Management The Quieter Revolution in Place Based Planning discusses the less regulatory approaches to land use management that have emerged over the past 35 years analyzing the collective value of such place based planning approaches as land trusts open space ballot measures watershed conservancies ecoregional plans and smart growth initiatives Collaborative Land Use Management appraises these trends from physical social economic civic and environmental justice perspectives

*Globalisation and Natural Resources Law* Elena Blanco,Jona Razzaque,2011-01-01 This book is a very welcome addition to publications on globalisation and natural resources management It adopts a very broad approach to this important subject it includes the general issues such as trade and investment It deals with very complex questions of permanent sovereignty over natural resources the right to development the role of indigenous peoples in resource management This publication also provides the reader with general underlying principles and approaches to natural resources management such as sustainable use the precautionary principle the principle of common but differentiated responsibilities and the ecosystem approach regulatory approach etc The book is very analytical and gives a lot of food for thought for readers Malgosia Fitzmaurice Queen Mary University of London UK The book is the first of its kind to deal in depth with complex cross cutting issues relating to globalization and natural resources The authors demonstrate not only a broad range of knowledge but also provides deep insights into what will be needed to make the transition from economic globalization to sustainable globalization including improved resource efficiency and sustainable development and inclusive and participatory governance In particular the authors consider specific approaches in such sectors as water resources renewable energy and biological resources The book has carefully documented and analyzed numerous international regional and national legal frameworks as well as relevant theories and principles It is a must for every law library as well as for policy makers administrators academics non governmental bodies and civil societies We owe a great debt to the authors for their painstaking comprehensive research Koh Kheng Lian National University of Singapore Globalization as a means of aptly capturing political social cultural and above all else economic phenomena has been well documented and the subject of a multitude of comment What has perhaps been less well studied is its relationship with natural resource management Thus this work by Merino Blanco and Razzaque is to be commended Moreover by focusing on globalization an important truth is revealed It is neither about the diminution of the role of the State nor the ascendancy of the multinational corporation but rather a more nuanced and complex interaction which we are only beginning to appreciate This book is an important contribution to that debate Duncan French University of Sheffield UK While sustainable development requires State regulation of the exploitation of natural resources globalisation as originally conceived pushed for free and unfettered

markets creating a fundamental tension between the two approaches This book attempts to find a way towards their reconciliation with inspiring results The book explores many themes especially how globalisation may contribute to the solution of the problems it has caused by helping to empower non state actors around the world so that the international decision making processes become more inclusive transparent and oriented towards sustainable development Ximena Fuentes Universidad Alonso Ibanez Chile and ILA Co Rapporteur on the Commission on Sustainable Development This book examines the complex relationships between trade human rights and the environment within natural resources law It discusses key theories and challenges whilst exploring the concepts and approaches available to manage crucial natural resources in both developed and developing countries Primarily aimed at undergraduates and postgraduates it includes exercises questions and discussion topics for courses on globalisation and or natural resources law as well as an ample bibliography for those interested in further research The book will therefore serve as an invaluable reference tool for academics researchers and activists alike American Book Publishing Record ,2003

**Research Handbook on Transnational Environmental Law** Veerle Heyvaert,Leslie-Anne Duvic-Paoli,2020-11-27 This illuminating Research Handbook offers a detailed overview and critical discussion of the key themes and perspectives that characterize the burgeoning research area of transnational environmental law Varied perspectives from leading and emerging scholars are brought together to deliver methodological and conceptual frameworks for future research whilst providing an original view on this emerging field of law

**Ecological Restoration Law** Afshin Akhtar-Khavari,Benjamin J. Richardson,2019-01-25 Ecological restoration is as essential as sustainable development for the health of the biosphere Restoration however has been a low priority of most countries environmental laws which tend to focus narrowly on rehabilitation of small discrete sites rather than the more ambitious recovery of entire ecosystems and landscapes Through critical theoretical perspectives and topical case studies this book s diverse contributors explore a more ambitious agenda for ecological restoration law Not only do they investigate current laws and other governance mechanisms they also consider the philosophical and methodological bases for the law to take ecological restoration more seriously Through exploration of themes relating to time space geography semiotics social justice and scientific knowledge this book offers innovative and critical insights into ecological restoration law

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