

The Natural Resource

ENVIRONMENTAL AND NATURAL RESOURCES LAW & POLICY PROGRAM NEWSLETTER

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Fall 2004

Stanford University Launches New Institute for the Environment

Stanford has created a new university-wide Institute for the Environment, building on its prior successes in interdisciplinary teaching and research. And Stanford Law School is taking a leadership role:

Buzz Thompson, the Robert E. Paradise Professor of Natural Resources Law and former vice dean of the law school, will direct the new Institute along with Professor Jeff Koseff of Stanford's School of Engineering.



Stanford Institute for the Environment Directors Buzz Thompson and Jeff Koseff

Photo: LA Cicero, Stanford Report

Meg Caldwell, ENRLP's director, will chair the institute's outreach committee, and clinic head Debbie Sivas will serve on the institute's academic committee.

The Stanford Institute for the Environment has two goals: finding working solutions to the environmental challenges that face the world today and breaking down barriers to the implementation of those solutions. "Working solutions require that we not only find natural and technological cures to environmental problems, but that we examine and solve economic, social, political, and psychological obstacles to those solutions," notes Thompson. This means that disciplines must work closely together to define, study, and resolve environmental issues. The new institute will pull together and promote interdisciplinary collaboration among faculty, students, and staff from all seven of Stanford's schools, as well as the Stanford Institute for International Studies, the Stanford Linear Accelerator, and the Hoover Institution. The new institute also will encourage collaboration between Stanford and other academic and research institutes and

build stronger ties to leaders in government, business, and non-profit organizations.

The Institute for the Environment will have four key components. First, it will

promote interdisciplinary research—serving as both a venture capitalist and an incubator for promising new research projects. Earlier this year, for example, the institute announced that it would award up to \$75,000 per year

in seed funding for two years to research projects that show high promise of solving significant environmental issues and that bring together faculty from different disciplines that traditionally have not worked together. In response to the institute's request for proposals, researchers from six schools and two institutes submitted forty proposals in the first round of grants. Researchers from such disparate departments as music, pediatrics, chemistry, classics, geophysics, biology, and law worked together to develop proposals. The institute ultimately funded nine projects and announced that it would hold another research competition next year. One of the winning projects will examine how to promote biodiversity on working landscapes and involves ecologists, economists, and law faculty (see story "Working Landscapes" on p. 7).

Second, the institute will advance interdisciplinary teaching at Stanford. The institute will build on Stanford's two existing interdisciplinary environmental programs—the undergraduate Earth Systems program, and the Interdisciplinary Graduate Program in En-

vironment and Resources (IPER). Faculty associated with the institute are examining a number of opportunities, including the creation of an introductory environmental course, dubbed "I-Earth," that all Stanford undergraduates would take. "Stanford currently requires all freshmen to take 'I-Hum,' an introductory course in humanities. I-Earth would ensure that all Stanford graduates have a basic understanding of the environment in which they live and of which they are stewards," states Pam Matson, dean of the School of Earth Sciences.

The institute will be responsible for the education not only of Stanford students. It also will be the new home of the Aldo Leopold Leadership Program. Founded in

— continued on page 15 —

Environmental and Natural Resources Law & Policy Program (ENRLP)

Buzz Thompson, JD/MBA '76 (BA '72),
Director, Stanford Institute for the Environment and
Robert E. Paradise Professor of Natural
Resources Law

John Barton '68, George E. Osborne Professor of
Law, Emeritus

Hank Greely (BA '74), Deane F. and Kate Edelman
Johnson Professor of Law

Tom Heller, Lewis Talbot and Nadine Hearn Shelton
Professor of International Legal Studies

Robert Rabin, A. Calder Mackay Professor of Law

Meg Caldwell '85, Director, ENRLP, and Lecturer
in Law

Deborah Sivas '87, Director, Earthjustice
Environmental Law Clinic, and Lecturer in Law

Michael Lozeau, Staff Attorney, Earthjustice
Environmental Law Clinic, and Lecturer in Law

Steve Barrager, Researcher, Stanford Fisheries
Policy Project

Cynthia Delacruz, Program Coordinator, ENRLP

Environmental Law Clinic Teams Up With Supreme Court Clinic In High Profile Mexican Trucking Case

Few lawyers, let alone law students, get to litigate cases before the United States Supreme Court. But the Environmental Law Clinic is teaming up with Stanford Law School's new Supreme Court Litigation Clinic to provide environmental law students with exactly that opportunity.

Last semester, Environmental Law Clinic student Brigham Bowen '04 worked closely with students and faculty in the Supreme Court Clinic to prepare an amicus brief for the so-called "Mexican trucking case" heard by the Supreme Court on April 21, 2004. *U.S. Department of Transportation v. Public Citizen*, — U.S. —, 124 S. Ct. 2204 (2004). The case involved a challenge by Public Citizen, as well as other environmental and labor groups, to the Federal Motor Carrier Safety Administration's failure to prepare an environmental impact report (EIS) under the National Environmental Policy Act or to undertake a "conformity review" under the Clean Air Act in connection with the adoption of safety and registration regulations that allow Mexican trucks to enter the United States and travel on domestic roadways. A legislative directive from Congress prohibits these trucks entry into the United States until such regulations are promulgated, even though the President himself retains ultimate statutory authority over the decision to permit or prevent their operation on U.S. roads. After the Ninth Circuit Court of Appeals sided with plaintiffs' view that adoption of the regulations triggered the

requirements of domestic environmental review and disclosure laws, the agency successfully petitioned the high court for certiorari.

The two clinics jointly wrote and filed a brief with the Supreme Court on behalf of three nonparty environmental organizations. The brief focused on the importance of the EIR and conformity review process to various federal, state, and local agencies whose activities will be affected by the resulting increase in Mexican truck traffic, as well as to the public that will be most directly affected by the regulatory decision to allow the trucks to travel on U.S. highways. As the brief emphasized, analyses and other evidence in the record demonstrated that the new rules will facilitate the entry of tens of thousands of Mexican trucks across the border, and that the older, dirtier, less-regulated Mexican fleet is likely to produce much more air pollution than the domestic fleet it replaces. According to the brief, this concern is all the more pressing in light of new, even stricter U.S. truck standards

that will come into play over the next few years. The air quality impacts associated with a flood of Mexican trucks crossing into border states is particularly troubling for local communities in California's Imperial Valley and the Los Angeles air basin, which already are struggling to meet federal Clean Air Act standards and face significant human health impacts from elevated air pollution levels.



Mexican trucks at a border crossing

The Supreme Court, unfortunately, reversed the Ninth Circuit's decision, finding that the President, and not the Federal Motor Safety Carrier Administration, controlled the lifting of what had been a two-decade-long moratorium on the entry of Mexican trucks. Because the agency did not have authority to countermand the President's lifting of the moratorium or otherwise categorically exclude Mexican trucks from operating within the United States,

the Court held that neither the National Environmental Policy Act nor the Clean Air Act requires the agency to evaluate air pollution impacts associated with the operation of Mexican trucks within U.S. borders. The Court's deci-

— continued on page 5 —

Stanford Clinic Students Tackle Toughest Water Quality Issues

The Earthjustice Environmental Law Clinic at Stanford Law School is leading the charge on some of the largest water quality problems confronting California and other parts of the country—exotic species introductions from ships' ballast water; excessive sediment pollution from logging operations; and polluted, sometimes toxic, runoff from farms. In a series of administrative and court proceedings, clinic students and lawyers have begun to close existing

gaps in the agencies' implementation of California's water pollution control law and the federal Clean Water Act.

Both the California Porter-Cologne Water Quality Control Act and the federal Clean Water Act have chocked up enormous successes reigning in sewage and industrial water pollution discharges. The main tool responsible for these successes is a federal permitting program known as the National Pollutant Dis-

charge Elimination System or NPDES. In the last decade, the NPDES program has reduced widespread pollution caused by municipal and industrial storm water discharges. Although sewage plants, industrial plants, and storm drain systems still have a long way to go before being labeled "clean," the NPDES permitting program is moving these water pollution sources towards that goal.

— continued on page 4 —

Environmental Law Clinic Student Wins Ninth Circuit Appeal

Environmental Law Clinic student Karli Sager '04 has already done something many of her future colleagues may never do: successfully argued and won an appeal before the U.S. Court of Appeals for the Ninth Circuit. During the fall of 2002, Sager and another student worked on the summary judgment briefing for the clinic's goshawk case, involving a challenge under the National Environmental Policy Act to the Forest Service's southwestern regional management guidance for the northern goshawk (*accipiter gentilis*). The northern goshawk is one of the nation's largest hawks and is considered by the Forest Service to be a "sensitive species"—meaning a rare species that requires special management consideration to ensure its continued viability in the national forests.

The environmental review document for the goshawk management guidance failed to consider all relevant scientific research on the foraging behavior of the species, including several critical studies that are directly relevant to the agency's selection among various management strategies. The district court

in Arizona ruled against the plaintiffs, however, and the clinic appealed. Sager stayed in the clinic for a second semester to help write the appellate brief, and she took time out of a summer job between her second and third years of law school to prep for and present oral argument at the Ninth Circuit in Pasadena.

The appellate court reversed the district judge, finding that the final environmental impact statement prepared in connection with the management guidance failed to disclose and discuss the "responsible opposing viewpoints" on goshawk behavior, [*Center for Biological Diversity v. U.S. Forest Service*, 349 F.3d 1157 (2003)]. According to the Ninth Circuit, the scientific studies in question indicate that the northern goshawk is a "foraging specialist" requiring habitat that contains mature old-growth trees. These studies directly implicate how old-growth forests on national forestlands in the Southwest should be managed to provide for viable goshawk populations. Accordingly, the court remanded the environmental impact statement to the agency for further consideration of this essential scientific information. ■



Northern goshawk

Photo: C. Hutler

Summer Interns

This summer, the Earthjustice Environmental Law Clinic at Stanford hosted two summer interns, Steve Thorn (BS Yale '97, MS Illinois '00; JD, MS, Michigan '05) and Doug Obegi (BA Brown '96, JD, UC Hastings '06). Thorn came from the Midwest and Obegi traveled from Oakland for the opportunity to work for the clinic. The tables were turned when it came to the daily commute: Thorn biked to work in five minutes, while Obegi took Bart, S.F. Muni, CalTrain and Marguerite (Stanford's on-campus transportation system) for a two-hour morning commute.

The two interns worked closely with the clinic staff on state litigation challenging waivers for logging activities exempting them from the California Water Code's Waste Discharge Requirements and on an appeal of a case trying to halt development of a geothermal energy plant on lands held sacred by native people in Siskiyou County. "Working at the clinic taught me the nuts and bolts of becoming a practicing litigator and gave me a hands-on opportunity to practice what I believe," said Obegi. Thorn agreed, "It's nice to be out of the classroom and actually gain some practical experience in a low-key environment where the focus is on teaching and learning."

The summer clinic provides an excellent opportunity for students from around the country to participate in precedent-setting litigation. For information about summer internships at the clinic, contact Lynda Johnston at 650/725-8571 or lyndaj@stanford.edu. ■

Expanded and Updated Stanford Case Studies Collection

With over 180 professors from around the globe actively consulting and using Stanford's free online environmental and natural resources case studies, ENRLP this year will be updating and augmenting the collection. Stanford will be developing new cases studies on land use and redevelopment through continued collaboration with front-line practitioners,

such as land use attorney Sandy Sloan '79. ENRLP also will hire a dedicated case writer to work with ENRLP faculty over the next year both to develop several new case studies and to update existing materials. Some of the new case studies will cover topics central to public interest representation generally, including conflict of interest, confidentiality,

and client relations. In addition, the program will publish several new case studies designed for natural resources, coastal resources, and water courses.

Feedback from instructors makes clear that the teaching notes are particularly helpful in providing guidance on how to in-

— continued on page 5 —

Stanford Students Tackle Water Issues

— continued from page 2 —

State and federal agencies, however, have not applied their successful permitting rules to several other notable pollution sources—agriculture, logging, and ship ballast water. Not surprisingly, those sources are causing some of the biggest pollution problems for California and other states. Seeking to duplicate the successful track record of the permitting programs in addressing plants and storm drains, clinic students have been implementing creative strategies to convince the agencies and the courts to apply effective pollution control permits to these other problems.

Several students, including Selena Kyle '05, have represented the Environmental Protection Information Center and other groups attempting to force the adoption of meaningful water pollution permits for logging operations. The goal is to convince California's regional water quality boards to issue watershed-based permits to logging operators that would restrict harmful sediment and heat discharges resulting from logging and road-building. Earlier this year, the clinic won an administrative appeal of a state permitting waiver issued by the North Coast Regional Board. Eighty-five percent of the rivers and streams in California's North Coast region are impaired by pollution caused by logging. The North Coast Regional Board is now preparing the first-ever watershed-based discharge permit in the state (or country) to protect Fresh-

water Creek and Elk River, tributaries to Humboldt Bay, from logging-related pollution discharges.

The clinic also has won a series of court orders from the federal district court in San Francisco ruling that logging pollution discharges from culverts, drainage ditches, and erosion gullies are subject to the federal Clean Water Act's NPDES permitting rules. The clinic is now hard at work on discovery to prove that the Pacific Lumber Company is violating that requirement in Humboldt County's



Logging road

Bear Creek. If successful, the federal case would set a precedent that could affect regulation of logging pollution throughout the country.

Since 2000, clinic students and attorneys have represented a coalition of environmental organizations in proceedings before the California Regional Water Quality Control Board in the Central Valley, the State Water Resources Control Board, and now Sacramento County Superior Court, trying to convince the state to create a meaningful per-

mit-based, pollution control program to limit agricultural irrigation and storm water runoff.

According to government data, discharges of pesticides, fertilizer "nutrients," toxic salts and sediment from agricultural lands are polluting over 635 miles of rivers and creeks in the Central Valley. Although the clinic and its clients have suc-

ceeded in forcing a new watershed-based program, they are challenging the program in Superior Court for failing to include conditions that are likely to reduce farm pollution discharges.

For the past five years, the clinic also has been leading a nationwide legal challenge to the EPA's longstanding refusal to issue NPDES permits for ballast water discharges from ships. Research over the last decade indicates that discharge of ballast water is the leading source of exotic species introductions to the country's coastal estuaries. For example, San Francisco Bay is considered to be one of the country's most-invaded estuaries, with well over 200 exotic species introduced, mostly through ballast water. The clinic won a lawsuit requiring the EPA to respond to a petition by Northwest Environmental Advocates and others demanding the EPA vacate an agency rule exempting ships and ballast water releases from the NPDES permitting program. Although the EPA ultimately denied the petition, the clinic is now bringing a lawsuit in federal district court in San Francisco challenging the EPA's permitting exemption for ships, citing the agency's lack of authority to exclude those pollution sources from the NPDES permitting program.

The clinic's work on these issues exemplifies how novel ideas and the refreshing energy of clinic students can work hand in hand to develop new potential solutions to seemingly intractable water pollution problems. ■



Invasive zebra mussels cause significant environmental and economic damage.

Peter Morgan '06 First Candidate For New Interdisciplinary Environmental Dual Degree

Stanford's new Interdisciplinary Graduate Program in Environment and Resources (IPER) has its first dual degree candidate: second year law student Peter Morgan. IPER first enrolled PhD students in the fall of 2002. Its mission is to train the next generation of environmental problem solvers. The program supports both PhD candidates and dual MS candidates from Stanford's law, business, and medical schools.

As IPER's inaugural dual degree student, Morgan will split his academic time between law classes and courses in other departments across the university developing his specialty in conservation issues. In addition to the three core IPER classes—Interdisciplinary Research Approaches and Analysis, Case Studies in Environmental Problem Solving, and the Environmental Forum Seminar—he will take courses in conservation biology, business, and economics.

Morgan says that the prospect of participating in the interdisciplinary program was one of the main factors that led him to Stanford. Working as a program manager for The Nature Conservancy (TNC) prior to law school informed Morgan's choice of graduate programs. "While at TNC, I saw that the law was deeply tied to conservation victories. I also recognized a need to improve communication and foster real collaboration between lawyers, policy makers, and scientists. I wanted a graduate program that would allow me to

bridge disciplines relevant to conservation, while providing rigorous explorations of law and conservation biology."

Eager to delve into real-world interdisciplinary work, Morgan spent this summer at the U.S. Geological Survey's (USGS) Center for Science Policy in Menlo Park, California. He worked with ENRLP's Meg Caldwell, who is collaborating with USGS biologists and social scientists on a project to explore and integrate the science and policy of multi-jurisdictional sage-grouse conservation by public and private landowners in California's South Mono County (see "Working Landscapes" article, p. 7).

Morgan is pleased to be the first to take advantage of the new dual degree program and hopes to recruit students from this year's incoming 1L class who have expressed an interest in IPER. "The addition of joint law students will further strengthen IPER's interdisciplinary education," according to IPER's Administrative Director, Suki Hoagland. "Only by training students how to combine expertise and work across traditional disciplinary boundaries can we solve the often complex environmental issues facing us today." For more information about IPER, visit <http://iper.stanford.edu/>. For more information about the USGS Center for Science Policy, visit <http://geography.wr.usgs.gov/csp/index.html>. ■



Peter Morgan in the field

Photo: Meg Caldwell

Case Studies Collection

— continued from page 3 —

tegrate the case studies with more traditional teaching methods. The program therefore also plans to publish teaching notes for the most frequently used case studies.

The program's portfolio of situational case studies presents narratives of real-life events and asks students to identify and analyze the relevant legal, social, business, ethical, and scientific issues involved. Each case study places students in the role of a legal protagonist, such as a private attorney counseling a biotechnology company facing hazardous waste issues, or a federal official seeking to develop an effective fishery management plan. Students must formulate appropriate strategies for achieving workable solutions to conflicts, then discuss and debate their recommendations in class. This interactive approach to learning bolsters students' skills in critical areas: factual investigation, legal research, counseling, persuasive oral communication, and recognition and resolution of ethical dilemmas, to name a few. The full text of these case studies can be found on the law school's case studies website at <http://case.studies.stanford.edu>. Registration and access to the case materials are free. ■

Mexican Trucking

— continued from page 2 —

sion was tied closely to the unique facts of the case and does not appear to alter established case law interpreting either statute.

While the Court's decision was obviously disappointing, Bowen and the other students working on the case nevertheless gained valuable experience in preparing the amicus brief and participating in a moot court session at the law school for the lead plaintiffs' attorney who argued before the Supreme Court. The project allowed students to engage in cross-clinic work within the law school and provided real world skills training in a litigation team context under fairly tight time constraints, especially given the demands placed on students by their other courses and extracurricular activities. ■

Environmental Law and Policy Workshop

Spring 2004 Presenters and Papers

ENRLP's Spring 2004 Environmental Law and Policy Workshop featured four scientists, five law faculty, five social scientists, and one public interest legal practitioner who presented their research and working papers on a variety of pressing environmental and natural resource law and policy issues.

VICKI BEEN

New York University School of Law
Impact Fees and the "Wall of Segregation": The Racial and Class Implications of Impact Fees as a Smart Growth Tool

MAGALI DELMAS

University of California, Santa Barbara, Donald Bren School of Environmental Science & Management

In Search of ISO: An Institutional Perspective on the Adoption of International Environmental Management Standards

DEBRA DONAHUE

University of Wyoming College of Law
Marketing a Myth: Bush's Grazing Policies

BILL DURHAM

Stanford University, Department of Anthropological Sciences
Conservation Crisis in Galapagos: The Net Effect of Fishing and Tourism

SALLY FAIRFAX

University of California, Berkeley, Department of Environmental Science, Policy and Management
Land Trusts in Context
and

MARY ANN KING

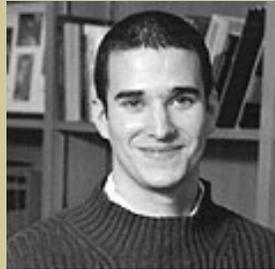
University of California, Berkeley
Water Trusts: Like Land Trusts or Different?

JESSICA FOX

EPRI Solutions
Practical Experiences with Conservation Banking

ROBERT GARCIA

Center for Law in Public Interest
Building Community and Diversifying Democracy from the Ground Up: Strategies from the Urban Park Movement



Doug Kysar

DENNY KELSO

University of California Santa Cruz, Environmental Studies
Genetically Engineered Salmon: Ecological Risk and Environmental Policy

DOUG KYSAR

Cornell Law School
The Process/Product Distinction and the Regulation of Consumer Choice

MARGARET O'MARA

Stanford University, Department of History, Program for the Study of the North American West
From Smokestacks to Research Parks: High-Tech Development and Environmental Consequences

TOM MCGARITY

University of Texas School of Law
MTBE: A Precautionary Tale

KAREN SETO

Stanford University, Department of Geological and Environmental Sciences, and Center for Environmental Science and Policy
Mangroves, Aquaculture, and Ramsar: Do International Environmental Treaties Matter?



Karen Seto

BUZZ THOMPSON

Stanford Law School
Conservation on the Working Landscape

PETER VITOUSEK

Stanford University, Department of Biological Sciences
Conservation Challenges on Private Land in Hawaii: The Case of the Hawaiian Crow



Robert Garcia

New ENRLP Research Focuses on Working Landscapes

Stanford Law School researchers are focusing more and more on how to manage the “working landscape”—those places where humans live and work, functioning as integral members of the natural ecosystem. “Working landscapes” include land uses as diverse as farms, rangelands, forests, and urban parks. In the view of these Stanford researchers, how well the world manages its working landscapes is likely to determine the fate of much of the world’s biodiversity.

According to Stanford Biology Professor Gretchen Daily, one of the nation’s leading ecologists, “The future of biodiversity, and the benefits it supplies society, will be dictated largely by what happens in human-dominated, working landscapes.” [Brosi, B.J., G. Daily, & F. W. Davis, “The Conservation Value of Agricultural and Urban Landscapes,” *The Endangered Species Act at 30: Lessons and Prospects* (forthcoming 2004); Daily, G.C., “Ecological Forecasts,” 411 *Nature* 245 (2001)]. Yet a recent study by law school Professor Buzz Thompson reveals that the Endangered Species Act focuses little attention on the working landscape and is not structured in a way that can help promote biodiversity on the working landscape. (Thompson, B.H., “Can the ESA Protect Biodiversity on the Working Landscape?,” *The Endangered Species Act at 30: Lessons and Prospects*, supra.)

Research on new and more effective policies for managing working landscapes is badly needed. Recognizing this need, Thompson and ENRLP Director Meg Caldwell have recently embarked on two separate interdisciplinary research projects focused on ecological

sustainability in working landscapes: (1) Enhancing the Conservation Value of Country-side in Hawaii and Costa Rica, and (2) Sage-grouse Conservation Decision Making in South Mono County, California.

In the Hawaii/Costa Rica project, Thompson and Caldwell have joined with Stanford biologists Peter Vitousek, Pam Matson, Paul Ehrlich, and Gretchen Daily; economist Roz Naylor; and several post doctoral and graduate students. The project seeks to develop scientific, economic, and institu-

tional bases for making conservation economically attractive on working landscapes in two contrasting and exceptionally biodiverse regions of Costa Rica and Hawaii. The researchers’ collective experience spans conservation biology, ecosystem ecology, economics, institutional policy analysis, and law. For both Costa Rica and Hawaii, the team will analyze the economic, legal, and institutional context in which landowners make decisions, as well as the scope and limitations of new

— continued on page 9 —

Stanford Hosts Fourth Annual Sustainability Days Conference

Stanford University will host the fourth annual Sustainability Days Conference on October 13-16, 2004. The invitation-only conference will celebrate the formation of the Stanford Institute for the Environment (see separate story on p. 1) and Stanford’s long history of interdisciplinary work in the environmental field. Conference sessions will focus on Land Use and the Environment, Global Climate Change, and Protecting Marine and Aquatic Ecosystems—three areas of particular strength at Stanford.

ENRLP faculty will be actively involved in the Sustainability Days Conference. Law school Professor Tom Heller will moderate a panel on “Climate Policy ‘vs.’ Development Policy?” Professor David Victor, who cotaught a course on energy policy with Tom Heller last year, will speak on the political challenges to addressing climate change. Law school Professor Buzz Thompson will moderate a panel on Marine Reserves, as well as provide closing remarks.

In total, over 35 international academics will speak on environmental science, technology, and policy. The conference also will feature notable decision makers, journalists, and environmental leaders, including: Senator Jeff Bingaman, ’68 (D-NM); Eileen

Claussen, president of the Pew Center on Global Climate Change; Julie Packard, Executive director of the Monterey Bay Aquarium; Andy Revkin, environmental reporter for the *New York Times*; and Terry Tamminen, secretary of the California Environmental Protection Agency.

Professor John Schellnhuber originated the Sustainability Days Conference while Director of the Postdam Institute for Climate Impact Research in order to celebrate those institutions moving rapidly toward organizational changes that encourage sustainability studies and actions. The first such gathering was at the Postdam Institute in 2001. Columbia University hosted the second conference in 2002, while its Earth Institute was evolving. The third conference was held in 2003 to celebrate the launch of the Zuckerman Institute for Connective Environmental Research, which is part of the School of the Environment at the University of East Anglia.

The Sustainability Days Conference will not be the only environmental event at Stanford in October. The university has named October 2004 “Sustainability Month at Stanford.” Stanford will host two major conferences: Sustainability Days, and Solutions

— continued on page 11 —



The Hawaii/Costa Rica project team first will focus on sustainable Koa tree forestry (shown above) in the Kona region of Hawaii.

Stanford Law School to Hold Conference on Endangered Species & Federalism

Stanford Law School will host a small, working forum on the Endangered Species Act and Federalism on February 25-27, 2005. The forum will examine, in an academically informed manner, pressing federalism issues under the ESA and will produce recommendations for how to involve state and local governments more effectively in protecting listed species. Invited participants will include a select group of federal and state personnel, scholars, nonprofit officials, representatives of the commercial sector, and other informed individuals with first-hand knowledge of ESA administration.

The conference forms part of Stanford Law School's effort to analyze key cutting-edge issues under the ESA. In conversations with policy makers, Stanford has identified two critical issues that have not been adequately studied. First, what opportunities exist for restoring and protecting listed species on the working landscape? (This is the subject of several Stanford research projects discussed in the story on p. 7.) Second, how can states and local governments participate more effectively in the protection of listed species, and what steps can the federal government take to promote that involvement? The ESA and Federalism forum will address that issue.

Both the Fish & Wildlife Service and the National Marine Fisheries Service need the assistance of state wildlife agencies to monitor and report on sensitive species, implement recovery strategies, and address local land conservation issues. The history of ESA administration, however, provides a checkered chronicle of interaction between state and federal agencies. The principal areas of disagreement

and discontent between state and federal agencies have related to sharing of costs and decision-making authority concerning species conservation.

Notwithstanding the oft-strained relationship between state and federal wildlife agencies, each has played a formative role in shaping the future course of the other vis-à-vis species conservation. The Fish & Wildlife Service's administration of the ESA has prodded the transition of state agencies from game management agencies to wildlife agencies addressing the conservation needs of all wildlife species, including imperiled non-game species. The realities of implementing species conservation measures on the ground have persuaded the Fish & Wildlife Service to develop new regulatory policies that allow for enhanced state roles in species conservation efforts, including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements, and the Policy for Evaluating Conservation Effectiveness.

The lessons from the past and present provide a fitting stage to deliberate how best to obtain closer and more effective collaboration between state and federal public agencies to achieve species conservation. The February forum aims to achieve exactly that goal. Stanford has commissioned general analyses and case studies to illuminate the actual and potential roles of state and local governments in species conservation efforts. The case studies will examine both species-specific conservation efforts (such as grizzly bear and gray wolf conservation in the Greater Yellowstone Area, and salmon conservation in Oregon and Maine) and broad state initiatives such as California's Natural Communities Conservation Program. ■

Stanford Fisheries Report Generates Congressional Bill

A major report on United States management of coastal fisheries by the Stanford Fisheries Policy Project has helped shape proposed Congressional legislation that would reform the management structure. Stanford Law School released the report, entitled "Taking Stock of the Regional Fishery Management Councils," in November 2003.

The report culminated a one-year, intensive study of the eight Regional Fishery Management Councils that manage United States coastal fisheries. The report was co-written by Stanford Law Professor Buzz Thompson, Josh Eagle (then-

director of the Stanford Fisheries Policy Project), and Sarah Newkirk. Published by Island Press, the study is available in electronic form at http://www.pewtrusts.com/pdf/pew_science_taking_stock.pdf.

The Stanford report examined whether there might be institutional reasons why a third

of the nation's fish stocks for which information is currently available are overfished and why overfishing is still occurring in more than half of these overfished fisheries. The report concluded that the councils are unlikely to solve the current problems facing the nation's fish-

eries for at least three principal reasons. First, the councils have two major responsibilities that are often in conflict. The councils must limit fish catches to achieve conservation goals while also allocating the limits among fishermen. Because allocation can be politically difficult, councils face considerable pressure to increase limits in order to ease allocation pressures.

Second, councils are highly homogeneous and fail to bring diverse viewpoints to management decisions. Since 1985, approximately 80 to 90 percent of appointed council members have represented fishing interests. By contrast, only one current council member comes from a national conservation organization. Not surprisingly, over half of the council members surveyed in the Stanford study

— continued on page 11 —



Commercial ocean fishing

Working Landscapes

— continued from page 7 —

conservation finance mechanisms and other policy instruments designed to align private incentives with conservation. This project received one of nine seed grants made by the Stanford Institute for the Environment to encourage new interdisciplinary collaborations across the Stanford campus (see separate article on Stanford's new institute on p. 1).

Daily, who is leading the team, explains that her collaborators will explore practical measures to enhance the conservation value of tropical agro-pastoral land. "We envision conservation efforts moving beyond charity and beyond reserves, by opening new revenue streams for valuable but non-traditional commodities



The greater sage-grouse is the largest North American grouse species.

whose production results from biodiversity and ecosystem conservation." Kona, Hawaii will be the geographic center of the first phase of the project, with a focus on establishing sustainable forestry of native koa hardwood trees as a means to promote reforestation. Vitousek and Matson have conducted extensive research in Hawaii, using the Hawaiian Islands as a model system to seek insights into ecosystem structure and functioning, human-land interactions, and the impact of biological invasions by exotic species. Vitousek believes that Kona "is an ideal region for the project because land use is currently in flux, with possible trajectories that are highly contrasting in social and environmental terms." Future work will focus on Costa Rica.

In the sage-grouse project, Caldwell and Peter Morgan '06 (see IPER/JD "Dual Degree" article, p. 5) have teamed up with biologists, a sociologist, and geospatial mapping experts from the U.S. Geological Survey's (USGS) offices in Dixon and Menlo Park, California, and Fort Collins, Colorado, to study and enhance an ongoing effort to conserve the greater sage-grouse in California's

Mono County. The transdisciplinary team is led by Senior Scientist Alicia Torregrosa of the USGS's Center for Science Policy, a group whose goal is to build a solid bridge between

science and society by helping policy makers make good decisions based on the best available science. Caldwell and Morgan have tapped the law school's information and technology specialists, librarian Erika Wayne, library specialist Alba Holgado, and law school webmaster Kent Howard, to develop a website to support the project team. In addition, Stanford Professor Karen Seto and Stanford Scholar Robert Horn are advising the team on

geographic information system (GIS) applications for the project and visual language mapping, respectively.

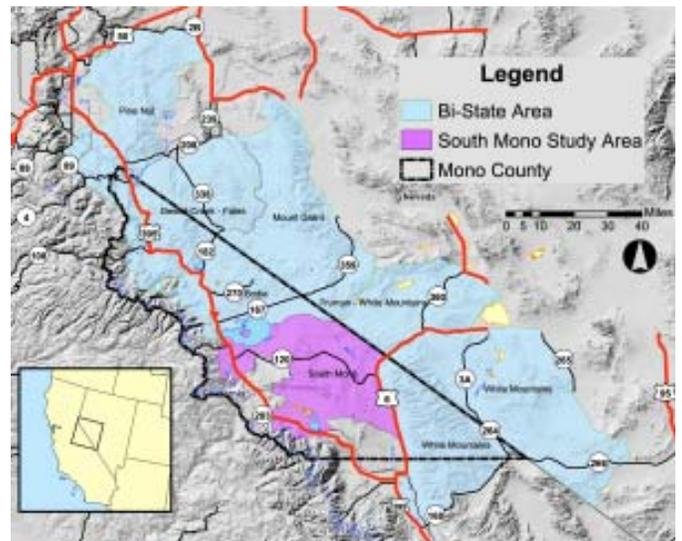
The USGS/Stanford sage-grouse team is studying how federal and state agencies, local government, and individual landowners use available data on the behavior and habitat needs of the sage-grouse to create and implement conservation plans. In particular, the team is focused on how current and relevant science can best inform on-the-ground land management to increase the chances of the sage-grouse's long-term viability in the Mono County region. Currently, the U.S. Fish and Wildlife Service is considering whether to list the greater sage-grouse as an endangered species. Such a listing could have enormous

impacts on local land use decisions and represents one of the driving forces behind conservation efforts. As human activities have fragmented and degraded sagebrush communities across the West, the sage-grouse population has declined to less than 10% of historic numbers.

The team is using GIS technology and systems modeling tools to illustrate the known and likely threats to long term sage-grouse survival, existing data gaps, and potential land treatment and management approaches identified by stakeholders through public meetings. But the team's use of GIS tools does not stop there. They also are using GIS to demonstrate the potential impacts of different management decisions on sage-grouse survival. Collectively these tools are referred to as an "information dissemination framework." The team hopes to provide spatial, economic, and legal information in a common knowledge base for use by all interested parties. Caldwell is particularly interested in documenting the salience of the scientific information through the decision-making process and the timing and importance of legal drivers.

The greater sage-grouse (*centrocercus urophasianus*) is a charismatic bird whose elaborate mating displays represent one of the most striking natural history events of the West.

— continued on page 10 —



Study area for USGS/ ENRNP sage-grouse conservation project shown in purple

Stanford Launches Interdisciplinary Ocean Zoning Study

Stanford Law School's Fisheries Policy Project is turning its attention to the opportunities for ocean zoning. The decline of fish stocks and a growing awareness of the ecosystem impacts of fishing have highlighted the need to reevaluate the effectiveness of traditional management practices, such as gear restrictions, limited license programs, and overall quota systems. A growing number of scientists and policy analysts have focused on marine reserves as a means to control overexploitation and protect marine ecosystems.

Marine reserves, however, are only a precursor to a more general and encompassing type of management—ocean zoning. Ocean zoning, much like land-use zoning, would partition the marine environment into a variety of different zones each subject to its own unique use restrictions. A no-take zone designed to protect a unique habitat, for example, might abut a commercial fishery harvest zone employing market-based economic instruments. A zonal approach could ensure both the efficient utilization and sustainability of ecosystems beyond the boundaries of no-

taking zones, thereby improving the long-run health of entire marine ecosystems.

Ocean zoning is beginning to gain attention. The recent Pew Oceans Commission, for example, recommended adopting ecosystem and zonal management systems. There is little analysis, however, on how to design and implement a system of ocean zoning.

To remedy this deficiency, the Fisheries Policy Project has launched a new study to examine the bases for, benefits of, and issues involved in designing and implementing ocean zoning. The interdisciplinary research team includes: Stanford Law Professor Buzz Thompson; Biology Professor Steve Palumbi of Stanford's Hopkins Marine Station, the author of a major report on marine reserves for the Pew Oceans Commission; Jim Sanchirico, an economist with Resources for the Future; and South Carolina Law Professor Josh Eagle, the former director of the Fisheries Policy Project.

The study will identify and examine a wide variety of questions relevant to ocean

zoning. What, for example, are the biological, economic, and institutional criteria that should be used to determine the scale and scope of ocean zones? What changes in the governance of fisheries and other marine industries would a zoning approach require? What are the ecological, economic, and administrative benefits and costs of using different types of instruments to limit the activities? To what degree, and how, should zones be made flexible? What mechanisms could be employed to compensate entities that previously had access to an area that is zoned off-limits? What new regulatory instruments, if any, are needed to implement, manage, and enforce a zoning system?

The current phase of the study will result in an "issues report" in the fall of 2005. Team members intend the report to serve as a background document for a broader ocean-zoning working group that would pick up where the initial study leaves off, as well as provide useful information to policy makers currently looking at the options for ocean-zoning. ■

Working Landscapes

— continued from page 9 —

Individuals of this ground-nesting species are slightly less than two feet in size and both males and females are a mottled brownish-gray. Sage-grouse gather on traditional display areas (leks) each spring, where males perform a strutting display using air sacks to attract females. The sage-grouse derives its name from the sagebrush upon which it relies for food and shelter.

Conservation plans for the sage-grouse in south Mono County have the potential to impact a diversity of land uses, including cattle grazing on public and private lands and water extraction from lands held by the Los Angeles Department of Water and Power. A variety of data already exists on the habitat needs and seasonal movements of the sage-grouse in south Mono County. The cross-discipline team of biologists and social scientists intend

to make this information available to the relevant decision makers during an ongoing se-

ries of workshops while studying how these decision makers go about using the data in developing and implementing conservation plans. The team hopes that new tools they build as part of this two-year project will help integrate science and adaptive management options into the decision-making process and thereby further benefit sage-grouse conservation.

For more information about the sage-grouse and the potential ESA listing, please visit <http://www.sagegrouse.org>. For more information on the USGS' Center for Science Policy, please visit: <http://geography.wr.usgs.gov/csp/index.html>. ■



Peter Morgan '06, field ecologist Kim Gagnon, and ENRLP Director Meg Caldwell record a sage-grouse siting at Parker Meadow in South Mono County.

Photo: Alicia Torregrosa

Fisheries Report

— continued from page 8 —

reported that environmental interests are underrepresented on the councils.

Finally, council members often face significant potential conflicts of interest in their deliberations and decision making. Exempt from standard federal conflict of interest regulations, 60 percent of appointed council members have a direct financial interest in the fisheries that they manage and regulate. Approximately a third of the council members surveyed by the Stanford research team reported that they had felt it unfair in one or more past instances for a fellow council member to participate in a decision in which he or she had a financial interest in the outcome.

Based on these findings, the Stanford report recommended that Congress make at least three changes to the council system. First, the report recommended that Congress separate conservation and allocation decision making. According to the report, conservation decisions should be the responsibility of a national regulatory body that has significant scientific expertise and adequate resources, while councils should retain responsibility for allocation decisions. Second, the report's authors recommended that Congress provide for greater diversity in council membership. Finally, the report recommended that the councils be subject to stronger conflict-of-interest rules.

The report's advice parallels many of the recommendations of the Pew Oceans Commission, which also published its report



Representative Nick Rahall (D-WV) introduced legislation to reform the U.S. fisheries management councils.

last year, and those of the U.S. Commission on Ocean Policy, which released its report earlier this year. "It is not surprising that these two major commissions also recognize the need to reform the council system," observes Thompson. "While our study carefully documents the problems in the council system, most people involved in fishing management already were aware of these problems."

In June of this year, Representative Nick Rahall (WV), ranking Democrat on the U.S. House Resources Committee, along with a number of other members of Congress, introduced legislation that would address the

three areas of concern identified by the Stanford report and the national commissions. The Rahall bill in particular would broaden membership on the fishery management councils to include members of the public, significantly reduce financial conflicts of interest of council members, and ensure that political and economic influences do not override conservation decisions by separating conservation from allocation. In introducing the bill, Congressman Rahall announced that he would "work with fellow Members of Congress to ensure that this public resource is managed by a broader range of well-trained representatives who will be better equipped to promote long-term sustainable fish management." A fact sheet on the Rahall bill can be found at http://www.conservefish.org/site/capitolhill/reformact_factsheet.pdf, while the bill itself can be downloaded at <http://www.theorator.com/bills108/hr4706.html>.

Work on the proposed reforms has not stopped with the introduction of the Rahall bill. In July 2004, SeaChange, an independent nonprofit dedicated to enacting the changes recommended by the two recent oceans commissions, held a workshop on how best to separate conservation and allocation decisions. Professor Thompson participated in the workshop, along with representatives of fishing groups, environmental organizations, and the two national commissions. SeaChange plans to publish a summary of the workshop later this year. ■

Sustainability Days Conference

— continued from page 7 —

for a Shrinking Planet: Sustainable Engineering and Enterprise for Human Development.

Solutions for a Shrinking Planet, which is the 2004 National Conference of Engineers for a Sustainable World, will explore innovative and sustainable international development. It will be held September 30 to October 2. On October 5, Stanford will host a panel discussion with the World Wildlife Fund on ecosystem services. In addition, the

university will offer a special panel on "Reconciling the Needs of People and the Planet in the 21st Century: Integrative Approaches from Stanford's Institute for the Environment" during Stanford's Reunion/Homecoming Weekend on October 23. Professor Buzz Thompson will participate on both of the latter two panels. ■



ENRLP offices are located in historic Owen House.

Sanjay Ranchod '01 Elected to Sierra Club National Board

Palo Alto native Sanjay Ranchod entered Stanford Law School in the fall of 1998 with the express goal of developing the skills, knowledge, and experience to help shape more effective environmental policies nationally and globally. With his recent election to the Sierra Club's national board of trustees, he is poised to place his own imprint on the environmental movement and our nation's environmental policy.

Ranchod began his environmental career as a college student in Providence, Rhode Island, volunteering with the Sierra Student Coalition, the student arm of the Sierra Club. Ultimately, he organized and chaired a successful statewide campaign that resulted in Rhode Island's legislature becoming the first to demand that the federal government raise fuel-efficiency standards for automobiles in order to help curb global warming. "That proved to me the power of the legislative process and the difference a small group of citizens could make," Ranchod says.

After college, Sanjay received a fellowship to serve as a staffer in the California Legislature. Ranchod was a legislative aide to SLS Professor Emeritus and State Senator Byron Sher, considered by many to be the most influential state legislator on environmental issues in the country. He also honed his policy skills as a committee consultant for the State Senate Environmental Quality Committee. Working in the California state legislature convinced Ranchod that he could become a more effective advocate by combining his practical experience with the intensive legal and policy training offered at Stanford.

At SLS, Ranchod involved himself in just about every environmental opportunity he could find, serving as articles editor and submissions editor for the *Stanford Environmental Law Journal*, and policy chair for the Environmental Law Society, and helping organize the "Sea Change" National Association of Environmental Law Societies Conference at SLS in March 2000. He also was a member of the Earthjustice Environmental Law Clinic at Stanford, represented his fellow law students in the Stanford Graduate Student Council, served on university com-

mittees addressing land use issues and the graduate student housing crisis of the late 1990s, and helped bring elected officials to campus to engage SLS students in discussions of pressing environmental and resource issues.

Ranchod also found time to chair the Sierra Club's national global warming campaign during his law school stint and represented the organization at several international environmental treaty negotiations, including Montreal Protocol implementation in Beijing and Kyoto Protocol implementation in The Hague, Netherlands. In the Hague, he was joined by an SLS student delegation. "Seeing how much the fossil fuel industries influenced the U.S. negotiating position demonstrated how critical it is that we change the domestic politics of environmental protection," he says.

Ranchod began his formal legal career prosecuting consumer protection, wage-and-hour, and securities fraud class actions, as well as individual toxic tort cases, against such "corporate giants" as Wal-Mart and Chevron. After a year clerking for U.S. District Judge Jeremy Fogel in San Jose, Ranchod returned to the plaintiff's bar "to hold corporate America accountable for breaching the trust of consumers and investors." Now an associate with Girard Gibbs & DeBartolomeo LLP in San Francisco, Ranchod focuses on litigating consumer fraud class actions.

At the same time, Ranchod remains an environmental activist, and his recent elec-

tion to the Sierra Club's national board of directors will only heighten his profile. Last year, he was asked to run for the board, which is directly elected by the organization's 750,000 members. Ranchod agreed to run, he says, "to bring a new perspective to a board that was lacking youth or minority representation."

The April 2004 election turned out to be the most important and widely publicized in the Sierra Club's 112-year history because anti-immigration forces attempted to take over the 15-person board.

In the end, Sierra Club members overwhelmingly elected Ranchod and four other candidates who were backed by the club's nominating committee, and rejected an anti-immigration agenda. Ranchod received over 120,000 votes, besting several well-known candidates

who were supported by outside nonenvironmental groups, and becoming the second Asian-American ever elected the club's board. He calls the election a mandate for the Sierra Club to stick to its historic conservation mission.

Ranchod is committed to expanding and diversifying the Sierra Club's membership, making the organization more effective, and fighting for environmental justice and the conservation goals chosen by the club's members. In his new role, he should have plenty of opportunity not only to strengthen the Sierra Club as an organization but also to provide national leadership on global warming and other pressing environmental problems. ■



Sanjay Ranchod

Caldwell Joins California Coastal Commission



Meg Caldwell

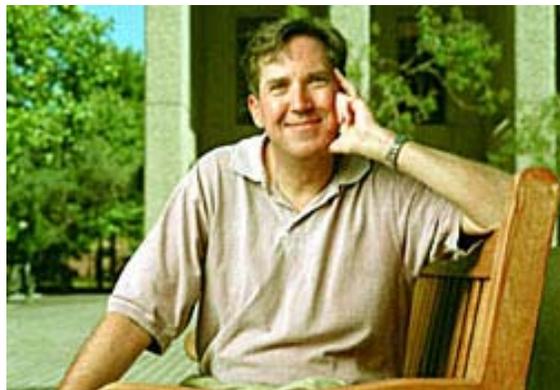
Meg Caldwell, Director of ENRLP and Lecturer in Law at Stanford Law School, has joined the California Coastal Commission, the State's most important land-use planning agency. Caldwell's May 2004 appointment by Governor Arnold Schwarzenegger reflects Stanford Law School's and Caldwell's passionate commitment to public service. As a land-use expert with considerable experience in local government decision making, Caldwell brings her legal and consensus-building skills to bear on some of the highest profile proposed developments, resource protection, and restoration projects in the state. Caldwell plans to teach an interdisciplinary class on coastal resource management in the 2005–06 academic year, capitalizing on her Coastal Commission experiences to bring a real-world perspective into the classroom.

The mission of the Coastal Commission is to protect, conserve, restore, and enhance the environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations. The California Coastal Commission was established by voter initiative in 1972. The California legislature later made the commission permanent in the California Coastal Act of 1976 (<http://www.coastal.ca.gov/coactact>). The Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities, which are broadly defined by the Coastal Act to include (among other activities) construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the Coastal Commission or the local government. More information on the California Coastal Commission is available at <http://www.coastal.ca.gov>. ■

Thompson Joins California Nature Conservancy Board

Stanford Law School Professor Buzz Thompson has joined the board of trustees of the California chapter of The Nature Conservancy (TNC). Over the last 45 years, TNC has protected over one million acres of California's critical landscapes. In California, as elsewhere in the United States, TNC is playing a crucial role in protecting biodiversity and preserving wildlands. Information on TNC's California chapter can be found at <http://nature.org/wherework/northamerica/states/california/>.

Thompson has become increasingly involved with land trusts and conservation efforts in recent years. In 2002, he joined the boards of the Resources Legacy Fund and the Resources Legacy Fund Foundation. Both



Buzz Thompson

organizations provide funding and support to organizations and projects that conserve or restore natural landscapes, protect and enhance marine systems, and preserve wildlands

and wilderness. The Resources Legacy Fund, for example, currently is involved in efforts to restore wetlands in San Francisco Bay. More information on the fund and foundation is available at <http://www.resourceslegacyfund.org/>.

Thompson also is involved in research on the efficacy of land trusts and on methods of improving conservation efforts. In late 2004, the *Natural Resources Journal* will publish his article on the potential justifications for "perpetual" conservation easements. In August of this year, Thompson participated in a workshop, sponsored by the Montana Land Reliance and the Property & Environment Research Center, on current issues facing land trusts and the conservation movement. ■

ENRLP Publications, Activities, Appointments & Honors

BUZZ THOMPSON

Publications:

Environmental Law & Policy: Concepts and Insights (Foundation Press, 2003) (with James Salzman)

Taking Stock of the Regional Fishery Management Councils (Pew Science Series, 2003) (with Josh Eagle & Sarah Newkirk)

“What Good Is Economics?” *U.C. Davis Law Review* 176 (2003)

Activities & Appointments:

Director, Stanford Institute for the Environment

Member, Steering Group, Committee on Valuing the Protection of Ecological Systems and Services, U.S. EPA Science Advisory Board

Member, Environmental Water Account Technical Review Panel, CALFED Bay Delta Authority

Member, Board of Trustees, California Nature Conservancy

Member, Board of Directors, Resources Legacy Fund & Resources Legacy Fund Foundation

Chair, Board of Directors, Natural Heritage Institute

MEG CALDWELL

Publications:

“International Environmental Law 2003 Annual Report,” *The Year in Review: 2003 Environment, Energy, and Resources Law* (American Bar Association, 2004)

“International Environmental Law 2003 Annual Report,” *The International Lawyer* (American Bar Association, 2004) (forthcoming)

Activities & Appointments:

Commissioner, California Coastal Commission

Member, California Marine Life Protection Act Blue Ribbon Task Force

Selection Committee Member, Rick Sutherland Fellowship Fund

Member, Advisory Council, Waterkeepers Northern California

Panelist, Advice for Aspiring Environmental Law Teachers, Boalt Hall (April 2004)

DEBORAH SIVAS

Publications:

“Tax Treatment of Environmental Remediation Costs,” *Brownfields Law and Practice: The Cleanup and Redevelopment of Contaminated Land* (Matthew Bender, 2004) (with Richard A. Westin)

“Institutional Controls,” *Brownfields Law and Practice: The Cleanup and Redevelopment of Contaminated Land* (Matthew Bender, 2004) (with Lawrence P. Schnapf)

“Brownfields Cleanup and Development,” *Environmental Law Practice Guide* (Matthew Bender, 2004) (forthcoming)

Activities & Appointments:

Panelist, ABA Standing Committee on Environmental Law, 32nd National Spring Conference on the Environment,

“Protecting Our Oceans: Legal and Policy Responses to Declining Marine Ecosystems” (May 2004)

Panelist, Environmental Law Section of the State Bar of California Conference,

“Private Enforcement of Environmental Law: Prosecuting & Defending Citizens’ Suits” (June 2004)

Panelist, U.C. Davis School of Law, “Environmental Law in the U.S. Supreme Court: A Panel Discussion” (September 2004)

President of the Board, Turtle Island Restoration Network

Josh Eagle Joins South Carolina Law Faculty

After six extremely productive years at Stanford Law School, Josh Eagle has accepted a faculty position at the University of South Carolina School of Law. While at Stanford, Eagle served as director of the Stanford Fisheries Policy Project and a lecturer at the law school. Eagle joins the South Carolina faculty this fall and will be teaching property and natural resources law, as well as a seminar on coastal conservation issues. "While it is hard to move 3,000 miles away from so many great friends and colleagues, I am very excited about my new job and the opportunities it offers," notes Eagle.

Before leaving Stanford, Eagle spent seven months in Portsmouth, England, on an Atlantic Fellowship in Public Policy. The fellowship program provides U.S. policy scholars the opportunity to learn from their British counterparts. Eagle studied British fisheries

policy. He traveled extensively around the United Kingdom during his stay, conferring with his British counterparts and interviewing fishermen, seafood industry executives, and fishery managers. He also gathered substantial data on public involvement in the management process, which he hopes to publish sometime later this year. In June 2004, Eagle presented his preliminary findings at the British Council in London in a presentation entitled "Democracy and National Resources: British and American Approaches to Public Participation in Fisheries Management."

Although a professor at the University of South Carolina, Eagle will remain involved with the Stanford Fisheries Policy

Project. He and law school Professor Buzz Thompson have begun work on a study of the processes used to establish marine protected areas, in the hope of finding ways of diffusing opposition. Eagle, Thompson, and two other scholars also will be examining issues involved in ocean zoning (see separate article on p. 10). In October, Eagle will travel to Stanford to moderate a panel on international fisheries management at the

Sustainability Days Conference (see article at p.7). "Josh Eagle is one of the finest scholars in the marine field, and we look forward to continuing to work with him in his new position at the University of South Carolina," says Thompson. ■



Josh Eagle in England

Stanford Institute for the Environment

— continued from page 1 —

1998 and previously housed at the New England Aquarium, the program provides communication and leadership training to scientists nationwide. Fellows in the program meet with journalists and policy leaders, participate in mock Congressional hearings, and learn how to write effectively for nonacademic audiences. The institute will not only take over the existing program elements but look for new ways to train scientists and other academic researchers to be effective environmental leaders.

Third, the institute will promote interaction between Stanford and outside leaders. "Stanford has an excellent Stanford-in-Washington program," observes Thompson. "We hope to create an equivalent Washington-in-Stanford program." To accomplish this, the institute will create and fund fellowships for governmental officials to come to Stanford for periods ranging from a week to a year to work with Stanford faculty, students, and staff on environmental issues. The institute also will offer similar fellowships to business and nonprofit leaders and will work to disseminate new environmental solutions being developed at Stanford.

Finally, the institute will promote local outreach and education. "Our goals are

both to serve as a forum for enlightened discussions of environmental issues and to provide a model for sustainable practices," notes Caldwell. The institute, for example, expects to host a monthly public forum on environmental issues of importance to California. Leaders of the institute also are immersed in the initial planning of Stanford's new environmental and energy building, which will house the new institute and be a showcase for sustainable design.

In accomplishing these various tasks, the institute has the benefit of being able to draw on Stanford's current environmental faculty throughout the university. "The institute is a grass-roots effort," emphasizes Koseff. "The faculty decided that it wanted and needed a university-wide institution and are enthusiastic participants." To build on this strength, Stanford also will be

hiring new environmental faculty. Thompson is currently heading up the university's first search for a senior faculty member with expertise in interdisciplinary environmental research and teaching. "We are looking for the best interdisciplinary scholar available," notes Thompson. "The scholar's particular disciplinary base does not

matter." The faculty member who is hired will sit half in one of Stanford's schools and the other half in the Institute for the Environment.

"In announcing the institute, Stanford President John Hennessy challenged us to bring all of Stanford's resources together to find working solutions to the world's environmental challenges," notes Thompson. "I can't imagine a more exciting and rewarding opportunity. Stanford Law School is pleased to be an active participant." ■



Left to right: Pamela Matson, Jeffrey Koseff, and Buzz Thompson discuss the new Stanford Institute for the Environment

Photo: L.A. Cicero/Stanford News Service

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