Environmental Law Selected Bibliography

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VI. Florida Environmental Law
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   B. Florida Agencies
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   A. Journals
   B. Internet Resources/Other

I. General Information

   • Call Number- KF3775.Z9 F56 2010
   • Location- St. Thomas University, Alex A. Hanna Law Library, Study Aids

Treatise on Environmental Law, by Frank P. Grad
   • Call Number- KF3775.G7
   • Location- St. Thomas University, Alex A. Hanna Law Library, General Collection (Note
   – only volumes 1-5 available in print version).
   • STU Access Online- via LexisNexis
     o Search > Legal > Area of Law – By Topic > Environment > Search Analysis,
       Law Reviews & Journals > Treatise on Environmental Law.

Rev. March 2012, by JRH
- **Call Number**- KF3775.R63 1994
- **Location**- St. Thomas University, Alex A. Hanna Law Library, Reserve & General Collection *(note current updates available on Westlaw)*
- **STU Access Online**- *via* Westlaw
  - Add the ‘Environmental Practitioner’ tab to Westlaw (Click ‘Add a tab’ in the upper right corner > click ‘Add Westlaw Tabs’ > select ‘Environmental Practitioner’ > click ‘Add to My Tab Set’).
  - Click ‘Environmental Practitioner’ tab > Treatises & Practice Guides > Environmental Law.

Understanding Environmental Law, by Phillip Weinberg (2nd edition, 2008)
- **Call Number**- KF3775.W45 2008
- **Location**- St. Thomas University, Alex A. Hanna Law Library, Reserve

- **Call Number**- KF3945.Z9 S685 2007
- **Location**- St. Thomas University, Alex A. Hanna Law Library, Study Aids

II. Federal Law

A. Federal Statutes

- **Location**- St. Thomas University, Alex A. Hanna Law Library, General Collection – North Reading Room – Shelf 104.
- **STU Access**- *via* Westlaw and LexisNexis.

Particularly relevant federal statutes are summarized in the following chart.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Law</th>
<th>Statutory Citation</th>
<th>Regulatory Citation</th>
<th>Purpose</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Pub. L. 59-206</td>
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<td></td>
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<td>34 Stat. 225</td>
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Rev. March 2012, by JRH
<table>
<thead>
<tr>
<th>Act</th>
<th>Description</th>
<th>Statutory Authority</th>
<th>Regulations</th>
<th>Legislative History</th>
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<tr>
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<tr>
<td>ESA</td>
<td>Endangered Species Act</td>
<td>16 U.S.C. §§ 1531 et seq.</td>
<td>93-205</td>
<td>87 Stat. 884</td>
</tr>
<tr>
<td>FLPMA</td>
<td>Federal Land Policy Management Act</td>
<td>43 U.S.C. §§ 1701 et seq.</td>
<td>94-579</td>
<td>90 Stat. 2728</td>
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**Legislative History – STU Access**

via LexisNexis


Legal > Federal Legal - U.S. > Find Statutes, Regulations, Administrative Materials & Court Rules > Legislative History Materials > Superfund Amendments & Reauthorization Act of 1986 Legislative History
<table>
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<tr>
<td></td>
<td></td>
<td>Pub. L. 94-469</td>
<td></td>
<td>Legislative History – STU Access-</td>
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<tr>
<td></td>
<td></td>
<td>90 Stat. 2003</td>
<td></td>
<td>HeinOnline, available at</td>
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<td><a href="http://www.heinonline.org/HOL/Page?collection=leghis&amp;handle=hein.leghis/toxsucon0001&amp;id=1">http://www.heinonline.org/HOL/Page?collection=leghis&amp;handle=hein.leghis/toxsucon0001&amp;id=1</a></td>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Pub. L. 88-577</td>
<td>36 C.F.R. 293 (regarding national parks, national forests, etc.)</td>
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<tr>
<td></td>
<td></td>
<td>78 Stat. 890</td>
<td></td>
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</table>

B. Code of Federal Regulations

Title 40 – Protection of Environment
- **Location**- St. Thomas University, Alex A. Hanna Law Library, General Collection – North Reading Room – Shelf 105B.
- **STU Access**- via Westlaw and LexisNexis.
  - (Note – GPO (Fdsys) provides only current official versions of the CFR. For the most current yet unofficial information check the Cornell Legal Information Institute or GPO Access available at ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=b4dda7ea2ed8df54004abf038c783ac0&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl).

Title 36 – Parks, Forests, and Public Property
- **Location**- St. Thomas University, Alex A. Hanna Law Library, General Collection – North Reading Room – Shelf 105B.
- **STU Access**- via Westlaw and LexisNexis.
  o (Note – GPO (Fdsys) provides only current official versions of the CFR. For the most current yet unofficial information check the Cornell Legal Information Institute or GPO Access available at ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=b4dda7ea2ed8df54004abf038c783ac0&c=ecfr&tpl=/ecfrbrowse/Title36/36tab_02.tpl).

Title 43 – Public Lands; Interior
• **Location** - St. Thomas University, Alex A. Hanna Law Library, General Collection – North Reading Room – Shelf 105B.
• **STU Access** - via Westlaw and LexisNexis
  o (Note – GPO (Fdsys) provides only current official versions of the CFR. For the most current yet unofficial information check the Cornell Legal Information Institute or GPO Access available at ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=b4dda7ea2ed8df54004abf038c783ac0&c=ecfr&tpl=/ecfrbrowse/Title43/43tab_02.tpl).

### III. Federal Agencies

#### Bureau of Land Management (BLM)

<table>
<thead>
<tr>
<th>Agency Description</th>
<th>Enabling Legislation</th>
<th>Administered Law</th>
<th>Decisions and other Documents</th>
</tr>
</thead>
</table>

www.blm.gov

Rev. March 2012, by JRH
**Council on Environmental Quality (CEQ)**

<table>
<thead>
<tr>
<th>The Council on Environmental Quality (CEQ) coordinates Federal environmental efforts and works closely with agencies and other White House offices in the development of environmental policies and initiatives.</th>
<th>NEPA</th>
<th>NEPA, 42 U.S.C. §§ 4341 et seq.</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://www.whitehouse.gov/administration/eop/ceq/">www.whitehouse.gov/administration/eop/ceq/</a></td>
<td></td>
<td>CEQ Guidance ceq.hss.doe.gov/ceq_regulations/guidance.html</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CEQ Annual Environmental Quality Reports (1970-1997) ceq.hss.doe.gov/ceq_reports/annual_environmental_quality_reports.html</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental Impact Statements (EIS) <a href="http://www.epa.gov/compliance/nepa/eisdata.html">www.epa.gov/compliance/nepa/eisdata.html</a></td>
</tr>
</tbody>
</table>

**Environmental Protection Agency (EPA)**

<table>
<thead>
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<tbody>
<tr>
<td><a href="http://www.epa.gov">www.epa.gov</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Environmental Appeals Board Decisions Final agency decision-maker on administrative appeals via LexisNexis at (Legal &gt; Federal Legal - U.S. &gt; Find Statutes, Regulations, Administrative Materials &amp; Court Rules &gt; Administrative Agency Materials &gt; Environmental &gt; EPA Environmental Appeals Board Decisions) via Westlaw at (Add the ‘Environmental Practitioner’ tab to Westlaw &gt; Administrative Materials (click ‘Show More’)) &gt; E.P.A. Environmental Appeals Board Decisions) via EPA available at <a href="http://www.epa.gov/eab">www.epa.gov/eab</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative Law Judge Opinions available at <a href="http://www.epa.gov/ajihomep/orders.htm">www.epa.gov/ajihomep/orders.htm</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>General Counsel Opinions General Counsel Opinions (1979-) available at <a href="http://www.epa.gov/ogc/documents.htm">www.epa.gov/ogc/documents.htm</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EPA Information and Technical Documents available at <a href="http://www.epa.gov/ncepihom/">www.epa.gov/ncepihom/</a></td>
<td></td>
</tr>
</tbody>
</table>

**Fish and Wildlife Service of the Department of Interior (FWS)**

<table>
<thead>
<tr>
<th>Fish and Wildlife Service is an agency within the United States Department of the Interior dedicated to the management of fish and wildlife.</th>
<th>Fish and Wildlife Act, 16 U.S.C. § 742a</th>
<th>Endangered Species Act</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FWS and NOAA Decisions and Other Documents Ocean Resources and Wildlife Reporter via Westlaw search database (FENV-ORW)</td>
<td></td>
</tr>
</tbody>
</table>

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of fish, wildlife, and natural habitats.

www.fws.gov

Federal Register Notices via EPA available at www.epa.gov/fedrgstr/EPA SPECIES/

Environment and Natural Resources Division of the Department of Justice (DOJ)

The Environment and Natural Resources Division of the Department of Justice handles environmental and natural resources litigation on behalf of the United States. The work of the Division arises under approximately 150 federal civil and criminal statutes, including the Clean Air Act, Clean Water Act, CERCLA (Superfund) and others.

www.usdoj.gov/enrd/

Consent Decrees via DOJ available at www.justice.gov/enrd/Consent_Decrees.html


National Oceanographic and Atmospheric Administration (NOAA)

NOAA is a scientific agency within the United States Department of Commerce focused on the conditions of the oceans and the atmosphere. NOAA warns of dangerous weather, charts seas and skies, guides the use and protection of ocean and coastal resources, and conducts research to improve understanding and stewardship of the environment.

www.noaa.gov

Reorganization Plan No. 4 of 1970, 5 U.S.C. App. 1

Endangered Species Act

FWS and NOAA Decisions and Other Documents

Ocean Resources and Wildlife Reporter via Westlaw search database (FENV ORW) via LexisNexis available at www.lexis.com/xlink?source=environ;noaa

United States Army Corps of Engineers (USACE)

The Army Corps of Engineers, with environmental sustainability as a guiding principle, works diligently to strengthen our nation’s security by building and

Clean Air Act
Clean Water Act
CERCLA
EPCRA

USACE Information and Ongoing Projects available at www.usace.army.mil/Media/FactSheets.aspx

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IV. Environmental Law Cases

Federal and State Environmental Cases – LexisNexis

- **STU Access**- LexisNexis available at www.lexis.com/xlink?source=ENVIRN;MEGA

Environmental Law Cases – Westlaw

- **STU Access**- Westlaw via Westlaw Next, available at Westlaw Next > Cases > Environmental Law Cases.

BNA Environment and Safety Library

- **STU Access**- St. Thomas University, Alex A. Hanna Law Library, Digital Library – BNA available at esweb.bna.com/eslw

V. Current Awareness

Environment Reporter

- **STU Access**- St. Thomas University, Alex A. Hanna Law Library, Digital Library – BNA available at news.bna.com/erln

Daily Environment Reporter

- **STU Access**- St. Thomas University, Alex A. Hanna Law Library, Digital Library – BNA available at news.bna.com/deln

EPA Newsroom

- **Public Access**- EPA available at www.epa.gov/newsroom

Federal Environment & Safety Regulatory Monitoring Report

Rev. March 2012, by JRH
VI. Florida Environmental Law

A. Florida Law

<table>
<thead>
<tr>
<th>Area of Law</th>
<th>Florida Statutory Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, Horticulture, and Animal Control</td>
<td>Title XXXV – Fla. Stat. §§ 570-604</td>
</tr>
<tr>
<td>Drainage</td>
<td>Title XXI – Fla. Stat. § 298</td>
</tr>
<tr>
<td>Natural Resources, Conservation, Reclamation, and Use Statutes</td>
<td>Title XXVII – Fla. Stat. §§ 369-380</td>
</tr>
<tr>
<td>Planning and Development</td>
<td>Title XIII – Fla. Stat. §§ 186-191</td>
</tr>
<tr>
<td>Ports and Harbors</td>
<td>Title XXII – Fla. Stat. § 308-315</td>
</tr>
<tr>
<td>Public Health, Environmental Control</td>
<td>Title XXIX, Chapter 403 – Fla. Stat. § 403</td>
</tr>
<tr>
<td>Public Lands and Property</td>
<td>Title XVIII – Fla. Stat. §§ 253-274</td>
</tr>
</tbody>
</table>

B. Florida Agencies

Florida Department of Environmental Protection
- Public Access- www.dep.state.fl.us
- Note- DEP is the lead agency in Florida for environmental management and stewardship divided into three primary areas: Regulatory Programs, Land and Recreation, and Water Policy and Ecosystem Restoration.

Florida Fish and Wildlife Conservation Commission

Rev. March 2012, by JRH
• **Public Access**- www.fwc.state.fl.us
• **Note**- FWC is authorized by the Florida Constitution to enact rules and regulations regarding Florida’s fish and wildlife resources.

Florida Water Management Districts
• Northwest Florida Water Management District
  o **Public Access**- www.nfwmd.state.fl.us
• St. Johns River Water Management District
  o **Public Access**- floridaswater.com
• South Florida Water Management District
  o **Public Access**- www.sfwm.gov
• Southwest Florida Water Management District
  o **Public Access**- www.swfwmd.state.fl.us
• Suwanee River Water Management District
  o **Public Access**- www.srwmd.state.fl.us
• **Note** - The water management districts administer flood protection programs and perform technical investigations into water resources. The districts also develop water management plans for water shortages in times of drought and to acquire and manage lands for water management purposes under the Save Our Rivers program. Regulatory programs delegated to the districts include programs to manage the consumptive use of water, aquifer recharge, well construction and surface water management.

Miami-Dade County Department of Environmental Resources Management
• **Public Access**- www.co.miami-dade.fl.us/derm
• **Note**- Provides local support for Florida DEP projects as well as regulating Miami-Dade County’s public water supply, beach maintenance and preservation, as well as other duties.

C. Other Resources

Environmental Law, Experts, and Ethics, by Florida Bar: CLE
• **Call Number**- KFF354.Z9 E59 2006
• **Location**- St. Thomas University, Alex A. Hanna Law Library, Reserve

The Environmental and Land Use Section of the Florida Bar
• **Public Access**- www.eluls.org
• **Note**- Provides information and resources on Florida and Federal environmental law.
• Section Reporter **available at** www.eluls.org/reporter.html

The Comprehensive Everglades Restoration Plan (CERP)

Rev. March 2012, by JRH
- **Public Access**- www.evergladesplan.org
- **Note**- CERP provides a framework and guide to restore, protect and preserve the water resources of central and southern Florida, including the Everglades, covering 16 counties over an 18,000-square-mile area.

### VII. Further Reading and Other Useful Information

#### A. Journals

**Duke Environmental Law and Policy Forum**
- **Call Number**- K4.U543 (available from volume 8)
- **Location**- St. Thomas University, Alex A Hanna Law Library General Collection, 203A
- **STU Access**- HeinOnline, available at www.heinonline.org/HOL/Index?index=journals/delp&collection=journals
- **Public Access**- Duke University School of Law, available at delpf.law.duke.edu/

**Harvard Environmental Law Review**
- **Call Number**- K8.A84 (available from volume 16)
- **Location**- St. Thomas University, Alex A Hanna Law Library General Collection 204A
- **STU Access**- HeinOnline, available at heinonline.org/HOL/Index?index=journals/helr&collection=journals

**Environmental Law**
- **Call Number**- K5.N83
- **Location**- St. Thomas University, Alex A Hanna Law Library General Collection, 202B
- **STU Access**- HeinOnline, available at heinonline.org/HOL/Index?index=journals/envl&collection=journals
- **Public Access**- Lewis & Clark Law School, available at elawreview.org (available from volume 35).

**Journal of Land Use & Environmental Law**
- **Call Number**- K10.J67
- **Location**- St. Thomas University, Alex A Hanna Law Library General Collection, 205B
- **STU Access**- HeinOnline, available at heinonline.org/HOL/Index?index=journals/jluenvl&collection=journals
- **Public Access**- Florida State University School of Law, available at www.law.fsu.edu/journals/landuse (available from volume 15).
B. Internet Resources/Other

National Council for Science and the Environment
- **Public Access**- www.ncseonline.org
- **Note**- The NCSE website contains many environmental reports from the Congressional Research Service as well as other documents, news reports, and scientific information.

Environmental Law Net
- **Public Access**- lawvianet.com
- **Note**- This website is developed by a practitioner for practitioners and contains well-organized lists of links to federal, state and international environmental laws and regulations; agency decisions; litigation; and other relevant items.

Environmental Appeals Court
- **Public Access**- environmentalappealscourt.blogspot.com
- **Note**- This website reports on environmental law cases decided by federal appellate courts.