## TABLE OF SUBJECTS

### A

**ADMINISTRATIVE AGENCIES**
See also *Water Resources*
California Coastal Commission ................ 450, 452, 455-60, 481-82
Department of Justice—Criminal Enforcement .......... 122-24, 128-29
Environmental Protection Agency—Criminal Enforcement . ........................................ 121-26, 129
Hawaii Land Use Commission (LUC) .............. 417-24, 427-32, 479-80
Oregon Land Conservation and Development Commission (LCDC) ................. 463-66, 471-75

**ADMINISTRATIVE LAW**
See also *Administrative Agencies, Land Use*
Impact Statements Under NEPA . 690-93
Agricultural Land Evaluation and Site Assessment (LESA) . 404-05, 432

**AGRICULTURE**
Farmland Preservation Through California Coastal Conservation . 447-60
Farmland Preservation in Hawaii . 413-32
Farmland Preservation in Oregon . 461-78
Farmland Preservation in Vermont ................... 433-46

**AIR POLLUTION**
See also *State-Federal Relations*
Research Guide to Criminal Sanctions .......... 130-40
Strict Liability Proposal ........... 565-67

**CITY PLANNING**
See also *Land Use*
Commercial Overconcentration .......... 329-30
Neighborhood Commercial Development .................. 327-29

**COASTAL ZONE MANAGEMENT**
Consistency Doctrine
Application to federal activities . 15-25
Application to federally permitted activities .......... 25-30

**CONSERVATION**
See also *Agriculture, Land Use*
Conservationists and Preservationists Contrasted .......... 292-93

### CONSTITUTIONAL LAW

Preemption of State Regulation .... 87-114

### H

**HAZARDOUS SUBSTANCES**
See also *Occupational Health*
Proposition 65
Generally ...................... 698-702
Right-to-know provision .......... 687, 700, 702-12
Right-To-Know Requirements
Generally ............... 686-89

**HAZARDOUS WASTE**
See also *Constitutional Law, Jurisdiction, State-Federal Relations, Torts*
CERCLA
Allocation of liability by volume share . 631-38
Allocation of liability generally . 601-38
Citizen participation ........ 693-94
Covenants not to sue ........ 376-77
De minimis settlements .......... 376-78
Innocent landowner defense .... 378-79
Legislative history .......... 366-67, 628-30
Liability of financial institutions . 570-92
Liability of owners or operators of hazardous waste sites . 574-75, 578
Liability standard .......... 367-70
Possible contribution schemes .... 382-87
Problems created due to lender liability .......... 589-91
Right to contribution .... 370-72, 374-76
Right-to-know provisions .... 692-94
Security-interest exemption .... 575-85
Standard for contribution .......... 379-81
Third-party defense . 577-78, 583, 585-89
Disposal on Native American Lands .......... 72, 74-75
Disposal Site Problems .......... 603-04
RCRA—Strict Liability Proposal .... 565
Research Guide to Criminal Sanctions .......... 122-23, 159-79
State Regulation on Native American Lands
Preemption under Indian Commerce Clause .......... 87-114
Preemption under Interstate Commerce Clause ........... 85-87
<table>
<thead>
<tr>
<th>Page Range</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>485-86, 489</td>
<td>International Whaling Commission</td>
</tr>
<tr>
<td>485, 488-89, 502</td>
<td>International Convention for the Regulation of Whaling</td>
</tr>
<tr>
<td>467-72, 475, 482</td>
<td>Exclusive Farm Use zones</td>
</tr>
<tr>
<td>466-67, 471-72, 482</td>
<td>Urban Growth Boundary</td>
</tr>
<tr>
<td>481-83</td>
<td>Japanese violations</td>
</tr>
<tr>
<td>461-63</td>
<td>Sources of Local Zoning Authority</td>
</tr>
<tr>
<td>463-71</td>
<td>Home rule—California</td>
</tr>
<tr>
<td>344-47</td>
<td>Standard State Zoning Enabling Act</td>
</tr>
<tr>
<td>458-59</td>
<td>Use Quotas</td>
</tr>
<tr>
<td>117-79</td>
<td>Federal and State Criminal Sanctions</td>
</tr>
<tr>
<td>526-29, 539</td>
<td>Compensability of nonlitigation work</td>
</tr>
<tr>
<td>529-32</td>
<td>Fee enhancement for superior work</td>
</tr>
<tr>
<td>534-37</td>
<td>Judicial discretion in determining</td>
</tr>
<tr>
<td>522</td>
<td>“Lodestar” method</td>
</tr>
<tr>
<td>208-11</td>
<td>Federal Agency Management</td>
</tr>
<tr>
<td>485-92</td>
<td>Efforts</td>
</tr>
<tr>
<td>486-87, 489-92</td>
<td>U.S. sanctions</td>
</tr>
<tr>
<td>208-11</td>
<td>Glacier National Park</td>
</tr>
<tr>
<td>456-57, 459-60</td>
<td>California—Land Use Plan (LUP)</td>
</tr>
<tr>
<td>460, 481-82</td>
<td>Ability to protect agricultural land</td>
</tr>
<tr>
<td>446-51</td>
<td>Local Coastal Program (LCP)</td>
</tr>
<tr>
<td>451-52, 456-57, 460, 481-82</td>
<td>Structure</td>
</tr>
<tr>
<td>451-60</td>
<td>Characteristics of Comprehensive Programs</td>
</tr>
<tr>
<td>406-13</td>
<td>Farmland Preservation</td>
</tr>
<tr>
<td>411-13</td>
<td>Hawaii Land Use Law</td>
</tr>
<tr>
<td>419-24, 479-80</td>
<td>Ability to protect agricultural land</td>
</tr>
<tr>
<td>413-16</td>
<td>History</td>
</tr>
<tr>
<td>417-19</td>
<td>Structure</td>
</tr>
<tr>
<td>427-32</td>
<td>Hawaii State Agricultural Plan</td>
</tr>
<tr>
<td>425-26, 430-32, 480</td>
<td>Home Rule—Relation to Use</td>
</tr>
<tr>
<td>340-44</td>
<td>Quotas</td>
</tr>
<tr>
<td>330-32</td>
<td>Berkeley, California</td>
</tr>
<tr>
<td>325-27, 330, 363-64</td>
<td>Generally</td>
</tr>
<tr>
<td>355-60</td>
<td>Improper purposes</td>
</tr>
<tr>
<td>347-55</td>
<td>Proper purposes</td>
</tr>
<tr>
<td>332-35</td>
<td>San Francisco</td>
</tr>
<tr>
<td>445-46, 479-80</td>
<td>Ability to protect agricultural land</td>
</tr>
<tr>
<td>433-36</td>
<td>History</td>
</tr>
<tr>
<td>436-45</td>
<td>Structure</td>
</tr>
<tr>
<td>1987</td>
<td>Oregon and State Criminal Sanctions</td>
</tr>
<tr>
<td>117-79</td>
<td>Award of Attorney’s Fees</td>
</tr>
<tr>
<td>526-29, 539</td>
<td>Compensability of nonlitigation work</td>
</tr>
<tr>
<td>529-32</td>
<td>Fee enhancement for superior work</td>
</tr>
<tr>
<td>517-39</td>
<td>Judicial discretion in determining</td>
</tr>
<tr>
<td>534-37</td>
<td>“Lodestar” method</td>
</tr>
<tr>
<td>522</td>
<td>Marine Resources</td>
</tr>
<tr>
<td>208-11</td>
<td>Federal Agency Management</td>
</tr>
<tr>
<td>485-92</td>
<td>Efforts</td>
</tr>
<tr>
<td>486-87, 489-92</td>
<td>U.S. sanctions</td>
</tr>
<tr>
<td>208-11</td>
<td>Glacier National Park</td>
</tr>
<tr>
<td>208-11</td>
<td>National Parks</td>
</tr>
<tr>
<td>208-11</td>
<td>Federal Agency Management</td>
</tr>
<tr>
<td>485-92</td>
<td>Efforts</td>
</tr>
<tr>
<td>486-87, 489-92</td>
<td>U.S. sanctions</td>
</tr>
</tbody>
</table>
Designation as a biosphere reserve .............................................. 253-57
External threats ................................................................. 216-17
Tactical response of park officials to external threats .......... 222-25
Legal response of park officials to external threats ............ 217-22, 260
Long-term management protection policies ..................... 253-58
Relations with Flathead National Forest .......................... 227-30
Response of park officials to proposed developments beyond park borders .... 231-33, 241-44
Short-term management policies ........................................ 249-52
Management Policies of Lewis and Clark National Forest Officials ........................................ 244-46
Relations Between Park Service and Forest Service ......... 215-16, 227-30, 240-46, 259-61

OCCUPATIONAL HEALTH
California Occupational Safety and Health Act—Right-To-Know Provisions ........................................ 694-98

POLICY ANALYSIS
Economic Analysis
Generally ................................................................. 266-69, 302, 305-06, 310, 313, 317
Market account ............................................................... 268-78, 293-94, 297, 322
Paternalism account ......................................................... 288-90
Public values account ......................................................... 293-95
Rights account ................................................................. 278-79
Ethical Analysis
Generally ................................................................. 266-68, 298, 313, 316, 318-21
Market account ................................................................. 275-78, 319, 322
Paternalism account ......................................................... 284-90, 319
Public values account ........................................................... 290-95, 299, 319-20
Rights account ................................................................. 278-84, 319
Philosophy of Science ......................................................... 306-08

REMEDIES
Breach of Federal Duty to Assert
Reserved Rights ................................................................. 672-75
Private Remedies for Interstate Water Pollution ............... 544-50, 558-64

STATE-FEDERAL RELATIONS
Coastal Zone Management Act
Appeals to Secretary of Commerce ................................ 33-46
Federal preemption of state action .................................... 59-64
Limitations on state consistency authority ...................... 55-64
Mediation by Secretary of Commerce ........................... 33
Resolution of consistency conflicts .................................. 30-55
State consistency authority .............................................. 15-25, 28-30
Hazardous Waste on Native American Lands .................. 79-87
Preemption of State Common Law Remedies
Express preemption ......................................................... 556
Implied preemption ......................................................... 556-61
Water Pollution
Choice of law ................................................................. 551-55
Preemption of state common law remedies ................... 541-42, 545-61

TORTS
See also Hazardous Waste
Allocation of Liability
Contribution ................................................................. 625-28, 633-34
Joint and several liability and entire liability .................. 613-21
Market share liability ......................................................... 621-25
Contribution Theories
Comparative causation ..................................................... 384-85
Comparative fault ............................................................... 383-84
Pro rata contribution ......................................................... 382-83

WATER POLLUTION
See also State-Federal Relations
Clean Water Act
Generally ................................................................. 542-44
Preemption of state nuisance law .................................... 555-61
Research Guide to Criminal Sanctions ......................... 125-26, 141-58

WATER RESOURCES
California Water Rights Law
Appropriation doctrine ..................................................... 718-22
Beneficial use requirement .............................................. 721, 734-36
Private rights perspective .......... 733-34
Reasonable use requirement ....
........................................ 721-22, 730-32
Riparian doctrine .................. 718-22

Reserved Rights in Wilderness Areas
Alternatives to ...................... 664-69
Basis for and quantification of .. 641-51
Conflicts with consumptive uses . 651-55
Duty of federal agencies to assert
........................................ 639-41, 655-64, 669-72
Loss and postponement .......... 643-45
Protection by private intervenors
........................................ 675-82

Sacramento-San Joaquin Delta
California State Water Project .. 716-18

Central Valley Project .......... 716-18
Physical attributes ............... 714-16
Sacramento-San Joaquin Delta
and Suisun Marsh Water
Quality Control Plan .......... 723-24
State Water Resources Control
Board—Issuance of Water
Appropriation Permits .......... 719-22

Z

ZONING

See Administrative Law, City
Planning, Land Use