

OCEAN AND COASTAL LAW - 2020

Tim Eichenberg, Sarah M. Reiter, Caroline Park, and Donald Baur
Environmental Law Center
Vermont Law School, Summer Session Term 1
May 26 – June 11, 2020
9:00 am – 12:00 pm

SYLLABUS

- Required Texts:** Rieser, et al, *Ocean and Coastal Law (OCL)*, West Group (5th Edition, 2013) available at bookstore;
Supplemental Materials (SM) available at Bookstore
- Strongly Recommended:** Baur, Eichenberg, Snusz and Sutton, *Ocean and Coastal Law and Policy*, ABA (2015) available at bookstore
- Recommended Reading (RR):** On reserve in Library or URLs*
- Office Hours:** 1:00-2:00 p.m., Mondays - Thursdays
- Exam:** Open-book, take-home, anonymous grading, due Sunday, June 14, 3:00 pm
- Required Reading:** Advance reading and volunteers asked to present cases for first class
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May 26-May 29/ Tim Eichenberg

CLASS I:

Tuesday, May 26: State Ownership and Control of Marine Resources and the Public Trust Doctrine

Required Reading:

The Submerged Lands Act and the Tidelands Controversy – **OCL pp. 125-147**
The Public Trust Doctrine – **OCL pp. 270-295**

SM 00001-00005 *U.S. v. California*, 332 U.S. 19 (1947)
SM 00006-00013 *National Audubon Society v. Superior Court*, 33 Cal. 3d 419 (1983)
SM 00014-00021 *San Francisco Baykeeper v. California State Lands Commission*, California Court of Appeals (2018)

* RR is not necessary for the class. These materials provide additional information and legal authority for the issues discussed in the corresponding class.

Recommended Reading:

- RR Gary Kinder, *Ship of Gold in the Deep Blue Sea*, pp. 366-373 and Epilogue (1998)
- RR Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water*, Chapter Two, The Red Queen (1993)
- RR S. Roady, "The Public Trust Doctrine," *Ocean and Coastal Law and Policy*, Chapter 2 (2008)
- RR Susan Steimile, *Corporate Sand Mining in SF Bay Sparks 'Sand Wars,'* KPIX CBS SF Bay Area, December 3, 2018, <https://sanfrancisco.cbslocal.com/2018/12/03/corporate-sand-mining-in-sf-bay-sparks-sand-wars/>

CLASS II:

Wednesday, May 27: Coastal Zone Management

Required Reading:

Saving the Bay: The Nation's First Coastal Management Agency (video)
The Coastal Zone Management Act and Federal Consistency – **OCL pp. 391-403; 423-443**
Implementing Coastal Management Plans: The California Coastal Act (slides)

- SM 00022-00024** Waters of the United States, 33 CFR §328.3
- SM 00025-00031** *Surfrider Foundation v. Martins Beach*, Superior Court of San Mateo County (2014)
- SM 00032-00033** *Court ruling on Martins Beach puts public access rights in doubt*, Peter Fimrite, San Francisco Chronicle, November 27, 2019, <https://www.sfchronicle.com/bayarea/article/Court-ruling-on-Martins-Beach-puts-past-public-14864593.php>

Recommended Reading:

- RR Nadia Popovich, Livia Albeck-Ripka, and Kendra Pierre-Louis, 95 *Environmental Rules Being Rolled Back Under Trump*, New York Times, December 21, 2019, <https://www.nytimes.com/interactive/2019/climate/trump-environment-rollbacks.html>

- RR Juliet Eilperin, *The Trump administration keeps losing environmental cases*, Washington Post, August 18, 2018
https://www.washingtonpost.com/energy-environment/2018/08/18/trump-administration-keeps-losing-environmental-court-cases/?utm_term=.82c7b95173e0
- RR K. Fletcher, “Managing Coastal Development,” *Ocean and Coastal Law and Policy*, Chapter 5 (2008)
- RR O. Pilky and Young, *The Rising Sea*, Chapter 1, “Living on the Edge” (2008)

CLASS III:

Thursday, May 28: Public and Private Property Rights and Coastal Access

Required Reading:

Public and Private Rights in Coastal Lands and Waters and the Takings Issue – **OCL pp. 247-270**
 Permit Conditions and Public Access – **OCL pp. 378-385**
 Public Access under Common Law and the Public Trust Doctrine – **OCL pp. 358-378; 294-303**

SM 00034-00037 *U.S. Supreme Court declines to take Martins Beach case – a win for California’s landmark coastal access law*, Rosanna Xia, Los Angeles Times, October 1, 2018,
<https://www.latimes.com/local/lanow/la-me-martins-beach-supreme-court-20181001-story.html>

SM 00038-00044 *McGarvey v. Whittredge*, 28 A.3d 620 (2011)

Recommended Reading:

- RR Michael C. Blumm and Lucas Ritchie, *Lucas’s Unlikely Legacy: The Rise of Background Principles as Categorical Takings Defenses*, 29 Harv. Envtl. L. Rev. 321, 341-354 (2005)
- RR Meg Caldwell and Craig Holt Segall, *No Day at the Beach: Sea Level Rise, Ecosystem Loss and Public Access Along the California Coast*, 34 Ecology Law Quarterly 533 (2007)

CLASS IV:

Friday, May 29: Adapting to Climate Change and Sea Level Rise

Required Reading:

Protecting Coastal Communities from Climate Change and Sea Level Rise (slides)

Private Interests of Littoral and Riparian Landowners – **OCL pp. 303-313; 321-329**

Regulating Eroding Shorelines to Adapt to Climate Change and Sea Level Rise – **OCL pp. 443-465**

- SM 00045-00055** *Walton County v. Stop the Beach Renourishment, Inc.*, 998 So. 2d 1102 (2008)
- SM 00056-00064** The National Flood Insurance Program: *Coalition for a Sustainable Delta v. FEMA*, 812 F. Supp. 2d 1089 (2011)
- SM 00065-00067** *How the New Flood Insurance Reforms Make Costly Future Climate Disasters More Likely*, Climate Progress, Ari Phillips, March 26, 2014 <http://thinkprogress.org/climate/2014/03/25/3418323/flood-insurance-program-reforms/>)

Recommended Reading:

- RR Paul Rogers, *Trump administration gives new life to development on huge Cargill Salt property in Redwood City: EPA says Clean Water Act does not apply to Cargill Redwood City property*, <https://www.mercurynews.com/2019/03/11/san-francisco-bay-trump-administration-gives-new-life-to-development-on-huge-cargill-salt-property-in-redwood-city/>
- RR C. Tulou, et al “Climate Change and the Marine Environment,” *Ocean and Coastal Law and Policy*, Chapter 18 (2008)
- RR T. Eichenberg, Bothwell and Vaughn, *Climate Change and the Public Trust Doctrine: Using an Ancient Doctrine to Adapt to Rising Sea Levels in San Francisco Bay*, 3 Golden Gate University Environmental Law Journal 243-282 (2010)
- RR Beth Daley, *House wrecked repeatedly by sea rebuilt with taxes: Multiple damage claims for coastal homes raise flood insurance questions*, New England Center for Investigative Reporting, March 9, 2014, <https://www2.bostonglobe.com/lifestyle/health-wellness/2014/03/09/sea-level-rose-government-paid-nine-flood-claims-scituate-home/P9PvgncnRm3pjdQYt8mxuK/story.html>

RR

Carolyn Lochhead, *Is rebuilding in hurricane zones wise?* San Francisco Chronicle, Jan. 8, 2013 (<http://www.sfgate.com/default/article/Is-rebuilding-in-hurricane-zones-wise-4206433.php>)

June 1-4 / Sarah Reiter & Caroline Park

CLASS V:

Monday, June 1: International Marine Law: Emergence and Principles

Reading:

Refer to Moodle for required and recommended readings on the sources of international law, principles of international environmental law, and the “constitution of the ocean,” the United Nations Convention on the Law of the Sea (UNCLOS)

- **Treaty: (202 pages)**
 - **UNCLOS, in particular, Articles 87-89, 136, 137, 192, 194, 197**
- **Law Review Article(s): (7 pages)**
 - **D. Freestone, Modern Principles of High Seas Governance: The Legal Underpinnings (2009) 39 International Environmental Policy and Law 49, 7 p.**

CLASS VI:

Tuesday, June 2: International Marine Law & The Ocean-Climate Nexus

Reading:

Refer to Moodle for required and recommended readings on bridging the gap between UNCLOS and the United Nations Framework Convention on Climate Change (UNFCCC) through study of GHGs, ocean acidification, and requirements under UNCLOS and the Paris Agreement

- **Treaties: (52 pages)**
 - **UNFCCC, 25 p.**
 - **The Paris Agreement, 27 p.**
- **Decisions: (4 pages)**
 - **COP25 Decision text (referring to Joint Proposal on Ocean-Climate Nexus) 4 p.**
- **Law Review Article(s) and additional resources (81 pages)**
 - **IPCC SROCC Summary for Policymakers, 36 p.**
 - **Susan Biniaz, Comma but Differentiated Responsibilities: Punctuation and 30 Other Ways Negotiators Have Resolved**

Issues in the International Climate Change Regime, 6 Mich. J. Envtl. & Admin. L. 37 (2016), 28 p.

- **Gallo, N., Victor, D. & Levin, L. Ocean commitments under the Paris Agreement. Nature Climate Change 7, 833–838 (2017) 5 p.**
- **Oral, N., Ocean Acidification: Falling between the legal cracks of UNCLOS and the UNFCCC?. 45 Ecology L.Q. 9 (2018) 12 p.**

CLASS VII:

Wednesday, June 3: International Marine Law & Biodiversity

Reading:

Refer to Moodle for required and recommended readings on integrated ocean governance and the International legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

- **Treaties: (50+ p.)**
 - **Draft BBNJ Text, 50 p.**
 - **Proposed comments on BBNJ, 350 p. (skim)**
- **Resolutions**
 - **UNGA 59/24, 69/292, 72/249**
- **Law Review Articles: (126 pages)**
 - **Gjerde, K.M., Clark, N., Harden-Davis, H., (2019), “Building a platform for the future: The relationship of the expected new agreement for marine biodiversity in areas beyond national jurisdiction and the UN Convention on the Law of the Sea,” Ocean Yearbook 33: 3-44, 44 p.**
 - **Wright, G., Rochette, J., Gjerde, K., Seeger, I. (2018). The long and winding road: negotiating a treaty for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. IDDRI, Studies N°08/18, 82 p.**

CLASS VIII:

Thursday, June 4:

Fisheries: U.S. Federal and International Conservation and Management

Required Reading:

- SM 00068-00071** Magnuson-Stevens Fishery Conservation and Management Act and National Standard 1 Guidelines: excerpts
- SM 00072-00075** *Natural Resources Defense Council v. Daley*, 209 F.3d 747 (D.C. Cir. 2000)
- SM 00076-00078** *Flaherty v. Bryson*, 850 F.Supp.2d 38 (D.D.C. 2012)
- SM 00079-00081** *Gulf Fishermens Ass'n et al. v. National Marine Fisheries Service et al.*, 341 F.Supp.3d 632 (E.D.La. 2018)
- SM 00082-00087** Letter from State of New York regarding Petition for Rulemaking to amend the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan and its implementing regulations (March 23, 2018)
- SM 00088-00090** International Convention for the Conservation of Atlantic Tunas (ICCAT), May 14, 1966, 673 U.N.T.S. 63.
- SM 00091-00096** ICCAT Recommendation 17-06: Western Atlantic Bluefin Tuna
- SM 00097-00099** D. Jackson, "Rules for Red Snapper Fishing to Be Decided by States", Courthouse News Service (Feb. 6, 2020) <https://www.courthousenews.com/rules-for-red-snapper-fishing-to-be-decided-by-states/>
- SM 00100-00101** C. D'Angelo, "The Fish on Your Plate May Not Be What You Ordered", *HuffPost* (March 7, 2019) <https://www.huffpost.com/entry/seafood-fraud-study-oceana_n_5c8079ade4b020b54d81ffa3>.
- SM 00102-00103** E. Stokstad, "Seabird 'cops' spy on sneaky fishing vessels", *Science Magazine* (Jan. 27, 2020) <<https://www.sciencemag.org/news/2020/01/seabird-cops-spy-sneaky-fishing-vessels>>

June 8-11 / Donald Baur

*NOTE: * indicates a case for which a volunteer student presentation is requested*

Sunday, June 7: Non-required screening of *The Cove* in the classroom beginning at 6:00 pm.

CLASS IX:

Monday, June 8: **PART I: International Authorities – Species Conservation/ Whales and Whaling**

Required Reading:

- SM 00104-00114*** *Japan Whaling Ass'n v. American Cetacean Society*, 478 U.S. 221 (1986)
- SM 00115** Letter from Department of the Interior to the President regarding Iceland and the Fisherman's Protective Act (Jan. 31, 2014)
- SM 00116-00117** "Whale Wars' Leader: 'Arrest Me or Shut Up,'" *New York Times* (June 4, 2011)
- SM 00118** "Whale Wars – Eco-Terrorism as Reality TV", *Huffington Post* (June 5, 2009)
- SM 00119-00124*** *Institute of Cetacean Research v. Sea Shepherd Conservation Society*, 708 F.3d 1099 (9th Cir. 2013)
- SM 00125** United Nations, Japan Declaration Under Article 36(2) Rescinding ICJ Jurisdiction (October 6, 2015)
- SM 00126** Statement by Japan's Ministry of Foreign Affairs on decision to withdraw from the IWC (December 26, 2018)
- SM 00127-00145** "In Japan's 'city of whales,' an uncertain future after last Antarctic hunt" *Washington Post*, (April 5, 2019)
https://www.washingtonpost.com/news/world/wp/2019/04/05/feature/japan-whaling-research-hunts-end-and-defiant-commercial-era-begins/?utm_term=.395fd4d216a1
- SM 00146-00150** "As Taiji Slaughter Closes, How Many Dolphins Were Killed or Kidnapped?" PETA Org. (March 5, 2020)
<https://www.peta.org/blog/annual-taiji-dolphin-slaughter-season-ends-740-victims/>
- SM 00151** "Taiji Drive Figures", Activism for Life (2019-2020)
<https://josweb.co.uk/taiji-drive-figures-2019-2020/>
- SM 00152-00157** "Activists' Harassment, Cultural Invasion of Japanese Town Backfire 10 Years After 'The Cove'", Japan Forward (February 18, 2020) <https://japan-forward.com/activists-harassment-cultural-invasion-of-japanese-town-backfire-10-years-after-the-cove/>

Taiji Dolphin Hunt (video shown in class)

Recommended Reading:

- RR *Institute of Cetacean Research v. Sea Shepherd Conservation Society*, 774 F.3d 935 19th Cir. 2014)
- RR P. Hoare, *The Whale: In Search of the Giants of the Sea*, Chapter 12 (2010)
- RR R. Ellis, *The Empty Ocean*, Chapter 4 (2003)
- RR R. Gambell, “The International Whaling Commission and the Contemporary Whaling Debate,” *Conservation and Management of Marine Mammals*, Chapter 8 (1999)
- RR *Whaling in the Antarctic, Australia v. Japan, Int’l Court of Justice* (March 3, 2014)

CLASS IX:

Monday, June 8: PART II: Federal Marine and Coastal Protected Areas

Required Reading:

- SM 00158-00160 J. Lubchenco, “Making Waves: The Science and Politics of Ocean Protection” (October 15, 2015)
- SM 00161-00162 “To Save Fish and Birds,” *New York Times* (February 15, 2014)
- SM 00163-00171 [Maintaining Unimpaired Ocean Resources and Experiences: A National Park Service Ocean Stewardship Strategy](#) (2004)
- SM 00172-00173* *United States v. Brown*, 552 F.2d 817 (8th Cir. 1977)
- SM 00174-00177 *Organized Fishermen of Florida v. Watt*, 590 F. Supp. 805 (1984), aff’d 775 F.2d 1544, 11th Cir. 1984)
- * Marine Sanctuaries – OCL pp. 987-993 (*Personal Watercraft Industry Association v. Department of Commerce*)
- SM 00178-00195* *Massachusetts Lobstermen’s Ass’n v. Ross*, 945 F.3d 535 (D.C. Cir. 2019)
[https://www.cadc.uscourts.gov/internet/opinions.nsf/56FE1BA1A1063F8B852584DD00548928/\\$file/18-5353-1821696.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/56FE1BA1A1063F8B852584DD00548928/$file/18-5353-1821696.pdf)

Recommended Reading:

- RR K. Connolly, “Marine Protected Areas,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 18 (2015)
- RR Baur, Irvin, Misenko, “Putting Protection into Marine Protected Areas,” 28 Vt. L. Rev. 497 (2004)
- RR R. Ellis, *The Empty Ocean*, Chapter 12 (2003)

CLASS X:

Tuesday, June 9: The Marine Mammal Protection Act

Required Reading:

Background on MMPA, ESA - **OCL pp. 787-791**

SM 00196-00208* *UFO Chuting of Hawaii v. Young*, 327 F. Supp. 2d 1220 (D. Hawaii 2004) The Moratorium and Take/Import Prohibitions and the Exceptions

SM 00209-00218 *Committee for Humane Legislation v. Richardson*, 540 F.2d 1141 (D.C. Cir. 1976)

https://scholar.google.com/scholar_case?case=1153603270025229372&q=Committee+for+Humane+Legislation+v.+Richardson,+540+F.2d+1141&hl=en&as_sdt=400006&as_vis=1

SM 00219-00221 *Center for Biological Diversity v. National Science Foundation*, 55 ERC 1873 (N.D. Cal. 2002)

SM 00222-00230* *Strong v. Secretary of Commerce*, 5 F.3d 905 (5th Cir. 1993); *United States v. Hayashi*, 5 F.3d 1278 (9th Cir. 1993)

**Keiko and the MMPA, Whale Sanctuary Project
(videos shown in class)**

SM 00231-00247* *Conservation Council for Hawaii v. NMFS*, 97 F. Supp. 3d 1210 (D. Hawaii 2015) (also discussed under Endangered Species Act on June 14)

Fisheries Incidental Take/Domestic – **OCL pp. 875-878**

Fisheries Incidental Take/Foreign – **OCL pp. 864-870**

SM 00248-00250 Courtney Columbus, “Navy defends asking Congress for leeway to kill marine mammals” (August 22, 2018)

<https://www.eenews.net/greenwire/2018/08/22/stories/1060094859>

SM 00251-00261* *Earth Island Institute v. Hogarth*, 494 F.3d 757 (9th Cir. 2007)

SM 00262-00264 “Mexico Loses 10-Year WTO Battle Over US Tuna Labeling.” *VOA News* (December 14, 2018)

Recommended Reading:

RR D. Baur, M. Gosliner, N. Young, K. Sedlacek “The Law of Marine Mammal Conservation,” *Ocean and Coastal Law and Policy*, 2d Ed, Chapter 14 (2015)

RR R. Ellis, *The Empty Ocean*, Chapter 11 (2003)

- RR G. Meffe, W. Perrin, P. Dayton, “Marine Mammal Conservation: Guiding Principles and their Implementation,” *Conservation and Management of Marine Mammals*, Chapter 20 (1999)
- RR Timeline of US-Tuna II (Mexico) Dispute Settlement. DS381: United States — Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products. *World Trade Organization*.
- RR *NRDC v. Ross*, 331 F. Supp3d 1338 (Ct. Int’l Trade, 2018), 348 F. Supp. 3d 1306 (Ct. Int’l Trade, 2018)

CLASS XI:

Wednesday, June 10: Marine Endangered Species

Required Reading:

Listing and Critical Habitat

- SM 00265-00275** C. Safina, “In Defense of Biodiversity: Why Protecting Species from Extinction Matters,” *Yale Environment* 360
- SM 00276-00289*** *Center for Biological Diversity v. Lohn*, 296 F. Supp.2d 1223 (W.D. Wa. 2003)
- Critical Habitat - **OCL pp. 817-824** (*CBD v. Evans*)
 *Recovery Plans - **OCL pp. 909-918** (*California Sea Urchin Comm’n v. Bean*)
- SM 00290-00297*** Consultation and Jeopardy – (*Greenpeace Foundation v. Mineta*)
 122 F. Supp. 2nd 1123 (D. Hawaii, 2000)
- SM 00298-00302** *Oceana v. BOEM*, 2014 WL 1281996 (D.D.C. Mar. 31, 2014)
- *The Take Prohibition and its Exceptions - **OCL pp. 888-894**
 (*Strahan v. Coxe*)
- SM 00303-00308** *Marbled Murrelet v. Babbitt*, 83 F.3d 1060 (9th Cir. 1996)
- SM 00309-00310** *Drifting in Static*, National Geographic (Jan. 2011)
- SM refer to class X*** *Conservation Council for Hawaii v. NMFS*, 2015 WL 1499589 (D. Hawaii, Mar. 31, 2015)

Recommended Reading:

- RR J. Horwitz, *War of the Whales: A True Story* (2015)
- RR M. Rowland, “The ESA and Marine Species,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 17 (2015)
- RR D. Baur, Wm. R. Irvin, *ESA: Law, Policy and Perspectives*, Chapters 2, 6, 11, 15-17 (2010)

- RR R. Ellis, *The Empty Ocean*, Chapter 5 (2003)
 RR D. Domning, “Endangered Species: The Common Denominator”
Conservation and Management of Marine Mammals, (1999)

CLASS XII:

Thursday, June 11: PART I: Offshore Energy

Required Reading:

Offshore Oil and Gas Energy Development –**OCL pp. 547-550**

- SM 00312-00324*** OCSLA Background -- *Center for Biological Diversity v. DOI*, 563 F.3d 466 (D.C. Cir. 2009)
SM 00325-00330 [“Presidential Executive Order Implementing an America-First Offshore Energy Strategy,”](#) *The White House press release* (April 28, 2017)
SM 00331-00333 “Drilling? Expect Few to Dive In,” *The New York Times* (Jan. 24, 2018)
SM 00334-00335 Court Setback Puts Trump’s Offshore Drilling Plans on Hold, *Law 360* (April 25, 2019)

OCS Withdrawals - OCL 629-643

- SM 00336** Offshore renewable Energy -- BOEM, Offshore Wind Lease Map
SM 00337-00340 [“The nation’s first offshore wind farm is ready to go, despite critics’ blowback”](#) *Washington Post* (Aug. 27, 2016)
SM 00341-00343 [“What really toppled Cape Wind’s plans for Nantucket Sound,”](#) *Boston Globe*, (Jan. 30, 2015)

CLASS XII:

Thursday, June 11: PART II: Deepwater Horizon/Macondo Well and Spill

Required Reading:

OCL 572-584

- SM 00344-00346** [“The Deepwater Horizon Threat,”](#) *New York Times* (April 16, 2014)
SM 00347-00352 [“Five Years After the Big Spill: Drilling Questions Continue in the Gulf,”](#) *Miami Herald* (April 19, 2015)
SM 00353-00359 Scott Angelle, Regulatory reforms still keep energy workers safe, *The Advocate* (May 2, 2019)
https://www.theadvocate.com/baton_rouge/opinion/article_cfd1e0c6-6c46-11e9-b146-0355bf8f3ef3.html

Student volunteer team to give presentation on causes of the spill, effects of the spill, resulting reform.

CLASS XII:

Thursday, June 11: PART III: Ocean Policy

Required Reading:

- SM 00360-00365** Executive Order 13547, Stewardship of the Ocean, Our Coasts, and the Great Lakes (July 19, 2010)
- SM 00366-00398** National Ocean Implementation Plan (April, 2013)
- SM 00399-00403** Ocean Action Agenda - Ocean Priorities for the Trump Administration
- SM 00404-00405** Presidential Proclamation 9622 - *National Ocean Month* (May 31, 2017)
- SM 00406-00412** Executive Order Regarding the Ocean Policy to Advance the Economic, Security, and Environmental Interest of the United States (June 19, 2018) <https://www.whitehouse.gov/presidential-actions/executive-order-regarding-ocean-policy-advance-economic-security-environmental-interests-united-states/>

Recommended Reading:

- RR D. Baur, P. Parenteau, G. Hancock Snusz, “Legal Authorities for Ecosystem-Based Management in U.S. Coastal and Ocean Areas,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 21 (2015)
- RR E. Laschever, F. Baptiste, N. Band, “Oil Spill Liability,” *Ocean and Coastal Law and Policy*, 2d Ed. Chapter 13 (2015)
- RR P. Smyth, M. Mason, “Offshore Mineral Development,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 12 (2015)
- RR A. Powers, O. Smith, “Emerging Ocean Uses,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 15 (2015)
- RR J. Wood, I. Gutherz, “Offshore Renewable Energy,” *Ocean and Coastal Law and Policy*, 2d Ed., Chapter 14 (2015)
- RR S. Chasis, “Reforms in U.S. Ocean Policy and Law in Response to Calls for Urgent Action,” *Ocean and Coastal Law and Policy*, Chapter 23 (2015)
- RR [Deepwater: The Gulf Oil Disaster and the Future of Offshore Drilling, Report to the President, National Commission in the BP Deepwater Horizon Oil Spill and Offshore Drilling](#) (Jan. 2011)
- RR “Scientific, Legal and Policy Lessons from the Deepwater Horizon Disaster,” *Environmental Law Reporter* (Nov. 2010)