UNIVERSITY OF MICHIGAN LAW SCHOOL

Administrative Officers

Mark Schlissel, B.A., M.D., Ph.D., President of the University
Susan M. Collins, B.A., Ph.D., Provost and Executive Vice President for Academic Affairs
Mark D. West, B.A., J.D., Nippon Life Professor of Law, Dean
Debra Chopp, B.A., J.D., Clinical Professor of Law, Associate Dean for Experiential Education
Monica Hakimi, B.A., J.D., James V. Campbell Professor of Law, Associate Dean for Faculty and Research
Jennifer Seinfeld, A.B., J.D., Robert A. Sullivan Professor of Law, Associate Dean for Academic Programming
Kimberly L. D’Haene, B.A., J.D., Assistant Dean for Student Services
Michael Dubin, B.S., M.A., Assistant Dean for Development and Alumni Relations
Theresa Kaiser-Jarvis, B.A., B.S.J., Ed.M., J.D., Assistant Dean for International Affairs
Ranji Kaul, B.A., J.D., Assistant Dean for Career Planning
Lindsey Stetson, B.A., J.D., Assistant Dean for Student Life
Sarah C. Zearfoss, B.A., J.D., Senior Assistant Dean for Admissions, Financial Aid, and Career Planning

Professors Emeriti of Law

David L. Chambers, A.B., LL.B., Wade H. McCree, Jr. Collegiate Professor of Law
Edward H. Cooper, A.B., LL.B., Thomas M. Cooley Professor of Law
Donald N. Daquille, A.B., J.D., Clinical Professor of Law
Phoebe C. Ellsworth, A.B., Ph.D., Frank Murphy Distinguished Professor of Law and Psychology
Philip M. Frost, B.A., J.D., Clinical Professor of Law
Thomas A. Green, B.A., Ph.D., J.D., John Philip Danson Collegiate Professor of Law
Samuel R. Gross, A.B., J.D., Thomas G. and Mabel Long Professor of Law
Jerold H. Israel, B.B.A., LL.B., Alene and Allan F. Smith Professor of Law
Douglas A. Kahn, B.A., J.D., Paul G. Kauper Professor of Law
Yale Kamisar, A.B., LL.B., LL.D., Clarence Darrow Distinguished University Professor of Law
Thomas E. Kauper, A.B., J.D., Henry M. Batez Professor of Law
James E. Krier, B.S., J.D., Earl Warren DeLano Professor of Law
Richard O. Lempert, A.B., J.D., Ph.D., Eric Stein Distinguished University Professor of Law and Sociology
Sallyanne Payton, B.A., LL.B., William W. Cook Professor of Law
Margaret Jane Radin, A.B., M.F.A., J.D., LL.D., Henry King Ransom Professor of Law
Nicholas J. Rine, B.A., J.D., Clinical Professor of Law
Terrance Sandalow, A.B., J.D., Edson R. Sunderland Professor of Law
Sozel Scannuccio, B.A., J.D., Clinical Professor of Law
E. Philip Soper, B.A., M.A., J.D., Ph.D., James V. Campbell Professor of Law
Theodore J. St. Antoine, A.B., J.D., James E. and Sarah A. Degan Professor of Law
Joseph Vining, B.A., M.A., J.D., Harry Burns Hutchins Collegiate Professor of Law
Lawrence W. Waggoner, B.B.A., J.D., D.Phil., Lewis M. Simes Professor of Law
Peter K. Westen, B.A., J.D., Frank G. Millard Professor of Law
James Boyd White, A.B., A.M., LL.B., L. Hart Wright Collegiate Professor of Law
James J. White, B.A., J.D., Robert A. Sullivan Professor of Law

Professors of Law

Kate Andrias, B.A., J.D., Reuven S. Avi-Yonah, B.A., A.M., Ph.D., J.D., Irwin I. Cohen Professor of Law
Samuel Bagstos, B.A., J.D., Frank G. Millard Professor of Law
Nicholas Bagley, B.A., J.D., Michael S. Barr, B.A., M.Phil., J.D., Roy F. and Jean Humphrey Priftit Professor of Law
Laura N. Beny, B.A., M.A., J.D., Ph.D., Evan H. Caminker, B.A., J.D., Branch Rickey Collegiate Professor of Law
Albert Choi, B.A., J.D., Ph.D., Sherman J. Clark, B.S., J.D., Kirkland and Ellis Professor of Law
Nicolas Cornell, A.B., Ph.D., J.D., Daniel Crane, B.A., J.D., Frederick Paul Furth, Sr. Professor of Law
Steven P. Cressey, A.B., J.D., M.A., Ph.D., Harry Burns Hutchins Collegiate Professor of Law
Kristina Daugirdas, A.B., J.D., Alicia Davis, B.S., M.B.A., J.D., Rebecca S. Eisenberg, B.A., J.D., Robert and Barbara Luciano Professor of Law
Richard D. Friedman, B.A., J.D., D.Phil., Alene and Allan F. Smith Professor of Law
Bruce W. Frier, B.A., Ph.D., John and Teresa D. Arms Distinguished University Professor of Classics and Roman Law
Daniel Halberstam, B.A., J.D., Eric Stein Collegiate Professor of Law
James C. Hathaway, LL.B., LL.M., J.S.D., James E. and Sarah A. Degan Professor of Law
Scott Hershovitz, A.B., M.A., D.Phil., J.D., Donald J. Herzog, A.B., A.M., Ph.D., Edson R. Sunderland Professor of Law
James Hines Jr., B.A., M.A., Ph.D., L. Hart Wright Collegiate Professor of Law
Nicholas C. Howson, B.A., J.D., Ellen D. Katz, B.A., J.D., Ralph W. Aigler Professor of Law
Vikramaditya S. Khanna, B.C.A., LL.B., S.J.D., William W. Cook Professor of Law
Jessica D. Litman, B.A., M.F.A., J.D., John F. Nickoll Professor of Law
Kyle D. Logue, B.A., J.D., Wade H. and Dores M. McCree Collegiate Professor of Law
Catharine A. MacKinnon, B.A., J.D., Ph.D., Elizabeth A. Long Professor of Law
Nina A. Mendelson, A.B., J.D.
Joseph L. Sax Collegiate Professor of Law
Gabriel Meleadow, A.B., Ph.D., J.D.
William I. Miller, B.A., Ph.D., J.D., Thomas G. Long Professor of Law
Julian Davis Mortenson, A.B., J.D.
William Novak, B.A., M.A., Ph.D.
Charles F. and Edith J. Clyne Professor of Law
John A.E. Pottow, A.B., J.D.
John Philip Dawson Collegiate Professor of Law
James J. Prescott, B.A., J.D., Ph.D.
W. Nicholson Price, II, A.B., J.D., Ph.D.
Eve Brenske Primus, B.A., J.D.
Richard A. Primus, A.B., D.Phil., J.D.
Theodore J. St. Antoine Collegiate Professor of Law
Adam C. Pritchard, B.A., M.P.P., J.D.
Charles F. and Edith J. Clyne Professor of Law

Assistant Professors of Law
Maureen Carroll, B.S., J.D.
Edward Fox, B.A., J.D., Ph.D.
Leah Litman, A.B., J.D.

Clinical Professors of Law
Nicole Appleberry, A.B., J.D., LL.M.
Edward R. Becker, B.A., J.D.
Howard Bromberg, B.A., J.D., J.S.M.
Bridgette Carr, B.A., J.D.
Margaret Hannon, B.A., J.D.
Joshua Kay, B.A., M.A., Ph.D., J.D.
David A. Moran, B.S., B.A., M.A., M.S., J.D.
Mark K. Osbeck, A.B., M.A., J.D.

Clinical Assistant Professors of Law
Matthew Andres, B.A., J.D.
Patrick Barry, B.A., J.D., Ph.D.
Elizabeth Campbell, B.A., J.D.
Mira Edmonds, B.A., J.D.
David Guenther, B.A., M.A., J.D.
Rachael Kohl, B.A., J.D.
Kerry Kornblatt, B.A., J.D.

Professors from Practice
J. Phillip Adams, B.A., J.D., LL.M
Timothy L. Dickinson, B.A., J.D., LL.M.
Jennifer Haverkamp, B.A., M.A., J.D.
Robert Hirshon, B.A., J.D.
Frank G. Millard Professor from Practice
Barbara McQuade, B.A., J.D.

L. Bates Lea Global Professors of Law
Susanne Baer, LL.M.
Paul Brand, B.A., M.A., D.Phil
Christine Chinkin, LL.B., LL.M., Ph.D.
John G. Hudson, M.A., D.Phil

L. Bates Lea Global Professors of Law
Caroline Humfress, B.A., M.A., Ph.D.
Haw-Jin Kim, B.S., Dr. Jur., LL.M.
J. Christopher McCrudden, LL.B., LL.M., D.Phil
Anne Peters, LL.M.
# TABLE OF CONTENTS

**ARTICLES**

Implementing NEPA in the Age of Climate Change

--- 1

*– Jayni Foley Hein & Natalie Jacewicz*

The Rise and Fall of Clean Air Act Climate Policy

--- 69

*– Nathan Richardson*

What a Difference a State Makes: California’s Authority to Regulate Motor Vehicle Emissions Under the Clean Air Act and the Future of State Autonomy

--- 169

*– Chiara Pappalardo*

Natural Resources and Natural Law Part II: The Public Trust Doctrine

--- 225

*– Robert W. Adler*

**NOTES**

Look to Windward: The Michigan Environmental Protection Act and the Case for Atmospheric Trust Litigation in the Mitten State

--- 275

*– Jonathan M. Coumes*

Litigating for the Homeland: An Indian Treaty Framework to Climate Litigation in the Wake of *Juliana*

--- 303

*– Evan Neustater*