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A. Dan Tarlock: Biography and Selected Publications

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A. DAN TARLOCK: BIOGRAPHY AND SELECTED PUBLICATIONS

I. BIOGRAPHY

A. Dan Tarlock, A.B., 1962, L.L.B., 1965, Stanford University. Revising Editor, *Stanford Law Review*, 1964–65.

Assistant Professor, University of Kentucky, 1966–1968; Assistant Professor, Associate Professor, and Professor, Indiana University, Bloomington, 1968–1981; Professor and University Distinguished Professor, Illinois Institute of Technology, Chicago-Kent College of Law, 1981–2017.

Visiting Professor, University of Chicago, Florida State University, University of Hawai'i, University of Kansas, Lewis and Clark College, University of Pennsylvania, Queensland University of Technology, University of Texas, University of Trento, University of Southern California, University of Utah, and Wayne State University.

Honorary Professor, UNESCO Centre for Water Law, Science, and Policy, University of Dundee, Scotland, 2002–2012; National Associate, The National Academies (Science, Medicine and Engineering).

II. PUBLICATIONS

A. Books

1. WATER RESOURCE MANAGEMENT: A COURSEBOOK IN LAW AND PUBLIC POLICY (7 editions, Foundation Press 1971–2014) (with Professors Charles J. Meyers, David Getches, James Corbridge, Reed Benson, and Sarah Bates).
2. SELECTED LEGAL AND ECONOMIC ASPECTS OF ENVIRONMENTAL PROTECTION (Foundation Press 1971) (with Professor Charles J. Meyers).
3. ENVIRONMENTAL LAW AND POLICY (West Publishing Co. 1974) (with Professors Eva and John Hanks). Abridged edition, 1975.

4. LAND-USE CONTROLS (Little, Brown & Co., 1981) (with Professor Robert C. Ellickson).
5. REGULATION, FEDERALISM, AND INTERSTATE COMMERCE (1981) (principal paper by Edmund W. Kitch).
6. ENVIRONMENTAL PROTECTION: LAW AND POLICY (5 editions, Little, Brown & Co. 1984–2007) (with Professors Frederick Anderson, Daniel Mandelker, Robert Glicksman, David Markell, and William Buzbee).
7. LAW OF WATER RIGHTS AND RESOURCES (Clark Boardman Callaghan & Co. & Thompson-Reuters 1988–2018) (annual updates).
8. WATER TRANSFERS IN THE WEST: EFFICIENCY, EQUITY, AND THE ENVIRONMENT (National Research Council, National Academies of Science, 1992) (Chair, National Research Council Committee).
9. WATER IN THE WEST: CHALLENGE FOR THE NEXT CENTURY (Report of the Western Water Policy Review Advisory Commission, 1998) (principal report writer).
10. INTERNATIONAL ENVIRONMENTAL LAW AND POLICY (2d edition, Aspen 2006) (with Professors Edith Brown Weiss, Stephen McCaffrey, and Daniel McGraw).
11. WATER WAR IN THE KLAMATH BASIN: MACHO LAW, COMBAT BIOLOGY, AND DIRTY POLITICS (2008) (with Professor Holly Doremus).
12. PROMOTING EFFECTIVE WATER MANAGEMENT COOPERATION AMONG RIPARIAN STATES (Global Water Partnership Background Paper No. 21, 2015).
13. INTERNATIONAL LAW FOR THE ENVIRONMENT (West Publishing 2016) (with Professors Edith Brown Weiss, Daniel B. McGraw, Stephen McCaffrey, and Stephanie Tai).

B. Articles

1. *Preservation of Scenic Rivers*, 55 KENTUCKY LAW JOURNAL 746 (1967).

2. *Kentucky Planning and Land Use Control Enabling Legislation: An Analysis of the 1966 Revision of K.R.S. Chapter 100*, 56 KENTUCKY LAW JOURNAL 556 (1968).
3. *A Comment on the 1968 Amendments to Kentucky Planning and Land Use Controls Enabling Legislation*, 57 KENTUCKY LAW JOURNAL 83 (1968).
4. *Eminent Domain—Review of Route Selection Made by Public Utility Through Private Wildlife Refuge*, 8 NATURAL RESOURCES JOURNAL 1 (1968).
5. *Not in Accordance with a Comprehensive Plan: A Case Study of Regional Shopping Center Location Conflicts in Lexington, Kentucky*, 1970 URBAN LAW ANNUAL 133.
6. *The Wild and Scenic Rivers Act of 1968*, 55 CORNELL LAW REVIEW 707 (1970) (with Roger Tippy). Reprinted in 8 PUBLIC LAND AND RESOURCES DIGEST 83 (1970), and 1971 ENVIRONMENTAL LAW REVIEW 557.
7. *Environmental Regulation of Power Plant Siting: Existing and Proposed Institutions*, 45 SOUTHERN CALIFORNIA LAW REVIEW 502 (1972) (with Roger Tippy and Frances Francis).
8. *Balancing Environmental Considerations and Energy Demands: A Comment on Calvert Cliffs Coordinating Committee v. AEC*, 47 INDIANA LAW JOURNAL 645 (1972).
9. *Land Use Choice: National Prerogative vs. International Policy*, 13 NATURAL RESOURCES JOURNAL 343 (1973), reprinted in INTERNATIONAL ENVIRONMENTAL LAW (L. Teclaff & A. Utton eds., 1974).
10. *Toward a Revised Theory of Zoning*, 1972 LAND USE CONTROLS ANNUAL 141, reprinted in 1 MANAGEMENT AND CONTROL OF GROWTH (Urban Land Institute 1975).
11. *The Uses of Scientific Information in Environmental Decision-Making*, 48 SOUTHERN CALIFORNIA LAW REVIEW 371 (1974) (with Marcia Gelpe), reprinted in 1975 ENVIRONMENTAL LAW REVIEW 593.

12. *The Application of National Environmental Policy Act of 1969 to the Darien Gap Highway Project*, 7 JOURNAL INTERNATIONAL LAW AND POLITICS 459 (1975).
13. *A Comment on Meyers' Introduction to Environmental Thought*, 50 INDIANA LAW JOURNAL 454 (1975), reprinted in 1976 ENVIRONMENTAL LAW REVIEW 31.
14. *Consistency with Adopted Land Use Plans as a Standard of Judicial Review: The Case Against*, 9 URBAN LAW ANNUAL 69 (1975).
15. *Recent Developments in the Recognition of Instream Uses in Western Water Law*, 1975 UTAH LAW REVIEW 871, reprinted in PUBLIC LAND AND RESOURCES DIGEST.
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18. *Water That is Not Water*, 13 LAND AND WATER LAW REVIEW 391 (1978) (with Owen Olpin).
19. *Appropriation for Instream Flow Maintenance: A Progress Report on "New" Public Western Water Rights*, 1978 UTAH LAW REVIEW 211.
20. *No Water for the Woods: A Critical Analysis of United States v. New Mexico*, 15 IDAHO LAW REVIEW 509 (1979) (with Professor Sally K. Fairfax).
21. *Geothermal Development and Western Water Law*, 1979 UTAH LAW REVIEW 773 (with Owen Olpin and Carl F. Austin), reprinted in ENERGY MONOGRAPH SERIES (Callaghan & Co.).
22. *The Recognition of Instream Flow Rights: "New" Public Western Water Rights*, 25 ROCKY MOUNTAIN MINERAL LAW INSTITUTE 24-1 (1979).

23. *Administrative Law: Procedural Due Process and Other Issues*, 56 CHICAGO-KENT LAW REVIEW 13 (1980).
24. *Western Water Law and Coal Development*, 51 UNIVERSITY OF COLORADO LAW REVIEW 511 (1980).
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32. *An Overview of Comparative Environmental Law*, 13 DENVER JOURNAL OF INTERNATIONAL LAW AND POLICY 85 (1983) (with Professor Pedro Tarak).
33. Introduction, *Water Rights Symposium*, 24 WILLIAM AND MARY LAW REVIEW 535 (1983).
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38. *The Endangered Species Act and Western Water Rights*, 20 LAND AND WATER LAW REVIEW 1 (1985), reprinted in 22 PUBLIC LAND AND RESOURCES LAW DIGEST 196 (1985).
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63. *Environmental Protection: The Potential Misfit Between Equity and Efficiency*, 63 UNIVERSITY OF COLORADO LAW REVIEW 871 (1992).
64. *The Role of Non-Governmental Organizations in the Development of International Environmental Law*, 68 CHICAGO-KENT LAW REVIEW 61 (1992), *reprinted in* 1 INTERNATIONAL ENVIRONMENTAL LAW (Library of Essays in International Law) (Paula M. Pevato ed., 2003).
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66. *Water Management in an Era of Change*, 8 FORUM FOR APPLIED PUBLIC POLICY RESEARCH 78 (1993).
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68. *The Nonequilibrium Paradigm in Ecology and the Partial Unraveling of Environmental Law*, 27 LOYOLA OF LOS ANGELES LAW REVIEW 1121 (1994), *reprinted in* 1995 LAND USE AND ENVIRONMENTAL LAW REVIEW, *excerpted in* LAW AND THE ENVIRONMENT: A MULTIDISCIPLINARY READER (Robert V. Percival & Dorothy C. Alevizatos eds., 1997).

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75. *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon: The Court Protects Endangered Species Habitat From Destruction*, 5 RIVERS 216 (1996) (with Patrick Parteneau).
76. *The Futile Search for Environmental Laws Based on "Good Science,"* 1 INTERNATIONAL JOURNAL OF BIOSCIENCES AND THE LAW 9 (1996).
77. *Federalism Without Preemption: A Case Study in Bioregionalism*, 27 PACIFIC LAW JOURNAL 1629 (1996).
78. *Two Cheers for Shifting the Presumption of Validity: A Reply to Professor Hopperton*, 24 BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW 103 (1996) (with Professor Daniel R. Mandelker).
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85. *The Law and Policy of Drought Response in Australia and the United States of America: A Comparative Perspective*, 4 AUSTRALASIAN JOURNAL OF NATURAL RESOURCES LAW AND POLICY 1 (1997) (with Professor Helen Stacy).
86. *Water Supply as a New Growth Management Tool*, 50 LAND USE LAW AND ZONING DIGEST, no. 11, 1998, at 3.
87. *Touch and Concern is Dead, Long Live the Doctrine*, 77 NEBRASKA LAW REVIEW 804 (1998).
88. *The Creation of New Risk Sharing Water Entitlement Regimes: The Case of the Truckee-Carson Settlement*, 25 ECOLOGY LAW QUARTERLY 674 (1999).
89. *Growth Management and Western Water Law: From Urban Oases to Archipelagos*, 5 HASTINGS WEST-NORTHWEST JOURNAL OF ENVIRONMENTAL LAW AND POLICY 163 (1999) (with Sarah B. Van de Wetering), reprinted in 36 PUBLIC LAND AND RESOURCES LAW DIGEST (1999).
90. Lecture, *The Current Global Environmental Outlook: How Is Industry Doing in Meeting the Rio Declaration Goals*, 32 JOHN MARSHALL LAW REVIEW 289 (1999) (with Helene Genot and Dixie Lee Laswell).
91. *Can Cowboys Become Indians? Protecting Western Communities as Endangered Cultural Remnants*, 31 ARIZONA STATE LAW JOURNAL 539 (1999).

92. *Multi-Stakeholder Involvement in the Hong Kong Environmental Assessment Process*, 7 ASIA PACIFIC LAW REVIEW 177 (1999).
93. *Contested Landscapes and Local Voice*, 3 WASHINGTON UNIVERSITY JOURNAL OF LAW AND POLICY 513 (2000).
94. *The Future of Environmental "Rule of Law" Litigation*, 17 PACE ENVIRONMENTAL LAW REVIEW 237 (2000).
95. *Safeguarding International River Ecosystems in Times of Scarcity*, 3 UNIVERSITY OF DENVER WATER LAW REVIEW 231 (2000).
96. *Putting Rivers Back in the Landscape: The Revival of Watershed Management in the United States*, 6 HASTINGS WEST-NORTHWEST JOURNAL OF ENVIRONMENTAL LAW AND POLICY 167 (2000).
97. *How Well Can International Water Allocation Regimes Adapt to Global Climate Change*, 15 JOURNAL LAND USE AND ENVIRONMENTAL LAW and JOURNAL OF TRANSNATIONAL LAW AND POLICY (JOINT ISSUE) 423 (2000), *translated in* 1 CHINESE YEARBOOK OF INTERNATIONAL LAW (Wang Xi ed. 2002).
98. *Reconnecting Property Rights to Watersheds*, 25 WILLIAM AND MARY ENVIRONMENTAL LAW AND POLICY REVIEW 69 (2000).
99. *Prior Appropriation: Rule, Principle, or Rhetoric*, 76 NORTH DAKOTA LAW REVIEW 881 (2000).
100. *Water Policy Adrift*, 16 FORUM FOR APPLIED RESEARCH AND PUBLIC POLICY 63 (2001).
101. *What the Report of the World Commission on Dams Might Mean for the Western Water Community*, 5 UNIVERSITY OF DENVER WATER LAW REVIEW 225 (2001).
102. *The Future of Prior Appropriation in the New West*, 41 NATURAL RESOURCES JOURNAL 769 (2001), *reprinted in* PUBLIC LAND AND RESOURCES LAW JOURNAL (2001).
103. *Ideas Without Institutions: The Paradox of Sustainable Development*, 9 INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 35 (2001).

104. *The Changing Environment of International Water Management*, 12 JOURNAL OF WATER LAW 351 (2001).
105. *Fred Bosselman as Participant-Observer Lawyer: The Case of Habitat Conservation Planning*, 17 JOURNAL OF LAND USE & ENVIRONMENTAL LAW 43 (2001).
106. *Connecting Land, Water, and Growth*, 54 LAND USE LAW & ZONING DIGEST, no. 4, 2002, at 3 (with Lora Lucero).
107. *Biodiversity Conservation in the United States: A Case Study in Incompleteness and Indirection*, 32 ENVIRONMENTAL LAW REPORTER 10,529 (2002).
108. *Who Owns Science?*, 10 PENN STATE ENVIRONMENTAL LAW REVIEW 135 (2002).
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111. *Slouching Toward Eden: The Eco-Pragmatic Challenges of Ecosystem Revival*, 87 MINNESOTA LAW REVIEW 1173 (2003).
112. *The Recovery of the Colorado River Delta Ecosystem: A Role for International Law?*, 14 COLORADO JOURNAL OF INTERNATIONAL ENVIRONMENTAL LAW AND POLICY (2002 YEARBOOK) 9 (2003).
113. *Fish, Farms, and the Clash of Cultures in the Klamath Basin*, 30 ECOLOGY LAW QUARTERLY 279 (2003) (with Professor Holly Doremus).
114. *Water Supply and Urban Growth in New Mexico: Same Old, Same Old or New Era?*, 43 NATURAL RESOURCES JOURNAL 803 (2003) (with Lora Lucero).

115. *Is There a There There in Environmental Law?*, 19 JOURNAL OF LAND USE AND ENVIRONMENTAL LAW 213 (2004), *reprinted in* 3 INDIAN JOURNAL OF ENVIRONMENTAL LAW 12 (2004).
116. *Water Law Reform in West Virginia: The Broader Context*, 106 WEST VIRGINIA LAW REVIEW 495 (2004).
117. *A Brief Examination of the History of the Persistent Debate About Limits to Western Growth*, 10 HASTINGS WEST-NORTHWEST JOURNAL OF ENVIRONMENTAL LAW AND POLICY 155 (2004).
118. *A First Look at a Modern Legal Regime for a "Post-Modern" United States Corps of Engineers*, 52 UNIVERSITY OF KANSAS LAW REVIEW 1285 (2004).
119. *The New Development of Water Law in China*, 7 UNIVERSITY OF DENVER WATER LAW REVIEW 243 (2004) (with Patricia Wouters, Desheng Hu, Jiebin Zhang, and Phillip Andrews-Speed).
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121. *Science, Judgment, and Controversy in Natural Resources Regulation*, 26 PUBLIC LAND AND RESOURCES LAW REVIEW 1 (2005) (with Professor Holly Doremus), *reprinted in* 2006 LAND USE AND ENVIRONMENTAL LAW REVIEW.
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131. *Ecosystem Services in the Klamath Basin: Battlefield Casualties or the Future?*, 22 JOURNAL OF LAND USE AND ENVIRONMENTAL LAW 207 (2007).
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137. *The Federal versus Local Role in Wind Farm Location in the United States*, 9 TIJDSCHRIFT VOOR BOUWRECHT 797 (2009) (Neth.).

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