

# FOREWORD

We herewith introduce our third volume of the UCLA Journal of Environmental Law and Policy. After three years of struggling, we believe we have put out many of the fires that spring up to burn a new, young organization, and have established an ongoing journal. With the administrative brush fires largely extinguished, we can now look forward to the normal pitfalls of most law school journals—the problems of maintaining scheduling and continuity when the entire staff consists of volunteer, unpaid, full-time law students who graduate just as they learn the ropes.

We have in past issues focused on single topics via conferences and symposia. All good issues do not timely arise through such mechanisms; consequently, Volume 3, Issue 1 has taken a new (and, we think, exciting) literary direction. Our four authors offer a tempting smorgasbord laid out around two very different foci. Two of the articles are written in the academic context and tradition, while the other two represent the thinking of legal practitioners who wrestle in the real-life arena of environmental litigation on a day-to-day basis.

The first article was written by Eric Goldman while practicing with a private law firm. Based on his experience with environmental impact reports (EIRs) in California and his review of case law in analogous jurisdictions, Mr. Goldman has concluded that successful drafting of EIRs requires a certain conceptual orientation. He outlines and applies this approach in his article.

Dean Hansell is our second practitioner-author. He writes on the popular environmental topic of nuclear power, and asks and answers the questions, when and why is it appropriate and effective for a party to intervene in Nuclear Regulatory Commission proceedings? We found this article especially interesting and timely, as some of our students, through our sister organization the UCLA Environmental Law Society, have been participating in such a hearing.<sup>1</sup>

Professor Steven Davison, our next author, examines the aftermath of legislation—enforcement—from a new angle. Davison

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1. *See, e.g.*, Regents of the Univ. of Cal. (UCLA Research Reactor), No. 50-142 (proposed renewal of facility license) (NRC, Atomic Safety & Licensing Bd., Oct. 2, 1980) (order granting intervention status and establishing hearing).

observes that effective enforcement of environmental regulation often requires unannounced inspections by officials of pollution-control equipment and procedures. But the officials must themselves comply with Fourth Amendment and statutory limitations on searches. Davison's article considers these limitations in the light of recent case law.

Russell Cohen's article rounds out our issue. Mr. Cohen is interested in preserving natural-areas diversity in the United States. He believes an existing federal invention, the National Natural Landmark Program, has preservation potential for the 1980s if private landowners can somehow be persuaded to participate in the program. He journeys with the reader into legislative history and makes some ingenious suggestions for enhancing the appeal of preservation.

We encourage our readers to delve into these topics with us, and to respond with comments or contributions for future issues.

*Wendy Stockton*

*Roger L. Kohn*