CONSTITUTIONAL BASES FOR ENVIRONMENTAL LAW

1. AGREEMENT BETWEEN STATES-
   ULTIMATE POWER BETWEEN LOCAL, STATE & FEDERAL

2. BASES FOR ENVIRONMENTAL LAW:
   - INTERSTATE COMMERCE/NAVIGABLE WATERS
   - FOREIGN RELATIONS (TREATY POWER) / NATIONAL DEFENSE
   - FEDERAL LANDS (COAST)
   - ADMIRALTY
   - POWER TO TAX

3. CHALLENGES TO FEDERAL ENV'TAL LAW
   - DUE PROCESS (FIFTH - FEDERAL AND 14TH AMENDMENTS - EXTENDS
     DP TO STATES)
   - PROCEDURAL - NOTICE, RIGHT TO BE HEARD, UNBIASED
     DECISIONMAKER
   - TAKINGS - FIFTH AMENDMENT
   - EQUAL PROTECTION (14TH AMENDMENT)
   - SEARCH & SEIZURE (4TH AMENDMENT)
   - DELEGATION

4. STATE AUTHORITY
   - STATE CONSTITUTION
   - PUBLIC TRUST DOCTRINE
   - MONO LAKE

5. LOCAL AUTHORITY
   - WHATEVER STATES AUTHORIZE
   - POLICE POWER (PROTECT PUBLIC HEALTH AND SAFETY)