



1-1-1974

Editor's Foreword Governmental Consideration of the Environment

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Recommended Citation

James L. Lopes, *Editor's Foreword Governmental Consideration of the Environment*, 5 PAC. L. J. 17 (1974).

Available at: <https://scholarlycommons.pacific.edu/mlr/vol5/iss1/5>

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Governmental Consideration Of The Environment

EDITOR'S FOREWORD

It has been about four years since America "discovered" the environment and became aware of the urgent need to restore and preserve environmental quality. California responded to the problem by the enactment of many environmental protection laws, the most significant of which was the Environmental Quality Act. This Act declared environmental protection to be the foremost goal of public policy decisions and required an environmental impact report to be prepared on all public activity which might have a significant effect on the environment. The Act was not the final word regarding environmental protection since serious questions about its application remained to be resolved. Does the Act require disapproval of environmentally harmful projects? To what projects does it apply? Some questions have been resolved by the California Supreme Court, others by legislation; however, California is still in a state of relative uncertainty as to the role of environmental protection in the public decision-making process.

The symposium begins with an article by Attorney General Evelle Younger. The author traces the involvement of his office in the fashioning of environmental policy and sets forth its view of the proper role of environmental protection. Next is a comment which traces the history of the Environmental Quality Act from its adoption, through the *Friends of Mammoth* decision and the 1972 amendments, to the present day controversy over its application. Fol-

lowing this is a comment dealing with the manner in which environmental considerations are taken into account in the approval of new subdivisions and the interrelationship between the Subdivision Map Act and the Environmental Quality Act. Finally, a comment analyzes the question of how economic considerations should be taken into account, given the priority of environmental considerations, and concludes that it is possible to reconcile the two factors in a combined analysis of economic and environmental factors.

I would like to thank Stephen Taber for his assistance in coordinating the three student comments. Steve, in addition to being a comment editor for the *Pacific Law Journal*, is the Committee Consultant to California's Senate Local Government Committee and has authored several articles dealing with the environment and local government.

James L. Lopes