## **Environmental lawsuits**

Lawsuit(s)	Environmental asset(s) and subject(s) of lawsuit(s)	Court(s) of decision(s)	Year(s) of decision(s)
A-G v Geothermal Produce	General environment: pollution from pesticide spray	Court of Appeal of New Zealand	1987
Alaska Dept. of Environmental Conservation v. EPA	Air: authority to overrule state decisions about technology	Supreme Court of the United States	2004
Aldred's Case	Aesthetics: smell from pig sty		1610
Allison, et al. v. ExxonMobil Corp, et al.	Land and aquifers: gasoline leak from service station		2009
<u>Amchem Products Inc. v. British</u> <u>Columbia (Workers' Compensation</u> <u>Board)</u>	Workplace: asbestos	Supreme Court of Canada	1993
American Electric Power Company v. <u>Connecticut</u>	Climate: greenhouse gas emissions	Supreme Court of the United States	2011
Anderson v. Cryovac	Water: toxic contamination		
Baltimore Gas & Elec. Co. v. Natural Resources Defense Council, Inc.	General environment: production and disposal of nuclear fuel	Supreme Court of the United States	1983
Bates v. Dow Agrosciences LLC	Crop of peanuts: damage by pesticide	Supreme Court of the United States	2005
Boomer v. Atlantic Cement Co.	Aesthetics: dirt, smoke, and vibration	New York Court of Appeals	1970
Burmah Oil Co. v Lord Advocate	Oil fields: destruction during World War II	Courts of Scotland	1965
Cardwell v. American Bridge Co.	Waterways: common highways	Supreme Court of the United States	1885
<u>Castlemaine Tooheys Ltd v South</u> <u>Australia</u>	Recycling: bottle deposit	High Court of Australia	1990
Central Green Co. v. United States	Land: meaning of "flood or flood waters"	Supreme Court of the United States	2001
<u>Chemical Waste Management, Inc. v.</u> <u>Hunt</u>	Cleanliness: interstate importation fee for disposal of hazardous waste	Supreme Court of the United States	1992
Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.	Air: emissions from new equipment and total emissions from plant	Supreme Court of the United States	1984
Citizens to Preserve Overton Park v. Volpe	Parkland: highway routing	Supreme Court of the United States	1971
<u>City of Philadelphia v. New Jersey</u>	Cleanliness: interstate importation of waste	Supreme Court of the United States	1978
Climate change litigation and the California Environmental Quality Act	General environment: climate change		
Cline v. American Aggregates Corporation	Water in aquifer: pollution	Supreme Court of Ohio	1984
Coeur Alaska, Inc. v. Southeast Alaska Conservation Council	Water: gold mine waste disposal in Lower Slate Lake	Supreme Court of the United States	2009
Colorado River Water Conservation District v. United States	Water: supply	Supreme Court of the United States	1976
<u>Commonwealth v Tasmania</u>	Water: hydroelectric dam on Gordon River	High Court of Australia	1983
<u>Compagnie Francaise de Navigation</u> <u>a Vapeur v. Louisiana Board of</u> <u>Health</u>	General environment: quarantine	Supreme Court of the United States	1902
Department of Transportation v. Public Citizen	Air: pollution from international transport	Supreme Court of the United States	2004
Dolan v. City of Tigard	Land: paving a parking lot, and providing	Supreme Court of the United States	1994

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	a greenway and a pedestrian and bicycle pathway		
Duke Power Co. v. Carolina Environmental Study Group	Workplace: nuclear accidents	Supreme Court of the United States	1978
Edwards v National Coal Board	Land: preventing accidental rock fall in coal mine		1949
Entergy v. Riverkeeper	Water: cooling water intakes for power plants	Supreme Court of the United States	2009
Environment Agency v Clark	Land: compliance with landfill licence terms		
Environmental Defence Society v New Zealand King Salmon	General environment: salmon farming	Supreme Court of New Zealand	2014
Environmental Defense v. Duke Energy Corporation	Air: emissions in relation to modifications to power plants	Supreme Court of the United States	2007
Ernst v. EnCana Corporation, 2013 ABQB 537	Aquifer: contamination from hydraulic fracturing		
Exxon Shipping Co. v. Baker	Water and land: compensation for victims of oil spill	Supreme Court of the United States	2008
Federal Power Commission v. Tuscarora Indian Nation	Water: hydroelectric power from Niagara Falls	Supreme Court of the United States	1960
Friends of the Earth, Inc. v. Laidlaw Environmental Services, Inc.	Water: industrial pollution of North Tyger River	Supreme Court of the United States	2000
Gade v. National Solid Wastes Management Association	Workplace: hazardous waste materials	Supreme Court of the United States	1992
<u>Geer v. Connecticut</u>	Wildlife: interstate transportation of wild fowl	Supreme Court of the United States	1896
<u>Gillingham Borough Council v</u> Medway (Chatham) Dock Co Ltd	Soundscape: noise pollution	High Court of Justice	1992
Hadacheck v. Sebastian	Aesthetics: pollution from manufacture of clay bricks	Supreme Court of the United States	1915
Haida Nation v. British Columbia (Minister of Forests)	Forests: duty to consult Aboriginal groups before exploiting resources	Supreme Court of Canada	2004
Stephanie Hallowich, H/W, v. Range Resources Corporation	General environment: pollution from hydraulic fracturing	Court of Common Pleas of Washington County, Pennsylvania (Civil Division)	2011
Hanousek v. United States	Water and land: oil spill from ruptured pipeline	United States Court of Appeals for the Ninth Circuit	1999
Hornbeck Offshore Services LLC v. Salazar	Water: offshore drilling	United States federal courts	ongoing
Hughes v. Oklahoma	Wildlife: federal legislation	Supreme Court of the United States	1979
Illinois Central Railroad v. Illinois	Submerged land: construction by railroad company	Supreme Court of the United States	1892
Indiana Harbor Belt Railroad Co. v. American Cyanamid Co.	Land and water: acrylonitrile spilled from train	United States Court of Appeals for the Seventh Circuit	1990
Industrial Union Department v. American Petroleum Institute	Workplace: exposure to benzene	Supreme Court of the United States	1980
Interprovincial Cooperatives v. The Queen	Water: interprovincial river pollution	Supreme Court of Canada	1975
Kansas v. Colorado		Supreme Court of the United States	1902, 1907, 1943, 1995, 2001, 2004,

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	Climate: destruction of a community by		2009
Kivalina v. ExxonMobil Corporation	climate change	United States federal courts	2009
<u>Kleppe v. New Mexico</u>	Wildlife: horses and burros	Supreme Court of the United States	1976
Koontz v. St. Johns River Water Management District	Wetlands: development and mitigation	Supreme Court of the United States	2013
Kruger and al. v. The Queen	Wildlife: hunting of deer by Aboriginals out of season	Supreme Court of Canada	1978
Kvikk case	Electromagnetic radiation: congenital disorders		
Los Angeles County Flood Control District v. NRDC	Water: pollution from stormwater	Supreme Court of the United States	2013
Lucas v. South Carolina Coastal <u>Council</u>	Coastland: erecting homes	Supreme Court of the United States	1992
Lujan v. Defenders of Wildlife	Wildlife: geographical limits of a section of the Endangered Species Act of 1973	Supreme Court of the United States	1992
Lyng v. Northwest Indian Cemetery Protective Association	Forests: road building and timber harvesting	Supreme Court of the United States	1988
<u>M. C. Mehta v. Kamal Nath</u>	Water and land: land encroachment causing swelling of Beas River and washing away of land	Supreme Court of India	1997
M. C. Mehta v. Union of India	Air: pollution causing a hazard to community of Delhi	Supreme Court of India	
<u>Maine v. Taylor</u>	Fisheries: interstate importation of fish	Supreme Court of the United States	1986
Massachusetts v. Environmental Protection Agency	Air: regulation of greenhouse gases	Supreme Court of the United States	2007
<u>McCastle v. Rollins Environmental</u> <u>Services</u>	General environment: disposal of hazardous waste		1987
<u>McLaren v. Caldwell</u>	Waterways: common highways	Judicial Committee of the Privy Council of the United Kingdom	1884
<u>Metropolitan Edison Co. v. People</u> <u>Against Nuclear Energy</u>	General environment: restarting reactor	Supreme Court of the United States	1983
Missouri v. Holland	Wildlife: hunting migratory waterfowl	Supreme Court of the United States	1920
Missouri, Kansas, & Texas Railway Company of Texas v. Clay May	Land: weed propagation	Supreme Court of the United States	1904
Monsanto Canada Inc. v. Schmeiser	Farmland: deliberate propagation of canola contaminated by genetically modified organisms	Supreme Court of Canada	2004
<u>Monsanto Co. v. Geertson Seed</u> <u>Farms</u>	Farmland: genetically modified alfalfa	Supreme Court of the United States	2010
Montreal (City) v. 2952-1366 Québec Inc.	Soundscape: invasive music	Supreme Court of Canada	2005
Morrison v. Olson	Land: Superfund law regarding hazardous waste	Supreme Court of the United States	1988
National Assn. of Home Builders v. Defenders of Wildlife	Water and wildlife: granting state authority over anti-pollution statutes	Supreme Court of the United States	2007
National Audubon Society v. Superior Court	Water: supply from Mono Lake	Supreme Court of California	1983
New Jersey v. Delaware	Water: liquefied natural gas pipeline	Supreme Court of the United States	2008

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<u>New York v. United States</u>	General environment: disposal of radioactive waste	Supreme Court of the United States	1992
<u>Newfoundland and Labrador v.</u> <u>AbitibiBowater Inc.</u>	Land: remediation of expropriated mill property	Supreme Court of Canada	2012
<u>Nollan v. California Coastal</u> <u>Commission</u>	Coastland: erecting a house, and providing a public greenway and a bicycle path	Supreme Court of the United States	1987
North Shore City Council v Auckland <u>Regional Council</u>	Water in Auckland Region: urban development	Environment Court of New Zealand	1996
<u>Norton v. S. Utah Wilderness</u> <u>Alliance</u>	Wilderness: preservation	Supreme Court of the United States	2004
<u>Nulyarimma v Thompson</u>	Water: mining company draining Lake Eyre	Federal Court of Australia	1999
Operation Dismantle v. The Queen	General environment: military tests increasing risk or nuclear war	Supreme Court of Canada	1985
Oregon Waste Systems, Inc. v. Department of Environmental Quality of Oregon	Cleanliness: interstate disposal of waste	Supreme Court of the United States	1994
Overseas Hibakusha Case	Electromagnetic radiation at natural levels: health-care benefits for hibakusha	Supreme Court of Japan	1957, 1968, 1974, 1978, 1995, 2003, 2005
Palazzolo v. Rhode Island	Wetlands: development	Supreme Court of the United States	2001
Palila v. Hawaii Department of Land and Natural Resources	Wildlife: introduced species (goats and sheep)	United States Court of Appeals for the Ninth Circuit	1981
Partridge v Crittenden	Wildlife: advertising brambling cocks and hens	Queen's Bench Division of the High Court of England and Wales	1968
People v. the Brooklyn Cooperage <u>Company</u>	Forests: logging in Adirondack Park	New York Supreme Court, Appellate Division	1906
<u>R v Stephens</u>	Water: quarry refuse dumped into river		
<u>R (Jackson) v Attorney General</u>	Wildlife: hunting foxes and hares	House of Lords of the United Kingdom	2005, 2006
<u>R. v. Badger</u>	Wildlife: hunting by Aboriginals on private land	Supreme Court of Canada	1996
R. v. City of Sault Ste-Marie	Water: locating a waste disposal site near a stream	Supreme Court of Canada	1978
R. v. Crown Zellerbach Canada Ltd.	Water: ocean dumping	Supreme Court of Canada	1988
<u>R. v. Hydro-Québec</u>	Water: dumping polychlorinated biphenyls (PCBs) into the St. Maurice River	Supreme Court of Canada	1997
<u>R. v. Jim</u>	Wildlife: hunting by Aboriginals on Indian reserves	British Columbia Supreme Court	1915
<u>R. v. Van der Peet</u>	Fisheries: Aboriginal fishing rights extending to selling	Supreme Court of Canada	1996
Rapanos v. United States	Wetlands: filling with sand	Supreme Court of the United States	2006
Rio Grande Silvery Minnow v. Bureau of Reclamation	Wildlife: irrigation damaging endangered species	U.S. 10th Circuit Court of Appeals	2010
<u>Rylands v Fletcher</u>	Water and land: reservoir flooding adjacent land	House of Lords of the United Kingdom	1868
<u>Ryuichi Shimoda v. The State</u>	General environment: atomic bombs damaging Hiroshima and Nagasaki	District Court of Tokyo	1963

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S. D. Warren Co. v. Maine Board of Environmental Protection	Water: hydroelectric dams discharging into Presumpscot River	Supreme Court of the United States	2006
Save the Plastic Bag Coalition v. The City of Manhattan Beach	General environment: plastic bags	Supreme Court of California	2011
Scenic Hudson Preservation Conference v. Federal Power Commission	Aesthetics and conservation: construction of power plant	United States Court of Appeals for the Second Circuit	1965
Sierra Club v. Babbitt	Endangered species: high-density housing	United States District Court for the Southern District of Alabama	1998
Sierra Club v. Morton	Parkland: development	Supreme Court of the United States	1972
Slaughter-House Cases	Water: slaughterhouse waste	Supreme Court of the United States	1873
Solid Waste Agency of Northern Cook Cty. v. Army Corps of Engineers	Water: waste disposal	Supreme Court of the United States	2001
Sporhase v. Nebraska ex rel. Douglas	Water: exportation of water	Supreme Court of the United States	1982
St. Louis v. Myers	Water: rights of landowners beside Mississippi River	Supreme Court of the United States	
Sterling v. Velsicol Chemical Corp	Water: disposal of waste from insecticide production	United States Court of Appeals for the Sixth Circuit	1986, 1988
Stop the Beach Renourishment v. Florida Department of Environmental Protection	Beaches: beach renourishment	Supreme Court of the United States	2010
Summers v. Earth Island Institute	Forests: sale of fire-damaged timber	Supreme Court of the United States	2009
Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency	Water: supply from Lake Tahoe Basin	Supreme Court of the United States	2002
Teitiota v Chief Executive Ministry of Business, Innovation and Employment	Environment of Kiribati: climate change and immigration	Court of Appeal of New Zealand	2014
Tennessee Valley Authority v. Hill	Habitat: destruction by hydroelectric dams	Supreme Court of the United States	1978
Tri-state water dispute	Water: supply from Lake Lanier		undecided
Tuna-Dolphin GATT Case (I and II)	Marine biology: seine fishing	Panel of <u>General Agreement on</u> <u>Tariffs and Trade</u> and <u>World Trade</u> <u>Organization</u>	
<u>United Haulers Assn. v. Oneida-</u> Herkimer Solid Waste Mgmt. Auth.	Cleanliness: interstate exportation of waste	Supreme Court of the United States	2007
United States v. 50 Acres of Land	Land: compensation for replacing condemned landfill	Supreme Court of the United States	1984
United States v. Approximately 64,695 Pounds of Shark Fins	Fisheries: shark finning	United States Court of Appeals for the Ninth Circuit	2008
United States v. Bestfoods	Land: pollution from chemical manufacturing plant	Supreme Court of the United States	1998
United States v. Dion	Wildlife: American Indians hunting eagles	Supreme Court of the United States	1986
United States v. Locke	Water: regulation of maritime activity	Supreme Court of the United States	2000
<u>United States v. Reserve Mining</u> <u>Company</u>	Water (Lake Superior): tailings (i.e., mine waste)	United States district court in Minneapolis	1974
United States v. Riverside Bayview	Wetlands: placement of fill materials	Supreme Court of the United States	1985
United States v. SCRAP	Recycling: railroad freight rate	Supreme Court of the United States	1973

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United States v. Washington	Fisheries: rights of Native Americans	United States District Court for the Western District of Washington	1974
United States v. Weitzenhoff	Water: ocean dumping	Ninth Circuit Court of Appeals	1993
United States v. Winans	Fisheries: Americans using a fish wheel to catch salmon	Supreme Court of the United States	1905
Utility Air Regulatory Group v. Environmental Protection Agency	Air: regulation of greenhouse gas emissions	United States Court of Appeals for the District of Columbia	2012
Vatican Radio lawsuit	Electromagnetic radiation: health effects from non-ionizing radiation		
Vermont Yankee Nuclear Power	General environment: rulemaking, and		
Corp. v. Natural Resources Defense	environmental effects of the uranium fuel	Supreme Court of the United States	1978
Council, Inc.	cycle		
Verstappen v Port Edward Town Board	General environment: waste disposal	Durban and Coast Local Division	1993
Ward v. Canada (Attorney General)	Fishing and hunting: catching seals and selling their pelts	Supreme Court of Canada	2002
Wheeler v Saunders Ltd	Aesthetics: smell from pig houses	Court of Appeal of England and Wales	1994
Whitman v. American Trucking Associations, Inc.	Air: ozone and particulate matter	Supreme Court of the United States	2001
<u>Winter v. Natural Resources Defense</u> <u>Council</u>	Biophony: navy sonar harming whales and other marine mammals	Supreme Court of the United States	2008
Winters v. United States	Water: rights of American Indians	Supreme Court of the United States	1908
Wisconsin v. Illinois	Water: supply from the Great Lakes	Supreme Court of the United States	1929
Wyoming v. Colorado	Water: supply from Laramie River	Supreme Court of the United States	1922
Yorta Yorta v Victoria	Land and water: rights of natives	Federal Court of Australia	1998

## Lawsuits with environmental relevance

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Anglo-Iranian Oil Co. (United Kingdom v. Iran)	Oil fields: licence to extract oil	International Court of Justice of the <u>United Nations</u> , based in <u>The</u> <u>Hague</u> , <u>Netherlands</u>	1952
Arizona v. California	Water: supply from Colorado River	Supreme Court of the United States	1931, 1934, 1936, 1963, 1964, 1968, 1979, 1983, 1984, 2000 and 2006
Babbitt v. Sweet Home Chapter of Communities for a Great Oregon	Wildlife: interpretation of law protecting fish and wildlife	Supreme Court of the United States	1995
Baldwin v. Fish and Game Commission of Montana	Wildlife: elk hunting	Supreme Court of the United States	1978
Bamford v Turnley	Aesthetics: smoke from brick kiln		1860
<u>BG Checo International Ltd. v.</u> <u>British Columbia Hydro and Power</u> <u>Authority</u>	Electromagnetic fields: terms regarding clearing of land	Supreme Court of Canada	1993
Bowman v. Monsanto Co.	Seeds: patent exhaustion	Supreme Court of the United States	2013
Bowoto v. Chevron Corp.	Oil fields (offshore): injuries and human rights violations	United States District Court for the Northern District of California	2008

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Burford v. Sun Oil Co.	Oil fields: complex geology and multiple users	Supreme Court of the United States	1943
<u>C&amp;A Carbone, Inc. v. Town of</u> <u>Clarkstown, New York</u>	Recycling: interstate exportation restriction	Supreme Court of the United States	1994
Carter v. Carter Coal Co.	Land: regulating the coal mining industry	Supreme Court of the United States	1936
Celotex Corp. v. Catrett	Workplace: asbestos exposure	Supreme Court of the United States	1986
<u>Chemical Waste Management, Inc.</u> v. United States EPA	General environment: hazardous waste (disposal and reporting)		1992
Chilean–Peruvian maritime dispute	Water: sea border between Chile and Peru	International Court of Justice of the United Nations, based in The Hague, Netherlands	unresolved
Department of the Interior v. Klamath Water Users Protective Association	Water: federal legislation	Supreme Court of the United States	2001
Diamond v. Chakrabarty	Genetics and water: patent for GMO for cleaning oil spills	Supreme Court of the United States	1980
Dimmock v Secretary of State for Education and Skills	Climate: providing documentary <i>An</i> <i>Inconvenient Truth</i> (about climate change) to English state schools	High Court of Justice of England and Wales	2007
English v. General Electric	Workplace: work table contaminated with uranium	Supreme Court of the United States	1990
Farley v Skinner	Soundscape: aircraft noise	House of Lords of the United Kingdom	2001
<u>Funk Brothers Seed Co. v. Kalo</u> Inoculant Co.	Leguminous plants: patent for product for promoting nitrogen fixation	Supreme Court of the United States	1948
Georgia v. South Carolina (1990)	Water: interstate boundary	Supreme Court of the United States	1990
Hunt v. T&N plc	Workplace: asbestos exposure	Supreme Court of Canada	1993
<u>Keystone Bituminous Coal Ass'n v.</u> <u>DeBenedictis</u>	Land: coal mining causing damage to buildings, etc.	Supreme Court of the United States	1987
<u>McLibel case</u>	Water and rainforests: waste and destruction, respectively	European Court of Human Rights in Strasbourg, France	2005
Michigan v. EPA	General environment: pollution from power plants	Supreme Court of the United States	2015
<u>Minister of Public Works v Kyalami</u> <u>Ridge Environmental Association</u>	Conservation: housing for flood victims	Constitutional Court of South Africa	2001
<u>Minnesota v. Mille Lacs Band of</u> <u>Chippewa Indians</u>	Wildlife: hunting, fishing, and gathering rights	Supreme Court of the United States	1999
Pacific Gas & Electric Co. v. State Energy Resources Conservation and Development Commission	General environment: disposal of radioactive waste from nuclear reactors	Supreme Court of the United States	1983
Peevyhouse v. Garland Coal & <u>Mining Co.</u>	Land: restoration after coal mining	Supreme Court of Oklahoma	1962
Pennsylvania Coal Co. v. Mahon	Land: coal mining under a habitation	Supreme Court of the United States	1922
People of the State of California v. Federal Housing Finance Agency	General environment: energy-related property improvements	United States District Court for the Northern District of California	

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<u>R. v. Marshall</u>	Fisheries: right of Aboriginals to catch and sell eels	Supreme Court of Canada	1999
<u>RJW &amp; SJW v The Guardian</u> newspaper & Person or Persons Unknown	Environment of Ivory Coast: publishing toxic waste dumping		2009
Rindge Co. v. County of Los Angeles	Land: expropriation for highway	Supreme Court of the United States	1923
<u>Transco plc v Stockport</u> <u>Metropolitan Borough Council</u>	Land: water pipe leaking and washing away land		2003
Tulee v. Washington	Fisheries: rights of Native Americans	Supreme Court of the United States	1942
United States v. Causby	Biophony and scotobiology: aircraft flying low	Supreme Court of the United States	1946
United States v. Louisiana (1965)	Natural resources: entitlement to Gulf of Mexico seabed	Supreme Court of the United States	1965
United States v. Shoshone Tribe of Indians	Land: mineral and timber rights	Supreme Court of the United States	1938
United States v. The Progressive	General environment: publishing the "secret" of the hydrogen bomb		1979
<u>Vaughan v Menlove</u>	General environment: spontaneous ignition of hay, causing fire to spread to adjacent land		1837
Village of Schaumburg v. Citizens for a Better Environment	Environmental protection: door-to- door solicitation	Supreme Court of the United States	1980
Wik Peoples v Queensland	Land: removal of land from Aboriginal reserve for bauxite mining	High Court of Australia	1996
Willson v. Black-Bird Creek Marsh <u>Co.</u>	Water: sailboat breaking through a dam	Supreme Court of the United States	1829
Wiwa v. Royal Dutch Shell Co.	Oil fields: human rights abuses	United States District Court for the Southern District of New York	2009
Yarmirr v Northern Territory	Water: native title to seas, sea-bed and sub-soil	Federal Court of Australia	2001