

ECOLOGY LAW QUARTERLY

Vol. 52

2025

No. 3

Editorial Board 2025–2026

Editors in Chief

ABBY NEAL

JORDAN PERRY

Managing Editor

ASHLIE ANDRADE

Senior Articles Editors

ANNIE EVANS
BECCA PASKOWITZ

Senior Publishing Editor

NATALIE DUBYAK

Ecology Law Currents Senior Editor

JOE CULLEN

Senior Executive Editors

FIONA GRANT
BEN SHIPMAN

Articles Editors

ARROL FULTON CHOI
MATTHEW DOLLINGER
HOLLY EBERHARD
SOPHIE JANSSEN
JACKSON MOORE
JULIA SAXBY
ABBIE SEDILLOS

Publishing Editors

JEREMY BERGER
ISABELLE EBY
RENA MCROY
NICK PORSBORG

Currents Assistant Editors

JESSIE SUGARMAN
CAROLINE SUNUWAR

Executive Editors

SOPHIA BENZONI
HILDI GABEL
VALORIE LAM
DAVID LARSON
BENJAMIN REICHER
AINSLEY ROSENTHAL
ALEXA VIOLA
MADISON WONG

Currents Publishing Editor

OLIVIA GRIMES

Books and Research Editor

VARSHA RAMACHANDRAN

Symposium Director

AUSTIN MCNICHOLS

Banquet Director

ANNA VAN RHYN

Environmental Justice Editors

DEXTER LIM
DIEGO MORALES

Environmental Justice Organizer

RAQUEL ACOSTA

Diversity, Equity & Inclusion Director

PARMIS GHAFELEHBASHI

Programs Director

OLIVIA MCCARREN

Media Director

SOPHIE ALLAN

Assistant Programs Directors

ANA BRITT
JAKE CHAPUT

Assistant Media Director

FELICIA PARADISO

Members

KATELYN ADAME
ZADIE ADAMS
AIDAN ARNOLD-GALATI
LILLIAS ARVANITES
JOSEPH BAZARSKY
FRANCES BENFELL
COLE BENOWITZ
CHRISTINE BERGAMINI
BRETT BLAUNER
JESSIE BOSWELL
ZACH BROUSSEAU
BRIAN BYRNE
PETER CASE
XIMENA CESA
JOYCE CHEN
ANNA CONSIDINE
JACQUELINE COX
JAMES COURSER
ZOE DANTON
FIONA DANIEU
MADELINE DAWSON
ALEJANDRA DE MAAR
ISABEL DETRE
MAC DICKERSON
JOY DONALDSON
ALEXIS FINEMAN
AMBER FRANK
NATASHA FRAZIER
EMILY FURMAN

MATTHEW GAVIETA
ALFREDO ELIAS GINTING
SOLENN GRAINGER
PARKER GRAY
SARAH GREENBERG
ALINA HACHIGIAN
KEVYN HADLEY
ANAGHA IYER
LYDIA JAHN
JAKOB JOHNSON
ROC JOHNSON
MIRANDA JONES-DAVIDIS
LAUREN JOZEFOW
VICTORIA KABAT
ELSA KARCHER
SAMEER KAZIM
KERN KHURANA
SOPHIA KIMBLE
MAGGIE KING
MADDISON KONWAY
TALIA KRUGER
FUYI KUANG
MANASA KUMARAPPAN
KATE LEONARD
MARIKA LEVIDOW
ANDREW LOONEY

ALI MANGES
MICHAEL MAY
RACHEL MINDEN
NOLAN MITRUKA
ALEXANDRA MCCLINTOCK
JOSHUA MCDANIEL
SHREE MEHROTRA
TASHA MOORJANI
LILY MOSER
ANTHONY NGUYEN
MADELEINE NIELSEN
CESAR NIJE
SAMIA NOOR
JESSIE O'DELL
VICTORIA ORINDAS
KIMMY PANTOJA
RAVI PATEL
BEN PORTER
JAI QURESHI
WILLIAM REMOUNDOS
ANA SALAZAR
LILY SEFRANEK
JOON HUN SEONG
YAN SLOBODKIN
JORDAN SPENCER
KATRINA STARBIRD

ROSE STRAUSS
WILLIAM SOBCZAK
NIASAN TALESHE
CONNOR TAMOR
CELESTE TEHRANCHI
HAN TSENG
SARAH CAMPBELL TUCKER
ANANYA UDAY
MAYLIN VAN CLEEFF
MADELAINE VAN DER PLOEG
MACKENZIE VAN
VALKENBURGH
TYLER VONDRISKA
ALEX WARD
SUMMER WEIDMAN
MADELEINE WELSH
ALICE WESTERMAN
SOREN WHITING
HANNAH WILSON-JAMES
CHLOE WINNETT
LAUREN WITT
DHEERA YALAMANCHILI
AMULYA YERRAPOTU
MICOL ZHAI
ZACHARY ZIRZOW

Publications Coordinator

KIRA ABRAMS

NATIONAL ADVISORY BOARD

BRANDT ANDERSSON

Partner
Andersson & Andersson
Walnut Creek, California

SCOTT BIRKEY

Partner
Cox, Castle & Nicholson, LLP
San Francisco, California

WILLIAM M. CHAMBERLAIN

Retired Chief Counsel
California Energy Commission
Sacramento, California

MICHELE B. CORASH

Partner
Morrison & Foerster, LLP
San Francisco, California

RICHARD H. COWART

Director and Principal
Regulatory Assistance Project
Montpelier, Vermont

DAVID D. DONIGER

Senior Strategic Director, Climate &
Clean Energy Program
Natural Resources Defense Council
Washington, D.C.

ROBERT DOTY

Partner
Cox, Castle & Nicholson, LLP
San Francisco, California

KARL E. GEIER

Senior Shareholder (Ret.)
Miller, Starr & Regalia
Walnut Creek, California

ROGER P. HANSEN

President
Hansen Environmental Consultants
Englewood, Colorado

ROBERT D. INFELISE

Partner
Cox, Castle & Nicholson, LLP
San Francisco, California

JULIA KLEE (EPLEY)

Former Director for Environmental Claims, United
Nations Compensation Commission
Bend, Oregon

MARC B. MIHALY

Professor of Law Emeritus
Vermont Law School
South Royalton, Vermont

MARC A. ZEPPELLO

Former Chief Counsel,
San Francisco Bay Conservation and
Development Commission
San Francisco, California

FACULTY ADVISORY BOARD

ERIC BIBER

HOLLY DOREMUS

DANIEL FARBER

ROBERT D. INFELISE

PETER MENELL

CLAUDIA POLSKY

HARRY N. SCHEIBER

DONORS TO *ECOLOGY LAW QUARTERLY*
AND ASSOCIATED FUNDS 2025–2026

Thank you to the following donors for their continued support

HOLLY DOREMUS
& GORDON ANTHON

ROBERT INFELISE
& LINDA INFELISE

MURRAY DOV FELDMAN
& NANCY FELDMAN

JARROD INGLES

GRETTA GOLDENMAN

CHRIS LOCKE
& STARR KELTON-LOCKE

LAURIE GOLDMAN
& JOSHUA RIDER

LAND ACKNOWLEDGEMENT STATEMENT

Ecology Law Quarterly recognizes that Berkeley sits on the territory of Xučyun, the ancestral and unceded land of the Chochenyo Ohlone, the successors of the historic and sovereign Verona Band of Alameda County. This land was and continues to be of great importance to the Ohlone people. We recognize that every member of the Berkeley community has, and continues to benefit from the use and occupation of this land, since the institution's founding in 1868. Consistent with our values of community and diversity, we have a responsibility to acknowledge and make visible the university's relationship to Native peoples. By offering this Land Acknowledgement, we affirm Indigenous sovereignty and will work to hold University of California, Berkeley, more accountable to the needs of American Indian and Indigenous peoples.

What is a Land Acknowledgement?

A Land Acknowledgement is a formal statement that recognizes and respects Indigenous Peoples as traditional stewards of this land and the enduring relationship that exists between Indigenous Peoples and their traditional territories.

ECOLOGY LAW QUARTERLY

Vol. 52

2025

No. 3

Copyright © 2025 by the Regents of the University of California

ARTICLES

- THE PRIVILEGE OF A SPOT ZONING CLAIM
.....*James Huey & Lucy Krueger* 599
- PUBLIC ENGAGEMENT AND CARBON DIOXIDE REMOVAL
..... *Albert C. Lin* 639
- SENDING A MESSAGE: AN EMPIRICAL ASSESSMENT OF RESPONSES TO
PUNITIVE AND NON-PUNITIVE COMPLIANCE MESSAGING
STRATEGIES
.....*Jodi L. Short, Michael W. Toffel,
Elizabeth A. Keenan, & Melissa Ouellet* 695
- ARBITRATING CLIMATE TRANSITION: COAL PHASE-OUT AND
INTERNATIONAL INVESTMENT LAW
.....*Ying Zhu* 735

Please visit Ecology Law Quarterly online at <http://www.ecologylawquarterly.org>. On our website, you will find information about past, current, and future issues of the journal, environmental events at the University of California, Berkeley, and more. You will also find Ecology Law Currents, Ecology Law Quarterly's online companion journal. Articles in Ecology Law Currents include notes on recent cases, current events, and new developments in the law; opinion commentary; responses to articles published in Ecology Law Quarterly; and other short-form research and writing. If you are interested in submitting to Ecology Law Currents, please contact cse.elq@law.berkeley.edu.