

Later in this year, we will celebrate the fiftieth anniversary of the first modern environmental statutes, the Wilderness Act of 1964. NEPA followed five years later and then in quick succession came the creation of EPA, a slew of laws regulating pollution and toxics, the Endangered Species Act, and reforms of public lands laws.

It's been a tumultuous half century — think Anne Gorsuch Burford, Newt Gingrich, and Tea Party. Yet, at the end of fifty years, the major environmental laws are still there, accompanied by thousands of pages of regulations and judicial opinions. Opponents of regulation may still target EPA but their main fire has been concentrated elsewhere, on the Affordable Care Act. In the meantime, a burst of new EPA regulations is on the scene, some of them addressing climate change for the first time.

Age is no guarantee of longevity. But the past five decades suggest that environmental law is here to stay and is likely to keep getting stronger.