The first edition of this book was completed in 1998 and published in 1999. This second edition is current through the fall of 2006. In the intervening years, many of the questions that were open have now been definitively answered by the courts. Most important, the U.S. Supreme Court has ruled in *Alexander v. Sandoval*, 532 U.S. 275 (2001), that discriminatory intent must be shown in order to constitute a violation of agency regulations under Title VI of the Civil Rights Act. Subsequent decisions have established that the same applies to cases brought under Section 1983. To date, no plaintiff has been able to prove discriminatory intent in an environmental justice case. This doctrine has severely limited the ability of plaintiffs to utilize the courts to take action against perceived environmental injustices. However, environmental justice continues to be of great importance in the political, policy, and administrative spheres.

The intervening years have also seen the development and refinement of techniques for analyzing environmental justice conditions and impacts. They have not, however, seen much progress in the U.S. Environmental Protection Agency’s processing of environmental justice complaints under Title VI; to date, not a single such complaint has been granted on the merits.

The first edition also introduced what was then a novelty in legal publishing, and has remained surprisingly rare—an online update service, so that new cases and other developments can be swiftly posted without awaiting a new pocket part or second edition. This service will continue, and may be accessed at [http://www.abanet.org/environ/committees/envtab/ejupdates.html](http://www.abanet.org/environ/committees/envtab/ejupdates.html), or by Googling "Law of Environmental Justice Update Service."

Much of the burden of editing this second edition has been taken up by my friend and colleague (and now co-editor) Sheila Foster. Sheila and I would like to express our thanks for the love and support of our wonderful families—Barbara, David, and William Gerrard, and Rosalind Lloyd and N. Tyler Foster-Lloyd.

M.B.G.
New York, New York
March 2007