

TULANE ENVIRONMENTAL LAW JOURNAL

VOLUME 23

WINTER 2009

ISSUE 1

CONTENTS

ARTICLES

ANALOGY BY NECESSITY:
THE FILED RATE DOCTRINE
AND JUDICIAL REVIEW OF
AGENCY INACTION *Julia Gorodetsky* 1

THE MYTH OF PUBLIC
PARTICIPATION IN A
WORLD OF POVERTY *Svitlana Kravchenko* 33

CARBON LEAKAGE UNDER THE
EUROPEAN UNION EMISSIONS
TRADING SCHEME:
IS IT A MAJOR POLICY CONCERN? *Neil Peretz* 57

CURIOUS CORNERS OF LOUISIANA
MINERAL LAW: CEMETERIES,
SCHOOL LANDS, EROSION,
ACCRETION, AND OTHER ODDITIES *Ryan M. Seidemann* 93

NOTES

*NATURAL RESOURCES DEFENSE
COUNCIL v. EPA*: THE D.C. CIRCUIT
MOVES AWAY FROM
MARKET-BASED POLICIES *Brett Chalke* 159

*SUMMERS V. EARTH ISLAND
INSTITUTE: INJURY, PRECEDENT,
AND THE ENVIRONMENTAL
STANDING SAGA* *Rachel Mathews* 171

*WINTER V. NATURAL RESOURCES
DEFENSE COUNCIL: THE UNITED
STATES SUPREME COURT TIPS THE
BALANCE AGAINST ENVIRONMENTAL
INTERESTS IN THE NAME OF
NATIONAL SECURITY* *Caroline Milne* 187

*BURLINGTON NORTHERN & SANTA
FE RAILWAY CO. V. UNITED STATES:
THE SUPREME COURT ARRANGES
FOR DISPOSAL OF CERCLA'S
STRICT LIABILITY* *Walewska Watkins* 203

**RECENT DEVELOPMENTS
IN ENVIRONMENTAL
LAW** 221