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