

## Top 11 Article Overview Chart 2025

AUTHOR(S)	TITLE	CITATION AND URL	TOPIC	PROPOSAL
Derron, Anthony B.	<i>Unwritten Administrative Law and the Regulatory Last Mile</i>	<a href="#">173 U. Pa. L. Rev. 1657</a>	Governance (Administrative Law); Governance (States)	State courts and legislatures should “build out legal frameworks that direct how, when, and where agencies make decisions,” in order to advance the virtues of administration, such as notice and reason giving, and realize the benefits of cooperative federalism, such as participation and experimentation—thereby ensuring that federal environmental programs are successfully implemented at the state level.
Eisensohn, Matthew	<i>Overcoming Unreasonably Burdensome Restrictions on the Use of Farmland for Solar Generation</i>	<a href="#">75 Case W. Res. L. Rev. 117</a>	Energy (Energy Generally); Land Use (Land Use)	The author proposes a menu of options for overcoming the growing number of local restrictions on using farmland for utility-scale solar facilities: (1) pursuing relief under existing law through state statutes that preempt or limit local restrictions or through alternative strategies such as exclusionary zoning; and (2) advancing state and federal legal reforms—including new and amended states laws (e.g., on preemption, zoning, right-to-farm), new state or federal measures (e.g., on identification of solar development sites, promotion of agrivoltaics), and federal action to limit state and local restrictions.
Hester, Tracy D.	<i>Spinning Off Carbon: Corporate Restructuring in a Climate Bankrupt World</i>	<a href="#">32 N.Y.U. ENV'T L.J. 339</a>	Governance (Private Governance)	To minimize public health, environmental protection, and equity concerns arising out of corporate use of restructuring to avoid future climate liability, state and federal “regulators should explicitly adopt governance principles” that rely on “disclosure transparency standards, expanded use of existing regulatory authorities for environmental liability transfers, and instituting new statutory authorities” that target carbon-liability spinoffs.

Lin, Albert C.	<i>Indoor Air: The Forgotten Frontier of Environmental Law</i>	<a href="#">85 OHIO ST. L.J. 1291</a>	Air (Air Generally)	Federal, state, and local governments should pursue a “systemic effort” to improve indoor air quality by using a combination of: 1) voluntary guidelines (e.g., measures for reducing risks); 2) procedural regulations (e.g., monitoring and reporting requirements); and 3) substantive regulations (e.g., mandatory pollutant-specific and setting-specific standards)—thereby addressing a pervasive threat to human health.
Miazad, Amelia	<i>Investor Climate Alliances</i>	<a href="#">102 WASH. U. L. REV. 797</a>	Governance (Private Governance)	To support collaborative climate stewardship and remove “chilling effects” that impede investor climate alliances—“transnational alliances of public and private actors that use shareholder stewardship to minimize the financial impacts of climate risk on investors’ portfolios”—reforms are needed to antitrust laws (e.g., a state action doctrine exemption) securities laws (e.g., a safe harbor), and investor fiduciary duties (e.g., an amendment to the Uniform Prudent Investor Act).
Owens, Dave	<i>The Water District and the State</i>	<a href="#">134 Yale L.J. 1</a>	Water (Water Generally); Governance (States)	To ensure water districts do not undermine state conservation, equity, and other policies—and to address democracy deficits and outdated district boundaries—state governments should play more active roles and reforms should: advance voting rights and election transparency; implement boundaries adjustments; and develop standards and procedures for taking water district operations under state control.
Rosenbloom, Jonathan	<i>Catching Nutrients in a Net: Collective Action, Institutional Impediments, and the Mississippi River Watershed</i>	<a href="#">109 MINN. L. REV. 2949</a>	Governance (States); Water (Generally)	To bypass state and federal regulatory constraints and reduce collective action problems, local governments should exercise their land use authorities to protect and restore the Mississippi River watershed by regulating: (1) vegetation (e.g., wetlands regeneration); (2) soil (e.g.,

				development restrictions); and (3) water (e.g., setback requirements).
Salzman, James  Peltzer, Ana Mackay	<i>The Cleanest Water and the Dumbest Kids: Do Small Water Systems Comply with the Safe Water Drinking Act?</i>	<a href="#">44 Stan. Envtl. L.J. 276</a>	Water (Safe Drinking Water Act (SDWA))	“More serious consideration” of small public water system Safe Drinking Water Act noncompliance is needed due to: 1) persistent patterns of noncompliance, as indicated by a comprehensive review of published research; 2) the need for further understanding of the key factors driving noncompliance; 3) the failure of state and local strategies, such as funding, variances, consolidation, and privatization, to solve the problem; and 4) new standards for "forever chemicals" that will “intensify” burdens on small systems.
Stoellinger, Temple  Leonard, Bryan Brammer, Travis Regan, Shawn Wood, Jonathan	<i>State Trust Land Revenue Diversification Through Conservation</i>	<a href="#">2025 Utah L. Rev. 1</a>	Land Use (Public Lands); Governance (States)	State land trust managers, who manage over 45 million acres that typically are used to generate revenue from consumptive uses such as timber harvesting, are obligated to consider generating revenue from conservation uses, such as conservation leases and sales, which could foster diversified portfolios that generate long-term and sustainable benefits for current and future trust beneficiaries.
Stokes, Danielle	<i>Renewable Energy Federalism 2.0</i>	<a href="#">109 Minn. L. Rev. 3017</a>	Energy (Energy Generally); Governance (States)	A new “sustainable collaborative governance framework” should inform a just transition to a renewable energy future whereby “various stakeholders work together to address social, economic, and environmental challenges in a way that meets the needs of the present without compromising future generations,” using an iterative, five-step process “closely related” to land use and environmental justice that includes—stakeholder identification, clear articulation of roles and responsibilities, joint

				decision-making, plan execution, and outcome evaluation.
<p>Viscusi, W. Kip</p> <p>Schoonover, Sydney C.</p>	<p><i>Equitable Assignment of Standing for Intergenerational and International Environmental Policies</i></p>	<p><a href="#">66 Ariz. L. Rev. 643</a></p>	<p>Climate Change (Climate Change Generally); Governance (Administrative Law)</p>	<p>Policymakers should reform how agencies calculate the social cost of greenhouse gases in quantifying and reporting the benefits and costs of environmental policies by adopting six legally-sound, inter-related principles that will ensure efficiency and promote intergenerational equity: 1) accounting for future generations in regulatory analyses; 2) using country-specific preferences to monetize future mortality risks; 3) applying country-specific discount rates to reflect countries' intertemporal preferences; 4) reporting country-specific estimates of global costs of GHGs; 5) subsidizing countries with a lower share of domestic benefits from climate change reductions to incentivize necessary climate action; and 6) allowing representation of future generations in environmental litigation.</p>