

This Supreme Court Term features a number of environmental cases. We're now about two-thirds of the way through the Term, so I thought it might be helpful to post a summary of the cases. My impression is that the Court is interested in environmental law to the extent that it seems to impinge on the rights of individual property owners. But the Court doesn't seem take much of an interest in risk regulation or air pollution, despite their importance for the economy and for public health. Anyway, here's the list:

Case Name	Issue
Arkansas Game & Fish Comm'n v. U.S.	Takings clause - recurrent flooding, held to be potentially a taking.
Decker v. Northwest Env. Def. Center, Georgia-Pacific West v. Northwest Env. Def. Center	Clean Water Act, review of permitting rules, logging roads as point sources
LA County Flood Dist. v. NRDC	Water movement within same waterway is not a point source under the Clean Water Act
Koontz v. St. John River Management Dist.	Takings and permit conditions

Some non-environmental cases with possible relevance to environmental issues:

Clapper v. Amnesty Int'l	Standing
Cable, Telecom, and Tech. v. FCC	<i>Chevron</i> doctrine
Mutual Pharm Co. v. Bartlett	Preemption