

Some of our readers may be interested in what is happening in environmental and energy legal scholarship. So I thought I'd post again ([I also did this in 2016](#)) about the *Land Use & Environment Law Review*, which is Thomson Reuters/West Publishing's peer-selected annual compendium of significant legal scholarship in land use and environmental law. About sixty reviewers (made up of environmental law professors) considered the full range of articles published in law reviews on environmental law in 2016-17. The end of that process produced a list of five articles that were seen as worthy of recognition as contributing to the development of the field. I've also added a list of finalists as well. These lists will give you a sense of the excellent scholarship going on in the field, and the wide range of topics people are working on. I've provided links for the articles below, to make it easier for you to enjoy them!

### **SELECTED FOR REPUBLICATION IN THE LAND USE AND ENVIRONMENTAL LAW REVIEW - ENVIRONMENTAL**

Burger, Michael and Jessica Wentz. Downstream and upstream greenhouse gas emissions: the proper scope of NEPA review. [41 Harv. Envtl. L. Rev. 109-187 \(2017\)](#).

Livermore, Michael A. The perils of experimentation. [126 Yale L.J. 636-708 \(2017\)](#).

Outka, Uma. State lands in modern public land law. [36 Stan. Envtl. L.J. 147-217 \(2017\)](#).

Ruhl, J.B. and Kyle Robisch. Agencies running from agency discretion. [58 Wm. & Mary L. Rev. 97-181 \(2016\)](#).

Welton, Shelley. Public energy. [92 N.Y.U. L. Rev. 267-349 \(2017\)](#).

### **FINALISTS**

Bradshaw, Karen. Settling for natural resource damages. [40 Harv. Envtl. L. Rev. 211-251 \(2016\)](#).

Chen, Jianlin. Optimal property rights for emerging natural resources: a case study on owning atmospheric moisture. [50 U. Mich. J.L. Reform 47-105 \(2016\)](#).

Coglianesse, Cary and Jennifer Nash. The law of the test: performance-based regulation and diesel emissions control. [34 Yale J. on Reg. 33-90 \(2017\)](#)

Cornell, Nicolas and Sarah E. Light. Wrongful benefit & Arctic drilling. 50 UC Davis L. Rev. 1845-1909 (2017). [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2848959](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2848959)

Epstein, Richard A. From common law to environmental protection: how the modern environmental movement has lost its way. [23 Sup. Ct. Econ. Rev. 141-167 \(2016\)](#).

Freeman, Jody. The uncomfortable convergence of energy and environmental law. [41 Harv. Envtl. L. Rev. 339-421 \(2017\)](#).

Jacobs, Sharon B. The energy prosumer. [43 Ecology L.Q. 519-579 \(2016\)](#).

Larson, Rhett B. Law in the time of cholera. [92 Notre Dame L. Rev. 1271-1321 \(2017\)](#).

Lin, Albert C. The missing pieces of geoengineering research governance. [100 Minn. L. Rev. 2509-2576 \(2016\)](#).

Markell, David L. and Robert L. Glicksman. Dynamic governance in theory and application, part I. [58 Ariz. L. Rev. 563-631 \(2016\)](#).

Moffa, Anthony. Traditional ecological rulemaking. [35 Stan. Envtl. L.J. 101-155 \(2016\)](#).

Pollans, Margot J. Drinking water protection and agricultural exceptionalism. [77 Ohio St. L.J. 1195-1260 \(2016\)](#).

Revesz, Richard L. and Burcin Unel. Managing the future of the electricity grid. [41 Harv. Envtl. L. Rev. 43-108 \(2017\)](#).

Robison, Jason Anthony. The Colorado River revisited. [88 U. Colo. L. Rev. 475-569 \(2017\)](#).

Sachs, Noah M. The limits of energy efficiency markets in climate-change law. [2016 U. Ill. L. Rev. 2237-2269](#).