

# Environmental Law Symposium

On April 14 and 15, 1989, over three hundred environmental practitioners, academics, and law students gathered in New Haven for a symposium celebrating the last twenty years of environmental law and the contributions of Yale Law School graduates to its evolution.<sup>1</sup> The impetus for the symposium was the twentieth anniversary of the National Environmental Policy Act, the first major federal environmental legislation. Building on this cornerstone, a pioneering group of young environmentalists developed a new field of public interest law in the early 1970s. They founded organizations, such as the Natural Resources Defense Council and the Environmental Defense Fund, and conducted major litigation that shaped the development of environmental law.

By bringing together so many of the leading actors in the environmental movement, the symposium provided an opportunity to consider the challenges of the next twenty years. How can local, regional, national, and international interests be reconciled to expand environmental protection on a global scale? How can issues of social and economic justice be united with environmental concerns? Or, on a more immediate level, what should be the environmental priorities of the new Bush Administration?

The pieces that follow consider these questions from a number of different perspectives. The symposium begins with the Keynote Speech, delivered by William Reilly, Administrator of the United States Environmental Protection Agency. Reilly makes two observations about an agenda for the future: first, this country must think in international terms if it is to play a leading role in protecting the global environment; second, federal, state, and local governments must form new alliances to address the diversity of sources causing environmental problems in this country.

The two Comments that follow also suggest that we must make fundamental changes in our approach to environmental problems. David Schoenbrod questions Congress' delegation of the "tough choices" to EPA, using the paradigm of the Clean Air Act to illustrate the pitfalls of such delegation. James Tripp and Daniel Dudek analyze the effectiveness of transferable rights programs

1. The symposium was sponsored by the Yale Environmental Law Association, the YALE JOURNAL ON REGULATION, and the Yale Law School Association. Funding was provided by Chemical Waste Management, Inc.

and describe the institutional factors necessary to make them work.

The symposium concludes with a speech delivered by John Bonine on what it means to be an "environmentalist." He suggests that the United States has been a leader in promoting public input through Environmental Impact Statements, freedom of information legislation, and citizen suit provisions. He ponders the brave use of these concepts by activists in countries that do not protect the protest of environmental destruction.