

Journal of Environmental and Sustainability Law

Volume 23
Issue 1 *Fall 2016*

Article 2

2016

Editor's Perspective

Follow this and additional works at: <https://scholarship.law.missouri.edu/jesl>



Part of the [Environmental Law Commons](#)

Recommended Citation

Editor's Perspective, 23 J. Envtl. & Sustainability L. (ii) (2016)

Available at: <https://scholarship.law.missouri.edu/jesl/vol23/iss1/2>

This Front Matter is brought to you for free and open access by the Law Journals at University of Missouri School of Law Scholarship Repository. It has been accepted for inclusion in Journal of Environmental and Sustainability Law by an authorized editor of University of Missouri School of Law Scholarship Repository. For more information, please contact bassettcw@missouri.edu.

EDITOR'S PERSPECTIVE

It is my honor and pleasure to be the last editor of the Journal of Environmental and Sustainably Law. This last year has flown by, and I am incredibly proud of all the hard work the current editorial board and associate members have put into this issue.

In our last issue, we were fortunate enough to publish a number of outstanding student authors. Jennifer Bennett wrote a case note, *Act vs. Amendment: Schultz Family Farms, Legislative Exceptions, and the Future of Right-To-Farm*. In this case, homeowners were attempting to classify a large commercial farm as a nuisance because of the large amount of waste generated, and the smell impeded the homeowners' rights to enjoy their property. Bennett's case note argues that Right-to Farm Acts are unnecessary and overly broad. The statutes tend to allow for unnecessary exceptions and protect large farms at the expense of small family farms and other large farm neighbors.

Next, Miles Figg authored a wonderful piece about wildlife regulation. His article, *Are Wild Deer Wild?: The Legal Status and Regulation of White-Tailed Deer* addresses a number of questions concerning the definitions of wildlife and livestock, the legal status of captive white-tailed deer, and the impact of regulations imposed by the

Missouri Department of Conservation versus Missouri Department of Agriculture. Figg suggests a joint approach on the topic to ensure cervid management.

Lastly, Jason Horne gives unique view of a radioactive issue concerning many St. Louis residences in his case note, *A Glowing Problem: North County St. Louis and Nuclear Waste*. With rising cancer rates, North County residents are concerned with leaking nuclear waste at the West Lake Landfill. Horne argues that, first, an interim storage site needs to be created; second, the Yucca Mountain repository construction needs to be completed; and last, regulations need to be expanded to meet the country's growing nuclear waste storage needs.

Erika Dopuch's *Frack Attacks: Government Compliance—or Lack thereof—with Federal Regulations and Tribal Lands* examines *Hawes v. Chaparral Energy, LLC* and the Bureau of Indian Affairs' mismanagement of tribal land subjected to fracking. The article argues that additional measures should be taken to ensure that the bureau complies with all environmental laws, even if the costs of compliance are high.

Next, KatieLee Kitchen takes a different take on wildlife regulation with *Where the Wild Things Are...Properly Valued: A Look into*

Methods Used by Courts to Assign Monetary Value to Wildlife. The case note reviews conflicting interpretations of Section 2Q2.1 of the United States Sentencing Guidelines involving the assignment of monetary value to wildlife for sentencing. Kitchen argues that courts should consider additional factors when valuing wildlife and should pick one valuation method for the basis.

Sam Steelman also authored a wonderful piece concerning the crossroads between the EPA and the APA in *Delaying the Inevitable: Comel-ing A Tale of the Environmental Protection Agency, Administrative Procedure Act and A Pesticide*. The article addresses the definition of “unreasonable delay” regarding Section 706(1) of the Administrative Procedure Act.

Finally, this issue concludes with another article written by Erika Dopuch. *Judicial Review of Net-Metering Agreements: Seeking to Avoid Recapture in the Western District* analyzes net-metering agreements between utility companies and residents, which are designed by the state and federal government to reduce the cost of solar energy. While the policy behind the agreements are sound, Dopuch raises arguments that without judicial review over government agencies, these agencies might overstep their bounds, causing problems for all parties involved.

Thank you for picking up this final JESL issue, as your continued support of our publication is greatly appreciated. Our staff put in a lot of hours and effort into researching, writing, and editing each submission, so we sincerely hope you enjoyed reading these articles!

Sincerely,

K. ALEX LANGLEY
Editor-In-Chief, 2016–2017