

## President's Message

JUANITA SALES LEE

# Environment, Energy, and Natural Resources: Where Do We Go From Here?

**I**N 1962—ALMOST 50 years ago—Rachel Carson published *Silent Spring*. The book begins with “A Fable for Tomorrow” about a hypothetical town formerly teeming with natural life. Come one spring, the birds no longer sing and the sounds of nature are replaced by a deadly silence—the result of widespread use of insecticides and herbicides.

*Silent Spring* became a driving force in the modern environmental movement, continuing the United States' tradition of conservation and setting in motion a chain of events that culminated in the first Earth Day and the establishment of the Environmental Protection Agency—both in 1970. Within 15 years of the book's publication, the United States dramatically changed the legal landscape by enacting or fundamentally restructuring a series of sweeping environmental laws, including the National Environmental Policy Act of 1969; the Clean Air Act; the Clean Water Act; the Federal Insecticide, Fungicide, and Rodenticide Act; the Endangered Species Act of 1973; the Safe Drinking Water Act; and the Resource Conservation and Recovery Act. The environmental movement that followed the publication of *Silent Spring* demonstrates something we as lawyers all know—just how much difference an eloquent advocate can make.

Today the nation stands on the brink of what could be another set of dramatic changes in environmental and energy law. In April, the Environmental Protection Agency proposed to issue an “endangerment finding” for greenhouse gases, bringing the agency a step closer to regulating them under the Clean Air Act. Meanwhile, the President and congressional leaders have promised to pass comprehensive legislation to address climate change. Adding to the sense of urgency, the government is struggling to redefine its energy policies. As part of his State of the Union address in 2006, President Bush proposed weaning the country from its “addiction” to imported oil. President Obama has pledged to curb U.S. dependence on fossil fuels, make the nation energy independent, and develop a clean energy economy. Will U.S. leaders reach consensus on these far-reaching and often divisive issues related to the environment and energy? Where will we find alternative clean sources of energy? How will we pay for this transition?

Thankfully, the Federal Bar Association is ready to engage our members in this lively debate. The FBA

not only has a vibrant system of local chapters that are uniquely qualified to address environmental and energy issues on the local and regional levels but also is fortunate to have a national section on point. The FBA's Environment, Energy, and Natural Resources (EENR) Section offers a unique opportunity for our members to study, network, take leadership positions, and participate in top-notch programming in the field of environment, energy, and natural resources law.

As you peruse the pages of this issue, you will find articles on topics such as climate change regulation and legislation, energy infrastructure development, environmental conflict resolution and challenges to the siting of renewable energy projects, and criminal enforcement of environmental laws, among other topics. This issue would not have been possible without the hard work and expertise of the members of the FBA's EENR Section. I would especially like to thank EENR Section Chair Warren Burke and the members of the EENR Section's editorial review committee: Kenneth Gelburd, John Harms, Luis Nido, and Erik Petersen.

One of the articles featured in this issue is a review by EENR Section Treasurer John Harms of three books and one paper outlining four very different perspectives on climate change. Will any of these works be the next *Silent Spring*? Will we soon see the enactment of new laws that become household names like those enacted in the 1970s? Whatever happens, I am confident that our country will write another chapter in its proud history of technological innovation, leadership, and resolve. It is our duty as lawyers and citizens of the world to help write that chapter. **TFL**

