

# UNIVERSITY of HOUSTON

## LAW CENTER

Environment, Energy & Natural Resources Center

## 2020 In Review Newsletter

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### Directors' Note

2020 was a bittersweet year for us at the Environment, Energy, and Natural Resources Center (“EENR”). We have so much to be proud of as we’ve seen the success and perseverance of our students, former students, faculty, the city of Houston, and the state of Texas. But it is difficult to promote these accomplishments without first acknowledging that 2020 will undoubtedly be marked at one of the worst years in history. We witnessed the devastation of the COVID-19 pandemic that has taken the lives of so many and resulted in lasting psychological, social, and economic damage. We also witnessed the needless murders of so many of our Black and Brown brothers and sisters who have long suffered systemic injustices. And even at the dawn of the new year, we have already witnessed violent and thoughtless atrocities at our Nation’s Capital.

As we move into 2021, however, we wanted to take a moment to send a report

of encouragement and achievement. EENR is still moving forward, still looking to a brighter future, and still determined to make a difference. There is much to be proud of, and much to applaud. Our current and former students are being recognized for their fantastic work in the energy and environmental fields; our faculty are leading the Nation in their research and guidance; the city of Houston is growing in its reputation as the sustainable energy capital of the world; and the state of Texas is leading the way in renewable energy innovation and expansion.

EENR remains committed to the energy evolution and providing a forum for education and analysis at the intersection of climate change, energy production, pollution management, and natural resources. We move boldly into 2021 with determination, hope, and grace.

Co-directors, Gina S. Warren & Victor B. Flatt

## Alumni Spotlight



Alumnus, Cody West, has earned a two-year fellowship from the Congressional Black Caucus Foundation and the American Petroleum Institute as an Energy Policy Fellow. “We are impressed with Cody’s proven experience and commitment to supporting entrepreneurship, small business and community development,” said Tonya Veasey, the CBCF president and CEO. For more details, see <https://lasentinel.net/congressional-black-caucus-foundation-american-petroleum-institute-welcome-new-fellow-cody-west.html>.

## Speaker and Conference Highlights

## 2nd Annual Denney L. Wright International Energy Tax Conference and the Houston Business and Tax Law Journal's 20th Annual Symposium

On February 28, 2020, EENR faculty, Denney Wright and the Houston Business and Tax Law Journal hosted the 2nd Annual Denney L. Wright International Energy Tax Conference in Houston, Texas. The all-day conference kicked off with an OECD and Regulatory tax update and went on to incorporate six panel discussions addressing important international energy cross border tax and investment matters as well as tax and investment issues arising out of development in Mexico, Brazil, and West Africa, and Canada. UH law student, Megan Rollag, was also honored during the program for her 2019 AIPN student writing competition winning paper, "Future of Cross-Border Pipeline Projects in AMLO's Mexico: What's the Risk" The conference was sponsored by Haynes and Boone, Exxon Mobil, Mayer Brown, Baker Hostetler, White & Case, and Thompson Knight.

## 4th Annual North American Environment, Energy, and Natural Resources Conference

On August 17, 2020, EENR hosted its 4th Annual North American Environment, Energy and Natural Resources Conference, which focused on: "The New Energy Landscape: COVID-19, Climate Change and Diversification." The virtual format of the event allowed us to include registrants from more than 35 countries, including high-level government officials and executives from some of the world's largest companies. Topics discussed were technological innovation and energy, energy investment in direct air capture, innovations in low carbon emissions and IP innovation, carbon neutrality, COVID-19, Black Lives Matter, and the 2020 election. We ended the conference with a robust roundtable discussion featuring commentary on the business and policy future for North American Energy - lessons from COVID. Sponsors for the event were Blank Rome, UH Energy, the University of Calgary Faculty of Law, The National Autonomous University of Mexico Faculty of Law and the TGL Energy Transition Governance & Law.

EENR faculty hosted many esteemed speakers in 2020, including Minister Massassa, invited by Professor Cardenas Garcia, and several speakers invited to present at Professor Hester's Climate Intervention Law seminar. Here are some of the highlights:

- **Feb. 25, 2020: Honorable Vanessa Gilmore**, District Court for the Southern District of Texas. Trends in Environmental Litigation.
- **Feb. 25, 2020: Minister Vincent de Paul Massassa**, Minister of Petroleum, Gas, and Mining of the Republic of Gabon. Oil and Gas Investment Opportunities in Gabon.
- **Aug. 26, 2020: Dr. John Nielson-Gammon**, Texas A&M, State Climatologist for Texas. Likely future impacts of climate change in Texas relevant to environmental governance.
- **Sept. 30, 2020: Prof. Daniel Bodansky**, Sandra Day O'Connor School of Law, Arizona State University, Arctic Climate Interventions and International Law.
- **Oct. 5, 2020: Gabriel Clark-Leach**, Senior Attorney, Environmental Integrity Project. Environmental contested proceedings and permitting for air emissions.
- **Oct. 14, 2020: Dr. Wil Burns**, School of International Service at American University. Marine interventions to offset acidification and international law.
- **Oct. 21, 2020: Prof. Kerry Brent**, University of Adelaide. Interventions to protect the Great Barrier Reef and international/domestic law.
- **Nov. 11, 2020: Dr. Holly Buck**, Assistant Professor, University at Buffalo. Climate intervention, environmental justice, and equity.
- **Nov. 18, 2020: Derek Willis**, Legal Director, Oxy Low Carbon Ventures. Climate intervention and corporate transactions law.

## Book Highlights

### ARBITRAJE COMERCIAL Y DE INVERSIÓN EN EL SECTOR ENERGÉTICO EN AMÉRICA LATINA

JOSÉ DAVID ENRIQUÉZ ROSAS  
FRANCISCO GONZÁLEZ DE COSSIO  
(Coordinadores)

Julian Cardenas & Ricardo Colmener, *Arbitrando Mejores Prácticas Internacionales en la Industria del Petróleo in Arbitraje Comercial y de Inversión in EL SECTOR ENERGÉTICO EN AMÉRICA LATINA* (2020).

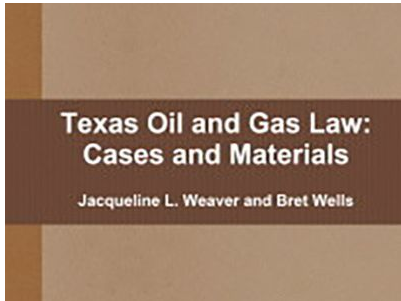


**Climate, Energy, Justice:**  
The Policy Path to a Just Transition for an  
Energy-Hungry America

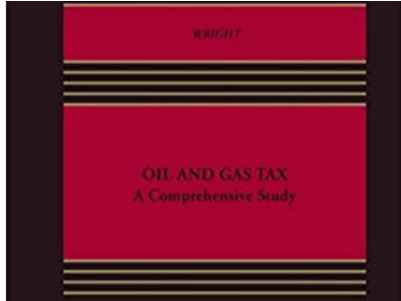
Victor Flatt, Dan Farber, Alice Kaswan, Joel Mintz, & Joe Tomain, *Government Mechanisms and the Climate Crisis in CLIMATE, ENERGY, JUSTICE: THE POLICY PATH TO A JUST TRANSITION FOR AN ENERGY-HUNGRY AMERICA*, Ctr. for Progressive Reform (2020).



Gina S. Warren, *Powering the US-Mexico Energy Industry in THE FUTURE OF U.S. – MEXICO RELATIONS: RENEWABLE ENERGY AND ELECTRIC POWER CONNECTIONS* (2020).  
 Edited by UH Law Professor Alfonso López de la Osa Escribano.



Jacqueline L. Weaver and Bret Wells, *TEXAS OIL AND GAS LAW: CASES AND MATERIALS* (2021).



Denney L. Wright, *OIL AND GAS TAX: A COMPREHENSIVE STUDY* (2019).

## Visiting Scholar Spotlight



**Aubin Nzaou**  
 Visiting Scholar

Visiting Scholar Nzaou chaired the virtual panel “USMCA, Energy, Environment, and Health Challenges” at the Virtual Symposium on USMCA, NACLE Annual Conference, University of Houston Law Center (November 2020). He also served as co-chair of the virtual lecture on “The Role of Supply Chain Management in Environmental Governance”,

EENR Center, University of Houston Law Center (December 2020). His publications while visiting include:

Aubin Nzaou, *Environmental and Energy Law and Policy Review in the African Union*, in 30 Oxford Yearbook of International Environmental Law (2020).

Aubin Nzaou, *Environmental and Energy Law and Policy Review in the Republic of Congo*, in 30 Oxford Yearbook of International Environmental Law (2020).

Aubin Nzaou & Benjamin Boumakani, *Les Nouveaux Aspects de la Protection de*

*L'Environnement dans Les Codes des Hydrocarbures des Pays d'Afrique Subsaharienne*, in *Droit, Humanite et Environnement* (Michel Prieur et al. eds., 2020).

Aubin Nzaou, *Editor's Foreword*, in 1 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *Public Property of State and National Patrimony in Oil and Gas Law*, in 1 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *Editor's Foreword*, in 2 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *La Souveraineté Comme Vecteur D'Interactions Normatives Entre Le Droit International et Le Droit Constitutionnel*, in 2 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *Editor's Foreword*, in 3 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *Legal Case of Non-State Actors in Climate Litigation*, in 3 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou, *Editor's Foreword*, in 4 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou & Marceleau Biankola, *Mining Law and Environmental Issues in Africa*, in 4 *Energy and Climate Law Quarterly* (2020).

Aubin Nzaou & Marceleau Biankola, *Droit International et Souveraineté Monétaire. Les Problèmes Actuels de la Tutelle Internationale du Franc CFA et la Crise de L'Égalité Souveraine*, in *Droit International Economic en Afrique* (2020).

Aubin Nzaou, *Book Review*, in 1 *Energy and Climate Law Quarterly* 272 (2020) (reviewing Tim Maxian Rusche, *EU Renewable Electricity Law and Policy* (2015)).

Aubin Nzaou, *Book Review*, in 2 *Energy and Climate Law Quarterly* 351 (2020) (reviewing Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation. Regulatory Pathways to Cleaner Energy* (2015)).

Aubin Nzaou, *Book Review*, in 3 *Energy and Climate Law Quarterly* 360 (2020) (reviewing Leslie-Anne Duvic-Paoli, *The Prevention Principle in International Environmental Law* (2020)).

Aubin Nzaou, *Book Review*, in 4 *Energy and Climate Law Quarterly* 184 (2020) (reviewing Matthew Scott, *Climate Change, Disasters, and the Refugee Convention* (2020)).

Court of Appeal Civil Division, February 27, 2020, C1/2019/1053, C1/2019/1056 and C1/2019/1145, in 1 *Energy and Climate Law Quarterly* (2020).

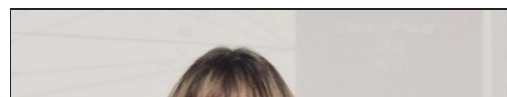
High Court of Justice Queen's Bench Division Planning Court, June 22, 2020, Case No: CO/3409/2019, in 2 *Energy and Climate Law Quarterly* (2020).

Conseil d'Etat of France Assembly, July 10, 2020, n° 428409, in 3 *Energy and Climate Law Quarterly* (2020).

Supreme Court of Ireland, July 31, 2020, Appeal No: 205/19, in 4 *Energy and Climate Law Quarterly* (2020).

## Faculty Highlights

Gina S. Warren





Professor of Law, George Butler  
Research Professor; UH Energy Fellow;  
Co-Director, EENR

Publications:

Gina S. Warren, *Powering the US-Mexico Energy Industry in THE FUTURE OF U.S. – MEXICO RELATIONS: RENEWABLE ENERGY AND ELECTRIC POWER CONNECTIONS* (2020)



Gina S. Warren,  
*Big Sports Have Big Environmental and Social Consequences*, 81 Mo. L. Rev. 495 (2020)

Warren was named the new co-director of EENR. Her scholarship focuses on the role of policy and regulation in the area of sustainable energy. In 2020, Warren was invited to present her forthcoming article, “Hotboxing the Polar Bear: The Energy and Climate Impacts of Indoor Marijuana Cultivation,” 101 Boston University Law Review \_\_\_\_ (forthcoming 2021), at Boston’s virtual conference entitled “The Marijuana Law 2020: Lessons from the Past, Ideas for the Future” (Nov. 2020). Warren also co-coordinated and moderated EENR’s 4th Annual North American Environment, Energy, and Natural Resources Conference, The New Energy Landscape: COVID-19, Climate Change and Diversification (Aug. 2020), moderated the “Low-Carbon Electricity Grid” symposium series for UH Energy (Oct. 2020), and presented her forthcoming article on sustainable tourism at the 11th Annual Colloquium on Environmental Scholarship at Vermont Law School (Sept. 2020) as well as at the Natural Resources and Energy Law, and Environmental Law Joint Works-in-Progress Session, 2020 AALS Meeting (Jan. 2020).

Warren was an invited judge for the Coalition Against Climate Change, EnviroHacks competition – Environmental Policy, August 9-11, 2020, and for two years in a row, she was a discussant for the annual SEALS conference panel, “Beating the Odds.” She also participated on a new SEALS panel entitled, “Moving 1L Classes Online.” Finally, Warren sits on several committees and boards outside the law school. For example, she is the chair of Academic Outreach for the Institute for Energy Law; a member of the planning committee for the Rocky Mountain Mineral Institute, and a member of the SEALS Hiring Conference Committee.



**Victor B. Flatt**

Dwight Olds Chair in Law; ; Co-Director,  
EENR

Publications:

Victor Flatt, *Disclosing Danger: Attorney Ethics Rules Meet Climate Change*, Bloomberg L. Insight (Sept. 16, 2020), <https://news.bloomberglaw.com/us-law-week/insight-disclosing-danger-attorney-ethics-rules-meet-climate-change>.

Victor Flatt & Joel Mintz, *Pandemic Spawns Dangerous Relaxation of Environmental Regulations*, Revelator (Sept. 14, 2020), [https://therevelator.org](https://therevelator.org/pandemic-environmental-regulations)

/pandemic-environmental-regulations.

Victor Flatt, Dan Farber, Alice Kaswan, Joel Mintz, & Joe Tomain, *Government Mechanisms and the Climate Crisis in CLIMATE, ENERGY, JUSTICE: THE POLICY PATH TO A JUST TRANSITION FOR AN ENERGY-HUNGRY AMERICA*, Ctr. for Progressive Reform (2020).

Victor B. Flatt, *Disclosing the Danger: State Attorney Ethics Rules Meet Climate Change*, 2020 Utah L. Rev. 1 (2020).

Victor B. Flatt, *Disclosing the Danger*, 37 Env't'l F. 38 (2020).

Victor Flatt's article "The Costs of Creating Environmental Market: A Commodification Primer," with Michael Pappas was selected as one of the eleven finalists for Best Environmental and Land Use Law Article of 2019. Flatt was selected as a co-principal on the grant for Economic Analysis of the Waters of the United States Rule, managed by the External Environmental Economics Advisory Committee and funded by the Sloan Foundation. Flatt was recognized as the 2020 Student Bar Association Professor of the Year for Part-Time students. He was featured in an Associated Press article about waiver of environmental regulations under COVID. Flatt, Blake Hudson, and Judge Vanessa Gilmore presented "Federal Courts and Environmental Law" in February. In April, Flatt, Visiting Fellow Aubin Nzau, and Director Alfonso López de la Osa Escribano of the U.S. and Mexican Law Director organized and



presented the first Marie Sklodowska-Curie Conference on Energy Transition. He and Tracy Hester also participated in a University of Houston Center for Carbon Management in Energy webinar entitled “The Responsibilities and Liabilities of Climate Speech” on April 30. In September, Flatt guest lectured on climate change and attorney ethics at the University of Missouri Kansas City, he also spoke at Environmental Law Institute’s national webinar on climate change and attorney ethics rules, and discussed the protection of water resources from extreme weather and chemical disasters during the Center for Progressive Reform National Webinar. In October, Flatt presented on the legality of the Trump Council on Environmental Quality’s NEPA rulemaking at the Houston Bar Association’s Environment and Energy Law Sections’ meeting on October 20. He was also asked to speak on COVID environmental enforcement waivers at the 15th annual State Judges Conference sponsored by the Center for Law and Economics at George Mason University Antonin Scalia School of Law.

On November 13, Flatt presented “Holding Polluters Accountable in Times of Climate and COVID Risk: The Problems with Emergency Enforcement,” at the 12th Leslie McAllister Environment and Energy Law Conference at the University of San Diego Law School. He was selected to be the lead off speaker for the 2021 AALS joint program on Environmental Law & Securities Regulation and was invited to give the keynote speech to the American Bar Association Section on Environment, Energy, and Natural Resources. Flatt acted as moderator for two panels, the “Tips and Traps for Moving 1L Classes Online” for the Southeastern Association of Law Schools 2020 Conference, and the “LGBTQ+ Rights Advancement and the Lawyers that Made It Happen” webinar hosted by UH OUTLAW and UH Diversity and Inclusion Committee. Flatt, Zachary Kaufman, and Tracy Hester, along with Wes Rist and Tom Wilson, partners at Vison and Elkins LLP, participated in a roundtable held on The Role of Climate Change in Atrocity Prevention.

### **Elizabeth Trujillo**

Mary Ann & Lawrence E. Faust Professor of Law, Founding Director, Initiative on Global Law and Policy for the Americas

#### **Publication:**

Elizabeth Trujillo, *An Introduction to Trade and National Security: New Concepts of National Security in a Time of Economic Uncertainty*, 30 Duke J. Comp. & Int’l L. 211 (2020).



Elizabeth Trujillo is a member of the ASIL Executive Council and the ASIL Strategic

Initiatives Committee as well as the ASIL Book Awards Committee. She was a panelist at the “Improving the Environment Under the USMCA” webinar on November 18 hosted by Rice University's Baker Institute for Public Policy. This event featured a discussion of the USMCA's chapter on the environment, which incorporates major improvements over NAFTA. The webinar was the fourth in a five part series on the United States-Mexico-Canada Agreement (USMCA), co-sponsored by the Baker Institute Center for the United States and Mexico and Haynes and Boone, LLP. She organized and moderated a panel discussion co-sponsored with the American Society of International Law (ASIL) along with UHLC Professors Tracy Hester, Zachary Kaufman, and Victor Flatt as well as Tom Wilson from Vinson and Elkins, and Wes Rist from ASIL, to discuss the potential impacts of climate change on the development of human atrocity law on February 4.

Professor Trujillo also moderated and presented on a panel on “Trade and National Security” at Duke University School of Law for the Duke Journal of Comparative & International Law Annual Symposium held on February 7. She worked with student organizations to convene the ASIL/UH Careers in International Law Day at the University of Houston law Center on February 4. Along with Dean Leonard Baynes, Daniel Morales, and Alfonso López de la Osa Escribano, and Karen Jones, she met with six deans from Mexican law schools for a virtual discussion on collaborative opportunities between the universities, student and faculty mobility in North America (through NACLE consortium), and the Bilingual Dispute Resolution Competition on July 13. Professor Trujillo was invited to peer review Model Legislation for Deep Decarbonization in the United States as it relates to trade related issues such as local content requirements, to achieve deep reductions in fossil fuels use and greenhouse gas emissions. On December 16, Professor Trujillo launched a new UH program on Global Law and Policy for the Americas (GLPA) which will collaborate with EENR and other UH centers and institutes on research and activities.



**Bret Wells**

Professor of Law, Law Foundation Professor of Law

**Publications:**

Jacqueline L. Weaver and Bret Wells, TEXAS OIL AND GAS LAW: CASES AND MATERIALS (2021).

Martin J. McMahon, Daniel L. Simmons, Charlene D. Luke & Bret Wells, FEDERAL INCOME TAXATION OF BUSINESS ORGANIZATIONS (6th ed. 2020).

Martin J. McMahon Jr., Daniel L. Simmons, Charlene D. Luke & Bret Wells, FEDERAL INCOME TAXATION OF PARTNERSHIPS AND S CORPORATIONS (6th ed. 2020).

Daniel L. Simmons, Martin J. McMahon, Bradley T. Borden, & Bret Wells, FEDERAL INCOME TAXATION (8th ed. 2020).

Bret Wells is EENR's resident Oil & Gas Law and Tax Law expert. He is a prolific scholar, publishing multiple articles, book chapters, and books annually. From 2014-2019, he published five law review articles addressing contemporary oil and gas issues from flaring, to allocation wells, to abandoned wells. In 2020, he finalized the latest edition of his Texas Oil and Gas Law: Cases and Materials textbook used by multiple Texas Oil and Gas Law professors. In addition to all of his oil and gas work, he also published tax law textbooks and presented his research at several conferences including the "OECD and Regulatory Tax update: at the 2nd Annual Denney L. Wright International Energy Tax Conference on February 28 and a presentation on "International Taxation" at the State Bar of Texas Section's Leadership Academy on January 24.

In December 2020, Wells was elected as a member of the American Law Institute, which "is the leading independent organization in the United States producing scholarly work to clarify, modernize, and otherwise improve the law."

### **Julian Cardenas Garcia**

Research Assistant Professor

#### **Publications:**

Julian Cardenas and Ricardo Colmener, *Arbitrando Mejores Prácticas Internacionales en la Industria del Petróleo in ARBITRAJE COMERCIAL Y DE INVERSIÓN EN EL SECTOR ENERGÉTICO EN AMÉRICA LATINA* (2020).



Julian Cardenas, *The State Of International Offshore Regulation A Decade After The Deepwater Horizon*, Forbes, April 20, 2020.

Professor Cardenas served as visiting professor in two academic programs (LLM and postgraduate programs) hosted by the Autonomous University of Nuevo León, Mexico, covering issues related to Transnational Petroleum Law and Arbitration, between November and December 2020. He was also a visiting professor at the LLM Program on Mining and Energy Law of the Universidad Externado de Colombia, teaching Transnational Energy Law and Arbitration, between October and December 2020. Professor Cardenas served as a panelist at the Conference "Investment and Commercial Arbitration in the Energy Sector in Latin America", alongside with Alexis Mourre, President of the International Chamber of Commerce (ICC), Catherine Kettlewell, Counsel at

the World Bank International Centre for Settlement of Investment Disputes (ICSID), David Enriquez, Francisco González de Cossío, and Prof. Jorge Cerdio from ITAM, hosted by the ITAM University in Mexico. July 16, 2020. He also was the keynote speaker in the conference "Oil and Gas Industry Practices in the times of Covid-19", organized by PetroAngola, Luanda, Angola, May 25, 2020. Professor Cardenas presented the conference "What's Next for COVID-19 and Oil and Gas Geopolitics?" organized by the World Affairs Council of Houston, August 20, 2020. He was a panelist at the webinar "Non-Conventional Hydrocarbons Resources in Colombia", organized by the Universidad Externado de Colombia, December 3, 2020. He was speaker at the virtual workshop "The Venezuelan Oil and Gas Industry" alongside with Francisco Monaldi from the Baker Institute-Rice University, at the conference Plan País, December 10, 2020. Professor Cardenas gave testimony during a congressional hearing at the Venezuelan National Assembly discussing a "New Venezuelan Hydrocarbons Law," October 12, 2020. He serves as a Board Director at the Administrative Ad Hoc Board of Petróleos de Venezuela (PDVSA), working on issues related to international arbitration, international sanctions, transnational litigation, and asset protection and recovery.

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### **Tracy Hester**

Instructional Associate Professor of Law;  
Founding Co-Director of the Center for  
Carbon Management in Energy

#### **Publication:**

Tracy Hester and Judy Perry Martinez,  
*Views from the Chair*, Trends (July 7,  
2020) [https://www.americanbar.org  
/groups/environmental\\_energy\\_resources  
/publications/trends/2019/july-aug-2020  
/views-from-the-chair/](https://www.americanbar.org/groups/environmental_energy_resources/publications/trends/2019/july-aug-2020/views-from-the-chair/).

Tracy Hester, *Consent Decrees as  
Emergent Environmental Law*,  
85 Missouri Law Review \_\_ (released  
online 2020; slated for physical

publication in Spring 2021).

In 2020, Professor Hester was appointed to the American Bar Association's

Climate Change Task Force, elected as chair of the Environmental Law Section of the American Association of Law Schools, and became co-chair of the Education Committee of the American College of Environmental Lawyers (where he currently serves as a Regent). He completed his six-year term of service on EPA's National Advisory Committee on the North American Agreement on Environmental Cooperation, and he finished his appointment as chair of ABA SEER's Climate Change, Sustainable Development, and Ecosystem Services Committee.

Hester spoke at over 20 conferences, seminars, and guest lectures in 2020 on topics that included the best ways to govern climate engineering, the implications of the U.S.-Mexico-Canada Agreement's environmental provisions, how environmental laws may apply to deep decarbonization and negative emissions technologies, the application of environmental laws to emergency responses in light of climate change, the enforcement of criminal environmental laws after industrial disasters, the status of burgeoning climate tort litigation, the potential environmental liabilities arising from waste plastics, and the transnational enforcement of environmental liabilities. For example, he gave the closing plenary speech on climate intervention policy at the Energy Unconference, which brought together upper management and general counsels of over 120 energy companies on January 15. He also spoke (along with Prof. Flatt) on climate speech liability at the UH CCME webinar, and he joined a panel discussion with Profs. Zachary Kaufman, Trujillo and Flatt to discuss the potential impacts of climate change on the development of human atrocity law.

Hester organized, hosted and spoke at three workshops jointly sponsored by ABA, AALS, and ACOEL on Superfund reforms during summer 2020. These workshops brought together stakeholders from the academic, environmental, and businesses communities to explore the best ways to implement reforms to the federal Superfund and RCRA Corrective Action programs. These workshops included the direct participation of the EPA administrators in charge of both programs.

His pending articles include *Battling Over Battlefields: The Status of State Law Climate Tort Litigation* in *The Houston Lawyer* in Spring 2021; chapters on the laws of carbon capture and negative emission technologies for the ABA's updated *Global Climate Change and U.S. Law* (2021); and *The Texas Disaster Law Guide* (with Alfonso Lopez de la Osa Escribano and Bryan Sky-Eagle) in Feb. 2021 by Arte Publico Press.

**Denney Wright**  
Professor of Practice

Publication:

Denney L. Wright, *Tax Incentives for Production and Conservation of Energy and Natural Resources*, Tax Management Portfolios 512-2 (2020).



Denney Wright hosted a virtual panel discussion on August 31, discussing the Association of International Petroleum Negotiators organization, highlighting the AIPN role in the international energy space. Panelists included John Bridges, Executive Director of the AIPN/Houston, Norman Nadorff, partner from Mayer Brown/Brazil (and UHLC adjunct professor), and Yuliya Marcer, BP International Energy Counsel/Houston. John Ngunjiri, President of the UHLC AIPN Chapter also participated. Participants included my International Petroleum Transactions class, members of the UHLC AIPN Chapter with UHLC students and faculty invited as well.

## Student Corner



An article by a University of Houston Law Center 3L student and a recent graduate has been accepted for publication in the Environmental Law Institute's Environmental Law News and Reporter.

The article, "All this talk, but plastics keep piling up," by 3L student Rachael Beavers Horne and 2019 graduate Chantal Carriere proposes a legislative



mandate for recycled plastic content implemented by market mechanisms. The inspiration from the article came from Professor Victor Flatt's Environmental Markets course during the Spring 2019 semester.

"Their proposal is brilliant and addresses many of the problems about incenting more recycled plastics in the United States," Flatt said. "The Environmental Law News and Reporter is the most read and cited environmental law publication in the practicing bar, and this brings their proposal that much closer to reality."

Environmental Markets is a skills class that examines how markets and law can be used to solve environmental problems. The students' project examined the current plastics crisis in the U.S. and proposed a law mandating a minimum amount of recycled plastic content for plastics packaging, which would be expressed as a commodified credit that could be traded among entities in the plastics packaging industry to meet the proposed compliance obligation.

Beavers Horne currently serves as Senior Notes & Comments Editor for the Houston Law Review. She is also the president of the Environment and Energy Law Society at University of Houston. Carriere, a 2019 summa cum laude graduate, worked on numerous environmental and energy projects during her law school tenure. She was a member of the International Energy Lawyers Program, a joint initiative between the University of Calgary Faculty of Law and the Law Center. The program allows students to complete an American and Canadian law degree in four years, and will enable them to apply for admission to bars in both countries.

#### Scholarships:

##### **Lauren '94 and Iain Simpson Conservation Scholarship**

Professor Simpson devotes significant personal time to education about pollinators and other insects, their conservation, and the (sub)urban wildscapes supporting them—her passion outside of legal writing. This scholarship is awarded to a current student who has demonstrated significant interest in the conservation of wildlife, of natural areas or both.

Donor: Lauren and Iain Simpson

Recipient: Pedro Segura

##### **Weaver-Lang Presidential Fellowship**

To recognize the tremendous academic contributions of Professor Jacqueline Lang Weaver, this scholarship is awarded to a student in the LLM program who has a strong academic record and an interest in energy law.

Donor: D.J. Baker '73 and Suzanne Baker '73

Recipient: Siobhan E. Galbraith, David L. Meiler, & Ka Shun Tung

#### **Texas State Bar Oil and Gas Section Scholarship**

This scholarship is awarded to students who have demonstrated outstanding academic achievement and an interest in Oil and Gas.

Donor: Texas State Bar Oil and Gas Section

Recipients: Stuart Cobb & Erin L. Horan

#### **Buck J. Wynne Memorial scholarship**

The State Bar of Texas Environmental and Natural Resources Law Section established this scholarship in memory of Buck J. Wynne, a prominent environmental attorney who died in 1996. It is awarded to the top students in an introductory environmental law class.

Donor: State Bar of Texas Environmental and Natural Resources Law Section

Recipients: Kara L. Bagg & Zain Hassan

#### **ConocoPhillips Energy Studies Award**

This award is presented to a third-year law student in the Energy Studies Program on the basis of scholarship and interest in the field.

Donor: ConocoPhillips, Inc.

Recipient: Seungho Kang

## **Marie Skłodowska-Curie Scholarship**

The Project TGL is a research project funded under the European Union's Horizon 2020 research and innovation program, under the Marie Skłodowska-Curie grant agreement n° 845118.

The 'Energy Transition Governance and Law' Project at the University of Houston Law Center aims to analyze the role of non-state actors in the governance and the implementation of Energy Transition. In this regard, it undertakes to understand how non-state actors are contributing to the implementation of the transition to low carbon economy from the international and comparative perspective of energy law and policy. Moreover, it undertakes to comprehend non-state actors' activities, as to climate litigation for instance, which will enable a better identification of their role as climate litigation drivers through the Paris Agreement in this constrained context of transition. The project is based on the premise that a significant achievement of energy transition should necessarily be envisaged in the particular backdrop of energy democracy, convening in this regard all relevant stakeholders, most specifically

both state and non-state actors.

#### Activities:

Webinar on “Energy Democracy and Deep Decarbonization”, convened by Environment Energy and Natural Resources Center, University of Houston Law Center, focusing on « Non-Profit Energy Cooperatives as the Catalyst of the Movement of People to Renewable Electricity », with Professors Melissa Scanlan (Vermont Law School/Boston College Law School) and Gabe Pacyniak (University of New Mexico, School of Law), and Aubin Nzaou (University of Houston Law Center) (April 3rd, 2020).

1<sup>st</sup>Annual Virtual Symposium on Global Energy Transition Law and Policy, convened by the Environment, Energy and Natural Resources Center, University of Houston Law Center, under the general theme “Energy Transition in a Climate-Constrained World” (April 17th, 2020).

Virtual Panel “USMCA, Energy, Environment, and Health Challenges” at the NACLE 2020 Annual Conference "USMCA, Energy, Environment, and Health Challenges", convened by the Center for US and Mexican Law, University of Houston Law Center, featuring Thomas Burelli (University of Ottawa), Louis de Fontenelle (Université de Pau et des Pays de l'Adour), Eric Goodchild (Dalhousie Schulich School of Law), and Aubin Nzaou (University of Houston Law Center) (November 13th, 2020).

Webinar on “The Role of Supply Chain Management in Environmental Governance,” convened by the Environment, Energy and Natural Resources Center, University of Houston Law Center, featuring Professor Lee Paddock (George Washington University Law School) with Victor Flatt (University of Houston Law Center), (December 17th, 2020).

## Upcoming Events

On Thursday, January 21<sup>st</sup>, 2021 at 4:00 pm (CST), Professor Roy Partain, University of Aberdeen, School of Law, will talk about Offshore Methane Hydrates - The Biggest Hidden Issue in Energy Law.

On Tuesday, February 16, 2021 at 10:00 am (CST), Professor Alexandra Klass, University of Minnesota Law School, will discuss about Eminent Domain Law as Climate Policy.

On Friday, March 12, 2021 at 10:00 am (CST), Professor Joshua Galperin, University of Pittsburgh School of Law, will discuss a topic about 'Uncommon Law: Judging in the Anthropocene' and delve into the comparison of the role of common law judging to private and administrative decision-making.

On Thursday, April 29, 2021 at 10:00 am (CST), Professor Uma Outka, University of Kansas School of Law, will discuss a topic at the intersection of energy law and environmental law which will be provided in due time.

On Wednesday, May 19, 2021 at 10:00 am (CST), Professor Rebecca Bratspie, CUNY School of Law, will discuss about a topic about environmental law which will be provided in due time.

On Thursday, June 17, 2021 at 10:00 am (CST), Professor Lisa Benjamin Lewis & Clark Law School, will discuss about a topic related to Companies and Climate Change, from a comparative perspective in the United Kingdom and United States which will be provided in due time.

On Thursday, October 28, 2021 at 10:00 am (CST), Professor Tibisay Morgandi, Queen Mary University of London, School of Law, will talk about a topic related to international energy law which will be provided in due time.

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