

# The Harvard Environmental Law Review

---

VOLUME 49 • 2025 • NUMBER 1

## Contents

### Articles

- 1 Dismantling the Fortress: Reforming International Conservation  
*John H. Knox*
- 79 Towards a National Transmission Planning Authority  
*Joshua Macey & Elias van Emmerick*
- 149 Conceptualizing U.S. Strategic Climate Rights Litigation  
*Paul Rink*
- 225 Public Trust Principles and Environmental Rights:  
The Hidden Duality of Climate Advocacy and  
the Atmospheric Trust  
*Erin Ryan*

### Student Note

- 345 Chains Don't Float: The Incompatibility of Carceral Logic  
and Environmental Justice  
*Sebastian Miller*

THE HARVARD ENVIRONMENTAL LAW REVIEW  
ADVISORY BOARD

Barry Breen	American University Washington College of Law
Emily M. Broad Leib	Harvard Law School
Karen Florini	Environmental Defense Fund
Jody Freeman	Harvard Law School
Jacob E. Gersen	Harvard Law School
Kate Konschnik	Harvard Law School
Andrew Mergen	Harvard Law School
Richard Lazarus	Harvard Law School
James P. Leape	Stanford University
Amanda Leiter	American University Washington College of Law
Edward M. Norton	TPG Capital and Conservation Lands Foundation
Zygmunt J.B. Plater	Boston College Law School
James Salzman	UCLA School of Law
Kristen A. Stilt	Harvard Law School
Cass R. Sunstein	Harvard Law School
A. Dan Tarlock	Chicago-Kent College of Law

# The Harvard Environmental Law Review

---

VOLUME 49 • 2025 • NUMBER 1

*Editors-in-Chief*

Jonathan Chan & Lisa Shakhnazaryan

*Managing Editors*

Isaiah Bennett  
Lisa Campbell  
Cameron Dehmlow Dunne

Everest Fang  
Kirsten Flinn  
Kayla Hollingsworth

Ethan McKenzie  
Grant Pace

*Article Editors*

Joe Beck  
Max Bradley  
Hannah Frater

Elena Ivanova  
Aaron Kleiner  
Logan Malik  
Paneez Oliai

Asa Scott  
Emily Spector  
Kevin Williams

*Technical Editors*

Griffin Lessell  
Madison Onsager

Riley Pfaff  
Kristina Strommer

Spencer Weiser

*Staff*

Madeline Cargill  
Dan Cohen  
Charlotte Dierickx-Visschers  
Hila Eitam  
Miriam Engel  
Liz Feltner  
Delano Franklin  
Annika Goldman  
Billy Hasley  
Jonathan Hostottle  
Biyuan Hu

Ben Hurley  
Rebecca Isaacson  
William Johnson  
Hyun Jo Kim  
Justin King  
Malika Kounkourou  
Katie Kraska  
Eric Krebs  
Kyup Lee  
Amber Magnuson  
Joshu Majima

Anna McDougall  
David Niedzwicki  
Claire Parish  
Aaron Salzman  
Alex Siegenthaler  
Daniel Sorkin  
Hanna Tuomi  
Wan Young Shin  
Rebecca Stryer  
Carson Whitesell

**Harvard Environmental Law Review**  
Harvard Law School  
Caspersen Student Center, Suite 3039  
1585 Massachusetts Avenue  
Cambridge, MA 02138  
hlselr@mail.law.harvard.edu  
harvardelr.com

The *Harvard Environmental Law Review* is published semiannually by Harvard Law School students. Views expressed in *HELRL* are those of the authors and do not necessarily reflect the views of its members.

**Editorial Policy:** *HELRL* publishes articles by academics, practitioners, and policy-makers on a broad range of topics related to environmental law, including administrative law, climate change, energy, environmental justice, food law and policy, land use, natural resources, pollution control, property rights, and wildlife.

**Submissions:** The editors welcome comments on and criticism of present and past volumes. The editors also welcome the submission of articles for publication. Authors interested in submitting manuscripts should consult *HELRL*'s website for current formatting requirements and submission instructions.

**Subscriptions:** Subscription rates for the 2023 volume (Volume 47) are \$42 USD domestic; \$52 USD international (including Canada). All correspondence concerning subscriptions should be addressed to the Harvard Law School's Office of Community Engagement, Equity, and Belonging (CEEB), Wasserstein Hall (WCC), Suite 3039, 1585 Massachusetts Avenue, Cambridge, MA 02138; Phone: +1(617)496-2573; Email: [ceeb@law.harvard.edu](mailto:ceeb@law.harvard.edu); Website: <https://hls.harvard.edu/dept/ceeb>. Please note, subscriptions for 2023 have now closed. For information about past volumes (including Volume 46), please contact William S. Hein & Co., Phone: +1(716)882-2600; Email: [customerservice@wshein.com](mailto:customerservice@wshein.com); Website: <https://www.wshein.com/>.

**Back Issues:** Back issues may be ordered directly from William S. Hein & Co., Inc., 2350 North Forest Road, Getzville, NY 14068. Orders may also be placed by calling Hein at +1(800)828-7571, via fax at +1(716)883-8100, or e-mail to [order@wshein.com](mailto:order@wshein.com). Back issues can also be found in electronic format for all your research needs on HeinOnline: <http://heinonline.org>.

**Permission to Copy:** The articles in this issue may be reproduced and distributed, in whole or in part, by nonprofit institutions for educational purposes including distribution to students, provided that the copies are distributed at or below cost and identify the author, the *Harvard Environmental Law Review*, the volume, the number of the first page, and the year of the article's publication.