

## TULANE LAW CLINICS: ENVIRONMENTAL LAW



*Clinic staffers include Lisa Jordan, Mabelle Hall, May Nguyen, Adam Babich, Linda Swanner, Elizabeth Calderon and Corinne Van Dalen.*

### Tulane Environmental Law Clinic

is a public-interest law firm that each semester trains up to 26 students to practice environmental law by providing free legal representation. The Louisiana Supreme Court and the U.S. District Courts in Louisiana have adopted “student practice” rules that authorize clinic students to appear, argue and present witnesses. The authorization is a privilege, and student-attorneys have a responsibility to provide zealous, diligent representation that meets the highest professional behavior standards.

### Our mission

- Train** effective and ethical lawyers by guiding law students through actual client representation.
- Expand** access to the legal system, especially for those who could not otherwise afford competent legal help on environmental issues.
- Bolster** community members’ capacity to participate effectively in decisions about their environment.

### Examples of client services

- Litigating** environmental “citizen suits” to abate industrial pollution on behalf of clients.
- Submitting** administrative comments to express clients’ concerns about proposed government approval of permits and projects.
- Appealing** permits for environmental pollution or destruction of wetlands on behalf of clients.
- Challenging** agency regulations that clients believe fall short of legislative mandates.



*Student-attorneys in the Environmental Law Clinic are sworn in at the Louisiana Supreme Court and practice under faculty guidance and supervision.*



Clinic Director: Adam Babich  
More information: [www.tulane.edu/~telc](http://www.tulane.edu/~telc)

# Recent accomplishments

### School district drops plan to relocate high school students to site of toxic waste dump:

On Oct. 21, 2015, Louisiana's Recovery School District dropped a controversial plan to move students, teachers and staff from the existing Cohen High School building to a new school on the site of a toxic waste dump. Along with Monique Harden of Advocates for Environmental Human Rights, the clinic represented the Walter L. Cohen Alumni Association and Sierra Club in challenging the move. Their Notice Intent to File Suit under the Resource Conservation and Recovery Act led to discussions between the Recovery School District and the alumni association.

### Fishing Management Amendment Upheld:

On Jan. 5, 2016, a U.S. District Court upheld Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico under the Magnuson-Stevens Act. Amendment 40 benefits

members of the Charter Fisherman's Association by enhancing protection of the overfished red snapper and by providing for an equitable division of the quota for

the recreational sector of the fishery between federally permitted charter boats and private anglers. The clinic represented CFA, which intervened to defend the government's promulgation of Amendment 40.

**EPA disapproves Louisiana's 2014 Clean Water Act impaired waters list:** On July 21, 2015, because of comments that student-attorneys filed on behalf

of the Gulf Restoration Network, Louisiana Environmental Action Network, Lower Mississippi Riverkeeper and Sierra Club, Delta Chapter, the Environmental Protection Agency disapproved Louisiana's 2014 list of impaired waters submitted under the Clean Water Act. Louisiana had removed dozens of locations from the list, but the EPA determined that the nearshore waters of the Gulf of Mexico were impaired because of dissolved oxygen due to the Dead Zone, and the agency restored 40 other waterbodies that the clinic's clients said Louisiana had improperly delisted.

## Clients

The clinic represents individuals, community groups and environmental organizations seeking to enforce the rule of law. They have included:

Atchafalaya Basinkeeper  
Christian Ministers Missionary Baptist  
Association of Plaquemines Parish  
Concerned Citizens of Belle River  
Galveston Baykeeper  
Gulf Restoration Network  
Lake Pontchartrain Basin Foundation  
Little Tchefuncte River Association  
Louisiana Audubon Council  
Louisiana Bayoukeeper  
Louisiana Crawfish Producers Association – West  
Louisiana Environmental Action Network  
Lower Mississippi Riverkeeper  
Orleans Audubon Society  
RESTORE  
Save Lake Peigneur Inc.  
Sierra Club  
Town of Abita Springs

"I am just a small business owner, and you can't understand how much we appreciate all you guys have done for us. Win or lose, your arguments were sound and on-point, and we were extremely lucky to have you on our side."

–Capt. Eric Mahoney  
Daisy Mae Fishing Company



LAW SCHOOL

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