



The Environment, Energy
& Natural Resources Center

University of Houston
Law Center



Fall 2025 Newsletter

Hello from the Co-Directors of the University of Houston Law Center's Environment, Energy, and Natural Resource (EENR) Center



Welcome to our update on the latest happenings at the EENR Center from the University of Houston Law Center. From the Center's vantage in the nation's Energy Capitol, we often get a preview of the emerging legal issues that will drive the energy and environmental future.

Avulsive changes in federal and state policies on energy and environmental protection necessarily have an outside impact in Houston and Texas. When the Trump Administration unleashed a record-shattering number of executive orders and revisions to rulemaking procedures in early 2025, for example, it focused on energy and environmental law as the front line for sweeping change. These first broadsides included, of course, the declaration of national energy emergency that justified fundamental changes to permitting and environmental reviews that swept through Houston's energy sector.

The withdrawal of the United States from the Paris Agreement also arose principally from the current Administration's energy policies – namely, its desire for national energy dominance and promotion of fossil fuels – and its sweeping use of tariffs and deal-making as a substitute for negotiated treaties, international agreements and customary norms.

Beyond executive branch actions, the judiciary has also joined the fray. The U.S. Supreme Court this year ratcheted up the staccato tempo of change by upending its long-standing precedents and norms that had governed statutory interpretation and deference to agency actions for decades. Unsurprisingly, the first cases to use the new legal standards dealt with environmental protection (*Loper-Bright v. Raimondo*'s reversal of the Chevron doctrine) and energy policy (*Seven Counties Infrastructure*'s truncation of NEPA review for natural gas and oil pipeline approvals).

This Mephisto waltz of policy destabilization will almost certainly continue for the next few years, and energy and environmental law will remain at the top of the dance card. Here in Houston, we look forward to continuing our Center's work on these issues and bringing the scholarship of our faculty and students to your attention and continuing to join the national debate.

Co-Directors



Tracy Hester



Gina S. Warren

Houston's Energy & Environmental Landscape



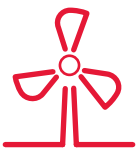
The Energy Capital of the World Reinvented: Tesla to Build Megapack Facility Near Houston: Tesla has announced plans to build a Megapack battery factory in Brookshire (Waller County), just outside Houston, with local authorities approving a tax-abatement deal to support the development. The planned facility would employ up to 1,500 people by its third year and house roughly \$150 million in manufacturing equipment along with \$44 million in site improvements. Tesla's megapacks are large-scale battery storage units designed to stabilize the grid during peak demand. This "Megafactory" would mark Tesla's first such facility in Texas and adds a significant manufacturing anchor for battery/energy storage in the Houston region. [Learn more here.](#)



Gulf Coast Hydrogen Hub Launches with \$1.2 Billion Federal Support: In late 2024, the U.S. Department of Energy and the HyVelocity consortium launched the Gulf Coast Hydrogen Hub, committing up to \$1.2 billion in federal funding to accelerate low-carbon hydrogen production along the Texas Gulf Coast. This initiative aims to slash carbon emissions by about 7 million metric tons annually, while creating tens of thousands of jobs. With new hydrogen pipelines, storage, and production facilities planned, Houston solidifies its role as a global leader in clean hydrogen innovation. [Learn more here.](#)



Houston Breaks Ground on 160 MW Grid-Scale Battery Project: In May 2025, SMT Energy, CenterPoint Energy, and Irby Construction broke ground on SMT Houston IV, a 160 MW/320 MWh battery energy storage system (BESS) within the ERCOT grid. Backed by \$135 million in financing, this project will provide critical grid stability, store renewable energy, and enhance resilience against power disruptions. The facility represents one of the largest standalone battery projects in the Houston area. [Learn more here.](#)



Offshore Wind Uncertainty as BOEM Rescinds Gulf Wind Areas: In late July 2025, the Bureau of Ocean Energy Management (BOEM) rescinded all designated Wind Energy Areas (WEAs) on the Outer Continental Shelf, including those off the Texas Gulf Coast. This sudden reversal affects over 3.5 million acres previously earmarked for offshore wind development. The move reshapes the Gulf Coast's renewable energy outlook, creating uncertainty for developers and local supply chains while sparking new legal and policy debates about the future of offshore wind in Texas.

Houston's Energy & Environmental Landscape (cont)



Texas Supreme Court Confirms Surface Owner Pore-Space Rights: In *Myers-Woodward, LLC v. Underground Services Markham, LLC* (decided May 16, 2025), the Texas Supreme Court ruled that, unless stated otherwise by contract, the surface owner—not the mineral owner—controls rights to empty subsurface pore space created during mineral extraction. This landmark decision clarifies ownership for carbon capture and storage (CCS) projects, ensuring that surface owners hold critical leverage in negotiations for underground CO₂ storage rights. [Read full opinion and analysis here.](#)



U.S. Supreme Court Upholds NRC Licensing Authority in *NRC v. Texas*: On June 18, 2025, the U.S. Supreme Court issued a 6–3 decision in *Nuclear Regulatory Commission v. Texas*, reversing a Fifth Circuit ruling and restoring the Nuclear Regulatory Commission's license for the Interim Storage Partners (ISP) facility in Andrews County, Texas. The Court held that Texas and Fasken Land and Minerals lacked standing under the Hobbs Act because they had not been formal parties to the NRC's licensing proceeding, and thus could not judicially challenge the license. The decision does not resolve the substantive question of whether the NRC has statutory authority to license private, standalone nuclear waste storage sites, but the majority's procedural ruling bolsters federal regulatory control over nuclear waste infrastructure. [Read full opinion and analysis here.](#)



Texas Advances Toward Class VI Primacy for Carbon Storage Wells: On June 9, 2025, the EPA proposed granting Texas “primacy” authority over Class VI underground injection wells used for CO₂ sequestration. Once finalized, this would allow the Railroad Commission of Texas to issue and enforce permits directly, significantly reducing regulatory delays for CCS projects. Texas would join a select group of states with primacy, positioning itself at the forefront of carbon capture deployment and climate infrastructure investment. [Learn more here.](#)



Texas Updates Oil and Gas Waste Management Regulations: After four decades, Texas updated its oil and gas waste management rules last January. The Railroad Commission adopted new regulations covering various types of waste from oil and gas operations, including drilling byproducts, geothermal, carbon sequestration, and brine mining wells. These changes modernize the design, construction, operation, monitoring, and closure requirements of waste management units, aiming to enhance oversight and environmental protection. [Learn more here.](#)

New Faculty to the EENR Center

We are thrilled to welcome a new scholar to the EENR Center and as an Assistant Professor at the University of Houston Law Center! Along with other scholars, the new scholar brings diverse expertise in energy law, environmental law, taxation and sustainability. She is committed to making significant contributions to scholarship, teaching, and upcoming events at EENR.



Rita Julien, joining from NYU School of Law, where she was a Visiting Assistant Professor of Tax Law. At NYU, she taught Taxation of Property Transactions, focusing on the federal income tax implications of investment and business transactions, and Tax Policy, examining the intersections between taxation and sustainability.

Her research has focused on international taxation, including tax treaties, tax law in the European Union, and reform efforts addressing base erosion and profit shifting. She also researches efforts to achieve the UN Sustainable Development Goals, particularly the intersection of tax law and measures to counteract illicit financial flows. As part of the Global Tax Policy Center's Tax Transparency and Corruption Project, in association with the World Bank, United Nations Office on Drugs and Crime (UNODC), and the African Tax

Institute (ATI), she has worked extensively on Unexplained Wealth Order laws, studying the role of tax authorities and the parallels with certain tax investigation techniques.

She earned her doctoral degree in business law at WU, where she was awarded the 2020 European Doctoral Tax Thesis Award, jointly presented by the EATLP and the European Commission, as well as a Wolfgang Gassner Science Prize. She obtained an LL.M. in Taxation from Georgetown Law, where she was a Graduate Tax Scholar, and an LL.M. from the University of Luxembourg's Faculty of Law, Economics, and Finance, specializing in European and International Tax Law. Previously, as a Teaching and Research Associate at WU's Institute for Austrian and International Tax Law, she taught courses and seminars on topics such as dividends and interest under tax treaties, methods for the elimination of double taxation, and Austrian tax law. She continues to teach an annual course in the LL.M. program in International Tax Law in Vienna. In 2022, she was awarded the Thomas Bradbury Chetwood, S.J. Prize in Taxation from Georgetown Law.

Faculty Publication Highlights

As always, all EENR-affiliated faculty have been busy with their own scholarship. Below are just a few of the most recent publication highlights. For a full review of scholarship and faculty activities, visit us here.



Chinonso Anozie

Assistant Professor of Law
Presidential Frontier Faculty

- *Climate Change Disputes: The United States Perspective*, 2025-10 Found. for Nat. Resources & Energy 32 (2025).
- *Left Behind: Funding Climate Action in the Global South*, 11 TEX. A&M L. REV. 333 (2024).



Darren Bush

Leonard B. Rosenberg College
Professor of Law

- *Breaking Up Bottlenecks in Big Tech and Everywhere Else: Two Remedies That Keep Your Packages Arriving in Two Days*, 76 U.C.L.J. 305 (2025) (with Peter Carstensen).
- *The Loper Bright Two-Step: A Reply and Comment to Professor Savitz*, 23 U.N.H. L. Rev. 227 (2025).
- *Antitrust's Normative Economic Theory Needs a Reboot*, 54 Int'l J. Pol. Econ. 1 (2025) (with Mark Glick & Gabriel A. Lozada) (peer-reviewed).



Julian Cardenas Garcia

Research Assistant Professor
Director, Center for U.S. and Mexican Law

- *The Transnational Practice of Petroleum Law*, HOUSTON JOURNAL OF INTERNATIONAL LAW (2024).
- *El desarrollo y protección legal de inversiones de litio en América Latina*, in *Energía 2050*, VOL. 2. TIRANT LO BLANCH, MEXICO (forthcoming 2024).



Qaraman Hasan

Research Scholar

- *From Federal Permitting to Primacy: Balancing Environmental Protection and Climate Policy Objectives*, 50 Harv. Envtl. L. Rev.(forthcoming 2026)
- *Beyond Just Transition: Advancing Responsible and Rights-Based Business Practices in the Energy and Extractives Sector*, 10 Bus. & Hum. Rts. J. 1 (2025) (with Damilola Olawuyi, Claire Bright & Samentha Goethals).
- *Gendered Impacts of Oil Price Shocks: Analyzing Women's Labor Force Participation in Petrostates*, 126 Energy Rsch. & Soc. Sci. 104134 (2025) (with Soran Mohtadi, Brian Blankenship, Indra Overland, Stella Tsani & Johannes Urpelainen).

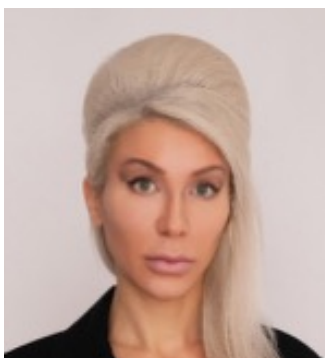


Tracy Hester

Instructional Professor

Co-Director, Environment, Energy & Natural Resources Center

- *A Review of Additive Usage in Polymer Manufacturing: Case Study Phenolic Antioxidants*, Cambridge Prisms: Plastics, Dec. 6, 2024, at 1-20 (with Derek Orndoff, et al.).
- *Spinning Off Carbon: Corporate Restructuring in a Climate Bankrupt World*, 32 N.Y.U. Env't L.J. 339 (2024)



Rita Julien

Mary Ann & Lawrence E. Faust Professor of Law

Founding Director, Initiative on Global Law and Policy for the Americas

- *Tax Law as an Indirect Criminal Enforcement Mechanism: The Limits of the "Capone" Strategy and the Emergence of Unexplained Wealth Orders*, 79 Tax Law Rev. (forthcoming 2025).

Faculty Publication Highlights (cont)



Elizabeth Trujillo

Mary Ann & Lawrence E. Faust Professor of Law

Founding Director, Initiative on Global Law and Policy for the Americas

- *Elizabeth Trujillo, Preserving Environmental Justice in Trade*, 29 Harv. Latin Am. L. Rev. (forthcoming 2026).
- *The USMCA and the Environment: Setting Trends for Global and Regional Trade* in THE FUTURE OF TRADE: A NORTH AMERICAN PERSPECTIVE, David A. Gantz and Tony Payan, eds. (Cheltenham: Edward Elgar, 2023)



Gina S. Warren

A.L. O'Quinn Chair in Environmental Studies

Co-Director, Environment, Energy & Natural Resources Center

- *The Chronic Growing Problem: Environmental and Social Justice Concerns with Indoor Cannabis Grows*, 45 CARDOZO L. REV. 1901 (2024).
- *Where We Live Matters: Achieving Energy Justice Through Affordable Housing*, 35 FORDHAM ENV'T'L L. REV. 1 (2023) (with Isabel Huntsman).



Bret Wells

John Mixon Chair

Director, Tax Program

- *Federal Income Taxation of Business Organizations* (Foundation Press 7th ed., 2025) (with Charlene D. Luke, Martin J. McMahon, Jr. & Daniel L. Simmons).
- *International Taxation: U.S. Taxation of Foreign Persons and Foreign Income* (Wolters Kluwer 6th ed., 2025 update) (with Joseph Isenbergh).



Denney Wright

Professor of Practice

- Denney L. Wright and Julie M. Chapel, 512-2nd T.M., Tax Incentives for Production and Conservation of Energy and Natural Resources (2022-23 update).



Kellen Zale

Associate Professor of Law

Baker Botts LLP Professor in Law

- Neighbors Without Notice, 59 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 339 (WITH SARAH SCHINDLER) (2024).
- The Anti-Tenancy Doctrine, 171 U. PENN. L. REV. 267 (2023) (with Sarah Schindler).

Faculty Highlights

Below are a few of our recent EENR faculty highlights. For more information, please visit us [here](#)



Professor Gina S. Warren, Professor of Law A.L. O'Quinn Chair in Environmental Studies Co-Director, EENR was honored as the 2025 Professor of the Year by the University of Houston Law Center's Student Bar Association, recognizing her commitment to student success, impactful teaching and mentorship. Professor Warren is a consistent favorite among students, being noted as a mentor by many. [Learn More Here](#)



Professor Chinonso T. Anozie was a featured participant at the Foundation for Natural Resources & Energy Law's (FNREL) Special Institute on International Mining and Energy Law, Development, and Investment in Lima, Peru, April 2-4. He presented at the Annual Aspen Leading Edge Conference on July 10-12. Professor Anozie was selected to workshop with other scholars at the invitation-only forum for leaders and thinkers on the future of legal education. He also gave a presentation, "Beyond the Ideology of Renewables," at Case Western Reserve University at the 2nd Burke Environmental Law Center Junior Scholars Conference in July.



UHLC Expert and Research Scholar, Dr. Qaraman Hasan Explores Human Rights at the Core of Energy Transition. Dr. Hasan recently co-edited an issue of the Business and Human Rights Journal, which is a part of the Cambridge University Press. The issue also features an editorial article written by Dr. Hasan and a group of academic experts assessing the fairness of transition narratives in the energy and extractives sector. The issue included more than a dozen scholarly articles and developments in the field from scholars in both developing and developed worlds, with a broad geographical range and gender focus. [Learn More Here](#)



Professor Tracy Hester, Co-Director, Environment, Energy and Natural Resources Law Center and the Founding Co-Director, University of Houston Center for Carbon Management in Energy, was elected as President of the American College of Environmental Lawyers on November 8, 2024 at its annual conference in Houston, Texas. Professor Hester is the first academic to hold that post for the College. Professor Hester's article, "Can Counselors Be Complicit?" for The Environmental Forum (Nov/Dec 2024), which discusses the potential responsibility of attorneys for their clients' greenhouse gas emissions, was the issue's cover article. On November 27, Professor Hester joined.



Professor Elizabeth Trujillo, who was a Fernand Braudel Fellow at the European University Institute Law Department during Spring 2025, presented in May her working draft, "Democratic Bargaining in Trade: Environmental Justice in Trade," at the World Trade Institute (WTI) in Bern, Switzerland. The WTI interviewed Professor Trujillo and wrote an article for the WTI newsletter and website on what motivates her work on trade, sustainability, and social policy making as they relate to the Americas. In June, Professor Trujillo presented a workshop entitled, "Deep Trade Models: Can Fragmentation in International Economic Law Assist in Preserving Local Social Policy Goals for Sustainable Development?" at the European University Institute. This event was sponsored by the EUI Working Groups on Environmental Law and Governance and International Economic Law. [Learn more here.](#)

Conference Highlights

Below are a few of our recent EENR conference highlights. For more information, please visit us [here](#).



7th Annual Denney L. Wright International Energy Tax Conference and the 25th Annual Houston Business and Tax Law Journal Symposium, "International Energy Investment Challenges," February 28, 2025.

EENR faculty, Denney Wright and the Houston Business and Tax Law Journal hosted the 7th Annual Denney L. Wright International Energy Tax Conference. The all-day conference included panels on investment, taxes, and implications in the U.S and other countries worldwide. The conference featured a comparative discussion on clean energy tax and policy transitions affecting investments in Canada, Mexico, and the U.S. Topics also included energy investment challenges in South America and Africa, dispute resolution, updates on the U.S. Inflation Reduction Act, and the implications of international tax developments and sanctions in the energy sector. More about the conference [here](#).



9th Annual North American Environment, Energy, and Natural Resources Conference, “Rewiring the Future: How Technology, Policy, and Investment Are Empowering the New Electricity Era,” April 17, 2025.

Industry leaders, lawyers, policymakers, and academics came together for the ‘Rewiring the Future: How Technology, Policy, and Investment are Empowering the New Electricity Era’ event. Keynote speakers offered an overview of the sector from a federal and state perspective, while two panel discussions provided on-the-ground assessments of current conditions. Tariffs levied by the current administration, including taxes of more than 100% on imports from China, were a main topic of discussion.

The conference was co-sponsored by Blank Rome, EENR, U.H. Energy, (Professor Gina S. Warren) and Ms. Susan Bickley. [More about the conference here.](#)

Conference Highlights (cont)



Navigating Uncertainty: The End of the Chevron Doctrine and Its Implications, September 10, 2024.

EENR faculty Professor Tracy Hester, Professor Darren Bush, and Professor Gina Warren, along with other UHLC professors, examined the Supreme Court's decision in *Loper Bright Enterprises v. Raimondo* at a recent C.L.E. event. The ruling effectively overturned the Chevron Doctrine, transferring the power of statutory interpretation from federal agencies to the courts. The panel discussed the resulting uncertainties in federal regulation and enforcement, highlighting significant changes in how laws will be interpreted and applied. More information about the conference [here](#).

Student Corner



- **Savannah Witte**, AIEN Annual Scholarship Award

April 7, 2025, UHLC Student Savannah Witte Wins Global AIEN Student Writing Competition. Savannah Witte, a third-year student at the University of Houston Law Center, won the top prize in the prestigious Association of International Energy Negotiators' annual Student Writing Competition.



- **George R. Buckley**: 2nd Annual EENR Student Scholarship Award

“America the Sustainable: FERC’s Ability to Support Clean Energy Questioned in the Wake of Shifting Agency Authority”

This \$10,000 scholarship is given annually to a Law Center student who has written the best research paper on environmental, energy, and natural resources law.

Donors: EENR Center, Blank Rome, Susan Bickley, & Professor Gina Warren.

Our Webinar Series

This past year has been nothing short of inspiring at the University of Houston Law Center's Environment, Energy, and Natural Resources (EENR) Center! We've hosted more than a dozen lively webinars on some of the nation's most pressing issues in environmental law, energy, and climate change—each drawing 200 to 300 participants (and sometimes well over 300). From students and faculty to lawyers, policymakers, and community leaders, these conversations bring people together to tackle challenges and explore real-world solutions. We're proud to keep building this bridge between experts and communities, creating a space where ideas, collaboration, and innovation truly come alive.

More details about our previous webinars are available at the following links:

- EENR Lecture Legal Expert Advocates for Transforming Energy Systems to Build a Better Future
- Legal Expert Says Weakening of Environmental Reviews is Accelerating Climate Concerns at EENR webinar
- Energy Law Expert James Coleman Says Carbon Storage is Vital for Addressing Climate Risks at UH Law Webinar
- Guest Lecturer Noah Sachs Delves into Rights of Nature vs. Human Needs at UH Law Webinar
- UH Law Webinar Highlights Ongoing Criminalization of People Displaced by Extreme Weather Events in the U.S.
- Marine Carbon Fixes Hindered by Outdated Environmental Laws, Expert Says at UH Law Webinar
- Expert at UH Law Webinar Says Lack of Legal Help Hurts Disaster Recovery in Rural America

December Webinar

Topic: Artificial Intelligence and Energy Democracy

Date: December 2nd at 1 PM Central Time

Speakers are:



Professor Joel B. Eisen

Robert Merhige Faculty Research Scholar and Professor of Law
School of Law
University of Richmond

And



Professor Heather Payne

Carter C. Kissell Professor in Law
Moritz College of Law
The Ohio State University

January Webinar

Topic: Who Owns the Heat? Property Rights in Geothermal Energy

Date: January 20th at 1 PM Central Time

Speaker: **Professor Gabriel Eckstein**



Professor of Law; Director of the Energy, Environmental, and Natural Resource Systems Law Program;
Director of the Environmental & Natural Resources Systems Clinic,
School of Law
Texas A&M University

Upcoming Events

- 8th Annual Denney L. Wright International Energy Tax Conference and the 26th Annual Houston Business and Tax Law Journal Symposium, “Big Beautiful International Energy Investment,” February 27, 2026. Stay tuned for more details in our upcoming newsletter!

- The 10th Annual North American Environment, Energy, and Natural Resources Conference will be held at the University of Houston Law Center in April 2026. Stay tuned for more details in our upcoming newsletter!



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The University of Houston Law Center is part of a Carnegie-designated Tier One public research university and an EO institution.