About the Contributors

Robert W. Adler is the Interim Dean and the James I. Farr Chair and Distinguished Professor of Law at the University of Utah, S.J. Quinney College of Law. His books include Modern Water Law: Private Property, Public Rights and Environmental Protection (with Craig and Hall, Foundation Press 2013); Restoring Colorado River Ecosystems: A Troubled Sense of Immensity (2007); Environmental Law: A Conceptual and Pragmatic Approach (with Driesen and Engel, 2d ed. 2011); and The Clean Water Act: Twenty Years Later (with Landman and Cameron, 1993). He has represented Utah and national environmental groups in pro bono litigation and served on the boards of local and national organizations and advisory groups, including FRIENDS of Great Salt Lake, Hawkwatch International, and EPA Federal Advisory Committees.

Robert Altenburg is a Senior Energy Analyst with Citizens for Pennsylvania’s Future (PennFuture), where he focuses on promoting policies that lead to improved energy efficiency. Prior to working for PennFuture, he spent 21 years with the Pennsylvania Department of Environmental Protection (DEP), most recently as an Executive Policy Specialist advising the governor’s office and DEP’s executive staff on air pollution and public health issues. He graduated cum laude from the Widener University School of Law.

L. Margaret Barry is the Environmental Law Writer at Arnold & Porter LLP. She was formerly an associate in the environmental client service group at Bryan Cave LLP. She graduated in 2005 from New York University Law School, where she was the editor-in-chief of the New York University Environmental Law Journal.

Erik Beck practiced environmental law as an associate at Nossaman LLP, where he specialized in the review and defense of environmental documents for National Environmental Policy Act and California Environmental Quality Act compliance. Mr. Beck graduated magna cum laude from Chapman University’s Fowler School of Law.

Kyle Danish is a partner of the law firm of Van Ness Feldman, P.C., in the Washington, D.C., office and Coordinator of its Climate Change and Emissions Trading Practice. He advises a range of private and nonprofit clients on environmental and energy matters, with a special focus on corporate climate strategy and emissions trading-related transactions. Mr. Danish is also an adjunct faculty member at American University’s Washington College of Law.
John C. Dernbach is Distinguished Professor of Law at Widener University in Harrisburg, Pennsylvania and co-director of Widener’s Law Center. Professor Dernbach has written on sustainable development, climate change, and other topics in more than 40 articles for law reviews and peer-reviewed journals and has authored, co-authored, or contributed chapters to more than 20 books. He is the principal author of Acting As If Tomorrow Matters: Accelerating the Transition to Sustainability (Environmental Law Institute Press 2012) and the editor of Agenda for a Sustainable America (ELI Press 2009) and Stumbling toward Sustainability (ELI Press 2002). Before taking his teaching position at Widener, Professor Dernbach held a variety of positions at the Pennsylvania Department of Environmental Protection and served most recently as that agency’s policy director.

Zachary Fayne is an associate with Arnold & Porter LLP in Washington, D.C., and is a member of the firm’s environmental and litigation practice groups. He advises clients regarding compliance with numerous federal and state environmental statutes and regulatory schemes, including with respect to the Clean Air Act and Clean Water Act. In addition, he maintains an active civil litigation and enforcement practice. He received his BA from Washington University in St. Louis and his JD from the Harvard Law School.

Emily Hammond is Professor of Law at the George Washington University Law School, where she teaches and writes in the fields of administrative law, energy law, and environmental law. A former civil engineer who practiced in the environmental and water resources fields prior to attending law school, she is a co-author on leading energy law and environmental law textbooks and is published in the Duke Law Journal, the Columbia Law Review, the Michigan Law Review, and the Harvard Environmental Law Review, among others. Professor Hammond is an elected member of the American Law Institute and a member scholar of the Center for Progressive Reform.

J. Kevin Healy is a member of the law firm Bryan Cave LLP, where he represents corporations and public entities in a wide variety of environmental matters. He received his law degree from Fordham University School of Law in 1973. He served in the Enforcement Division of the U.S. Environmental Protection Agency, Region II, and as the general counsel of the New York City Department of Environmental Protection. Mr. Healy has served as co-chair of the Global Climate Change Subcommittee of the New York State Bar Association Environmental Law Section since 1992 and was a member of Governor Pataki’s Climate Change Task Force.

David R. Hodas is Professor of Law and the H. Albert Young Fellow in Constitutional Law at Widener University School of Law (Delaware). He earned a BA cum laude and with honors on political science from Williams College in 1973; a JD cum laude from Boston University School of Law in 1976; and an LLM in environmental
law from Pace University School of Law in 1989, where he was the Feldshuh Fellow. Professor Hodas is an editor of the *IUCN Academy of Environmental Law E-Journal*, co-authored *Climate Change Law: Mitigation and Adaptation* (West 2009), is a member of the IUCN Environmental Law Commission and its Energy Law and Climate Change Specialists Group, and served on the ABA Standing Committee on Environmental Law from 2001 to 2006.

**Robert Horton** is Senior Deputy General Counsel for the Metropolitan Water District of Southern California, a wholesale water agency that serves a population of 19 million in a 5,200-square-mile area. He specializes in environmental compliance and litigation under NEPA, CEQA, the Endangered Species Act, the Clean Water Act, and other environmental laws. Prior to joining the water district, he was an associate and partner with Nossaman LLP, where he helped public entities and private clients obtain and defend environmental permits and land use approvals, including permits for major public rail and highway projects. He received his BA from the University of Miami, his PhD from the University of Wisconsin-Madison, and his JD from UCLA.

**Blake Hudson** holds a joint appointment as Associate Professor with both the LSU Law Center and the LSU School of the Coast and Environment in Baton Rouge, Louisiana. He teaches courses for both law students and graduate students in Environmental Law, Natural Resources Law & Policy, International Environmental Law, and Ocean and Coastal Law & Policy. Before joining LSU he was Assistant Professor of Law at Stetson University College of Law. Prior to entering academia, he worked in the environmental law practice at the firm of Baker Botts in Houston, Texas. He graduated with high honors from Duke University School of Law in 2007 and also received a master’s degree in Environmental Science and Policy from Duke’s Nicholas School of the Environment.

**David Hunter** is Professor of Law, Director of the International Legal Studies Program, and Director of the Program on International and Comparative Environmental Law at American University’s Washington College of Law. He serves on the boards of directors of the Bank Information Center, Environmental Law Alliance Worldwide-U.S., EarthRights International, and the Project on Government Oversight (chair) and is a board member and member scholar of the Center for Progressive Reform. He is also a member of the Organization of American States’ Expert Group on Environmental Law, the Steering Committee of the IUCN World Commission on Environmental Law, and the Strategic Group for the International Finance Corporation’s Compliance Advisor/Ombudsman’s Office.

**Thomas Hutton** is an associate with the Washington, D.C., office of Van Ness Feldman, LLP, where he serves in the firm’s electric practice. Mr. Hutton advises a variety of power industry clients, as well as a major Department of Energy advanced
power project. He clerked for the Hon. Judge Irma S. Raker, retired from the Court of Appeals of Maryland, and for the Hon. Judge Richard D. Cudahy of the U.S. Court of Appeals for the Seventh Circuit, an energy scholar and formerly a Commissioner of the Wisconsin Public Service Commission. Mr. Hutton received his JD from Harvard Law School and his BA from Tulane University.

**Wendy B. Jacobs** is Clinical Professor and Director of the Emmett Environmental Law and Policy Clinic at Harvard Law School. In the Clinic, she and her students work on a variety of complex environmental law and policy projects focusing on renewable energy, sea-level rise, regional stormwater management, and other aspects of climate change adaptation, sustainable aquaculture, hydraulic fracturing, carbon capture and sequestration, mountaintop removal mining, and improved oversight and management of offshore drilling. Prior to joining Harvard Law School, Ms. Jacobs practiced administrative and environmental law as a partner in the Boston law firm Foley Hoag LLP for nearly 20 years, and before that as an appellate attorney and special litigator for the U.S. Department of Justice in its Environment Division in Washington, D.C. Ms. Jacobs received her JD with honors in 1981 from Harvard Law School, where she was an editor of the *Harvard Law Review*.

**Christopher Jaros** is an associate with Arnold & Porter LLP in Washington, D.C., and is a member of the firm’s environmental and litigation practice groups. He advises clients regarding compliance and strategic decision-making related to numerous federal and state environmental statutes and regulatory regimes, including with respect to the Clean Air Act and Clean Water Act. In addition, he maintains an active civil litigation practice. He received his AB from Brown University and his JD from the University of Virginia School of Law.

**Kate Konschnik** is Director of Harvard Law School’s Environmental Policy Initiative, providing legal analysis to state and federal decision-makers tackling environmental, climate, and energy policy issues. Prior to assuming this role in August of 2012, she was Chief Environmental Counsel to U.S. Sen. Sheldon Whitehouse (D-R.I.) and directed his staff on the Senate Environment and Public Works Oversight Subcommittee. Previously, Ms. Konschnik served as a trial attorney in the U.S. Department of Justice’s Environment and Natural Resources Division, Environmental Enforcement Section. She holds a BA from Tufts University and a JD from the University of California, Hastings College of the Law, where she graduated cum laude.

**Albert C. Lin** is Professor of Law at the University of California, Davis School of Law. Professor Lin specializes in environmental and natural resources law and is the author of *Prometheus Reimagined: Technology, Environment, and Law in the 21st Century* (2013). He received his JD from the University of California, Berkeley School of Law and an M.P.P. from the Kennedy School of Government.
David L. Markell is the Steven M. Goldstein Professor and Associate Dean for Environmental Programs, Florida State University College of Law. He serves on EPA’s National Advisory Committee for the NAFTA Environmental Commission and on the State of Florida’s Statewide Community Resiliency Focus Group and its Building Resilience Against Climate Effects (BRACE) Technical Advisory Group. He has worked with the NAFTA Environmental Commission, the New York Department of Environmental Conservation, the Department of Justice’s Environmental Enforcement Section, and U.S. EPA Region 1. He is a graduate of the University of Virginia School of Law and Brandeis University.

Jonathan Martel is a partner at Arnold & Porter LLP. His practice concentrates on air emissions matters, environmental litigation, and counseling. Mr. Martel’s recent work includes representation of electric utilities, consumer products, automotive, nonroad equipment, and other diversified manufacturers in Clean Air Act regulatory, permitting, and enforcement matters, as well as other environmental litigation and regulatory matters. He rejoined Arnold & Porter’s Washington, D.C., office in 1994 after serving for three years at the Office of General Counsel of the U.S. Environmental Protection Agency.

Lesley K. McAllister is Professor of Law at the University of California, Davis School of Law. Her scholarship focuses on innovative regulatory approaches for environmental protection, including cap-and-trade regulation, public-private governance, and citizen enforcement. She is a member scholar of the Center for Progressive Reform and has served as a consultant to the Administrative Conference of the United States. She earned a BSE in civil engineering and public policy from Princeton University, a JD from Stanford Law School, and a PhD from the Energy and Resources Group at UC Berkeley.

Matthew Morreale is a partner in Cravath, Swaine & Moore LLP and is in charge of its environmental practice. His practice focuses on addressing environmental risks in connection with business transactions, including mergers and acquisitions, public and private offerings of securities, and acquisition and other financing matters, as well as advising clients on environmental regulatory, litigation, and investigatory matters. He is a member of the adjunct faculty of both Columbia Law School and Cardozo School of Law, where he teaches environmental concerns in corporate transactions. He also was the senior articles and notes editor of the Columbia Journal of Environmental Law and now serves on its board of directors.

John R. Nolon is Professor of Law and Counsel to the Land Use Law Center at Pace Law School. He has been Visiting Professor for Land Use Policy at Yale’s School of Forestry and Environmental Studies since 2001, where he has developed a suite of five land use courses, including a clinic. Professor Nolon is co-author of two Nutshells for Thomson/West: one on Land Use Law and the other on Climate Change and...
Sustainable Development Law; he is co-author of a law school casebook on Land Use and Sustainable Development Law, also published by West. Professor Nolon is a graduate of the University of Michigan Law School, recipient of the American Planning Association's 2009 annual award for planning advocacy, and author of over a dozen recent articles on land use law and various aspects of sustainable development.

Dave Owen is Professor of Law at the University of Maine School of Law, where he teaches courses in environmental, natural resources, and administrative law and serves as the associate dean for research. Before teaching, he practiced environmental and water law with a boutique firm in San Francisco. Before law school, he worked as a geologist and auditor for an environmental consulting firm. He earned his BA from Amherst College and his JD from the University of California (Berkeley).

Jim Rossi is Professor of Law at Vanderbilt University. He teaches courses on Energy Law, Renewable Energy, and Administrative Law and is a co-author of a leading energy law casebook, *Energy, Economics and the Environment* (3d ed., Foundation Press 2010). Before teaching he practiced energy law in Washington, D.C., with Sutherland, Asbill & Brennan and Miller, Balis & O’Neil. He holds an LLM from Yale Law School, a JD from the University of Iowa, and a BS from Arizona State University.

J. B. Ruhl is David Daniels Allen Distinguished Chair of Law and Co-Director of the Energy, Environment, and Land Use Program at Vanderbilt Law School. Before joining the Vanderbilt faculty in 2011, he was the Matthews & Hawkins Professor of Property at the Florida State University College of Law, where he had taught since 1999. He has been a visiting professor at Harvard Law School, George Washington University Law School, the University of Texas Law School, Vermont Law School, and Lewis & Clark College of Law. He began his academic career at the Southern Illinois University School of Law, where he taught from 1994 to 1999 and earned his PhD in geography. Before entering the academy, he was a partner with Fulbright & Jaworski (now Norton Rose Fulbright) in Austin, Texas, where he also taught on the adjunct faculty of the University of Texas Law School. He received his JD from the University of Virginia and his LLM in Environmental Law from George Washington University.

John C. Ruple is a Research Associate and Fellow at the S.J. Quinney College of Law’s Wallace Stegner Center for Land, Resources, and the Environment. Mr. Ruple works on public lands, natural resource, and water resource management in the Intermountain West. Prior to joining the Stegner Center, Mr. Ruple served as a policy analyst for Governor Jon Huntsman Jr. of Utah and as an attorney in private practice, where he focused on water rights and land use. He earned his JD at the University of Utah and his MS at Michigan State University.

Shailesh Sahay is an associate in the environmental practice group of Arnold & Porter LLP. His practice spans a range of environmental issues, including large-scale natural
resource damages claims, environmental litigation, chemicals regulation, and clean air law. Aside from his legal experience, Mr. Sahay has a scientific background in risk assessment and atmospheric science. He is a graduate of Harvard Law School and Harvard College.

David B. Spence is Professor of Law, Politics & Regulation at the University of Texas, where he teaches energy law in both the McCombs School of Business and the School of Law. He earned his PhD in political science from Duke University and his JD from the University of North Carolina School of Law. Professor Spence is co-author of the Foundation Press textbook *Energy, Economics and the Environment* (3d ed., 2010) and has published numerous scholarly articles on subjects relating to energy policy, regulation, and the regulatory process in journals such as the *Cornell Law Review*, the *Journal of Legal Studies*, the *University of Pennsylvania Law Review*, *Public Administration Review*, and the *California Law Review*, among others. He is Co-Director of the Energy Management & Innovation Center at the McCombs School.

Eleanor Stein is an administrative law judge for New York State, where she recently presided over Consolidated Edison’s resilience and climate adaptation collaborative. Her other cases include the state’s Energy Efficiency and Renewable Portfolio Standard proceedings. Judge Stein has taught Law of Climate Change: Domestic & Transnational at Albany Law School since 2006 and teaches climate change law for undergraduates at the State University of New York at Albany. She speaks and writes on climate change, human rights, and environmental justice. A former clerk at the New York State Court of Appeals, she holds a JD from the City of New York School of Law and a BA Honours from the University of Manchester, England.

Paul Weiland is chair of the Environment and Land Use Practice Group at Nossaman LLP. He works out of the firm’s Irvine, California, office. His clients include public agencies, corporations, trade associations, nonprofits, and individuals. Previously, he was a trial attorney in the Environment and Natural Resources Division of the U.S. Department of Justice. He holds a JD from Harvard University, where he was editor-in-chief of the *Harvard Environmental Law Review*; a PhD from Indiana University, Bloomington; and a BA from the University of Southern California.

Chris Wold is Professor of Law and Director of the International Environmental Law Project at Lewis & Clark Law School. He is a co-author of *Climate Change and the Law* (2d ed. 2013) and *Trade and the Environment: Law and Policy* (2d ed. 2011), as well as the author of numerous articles on climate change, trade and the environment, international wildlife law, and other topics. He has been providing legal and technical support to the Pacific Island Developing States in the climate change negotiations. He is also of counsel with the Environmental Law Alliance Worldwide–U.S. and a member of the Center for Progressive Reform, the American Society of International Law, and the IUCN’s World Commission on Environmental Law.
Brent Yacobucci is Research Manager of the Energy and Minerals Section of the Congressional Research Service (CRS) in Washington, D.C. Before that, for 13 years he served as a specialist in energy and environmental policy with CRS. He manages and coordinates research on topics such as fossil fuel and renewable energy development, electricity supply, and critical minerals for members of Congress, congressional committees, and their staffs. His research has focused on energy and environmental issues such as biofuels, advanced vehicle technologies, vehicle emissions standards, and climate change legislation. He received his bachelor’s degree in Mechanical Engineering from the Georgia Institute of Technology and his master’s degree in Science, Technology, and Public Policy from the George Washington University. He is a member of the Society of Automotive Engineers and the U.S. Association of Energy Economics.