
About the Editors

Donald Baur is a partner in the Washington, D.C. office of Perkins Coie LLP. He has more than 40 years of experience in environmental, natural resources and wildlife law issues. He previously served as an attorney for the Solicitor's Office of the Department of the Interior and General Counsel of the U.S. Marine Mammal Commission. He has extensive experience on wildlife issues in regulatory and litigation matters for species and habitat conservation issues, working for a wide range of nonprofit, Native American, business, trade association and governmental clients. He has served on the summer faculty of the Vermont Law School since 1998, teaching ocean and coastal law and animal welfare law. He is the editor and author for the ABA books on Ocean and Coastal Law and Policy (2015), and the first and second editions of this treatise on the Endangered Species Act. He is a frequent speaker on ocean law and has published over 50 law review articles on these topics. He serves on the Board of Trustees for the National Marine Sanctuary Foundation and the Shenandoah National Park Trust, and is a member of the Environmental Law Institute's Environmental Leadership Council and its Ocean Program Advisory Council.

Ya-Wei (Jake) Li is the Director for Biodiversity at the Environmental Policy Innovation Center in Washington, D.C., where he specializes in wildlife conservation law, policy, and science. This work covers many aspects of the Endangered Species Act, including section 7 consultations, section 10 permitting, recovery planning, and funding. He works with a wide variety of partners, including industry, universities, federal agencies, congressional offices, and other conservation groups. Before joining the Center, Jake held various positions at Defenders of Wildlife, including as Vice President of Endangered Species Conservation and the Director of the Center for Conservation Innovation. Before joining Defenders, Jake practiced environmental law at Latham & Watkins LLP, where he worked on regulatory counseling and litigation relating to endangered species, air and water contaminants, chemical regulation, and environmental assessments. Jake holds a B.S. from Drexel University and a J.D. from Cornell University Law School. At Cornell, Jake also completed graduate courses in conservation biology and herpetology. He has coauthored over twelve peer-review studies on the performance of the Endangered Species Act and other wildlife laws.

About the Contributors

Preface Authors

Donald J. Barry has spent more than 40 years working on wildlife and public lands conservation issues as a senior government official and a leader in the conservation community. He served as a career staff attorney and chief counsel for the U.S. Fish and Wildlife Service (FWS) and as the assistant secretary for fish and wildlife and parks, overseeing the policies and programs of the National Park Service and FWS. He then worked at nonprofit conservation organizations, holding executive leadership positions at the World Wildlife Fund, The Wilderness Society, Environmental Defense Fund, and Defenders of Wildlife, where he was senior vice president for conservation programs until his retirement in 2016.

Robert Wallace has more than 45 years of experience working in the energy, natural resource, and public land disciplines. In 2019, he was unanimously confirmed by the U.S. Senate to be the assistant secretary of the Interior Department for fish and wildlife and parks, overseeing personnel and policies of the National Park Service and the U.S. Fish and Wildlife Service. Rob began his career as a seasonal park ranger in Grand Teton National Park and since then held positions in a number of private and public sector organizations. Those include assistant director of the National Park Service for congressional affairs, chief of staff to U.S. Senator Malcolm Wallop (R-WY), Republican staff director the U.S. Senate Committee on Energy and Natural Resources, chief of staff to Wyoming governor Jim Geringer, manager of government relations for GE's energy division, and co-founder and president of the Upper Green River Conservancy, a sage grouse habitat mitigation bank in southwestern Wyoming. He earned a BS in petroleum engineering from the University of Texas at Austin and lives in Jackson, Wyoming.

Chapter Authors

Michael J. Bean headed the Wildlife Program of Environmental Defense Fund from 1977 to 2009, after which he served in various capacities in the office of the assistant secretary for Fish and Wildlife and Parks in the Interior Department during the Obama administration. A 1973 graduate of the Yale Law School, he has served on the board of directors of Resources for the Future, the board of environmental studies and toxicology of the National Research Council of the National Academy of Sciences, the board of directors of the Environmental Law Institute, and as the director of the Pew Fellows Program in Marine Conservation. His book, *The Evolution of National Wildlife Law*, the third edition of which was written with Melanie J. Rowland in 1997, is

generally regarded as a leading text on the subject of wildlife conservation law. Mr. Bean pioneered the use of “safe harbor agreements” as an incentive-based strategy to gain the cooperation of private landowners in conserving endangered species. Since leaving the Department of the Interior in 2017, he has consulted on conservation issues for a variety of clients.

John D. Echeverria is a professor of law at Vermont Law School and has been a visiting professor of law at Harvard Law School and Georgetown University Law Center. Prior to joining the Vermont Law School faculty in 2010, he served as the executive director of the Georgetown Environmental Law & Policy Institute. Prior to that he served as the general counsel of the National Audubon Society and as the general counsel and conservation director of American Rivers, Inc. Mr. Echeverria is a graduate of the Yale Law School and the Yale School of Forestry and Environmental Studies and was a law clerk to the Honorable Gerhard Gesell of the U.S. District Court in the District of Columbia. He has written extensively on the takings issue and various other aspects of environmental and natural resource law and frequently represents state and local governments, environmental organizations, planning groups, and others in regulatory takings cases at all levels of the federal and state court systems. Mr. Echeverria is the recipient of the American Bar Association Jefferson Fordham Advocacy Award to recognize outstanding excellence within the area of state and local government law over a lifetime of achievement.

Brian Ferrasci-O'Malley is an environmental and natural resources attorney whose practice spans both transactional work and litigation. Based in Seattle, he regularly advises clients across the United States on energy development and federal wildlife law issues, including matters under the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), the Clean Water Act (CWA), and the National Environmental Policy Act (NEPA).

Robert L. Fischman is the George P. Smith, II distinguished professor of law at the Indiana University Maurer School of Law. He researches public land management, endangered species recovery, federalism, adaptive conservation, climate change, and environmental impact analysis. An Environmental Law Institute staff attorney from 1988 to 1991, Mr. Fischman went on to teach at the University of Wyoming, Vermont Law School, and Lewis and Clark Northwestern School of Law. He is a founding board member of the Conservation Law Center, Inc., which operates Maurer School of Law's conservation law clinic. He is also a member scholar of the Center for Progressive Reform and a member of the American Law Institute.

Aimee Ford is an associate attorney at Perkins Coie LLP, where she provides counsel in a wide range of environmental and natural resource areas. Her practice focuses on air law, wildlife and endangered species, and Indian law for a variety of clients, including industrial clients, citizen groups, nonprofits, and

coalitions. Ms. Ford regularly solves complex regulatory problems, defends enforcement actions by federal and state agencies, participates in federal rule-makings, and litigates administrative law issues. Her experience with federal statutes spans the Endangered Species Act, the Clean Air Act, the Marine Mammal Protection Act, the National Environmental Policy Act, and the Clean Water Act, as well as their state counterparts. Aimee received her JD from Michigan Law School, where she served as an executive editor of the *Michigan Journal of Environmental and Administrative Law*, and her BS in geological sciences from the University of Texas at Austin.

Susan George is a senior attorney at the University of New Mexico School of Law, Institute of Public Law, where she is the director of the Wild Friends program, a civics education program for youth focused on wildlife conservation. She is also an adjunct professor at the School of Law, teaching wildlife law. Prior to this, she served as senior counsel for Defenders of Wildlife, where she co-authored numerous publications on state wildlife law issues, including “Saving Biodiversity: State Laws, Policies and Programs” and “State Endangered Species Acts: Past, Present and Future.” She also worked for the Western Environmental Law Center, as well as in a private firm where she focused on civil litigation and environmental issues. Ms. George is a 1988 graduate of the University of New Mexico School of Law, where she was a lead articles editor for the *Natural Resources Journal* and earned a natural resources certificate.

Eric R. Glitzenstein is the director of litigation of the Center for Biological Diversity, where he oversees and coordinates the center’s litigation under the Endangered Species Act and other cases. Prior to working at the center, he was the co-founder and managing partner of Meyer & Glitzenstein, a public-interest law firm in Washington, D.C. that specialized in litigation on issues pertaining to wildlife protection and conservation.

Jared Goodman is deputy general counsel for animal law at the PETA Foundation. He works on a wide variety of legal issues that arise from People for the Ethical Treatment of Animals’ efforts to protect animals from abuse, neglect, and cruelty, including eyewitness investigations, shareholder resolutions, protest campaigns, administrative complaints and petitions, and litigation in state and federal courts. He is a graduate of Brooklyn Law School (2009).

Brett Hartl is the government affairs director at the Center for Biological Diversity. He holds a bachelor’s from Prescott College in conservation biology and a law degree from Lewis and Clark Law School. Before law school, Brett spent five years as a field biologist working with endangered species in Hawaii and California. Previously, Brett worked on the House Natural Resources Committee for the Democratic staff and was the policy fellow at the Society for Conservation Biology. Brett has taught at George Mason University and Prescott College. He has observed more than 3,000 species of birds and 400 mammals around the world.

Russell Husen is an attorney-advisor in the Office of the Solicitor, Branch of Fish and Wildlife, at the U.S. Department of the Interior, where he has served since 2012. Mr. Husen's practice includes the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Endangered Species Act, the Marine Mammal Protection Act, Lacey Act injurious species issues, and other domestic and international wildlife laws implemented by the U.S. Department of the Interior and the U.S. Fish and Wildlife Service. He served as legal counsel to the U.S. Delegation at the 17th (Johannesburg, South Africa, 2016), and 18th (Geneva, Switzerland, 2019) Meetings of the Conference of the Parties to CITES, as well as the 66th through 72nd Meetings of the CITES Standing Committee. Prior to joining the Office of the Solicitor, he clerked for the Honorable Judge Nancy B. Firestone, U.S. Court of Federal Claims. Mr. Husen is a member of the Oregon state bar and a graduate of Georgetown University Law Center (JD) and Stanford University (BA, public policy).

David Jennings holds a BSc and MSc from the University of Surrey-Roehampton, and a PhD from the University of South Florida. He graduated magna cum laude with a JD from Vermont Law School in 2020. He is currently a law clerk for the Honorable Sueanna P. Johnson on the Colorado Court of Appeals.

Benjamin Jesup is currently the assistant solicitor for fish and wildlife in the Office of the Solicitor of the Department of the Interior. He has practiced wildlife law at the Department of the Interior for 25 years; for most of that time he was the nationwide coordinator in the Solicitor's Office for ESA listing and critical habitat matters. Prior to joining the Solicitor's Office, Mr. Jesup was an associate at Covington and Burling and a law clerk for the Supreme Court of New Hampshire. He is a graduate of New York University School of Law and Haverford College. Fun fact: Jesup's Milk-Vetch (*Astragalus robbinsii* var. *jesupii*) was first collected by Ben's distant cousin, Dartmouth College Professor Henry Griswold Jesup in 1876; it was listed as an endangered species in 1987.

Jacob Malcom is the director of the Center for Conservation Innovation at Defenders of Wildlife, leading a team that integrates science, technology, and policy to find effective and efficient solutions for conservation challenges, especially under the ESA. He also serves as a member of the Policy Tools and Methodologies task force of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), is an affiliate faculty member in the Environmental Science and Policy department at George Mason University, and is an editor of the leading conservation journal *Conservation Letters*. He began working on endangered species in 1998 in Michigan with piping plover surveys, then with the U.S. Fish and Wildlife Service in New Mexico and Arizona for nearly eight years. He earned his PhD at the University of Texas at Austin, where his research focused on connecting genomic variation to ecological community outcomes in simulation research and with the model species *Daphnia*. When not working, Mr. Malcom is most likely to be found

with his wife, daughter, and dogs looking for plants, birds, inverts, herps, and anything else they can find out in nature.

Timothy Male is the founder and executive director of the Environmental Policy Innovation Center. Prior to launching this startup in 2017, he served as an associate director at the White House Council on Environmental Quality from 2014 to 2017, covering the ESA, wildlife trafficking, trade agreements, ecosystem conservation, wildfire, and drought issues. At the White House, he also led work on President Obama's presidential memorandum on mitigation and executive order on invasive species. Previously, he spent 12 years as vice president for conservation policy at Defenders of Wildlife, director of landscape conservation at the National Fish and Wildlife Foundation, and co-director of agriculture policy at the Environmental Defense Fund. From 2001 to 2002, he held the first private lands coordinator position for the state of Hawaii's wildlife agency, implementing a new endangered species law that authorized safe harbor agreements and habitat conservation plans. He holds degrees in science from Yale University (BS) and the University of Hawaii (PhD). His writing has appeared in the *Wall Street Journal*, *Washington Post*, *Science* magazine and a diversity of peer-reviewed journals. He has received a Marshall Memorial Fellowship and an AAAS Science and Technology Policy Fellowship (declined). He also ran for office and won, serving three terms as a city councilmember and leading the successful effort for that city to become the first in the country to lower its voting age to 16.

Dave Owen is the Harry D. Sunderland professor of law at the University of California, Hastings, where he teaches courses in environmental, administrative, water, energy, and land use law. His research focuses primarily on water resource management, and some of his projects have considered groundwater-surface water interactions, the roles of environmental consultants in implementing environmental law, the importance of regional offices within federal agencies, frontiers in dam removal policy, and protection of critical habitat under the Endangered Species Act. His articles have won several peer conferred awards, and, in 2017, he received UC Hastings' highest teaching award. Before teaching at UC Hastings, Professor Owen taught at the University of Maine School of Law, practiced with a boutique land use and water law firm, clerked, and worked as a geologist and compliance auditor for an environmental consulting firm. He became interested in endangered species conservation when he was about five years old and his parents denied him all television access except for PBS nature specials.

Jessica Owley is a professor at the University of Miami School of Law. She specializes in environmental and natural resources law, with a focus on climate change law and policy. She is a leading expert on private land conservation and conservation easements. Professor Owley holds a PhD and MS in environmental science, policy, and management from the University of California–Berkeley where she also received a JD and MLA. She practiced in the land use

and environmental law group at Morrison & Foerster in San Francisco after clerking on the Ninth Circuit and in the Central District of California. She is a member of the California bar. Professor Owley previously taught at SUNY Buffalo and Pace Law School.

Steven P. Quarles is a partner in Nossaman LLP. His broad-ranging practice includes representation of corporations and trade associations, state and local governments, and environmental organizations and land trusts on federal wildlife and public land law and policy issues before all three branches of the federal government. Prior to entering private practice, he was a Fulbright grantee in India, counsel to the U.S. Senate Committee on Energy and Natural Resources, and deputy undersecretary of the Interior. Mr. Quarles was an invited participant in the ESA at Thirty project, sponsored by the University of California at Santa Barbara, Columbia University, and University of Idaho; Stanford University Forum on the ESA and Federalism; ESA Working Group on Habitat Issues sponsored by the Keystone Center; and the symposium on the ESA and state participation sponsored by Wyoming and Texas A&M law schools. He served as a member of the board of mineral and energy resources of the National Academy of Sciences, two committees of the National Research Council commissioned by Congress, and two committees appointed by the secretaries of the interior and agriculture. He is chair of the Maryland Forever Foundation and serves on the boards of NatureServe, Bat Conservation International, Pollinator Partnership, and the National Wildlife Refuge Association. Mr. Quarles is a graduate of Princeton University and Yale Law School.

Heather Rally is the supervising veterinarian for Captive Animal Law Enforcement at the PETA Foundation. In that position, she leads investigative and enforcement actions in cases of abuse of animals in roadside zoos, circuses, and other captive-animal exhibits in the United States. Dr. Rally has a specific training in marine mammals and serves on the Advisory Committee of the Whale Sanctuary Project and as a veterinarian for the Oceanic Preservation Society. Dr. Rally's involvement in the undercover investigation and law enforcement bust of The Hump restaurant in Santa Monica for serving endangered whale meat was featured in the acclaimed documentary *Racing Extinction*, which highlighted her work as a lead investigator into wildlife crime and trafficking across the globe. Dr. Rally teaches a class on animal welfare law as adjunct faculty at Vermont Law School and has been recognized as a "rising star" in environmental law and policy by the Environmental Law Institute's Emerging Leaders Initiative. Dr. Rally is an honors graduate of the University of California at Santa Barbara with a BS in biological sciences. She received her DVM degree from Western University of Health Sciences College of Veterinary Medicine, where she received the dean's award for exemplary service to the university and the community at large, leadership, and academic standing.

Dale Ratliff is an associate at Lewis, Bess, Williams, & Weese in Denver, Colorado. Mr. Ratliff's practice focuses on environmental and administrative law,

with a particular emphasis on natural resource projects on public lands, including oil and gas development, transmission infrastructure, renewable energy infrastructure development, and ski area development. Dale has represented wind-energy developers, ski areas, and oil and gas companies in a variety of matters arising under the Endangered Species Act, Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act and regularly assists clients in matters arising under public-lands statutes, including the National Environmental Policy Act and the Federal Land Policy and Management Act. Dale is a graduate of the University of Denver Sturm College of Law where he finished first in his class. Before law school, Mr. Ratliff worked as a fly-fishing guide in Colorado's Roaring Fork Valley, Chilean Patagonia, and Southwestern Alaska.

Michael C. Runge is a research ecologist with the U.S. Geological Survey, Patuxent Wildlife Research Center, where he has worked since 1999. His research focuses on the use of decision theory and population modeling to inform wildlife management. Most of his research involves collaboration with federal management agencies (U.S. Fish and Wildlife Service, Bureau of Reclamation, National Park Service, National Marine Fisheries Service, and others). He has worked on projects with migratory birds, National Wildlife Refuges, endangered species, and marine mammals. He was co-chair of the Polar Bear Recovery Team, work for which he received the U.S. Fish and Wildlife Service's 2015 Recovery Champion Award. He co-designed the "Introduction to Structured Decision Making" and "Adaptive Management" courses for the National Conservation Training Center and co-leads the joint USGS/FWS Structured Decision Making Workshops. Mr. Runge received a BA in biology and philosophy from the Johns Hopkins University, an MAT (master of arts in teaching) in biology from Spalding University, and a PhD in wildlife science from Cornell University. With his wife and two kids, he has climbed all 46 of the high peaks in the Adirondacks.

Richard E. Sayers, Jr. retired from the U.S. Fish and Wildlife Service in early 2014. Prior to retiring, Mr. Sayers was the chief of the Division of Environmental Review in the Service's headquarters office in Arlington, Virginia. He worked closely with Service personnel and others who negotiate and implement the Interagency Cooperation procedures, the Habitat Conservation Planning procedures, recovery planning and implementation, as well as the Service's responsibilities under the Fish and Wildlife Coordination Act. Mr. Sayers earned a doctorate in zoology from the University of Maine, a master of science in aquatic biology from Eastern Michigan University, and a bachelor of science in biology from the University of Notre Dame. His outside interests include fishing and wildlife-centered tourism across the globe.

Damien M. Schiff is a senior attorney at Pacific Legal Foundation. His practice has focused on federal and state environmental and land-use issues in litigation arising under the federal and California Endangered Species Acts and the federal Clean Water Act, among other environmental laws. He has written a

number of law review articles on environmental subjects, has appeared on a variety of television and radio programs, and has been quoted in many publications, including *The Economist*, the *New York Times*, and the *Wall Street Journal*. He is a graduate of the University of San Diego School of Law and Georgetown University.

William (Bill) J. Snape, III is a fellow and practitioner-in-residence at American University, Washington College of Law, as well as the assistant dean of Adjunct Faculty Affairs. Mr. Snape is also senior counsel with the Center for Biological Diversity, where he works on endangered species, public lands, and energy issues. Previously, Mr. Snape was vice president and chief counsel at Defenders of Wildlife for over a decade, and the chief executive officer of Sustainable Futures from 2004 to 2008. Mr. Snape has litigated a number of environmental and related cases in federal court, including *Center for Biological Diversity v. Interior* (D.C. Cir. 2009), which rejected the federal government's plan for oil and gas drilling off the coast of Alaska in part because of climate change concerns. Mr. Snape is the author of numerous articles on natural resource issues, including the book *Biodiversity and the Law* published by Island Press. He is currently general counsel for the Endangered Species Coalition Board, and president of the United States Climate Action Network c-4 organization called US MUST. His current caseload includes cases under the Freedom of Information Act as well as litigation at the intersection of water rights and global warming. He is a magna cum laude graduate of the Honors College at the University of California, Los Angeles (UCLA), and received his law degree from George Washington University. As a former all-state swimmer, Mr. Snape has coached at both the Division I and Division III levels of college swimming and was named the 2011 world swim coach of the year by the International Committee of Sports for the Deaf. From 2004 to 2012, Mr. Snape was the head swimming and diving coach at Gallaudet University, where he was conference coach of the year four times. His current research focuses on both conservation easements and the impacts of environmental justice movements upon ecological sustainability.

Glenn P. Sugameli's career includes senior counsel positions with the National Wildlife Federation, Earthjustice, and Defenders of Wildlife. He also founded and headed the Judging the Environment project on federal judicial nominations and related issues. The diverse audiences for his presentations include congressional committees; judicial, bar, CLE, and takings law conferences; national associations of counties, coastal states, municipal lawyers, and outdoor writers; and the Wildlife Management Institute, which published his presentation on Species Protection and Fifth Amendment Takings. He also published chapters in books for a lay audience, the first edition of this book, as well as the second edition (with John D. Echeverria), and the ABA books *Taking Sides on Takings Issues: Public and Private Perspectives* (2002) and *Taking Sides on Takings Issues: The Impact of Tahoe-Sierra* (2003). His law review articles have been published in *The Urban Lawyer*, *Environmental*

Law, Fordham Environmental Law Journal, and the Virginia Environmental Law Journal. His dozens of reported cases include Supreme Court, Federal, D.C., and Ninth Circuit opinions and successful appeals from Florida, Michigan, and Wisconsin state court rulings that had found takings. His public educational outreach includes hundreds of op-eds and letters to the editor, and newspaper, magazine, blog, radio, and television interviews. Mr. Sugameli is a 1976 cum laude graduate of Princeton University and received his JD in 1979 from the University of Virginia School of Law, where he served on the *Virginia Law Review*.

Melinda E. Taylor is a senior lecturer at the University of Texas School of Law, where she teaches courses on environmental and energy law, including the environmental impacts of energy development. She founded the Kay Bailey Hutchison Center for Energy, Law, and Business and was the first executive director of the center. She has taught at the University of Denver Sturm College of Law and the University of Colorado School of Law. Prior to U.T. Law, Ms. Taylor directed the Ecosystem Restoration Program for the Environmental Defense Fund. She was a partner at the law firm Henry, Lowerre & Taylor from 1991 to 1993 and served as deputy general counsel of the National Audubon Society from 1988 to 1991. She was an associate at Bracewell & Patterson in Washington, D.C. from 1986 to 1988. Ms. Taylor graduated from the University of Texas School of Law and she also holds a BA from the university (Plan II, cum laude, Phi Beta Kappa).

Paul S. Weiland is an expert in wildlife law with experience in high-profile matters across the western United States ranging from Mexican wolf recovery planning to delisting of the Bone Cave harvestman to efforts to balance water supply management and conservation of listed fishes in the Sacramento-San Joaquin Delta. He has written extensively in the areas of environmental law, management, policy, and science, publishing articles in high profile peer-reviewed journals including *BioScience*, *Conservation Biology*, *Environmental Law Reporter*, and the *Proceedings of the National Academy of Science*. He was awarded the Attorney General's Distinguished Service Award in 2004 by U.S. Attorney General John Ashcroft for his role in the successful defense of the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service in litigation with respect to the federal government's operation of dams and reservoirs along the Missouri River. He holds a BA from the University of Southern California, PhD from Indiana University, Bloomington, and JD from Harvard Law School.

Douglas P. Wheeler is a senior counsel at Hogan Lovells US LLP and is a member of the firm's energy and natural resources practice groups in its Washington office. Mr. Wheeler provides counsel to corporate, institutional, and individual clients on natural resource and land use issues, including Endangered Species Act and CITES compliance, habitat mitigation and banking, water and wetlands management, sustainable forestry, historic preservation,

and markets for ecosystem services. He has worked exclusively with natural resource and environmental issues in the private, public, and nonprofit sectors since joining the U.S. Department of the Interior in 1969, where he served as assistant legislative council and deputy assistant secretary for Fish and Wildlife and Parks. He has since served as a senior executive of nonprofit conservation and environmental organizations, including the National Trust for Historic Preservation (executive director, 1977–1980), the American Farmland Trust (president, 1980–1985), the Sierra Club (executive director, 1985–1987), and the World Wildlife Fund (vice president, 1987–1991). Before joining Hogan & Hartson in 1999, he served for eight years as California’s secretary for national resources, where he developed nationally recognized strategies, including Natural Communities Conservation Planning, to effectively manage the state’s natural resources in an era of rapid growth and development. He serves on the boards of the Conservation Lands Foundation and the Nicholas Institute for Environmental Policy Solutions at Duke University and as a member of the president’s advisory council of the American Farmland Trust. He is also an emeritus member of the board of advisors at the Duke University School of Law. He is a graduate of Hamilton College and the Duke University School of Law.

Holly Wheeler is an attorney at the NOAA Office of the General Counsel, Fisheries and Protected Resources Section, where she specializes in the Endangered Species Act and the Marine Mammal Protection Act. Prior to joining NOAA in 2017, Ms. Wheeler was an attorney since 1997 in the Office of the Solicitor, Branch of Fish and Wildlife, at the U.S. Department of the Interior. While at the Office of the Solicitor Ms. Wheeler focused on international wildlife law and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) along with the Endangered Species Act, the Marine Mammal Protection Act, and invasive species. She served as chief legal counsel to the U.S. delegation at the 13th (2004), 14th (2007), and 15th (2010) Meetings of the Conference of the Parties to CITES. Ms. Wheeler received her BS in fisheries and wildlife from the University of Missouri, received her JD from Vermont Law School, and clerked for Justice Ernest W. Gibson III on the Vermont Supreme Court.

Delcianna J. Winders is an assistant professor of law and the director of the Animal Law Litigation Clinic at Lewis and Clark Law School. Her scholarship has appeared in numerous law reviews, and she has also published extensively in the popular media. Winders has been involved in numerous Endangered Species Act lawsuits involving captive wildlife. Prior to joining the Lewis and Clark faculty, Professor Winders was vice president and deputy general counsel for the PETA Foundation, the first academic fellow of the Harvard Animal Law and Policy Program, and a visiting scholar at the Elisabeth Haub School of Law at Pace University. She has also taught animal law at Tulane Law School and Loyola University New Orleans College of Law. She frequently

gives talks on animal law subjects, has been interviewed by major national and international news outlets, and was featured in *O, The Oprah Magazine* as one of “Six Women Who Dare.” Winders received her BA in legal studies with highest honors from the University California at Santa Cruz, and her JD from New York University School of Law. Following law school, she clerked for the Honorable Martha Craig Daughtrey on the U.S. Court of Appeals for the Sixth Circuit.

Jonathan Wood is a senior attorney with Pacific Legal Foundation, where he practices environmental and administrative law. He has represented individual property owners and nonprofit groups in Endangered Species Act, Clean Water Act, and other cases challenging government regulation that imposes unfair burdens on property owners that should instead be borne by the public. Mr. Wood is also a research fellow with the Property and Environment Research Center, where he studies the role of property rights and markets in improving environmental outcomes. His research has highlighted how burdensome environmental regulation can create perverse incentives discouraging landowners from conserving or restoring the environment. The author of eight law review articles on environmental topics, Mr. Wood is a frequent commentator on endangered species issues in the popular press and has testified on these issues many times before congressional committees. Mr. Wood received his JD from the New York University School of Law, a master’s degree from the London School of Economics, and a BA in economics from the University of Texas at Austin.

W. Michael Young served as the assistant solicitor for fish and wildlife at the U.S. Department of the Interior from 2002 until he retired in January of 2017. During his 34-year tenure as an attorney with the Office of the Solicitor, he worked on a wide variety of Endangered Species Act (ESA), Marine Mammal Protection Act, and other federal wildlife conservation issues. Toward the end of his Solicitor’s Office career, Mr. Young’s primary area of practice involved international wildlife conservation issues under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the multilateral Agreement on the Conservation of Polar Bears, and trade and the environment issues under a number of multilateral and bilateral trade agreements and investment treaties. He served as legal counsel to the U.S. delegation at six meetings of the Conference of the Parties to CITES (Kyoto, Japan, in 1992; Fort Lauderdale, Florida, in 1994; Harare, Zimbabwe, in 1997; Nairobi, Kenya, in 2000; Santiago, Chile, in 2002; and Bangkok, Thailand, in 2013). He also served as legal counsel to the U.S. delegation during negotiations that led to the signing of the U.S.-Russia Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population (signed in Washington, D.C. on October 16, 2000). Prior to joining the Solicitor’s Office, Mr. Young was engaged in the private practice of law in Alabama. He also served as the research analyst to the Chief Justice of the Supreme Court

of Alabama from 1977 to 1978. Mr. Young currently gives presentations on international wildlife conservation issues to audiences including law students and attorneys. He is a graduate of the University of Montevallo (BBA 1974) and the Cumberland School of Law of Samford University (JD 1977).

Student Editors

Matthew R. Arnold is a law fellow at Eubanks & Associates, PLLC, a public interest environmental law firm. He is a graduate of Vermont Law School, where he served as a managing editor for the *Vermont Law Review*. Mr. Arnold has previously worked as a law clerk for Defenders of Wildlife, Meyer, Glitzenstein & Eubanks, LLP, and the Honorable Elizabeth C. Wingo of the Superior Court for the District of Columbia.

David Jennings holds a BSc and MSc from the University of Surrey-Roehampton, and a PhD from the University of South Florida. He graduated magna cum laude with a JD from Vermont Law School in 2020. He is currently a law clerk for the Honorable Sueanna P. Johnson on the Colorado Court of Appeals.

Jaime Neary, JD, is a policy analyst for Russian Riverkeeper.

Danielle Palermo is a JD/master's of environmental law and policy candidate 2021, at the Vermont Law School. Her focus is animal rights and welfare law.

Maya Patel is a second-year student at American University's Washington College of Law. She holds a BS in biology from the University of Florida, and her background lies in operational sustainability and grassroots collaboration.

Mia Schiappi is a Vermont Law School graduate and is currently working as associate attorney on the energy industry team at Harris Beach, PLLC, in Albany, New York.

Jon Turner is a third-year student at Vermont Law School, a former teacher and newspaper editor, and a twice-returned Peace Corps volunteer, who recently started his first legal internship at NOAA's Office of General Counsel, International Section.

Jordan Van Cleave is a JD candidate 2021 and a master's in environmental law and policy candidate 2021, Vermont Law School. Van Cleave has a BS in biological anthropology from Appalachian State University, 2017.