



UNIVERSITY OF
OREGON

School of Law

The Year in Review 2017

Engaging the Law to Support **Sustainability** on Earth ■ Environmental and Natural Resources Law at the University of Oregon

ENR
NEWS&INSIGHT

Fall 2017 Volume 17 No. 1

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A Voice for the Environment

Professor and public lands advocate Marcilynn Burke to lead School of Law

For an institution that's always had a deep green streak running through it, the University of Oregon would be hard-pressed to find a better fit than Marcilynn Burke to take the helm of its Law School. Much of Burke's career has been tied toward environmental law, starting from her graduation from Yale Law School up through her leadership roles at the University of Houston Law Center and the U.S. Department of the Interior.

That background dovetails perfectly with a school whose Environmental and Natural Resources Law Center is ranked 12th in the nation that she will now lead.

"Marcilynn Burke is an accomplished leader and we are proud that she is with us at UO," said Jayanth Banavar, UO provost and senior vice president. "As dean, her experience and leadership will combine with her legal expertise to create the synergies that will elevate the exemplary work of our law school's accomplished faculty."

Burke graduated from Yale Law School in 1995, having served as editor for both the Yale Journal of Law and Feminism and the Yale Journal of International Law. After clerking for a federal judge and working in private practice, she joined the faculty of the University of Houston Law Center in 2002. Once there, she served as a co-director of the Environment, Energy & Natural Resources Center, and was lead faculty editor for the Environment and Energy Law and Policy Journal, in addition to teaching courses in property, land use, and natural resources law.

But from 2009 to 2013, Burke stepped away from academia after being called by the Obama administration to serve in the U.S. Department of the Interior's Bureau of Land Management. As the

“Its commitment to innovative approaches to legal education, applied interdisciplinary research, and public service aligns perfectly with my professional experiences and interests.” - Dean Burke

Environmental and Natural Resources Law Center: Engaging the Law to Support Sustainability on Earth

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ENR Giving Opportunities

Private gifts are an essential means of supporting the ENR Center.

Recently, private donations have allowed us to expand support for students committed to public interest environmental law. In addition to providing funded fellowships for law students that offset the cost of law school tuition, ENR now offers funded post-graduate fellowships and summer stipends for law students interested in pursuing public interest environmental work during the summer following their first year of law school.

To learn more about giving opportunities and how you can help Oregon's next generation of environmental lawyers, please visit law.uoregon.edu/explore/invest-in-ENR



deputy director for programs and policy, she helped lead policy development for in energy, mining, grazing, recreation, and conservation.. President Obama later named her Assistant Secretary-Designate for Land and Minerals Management Interior, overseeing four bureaus, with more than 12,000 employees and budgets in excess of \$1.7 billion. In that role she helped craft policies for management of federal public lands and the Outer Continental Shelf, and was responsible for the regulation of coal .

“Oregon Law is nationally recognized for its exceptional leadership in the field of environmental law,” said Dean Burke. “Its commitment to innovative approaches to legal education, applied interdisciplinary research, and public service aligns perfectly with my professional experiences and interests.” “I am thrilled to be joining its faculty.”

Burke returned to her professorship at Houston in 2013 and later would be named associate dean before accepting the UO's offer to lead its School of Law earlier this year. But there's more to Burke than her work.

She wowed the crowd at a law conference earlier this year by opening her talk with her own rendition of Woody Guthrie's “This Land is My Land,” and once settled, Burke hopes to find a gospel choir to sing with.

“I've always sung in a church choir or a community choir,” she said.

Burke, who earned her bachelor's degree in international studies from the University of North Carolina at Chapel Hill, still sports a soft spot for her beloved Tar Heels basketball teams. However, she now wears at least some green and yellow on a daily basis, and already has plans to attend games at Autzen Stadium and Matt Knight Arena.

One thing that emerges instantly upon meeting Burke is her approachability and warm spirit. Those qualities and her ability to capture the attention of a classroom prompted the University of Houston Law Center's Black Law Students Association to award her professor of the year honors in 2013.

The new dean and Dave Frohnmayer Chair in Leadership and Law is eager to showcase those traits as well as the vision, creativity, and leadership experience she has honed in her 22-year legal career.

“With a new dean there's always excitement and hope, and talking with members of the faculty and staff gives me energy as well,” Burke says. “I'm excited to be the first black female dean of the law school and to have the opportunity to help make a great school even better.” ■

—By Alice Tallmadge, with contributions by Sharleen Nelson and Jim Murez



Heather Brinton

Immeasurably enhanced by another successful year, the University of Oregon's Environmental and Natural Resources Law Center (ENR) continues to explore new and innovative ways to meet its mission – to engage the law to support sustainability on Earth.

From conferences and events, to new courses, scholarship, and extraordinary work in the field, Oregon's ENR Center is providing intellectual energy to the most challenging and cutting-edge environmental issues of our day.

ENR continues to grow and expand its groundbreaking Interdisciplinary Research and Fellows Program, which teams student energy with faculty expertise to provide impactful legal and policy analysis to governmental decision-makers and practitioners working on the front lines of climate change. Each year since its inception, ENR's programmatic vision has been confirmed by increasing success. Thanks to a generous \$1,000,000 grant through the Oregon Community Foundation, ENR is slated to increase the impact of the Interdisciplinary Research Projects through increased financial support of law student fellows, graduate researchers and faculty. This expansion will continue to increase ENR's capacity to perform legal and interdisciplinary policy analysis needed to find real solutions that make a real difference on the ground.

Our faculty members continue to demonstrate their commitment to

excellence in scholarship, classroom teaching, and public service. We are thrilled to welcome Marcilynn Burke to our faculty as our new dean. Dean Burke's deep expertise in environmental and natural resources law will bring immeasurable contributions to Oregon's community of students, alumni and faculty.

As you read this newsletter, you will see the remarkable accomplishments of Oregon Law faculty members, students, and alumni and the vibrancy of Oregon's ENR Center. I am continually buoyed by our unique community committed to bringing about necessary change in environmental law and policy. I look forward to sharing our efforts and I welcome your thoughts and suggestions as we continue our work. ■

Donors & Sponsors

Without the generosity of donors, the ENR Center would not be possible. With deep gratitude, thank you for your support.

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Heather Brinton J.D. '96
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Joseph Mailander
Mary Malpeli
Kathryn McLeod J.D. '85
Oregon Community Foundation
William Underwood J.D. '97
Gay Vogt J.D. '86 and
Richard Vogt
Carolyn Zenk J.D. '87



Adell Amos was the Distinguished Visiting Professor in Environmental Law, Vermont Law School, Summer 2016. As part of this visit, Amos delivered an address entitled, "Drought in the American West: Reflections on Law, Policy and Science." Amos signed a book contract with co-authors Melissa Scanlan (Vermont Law), Tony Arnold (Louisville) and Barbara Cosens (Idaho) for a new casebook entitled, *WATER LAW AND GOVERNANCE: A WATERSHED APPROACH*. She is also working on *RESOLVING WATER CONFLICT: INSIGHTS AND LESSONS LEARNED* with William Jaeger and Aaron Wolf (Carolina Academic Press). Two of Amos' works in progress include Willamette Water 2100 articles entitled "Scarcity Amid Abundance: Water, Climate Change, and the Policy Role of Regional Systems Models" (submitted to PNASS) and "The Social Response to Water Scarcity with Climate Change." Amos also completed her work with Governor Brown's SB 202 Taskforce on Independent Scientific Review of Natural Resources for the State of Oregon.



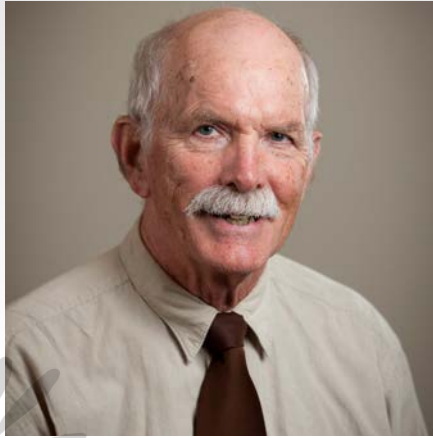
Gregory Dotson testified on March 1, 2017 before a joint hearing of the Oregon Senate Environment and Natural Resources Committee and the Oregon House Energy and Environment Committee. The committees received testimony on two House bills and two Senate bills and a legislative concept draft, all related to climate change. Witnesses were a combination of experts and members of the public. Greg published an article in *The Conversation* that examined EPA's long history of work on climate change entitled "Now under attack, EPA's work on climate change has been going on for decades." (March 9, 2017) He also moderated the Green Transportation Panel Discussion at the 10th Annual Green Business Initiative Symposium: Future Technology and the Emerging Green Economy (April 14, 2017). He was an invited participant at "Environmental Law in the Trump Administration," Harvard Law School (December 2016 and June 2017). Dotson presented "No Simple Solution: Legislative Consideration of Carbon Mitigation Policies and the Real World" at the Natural Resources, Energy, and Environment in a Climate Change World Works-in-Progress Symposium at the University of Colorado Law School in June of 2017.



Michael Fakhri has published "Bandung, Global History and International Law: Critical Pasts and Pending Futures" (with Vasuki Nesiah and Luis Eslava eds., Cambridge University Press, 2017); "The Bandung Conference" (with Kelly Reynolds) in *OXFORD BIBLIOGRAPHIES IN INTERNATIONAL LAW* (Tony Carty ed., Oxford University Press, 2017); "A History of Food Security and Agriculture in International Trade Law, 1945-2015", *EUROPEAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW* (2017); and "Gauging US and EU Seal Regimes in the Arctic Against Inuit Sovereignty", in Nengye Liu et al. (eds.), *THE EUROPEAN UNION AND THE ARCTIC* (Brill Nijhoff, 2017). Speaking engagements include: "Seal Hunting, Arctic Sovereignty, and Indigenous Rights" at the 9th Polar Law Symposium/Arctic Circle Assembly hosted by the University of Akureyri, Iceland (6 October 2016); and "International Institutions, Markets, and Empire", *Law Between Global and Colonial: Techniques of Empire*, University of Helsinki, Finland (5 October 2016). He also hosted a series of public conversations entitled "Is International Trade Good for Oregonians?" through the Oregon Humanities Conversation Project. Other talks include "A Renewed International Trade Law for a More Equitable Global Food Regime", at the American Branch of the International Law Association Mid-West Regional Conference, University of Denver (24 February 2017).



Susan Gary wrote “Values and Value: University Endowments, Fiduciary Duties, and ESG Investing,” 42 THE JOURNAL OF COLLEGE AND UNIVERSITY LAW 247 (2016). On January 11, she presented “Feel Good Doing Good: Impact Investing When Settlers and Beneficiaries Want to Do More than Make Money,” at the Heckerling Institute on Estate Planning in Orlando, Florida. She reprised this talk for the Dallas Foundation in Dallas, Texas, on February 3. Gary also led an ad hoc committee of students, UO staff, and the CIO of the UO Foundation to create a full-day forum, “Investing in the Age of Climate Change,” held on April 28 at the Law School. She was an Academic Writing Resident Fellow at the Bellagio Center, Rockefeller Foundation, from August 22 – September 19, 2017, where she worked on her next project, “Evolution of the Prudence Standard: ESG Investing, Ethical Investing, and Fiduciary Duties.”



Richard G. Hildreth was on the planning committee for the symposium entitled “Coastal Resiliency in the Face of Environmental Change,” a symposium co-hosted by the Oregon Sea Grant, National Sea Grant, ENR Center, and Journal of Environmental Law and Litigation. Hildreth continues to work with Portland attorneys John Geil and Paula Walker on the non-profit International Ocean Law & Science Institute whose goal is to encourage and support interdisciplinary education and research about the challenges facing our ocean environments.



Tom Lininger wrote “Green Ethics for Lawyers,” 57 BOSTON COLLEGE LAW REVIEW 61 (2016). Tom is also the co-author of an article that will be available this spring: “Unlocking the ‘Virtual Cage’ of Wildlife Surveillance.” The basic argument of the article is that the government should more carefully regulate the invasive surveillance of wildlife. This article will appear in the DUKE ENVIRONMENTAL LAW & POLICY FORUM, a multidisciplinary journal edited by students at Duke Law School, the Nicolas School for the Environment, and the Terry Sanford Institute for Public Policy. Lininger also presented “Civil Disobedience and Climate Change” at the Sabin Center for Climate Change Law, Columbia Law School in October of 2016. He also has an article entitled “Green Ethics for Judges,” 86 GEORGE WASHINGTON LAW REVIEW (forthcoming in 2018).



Roberta Mann published a book chapter entitled “Delivering Energy Policy in the U.S.: The Role of Taxes,” in *Delivering Energy Law and Policy in the EU and the US: A Reader*, Raphael J. Heffron & Gavin F. M. Little, eds., (Edinburgh Univ. Press 2016). She presented her paper “Tax Fuel or Miles,” at the Second Annual Sustainability Conference for Legal Educators, Tempe (May 2016). She presented her work in progress “Controlling the Environmental Costs of Obesity,” at the Global Conference on Environmental Taxation in the Netherlands (Sept 2016), at the Florida State University School of Law Environmental Law Colloquium (Nov. 2016), and at Lewis & Clark’s 21st Century Food Law Symposium (April 2017). It will be published in the *Lewis & Clark Environmental Law Review*. She presented “Oil, Gas & Coal Taxation,” Montana Tax Institute (Oct. 2016). Her article “Sustainability Funding Transportation Infrastructure: Tax Fuel or Miles,” was published in 31 *AUSTRALIAN TAX FORUM* 609 (December 2016). She presented “Tax Fuel or Miles in Paris” (International Symposium on Environment and Energy Finance Issues) and Oxford (Society for Environmental Law and Economics) in May 2017.



Mary Wood has authored “No Ordinary Lawsuit: Climate Change, Due Process, and the Public Trust Doctrine,” forthcoming *AMERICAN UNIVERSITY LAW REVIEW* (with Michael Blumm); “Atmospheric Trust Litigation and the Constitutional Right to a Healthy Climate System: Judicial Recognition at Last,” *WASHINGTON JOURNAL OF ENVIRONMENTAL LAW AND POLICY* 634-684 (2016) (with Charles Woodward); “The Public Trust Paradigm for a New Economy,” chapter in *LAW AND POLICY FOR A NEW ECONOMY* (Edgar Elgar Publishing, 2017), and “Nature’s Trust: A Legal and Sacred Covenant to Protect Earth’s Climate System for Future Generations,” chapter in *THE URGENCY OF CLIMATE CHANGE* (Cambridge Scholars Publishing, 2017). Professor Wood has given multiple media interviews and speeches on atmospheric trust litigation, including on the recent *Juliana v. United States* decision, which found a constitutional federal public trust, and due process right to a stable climate system. Recent talks have included: American University, The First National Conference of Lawyers Committed to Addressing the Climate Emergency (Apr. 2017); AALS Annual Conference, San Francisco, California (Jan. 2017); Stanford Law School Environmental Law Speaker Series (Feb. 15, 2017). Recent press includes National Geographic, CBS News, Moyers & Company, the Washington Post, and The New Yorker.



Doug Quirke has been working with ENR student fellows on two projects: an interdisciplinary project examining barriers to use of prescribed fire on federal lands in eleven western states, and continued work with Eugene’s Water & Electric Board (EWEB) on source water protection issues. “Policy Barriers to Prescribed Fire: Identifying Opportunities and Mechanisms for Change,” is a multi-year collaborative project funded by the U.S. Forest Service and Department of Interior Joint Fire Science Program involving collaboration among the ENR Center, U of O’s Institute for a Sustainable Environment, and Colorado State University’s Department of Forest and Rangeland Stewardship. Work with EWEB primarily involved examining the potential source water protection implications of the National Marine Fisheries Service’s biological opinion on FEMA’s implementation of the National Flood Insurance Program in Oregon. Publication is imminent for Doug’s article (along with co-authors Cassandra Mosely and Jesse Abrams) “Between Community Stability and the ‘Greatest Good’: Legal Obligations of the U.S. Forest Service toward Rural Communities, 1891-2016,” 32 *JOURNAL OF ENVIRONMENTAL LAW AND LITIGATION* 169. Doug also joined the executive committee of the Oregon State Bar’s Sustainable Future Section, and continues to work on Clean Water Act enforcement in his non-ENR Center work.

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ARTICLES

Custom-Made Conservation: Resource-Specific Conservation Easement Implementation Unpaves the Path of Tax Abuse
- Margaret Claire Osswald

Green Is the New Black: African American Literature Informing Environmental Justice Law
- Shannon Joyce Prince

Got Guts? The Iconic Streams of the U.S. Virgin Islands and the Law's Ephemeral Edge
- Jesse Reiblich and Thomas Ankersen

COMMENTS

Compulsory Vaccinations: Balancing the Equitable Reality of Police Power with Provider Assistance Through an Improved Informed Consent Process
- William James Ritchey

Putting Some Over the Hill: The Disparate Impact of Drought in California
- Timothy Wright

Volume 32 Issue 2

ARTICLES

Between Community Stability and the 'Greatest Good:' Legal Obligations of the U.S. Forest Service Toward Rural Communities, 1891-2016
- Douglas Quirke, Cassandra Moseley, and Jesse Abrams

The Pacific Garbage Patch, Everyone's Responsibility but Nobody's Problem, a Critical Analysis of Public International Law Regimes as they Relate to the Growing Toxicity of the Environment
- André M. Santamaria

Cautious Optimism: Renewable Energy in South Africa as a Sustainable Model for the Region
- Lucas Satterlee

Public Participation and Environmental Protection in the Building Permit and Land Use Process—Comparison of Oregon and Czech Law
- Filip Šimák

Smart Cities: Is Cutting-Edge Technology the Method to Achieving Global Sustainable Goals?
- Nathalie N. Vergoulas

AMERICAN FIRE: Trends in Wildfire Law, Science, and Policy on Public and Private Lands



JELL FALL 2017
SYMPOSIUM

SAVE THE DATE
FRIDAY, SEPTEMBER 29
KNIGHT LAW CENTER



With the theme “One Cause, One Voice,” PIELC 2017 attendees and participants rallied around the values of collaboration, inclusion, and unity to increase the collective strength of the environmental movement and to create an unforgettable conference experience.

From tabling to panels, keynote speakers, and group activities, participants embraced the conference theme by facilitating dialogue across ideological differences and recognizing that positive environmental and social changes require cooperation between groups within the environmental movement. Throughout the conference, participants’ positive attitudes and substantive contributions created a friendly but focused atmosphere ideal for exchanging ideas and bringing people together.

The conference kicked off on Thursday, March 2nd with panels on energy efficiency, industrial aquaculture, fire policy, urban sprawl, and special interests’ impact on clean energy. Later that evening, PIELC 2017’s first keynote speakers, Dr. Robert Michael Pyle and Kim Wright, took the stage in front of a large and excited crowd. Dr. Pyle spoke about his experiences with conservation of invertebrate species, the important connection between invertebrate species and ecosystem health, and even shared moving passages of poetry he wrote that relate to his work. Ms. Wright, the executive director of Midwest Environmental Advocates in Madison, Wisconsin, discussed her experiences with environmental protection issues in the Midwest and detailed the importance of community empowerment and healthy government in promoting environmental justice.

Friday marked the first full day of PIELC 2017. Key events early in the day included a live performance from the Ragin’ Grannies—a highly popular conference staple. Tim DeChristopher discussed going to prison for his environmental activism, while Dr. John Cumbler spoke about the historical relationship between humans and the environment and how it impacts our future. Keynoters Silver Donald Cameron and Dr. Wallace J. Nichols took the stage later in the day and gave highly powerful and entertaining talks on global efforts to establish environmental rights and the relationship between the human brain and exposure to water, respectively. Friday also featured workshops on wolf policy and the Freedom of Information Act, films on community organizing and green rights, and panels on a wide variety of environmental issues. Finally, Friday evening wrapped up with the Indigenous Peoples’ Reception and the PIELC 2017 Party, two events that promoted community and inclusion through food and music.

Saturday was another busy day filled with panels, keynote speakers, workshops, films, and group activities. The day began with a popular activity led by the Warrior Sisters that instructed participants on practical self-defense techniques. The conference’s Saturday keynoters, Eugene Friesen and Dr. Stanley Love, took the stage afterwards. Mr. Friesen spoke about the connection between music and the environment, and even played a cello piece inspired by whale calls, while Dr. Love discussed how his experiences as an astronaut in outer space influenced his perspective on the natural environment. Saturday’s workshops addressed perspectives on forest management and approaches to community organizing, while film topics included corporate influence on food production, forest recovery from wildfire, indigenous peoples’ water rights, and grizzly bear restoration. The day ended with the Student Reception and UO ENR Alumni Reception, which provided students, faculty, and alumni with opportunities to connect and celebrate PIELC 2017.

Sunday marked the end of another remarkable PIELC. Morning panels discussed transboundary water issues and human population pressures, while University of Oregon Law Professor Tom Lininger led a workshop on legal ethics. Afterwards, Gordon Bettles, Steward of the Many Nations Longhouse, was honored with the David Brower Lifetime Achievement Award for his

incredible efforts in facilitating dialogue between indigenous populations and academic and government institutions. Finally, keynoters Dr. Maxine Burkett and Mark Massara closed out the conference. Dr. Burkett discussed the impacts of climate change on island nations in the Pacific, while Mr. Massara spoke about his experience as General Counsel of the Surfrider Foundation and efforts to achieve coastal conservation goals.

By Conference Co-Directors Maggie Franquemont, Wilson Jarrell, Dan Lawler, Cole Sito, and Erika Wozniak



Svitlana Kravchenko Environmental Rights Award

Each year, students of Land Air Water (LAW) recognize outstanding environmental activists at the Public Interest Environmental Law Conference through the David Brower Lifetime Achievement Award, the Kerry Ryberg Award for Environmental Activism, and the Svitlana Kravchenko Environmental Rights Award.

The Svitlana Kravchenko Environmental Rights Award is presented to individuals who carry on the spirit of Professor Svitlana Kravchenko, who left this world in 2012, her work enormously successful, but unfinished. The award is given to an individual with expertise qualities of both head and heart, mixing academic rigor with spirited activism, and speaking truth to power while exhibiting kindness to all. The award also seeks to recognize those who make a broad impact in law while working to support local communities.

Calvin Sandborn

This year, the Svitlana Kravchenko Environmental Rights Award was awarded to Calvin Sandborn, the Environmental Law Centre's Legal Director. Professor Sandborn is faculty at the University of Victoria, British Columbia, and he has practiced environmental law for over 25 years, serving as counsel for groups such as the West Coast Environmental Law Association, the Farmworkers Legal Services Project, and the Forest Practices Board of British Columbia. Some of Sandborn's notable achievements include drafting the first endangered species bill ever presented to federal parliament in 1990, and lobbying for British Columbia's farm worker health and safety regulations, BC Hydro's Power Smart Program, and Vancouver's Integrated Rest Management policy.

In his acceptance speech, Sandborn had powerful words for the future of environmental law: "Now more than ever, nature needs advocates. Nature needs lawyers to give voice to the river and to the forest. We need voices to speak for the grizzly and the marmot. We need voices to speak to the caribou and the falcon. Yes, students, you have a grant opportunity to work together now, to work in community to save the natural world. And no life can be more meaningful, more full of purpose, more satisfying, than to work to save our earth." ■

David Brower Lifetime Achievement Award



Left to right: Left to Right- Maggie Franquemont, Erica Wozniak, Gordon Bettles, Wilson Jarrell, Dan Lawler, and Cole Sito

The David Brower Lifetime Achievement Award is presented to an attorney or activist who has dedicated his or her life to environmental activism and exemplifies the values of David Brower, perhaps the most important environmentalist of the second half of the 20th century. Brower was executive director of the Sierra Club and founder of many environmental organizations and institutes, including the John Muir Institute for Environmental Studies, Friends of the Earth, the League of Conservation Voters, North Cascades Conservation Council, and the Earth Island Institute.

Gordon Bettles

This years' David Brower Lifetime Achievement Award was presented to Gordon Bettles. Gordon is an enrolled member of the Klamath Tribes and Steward of the Many Nations Longhouse on the University of Oregon campus. He received his Master of Science in Anthropology, Linguistics, and International Studies through the UO's Individual Studies-Independent Programs. He works with the University to facilitate consultation with Native American Tribes and organizations, as well as provide advice and assistance to the local Native American population. Gordon has also been conducting research in areas pertinent to the northwest tribes. As the Steward of the Many Nations Longhouse, Gordon serves as an information source for many local Native Americans within the local community. ■





Left to right: Lauren Regan and Julia Olson

Kerry Rydberg Award for Environmental Activism

The Kerry Rydberg Award for Environmental Activism is presented annually to an advocate who embodies 1987 Oregon alum Kelly Ryberg's courage, self-reliance, commitment, talent, and dedication to representing citizens at the grassroots level of environmental matters. This year, the award was presented to Julia Olson and Lauren Regan.

Julia Olson

Julia Olson worked for 15 years representing grassroots conservation groups in the West. She helped protect rivers, forests, parks, wilderness, wildlife, organic agriculture and human health. After becoming a mother, and realizing the greatest threat to her children and children everywhere was climate change, she began focusing her work in that field and founded Our Children's Trust, a group involved with atmospheric trust litigation. Her work has led her to the intersection of human rights and environmental protection and she is passionate about working for youth. Julia is litigating one of the most ambitious environmental law cases in history, *Juliana v. United States*, a case brought by 21 youth plaintiffs challenging the federal government's lack of action against climate change. The case has advanced to trial despite many challenges from the federal government and is scheduled for February of 2018.

Lauren Regan

Lauren Regan, a 1996 graduate of Oregon Law is the founder and Executive Director of the Civil Liberties Defense Center (CLDC), where she also serves as a staff attorney. She has successfully represented political and environmental activists in both civil and criminal litigation. CLCD has been involved as some of the lead attorneys for Standing Rock Water Protectors, valve turners, and other activists who have faced legal charges. Their litigation has explored the use of the necessity defense in activism. Ms. Regan also operates a public interest law firm, The Justice Law Group, specializing in constitutional law, civil rights, and criminal defense. She is a founding board member and past president of Cascadia Wildlands. She also serves as a Lane County Teen Court judge, Oregon State Bar Leadership Fellow, National Lawyers Guild, Eugene co-chair, and volunteers hundreds of hours a year to various progressive causes. ■



Conservation Trust Project

Focusing on public trust theory and private property tools to achieve landscape conservation

2016 - 2017

- Analyzed and tracked developments regarding a 2016 National Marine Fisheries Service (NMFS) Biological Opinion to the Federal Energy Management Agency (FEMA) that impacts local flood plain development ordinances for the Eugene Water and Electric Board (EWEB)

2017 - 2018

- Continuing analysis of the Biological Opinion to FEMA that will impact floodplains
- Assessing the environmental benefits of ethical investing and the divestment movement
- Evaluating Public Trust Doctrine Constraints Against Fossil Fuel Developments



Energy Law and Policy Project

Exploring innovative law and policy to promote a greener energy future

2016 - 2017

- Explored the policy implications of carbon taxing in Oregon
- Researched on the emergence of utility green tariffs
- Organized and facilitated the 10th Annual Green Business Initiative Student Association Symposium entitled "Future Technology and the Emerging Green Economy, held on April 14, 2017 at the Portland campus

2017 - 2018

- Researching state efforts to increase electrified transportation
- Evaluating policy mechanisms to price carbon



Food Resiliency Project

Probing key law and policy issues to ensure resilient, sustainable food systems

2016 - 2017

- Conducted research on international trade of food products, specifically the ongoing beef growth hormone trade dispute between the EU and US
- Explored the judicial analysis for constitutional cases involving the exchange of food
- Helped launch the ENR Fellows Blog with 4 articles related to food resiliency

2017 - 2018

- Exploring food sovereignty and the human right to food
- Evaluating policy mechanisms to facilitate residential food production



Global Environmental Democracy Project

Preparing students to be advocates for global change

2016 - 2017

- Explored natural resource damages and an international Atmospheric Recovery plan
- Evaluated institutional practices to reduce and disincentivise greenhouse gas emissions like divestment, ethical investing, and voluntary carbon taxes.
- Helped organize the day-long event “Ethical Endowments: Investing in the Age of Climate Change” held on April 18th at the Knight Law School.

2017 - 2018

- Exploring the necessity defense in the context of climate activism
- Assessing institutional mechanisms for voluntary carbon reduction programs
- Developing an atmospheric recovery implementation plan funded by natural resource damage actions against fossil fuel corporations, focusing on both carbon dioxide emission reduction and atmospheric carbon drawdown



Native Environmental Sovereignty Project

Examining tribal roles in co-managing lands and resources

2016 - 2017

- Organized the Indigenous People’s Reception at the UO Many Nations Longhouse as part of the 35th Annual Public Interest Environmental Law Conference
- Researched legal and policy implications of fossil fuel infrastructure developments on Pacific Northwest Tribes

2017 - 2018

- Continuing to evaluate Pacific Northwest Tribes and fossil fuel infrastructure projects



Oceans, Coasts and Watersheds Project

Engaging the law to promote sustainability for ocean, coastal, and freshwater resources

2016 - 2017

- Organized the 2017 Symposium “Coastal Resiliency in the Face of Environmental Change” with the National Sea Grant, Oregon Sea Grant, and Journal of Environmental Law and Litigation
- Assessed protection of freshwater in Washington estuaries by requiring instream flow through legislation and the Public Trust Doctrine
- Explored legal solutions incorporating public health concerns and information sharing in the context of the Flint water crisis
- Evaluated what legal and organizational tools can be utilized to address nonpoint source pollution from CAFOs
- Examined how the law regulates the environmental and economic impacts of large scale desalination
- Organized a PIELC panel focusing on the Flint Water Crisis



Oceans, Coasts and Watersheds Project Continued

2017 - 2018

- Assessing instream flow and the Willamette River Basin
- Studying water impacts and the urban landscape
- Evaluating U.S. ocean and coastal law and policy in a post-Obama administration
- Researching policy mechanisms to reduce impacts of ocean acidification
- Exploring legal and policy mechanisms to protect in situ groundwater



Sustainable Land Use Project

Evaluating land use laws, theories, and practices to ensure sustainable development in communities

2016 - 2017

- Evaluating the use of prescribed fire as a tool for promoting healthy ecosystems in national forests with the Joint Fire Sciences Program at Colorado State University. This is sponsored by the U.S. Department of the Interior

2017 - 2018

- Continuing work on prescribed fire in National Forests
- Studying the effects of autonomous vehicles on funding transportation infrastructure
- Exploring electric vehicle sharing programs at the neighborhood level
- Urbanism Next: Partnering on how technological advances effect cities, focusing on issues such as land use, regulatory structures, employment, sustainability, and housing affordability (E.g. autonomous vehicles, e-commerce, drones, sharing economy)



Our Thanks to the 2016-2017 ENR Fellows

Conservation Trust Project:

Sara Brennan (EWEB Fellow)
Kyle Thompson (EWEB Fellow)

Energy Law and Policy Project:

Ariel Stavitsky (Bowerman Fellow)
Peter Blair
David Heberling

Food Resiliency Project:

Sarah Alvarez
Sharath Patil

Global Environmental Democracy Project

Zach Green (Bowerman Fellow)
Wilson Jarrell

Native Environmental Sovereignty Project:

Anna Brady (Bowerman Fellow)
Brendan Keenan

Oceans Coasts and Watersheds Project:

Thomas Boone (Chapin Clark Fellow)
Matthias Fostvedt (Dean's Distinguished Environmental Law Fellow)
Maggie Franquemont
Dan Lawler
Brent Suttin (Bowerman Fellow)
Elizabeth Pettit (Bowerman Fellow)

Sustainable Land Use Project:

Alyssa Bonini (Joint Fire Sciences Law Fellow)
Rory Isbell (Sustainable Cities Initiative Fellow)





Congratulations and Welcome to the 2017-2018 ENR Fellows

Conservation Trust Project:

Sara Brennan (EWEB Fellow)
Jennifer Respass (Bowerman Fellow)

Energy Law and Policy Project:

Peter Blair (Bowerman Fellow)
David Heberling (Bowerman Fellow)
Natalie Lavinsky (Dean's Distinguished Environmental Law Fellow)

Food Resiliency Project:

Sarah Alvarez (Bowerman Fellow)
Alexandria Roullier (Bowerman Fellow)
Amy Hoover (Dean's Distinguished Environmental Law Fellow)

Global Environmental Democracy Project

Sharath Patil (Bowerman Fellow)
Zoe Grant (Bowerman Fellow)
Catherine Pratt (Dean's Distinguished Environmental Law Fellow)

Native Environmental Sovereignty Project:

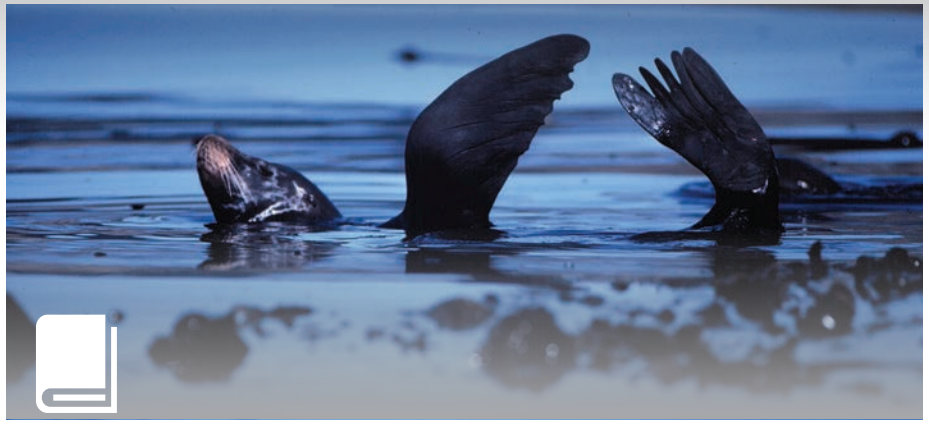
Maggie Massey (Bowerman Fellow)
Brendan Keenan (Bowerman Fellow)

Oceans Coasts and Watersheds Project:

Maggie Franquemont (Bowerman Fellow)
Wilson Jarrell (Bowerman Fellow)
Courtney Kohler (Bowerman Fellow)
Cole Sito (Bowerman Fellow)
Grace Brahler (Chapin Clark Fellow)

Sustainable Land Use Project:

Angela DeLuca (Sustainable Cities Initiative/ Urbanism Next Fellow)
Dan Lawler (Bowerman Fellow)



Recent Publications

Gauging US and EU Seal Regimes in the Arctic Against Inuit Sovereignty

(2017). *A Working paper by Associate Professor Michael Fakhri*

Atmospheric Trust Litigation and the Constitutional Right to a Healthy Climate System: Judicial Recognition at Last

6(2) WASH. J. ENVTL. L. & POL'Y 634 (2016). *By Professor Mary Wood and Research Associate Charles W. Woodward, IV*

Administrative and Judicial Review of NEPA Decisions: Risk Factors and Risk Minimizing Strategies for the Forest Service

(2016). *By ENR Research Associate Douglas Quirke, Audrey Bixler, R. Patrick Bixler, Autumn Ellison, and Cassandra Mosely*

Reducing Greenhouse Gas Emissions from Transportation: Lessons from West Coast States

(2016). *By Department of Planning, Public Policy, and Management Professor Rebecca Lewis, Sustainable Cities Initiative Research Associate Robert Zako, and ENR Sustainable Land Use Project Fellows Rory Isbell and Alexis Biddle*

Green Ethics for Lawyers

57 B.C.L. REV. 61 (2016). *By Professor Tom Lininger*

\$1 Million Grant Expands ENR Center Interdisciplinary Research

Fellowship program expansion supported by the
Evergreen Hill Fund of the Oregon Community
Foundation

The University of Oregon School of Law is pleased to announce it has received a generous \$1 million grant from the Evergreen Hill Fund of the Oregon Community Foundation. The investment supports a five-year expansion of the interdisciplinary research conducted by the acclaimed Environmental and Natural Resources Center.

UO School of Law Dean Marcilynn Burke recognizes the immediate and transformative impact of this gift. “The ENR Center has a long history of producing research that directly impacts environmental and natural resources law and policy. This generous grant from donors associated with the Oregon Community Foundation makes it possible to extend that tradition by significantly increasing the number of funded research fellowships for law students this fall and into the future.”

The center’s Interdisciplinary Projects and Fellows Program is the law school’s vehicle for meeting the needs of and finding solutions to today’s most challenging environmental issues. Students work alongside expert faculty members, administrators and practitioners in one of seven focus areas including Conservation Trust, Energy Law and Policy, Food Resiliency, Global Environmental Democracy, Native Environmental Sovereignty, Oceans Coasts and Watersheds, and Sustainable Land Use. Some upcoming projects for 2017-2018 include evaluating policy mechanisms to price carbon and exploring food sovereignty and the human right to food.

Michael H. Schill, UO president and professor of law, said the OCF investment is an affirmation of the University of Oregon’s mission. “We are thrilled to receive this support from the Oregon Community Foundation that recognizes our shared interest in improving the lives of Oregonians. This money will substantially increase our capacity for



public interest projects and public policy work, which is central to the UO law school's mission as the state's only public law school. These programs give our students incredible opportunities to learn and collaborate which will help prepare them to be future leaders."

"Support from this grant will provide more students with opportunities to pursue public interest environmental and natural resources law as a career," said Heather Brinton, Director of the ENR Center.

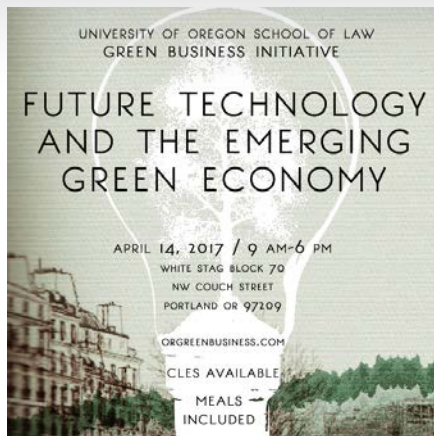
"The ENR Center has a long history of producing research that directly impacts environmental and natural resources law and policy."

- Marcilynn Burke
Dean and Dave Frohnmayer
Chair of Leadership and Law

"By fortifying the ENR Center's research capacity, this funding will ensure an unparalleled practical educational experience for our students while delivering important solutions to critical environmental issues to our community," Brinton continued. The grant also expands funding of summer stipends, allowing students to pursue work in environmental and natural resources public service organizations, such as government agencies, nonprofits, and Native American tribes that might otherwise be unpaid.

"The Oregon Community Foundation helps donors connect with organizations and projects that fit their giving priorities," says donor relations officer Maylian Pak. "We are proud to partner with the University of Oregon to increase their capacity to involve students in hands-on experiences of mutual benefit to students and their community." ■

- by Jeffrey Ehren



Future Technology and the Emerging Green Economy

This year's symposium organized by the Green Business Initiative Student Association (GBISA) hosted several panels on the current systems and barriers facing the emerging green economy. Topics included green transportation, green energy, sustainable businesses, urban agriculture, and sustainable cities. Keynote speaker Michael Russo, Professor of Sustainable Management at Lundquist College of Business, discussed how consumers can drive businesses towards more sustainable practices. Professor Nico Larco, Associate Professor of Architecture and Co-Director of the Sustainable Cities Initiative discussed all of the various aspects that come into play when creating economic growth in sustainable cities. GBISA members are interested in the intersection of law, business, and the environment and its mission is to promote awareness of sustainable business practices and the legal framework and policies that support green business.



Coastal Resiliency in the Face of Environmental Change

On April 7, 2017 many law and policy experts, scientists, practitioners, and managers met at the University of Oregon School of Law to discuss Coastal Resiliency in the Face of Environmental Change. The Oregon Sea Grant, National Sea Grant, ENR Center, and the Journal of Environmental Law and Litigation sponsored the symposium. Featured speakers included Terry Thompson, Lincoln County Commissioner, Wayne Belmont ('84), Lincoln County Counsel, Steve Shipsey ('95), Oregon Assistant Attorney General, and Jason Busch ('06) of the Oregon Wave Energy Trust. The central question presented was "Are current laws and policies flexible for a changing world?" Ocean acidification, sea level rise and its impact on coastal development, and renewable and nonrenewable energy issues were all discussed.

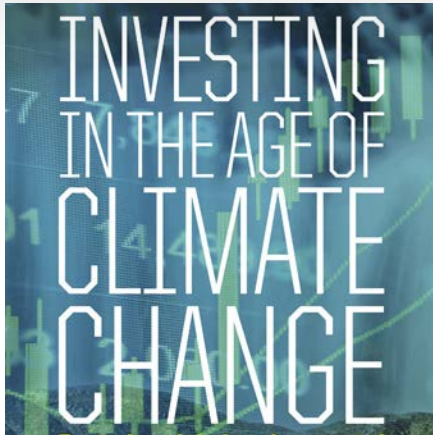


10th Annual Rennard Strickland Lecture

The University of Oregon School of Law is proud to have hosted Professor Carole Goldberg, Vice Chancellor and Jonathan D. Varat Distinguished Professor of Law at UCLA for the 10th Annual Rennard Strickland Lecture. Entitled, "Native Youth, Juvenile (In)Justice, and 'A Roadmap for Making Native America Safer,'" the event was held on November 1, 2016 at Oregon Law's Knight Law Center. The Rennard Strickland Lecture was established in 2006 to honor the legacy of Rennard Strickland by examining native leadership and vision for environmental stewardship in the 21st century.

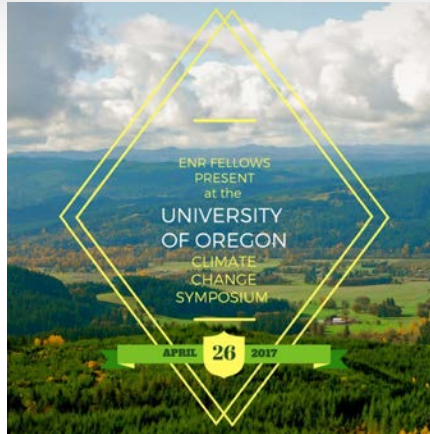
Save the Date

The 11th Annual Rennard Strickland Lecture will take place on November 8, 2017 where we will be hosting Dean James Anaya of the University of Colorado Law School as our distinguished guest speaker.



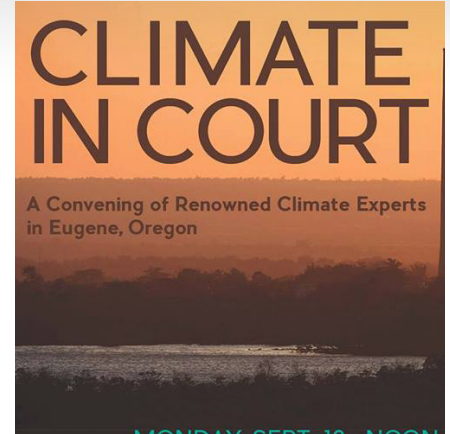
Ethical Endowments: Investing in the Age of Climate Change

On April 28, 2017 University of Oregon Professors and UO Foundation officers came together to discuss ethical investing. Professor Susan Gary presented her work on how to integrate environmental, social and governance (ESG) factors into investment policy, and why the University should consider climate risk when making investments. Other topics included managing climate risk, developing climate competent boards, and the role of ethics in investing.



6th Annual University of Oregon Climate Change Symposium

On April 26, 2017 Professors and students gathered at the Museum of Natural and Cultural History at the University of Oregon to share new perspectives and ideas on climate change issues. Speakers included ENR Fellows Maggie Franquemont, Peter Blair, David Heberling, Libby Pettit, and Cole Sito. Kayla Brinda and Gina Rosaio Diaz of the L.L.M class also presented their research. Professor Mary Wood presented her Prospectus for an Atmospheric Recovery Institute. Topics included water resource management, ocean acidification, human rights issues, and carbon policies.



A Convening of Renowned Climate Experts

On September 12, 2016 The Environmental and Natural Resources Law Center and the Wayne Morse Center for Law and Policy hosted three panelists who detailed the impacts of climate change from perspectives of science, economics, and health. Dr. James Hansen is a climate scientist and Director of the Program on Climate Science, Awareness and Solutions at Columbia University's Earth Institute, and he was one of the first to advocate to Congress for action to prevent climate change. Dr. Jeffery Sachs is an economist and Director of the Earth Institute Columbia University, as well as a three time New York Times bestseller and writes extensively on the economic impacts of climate change. The third panelist was Dr. Lise Van Susteren, MD, who is a psychiatrist in Washington, D.C. She was one of Al Gore's first trainees at the Climate Project and is known for her work detailing the health and psychological impacts of climate change. The panel was moderated by Professor Mary Wood, Faculty Director of the ENR Center. This panel took place the day before the United States District Court heard oral arguments for *Juliana v. United States*.

Follow ENR!



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ENR.UOregon.edu



Students **Study Grizzly Bears, Salmon, and Climate Change with WELC**

The Western Environmental Law Center, born at the University of Oregon nearly 25 years ago, has grown throughout the West, with offices in Eugene, Helena, Seattle, Portland, Taos and Santa Fe. But this expansion doesn't mean WELC's attorneys have forgotten their roots. WELC began as a law clinic, and today it continues to provide valuable real-world experience to University of Oregon Environmental and Natural Resources Law Center.

This year, students worked on a variety of projects, such as researching injunctive relief in Endangered Species Act cases concerning grizzly bears, drafting a complaint in a case concerning the Ochoco Summit Trail, and documenting terms and conditions of a California water quality permitting approval concerning mitigation and restoration of salmon habitat.

One student researched, compiled a case record, and helped prepare a notice of intent to sue the U.S. Forest Service for authorizing livestock grazing along streams in the Klamath River Basin that provide habitat for wild coho salmon without first consulting the National Marine Fisheries Service. As a result, the Forest Service agreed to consult.

Lastly, and perhaps most intriguing, another clinic student tracked disappearing climate data on government websites and identified partner groups that are archiving this data.

WELC is immensely appreciative of the mutually beneficial relationship it shares with ENR, and looks forward to many years to come of upholding the rule of law and protecting the environment. ■

Extern Partners

Through our ENR Externship Program, students work with a variety of governmental, nonprofit, and tribal entities all over the globe. Recent placements include:

- US Dept. of the Interior Office of the Solicitor
- US Dept. of the Interior Pacific Northwest Region
- US Dept. of Justice Environmental and Natural Resources Division
- Environmental Protection Agency
- US Army Corps of Engineers
- Oregon Attorney General
- Oregon Dept. of Environmental Quality
- Washington Atty General
- California Atty General
- Oregon Public Utilities Commission
- Hell's Canyon Preservation Council
- Squaxin Island Tribe
- Swinomish Tribe
- Electronic Privacy Information Center
- Blue River Law
- Cascadia Wildlands
- Center for Biological Diversity
- Citizens Utility Board of Oregon
- CRAG Law Center
- Delaware Riverkeeper
- Humane Society of the United States
- Idaho Water Users Association
- Iowa Natural Heritage Foundation
- Western Resources Advocates
- Trustees for Alaska
- Earthjustice
- 1000 Friends of Oregon
- Environmental Law Alliance Worldwide
- Trout Unlimited
- Beyond Toxics
- Center for Ocean Solutions
- Lincoln County Counsel
- Our Children's Trust
- Klamath Siskiyou Wildlands
- Midwest Environmental Advocates
- National Law Center for the Inter American Free Trade
- Institute of Man and the Environment of the Amazon in Belem, Brazil



For the Good of Food

Sharath Patil (J.D. '18) served as a Food Resiliency Project fellow for the academic year of 2016-2017 and is now involved as a fellow with the Global Environmental Democracy Project. Sharath was born in India and spent time living in New Zealand and various parts of the U.S., but he spent majority of his childhood in Sahuarita, Arizona, which is located between Tucson and the border of Mexico. To put it simply, he is interested in where things come from, and he is passionate about international trade and sustainable production.

Sharath says: "Every single day, we use goods that have traveled across numerous countries from raw material to end product. This seamless, dynamic supernetwork of supply chains is gorgeous, to me, in its intricacy and efficiency. That said, there are innumerable systemic issues with these supply chains, primarily stemming from unsustainable production practices and unconscionable labor conditions. I am deeply concerned that the price we pay at the checkout line does not account for the hidden costs – the negative externalities – of our global economy."

Sharath has interned with the U.S. International Trade Commission's Office of the Inspector General, and completed an externship with the Delegation of the

European Union to the United States' Trade Section, as an agricultural trade policy intern. He studied congressional developments related to the Farm Bill, researched how USDA regulations would impact EU-US trade, tracked developments in the EU-US beef growth hormone trade dispute, and analyzed trade statistics for various commodities. Sharath spent the summer after his 2L year working as a judicial intern at the U.S. Court of International Trade. In addition, he is an Economics and Trade Fellow at the Baha'i Chair for World Peace at the University of Maryland.

Sharath is also an active practitioner of public service, having volunteered with the Eugene Mission, Food for Lane County Youth Farm in Eugene and Martha's Table in Washington DC. Sharath is a regular contributor to the ENR Blog, and you can read about his experiences and insights on the ENR Fellows Blog.

"Attending law school is an unparalleled opportunity to gain critical skills and tools to impact the world, and ENR empowers me to begin applying this capacity to create positive, sustainable change." Sharath says. "To some degree, I think of my time with ENR as the "heart" of my legal education in that it relates to the moral purpose, the meaningfulness, and the immediate

I am deeply concerned that the price we pay at the checkout line does not account for the hidden costs – the negative externalities – of our global economy." - Sharath

application of my training to my role in the world. I am grateful to the ENR faculty for actively affirming and encouraging me to go forward with the ideas I proposed." Sharath appreciates the ability to work on issues he truly cares about.

He says, "Although there is merit in the systemic rigor of law school, ENR satisfies our other half – it lets us design and pursue projects and research that we find immediately beneficial to our community or even the world.■"



Climate **Change-Maker**

Claire Reid Kiss (JD '18) is interning in Bonn, Germany for the Fall 2017 semester with the United Nations Climate Change Secretariat Legal Affairs Program.

Claire grew up in San Diego and received her Bachelors in Political Psychology from the University of Massachusetts. She discovered her love for protecting the environment when she went to New Zealand in 2013 and spent about half a year working for Greenpeace. The people of New Zealand's passion and love for their land is what inspired Claire to pursue a career in environmental law.

She realized that pursuing a career in environmental law was the best way she could utilize her own skills and protect the environment. Being the daughter of an attorney who gave her lots of support to pursue her dreams growing up, Claire was inspired to find a career she was passionate about. Claire gives her mother a lot of credit for the encouragement she has received in pursuing her goals in environmental law.

She knew Oregon Law was her choice for law school after doing some research on Professor Mary Wood's work with Atmospheric Trust Litigation, but after

visiting Eugene for the first time she was reminded of New Zealand because of the community's respect and love for the land.

Some of Claire's legal work includes working on the Juliana v. U.S. case with Our Children's Trust, where 21 youth plaintiffs are challenging the federal government's failure to protect crucial public trust resources from the threat of climate change. She also completed an internship with Environmental Law Alliance Worldwide (ELAW) and worked on environmental issues in several foreign countries. Claire is also a Research Assistant for Professor Mary Wood, serves as Managing Editor for the Journal of Environmental Law and Litigation, and is Secretary of Land Air Water.

"Climate change is the biggest issue we face today," Claire says, and recognizes the global aspect of such a problem. She is interested in working on peaceful and collaborative solutions within the global community.

Claire's internship with the UN will involve report and review for the Kyoto Protocol, as well as research involving compliance mechanisms for the Paris Agreement. Claire will also have the opportunity to attend the Congress of Parties (COP) 23, which will take place

in Bonn. She describes the internship as a dream job, and remarked that it felt very surreal to get the position after spending her spring semester writing a paper and presenting to her International Environmental Law class on the same topic. ■



LLM Grad Brings Sustainable Cities to Nairobi, Kenya

When LL.M. graduate Edna Odhiambo returned to Kenya, the climate change advocate sought solutions for the densely populated Nairobi. "I am constantly seeking spaces to drive localized climate action towards sustainability," she said.

Edna, a Fulbright Scholar with a background in Environmental Law, traveled from Kenya to Eugene in 2015 for the sole purpose of attending the School of Law. She had enrolled in the LL.M. Program taking full advantage of not only Oregon Law, but also the innovative Sustainable Cities Initiative here at the UO.

SCI is a groundbreaking multi-disciplinary initiative focused on sustainability and the built environment. It addresses community sustainability issues through education, service, public outreach, and research. Projects connect students and community stakeholders to improve the future outlook and viability of each locale. Each community, with its unique infrastructures and legal frameworks, is a new challenge for

students.

During her year here at UO, Edna worked on SCI's Redmond Project, focusing on promoting urban agriculture by concentrating on the connection between urban farming and local regulations. This adaptable model with its practical approach to learning stayed with Edna as she returned to Nairobi.

Now teaching at the University of Nairobi, Edna is implementing the Sustainable Cities model she learned in Oregon, working closely with the SCI projects leads to get it started. "The County of Nairobi is interested in creating more green spaces and pedestrianizing streets as the city experiences rapid urbanization," Edna shared. "The timing and opportunity is right to get Sustainable Cities off the ground, here."

Working through existing faculties at the University of Nairobi such as law, architecture, and engineering, and in partnership with the county, she will be implementing the Sustainable Cities model with enrolled students in target communities beginning this fall.

"Since 2009, we've seen the Sustainable Cities model extend across the country and to other continents. Edna has been both a champion and an ambassador for the program as we embark on this first

project in Kenya," stated Nico Larco, Co-Director of SCI. "She is the right person to promote this model in Nairobi, specifically, one of the most populous urban areas on the continent."

Edna's efforts have also produced a partnership between the University of Nairobi and the Educational Partnerships for Innovation in Communities called Walkability, Nairobi County. EPIC's ability to adjust to different urban settings will provide functionality in Nairobi's densely populated setting. As Edna has noted, "Nairobi is much bigger than Eugene. Students have to choose a locality instead of focusing on the city as a whole."

The progress Edna has made since leaving the Law School has created a buzz that is difficult to contain. Kristie Gibson, LL.M. Program Director, recently said, "We couldn't be happier for Edna and her ability to make the world a better place."

Find out more about SCI at the UO.
<https://sci.uoregon.edu/>



By LL.M. Program Director, Kristie L. Gibson

This year has been another exciting year for the University of Oregon LL.M. Program. The Environmental and Natural Resources Law concentration continues to bring enthusiastic, highly accomplished students to the law school. The expanded LL.M. program also welcomed talented students who pursued an LL.M. in the American Law, Business Law, or Conflict and Dispute Resolution concentrations.

In May, Oregon Law celebrated eleven students who received their Master of Laws degrees, including seven students who completed the Environmental and Natural Resources Law (ENR) LL.M. concentration.

In addition to their academic work, the 2017 LL.M. cohort was engaged and involved in environmental law and human rights conferences, symposia, and consortia locally and internationally. One LL.M. student, a Fulbright scholar, traveled to Oxford, United Kingdom to participate in the Oxford Consortium for Human Rights. Two LL.M. students coordinated panels on trans-boundary water issues and climate change during the 2017 Public Interest Environmental Law Conference in March and presented papers on climate change migration and offshore underwater data centers during the UO Climate Change Research Symposium in April. Another LL.M. student was a guest lecturer on food law and urban agriculture in an UO

undergraduate food studies course. Following graduation, many LL.M. ENR graduates started new internships, applied to advanced degree programs, or returned to their home countries to pursue or recommence their practice in the environmental law and natural resources law fields. LL.M. alumna Gina Rosario Diaz, a LASPAU Fulbright Faculty Development scholar and environmental lawyer from the Dominican Republic, was excited to have an opportunity to participate in a summer internship with the Environmental Law Alliance Worldwide (ELAW). Gina shared that her work at ELAW entails “a variety of environmental law issues in different countries, including climate change, right to a healthy environment, aquaculture, [and] environmental impact assessment.”

LL.M. alumna Gloria Chelang’at, an International Cultural Service Program award recipient from Kenya, was admitted to a prestigious Ph.D. program in international environmental law and policy at Wuhan University in Wuhan, China. She will focus her research on developing “policies governing the environment and natural resources in [Kenya] and in other developing nations facing similar issues.” Gloria’s goal is to establish a consultancy firm in Kenya that focuses on public interest environmental law and natural resources policy.

This August, the LL.M. Program welcomed returning LL.M. students, and seven new members of the LL.M. class of 2017 – 2018. Several LL.M. students will be working toward an LL.M. degree in environmental and natural resources law this academic year.

The class of 2017 - 2018 includes an impressive array of students from Africa, Asia, Europe, and North America. Among the members of the incoming class is a Fulbright scholar who is pursuing an LL.M. degree in environmental and natural resources law.

The incoming and returning LL.M. students bring with them vast and experienced professional portfolios. Among them is an attorney who worked as a legal officer for the Ministry of Agriculture, Directorate for Water Resources Management in Africa, several attorneys who are interested in incorporating environmental law and natural resources law into their practice, an attorney who works for a securities and exchange commission in Asia, and several who have a transactional business practice.

Just like the class of 2017, some of this year’s students have worked in environmental justice and advocacy programs and projects in their home countries and others aspire to focus their work in this area. The incoming ENR-focused students have a strong commitment to public interest service and initiatives, with a focus on climate change, natural resources law, water law, appropriate dispute resolution, environmental protection and preservation. I am delighted to have the opportunity to work with such talented students, and I am excited to be involved in furthering the legal education of such impressive and dedicated legal professionals. ■



Killian Doherty ('14) Killian Doherty, is a Law Associate at Environmental Law Alliance Worldwide (ELAW) where he has worked since fall of 2014. He provides research, writing and consulting support to environmental and human rights lawyers around the globe. Killian, who received his Master's in public policy from Georgetown University and his Bachelor's in linguistics from Western Washington University, speaks Spanish and Portuguese and works with many lawyers in Latin America. This summer, he presented at a conference in Ukraine on climate change litigation and visited lawyers in Panama to discuss strategies for challenging a poorly proposed gold mining project and to advance mining law reforms. Killian is a lover of international travel and soccer. He has written for the Eugene Weekly on soccer news and he enjoys playing pickup soccer games at the UO Campus in Eugene.



Autumn T. Johnson (JD '10) wears a lot of hats at Boise State University (BSU). She is the Assistant Director of the Energy Policy Institute (EPI), an Adjunct Professor for the College of Business and Economics, and a PhD student in Public Policy and Administration. She is making herself at home in Boise, ID... despite that blue turf. At EPI, Autumn helps manage a center dedicated to clean energy research, including both renewables and nuclear. EPI has completed projects for the Dept. of Energy, National Science Foundation, International Atomic Energy Agency, and the Western Governor's Association. For the business school, she teaches commercial law to eager undergraduates, but manages to squeeze in chapters on administrative and environmental law. As a PhD student, her research focuses on the regulatory aspects of energy policy, including growing regionalization through Regional Transmission Organizations (RTOs) and the Energy Imbalance Market (EIM). Before joining BSU, Autumn taught business law at Seattle University (where she also obtained her MBA '15) and ran a solo law office, dedicated to working with small businesses and nonprofits. She was an ENR Fellow with the Conservation Trust Project and a JELL editor while at UO. Before moving to Seattle, she clerked for two years with the Jerome County District Court in Twin Falls, ID. She looks forward to attending PIELC every spring and not just because winters are cold in Idaho!



Mary Anne Nash ('10) Mary Anne Nash is the Public Policy Counsel and Director of Regulatory Affairs for the Oregon Farm Bureau, a membership organization that represents Oregon's farmers and ranchers in the public policy arena. She has been active in working on the Willamette Reservoir system reallocation, the Federal Emergency Management Agency and NOAA Fisheries Biological Opinion on the National Flood Insurance Program, and federal lands management. In 2016, Mary Anne with stakeholders to pass legislation to require greater collaboration on wetlands restoration projects in Tillamook County to ensure projects don't negatively impact farmland. She has a passion for creating greater collaboration among stakeholders to better balance Oregon's economic and environmental needs. Mary Anne also works with state and federal agencies on issues including water quality and supply, removal-fill, Endangered Species Act, NEPA, land use, fish and wildlife, and other natural resources issues. Mary Anne is chair of the executive committee of the Agricultural Law Section of the Oregon State Bar and on the board of the ER Jackman Foundation for Oregon State University. Mary Anne lives in the Portland area with her husband and their cairn terrier, Gertie.



Robin Meacher ('14) Robin Meacher is the Land Protection Manager at the McKenzie River Trust in Eugene, Oregon. An accredited land trust through the Land Trust Alliance, the McKenzie River Trust helps people protect and care for the lands and rivers they cherish in Western Oregon. Robin develops and manages land acquisition projects throughout the Trust's 10,000 square mile service area encompassing eight different watersheds in western Oregon. Since 1989, the Trust has acquired property and voluntary conservation easements to protect, in perpetuity, nearly 5,000 acres of clean, free-flowing rivers, plentiful salmon runs, oak savannas, and vibrant farms and forests that provide habitat and livelihoods. Robin was a ENR fellow in the Conservation Trust Project and worked in land use and environmental law before joining the McKenzie River Trust. In her current role, Robin enjoys exploring the variety of tools available in conservation real estate transactions to help people conserve the places they value. She is incredibly grateful to the ENR Center's faculty and staff for the continuing support and guidance. Robin enjoys the dynamic nature of the non-profit world and is thankful to work to protect the landscapes she explores in her free time.



Richard Mott (J.D. '85) serves as the Director for Environment at the Wallace Global Fund. In his position, Richard has the opportunity to oversee projects that combat climate change and support community rights to self-determination as they relate to the environment. He thinks much of the work strives to rebalance individuals' power with those of corporations and governments. Richard describes the WGF as a small foundation that "punches above its weight." WGF work includes supporting colleges and universities fossil fuel divestment efforts and litigation against the fossil fuel industry. WGF also funds innovative research including a current study at Harvard on the effects of pollution on global mortality. Environmental law, a relatively new discipline in the 1980s, brought Richard to Oregon after he studied plant ecology at Tulane University. After graduating and serving as a U.S. Court of Appeals Ninth Circuit clerk, Richard directed the Atmospheric Pollution Program at the Environmental Law Institute in Washington, DC. He then worked as the vice president for international policy at the World Wildlife Fund. When discussing his own career path and the next generation of public interest lawyers, Richard notes that law school provides individuals with a flexible set of credentials that can be used in a variety of contexts. He hopes that students will see the broad landscape of possible ways that lawyers can contribute to the public interest and act on their idealism.

Engaging the Law to Support Sustainability on Earth



The University of Oregon is actively engaged in greening facility operations and innovative research, supporting and encouraging student initiatives, implementing environmentally and sustainability focused curriculum, and sponsoring public service initiatives. As an Early Adopter, Oregon Law actively participates in the University of Oregon's Green Office Program, and the ENR Center is partnering with Bonneville Environmental Foundation's carbon offset program for air and car travel, all geared at reducing our environmental footprint.



UNIVERSITY OF
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