VLS STUDENT OBSERVER DELEGATION AT COP20, HEADNG TO COP21 NEXT YEAR

Ten Vermont Law School students attended the COP20/CMP10 Conference of the Parties in Lima, Peru, in December 2014 as an Observer Delegation. The group was composed of selected students studying climate change and international environmental law, led by Professor Tracy Bach. The students supported the Myanmar delegation in the COP20 negotiations, to enhance their learning through service to others. The VLS delegation tracked topics of interest for Myanmar and prepared research and analysis of COP20 negotiation issues. They blogged about their observations and analysis at vlsocp.vermontlaw.edu.

A student blog post at the end of the conference summarized the experience: “As the action in Lima comes to a close, the question becomes: What has COP20/CMP10 set into play for the negotiations in Paris next year? This COP was styled as an action-oriented one that would build on the ‘nuts and bolts’ program of COP19 in Warsaw. In Lima, the Warsaw mandate tasked parties with further defining the elements of the new international agreement that would be codified in the Paris Agreement at COP21 and then take effect in 2020, as the Kyoto Protocol sunsets…. [The VLS delegation] chronicled four critical parts of the Lima discussions, namely the next steps under the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts; preserving forest ‘sinks’ by building on the Warsaw Framework for REDD+; refinements to the Clean Development Mechanism; and decisions of the Ad Hoc Working Group on the Durban Platform for Enhanced Action, the fulcrum for pivoting from the existing treaty regime for mitigation targets to one that goes beyond mitigation goals and binds all Convention parties.”

Student members of the VLS Observer Delegation came away from COP20 with a deeper understanding of international environmental lawmakers informed by first-hand experience. A new group of students will attend COP21 in Paris in December 2015.

STUDENT CONTRIBUTIONS TO HUMAN RIGHTS REPORT SHED LIGHT ON THREATS TO JOURNALISTS

Last year, students with VLS’s Center for Applied Human Rights, Sarah Truclke JD/MELP’14 and Sonum Nerurkar MELP’14, contributed to a report entitled “A Dangerous Shade of Green: Threats to Environmental Human Rights Defenders and Journalists in Europe.” The report was produced by VLS’s NGO partner on this project, Article 19, the leading global NGO on freedom of expression and access to information. The Japan Times featured the report in an article on February 22, 2015, and quoted the two recent graduates at length.

“I was particularly disturbed by the number of violations and the extent of violence, particularly by police and governments. I anticipated violations by corporations, but I was not prepared for the governmental allegations that came to light,” Truclke said in the interview. “This fact raises the important point that countries can do something about the violations and can be better held accountable under international law and other legal mechanisms.”

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FROM THE ASSOCIATE DEAN

GREETINGS FROM VERMONT

Students come to Vermont Law School because they want to change the world. These include our new Environmental Mission Scholars—thirteen students who we selected to receive a scholarship because of their commitment to pursuing careers in environmental public service. They are preparing to have a positive impact on issues ranging from water protection to sustainable agriculture to protecting tribal cultural resources.

Many of our students make a difference before they even graduate from VLS. In this newsletter, we are highlighting just a few of the accomplishments of our students from this year alone. A group of ten students traveled to COP20 in Peru in December as an Observer Delegation. While there, they helped the Myanmar delegation by providing research and analysis of key COP20 issues. Last year, as research assistants with VLS’s Center for Applied Human Rights, two of our students contributed to an important report entitled “A Dangerous Shade of Green: Threats to Environmental Human Rights Defenders and Journalists in Europe.”

Student clinicians at VLS’s new Energy Clinic take a community-minded approach by helping local Vermonters develop solar projects that yield both environmental and economic benefits.

I hope you enjoy reading about the many ways that our students and faculty, from our small campus in rural Vermont, are making a difference across the world.

Sincerely,

Melissa K. Scanlan

Melissa K. Scanlan

CLINIC CLAMPS DOWN ON CLIMATE CHANGE

The Environmental and Natural Resources Law Clinic is targeting climate change with multiple cases and projects aimed at keeping coal and tar sands in the ground. Our longstanding battle against a proposed Montana railroad and coal mine continues, and we have filed a new case against the proposed expansion of a tar sands pipeline in the Midwest.

For years, the Clinic has worked to stop a proposed new railroad and coal mine in Montana’s Powder River Valley. Representing the Northern Plains Resource Council, and working with co-counsel Professor Jack Tuholske, the Clinic secured an unprecedented order granting discovery from the mine’s proponents, Arch Coal and the Burlington, Northern, and Santa Fe Railway. Students and staff attorney Ken Rumelt are traveling to St. Louis and Fort Worth to depose corporate executives to undermine the companies’ claims that there is a market for this coal. The Montana Coal team is the Clinic’s largest and includes current students Ari Barusch ’15, Shaula Eakins ’15, Thea Graybill ’15, Zachary Howerton ’15, Kelly Nokes ’15, and Bennett Resnik ’15.

In 2014, the State Department approved a proposal to nearly double the capacity of the Alberta Clipper pipeline without completing an Environmental Impact Statement. This pipeline brings tar sands oil from Canada through North Dakota, Minnesota, and Wisconsin. Representing eight plaintiffs, including the White Earth Band of Ojibwe Indians, the Sierra Club, Center for Biological Diversity, and the National Wildlife Federation, and working with co-counsel Marc Fink (CBD), Doug Hayes (Sierra Club), and Jim Murphy (NWF), the Clinic has filed a lawsuit in federal district court in Minnesota to challenge this violation of the National Environmental Policy Act. The case will require significant briefing and is benefiting from the hard work of another large Clinic team, including current students Michael Campbell ’15, Chris Cavaiola ’15, Nora Greenglass ’15, Scott Lake ’15, and Ashley Welsch ’15.
CLINIC NEGOTIATES SETTLEMENT IN VERMONT CLEAN WATER CASE

The Environmental and Natural Resources Law Clinic reached a favorable settlement in an appeal of the recent Clean Water Act (CWA) permit issued to Jay Peak Resort, a fast-growing, four-season ski resort in northern Vermont. The CWA permit issued by Vermont’s Agency of Natural Resources was problematic because it lacked adequate protective measures and increased the sediment pollution into the area’s streams, even though those streams have failed to meet water quality standards for at least a decade. The Clinic represented the Vermont Natural Resources Council in an appeal of this permit to the Environmental Division of the Vermont Superior Court, which initiated nine months of settlement negotiations. In early March, Judge Durkin signed the Consent Decree that finalized the agreement.

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Under the leadership of Clinic LLM Fellow Rachel Stevens, the Clinic team negotiated a comprehensive settlement that, for the first time, requires that the area’s streams meet water quality standards by a date certain before Jay Peak can begin significant new development projects. The agreement also sets forth detailed stream remediation and monitoring requirements, as well as an enforceable schedule for compliance with water quality standards. This agreement may set a benchmark for future permits issued to other ski resorts in Vermont.

Many student clinicians contributed to this result over multiple semesters, as did VLS’s Dispute Resolution Program and Professor Sean Nolon, whose principles these teams employed. This is a notable achievement for Vermont’s sensitive mountain streams.

“WE ARE COMMITTED TO HELPING COMMUNITIES DEVELOP PROJECTS THAT LEAVE A LASTING GREEN FOOTPRINT AND BENEFIT THE LOCAL ECONOMY.”

—KEVIN JONES, Professor & Deputy Director, IEE

ENERGY CLINIC FOCUSES ON COMMUNITY SOLAR PROJECTS

The Energy Clinic at VLS, the first of its kind in the country, takes a community-minded approach by helping local Vermonters develop solar projects that yield both environmental and economic benefits. The clinic’s current clients include the Vermont Natural Resources Council; the Town of Thetford, Vermont; and Boardman Hill Farm in West Rutland, Vermont.

“We are focused on developing community solar projects and on educating solar consumers,” said Professor Kevin Jones, deputy director of the Institute for Energy and the Environment (IEE), who leads the work of the six-month-old clinic. “While interest in community solar continues to grow, not all so-called community solar projects are the same. Many help the local community reduce their local carbon footprint at an affordable cost, but other developers are stripping away the environmental benefits and exporting them out of state while leaving the local community members with the inaccurate impression that they are buying local solar when they really aren’t. We are committed to helping communities develop projects that leave a lasting green footprint and benefit the local economy.”

Jones and IEE Fellow Samantha Mashler JD’13, LLM’14, MERL’15 work with nine student clinicians to create legal structures and help clients apply low-cost, environmentally beneficial solar models to their projects.

ENERGY BURDEN REPORT SHOWS VERMONTERS LIVING IN FUEL POVERTY

The Institute for Energy and the Environment at VLS has published a report entitled “Energy Costs and Burdens in Vermont: Burdensome for Whom?” The report says that one in five Vermonters spends too much on energy. Funding for the report was provided by VLIAC. In January, representatives from VLS presented key findings and recommendations at a press conference in the Vermont State House and at a meeting of the Legislature’s Climate Caucus. Kevin Jones, Deputy Director of the Institute for Energy and the Environment, was accompanied by the report’s co-author Jonathan Teller-Elsberg MERL’14. Other speakers included representatives from Vermont’s Low Income Weatherization Program and the Vermont Low Income Advocacy Council (VLAC). The report is available at vermontlaw.edu/IEE/publications.

VLS PARTNERS WITH THE ENVIRONMENTAL LAW INSTITUTE TO DELIVER LEGAL ESSENTIALS COURSE FOR ENERGY EXECUTIVES

The Institute for Energy and the Environment has developed a rigorous, one-week course designed to provide electricity professionals with the foundation to more fully understand the role of federal and state energy commissions and how to operate effectively within these structures. Beginning with the basic functions of government and building to the interplay among state, federal, and regional oversight to more fully understand the profession with the foundation to more fully understand the role of federal and state energy commissions and how to operate effectively within these structures. Beginning with the basic functions of government and building to the interplay among state, federal, and regional oversight when planning new energy infrastructures, the course offers a broad overview of the legal basics critical to operating an effective utility company.

The course, which is co-sponsored by the Environmental Law Institute, will run May 4–8, 2015, in Washington, D.C. Faculty will include Glenn J. Berger ‘78, a retired partner in the energy and infrastructure projects practice at Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates; Stuart A. Caplan, a partner at SNR Denton with more than 20 years of experience in the energy industry; Justin R. Martin, Senior Corporate Counsel at the Electric Power Research Institute; and VLS Professors Michael Dworkin, Mark Latham, and Oliver Goodenough. For more information, please visit http://www.vermontlaw.edu/legal-essentials.
VLS REPORT SHOWS INCREASE IN FARM TO SCHOOL LEGISLATION IN 2014

Twenty-two states passed farm-to-school-supportive bills and resolutions in 2014, a 64 percent increase over 2013, according to a report released by the National Farm to School Network. The State Farm to School Legislative Survey: 2002–2014, prepared by researchers at VLS’s Center for Agriculture and Food Systems (CAFS), is a comprehensive review of state-level farm to school policies, analysis of national trends, and advocacy guide for those working to advance the farm to school movement across the country.

“One of the most impactful ways to grow these programs is for states to embed farm-to-school coordinators in their departments of agriculture and education, but funding for these positions continues to be a roadblock,” said Professor Jamie Renner, Clinical Lead at CAFS. “The survey is a valuable tool to help advocates approach policy at a level that makes sense for their state.”

NEW MASTER’S DEGREES IN FOOD AND AGRICULTURE LAW AND POLICY

VLS’s Center for Agriculture and Food Systems (CAFS) is offering two new master’s degrees in food systems and agricultural law: the Master of Food and Agriculture Law and Policy (MFALP) and the LLM in Food and Agriculture Law. Both degrees have earned ABA acquiescence.

“The master’s degree options, shaped by our diverse course offerings and innovative law clinic, solidify CAFS as the most comprehensive sustainable food and agriculture environmental law program in the country,” said CAFS Director Laurie Ristino, associate professor of law. “Vermont Law School faculty, staff, and students are committed to creating real-world tools for advocates, farmers, and entrepreneurs—and to developing the next generation of leaders in the food movement.”

The MFALP degree program provides students with practical training in public advocacy and writing for a legal policy audience, opportunities for independent research with support from faculty, and externships at organizations around the world. The LLM in Food and Agriculture Law is designed for students who already hold a law degree and wish to pursue intensive study and practical training in sustainable food and agriculture.

NEW LLM IN FOOD AND AGRICULTURE FELLOW: CARRIE SCRUFARI ’17

Carrie Scruftari knows the importance of developing the next generation of leaders in food and agriculture advocacy. With a background in secondary education and time logged in the classroom and cafeteria, Carrie has seen firsthand the breakdown of food and nutrition policy in our school systems.

“Students are eating ‘Grade D but edible’ beef and a host of fried and processed foods, while drinking flavored milk with added sugar and soft drinks laced with high-fructose corn syrup. These consumption practices directly correlate to students’ behavior and performance in the classroom. If we encourage and support children in making healthy decisions in the classroom, we can help instill healthy, responsible choices in adulthood. I hope to use my legal career to ensure our nation’s schools are providing healthy and nutritious foods to fuel students’ physical, academic and psychological growth.”

Carrie graduated from the University of Maryland Law School, where she was editor-in-chief of the Maryland Law Journal of Race, Religion, Gender and Class and was a member of the National Trial and Moot Court teams. Carrie comes to VLS from a clerkship with the New York State Appellate Division, Fourth Judicial Department in Rochester and the Court of Appeals in Albany, New York.

Recent cases in the Court of Appeals involving the sale of raw milk and failed attempts to limit soda consumption in New York City further motivated Carrie to pursue a career focused on food and agricultural law. She served on the Board of Directors at the Honest Weight Food Co-op in Albany, and volunteered her time teaching community cooking and juicing classes to adults and children alike.
ROUNDTABLE IN CHINA ON ENVIRONMENTAL PUBLIC INTEREST LITIGATION

On July 7, 2014, the U.S.-Asia Partnerships for Environmental Law (PEL) sponsored an Environmental Public Interest Roundtable in Beijing, which brought together some of China’s best known environmental lawyers and representatives from many high-profile NGOs. The event launched a new project to help environmental NGOs in China use legal tools, including the standing provision permitting NGO’s to sue on behalf of the public interest under the recently revised Environmental Protection Law, and to improve and strengthen environmental governance and rule of law. China recently amended the Environmental Protection Law, permitting civil society organizations to bring environmental tort cases on behalf of the public interest.

To provide an example of how the U.S. has used citizen suits to enforce environmental laws, the PEL invited experts from U.S. EPA, General Counsel Avi Garbow and Senior Counsel Steve Wolfson, to share with roundtable participants how citizen groups in the U.S. have dealt with some of the challenges they faced in pursuing these cases.

STUDENTS TRAVEL TO CHINA TO PRESENT RESEARCH

Every year, the U.S.-Asia Partnerships for Environmental Law program pairs VLS students with Chinese law students, who then work cooperatively to research and produce scholarship on cutting-edge issues in Chinese environmental law. In December, the students traveled to Beijing and Guangzhou to meet with their counterparts and give research presentations at their respective universities. Kyle Sullivan ’15 and his partner presented their research on the application of international transboundary watercourse law in China at the China University of Politics and Law in Beijing. At Sun Yat-Sen University, Rebecca Smith ’15 and her partner gave a presentation on regulating CAFO’s in the US and China, and Kristin Campbell ’15 and her partner presented on regulation of PM2.5 in the U.S. and China. Additionally, the students met with Greenpeace East Asia and the Huanzhu Law Firm, China’s first public interest environmental law firm, to learn more about current environmental advocacy efforts in China.

A GLOBAL NETWORK

The Environmental Tax Policy Institute continues to build and enjoy the benefits of its international connections. The 15th Global Conference on Environmental Taxation, organized by Denmark’s Aarhus University, was held in Copenhagen on September 24–26, 2014. The interdisciplinary conference focused this year on environmental taxation and emissions trading in an era of climate change, and attracted over 190 participants from 33 countries. The Institute was a supporting partner; its director, Professor Janet Milne, is a member of the three-person steering committee for the conference series. The next conference will be held in Sydney, Australia, on September 23–26, 2015.

The Danish connection also has brought Aarhus University’s Professor Birgitte Egelund Olsen to VLS for a five-month visit as a Fulbright Scholar. Building on her extensive work on renewable energy law in the EU and Denmark, Olsen is researching U.S. policies governing wind farms on a comparative basis, including the challenge of how to reduce disputes over local siting decisions. The Environmental Tax Policy Institute and VLS’s Institute for Energy and the Environment are hosting her visit. A visit to VLS by Professor Stefan Weishaar from Groningen University last fall allowed him to pursue his research on the Regional Greenhouse Gas Initiative and the legal distinction in the U.S. between taxes and fees. Looking ahead, the Institute is involved in a new, two-year European research project organized by the Instituto University de Estudios Europeos in Madrid, Spain, that is studying the intersection of energy taxation and the EU’s state aid rules. As a principal researcher, Milne provides comparative U.S. perspectives.

VLS students work closely on Institute research that is presented or exchanged through these connections. The sharing of ideas, legal analysis, and practical experiences across international borders is an essential part of building the understanding of the past and future role of environmental taxation.
ENVIRONMENTAL MISSION SCHOLARS COME TO VLS WITH A CAUSE

The VLS Class of 2017 includes thirteen Environmental Mission Scholars. They are part of a new program designed to encourage students to pursue careers in public service, environmental stewardship, global advocacy, and innovation—the core values of a VLS education. The scholarships provide financial support to students, a stipend for a public interest internship, special mentoring, dinners with faculty members, and the opportunity to present an environmental research paper as part of the Environmental Law Center’s public lecture series.

This year’s scholars are interested in a broad range of environmental topics, but they share a dedication to environmental stewardship. Jacklyn Velasquez, a graduate of Central Washington University, worked as an environmental technician for the Big Pine Paiute Tribe in California. She hopes to return to work with tribes on cultural resource protection and environmental advocacy. Stacy Shelton, a Georgetown graduate, wants to protect wildlife and provide legal counsel to a high level federal executive or legislative branch of government. Before coming to VLS, she spent seven years as the environmental reporter for the Atlanta Journal-Constitution and five years as a public affairs specialist for the Southeast Region of the U.S. Fish and Wildlife Service. Patrick Marass worked as an environmental consultant at FB Environmental, a small water resource consulting firm in Portland, Maine. A graduate of the University of Maine, he hopes to advance long term water protections and promote the public interest in Maine. Laura Hartz has a BA from Hamilton College and an MS from Tufts University’s Agriculture, Food and Environment Program. Prior to VLS, she worked for an environmental consulting firm on energy and agriculture issues. Her professional goal is to decrease the environmental impacts of agriculture and promote agricultural sustainability.

“These scholars are committed to careers in public service,” said Melissa Scanlan, Associate Dean of the Environmental Law Program at VLS. “The scholarships will help reduce their debt load and enable them to pursue their dream careers protecting the environment.”

VERMONT LAW SCHOOL INVITES LEADERS IN THE FIELDS OF ENVIRONMENTAL, ENERGY, AGRICULTURE, AND INTERNATIONAL ENVIRONMENTAL LAW TO SERVE AS DISTINGUISHED SUMMER SCHOLARS IN RESIDENCY DURING THE VLS SUMMER SESSION. THESE DISTINGUISHED VISITORS ARE A SIGNIFICANT INTELLECTUAL RESOURCE FOR OUR SUMMER STUDENTS AND ALSO OFFER VALUABLE NETWORKING OPPORTUNITIES.

The Environmental Scholar is James Salzman, currently the Samuel F. Mordecai Professor of Law and Professor of Environmental Policy at Duke University. This summer, Professor Salzman will become the inaugural Donald Bren Professor of Environmental Law and Policy with joint appointments at UCLA’s law school and UCSB’s school of the environment. His scholarship has addressed topics spanning trade and environment conflicts, the history of drinking water, environmental protection in the service economy, and wetlands mitigation banking.

The Energy Scholar is Steven Ferrey, Professor of Law at Suffolk University Law School. Since 1993, he has served as a primary legal advisor to the World Bank and the United Nations on renewable energy and climate change projects in several developing countries in Asia, Africa, and elsewhere. He is the author of 7 books and 100 articles on energy and environmental law.

The Sustainable Agriculture and Food Systems Scholar is Janelle Orsi, Co-Founder and Executive Director of the Sustainable Economics Law Center. Ms. Orsi is a lawyer, writer, and cartoonist. She is the author of Practicing Law in the Sharing Economy: Helping People Build Cooperatives, Social Enterprise, and Local Sustainable Economies (ABA Books, 2012).

The International Environmental Law Scholar is Philippe Cullet, Professor of International and Environmental Law at SOAS at the University of London; Senior Visiting Fellow at the Centre for Policy Research in New Delhi; and Convener at the International Environmental Law Research Centre. His books include Water Law, Poverty and Development—Water Law Reforms in India (Oxford University Press, 2009).

Michael Gerrard to deliver annual Williams Lecture

Michael Gerrard will deliver the 11th Annual Norman Williams Distinguished Lecture in Land Use Planning and the Law at VLS on April 9. Gerrard’s talk, titled “Climate Change and Land Use Law: A Strategy to Avoid the Worst Impacts” explores how the latest climate projections paint a dire future unless radical measures are taken. Professor Gerrard will discuss how settled doctrines and practices in land use and environmental law will need to be revisited if we are to forestall the worst impacts of climate change, and cope with those that will occur anyway. Michael Gerrard is the Andrew Sabin Professor of Professional Practice and Associate Chair of the Earth Institute at Columbia Law School in New York.
HOPE IS A RIVER: PROTECTING AND RESTORING AMERICA'S RIVERS

America has gone from an era in which every river was seen as something to be dammed, diverted, or destroyed, to a new era of river restoration. On April 23, Bob Irvin, President of American Rivers, the nation’s leading conservation group working to protect and restore rivers, will visit VLS to discuss this transformation, telling stories of hope about river protection and restoration as well as the challenges ahead. Irvin leads American Rivers’ work to protect wild rivers, restore damaged rivers, and conserve clean water for people and nature. He is an environmental attorney with more than 30 years of experience as a conservation advocate. He was a member of the VLS summer faculty for two decades, teaching Biodiversity Protection.

GLOBAL FOOD ACTIVIST VANDANA SHIVA: TRANSFORMING FOOD SYSTEMS

International food activist and author Vandana Shiva spoke about the role of Vermont’s GMO (genetically modified organism) labeling law as part of a global solution to transform food systems and reverse climate crisis during a lecture on November 3. Her lecture was sponsored by the Center for Agriculture and Food Systems at VLS in support of the Vermont Right to Know GMOs Coalition. This year the coalition achieved a milestone with the passage of the country’s first mandatory GMO labeling law, with critical legal support from the Environmental and Natural Resources Law Clinic at VLS.

Shiva is the author of the books The Violence of the Green Revolution, Monocultures of the Mind, Stolen Harvest, and Water Wars. Her farm in India, “Navdanya,” is a mecca for biodiverse, sustainable agriculture and serves as a network of seed keepers and organic producers. Navdanya has trained thousands of farmers in sustainable agriculture.

ELON'S FAITH RIVERS JAMES: MARTIN LUTHER KING JR. KEYNOTE ADDRESS

Faith Rivers James, recognized for her work to preserve heir property ownership in the black community and associate dean at Elon University School of Law, led the Dr. Martin Luther King Jr. Observance at VLS on January 20. A former VLS environmental faculty member, she discussed both social justice and property issues during her keynote address.

Dean Rivers James was instrumental in establishing the Center for Heirs’ Property Preservation in Charleston, S.C., her hometown. Land ownership and retention is at the core of black community sustainability, and the center and others like it work to safeguard that heritage. Through education and legal services, the center promotes the sustainable use of property to protect families from developers and increase their economic benefit.

EARTHRIGHTS INTERNATIONAL'S KATIE REDFORD: “EARTH RIGHTS V. CORPORATE RIGHTS”


EarthRights International works in defense of human rights and the environment. Redford served as counsel to plaintiffs in the organization’s landmark case, Doe v. Unocal. In 1995 she received an Echoing Green Fellowship to establish EarthRights International.
MASTER’S FELLOWS COMBINE CLASSES AND EXPERIENCE

The master's degree programs at VLS include a number of fellows who spend two years at VLS, splitting their time between classes and working for our environmental institutes and programs.

Mark James ’16 is a Global Energy Fellow at the Institute for Energy and the Environment (IEE) and a student in the LLM in Energy Law program. He holds a JD with a specialization in environmental law from the University of Ottawa, where he concentrated his research on carbon taxes, environmental justice, and a review of climate change adaptation and securities law.

Samantha Mashler ’15 is a student in the Master of Energy Regulation and Law (MERL) and LLM in Environmental Law programs. She also received her JD degree from VLS. As a MERL Energy Fellow with the IEE, she is focused on the start-up phase of VLS’s new Energy Clinic.

Carla Santos ’15 is pursuing her LLM in Energy Law as a Global Energy Fellow at the IEE. She received her law degree in Brazilian Environmental Law from Catholic University of Rio de Janeiro and worked as a legal counsel in the State Attorney’s Office in the Environmental Protection Agency of Rio de Janeiro.

BJ Schulte ’15 is pursuing an LLM in Environmental Law as a Fellow at the U.S.-Asia Partnerships for Environmental Law. He earned his JD degree from Rutgers University and was a senior staff attorney at Eastern Environmental Law Center in Newark, New Jersey before coming to VLS.

Carrie Scrufari ’16, is the first LLM Fellow at the Center for Agriculture and Food Systems, and she is pursuing the new LLM in Food and Agriculture Law degree. She received her JD from the University of Maryland School of Law, and recently completed a clerkship with the New York State Court of Appeals.

Rachel Stevens ’16 earned her JD and Master of Environmental Law and Policy degrees from VLS and is now pursuing her LLM in Environmental Law. She is a Fellow at the Environmental and Natural Resources Law Clinic, where she serves as lead counsel in environmental litigation, administrative appeals, and other proceedings and supervises student clinic teams.

Macarena Vassallo ’15 is the Environmental Law Center’s International Fellow. She holds a law degree from Pontificia Universidad Catolica in Santiago, Chile. She hopes to work as an environmental advocate in government.

STUDENT IN THE SPOTLIGHT

ENVIRONMENTAL CONSERVATIONIST: JAMIE ERVIN MELP ’15

With a dual degree and multiple internships, Jamie Ervin has created his own path to support his passion for land conservation. “I grew up in Western North Carolina, at a time when mountain real estate sales were really booming. I became passionate about the mountains as a teenager and saw a lot of my favorite places getting built up and gated off to the public, often for upscale second-home development. I see land conservation as a way to plan for this sort of thing and keep the most fragile and unique parts of a landscape intact in the face of market pressures.”

Jamie is pursuing a MELP at VLS and an MS in Natural Resources and Ecological Planning at the University of Vermont. He earned a BS in Environmental Studies from the University of North Carolina at Asheville in 2010. He is currently splitting his time between two internships: a New York-based land conservation group called the Open Space Institute, and an Asheville, North Carolina-based public lands advocacy group called Wild South. With Open Space, he is helping the organization’s research staff with two grant programs: the Delaware Watershed Protection Fund and the Southeast Resilient Landscapes Initiative. These programs fund land acquisitions, conservation easements, and other market-based tools in their respective landscapes. With Wild South, he is helping with the Florida Keystone Project, a campaign to ensure that federal land managers are complying with the Endangered Species Act in their management of the endangered Red-Cockaded Woodpecker.

Professor John Echeverria had Jamie as a student in Public Law and in Water Resources Law. “Jamie brought highly developed passions for the natural world and the cause of environmental protection to Vermont Law School,” says Echeverria. “He is making good use of his time here to develop the skills and knowledge he will need to be an environmental leader.” Upon graduating he plans to keep working within the land conservation community for either a regional land trust or a larger conservation group.

“In the Spotlight” is a monthly feature that explores the lives of Vermont Law School students through their own words and pictures. This month, we spotlight Jamie Ervin MELP ’15.
“GLOBAL FOOD, LOCAL SOLUTIONS” CONFERENCE ON ACCESS TO HEALTHY, SAFE FOODS

Public health, nutrition, and environmental experts joined VLS students to address challenges related to food safety, food security, and food sovereignty in disenfranchised communities during the law school’s annual Solutions Conference in March. The day-long conference included panels on “Food Safety Issues as They Affect Low-Income Communities and Communities of Color,” “Native American Food Sovereignty: Environmental Challenges to Food Security,” and “New England Food Justice.”

“We wanted to highlight the challenges faced by many communities in the U.S. and internationally, and how we can work with various models of agriculture to help find solutions,” said Alona Tate ’15. “We are lucky to be surrounded by bountiful farms in Vermont. However, in many communities in the U.S. there is not adequate access to healthy food, and many people do not have the resources to purchase local and organic food. It is important that we consider all models of agriculture as an integral part of sustainable solutions.”

—ALONA TATE ’15

“WE WANTED TO HIGHLIGHT THE CHALLENGES FACED BY MANY COMMUNITIES IN THE U.S. AND INTERNATIONALLY, AND HOW WE CAN WORK WITH VARIOUS MODELS OF AGRICULTURE TO HELP FIND SOLUTIONS…”

ENVIROMNENTAL FACULTY NEWS

BETSY BAKER


LAURIE BEYRANEVAND


MICHAEL DWORKIN


HILLARY HOFFMANN


LAURA MURPHY PUBLICATIONS: Amicus brief (together with Patrick Parenteau) in an important Clean Water Act case pending in the Second Circuit (Catskills Trout Unlimited v EPA). The brief was filed on behalf of a group of environmental law professors and two of the original authors of the CWA—Leon Billings and Tom Jorling.


Vermont Law School professor and nationally recognized environmental law scholar and activist Gus Speth has written a new memoir, Angels by the River: Reflections on race, environment, politics, and living on the front lines of change explores the issues that have shaped the United States since the 1950s and that have contributed to the author’s evolution from small-town Southerner to environmental advocate. Speth, former dean of the Yale School of Forestry and Environmental Studies and co-founder of the Natural Resources Defense Council and World Resources Institute, has received critical acclaim for the book.

“Angels by the River is a personal look at the forces that shaped one of America’s great environmental leaders and climate activists,” said Frances Beinecke, president of the NRDC. “Gus doesn’t shy away from the dangers of climate change, but he maintains an enduring faith that people can and will make the difference. This book will engage, enlighten, and spur readers to action—just as Gus has inspired so many of us with his commitment and drive.”

“A longtime friend and ally, Gus Speth is a tireless advocate for the environment,” said Al Gore, former vice president of the United States, in his review. “His accumulated stories and knowledge, the kind that could only come from decades of experience at the highest levels, provide a unique and insightful look into our history, and the way forward from here.”

Gus Speth gave a talk about his book to kick off VLS’s 2015 Spring Faculty Speaker Series. For more information about Angels by the River, visit angelsbytheriver.com.

“GUS DOESN’T SHY AWAY FROM THE DANGERS OF CLIMATE CHANGE, BUT HE MAINTAINS AN ENDURING FAITH THAT PEOPLE CAN AND WILL MAKE THE DIFFERENCE. THIS BOOK WILL ENGAGE, ENLIGHTEN, AND SPUR READERS TO ACTION—JUST AS GUS HAS INSPIRED SO MANY OF US WITH HIS COMMITMENT AND DRIVE.”

—FRANCES BEINECKE, President of the NRDC

SUMMER SESSION FACULTY NEWS


Kevin Foy has been promoted to Associate Professor of Law at North Carolina Central University. He teaches Environmental Law at VLS.

William S. Eubanks II LLM’08 won a high-profile case in federal court that requires the National Park Service to take actions to significantly curtail environmentally damaging off-road vehicle use in Florida’s Big Cypress National Preserve, and to begin restoring the unique ecosystems that exist there. He taught a course on Food Systems and Environmental Law during the fall 2014 semester at American University’s Washington College of Law. Eubanks is a partner at Meyer Gitsenheim & Crystal. He teaches Public Health Implications of U.S. Agriculture and Food Policy at VLS.

Linda Sheehan was invited by government officials in the Beijing Water Science and Technology Institute to present on the topic, “The History and Philosophy of ‘Sustainability’: Toward the Development of an Ecological Civilization of Thriving Communities.” Sheehan is the executive director of the Earth Law Center. She teaches Earth Law at VLS.

David Wirth taught a course on the International Law of Food in the summer of 2014 at Collegio Europeo/University of Parma, Italy. His article “The International and Domestic Law of Climate Change: A Binding International Agreement without the Senate or Congress?” is forthcoming in 39 Harv. Envtl. L. Rev. ___. He was a presenter on panels on global warming, food safety, Crimea, and ISIL at the New Year’s Renaissance Weekend in Charleston, South Carolina, in December. He presented “Private Voluntary Standards and New U.S. Food Safety Legislation: The Food Safety Modernization Act and Imported Food,” to the Working Group on International Trade and Investment at the European University Institute, Fiesole, Italy, in May. Wirth is a Professor of Law at Boston College Law School. He teaches International Trade and the Environment at VLS.
GUY ALSENTZER ’10 recently celebrated the first anniversary of founding Upper Missouri Waterkeeper, Inc. JULIA ANASTASIO MSEL ’96 was named Executive Director and General Counsel for the Association of Clean Water Administrators in Washington, DC. LEE CAFFERY ’06 is General Counsel for Wildlands Engineering, Inc., a company that provides stream and wetland restoration, permitting, and mitigation banking in the Southeast. LISA CAMPION ’11 participated in the USAID Farmer-to-Farmer program in Uganda, Africa in June, 2014. BRIANA COLLIER ’11 is an associate at Witten, Woolmington, Campbell & Bernal with a practice focused on civil litigation, land use, energy, and conservation planning. CHARLES DI LEVA ’78 is Chief Legal Advisor for a team helping Peru develop a new law on climate change and new instruments for carbon and climate finance. DIANE HENKELS ’98 authored the wind energy chapter in Energy Choices: How to Power the Future. LEIGH HENRY MSEL ’98, a Policy Specialist at the World Wildlife Fund, is a leader in strengthening international wildlife trade policies. DR. WILLIAM HOLT ’09, the Coordinator of the Urban Environmental Studies Program at Birmingham-Southern College, edited From Sustainable to Resilient Cities: Global Concerns/Urban Efforts. ASHLEY IVANOV ’09 announced the publication of her environmental novel From Pristine to Earth, written for middle-school-age youth and young adults. ERIN MEEZAN ’97 is Vice President of Sustainability for Interface, Inc., a company committed to eliminating any negative impact it may have on the environment by the year 2020. JESSICA REISS ’11 joined the Office of Legal Counsel at the Indiana Department of Environmental Management as an attorney focusing on air quality. CARINA ROSELLI ’13 is a visiting attorney with the Environmental Law Institute, as well as chief instructor at the Vermont National Guard’s Officer Candidate School. EMILY STARK ’08 is the new Executive Director of Plains Justice, a Great Plains energy and environmental law center. DANIEL WILLIAMS ’10 is the FAA’s lead advisor on the development of international measures to reduce GHG emissions from the aviation sector.

SAVE THE DATE: UPCOMING FALL 2015 EVENTS

SEPTEMBER 25 LITIGATING TAKINGS CHALLENGES TO LAND USE AND ENVIRONMENTAL REGULATIONS

The 18th annual Litigating Takings Challenges to Land Use and Environmental Regulations conference will take place on Friday, September 25, 2015, at the University of Maryland’s Francis King Carey School of Law. Conference sponsors include Georgetown University Law Center, University of Maryland Francis King Carey School of Law, and Vermont Law School. This conference explores the regulatory takings issue as it relates to land use and environmental regulation. In addition to offering a basic overview of modern takings law, the conference brings together a diverse group of leading scholars and experienced practitioners to discuss cutting-edge issues raised by recent decisions and pending court cases.

SEPTEMBER 23–26 16TH GLOBAL CONFERENCE ON ENVIRONMENTAL TAXATION

The 16th Global Conference on Environmental Taxation will be held in Sydney, Australia, September 23–26, 2015. This year’s conference theme is “Green Fiscal Reform: Protecting our Natural Resources for a Sustainable Future.” The conference is co-sponsored by VLS’s Environmental Tax Policy Institute and will be hosted by the Faculty of Law at the University of Technology, Sydney.

OCTOBER 2–3 COLLOQUIUM ON ENVIRONMENTAL SCHOLARSHIP

The sixth annual Colloquium on Environmental Scholarship will take place October 2–3, 2015, at Vermont Law School. The colloquium offers the opportunity for environmental law scholars to present their works-in-progress and recent scholarship, to get feedback from their colleagues, and to meet and interact with those who are also teaching and researching in the environmental and natural resources law area. If you are interested in presenting a paper at the colloquium, please submit a working title and abstract of 200–300 words, using the online form, no later than May 1, 2015.

OCTOBER 24 VERMONT JOURNAL OF ENVIRONMENTAL LAW SYMPOSIUM

The theme of the Vermont Journal of Environmental Law’s annual symposium is “TMDLs 2.0;” panelists will explore current issues regarding Total Maximum Daily Loads under the Clean Water Act. More information is available at http://vjel.vermontlaw.edu/symposium.