



2021

# THE YEAR IN REVIEW

UNIVERSITY OF OREGON SCHOOL OF LAW

**Environmental and Natural Resources Law Center**

## RESPONDING TO THE URGENCY OF NOW

Collaboration and Building New Frameworks through University of Oregon's Environment Initiative



UNIVERSITY OF  
OREGON

**School of Law**

# 2021 THE YEAR IN REVIEW

UNIVERSITY OF OREGON  
SCHOOL OF LAW

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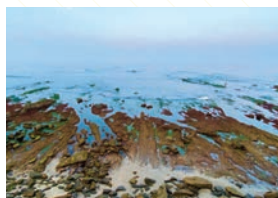
Greg Dotson Accepts US Senate  
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Former Dean Rennard Strickland Dies

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PIELC 2022

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# Message from the Director



Heather Brinton

Amidst a tumultuous year, the University of Oregon's Environmental and Natural Resources Law Center continues to explore new and innovative means of meeting its mission – to engage the law to support sustainability on Earth.

We continue to face extraordinary challenges, including the COVID-19 pandemic, a critical and long overdue reckoning of pervasive and systemic racism and inequality, ongoing and acute questions about the integrity of our democratic processes, and intensifying manifestations of the climate crisis. Perhaps there has never been greater clarity of the need for equitable and sustainable paths forward. We recognize both duty and opportunity in the continuing work of the ENR Center to contribute to meaningful solutions that support social justice and environmental protection while bringing us closer to our democratic ideals.

As you read our year-in-review, you will see the dedication of the Oregon Law community toward these goals. While operating in unprecedented circumstances, our faculty, students, and alumni persistently continued their day-to-day work of making a difference on the ground.

ENR's Interdisciplinary Research Projects and Fellows Program continues to provide effective legal and policy analysis to practitioners and governmental decision-makers working on critical environmental issues. Our faculty members continue to demonstrate their commitment to excellence in scholarship, classroom teaching, and public service. Our remarkable alumni continue to protect communities and the environment. Our students continue to provide new insight into opportunities for a transformed world. The commitment and dedication of the Oregon Law community, in the face of formidable obstacles, is inspiring. I look forward to sharing our efforts and I welcome your thoughts and suggestions as we continue our work.

**Heather Brinton, Executive Director**  
Environmental and Natural Resources  
Law Center

# PIONEERS AND VISIONARIES IN ENVIRONMENTAL LAW



#10

US News and  
World Report (2020)

#2

In the Pacific  
Northwest

A+

PreLaw Magazine  
(2020)

At Oregon Law, we never take our eyes off the horizon. We collaborate, innovate and find better ways to tackle environmental issues around the globe.

Pioneered courses in public interest environmental law

First environmental law clinic in the United States

Home of the oldest and largest Public Interest Environmental Law Conference (PIELC) in the world

Created Interdisciplinary Research Projects to tackle climate change

# UNIVERSITY OF OREGON'S ENVIRONMENT INITIATIVE

Responding to the Urgency of Now through Collaboration  
and Building New Frameworks



"The interdisciplinary initiative aims to shine a light on the environmental research, teaching, and community engagement that have long been among the UO's core strengths and values."

– Director Adell Amos

As many of us have known for some time, we live in an age of unprecedented and transformative environmental change. In fall 2019, UO Provost Patrick Phillips announced the formation of the Environment Initiative. The initiative leverages UO's greatest strength—the time and talent of its people and their decades-long commitment to impactful environmental teaching, research, and service—to make a positive and collective impact. The provost named Adell Amos, Clayton R. Hess Professor of Law, as its inaugural director.

Over the past two years, Amos has led an engagement process to gather ideas and energy. All participants were given the chance to provide input on the work they currently do, the stories we need to tell, and obstacles and opportunities for collaborating across disciplines.

## Areas of Emphasis

With the urgency created by climate change and the need for environmental justice woven throughout, the following areas of emphasis emerged from the campus engagement process:

- Environmental Hazards and Landscape Resilience
- Energy and Decarbonization
- Water Futures and Community Restoration
- Sustainable Human Systems and the Built Environment
- Social Change through Environmental Education and Communication
- Indigenous Ecological Knowledge and Sovereignty
- Restoration, Biodiversity and Rewilding
- Environmental Entrepreneurship and Circular Economies

## Guiding Principles

Within each node/theme, the Guiding Principles for the Environment Initiative are woven into the substantive content:

- Multidisciplinary and innovative in finding opportunities for teaching and research
- Policy-relevant, applied, translational work, and responsive to the urgency of environmental issues
- Rooted and focused on issues of equality, equity, and social and environmental justice in which we add and amplify voices in the conversation
- Relevant and responsive to the needs of the state and eco-region
- Tied to direct student outcomes, and new ways of thinking about professional pathways for a changing world

This year, the Environment Initiative will convene faculty and staff under each of the themes above to brainstorm potential projects, partners, and opportunities. Consistent with the goals described above, the Environment Initiative will form a network of collaboration that reflects what it means for higher education to be responsible and responsive to the threats we face as a society and to work to build and realize a just and livable future.

"The interdisciplinary initiative aims to shine a light on the environmental research, teaching, and community engagement that have long been among the UO's core strengths and values," said Amos, who brings her own research and national service in the environment and water to the efforts at the UO.

## The Environment Initiative's Breadth

One of the central goals of the initiative is to responsibly gather this information and develop ways to share it both internally and externally. The breadth ranges from the School of Law's Environmental and Natural Resources Law Center, ranked 10th nationally, to the Lundquist College of Business's third-ranked MBA program for sustainable business; from the School of Journalism and Communication's Center for Science Communication Research to numerous programs and initiatives in the College of Design—Biology and the Built Environment Center, the Sustainable Cities Initiative, School of Architecture and Environment's Design for Spatial Justice Initiative, and economic resilience through the Institute for Policy Research and Engagement. On the coast, there's the Oregon Institute of Marine Biology's critical work to better understand Oregon's offshore areas and coastline.

In addition to the areas noted above, is the Environmental Studies Program, one of the most established, foremost academic programs of its kind, and its Environmental Leadership Program. In all, the university offered more than 40 classes during spring term that included a component about the environment.

## Guiding Principles

The other central goal of the initiative is to support and advance research, teaching, and service that embody the Guiding Principles of the Environment Initiative. Reflective of our strength in the environmental humanities and the EI Guiding Principles, the Pacific Northwest Just Futures Institute for Racial and Climate Justice launched this year. "The Just Futures Institute aligns perfectly with the UO's new initiatives," Provost Phillips said. "It exemplifies the kind of work that will help us tackle these monumental challenges and play a significant role in improving the lives of people in our community, our state, the region, and the world."

Rather than creating a traditional structure, the Environment Initiative offers a hub for emerging and innovative projects that engage across disciplinary lines. In this context, the initiative looks to incentivize and promote the kind of transdisciplinary work that this moment in history calls forth.



# THANK YOU ENR DONORS!

Sarah and Leah Adams-Schoen  
Angela Addae  
Adell Amos, JD '98, and Brian Killingsworth  
Diane Hazen and Michael Axline, JD '80  
Amber, MCRP '13, and Carl Bell, MNPM '13  
Tom, BArch '69, and Kristine Bowerman  
Karen, JD '88, and John Breda  
Heather Brinton, JD '96, and Joseph Reiley, JD '95  
Jill Strawder-Bubala and Louis Bubala, JD '04  
Marcilynn A. Burke  
Nancy, BA '64, and Douglas Busey Jr.  
Alan Church  
Lori Cora, JD '89  
Gregory Dotson, JD '95  
Elliott/Jaqua Family  
Susan Gary and Alexander Murphy  
Michael Goldstein, JD '75  
Mark Greenfield, JD '77, and Jane Hartline  
Dana Jacobsen, JD '93  
Jason, JD '03, and Belinda Klein  
Susan Dugan-Konka and Paul Konka, JD '86  
Leupold and Stevens Foundation

Merle Weiner and Thomas Lininger  
Deborah, JD '92, and Joseph Mailander  
Mary Malpeli  
Justin Massey, JD '03  
John McCloskey, BL '61  
Katheryn McLeod, JD '85  
Jessica Merkner and Matthew Benotsch  
Margaret Leichel and Bruce Neuling, JD '86  
Eric C. Nill, MA '94, MBA '06  
Joyce, MA '84, and Laurence Oates, JD '87  
The Oregon Community Foundation  
John Markowski, MUP '81, and Patricia Sharkey, JD '80  
John Steinberg, JD '76  
William Underwood, JD '97  
Gay, JD '86, and Richard Vogt  
Mary Wood  
Roger Worthington  
Carolyn Zenk, JD '87

If you have any questions about giving,  
please contact Jessica Merkner at  
541-346-1558 or [jmerkner@uoregon.edu](mailto:jmerkner@uoregon.edu).



Left to right: Assistant Professor Greg Dotson; Professor Adell Amos; Dean Marcilynn Burke; Roger Worthington, Owner, Worthy Brewing Co.; ENR Center Executive Director Heather Brinton; David Blaire, Executive Director, Worthy Garden Club; Kody Osborne, Director of Environmental Affairs, Worthy Garden Club; Pete Korstad, Director of Development, University of Oregon.

## ENR Giving Opportunities

# MAJOR LAW SCHOOL GIFT TO SUPPORT CLIMATE CHANGE SOLUTIONS

A \$100,000 gift from a Bend brewery owner will allow the UO School of Law to pursue groundbreaking work through its highly ranked Environmental and Natural Resources Center. Roger Worthington, owner of Worthy Brewing, is passionate about environmental issues and believes the Center can help society address issues around climate change, sustainability, and more. The Center was ranked No. 10 in the nation last year in U.S. News & World Report.

"Oregon's ENR Center offers innovative multidisciplinary solutions

to today's environmental challenges while enhancing students' educational opportunities," Dean and Dave Frohnmayer Chair in Leadership and Law Marcilynn A. Burke said. "I am deeply grateful to Roger Worthington for his generous support, which benefits our students, our state, and our society."

Through its Interdisciplinary Research Projects and Fellows Program, the ENR Center provides legal and policy analysis to community partners and decision-makers through an innovative educational program that prepares students for the legal profession while providing solutions to the most challenging environmental issues of our day.

"I am thrilled to make this gift to the UO's outstanding Environmental and Natural Resources Law Center," Worthington said. "Highly-trained lawyers are critical to our democracy and future prosperity in these challenging times. We must invest in those who are working to combat climate change, protect our environment, and advocate for sustainability. I hope to inspire others to give to the ENR Center so that together we can make a meaningful impact for Oregon and our world."

Mary Wood, Philip H. Knight Professor and faculty director of the ENR Center, also thanked Worthington and said the gift will help advance the center's work. "The current political climate demands that we come up with productive solutions to large, systemic problems to deal with global climate changes," she said. "This gift will help the law school continue to contribute to those solutions." The gift will enhance the positive impact already made by the center and provide funds to support law students and the communities affected by their work. It joins previous and ongoing grants from the Evergreen Hill Fund of the Oregon Community Foundation.

**GIVE TO ENR CENTER TODAY!**

# Dear Alumni and Friends,



Jessica Merkner

Your loyal support of the Environmental and Natural Resources Law Center is making a difference. Throughout the pages of this report, you will read about faculty and students doing incredible work that is influencing law and policy in Oregon, the Northwest, across the country and even across the world. **Your help makes this possible.**

Your continued giving to the ENR Center is vital to keeping this excellent program accessible for the lawyer-leaders of tomorrow. Donations to the ENR Center support:

- **Law students**—helping defray the cost of law school and providing unique opportunities for engaging in real world legal issues through fellowships and experiential learning.
- **Faculty experts**—helping solve important environmental and climate issues through cutting-edge scholarship and teaching.
- **Programming**—ensuring all facets of the curriculum, the extracurricular opportunities, and the research arm of the ENR Center are leading the way in environmental law education.

If you haven't yet made your annual gift to the ENR Center, please do so today. Simply select the ***Sustaining Fund for Environmental Law*** online at [law.uoregon.edu/explore/invest-in-ENR](http://law.uoregon.edu/explore/invest-in-ENR). If you have any questions about giving, I would love to hear from you. You may contact me at [jmerkner@uoregon.edu](mailto:jmerkner@uoregon.edu) or 541-346-1558. Thank you.

Jessica Merkner, JD  
Director of Development

## Share Your Insights through the Oregon Law Network

We value our alumni and the relationships that build the Oregon Law community. To help strengthen those ties and to make new connections, we invite you to join the Oregon Law Network. The Oregon Law Network is an online network of alumni and other professionals whom students may contact for mentorship and legal career insight.

**Your wisdom and your experience can make a difference for the future of the legal field, near and far, including:**

- Mentoring students
- Participating in informational interviews
- Conducting mock interviews
- Critiquing a student résumé or writing sample
- Discussing issues of diversity and inclusiveness
- Posting jobs, supervising field placements, internships, and job shadowing
- Speaking to a newly admitted student about your experience at Oregon Law
- Coaching mock trial or moot court
- Participating in panels and presentations

To learn more, and to register, visit:  
**[law.uoregon.edu/careers/oregon-law-network](http://law.uoregon.edu/careers/oregon-law-network)**

# FACULTY UPDATES



**Sarah  
Adams-  
Schoen**

"Reforming Restrictive Residential Zoning: Lessons from an Early Adopter," 30 *Journal of Affordable Housing & Community Development Law*, coauthored with Edward J. Sullivan (forthcoming 2021).

"Dismantling Segregationist Land Use Controls," 43 *Zoning & Planning Law Reports* 1 (2020).

"Climate Change and Sustainable Development," John J. Delaney, Stanley D. Abrams, Frank Schnidman, Patricia E. Salkin, and Julie A. Tappendorf, *Handling the Land Use Case: Land Use Law, Practice & Forms*, Third Edition (2020 update).



**Adell  
Amos**

*Water Law in a Nutshell*, Sixth Edition, coauthored with Sandra B. Zellmer West Academic Publishing, (July 2021).

"Redrawing Our Urban Waters: Merging Design, Law, and Policy in Advancing Distributed Water Systems," chapter in *Routledge Handbook on Sustainable Cities and Landscapes* coauthored with Brook Muller, Josh Cerra, Chingwen Chen, David Feldman, Tatum Lau, Noelwah Netusil, and Erik Porse (forthcoming 2021).

"Scope and Limitations of Drought Management within Complex Human-Natural Systems", 2 *Nature Sustainability* 710 (peer reviewed) coauthored with William K. Jaeger, David Conklin, Christian Langpap, Kathleen Moore, and Andrew Plantinga (2019), [www.nature.com/articles/s41893-019-0326-y](http://www.nature.com/articles/s41893-019-0326-y)

Facilitator and presenter, APRU Student Global Climate Change Simulation, University of Oregon, Eugene, Oregon (August 25, 2021).

Invited panelist, "Legal Careers in the Federal Government," University of Oregon School of Law, Eugene, Oregon (August 25, 2021).

Presenter, "Wicked Problems—Interdisciplinary Research in the Willamette River Basin," Presentation with INFEWS, Faculty Colloquium, University of Oregon School of Law, Eugene, Oregon (March 18, 2021).

Presenter, "Advancing Clean Energy in Oregon: Webinar for the Oregon Legislature," An Interdisciplinary Project of the University of Oregon's Environment Initiative, University of Oregon, Eugene, Oregon (January 6, 2021)



**Howard  
Arnett**

Presenter, "Tribal Jurisdiction and US v. Cooley—The Evolving Jurisprudence of the Supreme Court" *Oregon Law Perspectives*, University of Oregon School of Law (September 16, 2021).



**John  
Bonine**

"Removing Barriers to Justice in Environmental Litigation," *Rutgers International Law and Human Rights Journal* (2021).



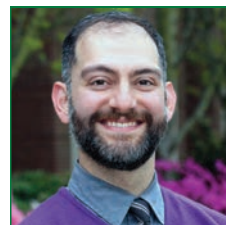
**Dean  
Marcilynn  
A. Burke**

2021 Ruth Wright Distinguished Lecturer in Natural Resources, Getches-Wilkinson Center, University of Colorado School of Law, Boulder, Colorado (April 7, 2021).



**Greg  
Dotson**

Professor Dotson is currently on leave through fall 2021 working in Washington, DC, as the Chief Counsel for the US Senate Committee on Environment and Public Works.



**Michael  
Fakhri**

In his capacity as UN Special Rapporteur on the Right to Food, Professor Fakhri has presented his findings before the UN General Assembly, Human Rights Council, Committee on World Food Security, and World Trade Organization.

"International Commodity Agreements," Koen De Feyter, Gamze Erdem Türkelli, Stéphanie De Moerloose, eds. *Law and Development Encyclopedia* (Routledge, 2020).

"Agriculture," coauthored with Amy J. Cohen and Matthew Canfield. Kamari Clarke, Prabha Kotiswareen, Eve Darian-Smith, and Mariana Valverde, eds. *Routledge Handbook on Law and Society* (2020).

Keynote speaker, UCLA Law Promise Institute Symposium: "International Human Rights and Corporate Accountability: Current and Future Challenges," <https://equity.ucla.edu/events/ucla-law-promise-institute-symposium-international-human-rights-and-corporate-accountability-current-and-future-challenges/>



Susan  
Gary

"Purpose-Driven Structures for Impact Entrepreneurs in Aotearoa New Zealand: Considering Kaitiakitanga and Steward Ownership," coauthored with Jan Hania, Steven Moe, Natalie Reitman-White, Murray Whyte and Phillippa Wilkie (white paper, on file with author).

"Report of the Nonprofit Organizations Law Section of the Oregon State Bar: Senate Bill 360," Submitted to the House Judiciary Committee as written testimony in support of SB 360 (March 4, 2019).



Roberta  
Mann

"Borrowing from Millennials to Pay Boomers: Can Tax Policy Create Sustainable Intergenerational Equity?" 36 *Georgia State University Law Review* 799, coauthored with Jonathan B. Forman (2020).

"Tax Implications of Environmental Aspects of Real Estate and Commercial Transactions," *Environmental Aspects of Real Estate Transactions* (American Bar Association, 2020).

"Taxes, Corporations, and Infrastructure: Filling the Gap?" 35 *Natural Resources and*

*Environment* 28, *ABA Environment and Natural Resources Section Magazine* (fall 2020).



Doug  
Quirke

"State Authority to Implement the Clean Air Act's International Air Pollution Provision," white paper of the University of Oregon School of Law Environmental and Natural Resources Law Center, Energy Law and Policy Project (2021).



Michelle  
Smith

"Building Trust: Public Trust Principles in State Water Law that Encourage Sustainable Management of Water Resources and Promote Principles of Intergenerational Equity," white paper of the University of Oregon School of Law Environmental and Natural Resources Law Center, Oceans, Coasts, and Watersheds Project (2020).



Mary  
Wood

"The Public Trust Doctrine in Environmental and Natural Resources Law," *Public Trust Textbook* Third Edition, Chapter 1, coauthored with Michael Blumm (Carolina Academic Press, 2021).

"The Public Trust Principle and Constitutional Approaches Worldwide,"

*Environmental Law Review of South Korea*, coauthored with Conservation Trust Project Fellow Anne Wolke (forthcoming 2021).

"On the Eve of Destruction: Courts Confronting the Climate Emergency," *Indiana Law Journal* (forthcoming 2021).

"A Framework for Sky Carbon Cleanup and Climate Restoration, Part I: Devising Regional Atmospheric Recovery Plans," coauthored with Rob Mellinger (work in progress).

"A Framework for Sky Carbon Cleanup and Climate Restoration, Part II: Securing Natural Resource Damage Awards Against Carbon Majors," coauthored with Callan Elizabeth Barrett and Zachary Griffith (work in progress).

"Landscape Carbon Sequestration for Atmospheric Recovery White Paper: A Perspective on Convergence to Accelerate Carbon Dioxide Drawdown," submitted to National Science Foundation, coauthored with Lucas Silva, et al. (2019).

"Rehearing: Debating the Fundamentals of the Fundamental Right to a Sustainable Environment," *Florida State University Law Review* (2019).

"The Dramatic Dismissal of a Landmark Youth Climate Lawsuit Might Not Close the Book on that Case," *The Conversation*, coauthored with Michael Blumm (January 22, 2020).

"Opinion: The Planet's Future on the Judicial Docket," *The Oregonian*, coauthored with Michael Blumm (June 2, 2019).

"Opinion: Michael Blumm and Mary Christina Wood on Two Cases That Would Protect the Public's Right to a Stable Climate," *Eugene Register-Guard* (June 2, 2019).

"Guest View: Arguments Over Our Future," *Eugene Register-Guard*, coauthored with Michael Blumm (November 12, 2019).

"Climate Change and the Public Trust Doctrine in Oregon: A Law Professors' Amicus Brief," coauthored with Michael Blumm (2019), <https://ssrn.com/abstract=3420549>.



## MARY WOOD *continued*

Panelist, "The Heat Is On: Stepping It up on Climate, Avoiding Congressional Gridlock and Getting it Done without Delay. A Kick-Off Event for the Road to the White House No-Excuses Tour [An All-Out Climate Protection and Restoration Initiative Effort to Galvanize]," University of Oregon School of Law Environmental and Natural Resources Center, Eugene, Oregon (September 14, 2021).

Featured speaker, premiere of the Spring Creek Project documentary, "Bedrock Rights: A New Foundation for Global Action against Fracking and Climate Change," (June 2, 2021).

Featured speaker, "Atmospheric Trust Litigation against Governments Worldwide to Force Action on Climate Change," Czech Academy of Sciences (May 13, 2021).

Guest lecture, "Topics in the Sociology of Climate Change," University of Oregon, Eugene, Oregon (November 23, 2020).

Environmental Law Distinguished Visitor, Lewis and Clark School of Law, Portland, Oregon (forthcoming, fall 2021).

Interview, "Climate Emergency and the Law, Ostrom Institute of Enterprise and the Environment," London, England (December 7, 2020).

Presentation, "Nature's Trust, Inalienable Rights, and Democracy's Legacy to Future Generations," Democracy Unchained Series, State of American Democracy Project, (North Water Productions, December 4, 2020).

Guest lecture, Honors Symposium, University of Oregon, Eugene, Oregon (November 24, 2020).

Presentation, "Climate Citizenship," OSPIRG, Eugene, Oregon (November 13, 2020).

Guest lecture, Environmental Law, Boston College Law School, Boston, Massachusetts (November 2, 2020).

Distinguished speaker, "Earth in Trust: Inalienable Rights for a Collective Ecological Future," Widener University Delaware Law School, Distinguished Environmental Lecture Series (November 19, 2020).

Presentation, "The Public Trust Principle and Constitutional Approaches Worldwide, Korean

Environmental Law Association and Korean Environmental Institute," National Assembly, Seoul, South Korea (October 27, 2020).

Keynote address, "On the Eve of Destruction: Courts Confronting the Climate Emergency," Ralph F. Fuchs Endowed Lecture, Indiana University Bloomington Maurer School of Law, Bloomington, Indiana (October 23, 2020).

Guest speaker, Wildlife Law class, Indiana University Bloomington Maurer School of Law, Bloomington, Indiana (October 22, 2020).

Guest speaker, Conservation Law Clinic, Indiana University Bloomington Maurer School of Law, Bloomington, Indiana (October 22, 2020).

Workshop speaker, "Ostrom Workshop and Environmental Resilience Institute," Indiana University Bloomington Maurer School of Law, Bloomington, Indiana (October 22, 2020).

# Faculty Profile

## ENR Welcomes Tade Oyewunmi, Noted Expert and Author on Energy and the Environment

**Tade Oyewunmi** is a Visiting Assistant Professor of Law. His teaching and research interests are in the areas of energy law and policy, natural resources law, international investment law, decarbonization, and sustainable business law. Previously, he taught and led various research projects at Vermont Law School's Institute for Energy and the Environment, Tulane University School of Law, New Orleans, and the University of Eastern Finland (UEF) Law School, Finland. He was also a visiting scholar at the University of Houston Law Center, Houston, Texas. Oyewunmi's works are featured in books, book chapters, and published articles in journals such as the *Pace Environmental Law Review*, *Houston Journal of International Law*, *Louisiana State University Journal of Energy Law and Resources*, the *Journal of World Energy Law and Business*, and others. He serves as an associate editor of the *Oil, Gas and Energy Law Intelligence* (OGEL) journal, a review editor for the *Climate Law and Policy Journal*, and an academic advisory board member at the Institute for Energy Law (IEL) of the Center for American and International Law. Oyewunmi qualified and practiced as an attorney in Nigeria and holds an LLD from the UEF Law School, Finland (2017), LLM from the University of Aberdeen, UK (2011), and an LLB from the University of Ibadan, Nigeria (2004).

Oyewunmi will teach sustainable business, energy and international transactions, air pollution and environment, and LLM international transactions.



# ENR Fellows

Every year, the ENR Center offers fellowships to approximately 20 students. Students chosen as ENR Fellows work on environmental issues with expert faculty members engaging in project development, substantive research and writing, and community outreach.

## Conservation Trust Project

Zachary Griffith  
Eugene McCarthy  
Michael O'Neil  
Hilary Therien

## Energy Law and Policy Project

Mathew Bain  
Kaitlyn Lindaman  
Noah Mikell  
Tim Smith

## Food Resiliency Project

Emily Cunningham  
Nicholas Kahmann

## Global Environmental Democracy Project

Rob Mellinger  
Sierra Waetcher  
Gaby Penvenne  
Danielle Curtis

## Native Environmental Sovereignty Project

Ana Colwell  
Ellen Ipsen  
Haley Hampstead  
Anne Wolke

## Oceans, Coasts, and Watersheds Project

Jessica Butt  
Mariah Ellis  
Lindsey Hutchison  
Colin O'Brien  
Megan Sweeney

## Sustainable Land Use Project

Ariana Buchanan  
Benjamin Harder  
Anthony Jannelli

## Welcome to the 2021-2022 Fellows



## Conservation Trust Project

Beck Groff  
Michael O'Neil  
Anne Wolke

## Energy Law and Policy Project

Mathew Bain  
Charles Lockwood

## Food Resiliency Project

Lisa Millstein  
Katherine Moreland

## Global Environmental Democracy Project

Alexander Loznak  
Gaby Penvenne

## Native Environmental Sovereignty Project

Peter Jensen  
Reza Sadeghzadeh

## Oceans, Coasts, and Watersheds Project

Samantha Blount  
Brenden Catt  
Mariah Ellis  
Natalie Gillard  
Kellie Warren

## Sustainable Land Use Project

Ariana Buchanan  
Anthony Jannelli  
Victoria Whalen



## INTERDISCIPLINARY PROJECTS AND FELLOWS PROGRAM

# INTERDISCIPLINARY RESEARCH PROJECTS

The ENR Center has developed seven theme-based projects. These projects draw upon existing faculty strengths and provide collaborative opportunities for promoting student experience, providing service to the community, and bringing intellectual energy to bear on some of the most challenging and cutting-edge environmental issues of our day.



### Conservation Trust Project

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

**Faculty Leaders:** Professors Adell Amos, Susan Gary, and Mary Wood



### Energy Law and Policy Project

Explores innovative law and policy to promote a green energy future.

**Faculty Leaders:** Professors Greg Dotson and Roberta Mann



### Food Resiliency Project

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

**Faculty Leaders:** Professors Michael Fakhri and Mary Wood



### Global Environmental Democracy Project

Prepares students to be advocates for global change.

**Faculty Leaders:** Professors John Bonine, Mary Wood, and Tom Lininger



### Native Environmental Sovereignty Project

Examines emerging tribal roles in managing lands and resources.

**Faculty Leaders:** Professors Howie Arnett and Mary Wood



### Oceans, Coasts, and Watersheds Project

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

**Faculty Leaders:** Professors Sarah Adams-Schoen and Adell Amos



### Sustainable Land Use Project

Evaluates land use laws, theories, and practices to ensure sustainable development in our communities.

**Faculty Leaders:** Professors Sarah Adams-Schoen and Mary Wood.



# CONSERVATION TRUST PROJECT

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

## Research Highlights:

- International aspects of the Public Trust Doctrine

## Recent Publications

- Mary Wood, David Orr, Bill Becker, eds. "Restoring Democracy: Nature's Trust, Human Survival, and Constitutional Fiduciary Governance," chapter in *Democracy Unchained: How to Rebuild Government for the People* (the New Press, 2020).
- Mary Wood, "Atmospheric Recovery Litigation around the World: Gaining Natural Resource Damages Against Carbon Majors to Fund a Sky Cleanup for Climate Restoration," chapter in *Handbook on Loss and Damage* (Edward Elgar, ed., forthcoming 2021).
- Mary Wood, *Atmospheric Trust Litigation Treatise* (forthcoming 2021).
- Mary Wood, coauthored with Michael Blumm, the *Public Trust Doctrine in Environmental and Natural Resources Law* (third edition forthcoming).
- Mary Wood, coauthored with Anne Wolke, *The Public Trust Principle and Constitutional Approaches Worldwide, Environmental Law Review of South Korea*, (forthcoming 2021).

## In the News

- Mary Wood with Michael Blumm, The Dramatic Dismissal of a Landmark Youth Climate Lawsuit Might Not Close the Book on that Case, *The Conversation* (January 22, 2020).
- Mary Wood with Michael Blumm, The Dramatic Dismissal of a Landmark Youth Climate Lawsuit Might Not Close the Book on that Case, *The Oregonian* (January 22, 2020).
- Mary Wood with Michael Blumm, Opinion: The Planet's Future on the Judicial Docket, *The Oregonian* (June 2, 2019).
- Opinion: Michael Blumm and Mary Christina Wood on Two Cases That Would Protect the Public's Right to a Stable Climate, *Eugene Register-Guard* (June 2, 2019).
- Mary Wood and Michael Blumm, Guest View: Arguments Over Our Future, *Eugene Register Guard* (November 12, 2019).



## Alumni Update

Katie Davis, JD '13

### Executive Director Wildlands Network

In 2016, after managing numerous campaigns in Arizona and New Mexico, Katie Davis was offered a position with Wildlands Network. This conservation organization focuses on preserving and restoring wildlife habitat across North America. Davis's position oversaw the growth of the organization's Western Program, covering Utah, Colorado, Arizona, and New Mexico. As the organization grew, Davis began taking on more administrative and organizational leadership duties, transitioning to associate director in 2019 and executive director in June of 2020.

As executive director, Davis manages a team of more than 30 staff and contractors across the United States and Mexico, while overseeing the organization's programs, strategy, finances, and external relationships.

*"Beyond the legal training I received, the opportunities afforded me by the ENR Center directly led to my ability to step up as a leader within the conservation advocacy community immediately upon graduation. The network and relationships forged while in Oregon continue to serve me today, as does the continued success and national recognition of the ENR program."*

# ENERGY LAW AND POLICY PROJECT

Exploring innovative law and policy to promote a green energy future.

## Research Highlights

- Tailpipe emissions standards including a zero-emission vehicle policy.

## Recent Publications

- Douglas Quirke, "State Authority to Implement the Clean Air Act's International Air Pollution Provision."
- Greg Dotson, "Addressing Leakage in a Section 115 World," in *Combating Climate Change with Section 115 of the Clean Air Act*, Michael Burger, ed. (2020).



*"I can honestly say Oregon Law is the reason I have the career I have today. I am grateful for the opportunities I was provided in law school to combine my two passions - environmental preservation and business - to gain practical experience and knowledge that allowed me to turn those passions into a career." –Angela DeLuca*

## Conferences/Events:

### Advancing Clean Energy Policy in Oregon

During this one-day event, experts explored the future of clean energy in Oregon, featuring an examination of 100 percent clean electricity requirements established in other states and research updates from the faculty of the University of Oregon. For more information, visit <https://law.uoregon.edu/academics/centers/enr/about/events/advancing-clean-energy-oregon>

## In the News

- NPR, "How Fast Will Biden Need to Move on Climate? Really, Really Fast." (February 2, 2021). (Professor Greg Dotson commented).

## Alumni Update



### Angela DeLuca, JD, '18

#### Associate Corporate Counsel Vestas Wind Systems A/S

Vestas is the largest manufacturer and service provider of wind turbines in the world. Angela DeLuca's practice focuses on service, maintenance, and disputes resolution for operating wind farms throughout North America. The University of Oregon School of Law inspired DeLuca to pursue a career in renewable energy and provided her with opportunities to engage in the subject matter during her time as a student. As one of the directors of the Green Business Initiative, DeLuca and her fellow students hosted a full day symposium on renewable energy solutions. She also served the ENR Center as a Sustainable Land Use fellow and worked with the Sustainable Cities Initiative to research the future impacts of electric and automated vehicles on the tax system and urban planning. She was also the executive operations editor of the *Oregon Review of International Law* and published a comparative study on the legal framework for renewable development in the United States and Germany.

## News Stories

# Greg Dotson Accepts US Senate Position

In February 2021, Greg Dotson, JD '95, took a leave of absence from the University of Oregon School of Law to work as chief counsel for the US Senate Committee on Environment and Public Works.

The Committee on Environment and Public Works has legislative jurisdiction over environmental protection, national climate change policy, and federal programs for investment in infrastructure.

"It's a privilege to have the opportunity to serve the US Senate," said Dotson. "I look forward to helping Chairman Tom Carper and committee members achieve their goals for addressing the urgent threat of climate change."

Dotson is a faculty member of the Environmental and Natural Resources Law Center (ENR), where he leads the Energy Law and Policy Project. He teaches Environmental Law, Climate Change Law and Policy, and the Environmental Policy Practicum. He is a nationally recognized expert on environmental law.

"Our nation will truly benefit from Professor Dotson's extensive experience and clear vision," School of Law Dean and Dave Frohnmyer Chair in Leadership and Law Marcilynn Burke said. "His expertise in environmental law and policy, and past experience on Capitol Hill, will serve the public's interest very well. And his future teaching and research as a professor also will be enriched by this experience."

Dotson served as US Rep. Henry A. Waxman's lead energy and environmental policy staffer from 1996 until 2014. During his time on the Hill, Dotson was the lead staffer on the American Clean Energy and Security Act of 2009, a comprehensive climate change and energy bill that passed the House of Representative in June 2009. He was vice president for Energy Policy at the Center for American Progress from 2014 to 2016.

"ENR Center faculty have a tradition and commitment of bringing legal and policy expertise to environmental challenges facing our communities while preparing students for leadership in a rapidly changing world," said Phillip H. Knight Professor Mary Wood. "We greatly appreciate Professor Dotson's service to our Congress and look forward to his bringing those experiences back to the University of Oregon."



"Our nation will truly benefit from Professor Dotson's extensive experience and clear vision."

– Dean Marcilynn Burke





## Student Spotlight

Noah Mikell, JD '21,

enjoyed two years of fellowship research at the ENR Center in the Energy Law and Policy Project. He entered law school with interests in conservation, climate solutions, and environmental policy, and found an outlet for his curiosity in this fellowship. Working alongside his peers and Professor Greg Dotson, Mikell explored zero-emission vehicle adoption, the Clean Air Act, and researched and wrote about different state policy approaches to job creation in low-carbon economies. Mikell's passion for advocacy was enhanced by other opportunities afforded to him by the ENR Center including an externship with Cascadia Wildlands, a local public interest conservation organization. Since finishing law school and the bar exam, Mikell has been spending time outdoors enjoying the amazing landscapes of the Pacific Northwest, where he will continue to lay roots and begin a career in trial practice and litigation.

# FOOD RESILIENCY PROJECT

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

## Research Highlights

- "Agroecology and the Law," including a contractual framework related to seed rights

## Recent Publications

- "A History of Food Security and Agriculture in International Trade Law, 1945–2015," in Akbar Rasulov and John Haskell, eds. *International Economic Law: New Voices, New Perspectives* 55 (Springer 2020).

## Conferences/Events

Food, Farming, and Land Convention,  
February 9, 2021.

## In the News

- Michael Fakhri, the *Guardian*, "The US Food System Creates Hunger and Debt—but There is Another Way," (April 14, 2021).
- Michael Fakhri, *AgriLand*, "COVID-19 Has Not Just Caused a Health Crisis but Also a Hunger Crisis," (February 9, 2021).

## Student Spotlights



### Katie Moreland

is an Oregon Law student pursuing a concurrent JD and master's degree in Conflict Dispute Resolution. In summer 2021, she was one of five students to join the team at Vermont Law School's Center for Agriculture and Food Systems (CAFS) as honors interns. Moreland worked alongside a CAFS senior attorney and the nonprofit Agrarian Trust. Moreland worked on a project that focused on equitable land access for BIPOC communities. She specifically supported one community looking to build affordable and eco-friendly housing compliant with local zoning codes.



### Sierra Tillery

is a rising 3L at the University of Oregon School of Law. She is passionate about the law and policy surrounding nutrition and public health. This summer, she worked alongside Vermont Law School professor Jonathan Rosenbloom on the Sustainable Development Code. Researching and drafting an introduction to the Food Security and Sovereignty section of the code, she helped develop a resource for communities who want to shape their zoning codes to bolster access to healthy foods.

## Alumni Update



### Emily Knobbe, JD '15

**Position: Policy Manager  
Center for Food Safety (CFS)  
Portland, Oregon**

Emily Knobbe leads policy initiatives on federal pesticide reform and on Pacific Northwest-based issues ranging from concentrated animal feeding operations to aquaculture. Prior to joining CFS, Knobbe spent 3.5 years working in Washington DC as the EPA policy specialist for the Center for Biological Diversity. In DC, Knobbe lobbied against the pesticide industry and drafted several pieces of federal environmental legislation that were introduced in Congress. Before working for the Center for Biological Diversity, she worked as an advisor for the Senate Majority Office in the Oregon Legislature. As a student at University of Oregon School of Law, Knobbe earned a certificate in Environmental and Natural Resources Law and was an ENR fellow in the Food Resiliency Program.



# GLOBAL ENVIRONMENTAL DEMOCRACY PROJECT

Preparing students to be advocates for global change.

## Research Highlights

- Atmospheric recovery through carbon drawdown
- Natural resources damages against fossil fuel companies

## Recent Publications

- Mary Wood, coauthored with Lucas Silva et al., "Landscape Carbon Sequestration for Atmospheric Recovery White Paper: A Perspective on Convergence to Accelerate Carbon Sequestration."
- Mary Wood, coauthored with Michael Blumm, *The Public Trust Doctrine in Environmental and Natural Resources Law*, Third Edition.
- Mary Wood, *Atmospheric Recovery Litigation around the World: Gaining Natural Resource Damages Against Carbon Majors to Fund a Sky Cleanup for Climate Restoration* (forthcoming 2021).



## Student Spotlight

### Robert Mellinger

Mellinger grew up in northwestern New Jersey near the Appalachian Mountains and Delaware Water Gap. Before law school, Mellinger worked for 10 years in the environmental field, most recently as land steward for the Whidbey Institute in Washington state and founding board member of a grassroots environmental nonprofit. Mellinger holds a BA in history from Vassar College and an MSc in holistic science from Schumacher College. At Oregon Law, Mellinger has served as a 2020 Public Interest Environmental Law Conference Codirector and researched natural climate solutions with Professor Mary Wood. After 1L, he interned with Our Children's Trust where he worked on youth climate litigation. Last summer, he interned with the Law Offices of Charles M. Tebbutt, where he worked on groundwater contamination caused by concentrated animal feeding operations and with the Coalition of Oregon Land Trusts' pro bono program, including research on conservation easements and carbon markets. During the spring semester of 3L, he externed with United States District Judge Ann Aiken.

# NATIVE ENVIRONMENTAL SOVEREIGNTY PROJECT

Examining emerging tribal roles in comanaging lands and resources.

## Research Highlights

- Oregon tribal fisheries protections
- Fossil fuel infrastructure in the Pacific Northwest



## Conferences and Events

### Rennard Strickland Lecture

The Rennard Strickland Lecture Series was established in 2006. The event honors the legacy of Dean Rennard Strickland. It strives to build on his contributions to the field of Indian law, to legal education, and to the Environmental and Natural Resources and Indian law programs in our law school. The theme of the lecture series is the examination of Native leadership and vision for environmental stewardship in the 21st century. Past lecturers have been Professor Mary Wood, Professor William Rodgers, Professor Rebecca Tsosie, Assistant Secretary Larry Echo Hawk, Solicitor Hillary Tompkins, Deputy Solicitor Patrice Kunesh, Professor Robert Anderson, Assistant Secretary Kevin Washburn, Professor Robert Williams, Professor Carole Goldberg, Dean James Anaya, Professor Gerald Torres, and Mary Kathryn Nagle.



Photo Credit: Earthfix Photo/Ashley Ahearn

On October 28, 2020, President Fawn Sharp delivered the Annual Rennard Strickland Lecture with her talk titled "A Day of Reckoning: Seizing this Sacred Moment to Restore Balance." She discussed her journey to become the president of the Quinault Indian Nation and National Congress of American Indians, offered an optimistic perspective on the future, and answered questions from the audience regarding tribal issues in the US. To view the 2020 Rennard Strickland Lecture, visit <https://law.uoregon.edu/academics/centers/enr/research/nesp>.

## News Stories

### Former Oregon Law School Dean Rennard Strickland Dies

Rennard Strickland, former University of Oregon School of Law Dean, died January 5, 2021, in Norman, Oklahoma. He was 80 years old. Strickland served as dean from 1997 to 2002, and on the faculty until his retirement in 2006. He was Osage and a citizen of the Cherokee nation and considered a national leader in Indian law. At Oregon Law, Dean Strickland strongly supported the incorporation of Indian law courses into the curriculum and taught a popular seminar on Indian law and policy. Most recently he was the Senior Scholar in Residence at the University of Oklahoma Law Center.

Part of Strickland's incredible legacy at Oregon Law School is the annual Rennard Strickland Lecture. The Native Environmental Sovereignty Project, a project of the law school's Environmental and Natural Resources Law Center, created this lecture series to examine Native leadership in the 21st century. The lecture is cosponsored by the Wayne Morse Center for Law and Politics. The lecture series is inspired by Rennard's work, finding particular significance in the following passage from his visionary book, *Tonto's Revenge: Reflections on American Indian Culture and Policy*: "If there is to be a post-Columbian future—a future for any of us—it will be an Indian future . . . a world in which this time . . . the superior world view . . . might even hope to compete with if not triumph over, technology."

"I met Rennard when I began my journey into academia nearly two decades ago and then was thrilled to grow closer to him in the past few years as the dean of Oregon Law," current Dean Marcilynn Burke said. "He was an inspirational and generous soul with a great sense of humor," the Dave Frohnmayer Chair of Leadership and Law added.

In addition, Strickland helped found the Wayne Morse Center for Law and Politics in 2000, along with Margaret Hallock and UO President Dave Frohnmayer. He also guided the Wayne Morse Center in planning its 2005–07 theme of inquiry, "Indigenous



Photo Credit: The Register-Guard/Brian Davies

Peoples: National Policy and International Human Rights," although he was no longer dean at the time.

Strickland had a remarkable professional career. He wove together a history of achievement as a dean, law professor, legal historian, and art collector. As a preeminent scholar and author in the field of Native American law, he has published more than 47 books and 208 essays, articles, and book chapters. He acted as editor-in-chief of the 1982 revision of *Cohen's Handbook on Federal Indian Law*, as well as a member of the editorial board in the 2005 revision.

"Rennard has been our visionary, our statesman, our wise elder, and our chief, and he will always have our gratitude for all that he has given us," says Mary Wood, Phillip H. Knight Law Professor and Faculty Director, Environmental and Natural Resources Law Center. "He has left a profound legacy for us to carry on."

A legend in the field of legal education, he served as the dean at four law schools including the University of Tulsa, Southern Illinois University, Oklahoma City University, and the University of Oregon. Strickland was the first and only person to have served as both the President of the Associate of



*"Rennard has been our visionary, our statesman, our wise elder, and our chief, and he will always have our gratitude for all that he has given us."—Mary Wood*

American Law Schools and as the chair of the Law School Admissions Council. He served in a leadership role in the Society of American Law Teachers. He is the only person to have received both the Society of American Law Teachers Award (1979) and the American Bar Association's Spirit of Excellence Award (1997).

Howard Arnett, professor of practice at Oregon Law, adds, "As Native American himself, Strickland served as a role model and inspiration to the legion of young Native American lawyers who now practice in the field and who teach Indian law at law schools across the country."

Strickland earned his BA at Northeastern State University before getting his JD from the University of Virginia, MA from the University of Arkansas, and SJD from the University of Virginia. After graduation,

Strickland joined the faculty of the University of Arkansas School of Law and following it taught law at St. Mary's University, the University of Tulsa, the University of West Florida, the University of Washington, and at the University of Wisconsin. In 1985, he became dean at the Southern Illinois University School of Law and from 1990 to 1995 served as director of the Center for the Study of American Indian Law and Policy, before becoming professor at the University of Oklahoma College of Law.

Strickland is survived by his sister, Janet Strickland-Gambill, and her husband, Major General Bradley Gambill; and by his niece and nephew; and one grandniece and three grandnephews. He was preceded in death by his parents, Ruel James Strickland and Adele Tucker Strickland; and his brother, William M. Strickland.



## Alumni Update

### Seth Bichler, JD '14

#### **Administrative Policy Analyst Great Lakes Indian Fish and Wildlife Commission**

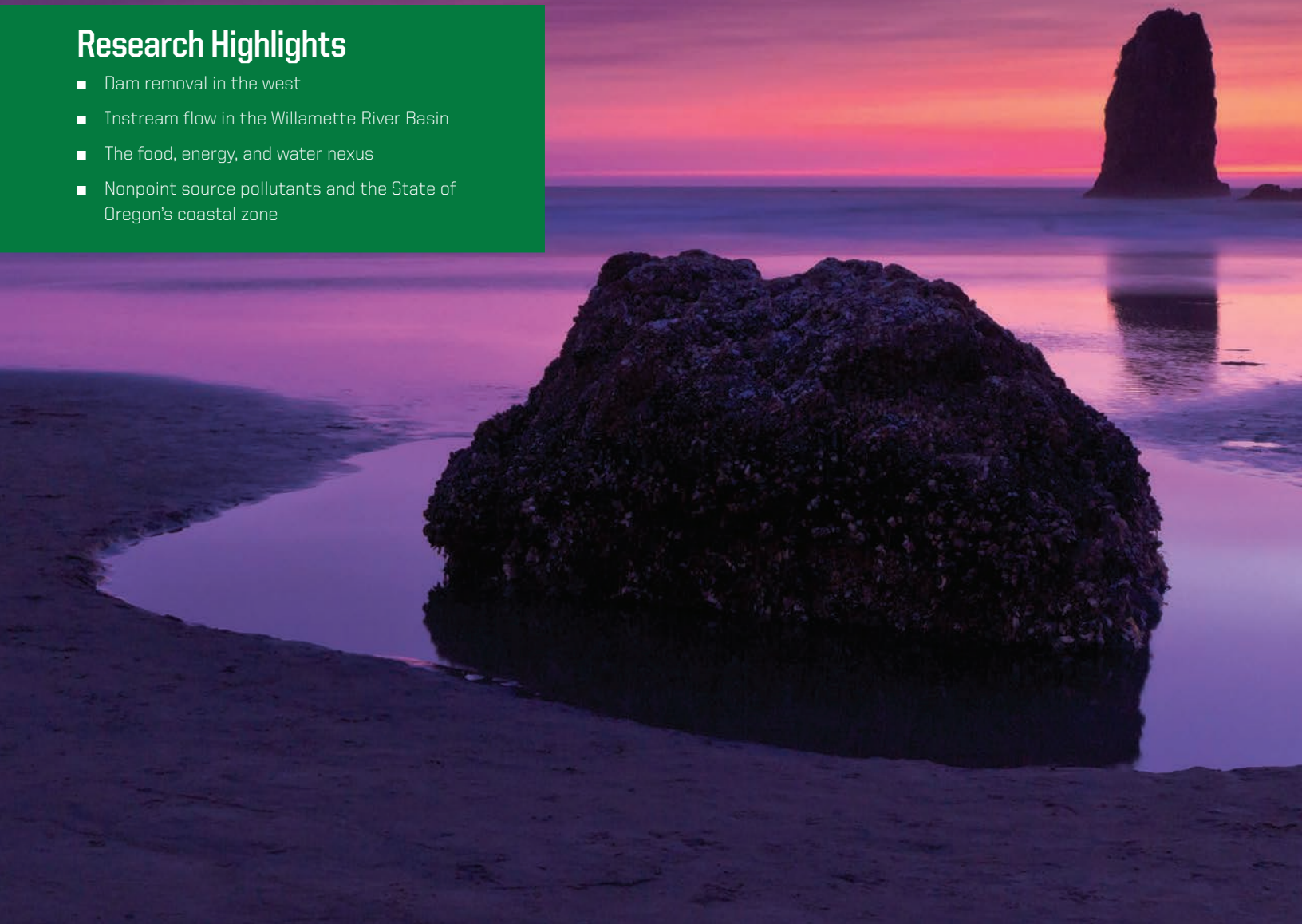
Since graduating in 2014, Seth Bichler has worked primarily in what federal statutes still refer to as "Indian Country." After a clerkship in the Alaska state courts in the largely Yupik community of Bethel for the Honorable Charles Ray Jr., JD '83, Bichler started representing Native American clients on behalf of Wisconsin Judicare, Inc. in 2015. The legal aid experience in tribal courts, mostly on the Menominee Reservation of Northeast Wisconsin, helped him land an in-house job as a staff attorney for the government of the Fond du Lac Band of Lake Superior Chippewa in 2016. At Fond du Lac, he was able to work on issues relating to pipelines, mining, and treaty-reserved rights held by the Ojibwe (alternatively Chippewa or Anishinaabe) to hunt, fish, and gather throughout the 1854, 1842, and 1837 Ceded Territories. Since 2019, Bichler has worked as the administrative policy analyst for the Great Lakes Indian Fish and Wildlife Commission, an intergovernmental agency of delegated authority from 11 Ojibwe tribes in what is now called Michigan, Minnesota, and Wisconsin.

# OCEANS, COASTS, AND WATERSHEDS

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

## Research Highlights

- Dam removal in the west
- Instream flow in the Willamette River Basin
- The food, energy, and water nexus
- Nonpoint source pollutants and the State of Oregon's coastal zone



## Recent Publications

- Sarah Adams-Schoen, "Planning and Zoning Within the Coastal Zone," *American Law of Zoning*, Sixth Edition, Patricia Salkin, ed. (2019).
- Adell Amos, *Water Law in a Nutshell*, Sixth Edition, coauthored with Sandra B. Zellmer West Academic Publishing, (July 2021).
- Adell Amos, "Redrawing Our Urban Waters: Merging Design, Law, and Policy in Advancing Distributed Water Systems," chapter in *Routledge Handbook on Sustainable Cities and Landscapes* coauthored with Brook Muller, Josh Cerra, Chingwen Chen, David Feldman, Tatum Lau, Noelwah Netusil, and Erik Porse (forthcoming 2021).
- Michelle Smith, coauthored with Zoe Grant, "Building Trust: Public Trust Principles in State Water Law that Encourage Sustainable Management of Water Resources and Promote Principles of Intergenerational Equity," white paper of the University of Oregon School of Law Environmental and Natural Resources Law Center, Oceans, Coasts, and Watersheds Project (2020).



## Student Spotlight

Lindsey Hutchison, JD '21, was born and raised in Santa Cruz, California. She attended Smith College where she majored in government and minored in Jewish Studies and Environmental Science and Policy. After graduation from Smith College, Hutchison participated in two AmeriCorps programs: the Watershed Stewards Program and CalServes, where she worked in habitat restoration for anadromous fish species at Grassroots Ecology and was a volunteer coordinator at the UC Santa Cruz Arboretum & Botanic Garden. Hutchison then spent a year as an environmental educator, working for the Coastal Watershed Council.

While in law school, Hutchison was a PIELC Conference codirector, codirector of Land Air Water, and a member of the Jewish Law Student Association and OUTLaws. Hutchison also interned with Environmental Law Foundation and Advocates for the West and participated in the environmental clinic with Western Environmental Law Center for two semesters. She was a Fellow with the Oceans, Coasts, and Watersheds Project for two years.

Hutchison is now located in Salt Lake City and is a water policy associate with Utah Rivers Council.

# SUSTAINABLE LAND USE PROJECT

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

## Research Highlights

- Flexibility at the local level to increase community resilience from climate impacts

## Recent Publications

- Sarah Adams-Schoen, coauthored with Edward J. Sullivan, "Reforming Restrictive Residential Zoning: Lessons from an Early Adopter," 30 *Journal of Affordable Housing & Community Development Law* (forthcoming 2021).
- Sarah Adams-Schoen, "Dismantling Segregationist Land Use Controls" 43 *Zoning and Planning Law Reports* 1 (2020).



## Alumni Update

KC McFerson, MCRP '14, JD '14

**Concurrent master's in community and regional planning, emphasis in natural resources management and land use**  
**Position: Senior Planner Division of Local Government**  
**Colorado Department of Local Affairs (DOLA)**

Since leaving Eugene's emerald hills and buttes, KC McFerson has worked for the Colorado Department of Local Affairs (DOLA) in the Division of Local Government. Throughout the years at DOLA, she has worked in river restoration for disaster recovery, served as the land use and water planner, and is now the senior planner in the Community Development Office. McFerson credits meaningful projects through the ENR Center for her quick career launch and encourages current students to consider the deeply meaningful work available in public service career paths.



## Conferences and Events

### Green Business Initiative Panel Series 2020

#### Careers in Energy Discussion

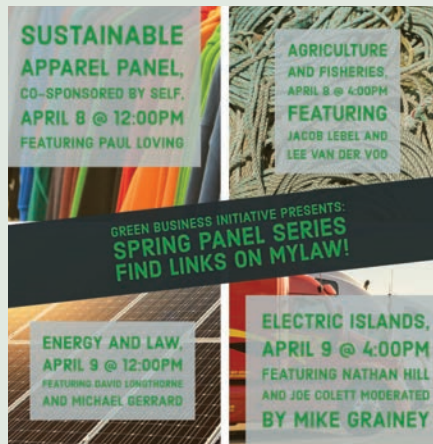
Wednesday, November 11, 2020

Two Oregon Law alumni, Chad T. Marriott, JD '09, and Matthew Schroettig, MBA '10, JD '10, led a discussion about careers in the energy field, what courses attorneys recommend for law students, and how to enter the energy field after graduating. Marriott leads Stoel Rives' wind energy subgroup and serves as counsel to sponsors, owners, and investors in the development, sale, acquisition, and financing of renewable generation projects throughout the United States. Schroettig, chair of the WSPP Operating Committee as Power Resources Counsel, manages a variety of regulatory, risk management, and transactional matters. He advises EWEB management and project teams on all aspects of commercial, industrial, and residential energy products and services.

#### Mark Frohnmayer with Arcimoto and Electric Vehicles

Wednesday, February 24, 2021

Participants enjoyed a discussion with Mark Frohnmayer, son of former UO President Dave Frohnmayer, founder, and president of Arcimoto, a Eugene-based company that produces FUVs (Fun Utility Vehicles). FUVs are small, electric powered, three-wheeled, open cockpit vehicles. Arcimoto's mission is to transform the way people travel in their day-to-day activities by catalyzing the shift to sustainable transportation. During this webinar, Frohnmayer covered topics including the impetus for the creation of Arcimoto, the challenges and promises of a future with sustainable transportation and, of course, the legal aspects to the work Arcimoto is doing.



#### Energy and the Law Panel

Friday, April 9, 2021

This panel discussed renewable energy growth and the way Americans consume energy. The discussion featured David Longthorne and Michael Gerrard. Longthorne works for Newcastle Solar, which has designed, constructed, and installed more than 50 solar electric systems in Douglas County, Oregon, and maintains a perfect 3-Star rating with the Energy Trust of Oregon. Gerrard is the founder and faculty director of the groundbreaking Sabin Center for Climate Change Law and one of the foremost environmental lawyers in the nation. Gerrard is an advocate, litigator, teacher, and scholar who has pioneered cutting-edge legal tools and strategies for addressing climate change.

#### Electric Islands Panel

Friday, April 9, 2021

This discussion included Nathan Hill who is the head of charging infrastructure at Daimler Trucks North America. Many of the methods and knowledge offered to customers were developed during Hill's prior role as the project lead for charging infrastructure deployed in support of the Freightliner Electric Innovation Fleet; an ongoing seven-site, 30-electric truck pilot project supported with funding from the South Coast Air Quality Management District. Also joining the discussion was Joe Colett, who is the charging technical services manager at Portland General Electric. He is currently focused on transportation electrification and residential energy storage pilot program

design and implementation. Colett has been with PGE for two years and previously worked as a technical consultant conducting research on energy efficiency standards and test procedures for utilities and advocacy organizations. The panel was moderated by Mike Grainey, principal of Michael W. Grainey Consulting LLC. Grainey works on renewable energy development, clean tech, and climate change policies. He was director of the Oregon Department of Energy between 2002 and 2009, and deputy director from 1980 to 2001. He directly advised four governors on energy. Grainey then became renewable energy advisor of Business Oregon, leading Oregon's recruitment of renewable energy companies (2009-2014).

#### Agriculture and Fisheries Panel

Thursday, April 8, 2021

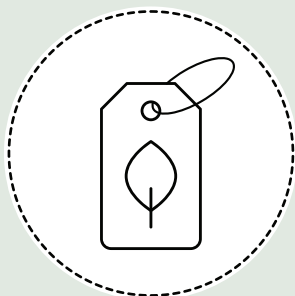
Jacob Lebel and Lee van der Voo discussed agricultural issues in the state of Oregon and beyond, focusing on sustainable agriculture. Lebel lives on a sustainable farm near Roseburg, Oregon. Having grown up milking cows and gardening, at 16 he ran a small-scale community supported agriculture business providing nearby customers with fresh organic produce, fruit, and meat. Van der Voo is an award-winning investigative and environmental journalist. His reporting has been supported by significant awards and fellowships, including the Alicia Patterson Foundation Fellowship, an Investigative Reporters and Editors Award, and the Lizzie Grossman Grant for Environmental Health Reporting.



## Sustainable Apparel Panel

Thursday, April 8, 2021

Paul Loving discussed sustainable apparel. Loving is a transactional attorney whose practice focuses on business deals and advice to individuals and brands in the sports, entertainment, and consumer products sectors. He has 25 years of extensive experience working as outside and in-house counsel for startups as well as Fortune 500 companies. He led the negotiating team for Adidas' historic long-term partnership with Kanye West and its multilayered partnership with Beyoncé, which includes the co-creation of performance and lifestyle products and a unique purpose-driven program. Prior to joining Holland & Knight, he served as special counsel for Adidas. He previously served as an assistant general counsel at Nike, where he handled sports marketing, advertising, entertainment, television, and digital matters. Loving also was vice president of business development and general counsel at a private equity-funded digital media sports and health content provider headquartered in Australia.



## Public Interest Environmental Law Clinic (PIELC)

### 2020 PIELC Recap

To ensure the safety of attendees, speakers, and the greater Eugene community, the 39th annual Public Interest Environmental Law Clinic (PIELC) was entirely virtual. This virtual conference consisted of continuous programming throughout the school year culminating with a condensed, virtual event resembling our normal programming.

The theme of this year's PIELC was "Resilience." Resilience is the capacity of individuals and communities to adapt, survive, and improve despite the challenges and stress they experience. Resilience is necessary to overcome the ecological, environmental, and social challenges our world faces today. Now more than ever, we need to be resilient.

During PIELC week, there were more than 40 panels with 25 panels being CLE-accredited. The panels covered many topics, including coral restoration, wildlife poaching, green hydrogen, and Oregon's 2020 fire season. Climate activist Sophia Kianna

delivered PIELC's keynote address. Kianni is a 19-year-old Iranian American climate activist specializing in media and strategy. She is the founder and executive director of Climate Cardinals, an international nonprofit with 8,000 volunteers in more than 40+ countries working to translate climate information into more than 100 languages. She represents the United States as the youngest member of the inaugural United Nations Youth Advisory Group on Climate Change. She is a senior partner at JUV Consulting, and she works as a climate advisor at the American Lung Association and sits on the board of directors at CommunityX.

The conference codirectors would like to thank you all for your continued dedication, support, and tremendous effort in putting together the 39th PIELC. We could not do it without each and every one of you. We are always looking for ways to improve our conference, so please feel free to message us on Facebook, Instagram, or email us at [askpielc@gmail.com](mailto:askpielc@gmail.com). We look forward to seeing you all at the 40th annual PIELC in 2022.

By: Brenden Catt (2L), Peter Jensen (2L), Megan Sweeney (2L), CJ Lockwood (2L), Reza Sadeghzadeh (2L)

## PIELC Save the Date

"A Different Normal"

March 3-6, 2022

To ensure the safety of attendees, speakers, and the greater Eugene community, the 40th annual Public Interest Environmental Law Clinic will be entirely virtual. This academic year's PIELC will take place between Thursday, March 3, and Sunday, March 6, 2022. PIELC's virtual conference will consist of programming resembling our normal programming.

The theme of this year's PIELC is "A Different Normal." The whole world has been shaken after nearly two years of a pandemic. While the world is itching to return to normalcy, we must take this opportunity to progress toward and embrace a different normal.

With wildfires raging around the world, coastlines vanishing, and food systems collapsing, the world we inhabit is changing every day. Our work as environmental advocates is at its most crucial point. This year's PIELC will focus on harnessing this unique moment in history to shape a better normal.

To face these incredible challenges, we must uplift the marginalized voices of the environmental community whose perspectives have been ignored. The organizers of PIELC are committed to hosting an inclusive event that celebrates diversity, opposes injustice of all forms, and acknowledges the connection between oppression and environmental destruction.

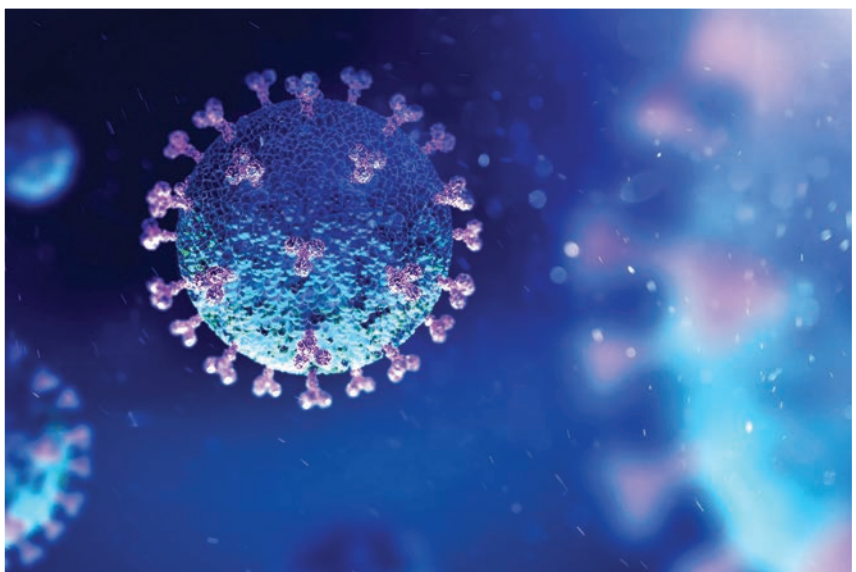
Land Air Water looks forward to sharing PIELC events that focus on developing a better normal, and we are always looking for ways to improve our conference. If you have ideas for a virtual panel, please complete the following form by January 10, 2022.

[https://docs.google.com/forms/d/1mDMJL\\_1frQyIONZaMu4JzjmC5wEsLUIKICLSsj-7b2I/edit](https://docs.google.com/forms/d/1mDMJL_1frQyIONZaMu4JzjmC5wEsLUIKICLSsj-7b2I/edit)

Additionally, if you have suggestions on how PIELC can improve, please feel free to message us on Facebook or Instagram, or email us at [askpielc@gmail.com](mailto:askpielc@gmail.com).



**PIELC Save the Date**  
**March 3 - 6, 2022**



# Brower, Rydberg -Tuholske, and Kravchenko Awards



## Kerry Rydberg-Jack Tuholske Award

Recipient: Dave Becker

The Kerry Rydberg Award was originally named to honor a private public interest lawyer who graduated from the University of Oregon School of Law and unfortunately died at an early age. The award was renamed last spring as the Kerry Rydberg-Jack Tuholske award, in recognition of the magnificent, lifelong work of private public interest lawyer Jack Tuholske of Montana, who died last year.

Private public interest attorney Dave Becker was selected as the recipient of the 2021 award by past award recipients. Becker has been in private practice since 2011, tirelessly advocating on behalf of public interest clients. He graduated summa cum laude from Cornell Law School in 1999, and received an LLM summa cum laude from the Lewis and Clark Law School in 2006.



## Svitlana Kravchenko Environmental Rights Award

Recipient: Samyra Idlallene

Samyra Idlallene is a professor at Cadi Ayyad University in the City of Safi, on the Atlantic Coast of Morocco. She was a Visiting Scholar at the University of Oregon School of Law in 2016. During that visit she was inspired by Professor Mary Wood and her ideas of the public trust doctrine to protect the environment. Idlallene decided to explore whether Islamic law also had similar trust ideas and discovered that it did, although nobody had really turned that into an environmental trust concept. Now she has advanced her research such that she is publishing a book on trust concepts in Islamic law. Idlallene displays an unwavering dedication to her students, and she has deployed them all to help on a country-wide citizen survey of coastal knowledge.



## David Brower Lifetime Achievement Award

Recipient: Professor Greg Dotson

Professor Greg Dotson is a faculty member of the Environmental and Natural Resources Law Center, where he leads the Energy Law and Policy Project. He is a nationally recognized expert on environmental law, having worked in the highest environmental policy positions in both the US House of Representatives and the US Senate. While working in Congress, Dotson worked to enact landmark environmental legislation and to defend the nation's environmental laws from efforts to weaken them. Most recently, in 2021, Dotson took a leave of absence from Oregon Law to accept the position of Chief Counsel for the US Senate Committee on Environment and Public Works where he worked on the American Rescue Plan, the bipartisan Infrastructure Investment and Jobs Act, and the Build Back Better reconciliation bill. Prior to joining the faculty at Oregon, Dotson worked in the US House of Representatives and was the lead staffer on the American Clean Energy and Security Act of 2009 (the Waxman-Markey Bill), a comprehensive climate change and energy bill that passed the House of Representative in June 2009. He also worked on the American Recovery and Reinvestment Act of 2009, the Energy Independence and Security Act of 2007, the Energy Policy Act of 2005, the Safe Drinking Water Act Amendments of 1996, and the Food Quality Protection Act of 1996, among other laws. Dotson's academic research has been cited by states and environmental groups in litigation opposing environmental rollbacks during the Trump Administration. His publications on state authority to regulate greenhouse gas emissions were cited by the Department of Transportation in their recent proposal to reverse a decision to preempt state anti-pollution laws. Professor Dotson often provides commentary on environmental issues to national media outlets.



### Journal of Environmental Law and Litigation Publications

Boatwright, Ashlyn, "Let the Sunshine In: A Proposal to Ban Chemical Sunscreen," 36 *Journal of Environmental Law and Litigation* 267 (May 14, 2021).

Housel, Tom, "When the Rivers Run Dry: Adapting Prior Appropriation Systems to Protect Marginalized Communities in Times of Drought," 36 *Journal of Environmental Law and Litigation* 237 (May 14, 2021).

Zaman, Sharaban Tahura, "Legal Protection for the Cross-Border Climate-Induced Population Movement in South Asia: Exploring a Durable Solution," 36 *Journal of Environmental Law and Litigation* 187 (May 14, 2021).

Olusegun, Olaitan O., "The Effect of Environmental Damage on Children in Armed Conflicts," 36 *Journal of Environmental Law and Litigation* 155 (May 14, 2021).

Roussel, Shawn "Pepper," "The Carrot Is the Stick: Food as a Weapon of Systemic Oppression for Black Consumers and the

Disenfranchisement of Black Farmers," 36 *Journal of Environmental Law and Litigation* 129 (May 14, 2021).

Centner, Terence J., "Pesticide Registration Fails to Protect Human Health: Damages from Exposure to Glyphosate-Based Herbicides," 36 *Journal of Environmental Law and Litigation* 69 (May 14, 2021).

Kanner, Allan, "Tortious Interference with Public Trust," 36 *Journal of Environmental Law and Litigation* 39, (May 14, 2021).

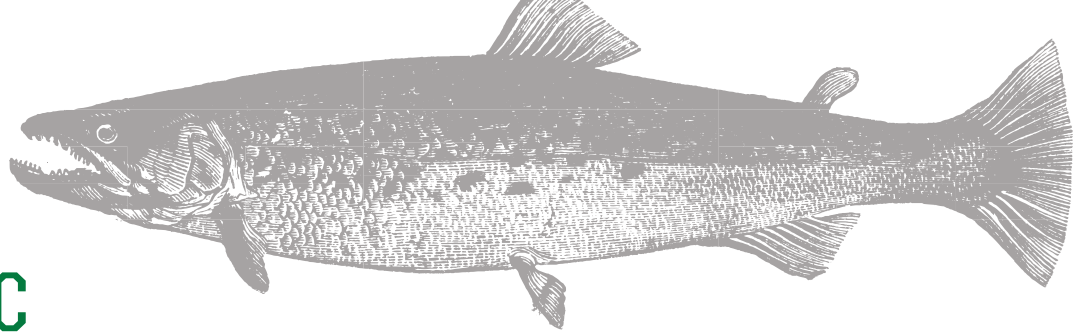
Scanlan, Melissa K., "Climate Risk Is Investment Risk," 36 *Journal of Environmental Law and Litigation* 1 (May 14, 2021).

## John Bonine- Svitlana Kravchenko Environmental Protection Scholarship Fund

The John Bonine-Svitlana Kravchenko Environmental Protection Scholarship Fund promotes public interest in environmental protection through the encouragement in Environmental and Natural Resources Law.

If you are interested in supporting the education of students passionate about environmental law, please contact Jessica Merkner [jmerkner@uoregon.edu](mailto:jmerkner@uoregon.edu) or 541-346-1558.

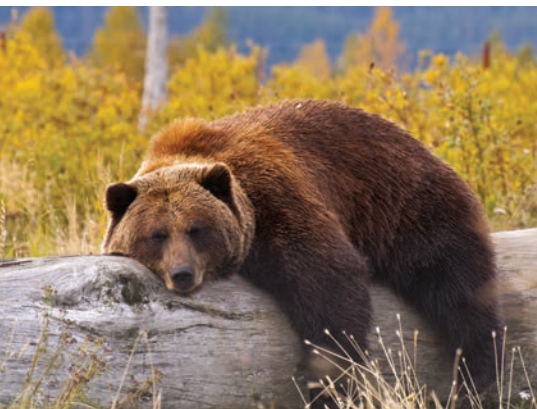
*"Because this fund evolved from a passion about the environment and the law, it should be awarded to those who put passion for the environment before a lucrative legal career."—John Bonine, Bernard B. Kliks Professor*



# ENR Clinic

## Western Environmental Law Center Update

The University of Oregon School of Law's environmental law clinic at the Western Environmental Law Center, a nonprofit, public interest law firm, provides the next generation of legal advocates real-world experience practicing environmental law. In 2020 and 2021, our students overcame the challenges presented by COVID-19 and strongly contributed to WELC's legal advocacy on behalf of its clients in a wide variety of ways.



### Forests and Wildlife

One clinic student researched the limits of a federal agency's ability under the Endangered Species Act to rely on questionable assumptions and uncertain measures in concluding that a timber sale would not contribute to the extinction of the northern spotted owl. After preparing a litigation memo on this question, the student helped outline WELC's complaint.

Clinic students performed Endangered Species Act, National Environmental Policy Act, and travel management regulation research in the lead-up to a case to protect bull trout and grizzly bear habitat surrounding Idaho's Fish Lake. They then helped draft the complaint that was filed in the District of Idaho in January.

Students also conducted legal research to analyze legal claims in WELC's litigation to restore Endangered Species Act protections for wolves in the lower 48 states. They wrote brief sections on those items and researched the US Fish and Wildlife Service's requirements for delisting a species.

Other students researched and selected claims for an upcoming case related to forest plan revision processes in the west, under the 2012 US Forest Service Planning Rule, the National Environmental Policy Act, and Endangered Species Act.

Clinic students also researched several potential claims under the National Environmental Policy Act and the Endangered Species Act in a prospective challenge to a habitat conservation plan that would allow a timber company to log its vast forest holdings in northern spotted owl habitat. They also prepared a Freedom of Information Act request about a recovery action set forth in the northern spotted owl recovery plan.

Clinic students researched and mapped where Idaho and Wyoming allow use of bait to hunt black bears with the current distribution of grizzlies, to identify where WELC may seek to halt baiting. Another student researched "safe harbor" agreements to help keep more water in rivers where wild Coho salmon find habitat. Yet another prepared parts of a preliminary relief brief that led to shutting down the intake of a hydroelectric project to protect wild Chinook.

### Climate and Energy

Clinic students researched utility commission practices across the west to show the difference between the various commissions' rulemaking and decision-making arms. They performed preliminary work on holding a Montana energy company accountable to ratepayers and investigated asset retirement obligations for oil and gas wells in New Mexico.

This year's clinic students adapted well to the challenge of remote instruction and casework due to the COVID-19 pandemic. They attended weekly class sessions, as well as meetings with supervising attorneys, clients, and opposing counsel via video conferencing. We appreciate the flexibility and steadfast dedication to the work exhibited by UO law students in the Environmental Law Clinic and look forward to when we can once again gather in person. For many years, WELC's collaborative relationships with law students have helped endangered species, protected clean water, and advanced important climate and energy work. Not only has this work provided students with experience necessary to serve as valued members of the environmental law community, but it has also helped WELC further its mission of aiding the public interest and protecting the Western people, places, plants, and animals we treasure.

Thank you to our students—past, present, and future.



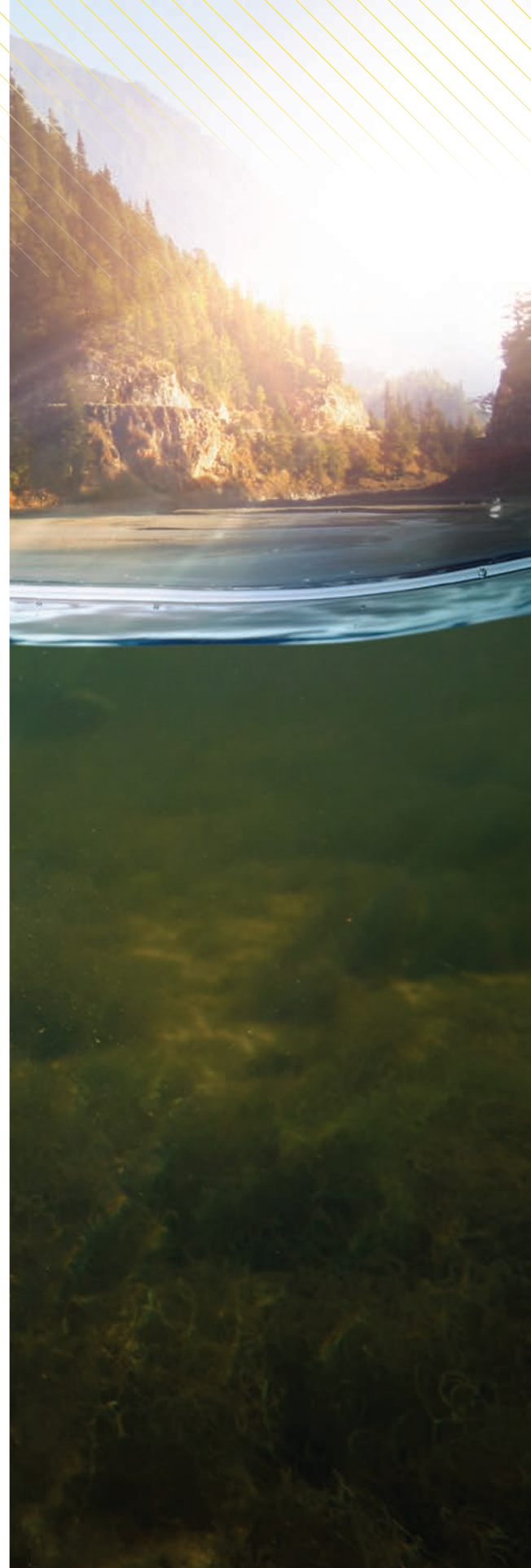


## Clinics and Externships

### Externships: Providing real-world experience for future lawyers

ENR students work with a variety of government, nonprofit, and tribal entities all over the globe. Previous placements include:

- 1,000 Friends of Oregon
- Advocates for the West
- Beyond Toxics
- Blue River Law
- Cascadia Wildlands
- Center for Ocean Solutions
- Crag Law Center
- Delaware Riverkeeper Network
- Delegation of the European Union to the United States - Trade Section
- Earth Island Institute
- Earthjustice
- Environmental Law Alliance Worldwide
- Environmental Protection Agency
- Environmental Protection Information Center
- Hells Canyon Preservation Council
- Hudson Riverkeeper
- Humane Society of the United States
- Idaho Water Users Association
- Institute of Man and Environment of the Amazon
- Iowa Natural Heritage Foundation
- Klamath-Siskiyou Wildland Center
- Lincoln County Counsel
- Midwest Environmental Advocates
- National Law Center for the Inter-American Free Trade
- Oregon Citizens Utility Board
- Oregon Department of Environmental Quality
- Oregon Office of the Legislative Counsel
- Oregon Public Utility Commission
- Our Children's Trust
- Squaxin Indian Tribal Community
- State of California Attorney General
- State of Oregon Attorney General
- Trout Unlimited
- Trustees for Alaska
- United Nations Climate Change Secretariat Legal Affairs Program
- U.S. Army Corps of Engineers
- U.S. Department of the Interior Office of the Solicitor
- U.S. Department of the Interior, Pacific Northwest Region
- U.S. Department of Justice, Environmental and Natural Resources Division
- Western Resources Advocates
- WildEarth Guardians



# Impact of Giving

## DRIVE CHANGE AND SUPPORT TOMORROW'S LAW LEADERS

*"ENR students work with professors to develop cutting edge, real life solutions to meet the demands of the global climate change challenges. With your help, our students are rising to meet society's need."*

*Marcilynn A. Burke  
Dean and Dave Frohnmayer  
Chair in Leadership and Law*



# In Memoriam



## Lauren Charles, JD '11

The Meritorious Service Award is the highest award given by the University of Oregon School of Law. It is given each year to persons who have made extraordinary contributions to legal education or the legal profession. This year the school announced the award as a posthumous honor to Lauren Elizabeth-Barthé Charles, JD '11, who died March 7, 2021.

As a University of Oregon School of Law student, Charles was an active leader in the community, serving as minority outreach assistant for the admissions office and as a 2010 codirector of the Public Interest Environmental Law Conference. She also was a law clerk at Lockheed Martin in Washington, DC. After graduating from the School of Law, Charles was an assistant director of JD admissions at the law school until 2014.

Charles was an accomplished professional. Living in the Washington, DC, area, she worked as an attorney and lead project manager for Leidos, a Fortune 500 science and technology firm. Though on the East Coast, she continued her service to Oregon Law by volunteering at numerous alumni and development and recruitment events for admissions. In February 2021 she spoke to and counseled Oregon law students as part of a career development program.

In memory of Charles, the University of Oregon School of Law is collecting donations for a scholarship endowment in her name. Please contact Jessica Merkner, Director of Development, to make a contribution to the Lauren EB Charles Law Student Scholarship Fund. [jmerkner@uoregon.edu](mailto:jmerkner@uoregon.edu)

*"I can picture the day Killian first came to our office as a first-year law student wanting to find ways to support our work and our partners. He jumped immediately into interpreting for partners who wouldn't otherwise have been able to share their stories. He impressed us all immediately, not just with his incredible language skills, but with his passion for helping lawyers and communities around the world.*

*Killian came to work with us as a student extern and immediately demonstrated that he was smart and a great writer. When he said he wanted to work with us for credit again, we invited him to collaborate in ELAW's first and only advanced legal externship. The rest is history. Once we had Killian working with us, we needed him to stay."*

*– Jennifer Gleason, JD '93,  
Program Director, ELAW*



### Killian Doherty, JD '14

Killian Doherty was a beloved member of the ENR community at Oregon Law. After graduating, Doherty joined the team at Environmental Law Alliance Worldwide (ELAW). At ELAW, he used his legal and linguistic skills to collaborate with lawyers around the world to protect communities and the environment. Doherty's expertise in areas of Latin American jurisprudence and environmental law became well known. He spoke at public climate litigation conferences in Brazil and Chile, setting the stage for discussions between government and civil society representatives on how legal instruments can be used to protect the climate. His ability to communicate across cultures and his unwavering commitment to environmental justice, passion for life, and agility on the soccer pitch touched many. While soccer was Doherty's window on the world, law was his way of protecting it.

People from the Wayúu Indigenous group in Colombia and colleagues in Peru planted trees in the Amazon in his memory. He was a friend to all, and he had friendships around the world. Doherty died at the age of 37 after battling a rare and aggressive cancer for 15 months.

**The Killian O. Doherty Legacy Fund** was created to support a Killian O. Doherty Law Fellowship or Internship position at ELAW to build on Doherty's legacy and create opportunities for early career lawyers and law students to advance environmental justice through public interest law. To learn more, visit <https://www.elaw.org/killianmemorialfund>.



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