

LOQUITUR

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Water Works

preserving and protecting a vital public resource

LOQUITUR

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ARCTIC OUTLOOK, NEW LONDON, CONN.
A CIVILIAN EMPLOYEE OF THE U.S. COAST GUARD,
BECCA PINCUS MSEL'11 SUPPORTS THE COAST
GUARD'S STRATEGIC OBJECTIVES IN THE ARCTIC,
RESEARCHES ARCTIC SECURITY, AND TEACHES AT
THE ACADEMY. READ MORE ABOUT PINCUS AND THE
WATER WORKS OF OTHER VLS GRADS. PAGE 25.

PHOTOGRAPH BY DAVE BARNUM





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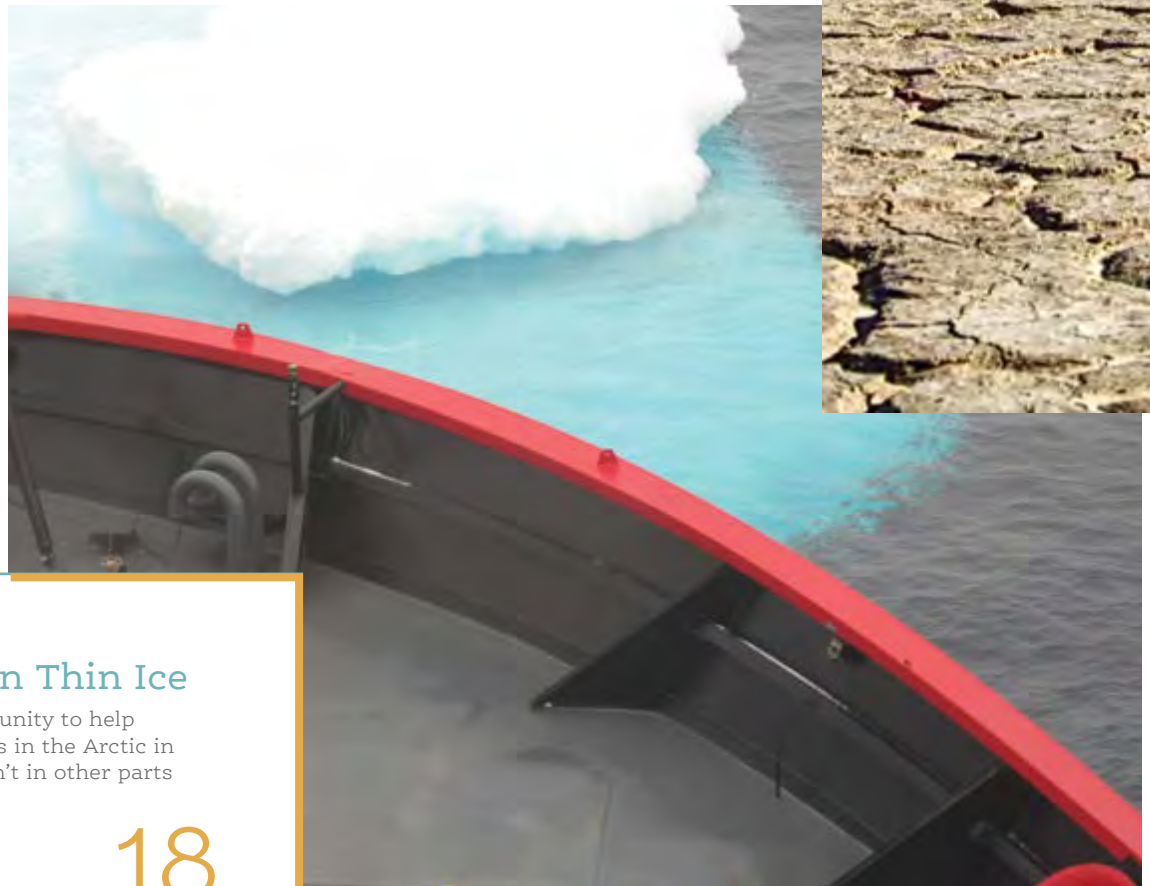
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A Lawyer on Thin Ice

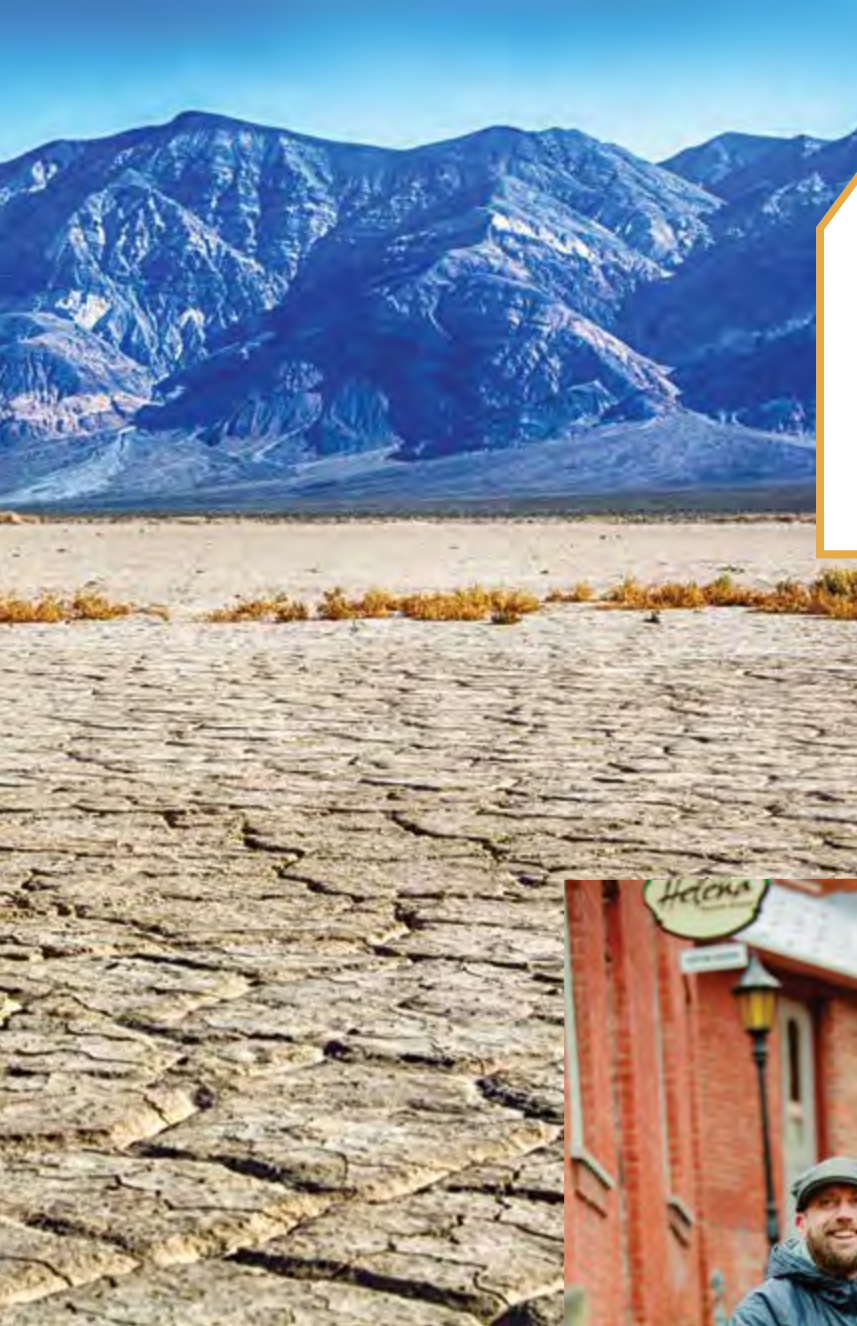
“We have an opportunity to help shape developments in the Arctic in a way that we haven’t in other parts of the globe.”

BY DAVID GOODMAN

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Betsy Baker

ON THE COVER: ACCESS TO CLEAN WATER IS FUNDAMENTAL. PHOTOGRAPH BY ADOBE STOCK.



Thirst and Resilience, from East to West

In the face of drought, floods, and sometimes invisible pollution, access to clean water is growing more fraught than ever. The work of VLS alumni in three regions of the country offers a glimpse of how it's all playing out.

BY CORIN HIRSCH

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Adobe Stock



Jeremy Lurgio

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Rob Bossi

WHITE RIVER, SOUTH ROYALTON, VT.

LETTER FROM THE DEAN

WATER BELONGS TO EVERYONE

Dear Alumni and Friends,

“When the well’s dry, we know the worth of water.” So wrote Benjamin Franklin in *Poor Richard’s Almanack* 270 years ago. Centuries later, have we learned the lesson?

Water gives life. And power. It forms our world’s oceans, lakes, rivers and streams—covering 71 percent of the earth. We drink it. Bathe with it. Farm with it. Cook with it. Develop chemical solutions with it. Transport people and things with it.

We can’t live without it, yet millions of people lack access to water, and billions of people face poor water sanitation. Scientists predict that, by 2030, water demand will exceed supply by 50 percent.

Knowing the worth of water means knowing that we all need it.

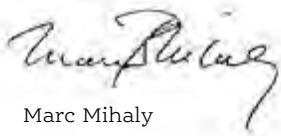
To quote Jack Tuholske, director of the Water and Justice Program, “Clean, plentiful water is fundamental to human existence. Water is a precious public resource. Whether the problem is algal blooms on Lake Erie or drought in California, the solution must begin with a recognition that water belongs to everyone.”

So what is being done to preserve and protect this vital resource? To broaden access to water? To improve safety of drinking water?

Your fellow Vermont Law School alumni can tell you. Their legal expertise is brought to bear locally and globally, from the Chesapeake Bay to the Arctic, from drought-stricken landscapes to the coast of Maine. They work on water issues with the EPA and NOAA, at state natural resources agencies and control boards, at NGOs and with the military, on behalf of corporate clients and nonprofits, with watershed partnerships and riverkeepers. They examine current events and legislation—and challenges to legislation—and forecast trends and big issues to come.

We’re pleased to showcase alumni water works here in *Loquitur*. These stories inspire us, and give us faith that those who truly know the worth of water are helping to ensure its preservation and accessibility for future generations.

All best,



Marc Mihaly
President and Dean

DISCOVERY



Photo courtesy of Mary Waterman

SORO OUTREACH

VLS BUDDIES MEET ABA PRESIDENT

AMERICAN BAR ASSOCIATION PRESIDENT PAULETTE BROWN—named one of “The 50 Most Influential Minority Lawyers in America” by *The National Law Journal*—visited VLS in March. She gave a talk, toured campus, spent time with student leaders, participated in a panel on careers in international law, and visited South Royalton School with Students for Community Outreach and Education (SCORE) as part of the VLS Buddies program.



Photo courtesy of ABA

South Royalton School’s Mary Waterman shared a few photos from the visit and reported about the experience: “Brown reflected upon questions she had heard from children, such as, ‘Why do you call it a bar exam instead of a test?’ [And] from a 7-year-old, ‘What do you do if you get a case you don’t believe in?’ Brown says, ‘They really value your honesty, even if you don’t know all of the answers. Your time is very encouraging to them. Even if we think it’s small, it’s very impactful.’” [NL](#)

IT'S A SOLAR-BRATION!

THE GREATER VLS COMMUNITY came together for an Earth Day ribbon-cutting to celebrate the school’s recently completed 500-kilowatt solar project on Gee Hill Road in Royalton. The project, built and owned by Tunbridge Solar, meets over half of VLS’s electric energy requirement while reducing the school’s carbon footprint. [NL](#)



Photo courtesy of Rebecca Watson O'Connor



COMMITTED TO A CAUSE

STUDENTS HONOR ALUMNA WITH SOCIAL JUSTICE AWARD

THE VLS SOCIAL JUSTICE MISSION SCHOLARS RECENTLY NAMED REBECCA WATSON O'CONNOR JD'00 the 2016 Social Justice Scholars Alumni Award honoree. The award, new this year, was established to honor a VLS alumnus/a who has demonstrated a deep commitment to causes of social justice.

Rebecca is vice president for public policy at the Rape, Abuse & Incest National Network (RAINN). As noted in her nominating statement from alumna Donna Owens JD'01, Rebecca is widely regarded as “a tireless advocate for victims’ rights and has dedicated her career to advancing policies that support victims and promote justice. ... Through her work with RAINN, Rebecca works tirelessly with federal lawmakers to shape legislation that works toward victim’s rights. Rebecca also has a deep conviction in RAINN’s inclusivity policy—one that serves all people impacted by sexual violence without regard to age, gender or gender identity, sexual orientation, religion, race, etc. She maintains this conviction in both her professional and personal lives.”

Join us in honoring Rebecca during an award ceremony at 5 p.m. Friday, June 17, during Homecoming Weekend at VLS. [NL](#)



GLOBAL TO LOCAL

“States and regions are the first defense against climate change, and Vermont is implementing the policies that will make a difference in this fight.”

–Gov. Peter Shumlin

CLIMATE TALK VT

VERMONT LEADERS AND NATIONAL ENVIRONMENTAL ADVOCATES

discussed what the recent United Nations conference on climate change means for Vermonters during “Climate Talk VT: Global Ambition, Local Action,” a VLS Earth Day celebration sponsored by the Environmental and Natural Resources Law Clinic (ENRLC) and the Vermont Chapter of the Sierra Club. The event drew Gov. Peter Shumlin, Sierra Club President Aaron Mair, and Sierra Club Vermont Chair Mark Nelson. [NL](#)



Photo courtesy of EPA

EPA CHIEF SENDS OFF CLASS OF '16

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) ADMINISTRATOR GINA MCCARTHY will deliver the 41st Commencement address at Vermont Law School on Saturday, May 21, on the South Royalton Village Green.

McCarthy was appointed EPA administrator in 2013 and assistant administrator for the EPA Office of Air and Radiation in 2009. She previously served as commissioner of the Connecticut Department of Environmental Protection. She has over 30 years of environmental experience at the federal, state and local levels, shepherding policies related to economic growth, energy, and transportation.

“Administrator McCarthy is a champion for the environment and for the public health, recognized for her commitment and practical, common-sense approach to critical issues ranging from clean water and energy to the urgent need to act on climate change,” says President and Dean Marc Mihaly. “She is a dedicated leader, an inspiration to students across the country and to many among the students, faculty and staff at Vermont Law School. We look forward to welcoming Administrator McCarthy to our campus.” [VL](#)

ALUMNI IN ENERGY

Symposium in October

SINCE 2014 THE VLS ALUMNI IN ENERGY AFFINITY GROUP has organized a symposium to provide exposure for alumni working in the energy field and to discuss the hottest issues facing the energy industry. The third annual symposium is slated for October 2016 in Washington, D.C., and will include renowned energy experts with extremely diverse viewpoints. The symposium’s interactive format encourages dialogue, and continuing legal education (CLE) credit is available.

The purpose of the VLS Alumni in Energy affinity group is to create useful and productive opportunities for dialogue and networking for VLS alumni, current students, and energy professionals around the country. The group was created in 2013 after a preliminary discussion over Alumni Weekend. Dan Phillips JD’04, Alan Strasser JD’93, Brian Potts JD’04, and Matt Stern JD/MELP’11 established the network with support from the Institute for Energy and the Environment (IEE), the Office for Institutional Advancement (OIA), and Dean Marc Mihaly. [VL](#)

For more information about Alumni in Energy Affinity, or the upcoming symposium, visit CONNECT.VERMONTLAW.EDU/NETWORKS/AFFINITY/ENERGY

SUPPORTING ASYLUM- SEEKERS

Students Provide Legal Assistance in Texas

OVER SPRING BREAK A GROUP OF VLS STUDENTS volunteered with the CARA Family Detention Pro Bono Project in Texas to provide legal assistance to asylum-seeking mothers and children being held at detention centers by U.S. Immigration and Customs Enforcement. The students shared their volunteer experiences during a panel discussion in April.

“The women and children are from El Salvador, Guatemala, and Honduras, and they are all escaping extreme gang violence and domestic abuse,” says Cornelia Alvarez ’16. “We spent the week providing information on asylum law, preparing women for their credible-fear interviews with asylum officers, attending credible-fear interviews, representing women in bond hearings, and helping women appeal negative credible-fear decisions.”

Alvarez volunteered at Dille and Karnes, Texas, detention centers with Erin Jacobsen JD’11, a South Royaltown Legal Clinic staff attorney who specializes in immigration and asylum cases, and fellow students Aisatou Diallo ’17, Helene Combes ’16, Natalie Donis ’17, Santiago Romero ’17, and Vivian Moreno-Zelinka ’16. [NL](#)

For more information about CARA, including volunteering, visit caraprobono.org.



Photos courtesy of Cornelia Alvarez

THIRST AND FROM

IN THE FACE OF DROUGHT, FLOODS, AND SOMETIMES
INVISIBLE POLLUTION, ACCESS TO CLEAN WATER IS
GROWING MORE FRAUGHT THAN EVER. THE WORK OF VLS
ALUMNI IN THREE REGIONS OF THE COUNTRY OFFERS A
GLIMPSE OF HOW IT'S ALL PLAYING OUT.



A CALIFORNIA FARM SHOWS SIGNS OF THIRST.

RESILIENCE, EAST TO WEST

BY CORIN HIRSCH

Earlier this year, when television stations broadcast the rusty water spilling from taps in Flint, Mich., the outcry was swift. President Barack Obama called the situation “inexplicable and inexcusable,” celebrities donated over one million bottles of water to residents, and Flint parents openly worried about the lingering effects of elevated lead levels in their children’s blood.

Surely, the 40-year-old Safe Drinking Water Act was meant to prevent tragedies such as the one in Flint, which began when the city started siphoning water from the Flint River to save money. That water corroded old pipes, and illustrated that something as seemingly simple as access to clean, ample water is not a given, even in 2016.

Aging infrastructure, including lead pipes, in Eastern and Midwestern cities. Toxic algal blooms on the Great Lakes. Chronic water shortages in Western states. The threats to clean water, water that sustains the multiple species and interests that depend on it, morph from east to west. And in both the East and the West, a handful of Vermont Law School alumni are working quietly, and some not-so-quietly, on the front lines of water rights, quality, and conservation.

“ CLEAN, PLENTIFUL WATER IS FUNDAMENTAL TO HUMAN EXISTENCE,” SAYS PROFESSOR JACK TUHOLSKE, VISITING PROFESSOR AND DIRECTOR OF THE WATER AND JUSTICE PROGRAM AT VLS. “I EMPHASIZE TO MY STUDENTS THAT WATER IS A PRECIOUS PUBLIC RESOURCE. WHETHER THE PROBLEM IS ALGAL BLOOMS ON LAKE ERIE OR DROUGHT IN CALIFORNIA, THE SOLUTION MUST BEGIN WITH A RECOGNITION THAT WATER BELONGS TO EVERYONE.”

The East Coast: A Thousand (Non) Points of Pollution

In the 1600s, immigrants arriving from a filthy Europe marveled at the pristine, fresh water they encountered in New England. “We ... found Springs of fresh Water, of which we were heartily glad, and sat us downe and drunke our first New England Water, with as much delight as ever we drunke drinke in all our lives,” wrote pilgrim Edward Winslow in 1621. Yet there were still lessons to be learned: As early as 1607, some James-

town settlers died after drinking from water sources where they had dumped their own waste.

Human and industrial pollution in the eastern U.S. only intensified in the late 1800s and 1900s. Individual states began responding with their own laws and regulations in the 1890s, but a few decades later, some New England rivers were so sullied by mill effluent and industrial waste that their fumes could peel the paint from nearby houses. The Federal Water Pollution Control Act of 1948 aimed to curtail unbridled post-war water pollution; in 1972, partially in response to public concern with pollution, Congress passed the Clean Water Act, a dramatic revision and expansion of the 1948 act (and they overrode a veto from President Richard Nixon to do so).

Forty years later, the threats to the East’s water resources have evolved from visible to less visible sources. “In the ’70s and ’80s it was large industry, in the ’80s and ’90s it was smaller industry and municipalities, and in the ’90s and 2000s, it’s storm water,” says William E. Taylor JD/MSEL’83, a partner at the Portland, Maine, firm Pierce Atwood LLP. “The last bastion of unregulated, or little-regulated, pollutant sources are nonpoint sources, as well as air deposition.”

Since graduating in 1983, Taylor’s professional life has been entwined with water law and conservation, and he’s represented “both the clean water and the waste discharge sides,” including watershed groups, dischargers, and government organizations. He spent 25 years on the New England Interstate Water Pollution Control Commission, and has had a hand in rulemaking in Maine as well as Malaysia and Kazakhstan, where he helped rewrite water discharge regulations.

Though Taylor praises Maine’s strong environmental ethos—“The Clean Water Act says you have to regulate to x, and we regulate to x, y, and z”—he remains concerned with greenhouse gases and airborne pollutants, such as lead and mercury, that drift into Maine from points west and settle into lakes and coastal waters, acidifying them. Of Maine’s 3,400 or so lakes, Taylor says, “Every one is in nonattainment for mercury. Just consider that many of our thousands of lakes are completely undeveloped, natural lakes with no discharge into them. The only discharge is air deposi-

THIRST AND RESILIENCE, FROM EAST TO WEST

tion coming from other parts of the country.”

Due to acidification along the coast—driven by global warming, runoff, and air pollution—Taylor notes there has already been a decline in soft-shell clams in Casco Bay. “When Maine starts to lose its lobster industry, watch out. When ocean acidification starts to have a serious economic impact, then maybe something will get done.”

The fact that states can’t regulate air crossing its borders was part of the impetus behind the Clean Power Plan, the EPA’s plan to limit pollutants from existing coal-fired power plants. In February, the United States Supreme Court stayed that plan. “The Clean Power Plan could help eliminate some of the acidification impacts, but there’s an inertia at the federal level that’s just incredible,” Taylor says. “The intersection between clean water and clean air is coming quickly. Someone has to come up with a creative solution to integrate these two programs. Without it, the Northeast states will still be the tailpipe of the United States.”

Two states over, in Vermont, the groundwater supply is clean and plentiful, but that requires constant vigilance. The state’s 1,400-plus public drinking water systems are overseen by Vermont’s Drinking Water and Groundwater Protection Division, where Ben Montross MSEL’07 works as compliance and support services section chief. “We’re lucky in that we have high-quality groundwater and drinking water in the state that we work very hard to preserve,” says Montross. “We view groundwater as a public trust in Vermont, and we’re very careful to the extent to which it’s permitted, used, and withdrawn.”

Vermont has a preemptive approach to water-source quality, says Montross, including careful site selection for new sources and proactive regulations: Vermont banned lead solder in 1988, three years before the EPA issued their own rule, and the state has a more stringent limit on uranium than the EPA. System operators regularly test for contaminants, tests that are analyzed by state labs.

“The bacteriological contamination of systems is something we spend a lot of time, energy, and management on,” says Montross, as coliform levels can rise due to crumbling infrastructure, operational integrity issues, or flooding. Constant sampling is critical—which brings Flint to mind.

“THE EPA HAS THE OPPORTUNITY TO FOCUS ON HOW SYSTEMS PERFORM LEAD AND COPPER MONITORING, WHICH COULD CHANGE IN FUTURE REGULATIONS AS A RESULT OF THE ISSUES THAT AROSE [IN FLINT].”

“A Flint” is not likely to happen in Vermont, says Montross. “If a system wants to switch its source, they need a

permit from us.” That triggers a system of checks and balances, including intense vetting of the new source.

The Wild Water Rights (and Fights, and Floods) of the West

At the turn of the last century, along the banks of western Montana’s Burnt Fork Creek, two men argued over an irrigation diversion. Soon, one of them was dead.

Or so the story goes. That long-ago Bitterroot Valley altercation has been oft-cited to illustrate how inflamed water disputes can become here. In fact, the first court-ordered adjudication of water rights in Montana, in 1905, applied to Burnt Fork Creek.

In western states, the riparian water rights of the East give way to prior appropriation doctrine, or a “first in time is first in right,” water rule: The rights of the original user of a water source trump those of downstream users, as long as the original use is deemed reasonable and beneficial. And if that first user doesn’t exercise those rights, they can lose them—“use it or lose it”—which can complicate conservation efforts.

In the oft-parched West, maintaining that century-old doctrine can trigger disputes and litigation, especially in the face of population growth and more frequent droughts. “The more layers you peel back in the water world, the more complex it becomes,” says Michael Downey MSEL’94, the water planning section supervisor for the Montana Department of Natural Resources and Conservation. Downey was project coordinator and one of the primary authors of the Montana State Water Plan, issued in January 2015 after a two-year process of public hearings and research. Montana had intended to assess its resources ever since the state’s Water Use Act in 1973, but took awhile to get around to it. “In terms of dealing with drought and climate change, there was this realization that we need to have a better handle on our water supply,” says Downey.

That robust water supply spans four major river basins and 170,000 miles of rivers and streams. The anxiety provoked by a growing population is evident in the plan, which enlisted the input of diverse stakeholders and calls for a more precise inventory of fluctuating water resources. “For effective drought planning, you need to go through a collaborative process where stakeholders work together to figure out how they’re going to handle a water shortage. If you decide to wait until the shortage comes, it’s too late,” Downey says.

Part of the challenge faced in Montana, he adds, is that “water is cheap,” so it can be difficult to entice users to cut back. “We’re on the cusp of figuring out how to become more efficient,” says Downey, who calls the plan “a vision document.”

Fellow Montanan Guy Alsentzer JD/MELP’09 wishes that vision also focused on water quality, which he thinks the state wrongly separates from water quantity. “The state plan is a well-intentioned effort, but it is not dispositive in terms of managing Montana’s water resources,” says Alsentzer, founder and executive director of Upper

FEW question the need for clean waterways and safe drinking water. But the controversy and litigation involved in attaining those goals is increasing and sometimes makes the ultimate objectives harder to reach. Examples abound, from the lead problem in Flint, Mich.'s drinking water supply to the protracted processes to reach agreement on the Lake Champlain and Chesapeake Bay cleanups. Water woes often lead to water wars, with the Clean Water Act (CWA) frequently at the center of battle.

The Environmental Protection Agency is sued over the CWA by those who think the agency isn't doing enough nearly as often as by those who contend that the EPA is overreaching. Those two sides are typically represented by, respectively, conservation interests and development and agriculture interests. Whatever CWA challenges pertain to, the basis is often jurisdictional or has a jurisdictional aspect—including in Flint.

"The case points to the problem of relying solely on states to implement federal laws, including the CWA," says Professor Pat Parenteau. "The EPA failed to take aggressive action because the Michigan Department of Environmental Quality told it to butt out. Some of these more serious episodes like Flint are going to create a pushback against people who say the federal government shouldn't be involved in these matters."

Many VLS alumni are deeply involved in CWA-related work. Here are the major issues and trends they see.

WATER WARS

By
Jess Clarke

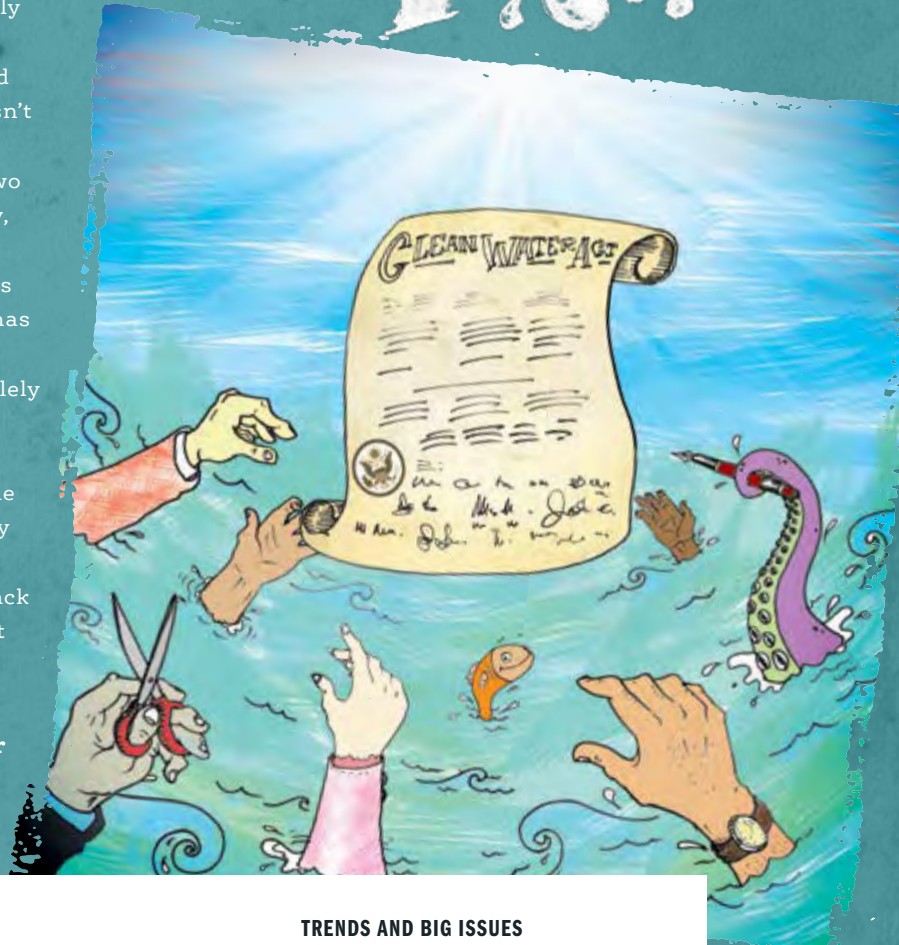


Illustration by Bill Strecker

JULIA ANASTASIO MSEL'96
EXECUTIVE DIRECTOR AND GENERAL COUNSEL, ASSOCIATION OF
CLEAN WATER ADMINISTRATORS, WASHINGTON, D.C.

CWA-RELATED WORK

Association members are state, interstate and territorial officials who implement surface-water protection programs. Anastasio helps resolve questions about the "waters of the United States" (WOTUS) rule, so that states, the EPA and the Corps of Engineers can focus on implementation. She also works on ways to address nutrient pollution, and implements changes and updates to the National Pollutant Discharge Elimination System, which regulates point

sources that discharge pollutants into U.S. waters.

Maintaining existing funding sources and finding new ones so states can carry out the CWA is another role of Anastasio's. "States already absorb over two-thirds of the cost of mandated state and delegated federal water-quality programs, and state budgets are strained to the maximum. Additional federal funding cuts to these programs will seriously compromise state water-quality protection activities," she says.

TRENDS AND BIG ISSUES

"There's a focus on federalism and strengthening the co-regulator relationship with the EPA. The CWA is structured around the concept of cooperative federalism and sets up a regime where state and federal governments work together in structured, overlapping and complementary ways. The complexity of today's water-quality challenges demands collaboration and cooperation between the EPA and states. Today's pervasive and emerging water-quality challenges demand effective federal and state cooperation, so that resources are leveraged and sound policy is created."

CONTINUED ON PAGE 15



Photo courtesy of Coal Creek Canyon Fire Protection District

THIRST AND RESILIENCE, FROM EAST TO WEST

Missouri Waterkeeper in Bozeman. “It’s a discretionary plan with no binding impact as a matter of law, and therefore an empty gesture toward figuring out how we allocate finite resources among many different sectors.”

After graduation, Alsentzer toggled between Montana—where he worked at the Gallatin County Attorney’s Office and Western Environmental Law Center—and the East Coast, where he spent two years as a staff attorney for a riverkeeper organization in the Chesapeake Bay region. He returned to Montana in 2013 to found Upper Missouri Riverkeeper, which “combines strong science, the law, and community action to hold decision-makers accountable and figure out new protections [for water].”

The striking 25,000 square miles of the Upper Missouri watershed include the headwaters of the longest river in the United States, the Missouri, which meanders 2,341 miles and passes through one-quarter of the country’s agricultural land, before spilling into the Mississippi River north of St. Louis.

Alsentzer says the Upper Missouri river basin is afflicted by “unnaturally high” levels of nutrients such as nitrogen and phosphorus, as well as sediment and high temperatures. “The basin is suffering death by a thousand cuts from unsustainable agricultural practices, population sprawl, climate change, natural resource extraction, and the pollution legacy of old mines.”

Montana’s turbulent history of conflict around water rights is also checkered by an uneven stance concerning water pollution from mining operations. “Montana is a headwaters state blessed with incredible water resources, but is also cursed with incredibly divisive politics,” says Alsentzer. Upper Missouri Riverkeeper pursues a long-term approach of keeping up political pressure to “fix broken rules. To enforce change, sometimes you have to come up against the status quo, and the status quo is often informed by powerful interest groups that do not see clean water as their number one priority.”

Advocacy is also at the heart of the work of Jacqueline Daoust MELP’09, a watershed program assistant for the Coal Creek Canyon Watershed Partnership (CCCWP) in Colorado. In September 2013, Coal Creek Canyon, 32 miles northwest of Denver, was ravaged by flooding that damaged homes, businesses, and washed out parts of Highway 72. After the disaster, the state funded CCCWP, a

pilot effort to build resilience in the canyon via advocacy, community building, and structural changes to the creek and its banks. And Daoust is on the ground there many days, meeting with engineers or knocking on the doors of homeowners along Coal Creek to discuss plans for natural-stream restoration that may prevent future damage. “Residents have a chance to make their properties more resilient with the help of public funding,” says Daoust. “Once we know what money is available, we’ll work with landowners to learn what they would like changed, and to help plan preemptively so that the canyon will be better prepared for the next flood.”

It is not her first stint in water: Daoust worked in various conservation roles during her 12 years living in New England. However, while she “left her heart” in New England, “What I wanted to do in conversation work, in land or water, wasn’t necessarily available in the New England area, where jobs were sparse. In Colorado, if you want to ‘save the environment,’ conservation is a way of life and widely accepted across political parties.”

Daoust has been struck by the differences between New England, where “nonpoint runoff is the main [water] issue, and you can’t see that” and semi-arid Colorado, where water shortages are front and center.

“ YOU CAN PHYSICALLY SEE THE WATER ISSUE THE MINUTE YOU WALK OUT THE DOOR. THERE IS A VERY WILD ASPECT TO WATER RIGHTS HERE. THEY’RE FOUGHT OVER, AND IT’S A VERY AGGRESSIVE WAY OF OBTAINING WATER. ”

California: Parched but Proactive

Part of that aggression might stem from Colorado water rights. “Use it or lose it” means that original users sometimes divert more than they need from the Colorado River, tightening supplies for 40 million people downstream, including residents of California.

California’s historic drought has entered its fifth year, and some small towns, such as East Porterville, have run out of water completely. Last spring, the state imposed water conservation rules that limit such tasks as washing cars, watering lawns, and filling pools, and has compelled some municipalities to curtail their water use by 25 percent.

Charged with implementing those restrictions—as well



LEE WOODARD JD'82

PARTNER WITH HARRIS BEACH PLLC; CO-PRACTICE GROUP LEADER IN THE FINANCIAL RESTRUCTURING, CREDITORS' RIGHTS AND BANKRUPTCY PRACTICE GROUP; CO-MANAGING PARTNER OF SYRACUSE, N.Y., OFFICE

CWA-RELATED WORK

Woodard represents a national bond surety company that has written reclamation bonds in coal mine bankruptcies. Many bonds intend to reclaim land in accordance with the CWA and monitoring emissions into waters.

"My goal is to convince the court that assets of the bankruptcy estate must be utilized to ensure compliance with the Clean Water Act and to have the properties reclaimed appropriately. Alternatively, I assist in getting the

mines sold to a new owner, who will assume the reclamation liability.

"If there is no sale, and after the debtor's resources have been extinguished, then my client either conducts the reclamation themselves or pays the penal sum of bond to the appropriate government regulatory body to undertake the reclamation," Woodard says.

TRENDS AND BIG ISSUES

"What I foresee for 2016 and beyond are further challenges to the Clean

Water Act by way of the bankruptcy reorganization process. Depending on the federal circuit the mine falls within, the sanctity of the CWA and future compliance with it can be vastly different.

"Bankruptcies have the power to reject executory contracts that relate to compliance with environmental obligations such as the Clean Water Act. The end result will be a bankruptcy judge's balancing of the reorganizational needs versus society's environmental concerns. The coal industry currently, and I believe the oil and gas industries in the near future, will continue to provide challenges to the Clean Water Act."

MICHAEL FORMICA JD'98

ASSISTANT VICE PRESIDENT AND LEGAL COUNSEL FOR DOMESTIC POLICY, NATIONAL PORK PRODUCERS COUNCIL, WASHINGTON, D.C.; CO-CHAIR, AMERICAN BAR ASSOCIATION'S WATER QUALITY COMMITTEE; CO-CHAIR, AGRICULTURAL NUTRIENT POLICY COUNCIL

CWA-RELATED WORK

Formica represents hog farmers from across the country before federal and state regulatory agencies, focusing on CWA issues, and also handles water-quality issues for the broader agriculture sector. For general U.S. business sectors and the agriculture sector, he was a primary author for comments and negotiation with the EPA over the Clean Water Rule and

is involved in related litigation. He also has been involved with the EPA's Concentrated Animal Feeding Operation rule under the CWA and with litigation connected to the Chesapeake Bay.

Formica is working with the EPA in the Nutrient Recycling Challenge, an initiative to develop technologies that recycle nutrients from livestock waste to help reduce water pollution and create marketable products.

TRENDS AND BIG ISSUES

"The biggest issue the country will face is its aging infrastructure and associated problems, both in providing clean drinking water ... and in protecting water quality generally, as older urban areas continue to shed populations, yet still need to invest tens of billions of dollars to repair and replace 100-plus-year-old sewage and stormwater systems.

"We are now leading to a new phase, where attention is focusing on nontraditional sources of pollution that come not from point sources but from lawns, golf courses, forests, streets, farms, etc., all of which are exacerbated by limits on new growth and development in urban areas and fights between urban and rural areas over water-quality challenges," Formica says.



Adobe Stock

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THIRST AND RESILIENCE, FROM EAST TO WEST

as a myriad of tasks related to water rights, water quality, financial assistance, and conservation—is the California State Water Resources Control Board. Advising that work, as well as the work of nine other regional water boards, is the state’s Office of Chief Counsel. “The drought has had enormous consequences on people and wildlife in California,” says Michael Lauffer JD/MSEL’95, chief counsel. It has also impacted his office, which when fully staffed, consists of 54 attorneys that need to be up to speed on what Lauffer calls “one of the most byzantine water rights systems in the world. It has elements of the riparian doctrine, the prior appropriation doctrine, pueblo rights, and then a fairly robust public trust doctrine that has its origins in Roman law.”

California’s drought has brought about an accelerated evolution of water rights and their interpretation. “The drought has forced the board to make the kinds of decisions that we would normally do in a long-term planning process, that take many years, and you’ll see real-time balancing going on amongst those various competing uses,” says Lauffer. “[Water] is extremely contentious, and it is a perpetual and constant balancing act that the board has to take.”

For instance, the state has tinkered with elements of its prior appropriation water doctrine. “When there’s a shortage of water, whoever has the most junior, or most recent right, normally cuts back completely before the next person has to cut back at all,” explains David Rose MSEL’06, a staff counsel who works on water rights and one of four VLS alumni who work in the office. Instead, the water reduction rules of 2015 and 2016 apply to all

users—and other emergency regulations implement the mandate that all water use has to be reasonable and beneficial, as opposed to wasteful. “[That doctrine] is an overlay to all water rights that isn’t always present or active.”

Drought also compelled the board to set minimum flows for three tributaries of the Sacramento River, restricting diversions to first protect endangered salmonids and human health and safety needs. “That was pretty much brand new for California, and it was pretty cool,” Rose says. “The state water board used an authority that’s long been available, and always been the law of the land, since the 1920s or so, that water use for any and all water rights not be unreasonable or wasteful, and made a concrete example of a type of use that’s going to need to be met before all other uses.”

Scarcity is certainly breeding ingenuity in California: The state is proactively pursuing desalination, and has been leading the charge on using recycled water. “I think we have realized, through the drought, that a combination of state and local planning is needed to address water shortage conditions in the short term, and with climate change banging on our door, to address how we move in and out of droughts in the future,” says Rose.

The state’s moves echo the message that Tuholske passes on to his VLS students. “Using water as a receptacle for waste, or to water one’s crops or fill a swimming pool, is a privilege,” says Tuholske. “We need to create and maintain a legal system that reflects those values.” NL

Corin Hirsch is a New England-based journalist who covers food, drink, agriculture, and business.



✚ EMERGENCY TO OPPORTUNITY

In addition to providing support to California’s nine regional water boards, the Office of Chief Counsel spends the lion’s share of its work advising the California State Water Resources Control Board as it attempts to consider holistically all of the complicated aspects of water resources in the state.

From Left: David Rose MSEL’06, staff counsel; Erin Mahaney JD/MSEL’95, senior staff counsel; Michael Lauffer JD/MSEL’95, chief counsel.

Not pictured: Yuri Won JD/MSEL’95, senior staff counsel.

Robert Benson



ANNE HEDGES MSEL'93

DEPUTY DIRECTOR AND LEAD LOBBYIST, MONTANA ENVIRONMENTAL INFORMATION CENTER (MEIC) IN HELENA, A STATEWIDE NONPROFIT FOCUSED ON AIR AND WATER POLLUTION ISSUES AND CLIMATE MATTERS

CWA-RELATED WORK

MEIC hires lawyers to challenge state implementation of the CWA and other laws that affect water quality and quantity. Much of Hedges' climate work involves regulatory and legal action on coal-related issues.

Montana recently issued an expansion permit to the Rosebud coal mine and a discharge permit under the CWA and the state's implementing program. MEIC has challenged the permits under coal-mining laws. "Streams in the area are legally

impaired due to coal mining and fail to meet beneficial uses under the Clean Water Act," Hedges says.

Hedges is working with Earthjustice to challenge the state's failure to enforce the CWA and Montana coal-ash disposal laws at the power plant associated with Rosebud Mine. "The power plant disposes of its waste in 800 acres of wet ash ponds that have been leaking hundreds of gallons per minute of contaminants into groundwater and surface water for decades," she says. "The overall goal is

to use the CWA to force the owners of the power plant and the mine to contain water pollution, so when the power plant and mine close, the town is not left with a toxic waste site that undermines economic development opportunities."

TRENDS AND BIG ISSUES

"Coal will continue to be a hot topic. As the nation and world move away from this climate change-inducing form of energy and replace it with cleaner energy, people will increasingly pressure states and coal companies to guarantee that mines and power plants are not sacrifice zones that put toxins into the air as well as groundwater and surface water for generations to come."

WILLIAM TAYLOR JD/MSEL'83

ATTORNEY AT PIERCE ATWOOD LLP, PORTLAND, MAINE; PARTNER, ENVIRONMENTAL PRACTICE GROUP

CWA-RELATED WORK

Taylor represents mostly municipal and industrial dischargers and some environmental organizations.

"Regulators, environmental groups and point-source dischargers are all concerned about the lack of non-point-source authority. Regulators and environmental groups are concerned because in many cases the leading cause of water-quality problems is related to non-point-source pollution. Point sources are concerned because they are the only ones regulated, and the problems can't be fully addressed by ratcheting down their permit limits. Many states are considering how better to regulate non-point sources. The Clean Water Act does not regulate non-point-source discharges, and most states followed that model," Taylor says.

"This lack of regulatory authority is affecting implementation of Total Maximum Daily Loads (TMDLs) and

water-quality attainment goals, particularly with respect to nutrients. Without adequate control of nutrient discharges from non-point sources, point sources bear the brunt of required pollutant reductions."

TRENDS AND BIG ISSUES

"There is data to show ocean acidification has an impact on aquatic life and commercially-important species. How ocean acidification will be treated is a major legal issue," Taylor says.

"A state like Maine is soon going to make a specific finding that a marine water segment is not attaining its water-quality classification/standard due to

ocean acidification. When that finding is made, the state must do a TMDL to limit pollutant loads causing the nonattainment ... How is a state going to limit air emissions from another state, which is the primary contributor to the problem?"

The issue, he says, will require more integration between Clean Air Act and Clean Water Act controls.

Taylor also cites an increase in cyanobacteria—or toxic blue-green algae—outbreaks in waters and the importance of better understanding the consequences for aquatic life and human health. [SL](#)

Burlington-based freelance writer and editor Jess Clarke, a former print journalist, specializes in higher education.



A LAWYER ON THIN ICE

BY DAVID GOODMAN

BETSY BAKER

gazed out in wonder as she stood on the bow of the icebreaker USCGC Healy. Ice and sun extended for as far as she could see, a white carpet that rose up to touch the sky. Around her, the Arctic waters groaned and creaked as the boat—her home for the next 40 days—crushed and sliced its way through the frozen surface of the sea.

“There was something ethereal and transporting about it,” says the Vermont Law School professor of her time on the icebreaker in 2008 and in 2009. “It was absolutely beautiful.”

Baker was in the company of scientists and crew aboard the Healy, but in one respect she was alone: She was the only lawyer. After just a year on the faculty at VLS, Baker accepted an unusual invitation: to spend six weeks aboard an icebreaker in the Arctic in order to better understand the complex issues raised by the United Nations Convention on the Law of the Sea (UNCLOS), also known as the Law of the Sea Treaty.

UNCLOS stipulates that each of the world’s coastal states—which include the five nations with land bordering the Arctic Ocean—Denmark (with respect to Greenland), Norway, Canada, Russia and the United States—is entitled to exclusive sovereign rights in the seafloor and subsoil of the submarine areas known as the continental shelf. Those rights are automatic up to 200 nautical miles from a country’s baselines and need no further proof. With sufficient evidence, a nation can also assert seafloor and subsurface rights beyond 200 nautical miles to what is called the extended continental shelf, the submerged margin of the continent. In order to determine where this boundary lies, coastal states around the world are either still engaged

in expensive and extensive undersea mapping, or have already submitted their scientific evidence to the commission tasked with considering the data. In 2008, the Healy embarked on the fourth of what would be eight U.S. scientific cruises to map the Arctic Ocean continental shelf. In 2009, Baker again embarked on Healy, which this time was sailing with the Canadian Coast Guard icebreaker Louis S. St-Laurent for a joint mapping cruise.

The frenetic activity reflects what is at stake as polar caps are melting and offering access to what lies beneath: the Arctic contains about one-fourth of the world’s supply of untapped natural gas and oil. In 2007, Russia sent two submersibles to the seabed beneath the North Pole and planted a titanium Russian flag, setting off international alarm bells in the popular media; concerns that the five Arctic Ocean coastal states and the international community in general did not share. To underline that there was no land grab underway (as commonly mischaracterized by the media), Russia, the United States and the three other Arctic Ocean coastal states signed the Ilulissat Declaration in 2008 and affirmed their agreement that the UN Convention on the Law of the Sea provides the legal order for extended continental shelf claims and a host of other marine issues in the Arctic. The U.S. is the only Arctic nation that has not joined the treaty—a small group of Republican senators has blocked its ratification, saying that it infringes on American sovereignty—but it abides by it.

“Strengthening legal frameworks for addressing the myriad changes in a warming Arctic has been the primary focus of my research,” Baker explains. An international lawyer and historian, Baker is now a go-to expert on the Arctic.

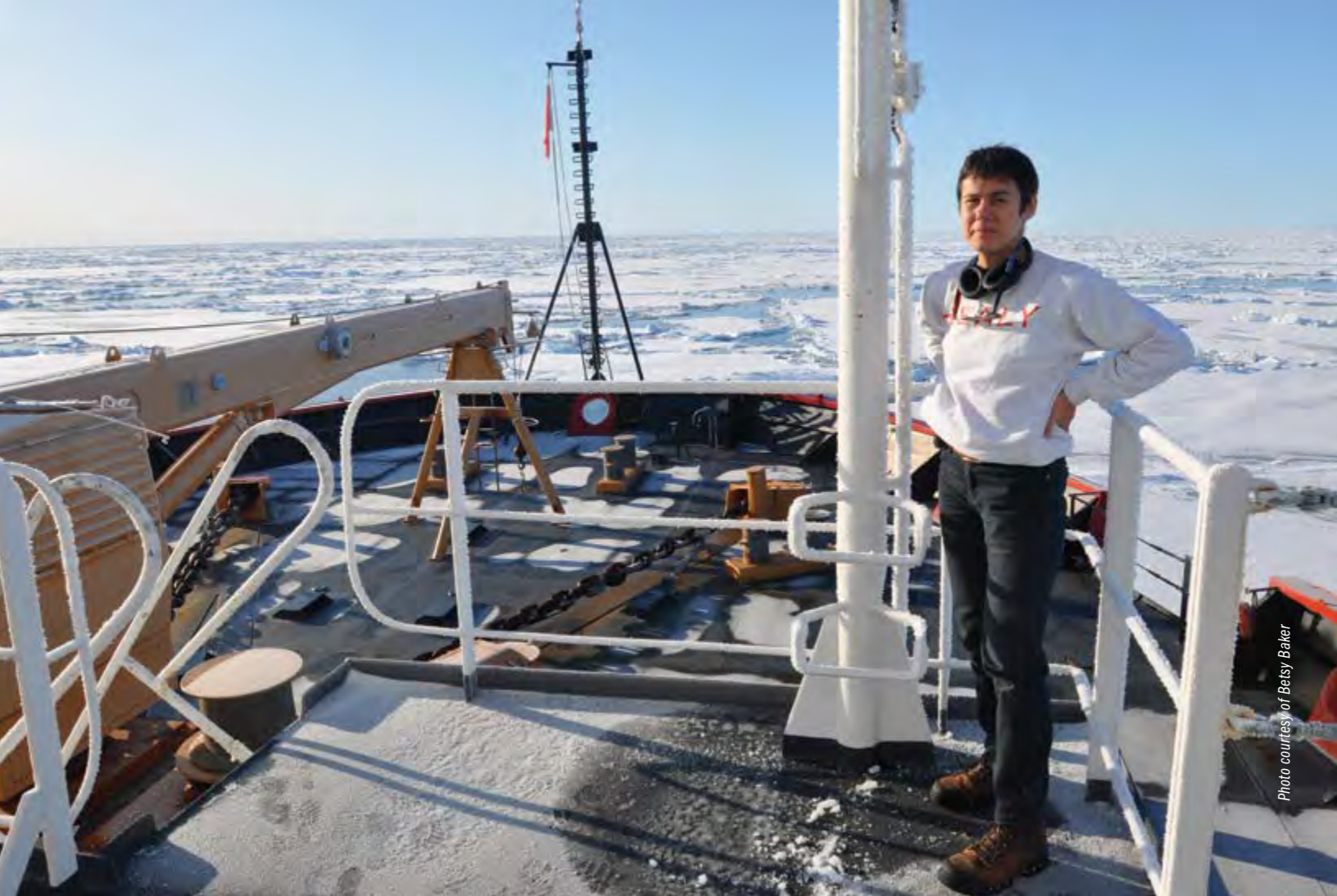


Photo courtesy of Betsy Baker

Through her work with the U.S. State Department and the Arctic Council, an international governing body for the Arctic, Baker has played an important role in elevating the status and understanding of the frozen north.

“She’s one of the preeminent Arctic scholars out there,” says Becca Pincus MSEL’11, a VLS alumna and Baker’s former student. Pincus is now a distinguished visiting professor of maritime policy at the U.S. Coast Guard Academy and permanent staff at its Center for Arctic Study and Policy.

Pincus says that Baker has advised governments and pioneered “new pathways and regimes for management of the Arctic Ocean. She is looked up to globally. As boundary disputes in the Arctic [are perceived by some as] intensifying, Betsy has been one of the voices who says that these disputes do not have to lead to conflict. ... She has been a leading voice pushing back against the idea that there is a mad scramble for the Arctic.”

With the Arctic warming twice as fast as the

rest of the planet, Baker asserts, “The sheer pace of climate change in the Arctic makes it critical that the Arctic be at the center of our consciousness.”

FROM LAWYER TO THE ARCTIC

So how does a one-time Minneapolis real estate attorney end up on the bow of an icebreaker and promoting international Arctic cooperation?

Betsy Baker laughs at the question. She is speaking to me from her office in Anchorage, Alaska, where she lives when not teaching at VLS. She is an affiliate professor with the International Arctic Research Center at the University of Alaska in Fairbanks and works occasionally on projects for the University of Washington School of Law as it establishes a presence in Alaska.

Baker grew up in Ann Arbor, one of four

children. Her father was in the pipeline business and later a small-scale builder in Detroit, and her mother gave her a love of writing poetry and playing outside as a child. "I'm not sure that what I love to do has changed a whole lot since then," says Baker.

Baker received her bachelor's degree in history from Northwestern University in 1978. As she considered her future, she had a moment of reckoning. "I saw that the market for history PhDs was abysmal, and I saw the lawyer my dad worked with—he was a small businessman—as positive and helpful." After a year in the graduate program for archives administration and history at the University of Michigan, she transferred to Michigan's law school, earning her JD in 1982.

Only about one-fourth of Baker's law school classmates were women (today women represent just under half of law school students nationally; at VLS, women comprise 57 percent of the 2015 entering class). When I ask Baker, who is 58, whether she views herself as a pioneer as a woman in law, she responds with an anecdote. "My dad told me as I considered law school that I could pursue whatever career I dreamed of. Most importantly, he didn't want me 'to ever have to depend on a man' but to be able to support myself. That wasn't that unusual for the day, but it was good advice."

Following law school, Baker worked as a real estate lawyer in Minneapolis and then spent a decade as dean of international programs at University of Minnesota Law School.

One memory stands out from her days as associate dean. U.S. Supreme Court Justice Sandra Day O'Connor came to speak at the Twin Cities campus when she was the first and only woman on the Court, and Baker was given the role of escorting her. "I remember women bringing their baby daughters to her public talk almost as though to be blessed by Justice O'Connor," she recalls. "They wanted them and their daughters simply to be in her presence. It was pretty powerful."

Minnesota sent her on sabbatical to Germany to strengthen her international law background. In 2000 she earned a PhD at Christian-Albrechts-Universität in Kiel, Germany, where she studied international law and history. Legal history continues to be one of her passions. Soon after returning from Europe, Baker went to work at Harvard Law School as a lecturer and assistant

dean for the graduate program and international legal studies. Overseeing the program for some 250 LLM students and some 40 SJD candidates, Baker in effect ran a small law school within the law school.

In 2007, Baker joined the faculty of Vermont Law School. Her decision to come to Vermont was influenced largely by the community that she found at the school. "It's a community of people devoted to the preservation of our environment," she says. "To be in a group of colleagues who have this depth of experience in environmental law is special. When I talk to colleagues [at other law schools] who teach in the environmental area, they often have no one else on the faculty to talk to. Here we have people in every area. VLS is a distinctive place—it's small, place-based, passionate, and focused."

Baker's interest in the Arctic was partly piqued by her engagement with her students. "When I began teaching Law of the Sea at Harvard, a couple of my students wrote papers on Arctic topics. When I got to VLS in 2007, a student was writing a paper on the Arctic Council, and an Arctic science summit was being held at Dartmouth." She attended the conference to hear a talk on the Law of the Sea and met someone who suggested she contact Larry Mayer, director of the Center for Coastal and Ocean Mapping at the University of New Hampshire. He invited her to join a team of scientists on an icebreaker to map the extended continental shelf of the U.S. They needed help determining what rights the U.S. might have under UNCLOS.

"The Law of the Sea Treaty is an unbelievable nexus of law and science," Mayer explains. "The scientists are at a tremendous disadvantage because we don't understand the law. And lawyers are at a disadvantage because they don't understand the science. It's rare to find a lawyer who is willing to immerse herself in the science as Betsy did on the Healy."

"We are constantly going back to her," says Mayer. "She has the knowledge and authority and understands the language we use, but can help us interpret what the law means."

"I love to see what scientists are doing," says Baker. "Because if you don't understand what scientists are doing, you won't understand policy that relies on science."

ON THE SEA

Baker's first trip to the Arctic in 2008 transformed her. "It's the most beautiful place I have ever been—back when there was still ice." She continues, "There was also the beauty of the joint undertaking between a scientific crew of some 30 people and a Coast Guard crew of about 100. As the only lawyer, I was learning a lot about the whole scientific endeavor behind mapping the ocean floor. And the years of study and specialization that each scientist put in before getting there. Every work night there was a science talk. It was eye-opening."

The Law of the Sea Convention relies on science and legal analysis to make enormously consequential determinations. The treaty "sets out very specific rights depending on how far out the continental shelf extends—it gives rights to the sea floor and what's underneath it. So trillions of dollars are at stake," explains Baker. "Once a nation demonstrates acceptably where your continental shelf extends it has the say as to who can drill and exploit the shelf resources." Out on the ice, the scientists were "interpreting the treaty as marine geophysicists, and I interpreted it as a lawyer. It was a great match."

Baker has become an essential bridge between the worlds of ocean law and marine science. She now serves on the National Academy of Sciences Polar Research Board. In 2012, she spent a year working at the U.S. State Department for the Inter-agency Extended Continental Shelf Task Force, where she coordinated the work of oceanographers, geologists, geographers and lawyers to produce a prototype submission in support of U.S. sovereign rights to the extended continen-

tal shelf, whether or not the United States ever becomes party to the Law of the Sea Convention.

Baker says of her time at the State Department, "I learned a lot about how my scholarly work could have practical applications. And as corny as it sounds, it was exciting to serve my country with what I know how to do."

Brian Israel, an attorney at the State Department, observes, "Betsy has a rare ability to mix a vast knowledge of international legal doctrine with an intricate knowledge of the Arctic. She is devoting her research to questions that policymakers are asking or should be asking, and her research is practical enough to be relevant to the policymaking process."

Underscoring her commitment to the Arctic, Baker now divides her time between Alaska, where she works on issues of Arctic and ocean law and policy, and Vermont, where she remains on the faculty of Vermont Law School, teaching every few semesters.

"VLS has been gracious enough to let me maintain my tenure and work here in Alaska," she says. "So I'm taking my scholarly work and putting it to practical applications closer to the U.S. Arctic. And I'm living where I feel most at home. I'm also able to gain perspective on the work our VLS grads are doing here and in the lower 48." In Alaska, she points to Peter Van Tuyn JD/MSEL'89, who has devoted much of his career to challenging offshore oil and gas development in the U.S. Arctic; Angel Drobica MELP'10, renewable energy and fisheries liaison for the Aleutian Pribilof Community Development Association (APICDA); Mike Routhier JD/MSEL'07, who leads the U.S. Army NEPA work in Alaska; Mike O'Brien JD/MSEL'02, counsel for the University of Alaska



BETSY BAKER AND AQQALUK LYNGE OF GREENLAND, FORMER PRESIDENT OF THE INUIT CIRCUMPOLAR COUNCIL, PICTURED IN KOTZEBUE, ALASKA.

Courtesy of Betsy Baker



system; Lisa Mariotti JD'04 of the Alaska Network on Domestic Violence & Sexual Assault (ANDVSA); and several alumni with the Alaska Public Defender Agency. "And that only begins to scratch the surface," Baker says, noting that, with more than 80 graduates in Alaska, VLS has one of the largest law school alumni groups in the state.

For alumni engaged in Baker's area, ocean law, outside Alaska, she points to Becca Pincus at the Coast Guard Academy; Keisha Sedlacek JD/MELP'11, senior regulatory specialist for The Humane Society of the United States, with a concentration in marine mammal protection; and Sarah Mooney Reiter JD'13, legal and policy analyst at the Monterey Bay Aquarium.

Baker emphasizes how much VLS students supported her nascent interest in Arctic work, especially through the Institute for Energy and the Environment. She still receives requests for copies of white papers that she, Lisa Champion JD'11/MELP'08, J. Garcia Lomas-Gago LLM'10, Ben Jones JD'12, Keisha Sedlacek JD/MELP'11, Roma Sidortsov JD'08/LLM'11 and Zhen Zhang LLM'11 completed in 2011 comparing offshore oil and gas regulations in Canada, the U.S., Russia, and Greenland.

In addition to her academic work, Baker consults on ocean conservation issues. And she continues to provide background

CONTINUED ON PAGE 24

OCEAN VIEW

VLS ALUMNI DIVE INTO THE LEGAL AND POLICY ISSUES RELATED TO PROTECTING OCEANS AND MARINE ECOSYSTEMS.

JIM LANDIS LLM'09

COUNSEL, LOWCOUNTRY COUNSEL OFFICE
U.S. MARINE CORPS, BEAUFORT, S.C.

Before retiring from active duty as a commander in the Navy's Judge Advocate General's Corps and changing positions in the past year, Jim worked in part developing environmental impact statements to support the Navy's at-sea training and testing ranges. He also was the main congressional legislative advocate for a statute concerning a new process to balance protections for translocated, endangered Southern sea otters at the Navy's San Nicolas Island in California with national-defense testing and training activities there. "This legislation contributes to the survivability of the species throughout Southern California," Landis says, "and ensures the viability of programs to introduce experimental populations of endangered species elsewhere in the Department of the Navy."



MEGHAN JEANS JD/MSEL'02

DIRECTOR OF CONSERVATION
NEW ENGLAND AQUARIUM, BOSTON, MASS.

The kelp forests and rare deep-sea corals off New England's coast deserve preservation. Meghan Jeans is involved with a campaign to protect marine species and habitats through a Marine National Monument off the coast. "Monument designation for Cashes Ledge and several coral canyons and seamounts in the Gulf of Maine would help guard against destructive human activities and enhance the ecosystem's resiliency by conferring permanent protections for these incredible places," she says. "With colleagues in the conservation community and other ocean stakeholders, we are working to advance the scientific case for protections, cultivate awareness, and generate the support needed to enable the Obama administration to protect New England's ocean treasures."

STEPHANIE SHOWALTER OTTS JD/MSEL'01

SENIOR RESEARCH COUNSEL, DIRECTOR OF SEA GRANT PROGRAMS
UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW, OXFORD, MISS.

Lost, discarded and abandoned fishing gear causes environmental problems—degrading marine ecosystems, trapping marine species, damaging active fishing boats and gear. The National Sea Grant Law Center, which Stephanie Otts directs, is researching derelict gear with a National Fish and Wildlife Foundation grant. Gear-removal laws vary by state and fishery, which complicates interstate cooperation. Otts's center is analyzing the legal framework and removal programs. "This research raises awareness of legal barriers and helps New England marine-debris managers implement innovative fishing gear-removal programs," she says. "This will facilitate gear removal from the ocean, reducing the environmental impact."



ZACHARY LEES JD/MELP'12

STAFF ATTORNEY
CLEAN OCEAN ACTION, SANDY HOOK, N.J.

Plastics and stormwater pollution are significant parts of the environmental fallout in one of the country's most developed and densely populated regions. As a water law and policy specialist, those problems keep Zachary Lees busy. His nonprofit focuses on water quality and marine issues in the Atlantic, from Montauk, N.Y., to Cape May, N.J. Stormwater pollution and plastics "are insidious and ingrained in how we have developed as a society and unfortunately are prevalent in this area," he says. As plastic debris degrades, "it eventually turns into micro-plastics 5 millimeters or less in size that are absorbed into the food chain and cause all sorts of harm."

CONTINUED ON PAGE 24

papers that inform international negotiations on the Task Force on Arctic Marine Cooperation, through the Arctic Council, a high-level forum that deals with issues facing governments and indigenous people in the Arctic. The U.S. serves as the rotating chair of the council from 2015 to 2017.

Baker firmly believes that the fate of the world's most forbidding and remote regions is critical to all of humanity.

"What happens in the Arctic matters to the entire planet," she insists. "Changes in the Arctic affect how the region regulates our climate; they impact global ocean and atmospheric circulation patterns, and show the effects of pollutants from the lower latitudes. It's a place where we still have a chance to get things right with respect to the rights of indigenous populations across the Arctic. And it is an area that enjoys remarkable cooperation between the Arctic nations and, increasingly, other countries interested in potential opportunities there. The World Economic Forum, very much a market-driven institution, has issued investment principles for the Arctic.

"We have an opportunity to help shape developments in the Arctic in a way that we haven't in other parts of the globe. There need not be untrammelled development, and won't be. We have to make sure that safeguards remain, while economic opportunities are made available to the relatively poor communities in the North American Arctic."

Betsy Baker breaks into a soft laugh when reflecting on the improbable trajectory of her career. "I certainly never dreamed I would be on an icebreaker in the middle of the Arctic Ocean, and certainly not as a lawyer." **NL**

Writer David Goodman contributes to Mother Jones and co-authored "Standing Up to the Madness: Ordinary Heroes in Extraordinary Times."

SARAH MOONEY REITER JD'13

OCEAN POLICY ANALYST

MONTEREY BAY AQUARIUM, MONTEREY, CALIF.

From cups to clothing to packaging, Sarah Reiter is more aware than many people of the prevalence of plastic in everyday life—and of how little is known about the impacts of plastic trash on ocean environments and human health. She's working with more than 20 leading aquariums across the United States on policy initiatives to address ocean and freshwater plastic pollution. "In California, we're working for a 'Yes' vote in November, when voters must decide whether to uphold a statewide ban on single-use plastic grocery bags," says Reiter, a VLS adjunct professor. "There's a long way to go before our ocean is plastic-free—but we're making progress."



PETER VAN TUYN JD/MSEL'89

MANAGING PARTNER

BESSENEY & VAN TUYN, LLC, ANCHORAGE, ALASKA

Peter Van Tuyn represents environmental groups that challenge oil drilling in America's Arctic waters. He cites risks to people and the environment from drilling and possible subsequent oil spills, and notes that burning Arctic oil would produce more greenhouse gases. But "as President Obama acknowledged in his State of the Union address, we must be sensitive to communities that have grown to almost exclusively rely on the oil industry as the basis for their economies, and we should help them transform to a more sustainable future," Van Tuyn says. "We have opportunities in Alaska and on the North Slope to ease this transition, and we should speed things up in this regard."

MICHELLE BENDER MELP'15

EARTH POLICY FELLOW

EARTH LAW CENTER, REDWOOD CITY, CALIF.

With California's drought worsening water problems, Michelle Bender was involved with the recent Bay Area Rights of Nature Tribunal, which addressed community, human and nature's rights violations related to reduced flows in the Sacramento-San Joaquin River Delta. Tribunal participants also discussed solutions to water flow and economic development issues "that protect, not injure, nature's rights and human rights," Bender says. Participants at the tribunal, modeled after the third International Rights of Nature Tribunal in Paris during COP21 in 2015, testified "about Earth's destruction, while highlighting co-violations of human and environmental rights our legal and economic systems allow," she says. The California tribunal was "a catalyst in developing the emerging field of nature's rights."



TOM LEARY JD/MSEL'95

DEPUTY LEGAL COUNSEL TO THE JOINT CHIEFS OF STAFF CHAIRMAN

DEPARTMENT OF DEFENSE, ARLINGTON, VA.

As a commander in the Navy's Judge Advocate General's Corps, Tom Leary is involved with the role the Department of Defense and military services have in the country's strategic rebalance in the Pacific region. He reviews and assesses the legal authorities for U.S. military ships and aircraft to operate worldwide, including in the often legally challenging areas of the East and South China seas. "In the Secretary of Defense's words, our forces intend to fly, sail and operate 'wherever international law allows,'" Leary says. "My work supports the determinations of where that is, helping the U.S. military underwrite the international legal principles of freedom of navigation and overflight."

Water Works

Vermont Law School alumni navigate complicated waters, preserving and protecting one of our most vital public resources.

THE RIVERKEEPER

As someone who enjoys kayaking and practicing yoga on a standup paddleboard, Margaux Valenti's passion for clean waterways has a personal dimension.

The Buffalo River alone gives her plenty to work with. On the state and local levels, Riverkeeper, based in Buffalo, N.Y., focuses on habitat restoration, environmental justice, and water quantity and quality. The organization is implementing a \$75 million project with a public-private-nonprofit team at the state and federal levels. The project will remove a million cubic yards of contaminated sediment across six miles of river bottomlands and restore more than two miles of riparian habitat "to bring the Buffalo River from industrial and poisonous to fishable, swimmable and open for recreation," says Valenti, a member of the New York bar.

With Riverkeeper, she helps gain access, through contractual agreements, to private and public lands to install restoration projects, and advises on land and underwater land ownership. Valenti also conducts land acquisition for conservation purposes, advises staff on liability concerns and insurance requirements, and tracks state and Great Lakes legislation and policy.

Riverkeeper is part of the international Waterkeeper Alliance, which works to make waterways suitable for drinking, fishing and swimming.



Photo courtesy of Margaux Valenti

MARGAUX VALENTI

JD'13

STAFF ATTORNEY

BUFFALO NIAGARA RIVERKEEPER® | BUFFALO, NY



Photo courtesy of Andy Meeks

ANDY MEEKS

JD/MSEL'03

DEVELOPMENT DIRECTOR

THE FRESHWATER TRUST | PORTLAND, OR

FRESH FOCUS

Andy Meeks oversees fundraising efforts at the nonprofit conservation trust in Portland, Ore., and calls himself a "disrupter of the status quo" in the fight for clean and abundant fresh water. The organization's approach, known as quantified conservation, focuses on measurable outcomes to deliver innovative water-management solutions, using big data, geospatial imaging technologies and mobile software.

"Quantified conservation emphasizes transparency and scientific rigor and has the potential to elevate the conservation sector from not only doing good work but to also being a highly accountable and investable instrument of change. I'm very proud to be a part of these efforts," says Meeks, whose favorite activity in the water is fly fishing.

"Fresh water is the world's lifeblood. It unites our communities, sustains native fish and wildlife, and serves as the hidden fuel for our economy," he says. "Yet our freshwater resources are becoming less resilient every day."

BECCA PINCUS

MSEL'11

CHAIR OF ARCTIC STUDIES AT THE U.S. COAST
GUARD ACADEMY; PROFESSOR-IN-RESIDENCE,
CENTER FOR ARCTIC STUDY AND POLICY
U.S. COAST GUARD | NEW LONDON, CT

ARCTIC OUTLOOK

On a recent five-month stint in Iceland, Becca Pincus gathered an earful of off-the-record information from current and retired Icelandic diplomats about different periods in the U.S.-Iceland relationship. On a Fulbright grant supported by the Icelandic Ministry of Foreign Affairs, she researched power dynamics in the Arctic region between large and small countries, and taught at the University of Iceland. Her research focused on “how Iceland as a small state seeks to influence the U.S. I also studied differences in the formulation and pursuit of Arctic foreign policy objectives between large and small states, using the U.S.-Iceland comparison,” Pincus says.

Part of her role in supporting the Coast Guard’s strategic objectives in the Arctic region is to expand partnerships. “I try to connect the Coast Guard with academic and nongovernmental communities, in particular the Arctic community of scholars and stakeholders,” says Pincus, a civilian Coast Guard employee. She’s teaching at the academy, in New London, Conn., in a two-year, rotating-chair position. In addition to conducting research on Arctic security issues, she teaches Arctic policy, maritime policy and environmental policy.

DAVID ZAYAS

JD/MELP'10

SENIOR MANAGER OF REGULATORY AFFAIRS AND TECHNICAL SERVICES
NATIONAL HYDROPOWER ASSOCIATION | WASHINGTON, D.C.

POWERED UP

The increased recognition of hydropower as an important part of the renewable energy mix in the United States keeps David Zayas and his colleagues at the National Hydropower Association busy—and motivated.

“A recent accomplishment that we are particularly proud of is the Environmental Protection Agency’s recognition of hydropower’s value in meeting the goals of the Clean Power Plan, and hydropower being deemed an eligible compliance option for states in meeting their reduction targets,” Zayas says. Hydropower is the largest source of renewable energy in the U.S., he notes: In 2014, hydropower was responsible for 48 percent of all renewable electricity generation in the country and about 7 percent of overall electricity generation.

Zayas represents the Washington, D.C.-based trade association before the Federal Energy Regulatory Commission, federal land-management agencies, the Army Corps of Engineers, the Bureau of Reclamation, the Department of Energy, national coalitions and other organizations. Other accomplishments of his association include enactment of the Hydropower Regulatory Efficiency Act of 2013 and the inclusion of hydropower provisions in the Water Resources Reform and Development Act of 2014.

WILLIAM MEUB III JD'78

PARTNER
MEUB, GALLIVAN & LARSON, ATTORNEYS, PLC | RUTLAND, VT

PURE WATER

With more than three decades of legal experience, William “Bill” Meub has built a solid reputation with his Rutland firm, a full-service practice focused on personal injury. What he cites as his biggest personal accomplishment recently, however, happened far from Vermont.

In 2010, Meub traveled to Haiti, after the earthquake, to volunteer with Pure Water for the World, the Rutland-based nonprofit his wife, Carolyn, directs. In Cite Soleil, Meub helped organize Pure Water staff to ensure water was delivered daily to more than 100,000 people, and that water filters were installed to treat the injured. Pure Water brought the first safe water to many clinics. “They were bathing and cleaning wounds with contaminated water,” says Meub, who bathed with a washcloth and cup of clean water daily for 10 days. “I’ve tried never to take water for granted again.”

Pure Water delivers water solutions to countries where water-borne illnesses commonly cause death and worsen poverty. The nonprofit distributes purification systems with filters, concrete or ceramic vessels filled with gravel and sand that clean up to 20 gallons of water daily. Meub, a former Pure Water board member, is raising money for filters for a Haitian community of about 50,000 people. “Our program’s strength is the education, training and follow-up so behaviors are changed,” he says. Many filters are still used correctly after five years.

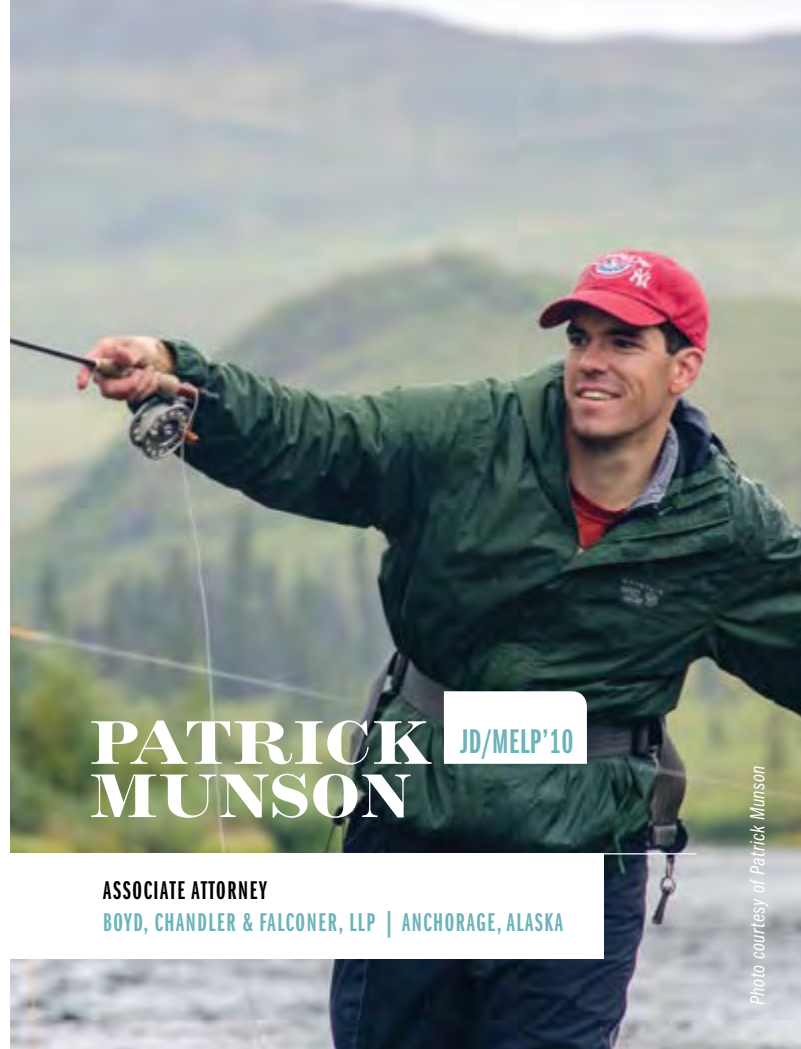
For more information about the nonprofit, visit purewaterfortheworld.org

THE NEGOTIATOR

Representing small cities and corporations throughout Alaska, Patrick Munson's approach to environmental law may differ from that of many VLS alumni. His clients derive some benefit from oil development but also are affected by inaccessibility to subsistence hunting areas and animals moving to other land.

"Those are real, tangible impacts to these people's lives," Munson says. "A lot of the work I do is advocating and negotiating for the most environmentally responsible development possible, not necessarily opposing the developments outright. It's a very practical approach but quite different from what many people would consider classic environmental law."

Munson's work in oil and gas development often involves Clean Water Act permitting to address wetlands issues. Based in Anchorage, he works with oil companies and federal agencies to develop projects so locals will get some benefit to offset the effects of development. "Negotiating in advance is a lot more effective than drawing lines in the sand and opposing development that, realistically, is probably going to happen eventually, or litigating decisions that have already been made," he says. "We would rather be at the table than fighting from the outside, and that approach has helped us achieve some important gains for communities."



**PATRICK
MUNSON** JD/MELP'10

ASSOCIATE ATTORNEY
BOYD, CHANDLER & FALCONER, LLP | ANCHORAGE, ALASKA

Photo courtesy of Patrick Munson



Kelli Musselman

ERIN MINKS JD'03

FOREST PLANNER, RIO GRANDE NATIONAL FOREST
U.S. FOREST SERVICE | MONTE VISTA, COLO.

POLICY POSITIONER

As an aide to three members of Congress from Colorado for 10 years, Erin Minks knows the power of coalition-building. She advised U.S. Sens. Ken Salazar and Mark Udall and U.S. Rep. John Salazar on water issues and policy positions important to the Rio Grande headwaters. She helped write legislation, coordinated access to federal programs and developed networks related to the Rio Grande Compact, Farm Bill programs connected to groundwater use, and transport of nuclear waste near sensitive riparian corridors. "I was able to bridge a lot of key issues and forge partnerships due to the investment I made in understanding the water community," Minks says. "In my last year with Sen. Udall, I took the lead on organizing the staff in the rest of the Colorado delegation to fight to fully fund a key piece of the federal program that funds snowpack monitoring in the Natural Resources Conservation Service."

Minks went to work for the Forest Service in Monte Vista, Colo., last year after Udall lost reelection. Now, as project lead for her forest's Forest Plan Revision, she coordinates public engagement, report writing, litigation responses, and Freedom of Information Act requests related to the land management plan.

VT H₂O

Vermonters can thank, among others, several VLS alumni at the Vermont Agency of Natural Resources (ANR) for Act 64, also known as Vermont's Clean Water Act, which was adopted by the state legislature in 2015. The state Department of Environmental Conservation created an initial draft; ANR attorneys, based in Montpelier, reviewed subsequent drafts with clients, and provided testimony and coverage in legislative committee hearings. Matt Chapman is general counsel at the ANR, Leslie Welts is litigation attorney, and Elizabeth Schilling and Hannah Smith are

associate general counsels.

Lake Champlain is a clear winner with Act 64. "The act provides the necessary legislative changes for Vermont to comply with the Lake Champlain Phosphorus Total Maximum Daily Load (TMDL) and includes everything from new stormwater control requirements to requiring updates to farming practices to protect water quality," Schilling says. "The passage of the act is just the first step toward achieving Vermont's clean water goals. Assisting the department with the act's required rule updates and new permitting provisions will keep us busy for years to come."

Rob Bossi



At the State House, Matt Chapman JD'00, Leslie Welts JD'11, Elizabeth McDonald Schilling JD'05, Hannah Smith JD/MELP'13.

VERMONT AGENCY OF NATURAL RESOURCES

VLS EFFECT

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
MONTPELIER, VT

THE NOAA CREW

VLS alumni provide broad legal services to NOAA and its main offices, the National Marine Fisheries Service and the National Ocean Service. Their work has impacts on an expansive array of issues and laws, among them: the Endangered Species and Marine Mammal Protection acts, international fisheries treaties, coastal zone management, aquatic invasive species and deep seabed mining, and restoration plans related to releases of hazardous substances.

Attorneys in the Office of the General Counsel have been closely involved in implementation of recommendations by

the Presidential Task Force on Combating Illegal, Unreported and Unregulated (IUU) Fishing and Seafood Fraud. This year, the task force published an action plan, and a key recommendation was to establish the first phase of a seafood traceability program, developed by NOAA. The attorneys were closely involved in developing the program, which aims to ensure sustainable management of global seafood resources and prevent fraudulent marketing. If finalized, the program—built around certain at-risk species—is intended to track seafood from harvest to its entry into U.S. commerce.



From left: Rod Vieira JD/MSEL'99, Derek Campbell JD'06/MSEL'07, Adam Dilts JD'07, Alexa Cole JD'98, Britta Hinrichsen JD'07, Gwen McCarthy JD/MSEL'99.
Not Pictured: Molly Watson JD/MELP'11, Alisha Falberg LLM'14, Stephanie Altman JD'07



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

VLS EFFECT

OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C.

WESTERN ENVIRONMENTAL LAW CENTER

VLS EFFECT

HELENA, MT

From left: Shiloh Hernandez JD'08,
Matt Bishop JD'98
Not pictured: Kyle Tisdel JD'05



“Defending the west,” the Western Environmental Law Center’s motto, couldn’t be more apt. The public-interest law firm’s imprint is all over the western United States, affecting the iconic wildlife, lands and communities of the region. As staff attorneys in the Helena, Mont., office, Matt Bishop—director of that office—works in the center’s wildlands program, and Shiloh Hernandez works in both the wildlands and climate and energy programs. Kyle Tisdel is an attorney and the climate and energy program director in the Taos, N.M., office.

On a lengthy list of recent accomplishments, the center has compelled the U.S. Fish and Wildlife

BIG SKIES, BIG IMPACT

Service to create a recovery plan for threatened Canada lynx; forced Montana to make changes to protect lynx from otherwise legal trapping and ended the recreational trapping of wolverines there; closed an exempt-well “loophole” that allowed construction of large subdivisions without a groundwater permit; influenced the Bureau of Land Management to re-evaluate its decision to allow recreational targeting shooting in Arizona’s Sonoran Desert National Monument; and successfully challenged proposed coal mine expansion projects in Colorado and Montana.



WELCOME HOME

Vermont Law School Alumni



CLASS NOTES

NOTES FROM THE VERMONT LAW SCHOOL ALUMNI ASSOCIATION

The front pages feature the infuriating news from Flint, Michigan—lead-tainted drinking water and a government that ignored the people’s outrage. Despite the inquiries, we will never hear an adequate response to the harm caused by poisoned water in the taps and faucets, nor can we comprehend the blind eyes and deaf ears of leaders who failed to heed the outcry. This issue of *Loquitur*, dedicated to water, comes at a moment when water’s connection to civil rights, the environment, and the law feels especially stark.

So many Vermont Law School students, professors, and alumni came to the law because of a commitment to righting injustices—or preventing them in the first place. Indeed, for nearly as long as VLS has educated students in law and policy on the banks of the White River, its graduates commit themselves to their communities and the greater world. Those values, as displayed in the pages of this issue, feel crucial in this moment.



In our own daily efforts as the Alumni Association, in conjunction with the tenacious Office for Institutional Advancement, a review of the past six months demonstrates steady work of the alumni commu-

nity, building on recent successes and pursuing new goals.

After planning by dedicated alumni and the school’s administration, the Alumni Association and VLS launched a mentoring program for first-year students, strengthening ties between alumni and the latest student cohort. In the very first year of the program, more than 150 alumni volunteered to serve as mentors to current students, a testament to the commitment of our alumni. Focusing on support and counsel in academic and professional development, we hope this initiative will reap rewards in the coming years as students rely on experienced guidance and as alumni hone new relationships with their alma mater.

Our 11 alumni regional groups have flourished. Alumni clubs burgeoned and grew in cities such as Denver and Atlanta, and thrived in perennial strongholds such as Washington, D.C., and Boston. New groups plan to seek recognition in 2016, including our first overseas alumni group—who knew swans could fly so far?

The Alumni Association Board of Directors continues to counsel and advise VLS, in addition to leading initiatives as VLS approaches its fifth decade. The Alumni Association Board has not only championed new programs, but also has continued recent success in celebrating alumni

accomplishments and working closely with the Law School to achieve development goals.

This spring marks the fortieth reunion for VLS’s very first graduates. Since 1976—while much has changed at the only law school in the country in a town without a stoplight—much remains constant. The 2015 Reunion and Homecoming brought alumni and their families back to South Royalton to revive old memories and walk along familiar trails and hallways, and alumni raved about the opportunity to reconnect to the campus and fellow alumni.

Indeed, as summer and reunions near, I hope you will join us this June in Vermont, to walk the campus and gather with long-lost classmates. Perhaps you will wade into the White River, with a fishing pole or kayak paddle or inner tube in hand. What could be better?

Sincerely,

Brian E. J. Martin JD’10

President, Vermont Law School Alumni Association

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connect.vermontlaw.edu/vlsaa

NEWS FROM THE DC REGIONAL ALUMNI GROUP

The D.C. Vermont Law School Alumni Association (DCVLSAA) exceeded expectations in 2015 by hosting an event every single month, except for August. We are aiming to top ourselves in 2016. How? With our newly elected board, we will focus on making existing events bigger and better, rather than hosting more events.

By “better,” we mean “diversified.” We’ll be asking for input from our listserv, and will be coordinating events beyond the regular happy hour. We may even host an event beyond the DC border. Yeah, we’re looking at you, VA or MD (“or,” not “and”—we’re just dipping a toe.) Don’t worry, we’ll keep the crowd favorites. By “bigger,” we mean that we hope to see more of you—and your friends—there!

To those of you who don’t live in town, come visit. We have a great bunch of alumni here in VLS South, and we’d love to see you. To keep up-to-date on the DC activities, contact us at dcvlsaa@gmail.com or follow us on Facebook, Twitter, LinkedIn or Instagram. You can also contact D.C. Chapter President **Jami Westerhold** at jwesterhold@gmail.com.

NEWS FROM THE COLORADO REGIONAL ALUMNI GROUP

Swans have flocked to Colorado! That being the case, we established a new Alumni Association Chapter in October of 2015. We’ve already kicked things off in 2016 with a meet and greet happy hour in Denver, Colorado. Our chapter’s goal is to meet every other month, in and around

the Denver and Boulder areas. Keeping in line with “Swan life,” our chapter enjoys meeting at all the local Colorado breweries (however, we are anticipating additional exciting events in the future.) On an administrative level, we’re looking to not only build our alumni base, but also to establish an executive committee. If you’re a Colorado alumni

reading this (or just interested in knowing more about our chapter) please email the Colorado Chapter President **Bridgette Gallagher JD’11** at g.bridgette@gmail.com. And please visit our Facebook page: Vermont Law School Alumni Association – Colorado Chapter.

1976

Mark Portnoy
mhportnoy@gmail.com

1977

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

Andrew Kossover JD’77, part-time Chief Public Defender of Ulster County (New York) and partner at Kossover Law Offices in New Paltz, New York, was installed as President of the New York State Association of Criminal Defense Lawyers at the Association’s January 28, 2016 Annual Dinner Gala in New York City. Andy

is honored to have been elected to lead this statewide Association of dedicated and brilliant advocates devoted to justice and fairness. He shares that to this day, he still prevails at trials regarding the rules of evidence thanks to his VLS teachings. Andy wishes old friends and current members of the VLS community well.

1978

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1979

Deborah Bucknam
dbucknam@vtlegalhelp.com

1980

Scott Cameron
jscameron@zclpc.com

1981

Tim McGrath
mcgrath.timothy@dol.gov

1982

Larr Kelly
photolarr@verizon.net

John Shea MSEL’82, attorney at the Boston environmental law firm Mackie Shea, PC, has received noteworthy recognitions from various lawyer rating services. Martindale-

CLASS NOTES

Hubbell awarded John AV Preeminent® Rating in both legal ability and ethical standards for 2016. U.S. News-Best Lawyers “Best Law Firms” awarded his firm a Tier 1 ranking in the Boston area for environmental law and environmental litigation, and a national ranking for environmental litigation for 2016. Best Lawyers in America 2016 selected John for his environmental law and environmental litigation practice for the eighth year. Super Lawyers selected John to the New England Super Lawyers List for environmental law that appeared in Boston Magazine and Super Lawyers magazine. Chambers USA Guide selected John and his firm for the 2015 edition based on legal ability, professional conduct and client service. He was praised as a valuable advisor to developers and businesses in various industries.

1983

Martha Lyons

malyonsesq@hotmail.com

1984

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

Barry Bram JD’84 writes, “All is well on the western front. I continue to broker commercial real estate deals of all sizes and shapes—which remains fun and challenging. SF is indeed transforming right before my eyes. In my spare time, I continue to ski, do power yoga and other good stuff. Mary is acting as judge and mediator at the ICC International Mediation Competition. Our daugh-

ALUMNI SPOTLIGHT



PAMELA BAPTISTE JD’80

“I love my job because I am able to choose and support an array of exceptional not-for-profit organizations that serve the people of New York City,” said Pamela Baptiste, from her office near Lincoln Center in Manhattan. Pamela is the executive director of The Brenner Family Foundation, a small private foundation that provides financial support to local charities. The foundation focuses its grant making on three different areas: promoting access to New York’s low-income youths to arts and education programs; protecting the city and state’s environment; and supporting programs that serve the city’s most vulnerable populations, such as the elderly and the indigent.

Seeking out organizations to support has led Pamela to every corner of the city, crossing paths with the diversity of people only found in New York City. One of her regular stops is a restored synagogue, which is now a museum that the foundation has funded. The synagogue, originally built in the center of the Lower East Side, now sits in the heart of Chinatown. Pamela has also visited a number of parks in the Bronx that are being restored back to their natural beauty; her tour guide for this project was actor Bette Midler, the founder and primary supporter of the nonprofit underwriting the restorations. Pamela is often treated to musical theater performances by middle and high school students whose training helps them believe in themselves, pursue their dreams, and stay in school. “The biggest challenge I face is deciding which organizations the foundation should support. There are always more worthy organizations than funds,” Pamela described. Tasked with winnowing down the proposals into a final list of recommendations for the board of directors, she has reviewed grant proposals from organizations whose missions range from building bike paths, parks or community gardens to providing services for the blind, victims of abuse, and the elderly.

Pamela started her career at a large commercial law firm in New York City, but soon realized that although she had loved the study of law at VLS, she didn’t find the practice of law as gratifying. When she was presented with the opportunity to work in the foundation world, the choice was easy. The satisfaction and joy she derives from her work at The Brenner Family Foundation comes in many shapes and sizes—through witnessing children flourish in a theater program to watching the successful growth of a small nonprofit into a substantial organization that benefits literally thousands of children. “I love traveling around the city meeting the fascinating people who run and are served by these wonderful organizations”—organizations that are working to improve the lives of her fellow New Yorkers.

Illustration and story by Hannah Morris

ter moved back from Paris with her husband and two kids and currently resides at our home. Aaron lives and works in film production in Jackson Hole, WY. Gabriel lives and works in Denver, teaching 7th grade history.”

Jonathan Moore JD’84, is in his seventeenth year running his solo practice and in his fourteenth year as a board member of the North Shore Land Alliance, a land trust with a catchment area spanning the north shore of Long Island to just west of the North Fork. The land trust tries to save land with market values often over \$500K per acre. Jonathan has been the acting pro bono lawyer and has closed four deals in the last year preserving approximately 75 acres. Bestowed an honorary lifetime membership with the Vermont Land Trust, Jonathan writes about the deal that led to the honoring: “That transaction was particularly satisfying knowing the parcel involved and being aware that it will remain the same in perpetuity.” He is in his third year as Acting Village Justice in the village of Mill Neck and routinely interacts with

Peter Colgrove JD’84 who is the Village Prosecutor. “Other than Peter Colgrove,” writes Jonathan, “I occasionally run into or hear from classmates including **Dean Marcolongo JD’84**, **Missy Dempf JD’84** and **Ladd Ljungberg** and all seem to be doing well.”

William Moore JD’84 writes, “Patty and I still have our practice out on Long Island’s North Fork, and are now anticipating the birth of our first grandchild from daughter Emily who has been married almost 4 years. Our younger daughter Kate is up in Boston working at an advertising agency and, on the side, running her own artists agency firm, hunting up work for starving artists/illustrators. She’s had good success with her artists getting hired for illustrations for the New Yorker, Smithsonian, Boston Globe, the New York Times and

the Washington Post, plus a couple of book and album covers.”

Andrew M. Morse JD’84, President of the law firm Snow Christensen & Martineau (SCM) in Salt Lake City, Utah, has become a Fellow of the American College of Trial Lawyers, an association of premier trial lawyers, and was inducted during the 2016 ACTL Spring Meeting. Founded in 1950, the College is composed of the best trial lawyers from the United States and Canada, restricting invitations to only experienced trial lawyers who have mastered the art of advocacy and whose professional careers have been marked by the highest standards of ethical conduct, professionalism, civility and collegiality. Bruce has been president of SCM since 2011.

Bruce Pasfield JD’84 recently saw **Sue Boyle Ford** and her family while she was visiting her son in Jackson Hole, Wyo., where Bruce has a second home.

1985

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

Murray Krugman JD’85 continues to teach classes in the Music Industry Program at University of New Haven. His first book, “One Hit Wonders: Using Film to Analyze the Music Industry” (Cognella Press) was published in August 2014, and, according to Murray (and as of the date of this printing), he will have a second book published this spring. Murray writes, “My independent label, Silverwolf, continues to be active with new titles on digital and physical platforms and a catalogue of roughly 150 titles. I spend most of my spare time explaining my relationship to More Cowbell.”

1986

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1987

Mark Ouellette

mouellette01@gmail.com

1988

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1989

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Maureen Holland JD’89, owner of Holland and Associates PC, was honored at the 36th annual Association for Women Attorneys banquet and silent auction on January 21, 2016, in Memphis, Tennessee. She was the 27th recipient of the Association for Women Attorneys Marion Griffin-Frances Loring Award for outstanding achievement in the legal profession.

CLASS NOTES



MAUREEN HOLLAND JD'89

1990

Mario Gallucci
mgallucci@hnglaw.com

1991

Peg Stolfa
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1992

Margaret Olnek
mlo@olneklaw.com

Edward Montoya JD'92 describes 2015 as the year of change: “Our daughter Stephanie completed her first semester at the University of Virginia and did very well. Stephanie braved the recent snow blizzard and survived with the help of hot chocolate and care packages from home. Our son Christopher is in 11th grade and continues to develop his creative music production skills and has been scoping NYU and other universities that offer degrees in the music business. He has great music posted on SoundCloud.com and is very popular among people his age. My wife Carmen continues to teach 4th grade at a local Miami school and loves what she does. Carmen has been a steady pillar of support and a solid rock in our lives. In the

ALUMNI SPOTLIGHT



RANDY ABATE JD'89

The turning point for Randy Abate '89 came in 2007, listening to Shelia Watt-Cloutier, the visionary leader of the Inuit Circumpolar Conference and keynote speaker of a climate justice conference at the University of Utah College of Law. Moved to tears, he was committed—from that day forward—to writing and teaching about climate justice and indigenous peoples.

Now a full-time professor at Florida A&M College of Law, author of 25 law review articles, and editor of four books, Randy began his law teaching career as a full-time Legal Writing Instructor at Vermont Law School. He honed the student-centered approach he employs today: “inspiring students to pursue their dreams, mentoring them with encouragement and guidance, and providing them with skills to succeed in the legal profession.”

At Florida A&M College of Law, he has assisted dozens of students publish their environmental law papers in the United States and abroad; eight of those have also won or placed in national or statewide legal writing competitions. His teaching and lecturing efforts around the world earned him a university-wide teaching innovation nomination in 2014, and “Professor of the Year” award from the Class of 2005 while on the faculty at Rutgers School of Law-Camden.

Randy extends mentorship beyond teaching: one of his projects as director of the Center of International Law and Justice is the NOAA-ECSC Fellows in Ocean and Coastal Law, a multi-year federal grant from NOAA that funds several universities who work collaboratively to promote the advancement of minorities in NOAA-related fields. As Randy describes, “lawyers have so much to learn from non-lawyers on environmental issues, and the non-lawyers have much to learn from the lawyers, too.”

He notes the trajectory of environmental law, beyond the protection of basic human health. “Now it's more about promoting sustainability, and how environmental protection is inextricably linked to the protection of basic human rights, especially in the context of adapting to climate change impacts.” His latest book, “What Can Animal Law Learn From Environmental Law?” (ELI Press 2015), explores parallels and synergies between environmental law and the nascent field of animal law.

Illustration and story by Hannah Morris

ALUMNI SPOTLIGHT



IAN MONTONE JD'95

Growing up in a family where playing and talking about music was a daily affair, Ian Montone learned two things: he loved music; and he would never make a living playing it. Fast forward two decades, through law school and law firms, when Ian and business partner Rick Yorn launched LBI Entertainment, a talent management and production company focused on film, music and sports; Ian could finally marry his musical passion with business acumen in the legal realm.

"Artist management differs quite a bit from music law, although there are fundamental similarities as well," Ian describes, reflecting on his time practicing law in the mid-2000s at Davis, Shapiro, Lewit, Montone & Hayes, at the time one of the country's largest music law firms. "You're working with artists, you're making deals, you're advising on careers." Concerned that lawyering would start "tempering the entrepreneurial side of my brain," Ian shifted from law to management, diving deeply into an artist's creative process in order to understand the trajectory of their career. "I was less interested in the 90 reasons why something couldn't work versus the ten reasons—or one reason—why it could work. Management focuses more on making that one thing happen."

Ian's legal path started at VLS, where he studied water and international law, writing his thesis on hydro-power development on the Mekong River. He also took courses with Professor Oliver Goodenough who became an influential figure. "He is a great critical thinker," said Ian, who crosses paths with Professor Goodenough to this day. "I remember him talking about this thing called the 'internet' and not knowing what he was talking about."

Ian eventually went to work at Development Alternatives, Inc. (DAI), an international development and consulting firm in Washington, D.C. While at DAI, Ian started fielding calls from his brother who was working for a record company in Portland, Oregon, and had legal questions about record agreements. "A light went off in my head," said Ian. "Wait, I can be a lawyer in the music business?" He left his job a month later, moved to Los Angeles, and accepted a temporary contract lawyer job at Munger Tolles, as well as an internship at Rick Rubin's American Recordings. Ian started to build his own practice, eventually meeting Jack White of the White Stripes (a relatively new band at the time) in 2000; he soon became their manager, and launched his music management company Monotone. "What I liked about music law was that youth wasn't an obstacle, everything was based on your client roster and your ability to deliver," Ian described. Delivering is no easy task in an often frenetic atmosphere: "I operate in an ecosystem populated with very complex personalities, lots of ego and intensely creative people who often see the world through a different lens than we do." Ian appears to thrive in the environment. "Keeping everyone pointed in the same direction is a challenge but it's also the fun of it."

Illustration and story by Hannah Morris

meantime, I continue to handle aviation disaster cases as well as personal injury and wrongful death matters. I had the opportunity to travel to Asia three times in 2015 to meet with the families of victims that died in the Dec. 28th 2014 AirAsia crash that occurred in the Java Sea. This was my first time in Asia. I currently represent the families of 60 passengers who died in that crash and my team, along with European counsel, have filed a products liability case in France against Airbus and others stemming from a defective Rudder Travel Limiter Unit. I thank VLS for offering a seminar in Aviation Law back when I was there. If it were not for that course, I would have never had the opportunity to get involved in these types of cases."

Tim Shea JD'92 is a partner at Certilman Balin Adler & Hyman, LLP in Hauppauge, New York, specializing in Land Use and Real Estate. He has a wonderful wife, Danielle and three little boys Brady, Cassius, and Emmitt, ages three, two, and one.

In the past 2 years, **Carole Wacey JD'92** got married, bought a 1910 round house (it's a turret) in Forest Hills (Queens, New York), and began a new position as Vice President of Education at WNET/Thirteen (after running a nonprofit for the past 10 years.) She hopes to hear from you if you are passing through New York City.

1993

Lainey Schwartz
geowoman3@aol.com

1994

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.



THE MUNION-FULTON WEDDING PARTY: (LEFT TO RIGHT) PAMELA PETERSON HADDOCK JD'94, THE GROOM RUFUS A FULTON III, MAID OF HONOR LEZA DRISCOLL JD'94, AND ALEXA RICHMAN LALONDE JD/MSL'94.

Christine E. Munion JD/MSL'94

and Rufus Fulton were married on September 12, 2015, on their family farm in Millersville, Penn., just outside the city of Lancaster.

1995

Karen Moore

kj.moore@judicial.state.co.us

1996

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

Charles O'Brien MSEL'96 has filed a class action lawsuit alleging that electro-magnetic pollution is causing significant damage to humans, flora and fauna in the province of Quebec. The first of its kind in Canada

and Quebec's most significant class action suit, the proceedings attempt to oblige Quebec courts to adopt the very best standards of U.S. and European environmental law.

1997

Cheryl Deshaies

davis4nh@comcast.net

1998

alumni@vermontlaw.edu

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1999

Joy Kanwar-Nori

joy.kanwar@brooklaw.edu

Kathryn Perales JD'99 writes, "After a move from Texas to Ohio involving a several year hiatus from legal work, and a slow reentry as part-time general counsel for a machine shop, I have started my own firm, Perales Law, in Oberlin, Ohio. I'm offering patent and trademark help, as well as general legal advice for local businesses. I am now licensed and active in Ohio and Texas, and also registered to practice before the US Patent and Trademark Office. My oldest child, born in the middle of my second year at VLS, is off to Haverford College next year to study physics.

2000

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Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

2001

alumni@vermontlaw.edu

Please email alumni@vermontlaw.edu if you are interested in serving as class secretary.

Fred Breedlove JD/MSEL'01 and

Jessica Breedlove JD'01 live in Phoenix with their 7 year old daughter Violet Boston and almost 2 year old son Freddy. Jessica has worked as a prosecutor for the City of Phoenix for almost 13 years (and loves it) while Fred is returning to the public sector February 1 to be Director of the Natural Resources Division at the Arizona State Land Department. For the past five years Fred was at the Phoenix office of Squire Patton Boggs (US) LLP practicing primarily in water resources law, and prior to that at the Arizona Department of Water Resources.

2002

Paige Bush-Scruggs

paigescruggs@comcast.net

Susan (Kegg) Eastman JD'02 has accepted the position of Principal Attorney/Director of the Navajo-Hopi Legal Services Program, after serving as acting director since October 2015. Susan writes, "I've been working here in Tuba City already for nearly seven years, representing Navajos affected by the Navajo-Hopi Settlement Act and had to move because of the Navajo-Hopi land dispute. As the federal Office of Navajo and Hopi Indian Relocation seeks to conclude its operations in the next three years, my job will be to ensure our Navajo clients are treated fairly and justly and receive the compensation benefits to which they are entitled. I appreciate the continuing opportunity to be of service to the Navajo people."

ALUMNI SPOTLIGHT



TOM CORS JD'99

As Director of Lands in The Nature Conservancy's (TNC) Government Relations department, Tom Cors faces the daily challenge of remaining cool in a heated partisan climate. "Somehow, the most basic concepts of preserving life on Earth so that we can drink clean water and enjoy the benefits of a biodiverse planet," said Tom, "tend to get wrapped up in partisan politics."

Using consensus-building skills, Tom assists TNC in its mission to protect ecologically important lands and water around the country and the world. Lobbying on domestic and international appropriations issues with Congress and the White House, Tom has played a part in TNC's protecting more than 119 million acres of land—from grasslands to coral reefs—and thousands of miles of rivers worldwide. He disseminates the knowledge gained from Congress and the Departments of Interior, Agriculture, and Transportation (delivering "some of the inside game") back to TNC's state chapters who, in turn, impart their local expertise. "To be truly effective, TNC partners with many conservation organizations," notes Tom. "Our strength comes from our numbers, and from the coalitions we form, as well as from the sound mission we pursue."

As a child exploring the Little Miami River and a Native American mound near his suburban house in Cincinnati, Ohio, Tom grew increasingly interested in what lay beyond the city limits. He majored in biology at college where, "the picture of land protection and the protection of species and the habitats that species rely on to persist really started to come together for me." He pursued agroforestry work in Senegal with the Peace Corps, and spent a year in a French law school before enrolling at Vermont Law School. As a legal consultant for the United Nations Environment Programme on biosafety protocol, Tom furthered his commitment to international environmental issues. He worked on energy and environmental security issues at two think tanks that served the Executive branch of the US government. A move to North Carolina in 2004 led to a sharpening of his lobbying skills, first working for UNC-Chapel Hill and then eventually lobbying for TNC's North Carolina chapter in Raleigh and back in Washington, D.C.

"My family took a classic Western tour when I was six, and I was immediately hooked on the American landscape, our National Parks and other public lands," Tom recalls, reflecting on his environmentalist ethos. He shares this same passion for land and water with his own children in the woods of North Carolina and on a family western trip in 2015. "If you ever have a chance to question people running for public office, ask them to state their position on clean water, clean air, livable communities, and extinction rates," Tom advises. "Nobody should serve in a public office without taking positions on these critical issues."

Illustration and story by Hannah Morris

2003

Shannon Bañaga
vlsmaher@yahoo.com

Anthony Iarrapino JD'03, along with **Kristina Michelsen JD '93**, opened Michelsen Iarrapino PC last September. The two operate from their offices in Montpelier and Hardwick, proudly representing small businesses, individuals, municipalities, and non-profits in a range of civil and commercial matters. Anthony's practice has thus far focused on permitting, regulatory compliance, civil litigation and strategic communications. He writes, "I am fortunate to have one client—Lake Champlain International—that keeps me involved with the clean water work I enjoyed so much in my nearly nine years at the Conservation Law Foundation (CLF) and another—the Vermont Public Health Association—that allows me to build on the public health advocacy experience I gained while leading a statewide soda tax campaign last year." Kristina, who had her own successful solo practice joining forces with Anthony, spearheads the team's dealing with real estate, landlord/tenant, small business formation and finance, and basic estate planning issues. Both Anthony and Kristina were board members at the Fairbanks Museum and Planetarium (St. Johnsbury, Vt.) and were fellow contributing authors to a guide to alternative financing for farm and food ventures published by UVM's Center for Sustainable Agriculture. "While still at CLF," writes Anthony, "I also had the chance to lobby Kristina in her capacity as a state legislator serving on the House Agricultural Committee. And I am pretty sure she once greeted me as I dined in the nationally-renowned Claire's Restaurant that she co-founded in Hardwick during a hiatus from legal practice. We're enjoying the oppor-

tunities and challenges of small firm practice and would love to hear from fellow alumni who are doing the same. Find us on the web at www.mivt.net.”

2004

Spencer Hanes
spencer.hanes@duke-energy.com

Charles “Vic” Pyle MSEL’04 recently concluded his second assignment to Marine Well Containment Company (MWCC) as their General Counsel and returned to the Environmental and Safety Law Department at Exxon Mobil. While at MWCC, Vic had the pleasure of hosting **Jacqueline Sopko JD’16** in the Fall of 2015 during her Semester in Practice.

2005

Meg Munsey and Kelly Singer
vermontlaw2005@gmail.com

Carolina Curbelo JD’05, launched her solo law practice The Law Office of Carolina T. Curbelo, LLC, 155 West Passaic Street, 2nd Floor, Rochelle Park, New Jersey on January 1, 2016. She also maintains a conference space in Passaic. Carolina’s practice primarily focuses on federal immigration, and employment and labor law.

2006

Ashley Cottingham
ashleybrey@gmail.com

Ebony Riggins
erriggins@gmail.com

Andrew Mason JD’06 was recently hired as General Counsel for the Maine Education Association (MEA),

overseeing the legal services plan for the 25,000 teachers, support staff, and other union employees involved in public and higher education. He also provides legal counsel to MEA management, elected leaders, and professional staff while also assisting the Governmental Relations Department concerning legislation and expert testimony.

Emma Sisti JD’06 and **Jeremy Clemans JD’06** welcomed baby boy number three, Morgan Murphy Clemans, on November 10, 2015. According to Emma and Jeremy, he joins brothers Spencer and Teddy in making mischief and depriving his parents of sleep. Jeremy and Emma are still staff attorneys with the New Hampshire Public Defender, both working out of the Concord office. The couple writes, “The work remains rewarding and challenging. We are hoping to join our class-



SPENCER AND TEDDY CLEMANS ARE THE FIRST TWO SONS OF EMMA SISTI JD’06 AND JEREMY CLEMANS JD’06.



MORGAN MURPHY CLEMANS, THE NEWEST SON OF EMMA SISTI JD’06 AND JEREMY CLEMANS JD’06, BORN IN NOVEMBER 2015.

mates in June for our 10th reunion!”

Kristen (Campbell) Stohler JD’06 recently hired an associate, **Ryan Lonergan JD/MELP’12** to work for her growing firm, Stohler Law, based in Palmer, Alaska.

2007

Greg Dorrington
gregdorrington@gmail.com

Liz Lucente
liz.lucente@gmail.com

Shelby Busó JD/MELP’09 and **Roberto Busó JD/MSEL’07** welcomed their third child on November 6, 2015. Areli Isabel joins the family of big brother Sebastian River (7 years old) and Coralina Jewell (3 years old). “Life is crazy as a party of five,” write the Busós, “but we are loving it! Rob continues on as an attorney specializing in RCRA enforcement for EPA Region IV and Shelby is now the Director of Sustainability for the local community improvement district Central Atlanta Progress.”

Harper Marshall JD’07 has been elected the newest shareholder of one of New Hampshire’s largest law firms, Devine Millimet. Harper’s work focuses on assisting clients in business transitions ranging from



HARPER MARSHALL JD’07.

purchasing or selling a business, structuring and implementing a succession plan or obtaining debt or equity financing through new investors in a business. As vice chair of the firm's Startup Team and Business Launch initiative, he works closely with New Hampshire entrepreneurs. Active in his community, Harper is a board member of the Exeter Area Charitable Foundation and a past board member of the American Heart Association of New Hampshire, as well as a member of the Leadership Seacoast Class of 2013.

David McCullough JD'07 was elected in January as a new partner in Sutherland Asbill & Brennan LLP. Based at the firm's New York City office, David counsels energy and commodity trading companies on the legal and commercial landscape governing the production, trade and movement of oil, renewable fuel, natural gas and other commodities. He provides advice on environmental credit trading, import and export controls, federal and state fuel standards, contractual agreements, and shipping by land and water as well as liability in the event of an incident. He also advises clients on environmental issues related to energy resources and development

Elizabeth Mullholland JD'07 left the New Hampshire Public Defender's office in May 2015 after nearly eight years to join the civil litigation team at the New Hampshire Attorney General's Office. Elizabeth writes, "My new job is fantastic and the work is always interesting. While it was difficult to leave my public defender family, the new challenges more than make up for it!"

Jerimiah Sanders JD'07 is the floodplain and wetland policy lead at the U.S. Department of Housing and Urban Development (HUD). Last fall, he represented HUD as a member of a working group tasked with updating the federal government's

floodplain management guidelines. Federal agencies are now using these guidelines to review and update floodplain policies across the federal government.

Steven Whitley JD'07 was recently named a partner at his firm, the Mitchell Municipal Group based in Laconia, New Hampshire. His practice focuses exclusively on representing municipalities throughout the state.

2008

Samantha Santiago Beaulieu
samantha.c.beaulieu@gmail.com

Jamie Williams
willjamie@gmail.com

This past January, **Eben Albert-Knopp JD'08** was elected a shareholder of Bernstein Shur, one of New England's largest law firms. Eben is a member of the firm's Business, Litigation & Dispute Resolution and Technology, Outsourcing & Data Security Practice Groups. His practice includes commercial litigation, personal injury, data security, real estate litigation, professional negligence and general civil litigation. A resident of Portland, Maine, Eben is a member of the American Bar Association and the Maine State Bar Association.

Samantha Medlock JD'08 has been appointed Senior Advisor for the Office of Management and Budget in the Executive Office of the President of the United States, where she coordinates across the administration on climate policy and finance. She previously served as Deputy Director for Climate Preparedness at the White House Council on Environmental Quality.

Samantha Santiago JD'08 has recently accepted her dream job as the Director of Business Risk Man-

agement for UBS-International.

Major Jack Sautter, USMC, JD'08/LLM'09 is moving to Washington DC in the spring of 2016 to fill the position of Associate Counsel for Environmental Law at the Marine Corps Commandant's Legal Office at the Pentagon.

Malcolm Tramm JD'08 has earned a spot on Team USA Men's Roller Derby. He and his teammates will represent the stars and stripes in defending the USA's 2014 Championship at the second Men's Roller Derby World Cup. The tournament, featuring 22 teams from six continents, will take place from July 21-24, 2016, in Calgary, Alberta, Canada. For more information, log onto <http://mrdwc.com/> or email Malcolm at malcolmtramm@gmail.com.



MALCOLM TRAMM JD'08 WILL HELP REPRESENT THE USA ON TEAM USA MEN'S ROLLER DERBY. PHOTO COURTESY OF DOWN'N'OUT PHOTOGRAPHY.

2009

John Miller
johnmillerjr@gmail.com

Shelby Busó JD/MELP'09 and **Roberto Busó JD/MSEL'07** welcomed their third child on November 6, 2015. Areli Isabel joins the family of big brother Sebastian River (7 years old) and Coralina Jewell (3 years old). "Life is crazy as a party of five," write the Busós, "But we are loving

it! Rob continues on as an attorney specializing in RCRA enforcement for EPA Region IV and Shelby is now the Director of Sustainability for the local community improvement district Central Atlanta Progress.”



SHELBY BUSÓ JD/MELP'09 AND ROBERTO BUSÓ JD/MSEL'07 WITH THEIR CHILDREN SEBASTIAN RIVER, CORALINA JEWELL, AND THE NEWEST ADDITION, ARELI ISABEL.

2010

Cara Cookson
ccookson@langrock.com

Laurie Wheelock
lauriewheelock@gmail.com

Amanda Bush MELP'10 started working for The Hartford Risk Engineering Organization as a Risk Engineering Consultant in November, 2015.

2011

Amanda George-Wheaton
amanda.georgewheaton@yahoo.com

Sarah McGuire
sarag.mcguire18@gmail.com

2012

Susan Lettis
susanlettis@gmail.com

Lauren Miller
lauren.miller.e@gmail.com

Monica Miller JD'12, is senior counsel for the American Humanist Association, where she has litigated First Amendment cases in federal courts across the country, and has cases pending before the Fourth, Fifth and Tenth Circuit Courts of Appeals. She also serves as an attorney for the Nonhuman Rights Project (NhRP), where she has served as its primary legal researcher and has helped draft memoranda for NhRP's historic cases. Monica has appeared on Fox News and MSNBC, as well as local television stations and radio shows, and is regularly quoted by national and local media outlets throughout the country, including Fox News, Aljazeera, USA Today, Newsweek, the Washington Post, the National Law Journal, among many others. In connection with her work at the NhRP, Monica is featured in an HBO film, "Unlocking the Cage," which premiered at the 2016 Sundance Film Festival. <http://www.unlockingthecagethefilm.com/participants/>

2013

Brian Durkin
bdurkin@vermontlaw.edu

Rae Kinhead
rmkinhead@gmail.com

Alexander English JD/MELP'13 recently joined the law offices of Carolyn Elefant in Washington, D.C., as an Associate Attorney. Alex writes, "I'm primarily assisting clients with solar facility permitting issues, and litigation on behalf of landowners/citizen's groups/municipalities relating to oil/gas pipelines."

2014

Whitney Standefer
whitneystandefer@vermontlaw.edu

Cristina Mansfield
cristinamansfield@vermontlaw.edu

Antonette Palumbo JD/MELP'14 started a new job in December 2015 as the general counsel for the Illinois Environmental Regulatory Group (IERG), a non-profit organization housed within the Illinois Chamber of Commerce. The IERG seeks to work with U.S. EPA and Illinois EPA to streamline environmental regulations for the benefit of the regulators and the regulated community.

Albert Shpyth MELP'14 is, as of January 1, 2016, the Executive Director of the International Minerals Innovation Institute in Saskatoon, Saskatchewan, Canada.

Elizabeth Tisher JD '14 completed a one-year clerkship with the Honorable John A. Dooley at the Vermont Supreme Court in September 2015. She now works as a Special Assistant Attorney General at the Vermont Office of the Attorney General in Montpelier, Vermont.

2015

Alona S. Tate
alonatate@vermontlaw.edu

Crystal N. Abbey
cnabbey88@gmail.com

Jason A. Reott MELP'15 has accepted the position of Legislative Fellow for Energy and Environment with the Office of United States Senator Bernie Sanders (I-VT).

IN MEMORIAM

Jeri Lynn Bousman JD'91 74, died quietly on Friday, May 8, 2015, in Ballston Spa, New York, on Friday night, May 8, 2015. Jeri was born in Chicago to Raymond and Olivene Jones in 1941 and was the much loved wife of John Bousman of Providence, Rhode Island. She was an active outdoors person who hiked, canoed and climbed. She ascended all 111 peaks over 4,000 feet high in the Northeast, and made a number of significant Alpine ascents. She and her first husband ran a canoe camp at Lake Temagami in Ontario, Canada, for teenagers for many years. A graduate of Mount Holyoke College, she later acquired her JD at Vermont Law School, going on to pass the Bar in Maine. She practiced Elder Law for the indigent in Bangor, Maine, for a decade after which she retired to join her husband John in New York, where she spent the rest of her life. She loved traveling, her pet cats, gardening, and her three children, Dorothy, Raymond, and Adam. She is survived by her children and two grandchildren.

John Corsi MSL'93, 48, passed away suddenly on December 5, 2015. He is survived by his three children, Andrew Thomas (13), Nicholas James (12) and John Owen (9). He is also survived by his parents John and Linda Corsi of St. Michaels, Md., siblings Mark Corsi of Austin, Texas, Kathy Corsi of Weston, Mass., and Brian Corsi of Danvers, Mass. John was a 1986 graduate of Tabor Academy, where he excelled in football, hockey and lacrosse. He went on to receive a Bachelor of Arts degree from Hobart College in 1990 and Masters of Science in Environmental Law from

Vermont Law School in 1993. He enjoyed an 18-year career at Denver's CH2M Hill, where he was Vice President of Media and Public Relations. A loving family man and wonderful friend of many, John will be remembered for his kindness, wit, professionalism and dedication to coaching his sons on numerous hockey rinks and lacrosse fields. His contagious energy and unique view of the world around him will be missed by all who knew him.

Elizabeth "Betsy" Catlin JD'08, died on December 27, 2015, after a long battle with depression. The daughter of Mark and "Charlie" Catlin, she was born in Philadelphia, Penn., in 1978. She was raised in Montpelier, Vt., where she started many of her lifelong passions: sports, ability with animals and the environment. Participating in sports such as Pirates baseball and MHS lacrosse, she raised sheep and heifers with her siblings at the family farm. An avid equestrian throughout life, she was introduced to horses by her mother and began her formal riding. She received her first pony, Mozel Tov, on her 8th birthday. Over the years, she honed her skills with many notable Vermont trainers, competing on a national level as a junior rider. On the completion of her junior rider years, she turned her interests toward a professional riding career. In addition to her own successes, she instructed a number of local students to wins at horse shows throughout the Northeast over a 20-year period. She was a major contributor to the success of St. Lawrence University's back-to-back Intercollegiate Horse Show Association national championships in 2012 and 2013. Betsy was valedictorian at Montpelier High

School in 1996. She received many scholarships and matriculated to the University of Puget Sound in Washington State where she completed a double major in philosophy and chemistry, graduating magna cum laude in 2001. She began a PhD program in philosophy, and then worked as a barn manager at St. Lawrence University. Betsy then chose to attend Vermont Law School where her focus was on environmental law. She graduated summa cum laude and first in her class in 2008. Betsy worked as a Supreme Court clerk for Justice Burgess before becoming an attorney in 2009 at the environmental law firm Dunkiel Saunders Elliott Raubvogel & Hand in Burlington, Vt. Betsy's work resulted in the successful development of numerous green energy projects, including some of Vermont's largest wind and solar facilities. She was also responsible for preparing the Act 250 application for the Champlain Parkway on behalf of the city of Burlington. She was on the Development Review Board for East Montpelier and sat on the board for the Vermont River Conservancy. At her East Montpelier farmhouse, she cared for retired show horses from St. Lawrence University. She maintained a small vegetable garden, had a wonderful connection to animals and her pets, was an avid reader, and had an appreciation for going to the movies and listening to music. Her quick wit and unwavering principles were hallmarks of her unique personality. Betsy is survived by her mother, Susan Hobson Catlin; father, Guy Mark Catlin; sister, Sarah Hobson Catlin; sister-in-law, Jennifer Lynn Willis; brother, Luke Hobson Catlin; sister-in-law, Emily Sarah von Trapp; niece, Lily von Trapp Catlin; and dog, Jelly.

Rob Bossi



Vermont Law School FORUM

Retrospective—
Prospective



Clinical Program Held in Limbo

New Plans Revealed In School Growth

By William Healey '78



REWIND

The 1970s brought a proliferation of sideburns, disco, and waterbeds; the end of the Vietnam War; anti-war demonstrations that turned deadly; Alex Haley's "Roots" and James Dickey's "Deliverance." The era also brought a new law school to the banks of the White River in Vermont. Founded in 1972 by Italian-born Anthony Doria—father of the motto *lex pro urbe et orbe*, law for the community and the world—this from-scratch law school was different. And growing fast.

Back in the day, VLS faculty had more facial hair. Admissions counselors distributed matches to prospective students—everyone smoked, man. And the status of the clinical training program was "totally up in the air," reported David Suntag JD'78 in the May 1976 *Forum*, the now-defunct student newspaper.

The school graduated its first class in June 1976. "It is perhaps appropriate to let those leaving us know what shall become of their soon to be alma mater," wrote the *Forum's*

William Healey JD'78 in anticipation. At that point, VLS was a toddler, fresh off its provisional ABA approval in February 1975—bells rang, classes canceled to celebrate. Professors Dycus, Firestone, McCrory, and Teachout were just starting their decades-long careers. And VLS's second dean, Thomas Debevoise, was making his mark on campus: "[He] and his wife, Ann, had taken a second mortgage on their home to enable the construction of the [Founders Library], and they also donated the initial funds needed for other law school buildings," wrote Peter Lee Miller in "Vermont Law School: The First Twenty-Five Years."

Vermont Law Review was established in 1976; the South Royalton Legal Clinic in 1979; the Environmental Law Center in 1978, two years after Professor Firestone was quoted as saying, "We're still defining our curriculum, but I think students will begin seeking us out for environmental studies."

Fast-forward 40 years: Vermont-made Laughing Moon Chocolate has replaced matches as the preferred admissions giveaway—each bar benefits the Himalayan Cataract Project (thanks for the inspiration, Job Heintz JD/MSEL'95). Clinical training opportunities abound, from criminal to public interest to environmental and natural resources law. The environmental law program is the nation's best. Good-sport Professor Firestone has inspired a social-media furor as alumni vie to win a bobblehead in his likeness. And VLS alumni, who hold JD and master's degrees, are recognized as leaders from Main Street to Wall Street.

VLS and the Fighting Swans have come a long way.
-Maryellen Apelquist
p.s. Will someone resurrect the *Forum*?

VERMONT ALBUM



SLOPESIDE SYRUP MAPLE FARM ABUTTING COCHRAN SKI AREA IN RICHMOND, CO-FOUNDED BY ROGER BROWN JD'17.
PHOTOGRAPH BY PENNIE RAND



40 THINGS

YOU (PROBABLY) DIDN'T KNOW ABOUT VLS

The Environmental Law Center space is named for Terry M.W. Ehrich, publisher of Hemmings Motor News (Bennington, Vt.), environmentalist, and former VLS Trustee

Woody Jackson is the name of the artist who painted the pictures of cows in the Debevoise Hall connector to Oakes Hall

David Firestone is the full-time faculty member who has been teaching the longest at Vermont Law School

Stephanie J. Willbanks was the first woman to receive tenure at Vermont Law School

Waterman Hall is named for The Honorable Sterry Waterman, Chair of the Board of Trustees 1974-1983

TO SEE ALL 40,

VISIT CONNECT.VERMONTLAW.EDU/HOMECOMING2016/40TH
OR SCAN HERE →



HOMECOMING 2016 | 40TH REUNION

SOUTH ROYALTON + KILLINGTON, VT

JUNE 17-18

Join us for the 40th Reunion!
Classes ending in 1 and 6 will celebrate a milestone reunion but all alumni are welcome to attend.

#COUNTMEIN

We've booked rooms at Killington's Grand Resort Hotel, and plan to have a Saturday night evening reception there. All other events will be

on campus in South Royalton. To reserve a room at Killington's hotel at the special VLS rate, call 800-282-9955, and mention "Vermont Law School Alumni Reunion."
connect.vermontlaw.edu/homecoming2016



