

# HEIDI GOROVITZ ROBERTSON

Steven W. Percy Distinguished Professor of Law  
Director of Student Success, Cleveland-Marshall College of Law  
Professor of Environmental Studies, Levin College of Urban Affairs  
Cleveland State University

MAY 25, 2021

## EDUCATION:

**Columbia University School of Law**, LL.M. 1995, J.S.D., 2002

Associate in Law (full tuition scholarship, plus stipend), 1993-1995

Columbia Journal of Environmental Law, Articles Editor, Vol. 19, No. 2, 1994

**University of Wisconsin Law School**, J.D., *cum laude*, 1990

George H. Young Memorial Award, 1990, Ruth B. Doyle Award, 1989

**Tufts University**, B.A., *cum laude* Political Science (major), Community Health (certificate), 1985

## ACADEMIC EMPLOYMENT:

**University of Maine School of Law**

Libra Foundation Visiting Professor, 2021-2022

**Cleveland State University, Cleveland-Marshall College of Law and Maxine Goodman Levin College of Urban Affairs**

Steven W. Percy Distinguished Professor of Law, January 2015 to present

Director of Student Success, September 2016 to present

Associate Dean for Academic Enrichment, 2009 to 2014

Professor of Law, and Professor of Environmental Studies, 2009 to present; Associate Professor with tenure, 2001-2009; Assistant Professor, 1995-2000

*Courses:* Property, Legislation and the Regulatory State, Environmental Law and Regulation, International Environmental Law, Environmental Law and Policy Clinic, Legal Issues Surrounding the BP/Gulf Coast Oil Spill

**Columbia University School of Law**, Associate in Law, 1993-1995.

**University of Wisconsin Law School**, Legal Writing and Research Instructor, 1988-90.

**University of Wisconsin-Madison**, Teaching Assistant, 1989.

Law in Action: Contemporary Issues in Public Law.

## PUBLICATIONS

### LAW REVIEWS AND JOURNALS

*Cities Seethe: A Case Study of Local Efforts to Influence Natural Gas Pipeline Routing Decisions*, 122 W. VA. L. REV. 881 (2020).

*Get out from under my land! Hydraulic Fracturing, Forced Pooling and Unitization, and the Role of the Dissenting Landowner*, 30 GEORGETOWN ENVTL. L. REV. 633 (2018).

*When States' Legislation and Constitutions Collide with Angry Locals: Shale Oil and Gas Development and its Many Masters*, 41 WM. & MARY ENVTL. L. & POL'Y REV. 55 (2016).

*Applying Some Lessons from the Gulf Oil Spill to Hydraulic Fracturing*, 63 CASE W. RES. L. REV. 1279 (2013).

*Public Access to Private Land for Walking: Environmental and Individual Responsibility as Rationale for Limiting the Right to Exclude*, 23 GEO. INT'L ENVTL. L. REV. 211 (2011).

*Seeking a Seat at the Table: Has Law Left Environmental Ethics Behind as it Embraces Bioethics?* 32 WM. & MARY ENVTL. L. & POL'Y REV. 273 (2008).

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- ‘How Many Times Do I Have to Tell You?!: EPA’s Ongoing Struggle With Data from Third-Party Pesticide Toxicity Studies Using Human Subjects*, 28 WM. & MARY ENVTL. L. & POL’Y REV. 205 (2004).
- Legislative Innovation in State Brownfields Redevelopment Programs*, 16 J. ENVTL. L. & LIT. 1 (2001).
- Pesticide Toxicity, Human Subjects, and the Environmental Protection Agency’s Dilemma*, (with Samuel Gorovitz) 16 J. CONTEMP. HEALTH L. & POL’Y 427 (2000).
- Environmental and Brownfield Liability: Relative Influence on Corporate Expansion and Relocation* (with Alan K. Reichert), 2 J. CORP. REAL EST. 315 (2000). (This is a peer reviewed real estate journal.)
- Deed Restrictions and Other Institutional Controls as Tools to Encourage Brownfields Redevelopment* (with Robert A. Simons) ENVTL. L. & PRAC., 31-38, Summer 1999.
- One Piece of the Puzzle: Why State Brownfields Programs Can’t Lure Businesses to the Urban Core without Finding the Missing Pieces*, 51 RUTGERS L. REV. 1075 (1999).
- Methods for Teaching Environmental Law: Some Thoughts on Providing Access to the Environmental Law System*, 23 COLUM. J. ENVTL. L. 237 (1998).
- If Your Grandfather Could Pollute, So Can You: Environmental ‘Grandfather Clauses’ and Their Role in Environmental Inequity*, 45 CATH. U. L. REV. 131 (1995).

#### BOOKS AND BOOK CHAPTERS

- Municipal Regulation of Oil and Gas-Related Activities*, in THE LAW OF ENVIRONMENTAL PROTECTION 2021 Edition, Environmental Law Institute, (forthcoming 2021)
- U.S. National Report on Public Rights to Commons*, in THE COMMON CORE OF EUROPEAN PRIVATE LAW, (with Monica Epperson) (forthcoming 2021)
- CHAPTER 2. *Local Jurisdictions and Variations in State Law in the Marcellus Shale Region*, in WHEN FRACKING COMES TO TOWN: GOVERNANCE, PLANNING AND ECONOMIC IMPACTS OF THE US SHALE BOOM (Sabina Eva Dietrick and Ilia Murtazashvili, eds.) Cornell University Press (forthcoming Spring 2021).
- STRATEGIES AND TECHNIQUES FOR TEACHING ENVIRONMENTAL LAW (Wolters Kluwer Law and Business) (forthcoming Spring 2021)
- Controlling Existing Facilities*, Chapter 15 in THE LAW OF ENVIRONMENTAL JUSTICE (Michael B. Gerrard, and Sheila Foster, eds.), American Bar Association (1999, 2<sup>nd</sup> Edition, 2008).
- Contributed to *Environmental Justice: The Social and Demographic Impact of Environmental Choices*, §9.09 in Frank Grad, Environmental Law Treatise, Matthew Bender (1995 update).

#### OTHER PUBLICATIONS (SELECTED)

- Toledo’s Doomed Lake Erie Bill of Rights and the Future of Environmental Protection*, Cleveland Metropolitan Bar Journal, with Isaac M. Bleich, October 2020.
- This year’s law school grads can be verified as ready to practice law, without in-person July bar exams*, The Plain Dealer/Cleveland.Com, on-line April 16, 2020, in print edition Sunday, April 19, 2020, available at <https://www.cleveland.com/letters/2020/04/this-years-law-school-grads-can-be-verified-as-ready-to-practice-law-without-in-person-july-bar-exams.html>
- Toledo’s Lake Erie Bill of Rights: Letter to the Editor*, The Plain Dealer/Cleveland.Com, February 5, 2019, available at <https://www.cleveland.com/letters/2019/02/toledos-lake-erie-bill-of-rights-letter-to-the-editor.html>
- Citizens, Town Councils, and Landowners: The Complex Web of Rights and Decision-Making in Shale Oil and Gas Development*, JUNIATA VOICES, Volume 17, pgs 158-164 (2017-2018), available at <http://www.juniata.edu/offices/juniata-voices/>
- Personal View: New House Bill strips some power from local jurisdictions*, CRAIN’S CLEVELAND BUSINESS, January 22, 2017, available at

- <http://www.crainscleveland.com/section/search?query=new%20house%20bill%20strip%20s>
- Munroe Falls' latest drilling fight ends in decision the city — and other jurisdictions — didn't want*  
CRAIN'S CLEVELAND BUSINESS, July 29, 2016, available at:  
<http://www.crainscleveland.com/article/20160729/BLOGS05/160729771/munroe-falls-latest-drilling-fight-ends-in-decision-the-city-and>
- Local jurisdictions should worry about Munroe Falls' latest drilling court fight*, CRAIN'S CLEVELAND BUSINESS, June 15, 2016, available at:  
<http://www.crainscleveland.com/article/20160615/BLOGS05/160619891/local-jurisdictions-should-worry-about-munroe-falls-latest-drilling>
- We still don't know if a drill permit trumps a zoning law in Ohio*, CRAIN'S CLEVELAND BUSINESS, Energy Report, December 4, 2015, available at  
<http://www.crainscleveland.com/article/20151204/BLOGS05/151209899/we-still-dont-know-if-a-drill-permit-trumps-a-zoning-law-in-ohio?CSAuthResp=1%3A273594042040215%3A174292%3A4%3A24%3Aapproved%3AAAA27DB9A103212B984963CC94FC92BA>
- Ohio law has some gaps to fill when it comes to how landowners are forced into shale drilling arrangements*, CRAIN'S CLEVELAND BUSINESS, Energy Report, November 5, 2015, available at  
<http://www.crainscleveland.com/article/20151105/BLOGS05/151109879/ohio-law-has-some-gaps-to-fill-when-it-comes-to-how-landowners-are>
- Ohio cities may have a new way to control oil and gas drilling within their borders*, CRAIN'S CLEVELAND BUSINESS, Energy Report, September 11, 2015, available at  
<http://www.crainscleveland.com/article/20150911/BLOGS05/150919963/ohio-cities-may-have-a-new-way-to-control-oil-and-gas-drilling>
- It's round two in the fight between Beck Energy and Munroe Falls*, CRAIN'S CLEVELAND BUSINESS, Energy Report, August 28, 2015, available at  
<http://www.crainscleveland.com/article/20150828/BLOGS05/150829829/its-round-two-in-the-fight-between-beck-energy-and-munroe-falls>
- Nexus pipeline fight is not yet over*, CRAIN'S CLEVELAND BUSINESS, Energy Report, July 31, 2015, available at  
<http://www.crainscleveland.com/print/article/20150731/BLOGS05/150739958/nexus-pipeline-fight-is-not-over-yet>
- The EPA's report on fracking has been given a positive spin by much of the media*, CRAIN'S CLEVELAND BUSINESS, Energy Report, June 26, 2015, available at  
<http://www.crainscleveland.com/article/20150626/BLOGS05/150629876/the-epas-report-on-fracking-has-been-given-a-positive-spin-by-much>
- Proposed law may saddle cities and towns with unwelcome costs and ugly well sites*, CRAIN'S CLEVELAND BUSINESS, Energy Report, June 5, 2015, available at  
<http://www.crainscleveland.com/article/20150605/BLOGS05/150609850/proposed-law-may-saddle-cities-and-towns-with-unwelcome-costs-and>
- Ohio lawmakers prepare to give drillers nearly unfettered access to almost all public and private lands*, CRAIN'S CLEVELAND BUSINESS, Energy Report, May 1, 2015, available at  
<http://www.crainscleveland.com/article/20150501/BLOGS05/150509991/ohio-lawmakers-prepare-to-give-drillers-nearly-unfettered-access-to>
- Ohio Supreme Court leaves room for traditional zoning as it rejects Munroe Falls' ordinances*, CRAIN'S CLEVELAND BUSINESS, Energy Report, March 6, 2015, available at  
<http://www.crainscleveland.com/article/20150306/BLOGS05/150309881>

- New York will ban hydraulic fracturing through a review requirement Ohio lacks*, CRAIN'S CLEVELAND BUSINESS, Energy Report, January 16, 2015, available at <http://www.craainscleveland.com/article/20150116/BLOGS05/150119883/new-york-will-ban-hydraulic-fracturing-through-a-review-requirement>
- Imminent Domain? Fights are breaking out over landowner rights and pipeline development – understanding the rules is more important than ever*, CRAIN'S SHALE MAGAZINE, December 15, 2014, page 20, available at [www.shalemagazine.com](http://www.shalemagazine.com).
- The fight over a proposed pipeline route will be a test of the system*, CRAIN'S CLEVELAND BUSINESS, Energy Report, December 12, 2014, available at <http://www.craainscleveland.com/article/20141212/BLOGS05/141219954>
- Community Bill of Rights attempts to use rights-based charter amendments to ban drilling*, CRAIN'S CLEVELAND BUSINESS, Energy Report, October 10, 2014, available at <http://www.craainscleveland.com/article/20141010/BLOGS05/141019983>
- The road to state control over drilling is paved with legislation*, CRAIN'S CLEVELAND BUSINESS, Energy Report, August 22, 2014, available at <http://www.craainscleveland.com/article/20140822/BLOGS05/140829925>
- Mandatory pooling and unitization protect landowner rights, too*, CRAIN'S CLEVELAND BUSINESS, Energy Report, June 20, 2014, available at <http://www.craainscleveland.com/article/20140620/BLOGS05/140629980>
- Awaiting the court's word on validity of local zoning control of well locations*, CRAIN'S CLEVELAND BUSINESS, Shale Report, April 4, 2014, available at <http://www.craainscleveland.com/article/20140404/BLOGS05/140409906>
- Support for fracking ban seems to be fueled by gas*, CRAIN'S CLEVELAND BUSINESS, Shale Report – Blogs, November 15, 2013, available at <http://www.craainscleveland.com/article/20131115/BLOGS05/131119907/-1/blogs05>
- Ohio, U.S. are not alone in seeing public divided over shale development*, CRAIN'S CLEVELAND BUSINESS, Energy Report, Sept. 13, 2013, available at <http://www.craainscleveland.com/article/20130913/SHALEBLOGS/309139998>
- ODNR revises the rules for unitization*, CRAIN'S CLEVELAND BUSINESS, Energy Report, July 1, 2013, available at <http://www.craainscleveland.com/article/20130701/SHALEBLOGS/307019960>
- The landmen cometh, but do you really know they are?* CRAIN'S CLEVELAND BUSINESS, Energy Report, June 14, 2013, available at <http://www.craainscleveland.com/article/20130614/SHALEBLOGS/306149996>
- Ohio law allows drillers access to land, at times over landowner objections*, CRAIN'S CLEVELAND BUSINESS, Energy Report, May 3, 2013, available at <http://www.craainscleveland.com/article/20130503/SHALEBLOGS/305039994>
- The fight for local control of drilling in Ohio might not be over yet*, CRAIN'S CLEVELAND BUSINESS, Energy Report, March 8, 2013, available at <http://www.craainscleveland.com/article/20130308/BLOGS05/130309819/-1/blogs05>
- Lessons from the Gulf: The Value of Site-Specific Emergency Planning*, CRAIN'S CLEVELAND BUSINESS, Energy Report, February 8, 2013, available at <http://www.craainscleveland.com/article/20130208/BLOGS05/130209796/1241/newsletter04>
- Pennsylvania's environmental rights might snag drillers*, CRAIN'S CLEVELAND BUSINESS, Shale Report, January 31, 2013, available at <http://www.craainscleveland.com/article/20140131/SHALEBLOGS/301319996>
- Cleveland* in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY, (Kathleen Brosnan, ed.), November 1, 2010.
- William Ruckelshaus* in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY, (Kathleen Brosnan, ed.), November 1, 2010.

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*An Important Reduction in U.S. Carbon Emissions*, 22 A&WMA: THE AIR AND WASTE MANAGEMENT ASSOCIATION NEWSLETTER NORTHERN OHIO CHAPTER 3 (October 2009)

*Commentary: People v. Blech*, CAL. ENVTL L. REP., November 1992.

*Commentary: Chemical Waste Management v. Hunt and Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, CAL. ENVTL L. REP., July 1992.

*Commentary: The EPA Final Rule on Lender Liability Under CERCLA*, CAL. ENVTL L. REP., June 1992.

*Commentary: Arkansas v. Oklahoma*, CAL. ENVTL L. REP., April 1992.

*Commentary: Shell Oil Co. v. EPA*, CAL. ENVTL L. REP., February 1992.

*Commentary: Western World Insurance Co. v. Dana*, CAL. ENVTL L. REP., September 1991.

*Commentary: The EPA Proposed Rule on Lender Liability Under CERCLA*, CAL. ENVTL L. REP., September 1991.

## PAPERS, PRESENTATIONS, PARTICIPATION (REPRESENTATIVE SELECTION)

"Global Lessons on the Rights of Nature: How the World Might Help U.S. Local Governments Protect the Environment", at Considering Obstacles to State and Local Laws about Environmental Sustainability, 2021 AALS Annual Meeting, State and Local Government Law and Natural Resources and Energy Law Joint Program, Co-Sponsored by Agricultural and Food Law and Environmental Law. via Zoom (January 6, 2021).

*The New "Waters of the United States" Rule and Challenges Thereto*, 'Water in the Courts' at The 20<sup>th</sup> Annual Great Lakes Water Conference, Legal Institute of the Great Lakes, University of Toledo College of Law (November 6, 2020).

Workshop Participant, *Local Governments, Home Rule, and the Rights of Nature: Lessons from Afar on Protecting Close to Home*, 2020 Environmental Scholarship Colloquium, Vermont Law School (September 26, 2020).

Participant Commenter and Mock Interviewer, Future Environmental Law Professors' Workshop, Haub School of Law, Pace University (September 17, 2020).

Moderator, *Transnational Environmental Issues & the Role of States, Provinces, Cities, and Indigenous Communities*. program jointly sponsored by the Sections on Natural Resources and Energy Law, North American Cooperation, Environmental Law, and State and Local Government Law —

Organizer and moderator for the *Works-in-Progress Session* for the Sections on Environmental Law, Natural Resources and Energy Law, and Agriculture and Food Law.

*Home Rule and the Environment: Exploring how municipalities address environmental policy gaps including farmland solar policy and pipeline routing*, invited panelist at Home Rule, a State and Local Law Symposium, West Virginia Law Review, Morgantown, West Virginia, (February 27-28, 2020).

*WOTUS under the new (old?) Trump Rule: Where are we now?*, 19<sup>th</sup> Annual Great Lakes Water Conference, Legal Institute of the Great Lakes, University of Toledo College of Law, Toledo, Ohio, November 8, 2019.

*Some Ohio Citizens Who Complained about Oil and Gas Feel 'Abandoned' by the State*, interview used as background for story aired on public radio in Pittsburgh, as one of a five-part series entitled "Who's listening?" examining claims made by Ohio residents, and how state regulators have responded. It is available here: <https://www.allegbenyfront.org/some-obio-citizens-who-complained-about-oil-and-gas-feel-abandoned-by-the-state/>

*How Ohio Compares to Pennsylvania for Oversight of Gas Industry* Interviewed by public radio reporter and host Kara Holsopple for THE ALLEGHENY FRONT regarding some differences in the ways Ohio and Pennsylvania regulate the oil and gas industry and, in



- particular, the hydraulic fracturing technology. Available here:  
<https://www.allegbenyfront.org/how-ohio-compares-to-pennsylvania-for-oversight-of-gas-industry/>  
*Ohio Law Allows Energy Companies To Force Landowners Into Leases*, quoted in feature story by Julie Grant. Aired on WCPN 90.3's All Things Considered, on August 7, 2019, available at: <https://wcpn.ideastream.org/news/ohio-law-allows-energy-companies-to-force-landowners-into-leases>
- Understanding environmental justice: Helping your patrons find their voices*, Special Libraries Association, 2019 Annual Conference, Cleveland, Ohio, (June 17, 2019).
- Finding and using the law of environmental justice*, John Adams Socio-Legal Studies Summer Institute, Kenyon College, Gambier, Ohio, (June 7, 2019).
- Community Bills of Rights and the Rights of Nature Movement*, Cap-Impact Podcast with Jon Wainwright, June 6, 2019, available at:  
<https://www.capimpactca.com/2019/06/podcast-rights-of-nature-heidi-robertson/>
- Local efforts to influence natural gas pipeline routing decisions: An Ohio case study*, Association of Law, Property, and Society, Syracuse University College of Law, Syracuse, New York, (May 18, 2019).
- Chemical spilled into creek just one of eight Cleveland Water EPA violations*, WEWS Channel 5 News two-part investigative series concerning recent Ohio EPA violations by the Cleveland Water Department. Interviewed by Chief Investigative Reporter Ron Regan. Aired on April 22 and 23, 2019. Available here: <https://www.news5cleveland.com/news/local-news/investigations/chemical-spilled-into-creek-just-one-of-eight-cleveland-water-epa-violations..> Interviewed, but not on camera, *Cleveland Water promises fix on critical equipment failures after News 5 investigation*. Available here:  
<https://www.news5cleveland.com/news/local-news/investigations/cleveland-water-promises-fix-on-critical-equipment-failures-after-news-5-investigation>
- Toledo, Lake Erie, and the Rights of Nature Movement*, Inside Science at the Cleveland Museum of Natural History, Cleveland, Ohio, April 16, 2019.
- Local control in shale oil and gas decision-making: What a difference a border makes?* 13<sup>th</sup> Annual Meeting of the International Academic Association on Planning, Law, and Property Rights, Texas A&M University, College Station, Texas. February 21, 2019.
- Developments in Offshore Oil and Gas: Regulatory Pullbacks and Drilling Expansions*, Program Moderator, Section on Natural Resources and Energy Law, Association of American Law Schools Annual Meeting, New Orleans, Louisiana, January 3, 2019.
- Cities Seethe: A Case Study in Local Efforts to Influence Pipeline Routing Decisions*, Rocky Mountain Mineral Law Foundation Annual Institute, Natural Resources Law Teachers' Workshop, July 21, 2018.
- Nottingham water treatment plant called into question by EPA, operations violations reported*, WEWS Channel 5 News story on the Cleveland Water Department's multiple violations of Ohio EPA's safe drinking water statutes and regulations. Interview by reporter Mike Brookbank. Aired as lead story on 6 p.m. news, March 22, 2018, available at  
<https://www.news5cleveland.com/news/local-news/oh-cuyahoga/nottingham-water-treatment-plant-called-into-question-by-epa-operations-violations-reported>
- Piloting the Natural Gas Permitting Pathway*, 12<sup>th</sup> Annual Meeting of the International Academic Association of Planning, Law, and Property Rights, University of Novi Sad, Republic of Serbia, February, 20, 2018.
- Cities and Citizens Seethe: A Case Study in Piloting the Path of Oil and Gas Pipeline Permitting*, State and Local Government Works-in-Progress Conference, Golden Gate University School of Law, San Francisco, CA, October 21, 2017.
- The Status of Women in the U.S. Under Trump*, Conference on the Status of Women, Faculty of Law, Universidad de La Laguna, Tenerife, Spain. April 28, 2017.
- Environment and Sustainability in the U.S. Under Trump*, Seminar in the Faculty of Economics, Universidad de La Laguna, Tenerife, Spain, April 27, 2017.

- Get Out from Under My Land! The Role of the Dissenting Landowner in Shale Oil and Gas Development*, Seminar, Faculty of Law, Universidad de La Laguna, Tenerife, Spain, April 26, 2017.
- The Role of State Law and Constitutions in the Ability of Local Governments to Influence Shale Oil and Gas Development*, Seminar, Faculty of Law, Universidad de La Laguna, Tenerife, Spain, April 25, (2017).
- Teaching (Environmental) Law (in the United States)*, student-faculty presentation, Faculty of Law, Universidad de La Laguna, Tenerife, Spain, April 24, 2017.
- 2017 Will Judy Endowed Lecture, *Citizens, town councils, and landowners: The complex web of rights and decision-making in shale oil and gas development*, Juniata College, Huntingdon, Pennsylvania, (April 4 and 5, 2017)
- Letter to the Editor, *Thanks to Gov. Kasich for vetoing poor legislative judgment*, CLEVELAND.COM/THE PLAIN DEALER, January 13, 2017, available at [http://www.cleveland.com/letters/index.ssf/2017/01/thanks\\_to\\_governor\\_kasich\\_for.htm](http://www.cleveland.com/letters/index.ssf/2017/01/thanks_to_governor_kasich_for.htm)
- Interviewed for and contribution acknowledged in *Big-Money Courts Decide Fate of Local Fracking Rules*, by Billy Corriher, Center for American Progress (January 7, 2017)
- Interviewed for and quoted in, *Summit County court rules against small city using zoning regulations to regulate oil and gas activities-Fracking opponents in Ohio continue to look for ways to exert local control*, by Terry Smith, ATHENS DAILY NEWS, July 27, 2016.
- Moderator, *Great Lakes Restoration and Recreation*, 2016 Great Lakes Symposium, The City Club of Cleveland and Cleveland Metropolitan Bar Association, June 10, 2016.
- Advising Scholar (and quoted in), *Rig the System, Part II: A Fair Fight for a Fair Court*, by Jonathan Hirsch, The Life of the Law, April 19, 2016, available at <http://www.lifeofthelaw.org/2016/04/rig-the-system/>
- Seeking Local Control: When a State's Legislation and Constitution Collides with Local Governments' Quests to Influence Shale Development within their Borders*, 10<sup>th</sup> International Academic Association for Planning, Law and Property Rights, University of Bern, Bern, Switzerland, February 17, 2016.
- The AALS In Spite of Itself: How to Use the AALS for Professional Development Even If It Sometimes Makes You Mad*. Panelist on Association of American Law Schools (AALS) Arc of the Career Series, AALS 2016 Annual Meeting, Washington, D.C., January 9, 2016.
- The Fracking Battleground: Home Rule versus Preemption in Ohio*, Panelist, Cleveland Metropolitan Bar Association, joint program of the Environmental Law and Government Attorneys Sections, December 9, 2015.
- Access to Nature: Reducing inequality through public access to privately-owned land for recreation*, invited speaker for plenary session, Common Core of European Private Law Annual Meeting, Gothenburg University, Gothenburg, Sweden. June 12-13, 2015.
- Fracking not as safe for water supply as EPA Study Claims*, Letter to the Editor, THE PLAIN DEALER, June 11, 2015, available at [http://blog.cleveland.com/letters/2015/06/epa\\_letter\\_to\\_the\\_editor\\_3.html](http://blog.cleveland.com/letters/2015/06/epa_letter_to_the_editor_3.html)
- Seeking Local Governance of Shale Oil and Gas Development*, at the Workshop on Regional Impacts of Shale Gas Drilling – Understanding Economic and Governance Implications on Communities and Regions, University Center for Social and Urban Research, University of Pittsburgh, May 4, 2015.
- Quoted in *Another Bid for Local Control Over Fracking Is Thwarted*, by Zahra Hirji on INSIDE CLIMATE NEWS, February 24, 2015, available at <http://insideclimatenews.org/news/24022015/another-bid-local-control-over-fracking-thwarted>.
- Shale Gas Revolution: United States Experience in Regulating Hydraulic Fracturing*, University of Petroleum and Energy Studies, Dehradun, India, February 23, 2015.
- Interviewed for public radio news story, *High Court Ruling Limits Local Power Over Gas Drilling*, by Joanna Richards, WCPN, February 17, 2015, available at

- <http://www.ideastream.org/news/feature/high-court-strikes-down-local-rules-on-gas-drilling>.
- Shale Oil and Gas Regulation in the U.S. – Variations in Governance and Local Control*, Dr. Ram Manohar Lohiya National Law University, Lucknow, India, February 14, 2015.
- Quoted in *Opposition Mounts vs Medina Pipeline*, by Dan Shingler, CRAIN'S CLEVELAND BUSINESS, January 25, 2015.
- Current Issues in Ohio Shale Oil and Gas*, Cleveland Metropolitan Bar Association, Environmental Law Symposium, December 10, 2014.
- Symposium, invited participant, *Let Fifty Flowers Bloom: Environmental Federalism for the 21<sup>st</sup> Century* (by Jonathan Adler), Case Western Reserve University Center for Business Law & Regulation, December 4 and 5, 2014.
- Interviewed for public radio news story “*Anti-fracking activists trying creative approach with community bill of rights*” by Joanna Richards, WCPN, at <http://www.ideastream.org/news/feature/anti-fracking-activists-trying-creative-approach-with-community-bill-of-rig>
- Contributed to and quoted in *Home Rule vs. State Supremacy*, by Dan Shingler and Dan McGraw, in CRAIN'S SHALE MAGAZINE, Fall 2014, pages 14-15.
- The Most from a Lease*, Panelist, Crain's Cleveland Business' Shale Summit 2014, Mayfield, Ohio, February 20, 2014.
- Hydraulic Fracturing, Mandatory Pooling, and the Role of the Dissenting Landowner*, 7<sup>th</sup> International Conference on Planning, Law and Property Rights, Portland, Oregon, February 13, 2013.
- Applying (some) Lessons (that should have been) Learned from the BP/ Gulf Oil Spill to the Regulation of Hydraulic Fracturing*, Case Western Reserve Law Review Symposium, November 16, 2012.
- Applying (some) Lessons (that should have been) Learned from the Gulf Coast Oil Spill to the Regulation of Hydraulic Fracturing in Ohio and Beyond*, Colloquium on Environmental Scholarship, Vermont Law School, S. Royalton, Vermont, October 13, 2012.
- Legislative and Regulatory Update: Preemption of Local Regulation of Oil and Gas Operations in Ohio, Utica Shale: Issues in Law, Practice and Policy*, Cleveland, Ohio, September 15, 2012.
- Lessons Learned from the Gulf Coast Oil Spill and How to Avoid them as Ohio Regulates the Development of Shale Oil and Gas*, Utica Shale: Issues in Law, Practice and Policy, Cleveland, Ohio, September 15, 2012.
- Public Access to Private Land for Responsible Recreation: Regional Influence of Scandinavian Immigrants in the U.S.*, Association for Law, Property, and Society, Annual Meeting, Georgetown University Law Center, Washington, D.C., March 5, 2011.
- A Look at Law, Culture and the Right to Exclude in Sweden, the United Kingdom, and the United States*. Association for Law, Property, and Society, Annual Meeting, Georgetown University Law Center, Washington, D.C., March 6, 2010.
- Environmental Responsibility as a Cultural and Legal Underpinning for Allowing Public Access to Private Land for Recreation*, Environmental Law Symposium, Cleveland Metropolitan Bar Association, November 18, 2009.
- Clinical Legal Education: Why it's worth it and how we do it*, Uppsala University Faculty of Law, Uppsala, Sweden, May 15, 2009.
- An Introduction to Interdisciplinary Legal Education in Environmental Disciplines*, Uppsala University Faculty of Law, Uppsala, Sweden May 14, 2009.
- Environmental Inconsistency and Resulting Environmental Injustice in the U.S.:*  
*Approaches Beyond Bush*, Nordic Environmental Law, Governance, and Science Network Workshop, University of Oslo, Norway, April 28, 2009.
- Public Access to Private Land: England's CROW Act, Scandinavia's Allemansrätt, and Legal and Cultural Impossibility in the U.S.*, International Academic Association for Planning, Law, and Property Rights, Third Conference, Aalborg, Denmark, February 11-13, 2009.



- Public Access to Private Land: England's CROW Act, Sweden's Allemansrätt, and Virtual Heresy in the U.S.*, Faculty Luncheon Presentation, University of Minnesota School of Law, November 11, 2008.
- Environmental Law in a Legal Education*, University of Akron Pre-Law Society, Akron, Ohio, April 10, 2008.
- Legal Issues in Storm Water Law*, Current Issues in Storm Water Regulation, Lorman Education, Conference, Moderator and Presenter, Cleveland, Ohio, March 28, 2008.
- Interviewed by Jon Vara, News Editor, *Journal of Light Construction*, for a story about the "money in the wall" case, January 18, 2008.
- Live, on-air interview with Les Sekely, WEOL am 930 News Program regarding the "treasure trove" case, December 18, 2007.
- Interviewed for and quoted in "Contractor, homeowner at odds over fortune found in bathroom walls" Jim Nichols, *The Plain Dealer*, December 12, 2007.
- Law in the Development of Bioethics and Environmental Ethics*, First Annual Conference on Law, Ethics, and the Life Sciences, University of Louisville, Louis Brandeis School of Law, October 26-27, 2007.
- Speaker, Investiture of Judge Jane M. Beckering, Michigan Court of Appeals, Grand Rapids, Michigan, October 18, 2007.
- Massachusetts v. EPA: A Law Professor's Thoughts Going Forward*, Keynote Speaker, Air and Waste Management Association, Northern Ohio Chapter Annual Meeting, Cuyahoga Community College, May 24, 2007.
- Seeking a Seat at the Table: Has Law Left Environmental Ethics Behind, as it Embraces Bioethics?* Law Faculty Luncheon Presentation, November 6, 2006.
- One Step Forward, Two Steps Back? The Future of Environmental Law*, Ohio State Bar Environmental Seminar, Mt. Sterling, Ohio, April 21, 2006.
- The Environmental Protection Agency under Bush 2: Dramatic Shifts in Policy*, Cleveland-Marshall Faculty Speakers Series, April 14, 2005.
- Global Climate Change and The Kyoto Protocol in the Absence of the United States*, International Law Students Association, February 17, 2005.
- Brownfields Redevelopment: Issues for the Urban Environment*, and *Environmental Justice in Cleveland*, Urban Influences in Environmental Law and Policy, Association for Environmental Law and Sustainability, Cleveland State University, October 2, 2004.
- Interviewed by Lynn Hulsey, for *Issues: Candidates Differ on Environment, Bush, Kerry Present Sharp Contrast in Views*, Dayton Daily News, published September 30, 2004.
- An Introduction to Environmental Justice and Brownfields*, Lee-Seville-Miles Community Council, Environmental Forum, March 29, 2004.
- Interviewed by Matt Solomon, KFBK radio, Sacramento, CA, and Michael O'Mara, TV Channel 3, Cleveland, January 6, 2004, regarding the property issues surrounding the MegaMillion lottery ticket that appeared to be lost and was then claimed by two women.
- EPA's Ongoing Struggle With Data from Third-Party Pesticide Toxicity Studies Using Human Subjects*, Pesticides: What Will the Future Reap?, William and Mary Environmental Law Symposium, College of William and Mary School of Law, Williamsburg, Virginia, March 28, 2003. This was an invited symposium presentation.
- Hot Topics Brownfields Law and Litigation*, Taking the Brown out of Brownfields, Legal Institute of the Great Lakes, University of Toledo College of Law, April 26, 2002.
- Using Case Studies in Teaching Environmental Law*, AALS Annual Meeting, Executive Committee Program, New Orleans, Louisiana, January 4, 2002.
- A Case Study in Juries' Use of Risk-Utility Analysis*, Society for Risk Analysis 2001 Annual Meeting, Seattle, Washington, December 4, 2001.
- Pesticide Toxicity, Human Subjects, and the Environmental Protection Agency's Dilemma* (with Samuel Gorovitz), Association for Politics and the Life Sciences, Annual Meeting, Washington, D.C., September 1, 2000.

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- Letter to the Editor, *THE PLAIN DEALER (CLEVELAND)*, *EPA Must Have Clear Plan for Site Cleanups*, July 24, 2000, at B-8.
- Interviewed by David C. Barnett, News Director, WCPN, on *InfOhio After Nine* regarding Senator George Voinovich's proposed Air Quality Standards Improvement Act, April 11, 2000.
- Panelist, *Risk-Based Clean-Up*, 18<sup>th</sup> Annual Public Interest Environmental Law Conference, Eugene, Oregon, March 5, 2000.
- Panelist, *Brownfields Redevelopment*, Cuyahoga Financial Institutions Advisory Committee Conference, *Sustaining Communities: An Antidote to Urban Sprawl*, Cleveland, Ohio, November 4, 1999.
- Moderator/Panelist, *Brownfields Redevelopment and Economic Development*, Great Lakes Economic Development Conference, Rockford, Illinois, October 1, 1999.
- Panelist, *Brownfield Redevelopment Opportunities and Small Businesses*, First 11<sup>th</sup> Congressional District Conference on Small Business (sponsored by The Honorable Stephanie Tubbs Jones), Cleveland, Ohio, September 24, 1999.
- Site Prioritization and Corporate Decision-making in the Redevelopment of Contaminated Sites*. Presentation to the Toledo Brownfields Working Group regarding site prioritization in the implementation of a U.S. EPA brownfields grant, June 30, 1999.
- Brownfields Redevelopment Programs and the Importance of Non-Environmental Factors to their Ultimate Success or Failure*, Ohio Academy of Science 1999 Annual Meeting, Cleveland, Ohio, April 24, 1999.
- The Relative Importance of Environmental and Other Factors in Influencing the Corporate Expansion and Relocation Decision* (with Alan K. Reichert), American Real Estate Society 1999 Annual Meeting, Tampa, Florida, April 9, 1999.
- Interviewed by David C. Barnett, News Director, WCPN, during the noon news, April 13, 1999 regarding the exhibition, *All of Us are Related, Each of Us is Unique*.
- All of Us are Related, Each of Us is Unique*, organized exhibition appearance at CSU and accompanying multidisciplinary faculty panel discussion and public forum, April 14-30, 1999.
- Alternatives to Litigation-Based Environmental Law Clinics* (with Daniel C. Esty), Environmental Law Clinic Directors' Workshop, New Orleans, January 9, 1999.
- Technology in Teaching: Experimenting with a Live Web Connection, On-line Course Materials, and Email*, Central States Law Schools Association 1998 Annual Meeting, Akron, Ohio, October 10, 1998.
- Moderator, *Do We Practice What We Teach?*, Environmental Law Section Program for the 1998 AALS Annual Meeting, San Francisco, California, January 9, 1998.
- Guest, WERE AM, Legal Lines, February 8, 1997.
- Panelist, ABA Satellite Seminar, Hazardous Waste and Superfund: RCRA and CERCLA at the Crossroads, Cleveland, Ohio, May 9, 1996.
- If Your Grandfather Could Pollute, So Can You: Environmental 'Grandfather Clauses' and Their Role in Environmental Inequity*, Law and Society Association Annual Meeting, Phoenix, Arizona, June 16, 1994.
- Critical Perspectives and Alternatives in First-Year Legal Education*, Graduate Seminar in Legal Education, Columbia Law School, December 2, 1993.
- Corporate Environmentalism*, Columbia Law School Environmental Law Society Lecture Series, November 30, 1993.
- EPA's Proposed Rule on Lender Liability under CERCLA and its Implications for our Bank Clients*. Presented to the Real Estate, Securities, and Financial Institutions Departments, Pillsbury Madison & Sutro, San Francisco, California, June 1991.
- Current Issues in Environmental Law*. Infocast Conference on Commercial Lending and Project Finance, San Francisco, California, April 24, 1991.
- Topics covered: The California Corporate Criminal Liability Act of 1989; Lender Liability Under CERCLA; California's One-Action and Anti-Deficiency Rules; and Permitting Under the Clean Air Act Amendments of 1990."

## LAW PRACTICE:

**Pillsbury Madison & Sutro (now Pillsbury Winthrop Shaw Pittman)**, San Francisco, CA and Washington, D.C., Associate, Environment, Health and Safety Law Group, 1990-93.

**Wisconsin Supreme Court**, Madison, Justice Shirley S. Abrahamson, Judicial Intern 1989.

**Wisconsin Department of Justice**, Madison, Office of the Public Intervenor, Law Clerk, 1990.

Wrote substantial portions of a successful Petition to the United States Supreme Court for *Writ of Certiorari* in *Wisconsin Public Intervenor v. Mortier*, a FIFRA/federal preemption case.

## APPOINTMENTS AND OTHER ASSIGNMENTS

Associate Editor, Probate and Property Magazine, American Bar Association Section on Real Property, Trusts and Estates, January 1, 2021 to present.

American Bar Association Site Evaluation Team (for University of Nevada-Las Vegas, Site Evaluator (Academician), February 2020.

Fulbright Specialist Program, Peer Reviewer, January 2017 to present.

Universidad de La Laguna, Visiting Scholar, La Laguna, Tenerife, Spain, April/May 2017.

Association of American Law Schools (AALS)

Section on Natural Resources and Energy Law, Chair, January 2019 to present, Chair Elect January 2018 to January 2019, Secretary, January 2017 to January 2018, Treasurer, 2016 to January 2017, Executive Committee, 2016 to present,

Section on Environmental Law, Executive Committee, January 2017 to present.

Green Initiative Committee, Cleveland Metropolitan Bar Association, Member, 2015 to present.

Common Core of European Private Law, Access to Commons Working Group, U.S.

Reporter, International University College (Turin, Italy) and the European Commission, 2013 to present.

Regional Commission to Study and Address Shale Oil and Gas Exploration and Production.

Convened by the Mayor and Village Council of Gates Mills, Ohio. Commissioner and Co-Chair Legal and Legislative Issues Committee, January 2015 to December 2016.

St. Petersburg Summer Law Institute, St. Petersburg, Russia, Summer 2009. Taught International Environmental Law to a joint class of American and Russian law students.

University of Westminster School of Law, Faculty Exchange, London, England, Spring 2007. Taught Anglo-International Law: Introduction to Environmental Policy and International Environmental Law.

Ohio Lake Erie Commission Blue Ribbon Panel on Balanced Growth, August 2000 to 2004, Working Group on Model Zoning.

The Clean Air Conservancy, Board of Trustees, 2000 to 2007, Board Secretary, 2002 to 2007.

Center for Computer-Assisted Legal Instruction (CALI), Editorial Board, 2000 to present.

Center for Environmental Science, Technology, and Policy, Cleveland State University, Risk-Assessment Fellow, 2000-2001.

Yaroslav the Great (Novgorod State) University, Faculty Exchange, Novgorod, Russia, March 2000. Taught a two and one-half week course, Introduction to Environmental Policy and International Environmental Law to undergraduate law students.

AALS Environmental Law Section, Program Committee, 1997-1998.

Sustainable Development Initiative, Columbia Business School, Member, New York, New York, 1993-95.

Worked with the Regional Roundtable on the Environment and the Economy, and the Corporate Environmental Forum to obtain grant money and plan programs for business and industry on specific subjects of environmental law.

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*California Environmental Law Reporter*, Editorial Board, 1992-93.

California Bankers' Association, Toxics Task Force, 1990-93.

Appointed to 15-member panel to write California legislation clarifying lenders' rights and responsibilities with respect to contaminated collateral.

### **GRANTS/AWARDS (EXCLUDING SUMMER RESEARCH GRANTS)**

2016-2017 Glass Leadership Institute, Anti-Defamation League, Cleveland, Ohio

2014 Fulbright Specialist, Lecturer, Dr. Ram Manohar Lohiya National Law University, Lucknow, India, February 2015 (included lectures at the University of Petroleum and Energy Studies, Dehradun, India)

2013 Mentor of the Year, McNair Scholars Program, Cleveland State University

2013 Wilson G. Stapleton Award for Faculty Excellence, Cleveland-Marshall Law Alumni Association

2010 University Administrative Merit Recognition Award

2009 Fulbright Specialist, Lecturer/Researcher, Uppsala University, Sweden, Spring semester 2009.

2008 University Faculty Merit Recognition Award, for excellence in teaching, research, and service

2005 University Faculty Merit Recognition Award, for excellence in teaching, research, and service

1997 Teaching Enhancement Award, Center for Teaching Excellence, Cleveland State University, \$1585 for "Creating a Folio-Views Infobase for Environmental Law Course Materials."

1996 Teaching Enhancement Award, Center for Teaching Excellence, Cleveland State University, \$2000 for "A Problem-Oriented Course in Environmental Law."

### **BAR ADMISSIONS AND OTHER MEMBERSHIPS:**

Ohio, admitted November 5, 1997

District of Columbia, admitted December 7, 1992

Wisconsin, admitted June 18, 1990

California, admitted December 4, 1990

Association of American Law Schools

American Bar Association

Cleveland Metropolitan Bar Association

International Academic Association for Planning, Law, and Property Rights

### **CONTACT INFORMATION:**

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