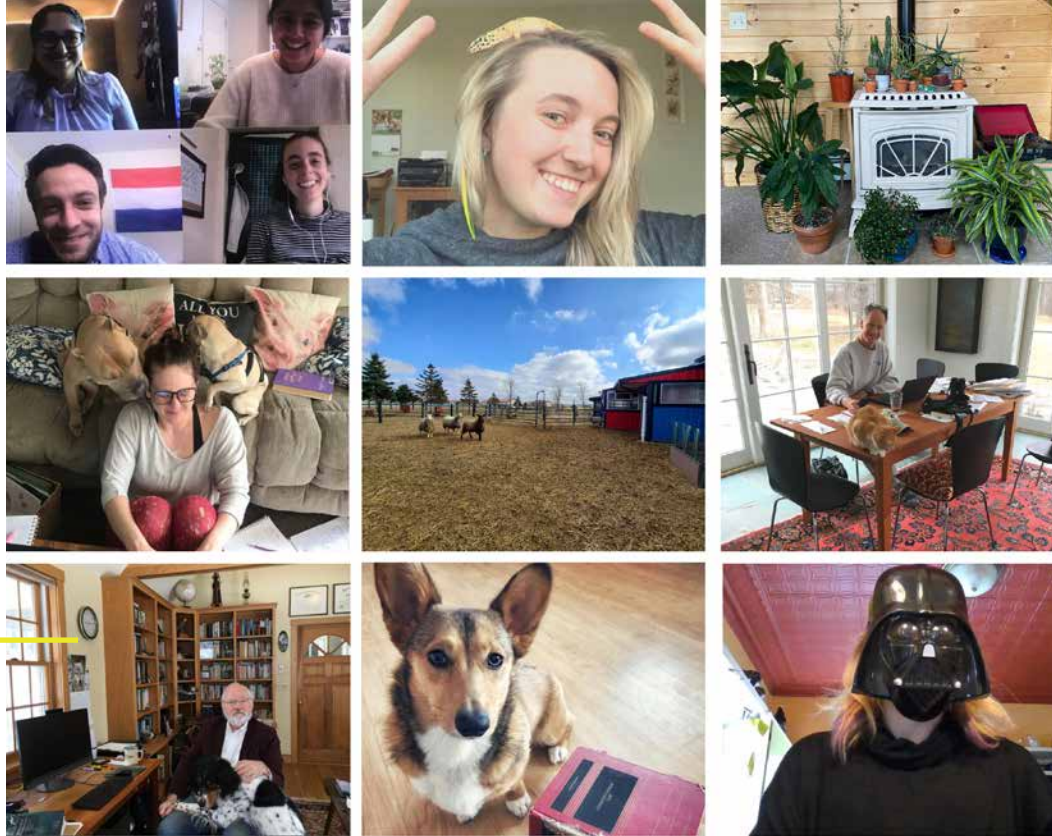


THE NEW LEAF

ENVIRONMENTAL LAW
AT VERMONT LAW SCHOOL

SPRING 2020



Vermont Law School GOES VIRTUAL

In mid-March, the Vermont Law School administration made the tough-but-necessary decision to temporarily close campus, moving classes online for the rest of the semester. While no cases of the novel coronavirus had yet been detected in the South Royalton area, the school's COVID-19 Task Force was meeting daily and closely following guidance from public health officials. "We made this decision after much deliberation and discussion, guided at all times by the commitment to protecting the health, well-being, and safety of our community

members," wrote Vice Dean **Beth McCormack** in an email to students.

Within days, staff, faculty, and students found themselves adjusting to the new normal: virtual VLS. Meetings moved to video chat.

FOLLOW ON INSTAGRAM

[#VLSgoesvirtual](#)



to see our four-legged study buddies, WFH office setups, and more.

▲ Clockwise, from top left: Debevoise Moot Court Competition practice; Anneke Walsh van Rossum and her leopard gecko; Environmental Law Center (ELC) office plants in their temporary home; President and Dean Thomas McHenry with his new officemates; Assistant Director Courtney Collins dresses up for a team meeting; a Con Law study buddy; Professor Pat Parenteau and Cooper; Kelly Burkett with co-workers; Lauren Wustenberg's ovine officemates.

#VLSGoesVirtual selfies emerged featuring the adorable, the awkward, and the unexpected—from furry animal photo bombs, to unflattering angles, to a staff member in a Darth Vader mask.

[\(continued on page 2\)](#)



▲ The field study group at the University of Havana

NEW COURSE IN CUBA Studying sustainable energy and agriculture in the field

Of the many stops a group of Vermont Law School (VLS) students made during their Cuba trip in late November, a Thanksgiving meal on a sustainable farm might have been the most unforgettable.

"Visiting Finca Marta farm on Thanksgiving was my personal highlight," said **Gordon Merrick JD/MFALP'20**. "Witnessing an operation that aims to work with natural systems rather than control them, and having an excellent presenter explain their philosophy, gave me a fresh perspective on what we should all value and be thankful for."

Merrick and 27 other students—including Master's, JDs, environmental LL.Ms, and dual degree students from Northeastern University and France's Sorbonne—comprised the inaugural cohort of Global Sustainability Field Studies, a new field course focused on sustainable energy and agriculture in Cuba.

During their eight-day trip, the students attended lectures from the president of CubaSolar (a national renewable energy nonprofit), officials at Cuban governmental organization CubaEnergia, and professors from the University of Havana. They also mingled with Cuban students and toured the region: from a Cuban biodigester farm visit in the province of Pinar del Rio, to Hemingway's former home in the Havana suburbs, the Museo Nacional de Bellas Artes in Havana, and the stunning, newly-renovated Cuban Capitol Building.

"The trip went by quickly, but the impact of the experience will last," said **Molly Smith**, program coordinator at VLS's [Institute for Energy and the Environment](#). "We're already planning next year's class and trip, and we're excited to be reunited with the friends we made." 🍷



Live from COP25: VLS students served as delegates at U.N. climate conference in Spain

"We are confronted with a global climate crisis and the point of return is no longer on the horizon," warned U.N. Secretary General Antonio Guterres on the eve of the COP25 Climate Summit in December. Guterres addressed attendees from across the globe who had traveled to Madrid for the annual climate conference—including a group of Vermont Law School student delegates.

The group was part of Professor **Sarah Reiter JD'13's** course on International Climate Law. Working to support small island nations Palau and Nauru before, during, and after the conference, they attended negotiations, met with high-level diplomats, and provided general support. They also met lawyers, negotiators, members of the private sector, NGOs, artists, and scientists. Highlights included a student mixer with the Scripps Institution of Oceanography; a lunch-and-learn session with Ambassador Jumeau of the Seychelles on Blue Bonds and Marine Protected Areas; and inspirational talks by Greta Thunberg, Sylvia Earle, Al Gore, Kathy Jetnil-Kijiner, and lead climate lawyer Sue Biniaz.

The students' shared blog, *Ridges to Reefs*, chronicles the experience. "The blog was designed to be an educational tool for our local communities," said Professor Reiter. "We also hope that it elevates the issue of oceans as an essential part of the climate agenda, by showcasing the perspective of small island communities."

"We're delighted at the prospect of having a tangible way to contribute to the future of international climate negotiations, by using the power of our Vermont Law voice towards integrating oceans into the UNFCCC [U.N. Framework Convention on Climate Change] process," wrote **Ashli Taylor JD'21** in a blog post. "Negotiations are far from over, but the way ahead, and our role in contributing to international climate negotiations, is becoming more clear."

Next year's COP will take Vermont Law School students to Scotland. To learn more, visit the blog at vlscoop.vermontlaw.edu.

VLS GOES VIRTUAL

[\(continued from page 1\)](#)

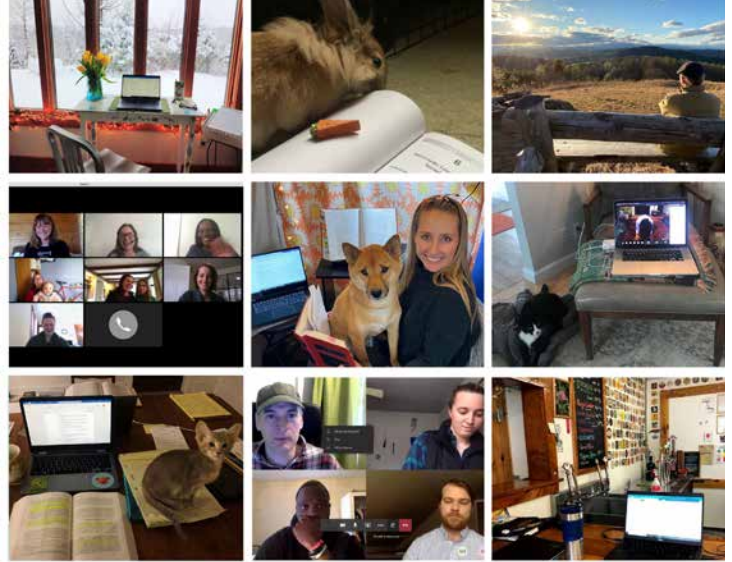
"Virtual VLS has been an adventure," said Environmental Law Center Associate Director **Anne Linehan**. Since her off-the-grid home lacks internet, Linehan has been working from the bar at the local microbrewery she owns with her husband. "When I'm advising students, they can read the beer menu over my shoulder."

Professors are getting creative via video chat, too. In her Evidence course, Associate Dean **Jennifer Rushlow** plays music videos as students log in. Professor **John Miller** has his students introduce their pets. Other faculty host "Meet and Eat" virtual lunches, from "Movies and Munchies" with environmental profs **Pat Parenteau** and **Jonathan Rosenbloom**, to "Learn to Make Maple Syrup" with **Joe Brennan** and **Richard Sala**.

Of course, adjusting to a virtual learning environment is just one of many challenges VLS community members are facing: from isolation and childcare to concerns about health, safety, and finances, all layered with a law school workload. That's why VLS launched the [COVID-19 Hardship Fund](#). Students, faculty, and staff impacted by the coronavirus pandemic can apply for urgent financial assistance to cover various expenses, from food and housing to medical needs and technology to support online learning.

With contributions to the fund coming from alumni, current and former trustees, faculty, staff, parents, friends, and even students, the outpouring of generosity is unparalleled. "I am incredibly proud of the way our entire community has come together to support one another during these challenging times," said Vice President for Alumni Relations and Development **Brooke Herndon**.

"I think we've all seen exactly how amazing the administration at VLS is," said **Alyson Hehr JD'20**. "I'm so grateful to be at a school filled with



▲ Clockwise, from top left: Michele LaRose's snowy workstation; Katie Nolan MELP'20's animal law study bunny; Professor Oliver Goodenough practices social distancing in Woodstock, VT; Lauren Mabie teaches virtual bootcamp; Anne Linehan's bar-turned-desk; a virtual Taco Tuesday with professor Joe Brennan; a feline friend; the Center for Agriculture and Food Systems team; Ashley Monti JD/MFALP'22 and Jago.

66 "TEACHING THROUGH 'VIRTUAL VLS' IS A BIT LIKE BAKASANA (CROW POSE). IT'S CHALLENGING TO GET INTO, AND REQUIRES LOTS OF BALANCE—BUT IT INVARIABLY LEADS TO LAUGHTER."

— MOLLY SMITH, PROGRAM COORDINATOR AND YOGA TEACHER

patient, supportive, and genuinely kind faculty and staff. They've established such a great relationship with us over the years that we are comfortable coming to them with our struggles, which is so important right now."

Hehr chairs the Mental Health Committee, which has also ramped up activities, hosting two confidential

"Swan Support" group sessions a week, connecting students with free counseling, hosting webinars with invited speakers on managing fear and anxiety, and overseeing a virtual meditation group. "We know digital interaction doesn't replace physical interaction, but the more we lean on each other, the easier it is to bear the weight of isolation," Hehr said.

Virtual yoga classes have been another source of solace. Since VLS's Fitness Center moved its free offerings online, Institute for Energy and the Environment program coordinator **Molly Smith** has broadcast her popular flow classes via Microsoft Teams. "Those hours we spent together on our mats on campus were valuable, but now that we're all separated, I could not do without them," Smith said.

"Teaching through 'virtual VLS' is a bit like bakasana (crow pose)," she added. "It's challenging to get into, and requires lots of balance—but it invariably leads to laughter. By stretching, breathing, and laughing together, the VLS community grows even stronger and more resilient in times of change." 🌱

PUBLICATION INFORMATION

This is a publication of the Environmental Law Center. We welcome your questions, comments, corrections, article proposals, and updates.

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The mission of the Environmental Law Center is to educate for stewardship, to teach an awareness of underlying environmental issues and values, to provide a solid knowledge of environmental law, and to develop skills to administer and improve environmental policy.

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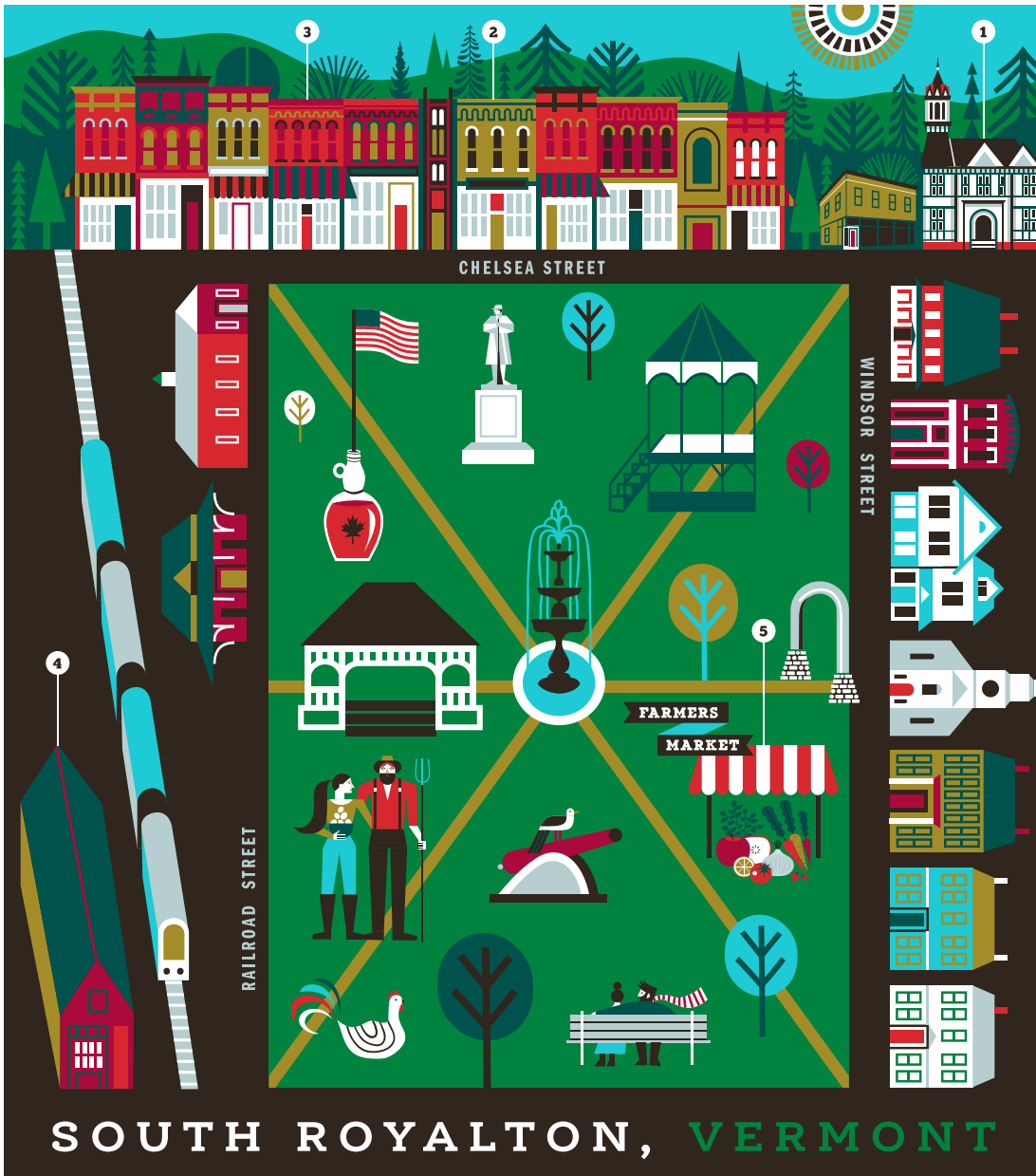
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SoRo and Surrounds: Get to Know VLS's Hometown



Wedged between rolling green hills, South Royalton, Vermont may not be world-famous—but it's packed with hidden gems. Here's where to find them.

- 1 VLS's **Environmental Law Center** is headquartered in historic Debevoise Hall.
- 2 Our go-to co-op, **South Royalton Market** is filled with quality groceries from near and far.
- 3 Head to **First Branch Coffee** for the espresso drinks; stay for the tacos and live music.
- 4 Don't miss **Worthy Burger's** famous patties.
- 5 Local farmers sling goods on the town green each Thursday during **Royalton Farmers Market**.
- 6 Sample local suds at "nanobrewery" **Brocklebank Craft Brewing**.
- 7 Follow a forest trail and take a dip at **Old City Falls**.
- 8 Rent tubes at **Sharon Trading Post** and float down the White River.
- 9 Hike less than two miles from campus to **Kent's Ledge** for impressive views of the surrounding hills.
- 10 A group of small farms hosts **Feast & Field Market**, a weekly gathering with live music and farm-to-table food and drink.
- 11 Summertime-only **Bethel Drive-In** theater has been showing films al fresco since 1954.
- 12 From karaoke to cribbage tournaments, there's always something going on at friendly **Babe's Bar**.



Illustrations: Michael Mullan, mullanillustration.com

VERMONT LEGAL FOOD HUB LAUNCHES



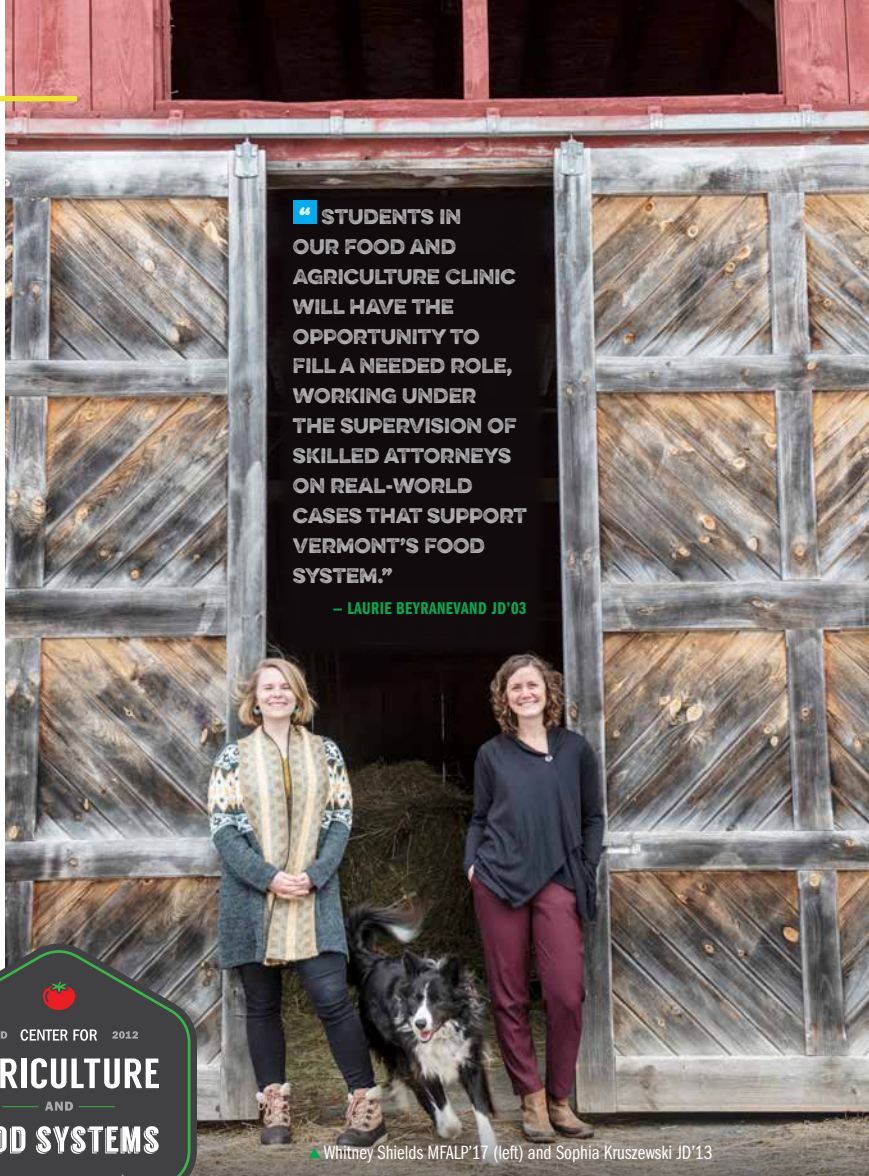
The [Center for Agriculture and Food Systems](#) (CAFS) is now home to the Vermont Legal Food Hub, a program connecting small farms, food entrepreneurs, and related organizations with pro bono legal assistance.

A thriving local food system depends on the success of farms and food businesses—yet many lack access to legal services, especially when small and just starting out. “Our goal is to connect these businesses with the assistance they need to be resilient and grow,” said Food and Agriculture Clinic Director **Sophia Kruszewski JD’13**, who oversees the program.

Associate Dean **Jenny Rushlow** founded the Legal Food Hub in 2014 while working at Conservation Law Foundation. The Legal Food Hub, a regional program, started in Massachusetts, and has since grown to Maine, Rhode Island, Connecticut, and now Vermont. In partnership with Conservation Law Foundation, CAFS will serve as primary administrator of the Vermont hub, the first of its kind in the state.

That offers exciting opportunities for students, according to CAFS Director **Laurie Beyranevand JD’03**. “Students in our Food and Agriculture Clinic will also have the opportunity to fill a needed role,” she said, “working under the supervision of skilled attorneys on real-world cases that support Vermont’s food system.”

Joining Professors Beyranevand and Kruszewski in overseeing the hub is fellow VLS alumna **Whitney Shields MFALP’17**. As program coordinator, Shields is excited to be pursuing the path that first brought her to VLS. “I applied to the Master of Food and Agriculture Law and Policy program because I wanted to learn more about how law and policy can support a vibrant local food system,” she said. “It’s wonderful to put that knowledge to use, while connecting with the local food and agriculture community.”



“STUDENTS IN OUR FOOD AND AGRICULTURE CLINIC WILL HAVE THE OPPORTUNITY TO FILL A NEEDED ROLE, WORKING UNDER THE SUPERVISION OF SKILLED ATTORNEYS ON REAL-WORLD CASES THAT SUPPORT VERMONT’S FOOD SYSTEM.”

— LAURIE BEYRANEVAND JD’03



▲ Whitney Shields MFALP’17 (left) and Sophia Kruszewski JD’13

What’s Cooking at CAFS

This spring and summer, interns, research assistants, and student clinicians at the Center for Agriculture and Food Systems are tackling law and policy projects that span the food system. Here’s a glimpse at some of their projects.



The spring 2020 Food and Agriculture Clinic team

- **Blueprint for a National Food Strategy:** More than a dozen different agencies regulate America’s food system, which makes solving food system challenges—like diet-related disease, hunger, and waste—all the more complex. In partnership with Harvard Law School’s Food Law and Policy Clinic, CAFS students are working to build and update a roadmap for a cohesive national food strategy.
- **Seafood Fraud:** The Food and Agriculture Organization of the United Nations (FAO) tapped CAFS to develop a guide on seafood fraud in the United States. As part of a broader FAO study on food fraud, students are now analyzing steps along America’s seafood supply chain, identifying legal rules and remedies to combat the problem.
- **State Innovation Exchange:** Many states across the country have enacted bills that open up new markets for small- and mid-sized farms in novel ways. CAFS students are working with the State

Innovation Exchange to educate their network of progressive legislators on policy options that advance local economic development by supporting these farms.

- **Extension Legal Services Initiative:** Food safety regulation is a big issue for beginning farmers, as well as small- and mid-sized food producers. CAFS students are helping these stakeholders understand the federal Food Safety Modernization Act, producing legal fact sheets that outline key information—and developing valuable expertise in food safety regulation in the process.
- **Farmers Market Legal Toolkit:** CAFS students are collaborating on this project with the Northeast Organic Farming Association of VT and the Farmers Market Coalition. By helping farmers market leaders identify and navigate key legal issues in starting and operating markets, they’re bolstering local food system infrastructures across the country.

FOLLOW ON INSTAGRAM

[@cafscenter](#)

to see food law and policy work in action



Student and Professor Partner on PLANT BREEDER'S GUIDE

Assistant Professor **Emily Spiegel** recently teamed up with Food and Agriculture Clinic student **Cydnee Bence JD'20** to create an innovative guide to intellectual property for plant breeders. Titled [A Breed Apart](#), the resource outlines “defensive publication,” a way plant breeders can keep innovations in the public domain. The tool will help breeders support biodiversity and push back against alarming trends in big ag: the consolidation of seed companies, prohibitive patents on genetic resources, and crop diversity loss.

Over the course of a semester, Spiegel laid the framework for the project and connected Bence with the right people. Bence dove into research, pulling from case law, statutes, and input from patent and legislative professionals and plant breeders. She developed charts, explanatory visuals, and a glossary. “I had never written a cover-to-cover guide on anything,” Bence said. “Obviously I had to learn a lot about patent law, but I also had to get really familiar with seed breeding, and communicate with stakeholders in different industries.”

The work paid off: Published in January, the finished guide is already making waves in the plant breeding world. “It was a learning experience in a lot of ways, and Professor Spiegel was a fantastic mentor and advisor,” Bence said. “It feels like a huge accomplishment.” 🌱



▲ Cydnee Bence JD'20 (left) and Assistant Professor Emily Spiegel



STUDENT IN THE SPOTLIGHT

Claudia Rubio Giraldo LLM'20

“I decided to come to VLS because I yearned for a higher-caliber environmental law program in the United States,” said **Claudia Rubio Giraldo**. With Dominican and Colombian heritage, Rubio Giraldo divided her time between the two countries before moving to Vermont. She has a diploma in environmental law from EAFIT University in Colombia and a Bachelor's degree in law from Pontificia Universidad Católica Madre y Maestra in the Dominican Republic.

Giraldo's goal is to work for an international organization with a focus on climate change issues in Latin America. “I'm particularly interested in the relation between developed and developing nations,” she said. “Since developing nations will be dramatically burdened by climate change consequences, I believe international law needs to be fortified in order to prevent injustices.”

Professor **Janet Milne** is confident in Giraldo's ability to do just that. “Among her many talents, Claudia brings to the table very valuable perspectives based on her knowledge of the Dominican Republic and Colombia,” Milne said. “As we think about how to address environmental problems in the US and around the world, it is important to appreciate differences among countries and to learn from each other.” 🌱

“I'M PARTICULARLY INTERESTED IN THE RELATION BETWEEN DEVELOPED AND DEVELOPING NATIONS. SINCE DEVELOPING NATIONS WILL BE DRAMATICALLY BURDENED BY CLIMATE CHANGE CONSEQUENCES, I BELIEVE INTERNATIONAL LAW NEEDS TO BE FORTIFIED IN ORDER TO PREVENT INJUSTICES.”

— CLAUDIA RUBIO GIRALDO LLM'20

Training Environmental Advocates in Myanmar

Development projects in Myanmar must go through an environmental impact assessment process, but communities often face challenges accessing information and ensuring their voices are heard. That's why U.S.-Asia Partnerships for Environmental Law Director **Siu Tip Lam** hosted a workshop on environmental advocacy in the Southeast Asian country last fall. Co-hosted with the Myanmar Centre for Responsible Business, the workshop brought together 13 civil society organization leaders, training them to secure adequate environmental assessment for development projects in their communities.

"The environmental movement is very young in Myanmar, and these trainees represent the first generation of advocates and stewards for the environment," said Lam. "They are thirsty for more knowledge and tools to ensure social and environmental concerns are considered in development projects. We look forward to working with them in other capacity building programs in the future." 🌱



▲ A local civil society organization leader presents during the workshop in Myanmar



▲ Environmental Mission Scholars in Kunming, China

VLS CHANGEMAKERS IN CHINA



After a summer of training, the second cohort of Chinese Environmental Mission Scholars—a fellowship program supported by Vermont Law School's [U.S.-Asia Partnerships for Environmental Law](#) (PEL) and its Chinese partners—are diving into their work with environmental NGOs and research institutes across China.

Two scholars are working at Duke-Kunshan University in Jiangsu. **Yizhi Zhang** is helping environmental civil society organizations identify areas of legal advocacy to combat pollution in industrial parks and chemical plants. **Mengqi Li** focuses on legal advocacy for environmental organizations protecting the ocean. Most recently, she provided legal consultation to a community that had suffered soil and water pollution from the illegal dumping of construction materials; based on her advice, the community negotiated with the local government to clean up the contaminated soil.

Further west on the banks of the Han, a tributary of the Yangtze River, **Peiyuan Lu** and **Mengyao Liu**, both clinicians at the Research

Institute of Environmental Law at Wuhan University, are helping civil society organizations combat wastewater pollution allegedly caused by concentrated animal feeding operations (CAFOs).

At Friends of Nature, an environmental NGO in Beijing, **Hailing Qiao** has been conducting site visits and meeting with villagers to investigate alleged solid waste dumping from leather companies. Meanwhile, **Xinyi Wang** coordinated with civil society organizations to develop legislative advocacy plans and bill suggestions that were presented to the National People's Congress and Chinese People's Political Consultative Conference.

"We're excited to see our Environmental Mission Scholars actively engaging in environmental legal advocacy activities and conducting meaningful research to strengthen the environmental rule of law in China," said PEL Associate Director **Yanmei Lin**. 🌱

Latest from THE LAW LAB

At VLS's Law Laboratory for International Sustainable Development, researchers take an integrated approach to studying economic law, environmental law, and development law. Here are some updates from the lab, which partners with research institutes, NGOs, and international development agencies to explore law and policy instruments that promote sustainable development.



INTERESTED IN GETTING INVOLVED WITH THE LAW LAB?

Reach out to Director **Sheng Sun** at ShengSun@vermontlaw.edu.

- The Law Lab teamed up with Beijing's University of International Business and Economics to launch the Research Initiative on International Law and Policy Collaboration for Sustainability. An international consortium of researchers, academic institutions, and policy practitioners working to champion international collaboration around sustainability, the group held its first meeting recently in Beijing.
- Along with VLS's U.S.-Asia Partnerships for Environmental Law, the Law Lab is hosting Professor **Ping Wu**, a visiting scholar from East China University of Technology. During her six months on campus, Wu is researching China's recent policy related to arable land rotation and fallowing.



▲ Director Sheng Sun visits colleagues in China

- Law Lab Director **Sheng Sun MELP'18** and Senior Researcher **Yu Zhuang** traveled to China to establish two new partnerships that will bring diverse expertise—particularly on development and economics—to the VLS community: One with the law school at China Central University of Finance and Economics, and the other at the Institute of Ecology and Sustainable Development at the Shanghai Academy of Social Science. 🌱



■ Jerry Thomas (right) with Cameron Humphrey of Yale's School of Forestry & the Environment in Alabama

ENVIRONMENTAL JUSTICE CLINIC Goes to Alabama

by Jerry Thomas JD/MELP'21

As a member of Vermont Law School's new [Environmental Justice \(EJ\) Clinic](#), I recently had the opportunity to visit and work with members of the Ashurst Bar/Smith community in Tallassee, Alabama, who are being subjected to the negative effects of living near a large solid waste landfill.

Time and again, Tallassee residents have been let down by their government. The Ashurst Bar/Smith community was established after the Civil War by newly emancipated people, and the land in the area has been passed from generation to generation. For the families here, land ownership is a point of understandable pride. Not only were they able to maintain black land ownership against all odds, but their property sits on the top of a beautiful ridge, with what used to be fresh spring water running across the land.

Tallassee was described as an Eden—the residents were able to play in the stream, pick and eat whatever produce was growing, and enjoy being outside whenever they wanted. But then the state approved the operation of a large landfill licensed to take waste from all of Alabama—and three counties in Georgia—at the top of the ridge, and now community members not only smell the waste on a daily basis, but also fear the landfill is related to high asthma rates and other health effects.

“ PEOPLE WELCOMED US INTO THEIR HOMES, CHURCH SERVICES, AND COMMUNITY. GETTING TO GO TO ALABAMA AND MEET THE CLIENTS ADDED A REAL SENSE OF VERISIMILITUDE THAT YOU CAN'T GET IN A CLASSROOM.”

– JERRY THOMAS JD/MELP'21

Along with Professor and Director of the Environmental Justice Clinic **Marianne Engelman Lado**, we travelled to Tallassee with two Yale School of Public Health students who showed us how to administer health surveys and set up personal air monitors. My EJ Clinic team partner, **Ashley Harper 'JD21**, and I met with our client and learned more about the community. We also elicited the

help of local students to administer surveys and check on monitors after we left. Proving legal claims and providing vital information to the community required that many perspectives—from scientists, public health majors, and community leaders—come together.

The trip solidified my desire to do this type of work. People welcomed us into their homes, church services, and community.

Getting to go to Alabama and meet the clients added a real sense of verisimilitude that you can't get in a classroom.

Although I had been writing a memo concerning potential legal claims that community members might raise, their situation became more palpable once I was there. It was much more impactful to see the landfill and to speak to residents. Their experiences are more than just words on paper. It only made me want to work that much harder. The four days flew by and I was sad to go, but I was ready to get back to work and produce something useful for them. 🌱

CLINICS

Stone's Throw Landfill in Tallassee, Alabama

HIGHLIGHTS from the Environmental Justice Clinic Docket:

■ Living in the Shadow of Polluting Facilities:

Working on *Care v. EPA*, students are representing a group of community-based organizations around the country that successfully sued the Environmental Protection Agency for failing to investigate civil rights complaints in a timely way.

■ A Landfill's Racially Discriminatory Impact:

A student team is working on behalf of the Ashurst Bar/Smith Community Organization in Tallassee, Alabama, where residents are struggling to protect their historic black neighborhood from the negative effects of a large landfill. (See left.)

■ An Environmental Justice Policy for Vermont:

Students are participating in the Rural Environmental Justice Opportunities Informed by Community Expertise (REJOICE) project, which conducts outreach to communities and stakeholders throughout Vermont in order to recommend environmental justice policy to the state. 🌱



New Podcast Episode Explores EJ

Our latest Hothouse Earth Podcast episode followed Environmental Justice Clinic students on their trip to Tallassee, Alabama, to interview community members fighting for civil rights. The podcast team partnered with clinic students to take a closer look at the Alabama case, discuss the meaning of environmental justice, and explore legal strategies that can be used to combat environmental injustice. To learn more and subscribe to Hothouse Earth, visit hothouseearthpodcast.com. 🌱

EJ Clinic students in the Hothouse Earth studio ▶



TAKING CHARGE

Vermont Law School leads in electric vehicle charging access

In 2020, VLS students and staff returned from holiday break to find nine new EV charging stations set up in our parking lots. That brings the total number of stations on campus to 13—and reaffirms the school's role as a state leader in offering commercial EV charging access.

The chargers use software to track charging habits and greenhouse

gas reductions, information that will help VLS's [Institute for Energy and the Environment](#) (IEE), which commissioned the stations, to monitor and improve campus sustainability. The software was developed by Greenlots, an industry leader in open source EV charging with strong ties to VLS. (Alumnus **Tom Ashley JD/MELP'08** is Greenlots's Vice President for Policy, and the company has offered both externships and full-time employment to VLS graduates.)

With the new chargers funded by a grant from the State of Vermont and the VLS Green Revolving Fund, VLS has committed to free charging through the remainder of 2020. "Now is a great time to join your colleagues in eliminating stops at the gas station and plugging your vehicle into the

"NOW IS A GREAT TIME TO JOIN YOUR COLLEAGUES IN ELIMINATING STOPS AT THE GAS STATION AND PLUGGING YOUR VEHICLE INTO THE MUCH LOWER-CARBON AND MORE AFFORDABLE ELECTRIC GRID."

— KEVIN JONES, IEE DIRECTOR



Institute
for Energy
and the
Environment

much lower-carbon and more affordable electric grid," said IEE Director **Kevin Jones**.

Thanks to an additional new grant from the Vermont Community Foundation's Green New Fund, the IEE is also partnering with a local nonprofit and the nearby Town of Hartford to develop a pilot project to increase local community members' use of electric vehicles.

The institute's Master's and JD students will work with community and EV industry stakeholders to identify and overcome barriers to EV adoption. They'll propose municipal ordinances and policies to present to the Town of Hartford for their consideration, and will also work to implement pilot project recommendations. 🌱



4 CAN'T-MISS SUMMER COURSES

With courses taught by world-renowned visiting scholars and experts, Vermont Law School's Summer Session is open to students from schools around the country.

This summer the classes will move online due to the COVID-19 campus closure. But with 24 environmental law courses on deck, there is no shortage of exciting topics to choose from. Associate Dean and Professor **Jenny Rushlow** weighs in on four she's especially excited about.



▲ Jenny Rushlow

1

Environmental Crimes with Deborah Harris, Chief of the U.S. Department of Justice's Environmental Crimes Section

Environmental crime is the most common federal offense committed by U.S. corporations, and among the most profitable criminal activities in the world. "VLS is delighted to offer this course for the first time and have it designed and taught by Deborah Harris, the Chief of the Environmental Crimes Section of U.S. Department of Justice," said Rushlow. "This compelling topic is critical to environmental enforcement yet rarely taught in law schools; we are excited to introduce students to this field of practice."

2

Clean Transportation Law and Policy with Joseph Halso, Staff Attorney, Sierra Club

"Transportation is the number-one cause of climate pollution in the U.S.," Rushlow said. "We're thrilled to have the Sierra Club's Joseph Halso teach this course focused on a key pathway to reducing harmful emissions: the electrification of our cars, trucks, and buses."

3

Advanced Communications for Environmental Advocates with David Abel, Reporter, The Boston Globe

How can environmental advocates communicate complex issues to a general audience? "Effective advocacy communication is a compelling skill for employers that typically takes years to hone," Rushlow said. "Students should jump at the chance to join this workshop with a Pulitzer prize-winning reporter covering environmental issues."

4

The International Law of Food with David Wirth, Professor of Law, Boston College Law School

"It's rare to find a law course devoted entirely to this critical subject," Rushlow said. Students will analyze contemporary legal and policy issues related to food, including supply, safety, security, subsidies, and trade, while also examining the role of international institutions. 🌞



To learn more, visit:
VERMONTLAW.EDU/SUMMER



▲ An Energy Clinic team visits a net zero energy model home.



STUDENT IN THE SPOTLIGHT

Bede Emuka MELP'20

Hailing from Nigeria by way of Houston, **Bede Emuka** first heard of Vermont Law School when he took a class taught by alumna **Johanna Thibault JD'07 LLM'15** at Tulsa College of Law. "The course was on renewable energy in a carbon-constrained world," Emuka explained. "Johanna did such a fabulous job on the subject that I was sold on the idea of pursuing a degree in environmental law and policy."

After finishing his energy law degree, Emuka started taking online classes at VLS. He enjoyed them so much that he made the move to SoRo to pursue the rest of a MELP degree in person. Now he's working at the Energy Clinic, and getting inspired to do similar work in his home continent. "My stint at the clinic has endowed me with powerful experiential knowledge I can apply to real-world situations, especially in Africa where the need is greater and the resources fewer," he said. "I can't wait to go out and help bring about sustainable change."

"Bede has taken like a fish to water learning about the intricacies of legislative and municipal structures and governance and energy regulation," said Staff Attorney **Jenny Carter**. "He brings such a wealth of knowledge to VLS that we learn as much from him as he does from us." 🌱

“MY STINT AT THE CLINIC HAS ENDED ME WITH POWERFUL EXPERIENTIAL KNOWLEDGE I CAN APPLY TO REAL-WORLD SITUATIONS, ESPECIALLY IN AFRICA WHERE THE NEED IS GREATER AND THE RESOURCES FEWER. I CAN'T WAIT TO GO OUT AND HELP BRING ABOUT SUSTAINABLE CHANGE.”

— BEDE EMUKA

Energy Institute Promotes CLIMATE JUSTICE

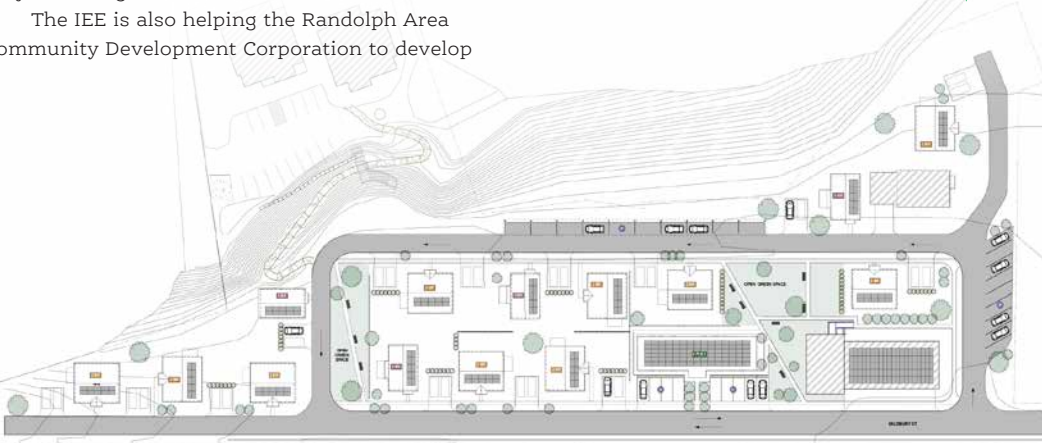
The Institute for Energy and Environment (IEE) is pioneering multiple projects that will help mitigate climate change while affordably bringing the benefits of clean energy to lower-income residents.

In New Hampshire, the institute is helping Resident-Owned Communities (collectively-owned, manufactured home parks) in New Hampshire to secure grants and implement solar projects that reduce the community's carbon footprint and energy burden. Students are involved in all stages of the project: from community outreach and education, issuing requests for proposals to solar installers, conducting financial analysis, and drafting legal agreements; to helping with permitting, regulatory compliance, and general project management.

The IEE is also helping the Randolph Area Community Development Corporation to develop

energy-efficient ("net zero") affordable housing. The project aims to develop the first resident-owned, single-family, net-zero housing units in Vermont. Located in a reclaimed brownfield (previously developed and then abandoned land) within walking distance of downtown, it will include mechanisms to ensure lasting affordability and shared green space.

"As with the project in New Hampshire, students will get firsthand experience with permitting, land use regulations, drafting covenants, and providing input on the project design for a cutting edge sustainable energy project," said project lead and Staff Attorney **Jenny Carter**. "They will also have opportunities to testify before local boards and municipal officials and interact one-on-one with our clients." 🌱



▲ Site plans for the Randolph-area project. Energy Clinic students are helping secure permits and zoning amendments.

Environmental Faculty Profile: JIM MURPHY LLM'06

In 2019 the National Wildlife Federation (NWF) selected Vermont Law School's [Environmental Advocacy Clinic](#) as legal counsel in its high impact litigation and policy advocacy, ushering in a wave of change on campus. The clinic (formerly the Environmental and Natural Resources Law Clinic) was renamed, its students began tackling new environmental cases, and NWF's Legal Advocacy Director **Jim Murphy** arrived to direct the clinic and join the faculty.

Murphy, an alumnus, was no stranger to VLS; he earned an LLM in Environmental Law here in 2006 following degrees from UVM and Boston College Law School. He joined the NWF team after a stint as a legal intern at Conservation Law Foundation—and in his subsequent 17 years with the NWF, he's held positions as wetlands and water resources counsel, senior counsel, and director of legal advocacy.

Caring deeply about water, energy, and climate issues, Murphy

has worked to advance legal and regulatory solutions to carbon pollution; protect wildlife from harmful fossil fuel projects; promote clean, wildlife-friendly renewable energy; safeguard wetlands and waters from pollution and destruction; and protect endangered species. He has also represented NWF and other conservation groups in precedent-setting cases before the U.S. Supreme Court and Federal Circuit Courts.

"Jim has so much to offer our students as they learn how to become strong environmental lawyers, both because of his chief legal advocate role at National Wildlife Federation and his skills as an attorney," said Associate Dean and Environmental Law Center Director **Jenny Rushlow**. "Before coming to VLS, I knew Jim as a fellow practitioner in environmental public interest law, where he is respected not only for his savvy and substantive knowledge, but also as a strategic thinker and a good colleague. Bringing Jim to VLS was a no-brainer, and we are lucky to have him."

Murphy is excited to be supervising clinic students as they research and draft documents that will end up in courtrooms and influence important cases. One such case is a challenge to the EPA that could stop the controversial Bristol

"JIM HAS SO MUCH TO OFFER OUR STUDENTS AS THEY LEARN HOW TO BECOME STRONG ENVIRONMENTAL LAWYERS, BOTH BECAUSE OF HIS CHIEF LEGAL ADVOCATE ROLE AT NATIONAL WILDLIFE FEDERATION AND HIS SKILLS AS AN ATTORNEY."

—ASSOCIATE DEAN AND PROFESSOR
JENNY RUSHLOW

CLINICS

Environmental Advocacy Clinic Docket

Student attorneys in VLS's Environmental Advocacy Clinic (EAC) take on real-world cases to protect natural resources and the environment. Since the clinic announced a new partnership with the National Wildlife Federation in late 2019, it's been very busy: from tackling national cases for the leading conservation organization, to advocating on behalf of local community groups.

■ **Fighting Environmental Rollbacks:** EAC students are on the frontlines defending the National Environmental Protection Act (NEPA). Known as the "Magna Carta" of environmental laws, NEPA has been instrumental in ensuring that federal agencies carefully consider the environmental impacts and

alternatives to projects they approve or construct. NEPA also gives a strong voice to impacted communities and the public. It has yielded immense environmental benefits and wiser use of taxpayer dollars—from securing more sustainable public land and forest management, to the redesign of infrastructure projects affecting disadvantaged communities in ways that have allowed them to thrive rather than wither.

The Trump Administration has taken direct aim at this critical law. It has proposed rules that would eliminate review entirely for many projects, stifle public input, and turn qualifying reviews into check-the-box exercises ignoring impacts like climate change and harmful community development patterns. In response, students in the EAC are drafting extensive administrative comments—that may serve as a foundation for any potential court challenge—detailing why this unprecedented rollback is illegal and undermines the text and purpose of NEPA.

■ **Developing Safe Offshore Wind:** The clinic is working with the National Wildlife Federation to ensure that offshore wind—one of the most promising and plentiful sources of renewable energy needed to combat climate change—is robustly developed far off America's coasts in a manner that protects wildlife every step of way.



Mine from destroying the world's most important salmon habitat in Alaska. "The case perfectly illustrates the world these aspiring lawyers live in," Murphy said. "They are coming of age in a time when we all too often back away from our obligations to be good stewards of our land, water, and wildlife. Young law students are eager to work hard to reverse that trend. They are shaping the future of the law." 🌱



▲ Environmental Advocacy Clinic faculty and staff

■ **Protecting Turkey Point:** In January, EAC students filed a petition for review in the United States Court of Appeals for the District of Columbia Circuit. They challenged the Nuclear Regulatory Commission's decision to extend the license of a coastal nuclear power station in Florida until the early 2050s—a violation of the National Environmental Policy Act.

■ **Preserving the Integrity of Vermont's Watersheds:** Student attorneys are working with the Vermont Natural Resources Council, Connecticut River Conservancy, Vermont Council of Trout Unlimited, and National Wildlife Federation's Northeast Regional Center regarding legislation designed to proactively investigate Vermont's surface water resources, current usages and users, and progressive management and conservation tactics in an era of climate change. Students will testify in front of the legislature multiple times throughout the spring, influencing the development of surface water diversion policies. 🌱



▲ Students working in the Environmental Advocacy Clinic

VLS ENVIRONMENTAL ALUMNI NEWSFEED

SHANNON MAHER BAÑAGA JD/MSEL'03 is managing director of public affairs, energy, and natural resources at FTI Consulting Strategic Communications.

ADAM BLALOCK JD/MSEL'04 joined the Florida Department of Environmental Protection as deputy secretary

for ecosystem restoration. The mayor of Atlanta named **SHELBY BUSÓ JD/MELP'09** as the city's chief sustainability officer. **BEN CIVILETTI JD'19** is now a law clerk with the Vermont Superior Court's Environmental Division. The National Oceanic and Atmospheric Administration appointed **ALEXA COLE JD'98** as director for international affairs and seafood inspection. Vermont Assistant Attorney General **MOLLY GRAY JD'14** is running for lieutenant governor. **MEREDITH HATFIELD JD'99/MSEL'96** is the next executive director of the New England Conference of Public Utilities Commissioners.

LINDA LACROIX MELP'14 is the new community development director of Bridgton, Massachusetts. As Target Corporation's new lead energy program manager,

LIZ LUCENTE JD/MSEL'07 is helping the company achieve its 2030 100% renewable energy goal. Former Obama aide **SAMANTHA MEDLOCK JD'08** joined the House Select Committee on the Climate Crisis as senior counsel. **CHRISTOPHER MILLER JD/MSEL'07** is the new director of the Eastern Environmental Law Center. **EVAN MULHOLLAND LLM'05** won a decision from the Minnesota Court of Appeals halting a permit for a new natural gas plant.

MICHAEL O'BRIEN JD/MSEL'02 joined Perkins Coie in Anchorage as senior counsel. **ELISE PAEFFGEN JD'09** was elected partner at Alston & Bird. **SAM ROCKWELL JD'13**

is the new executive director of Move Minnesota, a nonprofit dedicated to advocacy for biking, walking, and transit. **MATT RUBIN MERL'18** has joined Western Resource Advocates as an energy policy analyst. **LAURA SCHIEB JD'14 LLM'17** joined the staff of the Clean Energy States Alliance in Montpelier, Vermont. **JAIME D. SIGARÁN MELP'15** authored and launched the Audubon Campaign Advocacy Manual to a network of 500 chapters, 41 nature centers, and 23 state offices.

TAMARA TOLES O'LAUGHLIN JD/MELP'09 was featured in Grist's "Environmental Justice Stories to Watch in 2020." **PETER VETERE JD'11** joined the firm of Mackie Shea Durning, PC as an associate, focusing his practice in environmental law.

HAYLEY WILLIAMSON JD'10 was named the chair of Nevada's Public Utilities Commission. ♡



▲ Jaime Sigarán (left) and colleagues

**ENVIRONMENTAL
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EVENTS

APRIL 16, 2020

NORMAN WILLIAMS LECTURE

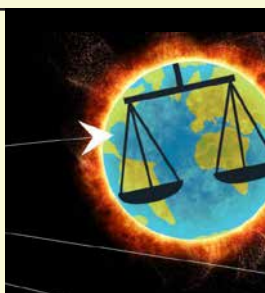
Anita Earls, Associate Justice of the North Carolina Supreme Court, delivers the 16th annual Norman Williams Distinguished Lecture in Land Use Planning and the Law via webinar with her talk titled, "Implications of Implicit Racial Bias for Environmental Justice."



▲ Associate Justice Anita Earls

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Twice a week throughout the summer, members of our summer faculty, distinguished scholars, and other visitors discuss the hottest issues in their fields. Visit vermontlaw.edu/summer-session for details about how to attend via webinar.



SEPTEMBER 25–26, 2020

COLLOQUIUM ON ENVIRONMENTAL SCHOLARSHIP

The 11th annual Colloquium on Environmental Scholarship at VLS offers the opportunity for environmental law scholars to present their works-in-progress and recent scholarship.

