

ALEXANDRA B. KLASS

James G. Degnan Professor of Law
University of Michigan Law School
625 S. State Street
Ann Arbor, MI 48109
aklass@umich.edu
Papers: <http://ssrn.com/author=453086>

Employment and Appointments

University of Michigan Law School, Ann Arbor, MI

James G. Degnan Professor of Law (2022-present)
(on government leave serving in the Biden-Harris administration as Deputy General Counsel for Energy Efficiency and Clean Energy Demonstrations at the U.S. Department of Energy (2022-present))

University of Minnesota Law School, Minneapolis, MN

Distinguished McKnight University Professor (2015-present); Professor of Law (2010-present); Julius E. Davis Professor of Law (2012-2013); Associate Dean for Academic Affairs (2010-2012); Solly Robins Distinguished Research Fellow (2010-2012); Associate Professor of Law (with tenure) (2008-2010); Associate Professor of Law (2006-2008)

Courses Taught: Energy Law, Public Lands and Natural Resources Law, Torts, Property, Environmental Law, Brownfields Redevelopment and Litigation, Law in Practice (1L course)

Committee Work and University Service: All-University Promotion and Tenure Committee (2015-2018; Chair 2016-2018); Dean Search Committee (2016); Regents Professor Selection Committee (2015-2018; Chair 2017, 2018); Law School Honor Code Investigator (2016-2021); Adjunct Affairs Committee (Chair 2013-2015); UMore Park Academic Mission Advisory Board (2011-2013); University-wide Sustainability Committee (2010-2012); Self-Study and Strategic Planning Committee (2008-2011); Admissions Committee (2008-2009; 2017-2018); Education Policy Committee (2007-2008); Entry-Level Appointments Committee (2006-2007, 2009-2010, 2018-2022); Board of Advisors Academic Engagement Committee (2019-present); Faculty Works-in-Progress Committee (2006-2008); Senate Judicial Committee (2018-present); Appointments Committee, Humphrey School of Public Affairs (2019-2020); Systemwide Sustainability Committee (2021-2022)

University of Minnesota Institute on the Environment

Fellow, 2010-2022; Faculty Leadership Council, 2016-2020

Governor's Advisory Council on Climate Change (created by 2019 Executive Order)

Member, 2020-2022

Uppsala University, Uppsala, Sweden

Visiting Professor of Law, 2019

Harvard Law School, Cambridge, MA

Visiting Professor of Law, 2015

William Mitchell College of Law, St. Paul, MN

Associate Professor, 2004-2006

Dorsey & Whitney LLP, Minneapolis, MN

Partner, 2000-2004; Associate, 1993-99. Represented clients in all aspects of environmental law and land use matters including contaminated property, zoning, wetlands, eminent domain, environmental review, and property redevelopment, as well as more general commercial matters; significant trial and appellate experience; regularly represented pro bono clients in housing court; member of the firm's Recruiting Committee for six years and responsible for the firm's Summer Associate program for two years

City of Minneapolis, City Attorney's Office

Special Assistant City Attorney, August-November 1995. Obtained guilty verdicts in three criminal jury trials

United States District Court for the Western District of Wisconsin

Law Clerk to the Hon. Barbara B. Crabb, Chief District Judge, 1992-1993

Education

University of Wisconsin Law School, Madison, WI

J.D., 1992, *cum laude*

Order of the Coif

Articles Editor, *Wisconsin Law Review*, 1991-1992

American Jurisprudence Award in Administrative Law and Constitutional Law

University of Michigan, Ann Arbor, MI

B.A., 1988, with distinction

Concentrations in Political Science and French

Varsity Gymnastics Team, Athletic Scholarship Recipient

Awards

Stanley V. Kinyon Teacher of the Year (2010, 2020); Eldon G. Kaul Distinguished Service Award (2017) (presented by the Minnesota State Bar Association Section on Environmental, Natural Resources, and Energy Law to "a member of the bench or bar who has demonstrated a significant commitment and made an outstanding contribution to environmental, natural resources or energy law in the state of Minnesota"); Distinguished McKnight University Professor (2015-present); Julius E. Davis Chair (2012-2013); Solly Robins Distinguished Research Fellow (2010-2012)

Books

ENERGY LAW AND POLICY (West Academic Publishing, 1st ed. 2015, 2d ed. 2018, 3d ed. 2022) (with Lincoln Davies, Hari Osofsky, Joseph Tomain, and Elizabeth Wilson)

NATURAL RESOURCES LAW: A PLACE-BASED BOOK OF PROBLEMS AND CASES (Aspen, 4th ed. 2018, 5th ed. 2022) (with Christine Klein, Fred Cheever, Bret Birdsong, and Eric Biber)

ENERGY LAW: CONCEPTS AND INSIGHT SERIES (Foundation Press, 1st ed. 2017, 2d ed. 2020) (with Hannah J. Wiseman)

THE PRACTICE AND POLICY OF ENVIRONMENTAL LAW (Foundation Press, 2d ed. 2010, 3rd ed. 2014, 4th ed. 2017) (with J.B. Ruhl, John Nagle, and James Salzman)

Selected Articles

Regulating for Energy Justice, N.Y.U. L. REV. (forthcoming 2022) (with Gabriel Chan)

Grid Reliability through Clean Energy, 74 STAN. L. REV. 969 (2022) (with Joshua Macey, Shelley Welton, and Hannah Wiseman)

Evaluating Project Need for Natural Gas Pipelines in an Age of Climate Change: A Spotlight on FERC and the Courts, YALE J. ON REG. (forthcoming 2022) (symposium)

The Role of Private and Public Lands in the U.S. Clean Energy Transition, J. LAND USE & ENV'T L. (forthcoming 2022) (distinguished lecture essay)

Local Power, 75 VANDERBILT L. REV. 93 (2022) (with Rebecca Wilton)

Recognizing the Criminal/Civil Divide in the Use of Energy Data, 72 FLA. L. REV. F. 83 (2021) (with Elizabeth Wilson) (invited response essay)

Cooperative Clean Energy, 100 N.C. L. REV. 1 (2021) (with Gabriel Chan)

The Law of Energy Exports, 109 CALIF. L. REV. 733 (2021) (with Shantal Pai) (selected as one of the year's top 20 environmental and energy law articles by Environmental Law and Policy Annual Review)

Energy Transitions in the Trump Administration and Beyond, 51 ENV'T L. 241 (2021) (distinguished lecture essay)

Eminent Domain Law as Climate Policy, 2020 WIS. L. REV. 49 (2020) (selected as one of the year's top 20 environmental and energy law articles by Environmental Law and Policy Annual Review)

Regulating the Energy "Free Riders," 100 B.U. L. REV. 581 (2020)

The Public Use Clause in an Age of U.S. Natural Gas Exports, 72 STANFORD L. REV. ONLINE (2020) (invited symposium)

Energy and Eminent Domain, 104 MINN. L. REV. 659 (2019) (with James Coleman) (reviewed in Richard Pierce, *Why Energy Companies Must Use the Power of Eminent Domain*, JOTWELL: THE JOURNAL OF THINGS WE LIKE (LOTS) (2019) and selected for re-publication in LAND USE AND ENV'T L. REV. as one of the five best articles in environmental law published that year).

Public Utilities and Transportation Electrification, 104 IOWA L. REV. 545 (2019)

Reconstituting the Federalism Battles in Energy Transportation, 41 HARV. ENV'T L. REV. 423 (2017) (with Jim Rossi) (cited in *Ill. Landowners Alliance v. Ill. Commerce Comm'n*, 90 N.E.3d 448 (Ill. 2017))

Expanding the U.S. Electric Transmission and Distribution Grid to Meet Deep Decarbonization Goals, 47 ENV'T L. REP. 10749 (2017)

Future-Proofing Energy Transport Law, 94 WASH. U. L. REV. 827 (2017)

Life Cycles of Transportation Energy, 82 BROOKLYN L. REV. 485 (2017) (symposium essay) (with Andrew Heiring)

Remaking Energy: The Critical Role of Energy Consumption Data, 104 CALIF. L. REV. 1095 (2016) (with Elizabeth Wilson)

Revitalizing Dormant Commerce Clause Review for Interstate Coordination, 100 MINN. L. REV. 129 (2015) (with Jim Rossi)

When Do State Transmission Siting Laws Violate the Constitution?, 28 ELEC. J. 6 (2015) (with Jim Rossi)

Transporting Oil and Gas: U.S. Infrastructure Challenges, 100 IOWA L. REV. 947 (2015) (with Danielle Meinhardt) (cited in *Enbridge Energy v. Kuerth*, 99 N.E.3d 210 (Ill. Ct. App. 2018))

The Electric Grid at a Crossroads: A Regional Approach to Siting Transmission Lines, 48 U.C. DAVIS L. REV. 1895 (2015)

The Public Trust Doctrine in the Shadow of State Environmental Rights Laws: A Case Study, 45 ENV'T L. 431 (2015) (symposium essay)

Energy Consumption Data: The Key to Improved Energy Efficiency, 6 SAN DIEGO J. OF CLIMATE & ENERGY L. 69 (2015) (symposium essay) (with Elizabeth Wilson)

Fracking and the Public Trust Doctrine, 93 TEXAS L. REV. SEE ALSO 29 (2015) (invited response essay)

The Personhood Rationale and its Impact on the Durability of Private Claims to Public Property, 103 GEO. L.J. ONLINE 41 (2014) (invited response essay)

Energy Policy, Extraterritoriality, and the Commerce Clause, 5 SAN DIEGO J. OF CLIMATE & ENERGY LAW 127 (2014) (with Elizabeth Henley) (symposium essay)

Tax Benefits, Property Rights, and Mandates: Considering the Future of Government Support for Renewable Energy, 20 J. OF ENV'T & SUSTAINABILITY L. 19 (2013) (symposium essay)

Climate Change and the Convergence of Environmental and Energy Law, 24 FORDHAM ENV'T L. REV. 180 (2013) (symposium essay)

Takings and Transmission, 91 N.C. L. REV. 1079 (2013) (cited in *Ill. Landowners Alliance v. Ill. Commerce Comm'n*, 90 N.E.3d 448 (Ill. 2017))

Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch, 65 VANDERBILT L. REV. 1801 (2012) (with Elizabeth Wilson) (selected as one of the year's top 20 environmental and energy law articles by Environmental Law and Policy Annual Review; cited in *Ill. Landowners Alliance v. Ill. Commerce Comm'n*, 90 N.E.3d 448 (Ill. 2017))

CERCLA, State Law, and Federalism in the 21st Century, 41 SOUTHWESTERN L. REV. 679 (2012) (symposium essay)

Energy and Animals: A History of Conflict, 3 SAN DIEGO J. OF CLIMATE & ENERGY LAW 159 (2012) (symposium essay)

Renewable Energy and the Public Trust Doctrine, 45 U.C. DAVIS L. REV. 1021 (2012) (cited in *Save Mille Lacs Sportsfishing v. Minn. Dep't of Nat. Res.*, 859 N.W.2d 845 (Minn. Ct. App. 2015))

Property Rights on the New Frontier: Climate Change, Natural Resource Development, and Renewable Energy, 38 ECOLOGY L.Q. 63 (2011)

State Standards for Nationwide Products Revisited: Federalism, Green Building Codes, and Appliance Efficiency Standards, 34 HARV. ENV'T L. REV. 335 (2010)

Climate Change, Carbon Sequestration, and Property Rights, 2010 U. ILL. L. REV. 363 (2010) (with Elizabeth J. Wilson) (reprinted in 42 LAND USE AND ENV'T L. REV. (2011) as one of the 10 best land use and environmental law articles in 2010)

Punitive Damages after Exxon Shipping Company v. Baker: The Quest for Predictability and the Role of Juries, 7 U. St. Thomas L.J. (2009) (symposium essay)

Carbon Capture and Sequestration: Identifying and Managing Risks, in BALANCING THE RISKS: MANAGING TECHNOLOGY AND DANGEROUS CLIMATE CHANGE (Berkeley Electronic Press, Issues in Legal Scholarship 2009) (with Elizabeth J. Wilson), at <http://www.bepress.com/ils/vol8/iss3/art1/> (symposium essay)

Climate Change and Reassessing the "Right" Level of Government: A Response to Bronin, 93 MINN. L. REV. HEADNOTES 15 (2009)

Tort Experiments in the Laboratories of Democracy, 50 WM. & MARY L. REV. 1501 (2009) (cited in *Beason v. I.E. Miller Services*, 441 P.3d 1107 (Okla. 2019))

Carbon Sequestration and Sustainability, 44 TULSA L. REV. 235 (2008) (with Sara E. Bergan) (symposium essay)

Climate Change and Carbon Sequestration: Assessing a Liability Regime for Long-term Storage of Carbon Dioxide, 58 EMORY L.J. 103 (2008) (with Elizabeth J. Wilson)

State Innovation and Preemption: Lessons from State Climate Change Efforts, 42 LOY. L.A. L. REV. 1563 (2008) (cited in *Freeman v. Grain Processing Corp.*, 848 N.W.2d 58 (Iowa 2014))

The Frontier of Eminent Domain, 79 U. COLO. L. REV. 651 (2008) (reprinted in 40 LAND USE AND ENV. L. REV. (2009) as one of the 11 best land use and environmental law articles in 2008)

Punitive Damages and Valuing Harm, 92 MINN. L. REV. 83 (2007)

Common Law and Federalism in the Age of the Regulatory State, 92 IOWA L. REV. 545 (2007)

Modern Public Trust Principles: Recognizing Rights and Integrating Standards, 82 NOTRE DAME L. REV. 699 (2006)

Adverse Possession and Conservation: Expanding Traditional Notions of Use and Possession, 77 U. COLO. L. REV. 283 (2006)

Pesticides, Children's Health Policy, and Common Law Tort Claims, 7 MINN. J. LAW, SCIENCE & TECH. 89 (2005)

Bees, Trees, Preemption and Nuisance: A New Path to Resolving Pesticide Land Use Disputes through FIFRA, 32 ECOLOGY L.Q. 763 (2005) (cited in *Montgomery County v. Complete Lawn Care*, 207 A.3d 695 (Md. Ct. App. 2017))

From Reservoirs to Remediation: The Impact of CERCLA on Common Law Strict Liability Environmental Claims, 39 WAKE FOREST L. REV. 903 (2004) (cited in *Atlantic Research Corp. v. United States*, 459 F.3d 827 (8th Cir. 2006), *aff'd*, 127 S. Ct. 2331 (2007); *Consolidated Coal v. Georgia Power Co.*, 781 F.3d 129 (4th Cir. 2015) (Wynn, J., dissenting); RESTATEMENT (THIRD) OF TORTS; LIABILITY FOR PHYSICAL AND EMOTIONAL HARM § 20 (2010))

The Expansion of Punitive Damages in Minnesota: Environmental Litigation after Jensen v. Walsh, 30 WM. MITCHELL L. REV. 177 (2003)

Book Chapters

Building Resilience into U.S. Energy Transport Law, in RESILIENCE IN ENERGY, INFRASTRUCTURE, AND NATURAL RESOURCES LAW (Catherine Banet, Hanri Mostert, LeRoy Paddock, Milton Fernando Montoya, and Iñigo del Guayo, eds., Oxford University Press 2022) (with Isaac Foote)

Transmission, Distribution, and Storage: Grid Integration, in LEGAL PATHWAYS TO DEEP DECARBONIZATION IN THE UNITED STATES (Michael B. Gerrard & John C. Dernbach, eds., Env'tl. L. Inst. 2019)

CERCLA, Federalism, and Common Law Claims, in THE LAW AND POLICY OF ENVIRONMENTAL FEDERALISM (Kalyani Robbins, ed., Edward Elgar Publ'g, 2015) (with Emma Fazio)

State and Municipal Energy Efficiency Laws, in THE LAW OF CLEAN ENERGY (Michael B. Gerrard, ed., Section of Environment, Energy, and Resources, American Bar Association, 2011) (with John K. Harting)

The Growing Influence of Tort and Property Law on Natural Resources Law: Case Studies of Coalbed Methane Development and Geologic Carbon Sequestration, in EVOLUTION OF NATURAL RESOURCES LAW AND POLICY (Lawrence J. MacDonnell & Sarah F. Bates, eds., Section of Environment, Energy, and Resources, American Bar Association, 2009)

Selected Seminars and Presentations

"Regulating for Energy Justice," Arizona State University Sandra Day O'Connor College of Law, February 2022

"Regulating for Energy Justice," University of Arizona James E. Rogers College of Law, January 2022

"Cooperative Clean Energy," Rural Reconciliation Project, University of Nebraska College of Law, November 2021

"Local Power," University of Michigan Law School, November 2021

"Local Power," University of Nebraska College of Law, November 2021

"The Role of Private and Public Lands in the U.S. Clean Energy Transition," Fall 2021 Distinguished Lecture, Florida State University Program on Environmental, Energy, and Land Use Law (Oct. 2021)

"Powering the Greener Grid: Equity in the Transition," U Conn School of Law Conference on Energy Justice: Prioritizing Equity in the Greener Grid, April 2021

"Local Power," University of Minnesota Law School, March 2021

"Eminent Domain Law as Climate Policy," University of Houston Law Center, March 2021

"U.S. Energy Transitions in the Trump Administration," 32nd Annual Environmental Law Distinguished Visitor Lecture, Lewis & Clark Law School, October 2020

"Energy Transitions Under Trump: A Law and Policy Perspective," 2020 Minnesota Environmental Institute, September 2020

"Pipelines and Eminent Domain," IEEFA Finance Conference, July 2020

"The Public Use Clause in an Age of U.S. Natural Gas Exports," Stanford Law Review Symposium: Lawyering in the Age of Climate Change, May 2020

"The Law of Energy Exports," Stanford Law School, March 2020

"New and Old Tools for the Future of Public Lands," Seventh Annual Clyde O. Martz Winter Symposium: A Green New Deal for Public Lands?, University of Colorado School of Law, February 2020

"Integrated Planning for Electric Generation and Transmission," Climate Disruption Conference, ABA Section on Energy, Environment, and Resources, White Plains, New York, February 2020

"The Law of Energy Exports," Local Autonomy and Energy Symposium, Florida State University College of Law, February 2020

"U.S. Energy Transitions in the Trump Administration," University of Michigan Law School, November 2019

"Energy and Eminent Domain," University of Florida Levin College of Law, November 2019

"The Public Trust Doctrine: The White Bear Lake Case," Minnesota State Bar Association Environmental, Natural Resources, and Energy Law Section, November 2019

"U.S. Energy Transitions in the Trump Administration," Danish Technical University, Copenhagen, October 2019

"Energy and Eminent Domain," 16th Annual Brigham-Kanner Property Rights Conference, William & Mary Law School, October 2019

"Energy and Eminent Domain," Minnesota State Bar Association Public Utilities Section, September 2019

"U.S. Energy Transitions in the Trump Administration," Lund University, Sweden, June 2019

"U.S. Energy Transitions in the Trump Administration," Chalmers University of Technology, Gothenburg, Sweden, June 2019

"U.S. Energy Transitions in the Trump Administration," Stockholm University, Sweden, May 2019

"The Public Trust Doctrine in the Shadow of State Environmental Rights Laws: A Case Study," Uppsala University Faculty of Law, May 2019, Uppsala, Sweden

"U.S. Energy Transitions in the Trump Administration," University of Helsinki, Finland, May 2019

"The Public Trust Doctrine," Izaak Walton League of Minnesota 2019 Watershed Summit, Bloomington, MN, March 2019

"U.S. Energy Transitions and Challenges," UW-Eau Claire, March 2019

"Energy and Eminent Domain," Faculty Workshop, Texas A&M University School of Law, Fort Worth, TX, December 2018

"Energy Issues in the Trump Administration," Macalester College, September 2018

"Eminent Domain and Energy Infrastructure," Association of Law, Property, and Society 9th Annual Meeting, Maastricht University, Netherlands, June 2018

"Eminent Domain and Energy Infrastructure," Fourth Annual Sustainability Conference of American Legal Educators, Sandra Day O'Connor College of Law, Arizona State University, May 2018

"Legal Hurdles and Opportunities for Transporting Utility-Scale Renewable Energy," Second North American Environment, Energy, and Natural Resources Conference, Houston, Texas, May 2018

Speaker, Electricity Dialogue at Northwestern University (hosted by Northwestern Pritzker School of Law; Searle Center on Law, Regulation, and Economic Growth; MISO, PJM, and EEI), May 2018

"Energy Resilience Tools: Incentives, Laws, Policies, and the Importance of Place," Energy, Disaster, and Resilience Workshop, Dartmouth College, April 2018

"The Public Trust Doctrine in the Shadow of State Environmental Rights Laws: A Case Study," 14th Annual Minnesota Environmental Institute, April 2018

"Energy Issues in the Trump Administration," Wesleyan University, March 2018

"The Public Trust Doctrine in the Shadow of State Environmental Rights Statutes: A Case Study," J.B. & Maurice C. Shapiro Symposium: The Public Trust Doctrine in the 21st Century, The George Washington University Law School, Washington, D.C., March 2018

Commenter, 48th Annual Administrative Law Symposium: Exit and the Administrative State, Duke University School of Law, February 2018

"Federalism Battles in Energy Transportation," Minnesota State Bar Ass'n, Public Utilities Section Meeting, January 2018

"Transporting Oil and Gas: U.S. Infrastructure Challenges in the 21st Century," Institute for Energy Law, 5th Midstream Oil and Gas Conference, Houston, December 2017

"Transporting Wind Energy: Challenges and Opportunities for States," National Association of Attorneys General, Fall Meeting, Jekyll Island, Georgia, November 2017

"Infrastructure Investment," MISO Grid 2033 Conference, St. Louis, November 2017

"*Lucas*, Regulatory Takings and the Public Trust Doctrine, Symposium on "Takings and Coastal Management A Quarter-Century after *Lucas v. South Carolina Coastal Council*," University of South Carolina School of Law, November 2017

"Eminent Domain and Energy Infrastructure," 20th Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations, University of Minnesota Law School, October 2017

"Energy and the Constitution," Symposium on "The Energy Transition," Vermont Journal of Environmental Law, South Royalton, Vermont, October 2017

"Comparative Energy Production and Delivery," Rocky Mountain Mineral Law Foundation Natural Resources Law Teachers Conference, Banff, Alberta, May 2017

"Reconstituting the Federalism Battles in Energy Transportation," Third Annual Sustainability Conference of American Legal Educators, Sandra Day O'Connor College of Law, Arizona State University, May 2017

"Energy Issues in the Trump Administration," Danish Technical University, Copenhagen, Denmark, May 2017

"Energy Incentives," Harvard Electricity Policy Group Eighty-Sixth Plenary Session, Savannah, Georgia, March 2017

"Reconstituting the Federalism Battles in Energy Transportation," Environmental Research Workshop, Georgetown Law, March 2017

"Reconstituting the Federalism Battles in Energy Transportation," Faculty Workshop, George Washington University Law School, March 2017

"Remaking Energy: The Critical Role of Energy Consumption Data," Keynote Address, 2017 JOLT Symposium: The Impact of Demand Response Technology on the Electricity Sector, University of North Carolina School of Law, February 2017

"Reconstituting the Federalism Battles in Energy Transportation," Faculty Workshop, SMU Dedman School of Law, February 2017

"Energy Issues in the Trump Administration," Minnesota State Bar Environmental, Natural Resources, and Energy Law Section, Minneapolis, Minnesota, January 2017

"Reconstituting the Federalism Battles in Energy Transportation," Faculty Workshop, UC Davis School of Law, December 2016

"Electric Vehicle Infrastructure and the Role of Utilities," Workshop on Regional Challenges and Opportunities in Energy Transformations, Austin, Texas, November 2016

"Tort v. Property: Wrongs and Rights in the MR-GO Litigation," 19th Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations, Tulane Law School, November 2016

"Eminent Domain and Energy Infrastructure," 13th Annual Brigham-Kanner Property Rights Conference, The Hague, Netherlands, October 2016

"Future-Proofing Energy Transport Law," Lecture, Center for Climate, Energy, Environment, and Economics, University of North Carolina School of Law, March 2016

"Future-Proofing Energy Transport Law," Workshop, UC Berkeley School of Law, February 2016

"Life Cycle Analysis and Transportation Energy," Trager Symposium, Post Carbon World: Advances in Social and Legal Theory, Brooklyn Law School, February 2016

"Future-Proofing Energy Transport Law," Workshop, University of Denver Sturm College of Law, February 2016

"Future-Proofing Energy Transport Law," Faculty Workshop, Harvard Law School, January 2016

"Future-Proofing Energy Transport Law," Faculty Workshop, Northeastern University School of Law, October 2015

"*Kelo's* Antecedents and Applications in Natural Resources and Energy Law," Association of Law, Property and Society, University of Georgia, May 2015

"The Public Trust Doctrine in the Shadow of State Environmental Rights Laws: A Case Study," Developments in the Public Trust Symposium, Lewis & Clark Law School, April 2015

"ISO Governance and Processes," Harvard Electricity Policy Group Seventy-Eighth Plenary Session, Half Moon Bay, California, March 2015

"*Kelo's* Antecedents and Applications in Natural Resources and Energy Law," Nelson Symposium, University of Florida Levin College of Law, February 2015

"*Kelo's* Antecedents and Applications in Natural Resources and Energy Law," AALS Annual Meeting, Hot Topics Panel on "Public use Since *Kelo*", Washington, D.C., January 2015

"The Electric Grid at a Crossroads: A Regional Approach to Siting Transmission Lines," Third Annual Searle Center Conference on Energy Regulation, Northwestern University School of Law, November 2014

"Energy Consumption Data: The Key to Improved Energy Efficiency," University of San Diego School of Law, 6th Annual Climate and Energy Law Symposium, November 2014

"The Electric Grid at a Crossroads: A Regional Approach to Siting Transmission Lines," University of Calgary Faculty of Law, Calgary, Alberta, October 2014

"The Electric Grid at a Crossroads: A Regional Approach to Siting Transmission Lines," Energy Policy Institute, 4th Annual Energy Policy Research Conference, San Francisco, September 2014

"Transporting Energy: U.S. Infrastructure Challenges," Regulatory Takings Conference 2014, UC Davis Law School, September 2014 (presentation to special meeting at the conference of U.S. Department of Justice and state government lawyers specializing in takings litigation)

"Transporting Energy: U.S. Infrastructure Challenges," Austin Electricity Conference, Austin, Texas, April 2014

"Transporting Energy: U.S. Infrastructure Challenges," Conference on "Environmental Law Without Congress," Florida State University School of Law, February 2014

"Transporting Oil and Gas: U.S. Infrastructure Challenges," Takings Conference 2013, New York University School of Law, November 2013

"Takings and Transmission," Second Annual Searle Conference on Federalism and Energy in the United States, Northwestern University Law School, November 2013

"Energy Policy, Extraterritoriality, and the Commerce Clause," Fifth Annual Climate and Energy Law Symposium, University of San Diego School of Law, November 2013

"Transporting Energy: U.S. Infrastructure Challenges," Wake Forest University School of Law, October 2013

"Pesticides and Product Liability: Risk Assessment and the Common Law," Environmental Law and Public Health Conference, University of Michigan Law School, September 2013

"Takings and Transmission," Energy Law and Policy Institute, University of Pittsburgh School of Law, August 2013

"Addressing the Differing Regional Impacts of Unconventional Oil and Gas Development in Natural Resources Law and Other Courses," Rocky Mountain Mineral Law Foundation Law Teachers Conference, Flagstaff, Arizona, May 2013

"Takings and Transmission," Association of Law, Property, and Society, 4th Annual Meeting, University of Minnesota Law School, April 2013

"Tax Benefits, Property Rights, and Mandates: Considering the Future of Government Support for Renewable Energy," Conference on Legal and Policy Pathways for Energy Innovation, University of Minnesota Law School, April 2013

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch," 2013 Austin Electricity Conference, University of Texas at Austin McCombs School of Business, April 2013

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch, 2013 J.B. and Maurice C. Shapiro Conference, "Laying the Foundation for a Sustainable Energy Future: Legal and Policy Challenges," George Washington University Law School, April 2013

"Tax Benefits, Property Rights, and Mandates: Considering the Future of Government Support for Renewable Energy," Symposium on "Promoting Sustainable Energy through Tax Policy," University of Missouri School of Law, April 2013

"Federalism Challenges for Renewable Energy," University of Arizona James E. Rogers College of Law, February 2013

"Takings and Transmission," UCLA School of Law, February 2013

"Federalism Challenges for Renewable Energy," Duke University Nicholas School of the Environment, January 2013

"Takings and Transmission," Saint Louis University School of Law, November 2012

"Takings and Transmission," University of Minnesota Law School, September 2012

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch," Western Energy Policy Research Conference, Boise, Idaho, August 2012

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch," Searle Center Conference on Federalism and Energy in the United States, Northwestern University Law School, March 2012

"Transmission Challenges for Renewable Energy: A Federalism Mismatch," Supply and Demand: Barriers to a New Energy Future, Vanderbilt Law Review Symposium, February 2012

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch," Electric Power in a Carbon Constrained World, Stegner Center, University of Utah College of Law, February 2012

"The Public Trust Doctrine and Renewable Energy," UC Hasting Law School, January 2012

"Takings and Transmission," 14th Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations, Vermont Law School and Georgetown University Law Center, Washington, D.C., November 2011

"CERCLA, State Law, and Federalism in the 21st Century," Symposium on CERCLA and the Future of Liability-Based Environmental Regulation, Southwestern Law School, November 2011

"Renewable Energy and the Public Trust Doctrine," Rocky Mountain Mineral Law Foundation, 15th Institute for Natural Resources Law Teachers, Portland, Oregon

"Energy and Animals: A History of Conflict," Annual Climate and Energy Law Symposium, University of San Diego School of Law, April 2011

"Renewable Energy and the Public Trust Doctrine," Symposium on "The Public Trust Doctrine 30 Years Later," UC Davis Law School, March 2011

Moderator, "Climate Change Issues for 2011," Panel on Legal and Practical Implications, William Mitchell College of Law, February 2011

"Property Rights on the New Frontier: Climate Change, Natural Resources Development, and Renewable Energy," Institute on the Environment, University of Minnesota, October 2010

"Property Rights on the New Frontier: Climate Change, Natural Resources Development, and Renewable Energy," Energy and Environment Workshop, Stanford Law School, October 2010

"Property Rights on the New Frontier: Climate Change, Natural Resources Development, and Renewable Energy," Climate Change Law and Policy Workshop hosted by Duke University School of Law and University of Colorado Law School, August 2010

"Property Rights on the New Frontier: Climate Change, Natural Resource Development, and Renewable Energy," American Association of Law Schools (AALS) Mid-Year Conference on Property, New York, NY, June 2010

"Hot Topics in Environmental Litigation," Minnesota Environmental Institute, Minneapolis, April 2010

"Property Rights in Subsurface Pore Space," U.S. Interagency Task Force on Carbon Capture and Storage (Task Force created by Presidential Memorandum to create a comprehensive federal strategy to implement CCS), April 2010

"Climate Change, Carbon Sequestration, and Property Rights," Symposium: The Intersection of Renewable Energy Development and Geoengineering, Washington & Lee Law School, March 2010

"Climate Change, Carbon Sequestration, and Property Rights," Association for Law, Property and Society Annual Meeting, Georgetown Law Center, March 2010

"Restoring the Trust: Water Resources and the Public Trust Doctrine," University of Florida Levin College of Law, Sixteenth Annual Public Interest Environmental Law Conference, February 2010

"Climate Change, Carbon Sequestration, and Property Rights," Conference on "Litigating Regulatory Takings Challenges to Land Use and Environmental Regulations," Vermont Law School, November 2009

"Climate Change, Carbon Sequestration, and Property Rights," Georgetown Law Center, October 2009

"Punitive Damages after *Exxon Shipping Company v. Baker*: The Quest for Predictability and the Role of Juries," Symposium on "*Exxon Valdez* Revisited: Rights and Remedies," University of St. Thomas School of Law, October 2009

Panel on Environmental Law and Industrial Scale Renewables, Conference: "Can Government Be Green?" University of Pennsylvania Law School, September 2009

"Climate Change, Carbon Sequestration, and Property Rights," Property Works-in-Progress Conference, University of Colorado Law School, June 2009

"Climate Change and Geologic Carbon Sequestration," Rocky Mountain Mineral Law Foundation, 14th Institute for Natural Resources Law Teachers, Chico Hot Springs, Montana, May 2009

Climate Change Panel, "Layering Governance: Multi-Level Regulation under Bush and Beyond," Emory University School of Law, May 2009

"Carbon Capture and Sequestration: Assessing Liability and Property Regimes," Minnesota Environmental Institute, Minneapolis, April 2009

Workshop, "Overcoming Legal and Financial Obstacles to CCS," Harvard Law School, March 2009

"Tort Experiments in the Laboratories of Democracy," Notre Dame Law School, February 2009

"Carbon Capture and Sequestration: The Legal and Regulatory Challenges," Dorsey & Whitney LLP, Minneapolis, MN, January 2009

"The Frontier of Eminent Domain," Conference on "Litigating Takings and Other Legal Challenges to Land Use and Environmental Regulation," Stanford Law School, November 2008

"Tort Experiments in the Laboratories of Democracy," Emory University School of Law, October 2008

"State Innovation and Preemption," Georgetown Law Center, October 2008

"Tort Experiments in the Laboratories of Democracy," University of Pittsburgh School of Law, August 2008

"Tort Experiments in the Laboratories of Democracy," University of Minnesota Law School, July 2008

"Climate Change and Carbon Sequestration," Property Works-in-Progress Conference, University of Colorado Law School, June 2008

"The Frontier of Eminent Domain," Law and Society Conference, Montreal, Canada, June 2008

"State Innovation and Preemption," University of Florida Levin College of Law, March 2008

"Climate Change and Carbon Sequestration," University of Minnesota Law School, March 2008

"State Innovation and Preemption," Frontiers of Tort Law Symposium, Loyola Law School/Los Angeles, January 2008

"The Frontier of Eminent Domain," University of Minnesota Law School, June 2007

"The Growing Influence of Tort and Property Law on Natural Resources Law," Colorado Law School Natural Resources Law Center 25th Anniversary Conference, June 2007

"Punitive Damages and Valuing Harm," University of Minnesota Law School, March 2007

"Modern Public Trust Principles: Recognizing Rights and Integrating Standards," University of Minnesota Law School, June 2006

"Common Law and Federalism in the Age of the Regulatory State," Florida State University College of Law, November 2005

"Pesticides, Children's Health Policy and Common Law Tort Claims," University of Minnesota Law School, September 2005

"How will the Supreme Court's Upcoming Decision in *Kelo v. City of New London* Affect the Public Use Requirement for Eminent Domain?," William Mitchell American Constitution Society for Law and Policy, St. Paul, April 2005

"Adverse Possession and Conservation: Expanding Traditional Notions of Use and Possession," William Mitchell College of Law, April 2005

Professional and Community Activities

Center for Progressive Reform, Executive Board (2015-2018), Member Scholar (2007-2022)

Public Utilities Section, Minnesota State Bar Association, Governing Council (2020-2022)

Minnesota Center for Environmental Advocacy, Director (2011-2016; 2018-2022), Vice President (2020-2022), Legal Committee (2011-2022; Chair, 2017-2022)

Environmental, Natural Resources, and Energy Section, Minnesota State Bar Association, Secretary (2006-2007), Treasurer (2007-2008), Governing Council Member (2005-2013)

Director, Federal Bar Association, Minnesota Chapter, 2001-2011

Eighth Circuit Vice President, Federal Bar Association, 2002-2004

Resources for Redevelopment Advisory Committee, Minnesota Environmental Initiative, 2005-2006

Co-chair, Environmental Law Committee, Hennepin County Bar Association, 2000-2006

Admissions and Memberships

Admitted to practice in Minnesota and before the U.S. Court of Appeals for the Eighth Circuit, the U.S. District Courts for the District of Minnesota and the Eastern and Western Districts of Wisconsin. Member in good standing of the American Bar Association and Minnesota State Bar Association.