

MICHAEL B. GERRARD

Columbia Law School
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COLUMBIA LAW SCHOOL -- 2009 to present -- Andrew Sabin Professor of Professional Practice. Founder and Director of Sabin Center for Climate Change Law. Also Chair of the Faculty of the Earth Institute, 2015-2018. Teach courses in environmental law, climate change law, energy law.

ARNOLD & PORTER -- Partner, 1994 to 2008. Partner in charge of New York office (110 attorneys), 2007-2008. Senior Counsel, 2009 - present. Environmental litigation, permitting, compliance counseling, and transactions. (Firm is now known as Arnold & Porter Kaye Scholer LLP.) Civil, criminal and administrative proceedings; numerous trials and appeals in federal and state courts and administrative tribunals.

BERLE, KASS & CASE -- 1978 to 1994 -- Attorney concentrating in environmental and land use law. Litigation in federal and state courts and administrative tribunals. Environmental compliance counseling. Representation of corporations, state and municipal agencies, citizens groups, and individuals. (Associate, 1978-1981 and 1984-1985; Partner, 1985-1994; leave of absence for government service, 1982-1983).

METROPOLITAN TRANSPORTATION AUTHORITY -- January to December 1983
-- Special Counsel to Chairman Richard Ravitch. Headed automatic fare collection project.

OFFICE OF MAYOR EDWARD I. KOCH -- January to December 1982 -- Deputy Director, Mayor's Transit Office. Wrote law creating Transit Adjudication Bureau.

NATURAL RESOURCES DEFENSE COUNCIL -- September 1976 to June 1978
-- Legal intern.

UNITED STATES SENATE, Committee on Public Works -- Summer 1976 -- Legal intern.

COUNCIL ON THE ENVIRONMENT OF NEW YORK CITY (affiliated with Mayor's Office)
-- October 1973 to August 1975 -- Policy analyst.

Presidential campaign; staff of former U.S. Senator -- September 1972 to March 1973 -- Political press secretary.

ASSOCIATED PRESS -- Summer 1972 -- Broadcast news writer.

CHARLESTON (W.Va.) GAZETTE -- Summers 1969, 1970, 1971 -- Reporter.

EDUCATION:

J.D., New York University School of Law, June 1978

Root-Tilden Scholar

Awards: Moot Court Advocacy Award; Mendes Hershman Prize in Property Law;
Association of Trial Lawyers of America Environmental Law Essay Contest Award.

B.A. (Political Science), Columbia University, June 1972

Columbia Daily Spectator -- 1968 to 1971 -- Reporter, editor.

Andrew Willen Prize -- For best thesis on American politics.

Additionally, Aspen Institute's Justice and Society Seminar; American Management Association four-week Management Course; Practising Law Institute's Trial Advocacy Course; graduate courses in economics and statistical theory at New York University.

Admitted to practice law: State of New York; U.S. Supreme Court; U.S. Court of Appeals, Second Circuit; U.S. District Courts for all districts in New York State

PRIOR TEACHING:

Columbia Law School, Lecturer (1992 - 2000)

Yale School of Forestry and Environmental Studies, Lecturer (1997 - 1999)

New York University School of Law, Adjunct Professor of Law (1992)

American Law Institute-American Bar Association, Co-chair of annual program on climate change and the law (2007 - 2011)

American, New York State, New Jersey, and New York City Bar Associations, Chair of biennial EPA Region II conference (2004 -)

Sabin Colloquium on Innovative Environmental Law Scholarship (annual event) -- Chair, 2013 - present

Practising Law Institute, Co-chair of annual program on environmental issues in business and real estate transactions (2000 – 2004)

New York University – Founder and chairman of week-long Summer Environmental Law Institute (1992 - 1994)

Vermont Law School -- Distinguished Environmental Scholar, July 2012

University of Malta, Faculty of Laws -- Visiting Professor, July 2013

Universite Paris I Pantheon-Sorbonne -- Visiting Professor, March 2015; lecturer, March 2018

Lectured on environmental law in Great Britain, France, Netherlands, Denmark, Norway, Spain, Italy, Vatican City, Malta, China, Taiwan, Israel, India, Japan, Chile, Brazil, Canada, Marshall Islands, and throughout the United States

OTHER AFFILIATIONS:

New York Law Journal -- Columnist on environmental law (1986 - present)

Environmental Law in New York (monthly newsletter) -- Founder and editor (1989 - present)

Columbia University Earth Institute, Member of Faculty, 2009 - present; Associate Chair of Faculty, 2012-2015; Chair of Faculty, 2015 – 2018; Executive Committee, 2018 - present

American Bar Association, Environment, Energy and Resources Section: Chair, 2004-2005. Chair, Committee of Distinguished Environmental Advocates, 2009-2010.

New York State Bar Association, Environmental Law Section: Chair, 1995-1996. Task Force on Global Warming: Chair, 2008 - 2010.

Association of the Bar of the City of New York: Vice President, 1998 - 1999; Executive Committee (Chair, 1997 - 1998); Task Force on Multidisciplinary Practice (Chair, 1999 - 2001); Land Use Planning and Zoning Committee (Founding Chair, 1991 - 1994); Municipal Affairs Committee (1988 - 1991); Transportation Committee (Chair, 1985 - 1988); Energy Committee (2009 - 2012); Task Force on Climate Adaptation (2013 - 2016).

Climate Leadership Council -- Senior Research Fellow, 2018 – present

Citizens' Climate Lobby – Advisory Board, 2019 - present

BOARDS:

American College of Environmental Lawyers, Fellow, 2008 - present; Regent and Co-Chair of Policy Committee, 2011 - 2015

New York State Sea Level Rise Task Force, 2009 - 2010

Environmental Law Institute, 2007 - 2013; executive committee, 2009 - 2013

Council on the Environment on New York City (GrowNYC), 1986 - 2015

New York Independent System Operator, Consumer Advisory Council, 2011 - 2014

New York State Environmental Advocates, 1978 - 2012

Legal Aid Society of New York, 2002 - 2008

Municipal Art Society of New York (General Counsel), 1997 - 2007

INFORM, Inc. (General Counsel), 1996 - 2006

Westchester Land Trust, 1994 - 2002

Solid Waste Advisory Board, Town of New Castle, New York (1988 - 1996; Chair, 1993 - 1996)

Permanent Citizens Advisory Committee to the Metropolitan Transportation Authority (1978 - 1982; Chair, 1979 - 1981)

Advisory and editorial boards: Columbia Law School Environmental Law Advisory Committee; *Columbia Journal of Environmental Law*; *Chemical Waste Litigation Reporter*; National Association of Environmental Law Societies; New York City Environmental Law Leadership Institute; *Carbon & Climate Law*; Citizens' Climate Lobby; Environmental Resilience Institute (University of Indiana); SCoPEX Advisory Committee (Harvard University)

Web site: www.ColumbiaClimateLaw.com

(Accompanying blog was named one of the best environment/climate blogs by LexisNexis)

Twitter: @MichaelGerrard

AWARDS:

Association of American Publishers:

Best Law Book of 1992 (for Environmental Law Practice Guide)

Best Law Book of 1998 (for Brownfields Law and Practice)

New York State Bar Association, Environmental & Energy Law Section Council Award (2020)

Thought Leader for Environment, Who's Who Legal (2018)

Institutional Award, International Association for Impact Assessment (for Sabin Center for Climate Change Law) (2018)

Defender of Science Award, Climate Science Legal Defense Fund (2017)

Distinguished Achievement in Environmental Law and Policy Award, American Bar Association (to Sabin Center for Climate Change Law) (2017)

Leadership in Action Award, New York City Environmental Law Leadership Institute (2017)

Lloyd K. Garrison Award in Environmental Law, Pace Law School (2016)

South Fork Natural History Museum, Honoree (2014)

Environmental Advocates of New York, Advocate Award (2007)

St. Johns Law School, Environmental Law Society, Annual Award (2007)

Friends of the High School for Environmental Studies, Award for Environmental Service (2006)

Burton Award for Achievement in Legal Writing (2000)

Environmental Action Coalition, Green Star Award (1995)

Rockefeller Foundation Fellowship in Environmental Affairs (for research into economic impact of pollution control) (1978 - 1980)

PROFESSIONAL RANKINGS:

Received the most nominations worldwide in Legal Media Group, *Guide to the World's Leading Environmental Lawyers*, 2005 through 2008

Ranked number one Thought Leader in North America in Environmental Law, *Who's Who Legal*, 2017

Named the leading environmental lawyer in New York, or tied for first, by *Chambers USA: America's Leading Lawyers for Business*; *Who's Who Legal*; *Best Lawyers in America*; and *PLC Cross-border Handbooks*

Recognized as a leading environmental lawyer in *Corporate Board Member Magazine* and *The Legal 500 US*

Rated as one of the top 100 lawyers in New York by *New York SuperLawyers* (2007, 2008)

Rated as one of the top 500 lawyers in the United States by *Law Dragon Magazine*

New York Area Lawyer of the Year (Environmental Litigation), *Best Lawyers* (2010 and 2018)

PUBLICATIONS:

Books

Legal Pathways to Deep Decarbonization in the United States (co-editor with John Dernbach), Environmental Law Institute (2019)

The Law of Climate Engineering: Governance and Liability for Solar Radiation Management and Carbon Dioxide Removal (co-editor with Tracy Hester), Cambridge University Press (2018)

Global Climate Change and U.S. Law (co-editor with Jody Freeman), American Bar Association (2d edition 2014) (first edition published in 2007)

Threatened Island Nations: Legal Implications of Rising Seas and a Changing Climate (co-editor with Gregory E. Wannier), Cambridge University Press (2013)

The Law of Adaptation to Climate Change: U.S. and International Aspects (co-editor with Katrina F. Kuh), American Bar Association (2012)

The Law of Clean Energy: Efficiency and Renewables (Editor), American Bar Association (2011)

The Law of Green Buildings: Regulatory and Legal Issues in Design, Construction, Operations, and Financing (Co-Editor, with J. Cullen Howe), American Bar Association and Environmental Law Institute (2010)

The Law of Environmental Justice: Theories and Procedures to Address Disproportionate Risks (Editor), American Bar Association (Second Edition, 2008, with Sheila Foster)

Amending CERCLA: The Post-SARA Amendments to the Comprehensive Environmental Response, Compensation and Liability Act (with Joel M. Gross), American Bar Association (2006)

Brownfields Law and Practice: The Cleanup and Redevelopment of Contaminated Land (General Editor), Matthew Bender & Co., four volumes, 1998, supplemented twice a year (named best law book of 1998 by Association of American Publishers)

Whose Backyard, Whose Risk: Fear and Fairness in Toxic and Nuclear Waste Siting, M.I.T. Press, 1994 (paperback edition published in 1996)

Environmental Law Practice Guide: State and Federal Law (General Editor), Matthew Bender & Co., 1992, twelve volumes; supplemented three times per year (named best law book of 1992 by Association of American Publishers)

Environmental Impact Review in New York (with Daniel A. Ruzow and Philip Weinberg), Matthew Bender & Co., two volumes, 1990; supplemented annually

Law Reviews and Other Academic Journals

“The Role of Lawyers in Decarbonizing Society,” Stanford Law Review Online (forthcoming)

“An Environmental Lawyer’s Fraught Quest for Legal Tools to Hold Back the Seas,” Daedalus (forthcoming)

“The landmark case that almost never was: A law professor investigates the legal decision to regulate greenhouse gases in the U.S.,” 367 Science 1082 (March 3, 2020)

“The effect of New York’s New Climate Law on Municipalities: Deep But Uncertain,” 20 N.Y. Zoning L. & Prac. Rep. 1 (November/December 2019)

“Overcoming Impediments to Offshore Carbon Dioxide Storage: Legal Issues in the U.S. and Canada” (with Romany Webb), 49 Environmental Law Reporter 10634 (2019)

“Heat Waves: Legal Adaptation to the Most Lethal Climate Disaster,” 40 U. Ark. L. Rev. 515 (2018)

“Sequestering Carbon Dioxide Undersea in the Atlantic: Legal Problems and Solutions” (with Romany M. Webb), 36 UCLA J. Env. L. & Policy 1 (2018)

“Climate Change and Human Trafficking After the Paris Agreement,” 72 U. Miami L. Rev. 345 (2018)

“Legal Pathways for a Massive Increase in Utility-Scale Renewable Generation Capacity,” 47 Environmental Law Reporter 10591 (July 2017)

“Legal Pathways to Reducing Greenhouse Gas Emissions Under Section 115 of the Clean Air Act” (with Michael Burger et al.), 28 Georgetown Envtl. L. Rev. 359 (2016)

“Review of Benjamin K. Sovacool and Michael H. Dworkin’s *Global Energy Justice: Problems, Principles, and Practices*,” 40 Vermont Law Review 353 (2015)

“America’s Forgotten Radioactive Waste Dump in the Pacific,” 15 SAIS Review of International Affairs 87 (2015)

“Legal & Scientific Integrity in Advancing a ‘Land Degradation Neutral World’” (with Shelley Welton and Michela Biasutti), 40 Columbia Journal of Environmental Law 39 (2015)

“Solving the CSO Conundrum: Green Infrastructure and the Unfulfilled Promise of Federal-Municipal Cooperation” (with Caswell Holloway, Carter Strickland Jr., and Daniel Firger), 38 Harvard Environmental Law Review 335 (2014)

“Federal Climate Change Law in Obama’s Second Term” (with Shelley Welton), 3 Transnational Environmental Law 111 (2014)

“An Introduction to Climate Change Liability Litigation and a View to the Future” (with Joseph MacDougald), 20 Connecticut Insurance Law Journal 153 (2013-2014)

“What Does Environmental Justice Mean in an Era of Global Climate Change?”, 19 Journal of Environmental & Sustainability Law 278 (2013)

“Getting Ahead of the Curve: Supporting Adaptation to Long-Term Climate Change and Short-term Climate Variability Alike” (with Alexis Saba, Michela Biasutti and David B. Lobell), Carbon & Climate Law Review, 2013:1, pp. 3-23

“Expedited Approval of Energy Projects: Toward Assessing the Forms of Procedural Relief,” 4 San Diego Journal of Climate & Energy Law 105 (2012-2013)

“Climate Change Action Without Congress,” 126 Harvard Law Review Forum 160 (2013)

“What Litigation of a Climate Nuisance Suit Might Look Like,” 121 Yale Law Journal Online 135 (2011).
Reprinted in 12 Sustainable Development Law & Policy 12 (2012)

“The Current State of Climate Change Law,” Sustainable Development Law Reporter, Winter 2010, p. 2

“What the Law and Lawyers Can and Cannot Do About Global Warming,” 16 Southeastern Environmental Law Journal 33 (2007)

“Harnessing Information Technology to Improve the Environmental Impact Review Process” (with Michael Herz), 12 New York University Environmental Law Journal 18 (2003)

“Disasters First: Rethinking Environmental Law After September 11,” 9 Widener Law Symposium Journal 223 (2003)

“Judicial Review Under SEQRA: A Statistical Study,” 65 Albany Law Review 365 (2001)

“Reflections on Environmental Justice,” 65 Albany Law Review 357 (2001)

“Risks of Hazardous Waste Sites versus Asteroid and Comet Impacts: Accounting for the Discrepancies in U.S. Resource Allocation,” Risk Analysis, vol. 20 no. 6 pp. 895-904 (2000)

“Trends in the Supply and Demand for Environmental Lawyers,” 25 Columbia Journal of Environmental Law 1 (2000)

“Response to Sub-Critical Cosmic Impacts” (with Dr. John L. Remo), 52 Journal of the British Interplanetary Society 115 (1999)

“Demons and Angels in Hazardous Waste Regulation,” 92 Northwestern University Law Review 706 (1998)

“Emerging Statutory and Constitutional Tools for States to Resist Federal Environmental Regulation,” Environmental Law Reporter, March 1998. *Reprinted in* National Environmental Enforcement Journal, May 1998

“Territoriality, Risk Perception, and Counterproductive Legal Structures,” 27 Environmental Law 1017 (1997). *Reprinted in* Applegate et al., The Regulation of Toxic Substances and Hazardous Wastes (Foundation Press 2000)

“Asteroids and Comets: U.S. and International Law and the Lowest-Probability, Highest-Consequence Risk” (with Anna W. Barber), 6 N.Y.U. Environmental Law Journal 4 (1997)

“Comparative Risk Assessment in New York,” 7 Albany Law Journal of Science & Technology 171 (1996)

“Fear and Loathing in the Siting of Hazardous and Radioactive Waste Facilities: A Comprehensive Approach to a Misperceived Crisis,” 68 Tulane Law Review 1047 (1994).

“The Victims of NIMBY,” 21 Fordham Urban Law Journal 495 (1994).

“The Role of Existing Environmental Laws in the Environmental Justice Movement,” 9 St. John's Journal of Legal Commentary 555 (1994).

“Hazardous Substance Emergencies in New York City” (with Rae Zimmerman), Disaster Management, vol. 6 no. 3 (1994)

“The Dynamics of Secrecy in the Environmental Impact Statement Process,” 2 N.Y.U. Environmental Law Journal 279 (1993).

“Disclosure of Hidden Energy Demands: A New Challenge for NEPA,” Environmental Affairs law review (Boston College Law School), 4:4, Fall 1975, pp. 661-706.

Professional Publications

“Emergency Environmental Exemptions During the Pandemic” (with Brian Israel), Law360, March 24, 2020.

“Delaying Environmental Compliance Because of the Coronavirus Emergency” (with Brian Israel), Bloomberg News, March 20, 2020.

“Direct air capture: An emerging necessity to fight climate change,” Trends (America Bar Association), March/April 2020

“How Lawyers Can Help Save the Planet” (with John C. Dernbach), Law360, May 21, 2019

“L’evolution des actions en justice climatique aux Etats-Unis, de George W. Bush a Donald Trump” (trans. Charleyne Biondi), Energie-Environment-Infrastructures (August-September 2018), pp. 12-15

“Going Negative: The Next Horizon in Climate Engineering Law” (with Tracy Hester), Natural Resources & Environment, Spring 2018, pp. 3-7.

“9 Things to Know About Trump’s Paris Agreement Decision” (with Ethan Shenkman and Erika Norman), Law360, June 2, 2017

“Sadly, the Paris Agreement Isn’t Nearly Enough,” Environmental Forum, November/December 2016

“Preparing Clients for Climate Change,” GPSOLO (American Bar Association), May/June 2016, pp. 28-31

“Climate litigation scores successes in the Netherlands and Pakistan,” ABA Trends, May/June 2016

“Expediting Environmental Review and Permitting of Infrastructure Projects: The 2015 FAST Act and NEPA” (with Edward McTiernan, Allison B. Rumsey, Harris D. Sherman), Real Estate Finance Journal, Winter/Spring 2016

“The 2015 Paris Agreement on Climate Change: Significance and Implications for the Future” (with Hari Osofsky, Lisa Benjamin, Jacqueline Peel & David Titley), 46 Environmental Law Reporter 10267 (2016)

“Save Birds Now or Birds Later,” Environmental Forum, May/June 2015, p. 39

“Combined Heat and Power’s Potential to Meet New York City’s Sustainability Goals” (with Bianca Howard, Vijay Modi and Alexis Saba), 65 Energy Policy 444 (2014)

“President Obama Tackles Climate Change Without Congress,” Trends (ABA), January/February 2014

“FERC Order 1000 as a New Tool for Promoting Energy Efficiency and Demand Response” (with Shelley Welton), Environmental Law Reporter, November 2012

“D.C. Circuit clears path for GHG rules, but politics remain,” Trends (ABA), November/December 2012

“The Law on What Documents Scientists Must Keep and Disclose” (with Elizabeth Sheargold), Eos, October 30, 2012

“Science Heads List of Candidate Debate Queries,” The Environmental Forum, March/April 2012

“Climate Change and the WTO: Expected Battlegrounds, Surprising Battles” (with Daniel M. Firger), BNA International Environment Reporter, July 12, 2011

“Environmental and Energy Legislation in the 112th Congress,” Trends (ABA), March/April 2011

“Model Green Building Ordinance Proposed for Adoption by New York Municipalities” (with Jason James), Municipal Lawyer, Fall 2010, pp. 19-22

“Defining the Challenge in Implementing Climate Change Policy,” Environmental Law Reporter, June 2010, 40 ELR 10579-84

“The new tobacco? Efforts to sue large corporations for causing climate change had been widely discounted as having little traction -- until a couple of recent surprise court decisions,” Environmental Finance, December 2009-January 2010, p. 16

“Copenhagen Diary,” The American Lawyer (blog), December 2009

“Environmental Law in 2049: A Look Back,” Environmental Forum, November/December 2009, p. 49

“The Obama Administration’s First Environmental Policy Changes,” The Metropolitan Corporate Counsel, July 2009, p. 28

“Climate Change & Environmental Impact Statements,” Sallan Foundation Snapshot (June 2009)

“Seven things the new EPA administrator should do,” Trends (ABA), March/April 2009, p. 11

“Comment on *Developing a Comprehensive Approach to Climate Change Mitigation Policy in the United States*,” Environmental Law Reporter, August 2009, pp. 10727-29

“The Effect of NEPA Outside the Courtroom,” Environmental Law Reporter, July 2009, pp. 10615-17

“SEQRA and Climate Change,” Government, Law and Policy Journal, 10:1 (Summer 2008), pp. 68-73

“McCain vs. Obama on Environment, Energy, and Resources,” Natural Resources & Environment, 23:2 (Fall 2008)

“Financial Disclosure of Risks Related to Global Climate Change” (with Christopher Anderson), Trends (ABA), March/April 2008

“Climate Change and the Environmental Impact Review Process,” Natural Resources & Environment, 22:3 (Winter 2008), pp. 20-24

“Kyoto’s Clean Development Mechanism in Action: India, China and Brazil” (with Siddharth Sethy, Hui Xu and Bruno Gagliardi), New York Law Journal, September 24, 2007

“Baseline Determinations in Natural Resource Damage Cases,” Chemical Waste Litigation Reporter, September 2007

“Lawyers’ opportunity to cleanse carbon footprints,” The European Lawyer, July/August 2007

“NEPA and SEQRA Review of Terrorism Risks,” Environmental Law in New York, November 2006

“Emergency Exemptions From Environmental Laws After Disasters,” 20 Natural Resources and Environment No. 4 at 10-14 (Spring 2006)

“Private Lawyers and Environmental Justice,” Human Rights, Fall 2003

“Environmental Liabilities in Transactions: Tools for Identification and Resolution,” Metropolitan Corporate Counsel, April 2003

“Review: Democracy by Decree – What Happens When Courts Run Government,” New York Law Journal, January 10, 2003

“Safety Hazards in Hazardous Waste Remediation,” Chemical Waste Litigation Reporter, October 2002

“The Birth, Death and Rebirth of the World Trade Center and the Fate of New York,” Natural Resources & Environment, Winter 2002

“Environmental Law Implications of the World Trade Center Disaster,” Environmental Law in New York, January 2002

“Environmental Justice and New York Environmental Law,” Environmental Law in New York, June 2001

“Panel Discussion: Cleanup Standards” (moderator), 11 Fordham Environmental Law Journal 649 (2000)

“New York’s Brownfields Programs: More, and Less, Than Meets the Eye,” Environmental Law Reporter, August 1998. *Reprinted in* Albany Law Environmental Outlook, Winter 1999

“Brownfields: Why Institutional Investors Are Taking Another Look” (with Rick Mandell), Institutional Real Estate Letter, June 2000

“Environmental Justice and Natural Areas Protection,” Natural Resources & Environment, Summer 2000. *Reprinted in* GP SOLO: The Best Articles Published by the ABA (March 2001).

“Clean Sweep” [brownfields redevelopment] (with Rick Mandell), Financial Executive, March/April 2000, p. 32

“The Citizen Standing Pendulum Swings Again in *Laidlaw*,” 39 Chemical Waste Litigation Reporter 432 (February 2000)

“Consultants’ and lawyers’ duties to report contamination,” Trends (ABA), January/February 2000, p. 20

“A SEQRA Retrospective: Whose Predictions Were Correct?” 11 Environmental Law in New York 19 (January 2000)

“Brownfields: The Benefits and Risks of Going It Alone,” Natural Resources & Environment, Winter 1999

“Judicial Review of Solid Waste Facility Siting and Permitting in New York” (with Elizabeth A. Stringer), Environmental Law in New York (Part I: Vol. 10 p. 149, October 1999; Part II: Vol. 10 p. 165, November 1999)

“Constitutional Challenges to CERCLA” (with Deborah Goldberg), BNA Toxics Law Reporter, March 25, 1998

“Municipal Powers Under SEQRA,” New York Bar Journal, December 1997

“The Emerging Law of Environmental Justice,” Chemical Waste Litigation Reporter, September 1997

“Ten Questions for a Time Capsule,” The New York Environmental Lawyer, Winter 1997

“Internal Investigations of Environmental Incidents” (with Irvin B. Nathan), Bank and Corporate Governance Law Reporter, November 1996. *Reprinted in* Chemical Waste Litigation Reporter, December 1996, and in ABA Environmental Litigation Section Newsletter.

“In-House Probes Reveal Liabilities” (with Irvin B. Nathan), National Law Journal, October 14, 1996

“Interaction of Toxic Tort and CERCLA Litigation,” BNA Toxics Law Reporter, October 9, 1996

“Building Environmentally Just Projects: Perspective of a Developers' Lawyer,” Environmental Law News (California State Bar), Spring 1996. *Reprinted in Environmental Justice: Law, Policy & Regulation* (Clifford Rechtschaffen & Eileen Gauna, eds., 2002)

“Update on False Claims Act Suits” (with Deborah Goldberg), BNA Toxics Law Reporter, March 20, 1996

“Finding Jobs in Environmental Law,” The New York Environmental Lawyer, February 1996

“Who Goes to Jail? Understanding Criminal Liability for Wastewater Violations,” Clearwaters, Winter 1996

“Internet and Environmental Law Practice,” New York Law Journal, January 24, 1996

“The Legacy of Storm King,” The New York Environmental Lawyer, December 1995

“New York State Administrative Practice and Procedure” (book review), New York Law Journal, November 28, 1995

“Guarding Against Environmental False Claims Act Suits” (with Deborah Goldberg), BNA Environment Reporter, October 27, 1995

“Targeting Regulatory Reform,” The New York Environmental Lawyer, August 1995

“Dodging the NIMBY Bullet: A Solution to Waste Facility Siting,” Public Utilities Fortnightly, August 1995.

“New York Bar's Minority Fellowship in Environmental Law,” American Bar Assn. SONREEL News, July/August 1995.

“Turning NIMBY On Its Head: A Siting Solution Based on Federal Allocation, State Responsibility, and Local Control,” BNA Environment Reporter, March 24, 1995.

“Keep It Out of My Backyard,” National Law Journal, January 23, 1995.

“CERCLA Liability: Recent Case Law Should Sound Alarms Among Franchisors,” Environmental Compliance & Litigation Strategy, October 1994.

“Real Estate Brokers' Duty to Disclose Hazardous Waste Contamination,” Toxics Law Reporter, August 31, 1994.

“The Long Island Pine Barrens Settlement,” Conflict and Consensus, 1994.

“Emotional Distress Damages and Property Values: Judicial Revolution in New York?” Toxics Law Reporter, January 12, 1994.

- “The Taming of EPA Under Superfund,” Toxics Law Reporter, September 1, 1993.
- “Finessing the Siting Conundrum,” 2 N.Y.U. Environmental Law Journal 181 (1993) (book review).
- “Land Trusts and Hazardous Wastes: Working With Consultants,” Journal of the Land Trust Exchange, Summer 1989.
- Review, “Practical Guide to Environmental Management,” Bowker's Legal Publishing Preview, March 1989.
- “The Hotline to Solving Environmental Problems,” Hazardous Waste and Toxic Torts, February 1989.
- “Radon and Real Estate Transactions: The Risks and the Legal Implications,” Toxics Law Reporter, August 5, 1987.
- “New York's Toxic Tort Revival Statue,” Toxics Law Reporter, July 1, 1987.
- “SARA and Real Estate Lenders' Liability for Borrowers' Hazardous Wastes,” Toxics Law Reporter, March 4, 1987.
- “New York & Clean Air Act: Sputtering Toward Compliance,” N.Y.S. Bar Assn. Environmental Law Section Newsletter, June 1983.
- “Night [Subway] Service: Not an Open and Shut Case,” New York Affairs, 7:3, 1982, pp. 94-102.
- “Transit Vehicles: A New Cottage Industry,” New York Affairs, 6:4, 1981, pp. 89-96.
- “The Transportation Control Plan Rides Again,” New York Affairs, 6:3, 1980, pp. 21-31.
- “The Benefit Side of Pollution Control,” Chemical & Engineering News, October 25, 1976. *Reprinted in* National Observer.
- “Source Guide: The Environment Today,” Columbia Journalism Review, May/June 1976. *Reprinted in* Environment Times.

Book Chapters

"Le contexte juridico-politique des actions en justice climatique aux Etats-Unis" (Thomas Braun, tr.) for Rapport final de recherche, Les dynamiques due contentieux climatique (Institut des Sciences Juridique & Philosophique de la Sorbonne.

“Climate Change and Energy Transition Policies” (with Justin Gundlach), Oxford Handbook of Comparative Environmental Law (Emma Lees & Jorge E. Vinuales, eds.) (forthcoming)

“Regulating in the Face of a Changing World: Legal Remedies For and Legal Issues Faced By Communities Threatened by Climate Change,” The Big Thaw: Policy, Governance and Climate Change in the Circumpolar North (Kim Diana Connolly & Errol Meidinger, eds.), University of Buffalo (2019)

"Climate Change and NRD," Natural Resource Damages: A Guide to Litigating and Resolving NRD Cases (Brian D. Israel et al., eds.), American Bar Association.(2019)

“Building and Construction Law” (with Teresa Parejo-Navajas), Research Handbook on Climate Disaster Law (Rosemary Lyster & Robert R.M. Verheick, eds.) (2018)

“CCS in the US Climate Change Policy Context” (with Justin Gundlach), Carbon Capture and Storage: Emerging Legal and Regulatory Issues (Ian Havercroft, Richard Macrory & Richard Stewart, eds.) (2018)

“The role of the national courts in GHG emissions reductions” (with Meredith Wilensky), Climate Change Law (Daniel A. Farber & Marjan Peeters, eds.) (2016)

“United States Climate Change Law,” Oxford Handbook of International Climate Change Law (Cinnamon Carlarne, Kevin R. Gray & Richard Tarasofsky, eds.) (2016)

“United States Litigation,” Research Handbook on Climate Change Mitigation Law (G. Van Calster et al., eds.), Edward Elgar Publishing (2015)

“Disappearing States: Harnessing International Law to Preserve Cultures and Society” (with Gregory E. Wannier), in Climate Change: International Law and Global Governance (Oliver C. Ruppel et al., eds.) Nomos Publishers, Germany (2013), pp. 615-655

“Environmental Protection” (with Daniel M. Firger), in Regulation of Foreign Direct Investment: Challenges to International Harmonization (Zdenek Drabek & Petros C. Mavroidis, eds., 2013)

“Legal Issues Faced by Island Nations Threatened by Sea Level Rise,” Toward New Islands Studies (International Institute for Okinawan Studies, University of the Ryukyus, 2012)

“Mexico’s General Climate Change Law” (with Anne Siders), in What are the next steps? Legal Perspectives on Mexico’s General Law on Climate Change (Environmental Law Institute and USAid/Mexico, 2012)

“The Environment in New York State” (with Claire H. Woods), in The Oxford Handbook of New York State Government and Politics (Gerald Benjamin, editor) (Oxford University Press) (2012)

“United States of America” (with Gregory E. Wannier), in Climate Change Liability: Transnational Law and Practice (Richard Lord, et al., eds.) (Cambridge University Press, 2012)

“Harmonizing Climate Change Policy and International Investment Law” (with Daniel M. Firger), Yearbook on International Investment Law & Policy 2010-2011 (Karl P. Sauvant, ed.), 2012

“NEPA and Its Progeny,” in Climate Change Reader (William R. Rodgers, Jr. & Michael J. Robinson-Dorn, eds.) (Carolina Academic Press 2011)

“Environmental Justice and Transactions,” in Environmental Aspects of Real Estate and Commercial Transactions (James B. Witkin, ed., 4th ed. 2011), pp. 653-668

“Development and the Future of Climate Change Law” (with Dionysia-Theodora Avgerinopoulou), in The Future of Environmental Law (David Leary, ed.) (2010)

“USA,” chapter 49 in The International Comparative Guide to Environment Law 2010 (Global Legal Group Ltd., London) (2010)

“United States” (with Jeffrey Gracer and Eugene Smary), in The Law of Climate Change in Canada (Dennis E. Mahony, ed.) (2010)

“USA,” chapter 58 in The International Comparative Guide to Environment Law 2008 (Global Legal Group Ltd., London)

“A Proposal to Use Transactions to Leverage Environmental Disclosure and Compliance,” in Moving to Markets in Environmental Regulation: Lessons from Twenty Years of Experience (Jody Freeman & Charles D. Kolstad, eds.) (Oxford University Press 2006).

“Brownfields Law in New York,” Warren’s Weed New York Property Law (2004)

“Environmental Justice and Transactions,” in Environmental Aspects of Real Estate and Business Transactions (James B. Witkin, ed.) (American Bar Association, 2004)

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