

**DAVE OWEN**

Associate Professor, University of Maine School of Law  
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**EMPLOYMENT**

- 2007-present Associate Professor, University of Maine School of Law. Affiliated faculty, Maine Sustainability Solutions Institute.
- 2003-2007 Associate Attorney, Rossmann and Moore, San Francisco, California.
- 2002-2003 Clerk to Judge Samuel Conti, United States District Court, Northern District of California.
- 1996-2000 Geologist/Environmental Auditor, Woodard & Curran, Inc., Dedham, Massachusetts.

**EDUCATION**

- University of California, Berkeley School of Law (Boalt Hall), J.D. 2002  
*Honors: Order of the Coif*  
*Activities: Editor-in-Chief, Ecology Law Quarterly, 2001-02*
- Amherst College, B.A., Geology 1996  
*Honors: Magna cum laude*

**PUBLICATIONS**

**Articles in Legal Journals**

- The Mono Lake Case, The Public Trust Doctrine, and the Administrative State*, 45 U.C. DAVIS L. REV. \_\_ (forthcoming)
- Critical Habitat and the Challenge of Regulating Small Harms*, 63 FLORIDA L. REV. 141 (2012)
- Urbanization, Water Quality, and the Regulated Landscape*, forthcoming, 82 COLORADO L. REV. 431 (2011), selected for presentation at the Yale-Stanford Junior Faculty Workshop.
- Probabilities, Planning Failures, and Environmental Law*, 84 TULANE L. REV. 265 (2009), selected for reprinting in 42 LAND USE & ENVTL. L. REV. (2011) as one of the top 10 environmental or land use law articles of 2009-10.
- Climate Change and Environmental Assessment Law*, 33 COLUM. ENVTL. L.J. 57 (2008)
- Law, Environmental Dynamism, Reliability: The Rise and Fall of CALFED*, 37 ENVTL. L. 1145 (2008)

*Technocracy and Democracy: Conflicts Between Models and Participation in Environmental Law and Planning*, 56 HASTINGS L.J. 901 (2005) (co-authored with James Fine)

*The Disappointing History of the National Marine Sanctuaries Act*, 11 N.Y.U. ENVTL. L.J. (2003)

*Prescriptive Laws, Uncertain Science, and Political Stories: Forest Planning in the Sierra Nevada*, 29 ECOLOGY L.Q. 747 (2003)

Note, *Gibbs v. Babbitt*, 28 ECOLOGY L.Q. 377 (2001)

### **Articles in Peer-Reviewed Journals**

*Collaboration, Clean Water Act Residual Designation Authority, and Collective Permitting: A Case Study of Long Creek*, 1 WATERSHED SCI. BULLETIN 25 (2010)

*Legal constraints, environmental variability, and the limits of innovative environmental governance*, 12 ENVTL. SCI. & POL'Y 684 (2009)

*Explaining the Klamath*, 22 CONSERVATION BIOLOGY 1664 (2008) (book review)

### **Amicus Briefs, White Papers, and Other Publications**

Brian Lessels and Dave Owen, *Legal Liabilities for Salt Use Reduction* (November 2011) (prepared for the Maine Salt Management Task Force)

Joseph L. Sax and David R. Owen, *Brief of Amici Curiae Law Professors in Support of The United States Petition for Rehearing and/or Rehearing En Banc, Casitas Municipal Water District v. United States* (Fed. Cir. 2008)

Contributing Editor, *Environmental Law Profs Blog*, August 2011 - present

### **PRESENTATIONS, LECTURES, AND WORKSHOPS**

*Mapping, Modeling, and the Integration of Environmental Law*, University of Maine Sustainability Solutions Institute, January 2012

*Maps, Models, and the Integration of Environmental Law*, Vermont Law School Environmental Law Colloquium, September 2011

Maine Water Conference: Conference Co-Chair; Chair, Panel on Urban, Urbanizing, and Undeveloped Watersheds, Augusta, Maine, March 16, 2011

*Administering an Ecological Public Trust*, Symposium: The Public Trust Doctrine: 30 Years Later, University of California, Davis School of Law, March, 2011

*The Curious Case of Critical Habitat*, Vermont Law School, October, 2010

*Urbanization, Water Quality, and the Regulated Landscape*, Vermont Law School Environmental Law Colloquium, October 2010

*Urbanization, Water Quality, and the Regulated Landscape*, Yale-Stanford Junior Faculty Workshop, Yale Law School, June 2010

Panelist, *When State Law Conflicts with Good Planning*, Maine State Planning Association, June 2010

*Is Regulation of Water Rights a Taking?*, Georgetown-Vermont Annual Conference on Litigating Regulatory Takings, Vermont Law School, November, 2009

*Urbanization, Water Quality, and the Regulated Landscape*, University of Maine Department of Wildlife Ecology, October 2009

*Litigating Climate Change*, Presentation to the Maine Judicial Council, July, 2009

*Physically Taking the Intangible: The Federal Circuit's Decision In Casitas Municipal Water District v. United States*, Federal Circuit Bar Association Panel, March 2009

Panelist, Conference on NEPA and Climate Change, Villanova Law School, October 2008

### **TEACHING**

Courses Taught: Environmental Law, Administrative Law, Natural Resources, Water Resources Seminar, Coastal Zone Seminar

### **LAW SCHOOL AND COMMUNITY SERVICE**

Faculty Senate Award for Service, 2011

Faculty Advisor, Maine Law Review

Appointments Committee (2009-10, 2010-11, 2011-12 (chair)); Curriculum Committee (2009-10, 2010-11, 2011-12); Clinics and Externship Committee (2007-08); Conduct Committee (2009-10); Dean's Advisory Committee (2010-11, 2011-12)

Organizer, Upper Level Writing Workshops, 2008-present

Board of Directors, Maine Bar Foundation, 2009-present

Member, Economic Development Commission, City of South Portland, 2008-present

Co-founder, Warm Home Cool City Project (community-based weatherization project for low and moderate-income homes in South Portland, Maine)