

Noah D. Hall

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Academic Appointments

Wayne State University Law School, Detroit, MI

Associate Professor of Law (tenured), 2010 – present

Assistant Professor of Law, 2005 – 2010

Teaching: Environmental Law, Water Law, Administrative Law, International Environmental Law, Advanced Topics in Environmental Law, Environmental Law Clinic, Advanced Environmental Law Clinic, Regulation of Vice

University of Michigan Law School, Ann Arbor, MI

Visiting Professor, 2008-2011

Adjunct Clinical Professor, 2005

Teaching: Water Law, U.S.-Canadian Transnational Environmental Law, Environmental Law Practicum

Education

University of Michigan Law School, Ann Arbor, MI, J.D., 1998

University of Michigan School of Natural Resources & Environment, Ann Arbor, MI, B.S., *with distinction* 1995 (graduated in three years with concentration in Environmental Policy and Behavior)

Publications – Books

ENVIRONMENTAL LAW AND POLICY: NATURE, LAW, AND SOCIETY (with Zygmunt J.B. Plater, Robert H. Abrams, Robert L. Graham, Lisa Heinzerling, and David A. Wirth) (4th ed., Aspen Publishers 2010)

Publications - Book Chapters

“The North American Great Lakes” in THE EVOLUTION OF THE LAW AND POLITICS OF WATER, Joseph W. Dellapenna & Joyeeta Gupta Eds. (Springer 2009)

Publications - Articles

Framing Water Policy in a Carbon Affected and Carbon Constrained Environment (with Robert H. Abrams), 50 NATURAL RESOURCES JOURNAL 3 (2010)

Protecting Freshwater Resources in the Era of Global Water Markets: Lessons Learned from Bottled Water, 13 U. DENV. WATER LAW REVIEW 1 (2009)

Interstate Environmental Impact Assessment, 39 ENVIRONMENTAL LAW REPORTER 10667 (2009)

Political Externalities, Federalism, and a Proposal for an Interstate Environmental Impact Assessment Policy, 32 HARVARD ENVIRONMENTAL LAW REVIEW 49 (2008)

The Centennial of the Boundary Waters Treaty: A Century of United States–Canadian Transboundary Water Management, 54 WAYNE LAW REVIEW 1417 (2008) (symposium article)

Climate Change and Great Lakes Waters Resources: Avoiding Future Conflicts with Conservation (with Bret B. Stuntz), 31 HAMLIN LAW REVIEW 641 (2008) (symposium article)

Climate Change and Freshwater Resources (with Bret B. Stuntz and Robert H. Abrams), 22 NATURAL RESOURCES & ENVIRONMENT 30 (Winter 2008)

Transboundary Pollution: Harmonizing International and Domestic Law, 40 U. MICH. J.L. REFORM 681 (2007) (lead symposium article)

The Evolving Role of Citizens in United States-Canadian International Environmental Law Compliance, 24 PACE ENVTL. L. REV. 131 (2007) (symposium article based on previously published work, presented at the IUCN Academy of Environmental Law, 4th Worldwide Colloquium, will also be published in abbreviated form by Cambridge University Press)

Toward A New Horizontal Federalism: Interstate Water Management in the Great Lakes Region, 77 COLORADO LAW REVIEW 405 (2006)

Bilateral Breakdown: U.S.-Canada Pollution Disputes, 21 NATURAL RESOURCES & ENVIRONMENT 18 (Summer 2006)

Publications - Reports

“U.S. Water Stewardship: A Critical Assessment of Interstate Watershed Agreements” (with Bret B. Stuntz) prepared for the Watermark Initiative (2009)

“Climate Change and Great Lakes Water Resources” (with Bret B. Stuntz) prepared for the National Wildlife Federation (2007), available at <http://works.bepress.com/noahhall/>

Publications – Congressional Testimony

“Interstate Water Management and the Great Lakes-St. Lawrence River Basin Water Resources Compact,” Testimony Before the United States Senate Committee on the Judiciary (July 30, 2008), available at <http://ssrn.com/abstract=1229243> and <http://works.bepress.com/noahhall/9/>.

“Federal and State Laws Regarding Bottled Water,” Testimony Before the House Oversight and Government Reform Committee, Domestic Policy Subcommittee (December 12, 2007), available at <http://ssrn.com/abstract=1072887> and <http://works.bepress.com/noahhall/8/>

Publications - Editorial Positions and Other Contributions

Contributing Editor, 2010 YEAR IN REVIEW (as well as 2009 YEAR IN REVIEW, 2008 YEAR IN REVIEW, 2007 YEAR IN REVIEW, 2006 YEAR IN REVIEW, and 2005 YEAR IN REVIEW, published jointly by ENERGY LAW JOURNAL and American Bar Association Section of Environment, Energy and Resources, wrote section on Great Lakes water resources)

Midwest Reporter, American Bar Association Water Resources Committee

Editorial Board Member, EASTERN WATER LAW & POLICY REPORTER (2006)

Publications – Blog

Author of “Great Lakes Law” blog: <http://www.greatlakeslaw.org>
Topics include: Aquatic Invasive Species, Bottled Water, Canada and Transboundary Water Protection, Clean Water Act, Climate Change, Great Lakes Compact, Water and Economic Development, and Water Law Reform

Legal Positions

Great Lakes Environmental Law Center, Detroit, MI

Executive Director, 2008 – 2010 (volunteer)

Founded and led non-profit public interest environmental law firm, developed board of directors and strategic direction for organization, represent community groups and state lawmakers in litigation

National Wildlife Federation, Ann Arbor, MI

Senior Manager, Water Resources Program, 2003 – 2005

Developed new water resource policies for the Great Lakes region, working directly with governors and state legislatures to draft legislation and a proposed interstate compact/binational water management agreement for the Great Lakes

Minnesota Center for Environmental Advocacy, St. Paul, MN

Assistant Director, 2001 – 2003

Successfully litigated numerous matters involving wetland protection, environmental review, energy policy, and administrative law in state and federal trial and appellate courts

Leonard, Street and Deinard, Minneapolis, MN

Associate Attorney, 1999 – 2001

Practice focused on environmental and energy litigation for both private and non-profit clients

Clerkship

Minnesota Supreme Court, St. Paul, MN

Judicial Clerk, 1998 – 1999

Served as judicial clerk for the Honorable Kathleen A. Blatz, Chief Justice of the Minnesota Supreme Court

Litigation Accomplishments and Published Decisions

Fednav, Ltd. v. Chester, 547 F.3d 607 (6th Cir. 2008) – successfully represented *amici* bipartisan group of state lawmakers in a Constitutional challenge to a state law intended to prevent biological pollution in the Great Lakes (also successfully represented same clients in district court, 505 F.Supp.2d 381 (E.D.Mich. 2007))

Glass v. Goeckel, 703 N.W.2d 58 (Mich. 2005) – successfully represented *amici* conservation organizations in nationally-recognized decision holding that the Great Lakes shorelines and beaches are protected by the public trust doctrine and open to recreational access

Michigan Citizens for Water Conservation v. Nestlé Waters North America Inc., 709 N.W.2d 174 (Mich.App. 2005) – successfully represented *amici* conservation organizations in precedent-setting decision unifying legal rules and protections between groundwater and surface water users

Mid States Coalition for Progress v. Surface Transp. Bd., 345 F.3d 520 (8th Cir. 2003) – successfully represented environmental organization in NEPA challenge to proposed coal train based on expected increases in national carbon dioxide (CO²) emissions

Minnesota Center for Environmental Advocacy v. Big Stone County Bd. of Com'rs, 638 N.W.2d 198 (Minn. Ct. App. 2002) – successfully represented environmental organizations in challenge to drainage practices, setting new precedent for applicability of environmental review and wetland protection laws to agricultural drainage activities

Associated Contract Loggers, Inc. v. U.S. Forest Service, 84 F.Supp.2d 1029 (D.Minn. 2000) – successfully defended environmental organization in SLAPP suit alleging interference with logging contracts and alleged establishment of religion of “deep ecology” in the United States Forest Service practices

Selected Invited Presentations

Boston College Law School – Learning from Disaster: Lessons for the Future from the Gulf of Mexico Symposium

(Boston, MA, November 12, 2010)

A Comparative Analysis of Oil Drilling Regulation in the Great Lakes

University of Toledo College of Law – Great Lakes Water Conference

(Toledo, OH, November 5, 2010)

Oil Drilling in the Great Lakes under U.S. and Canadian Law

International Bar Association Biennial Conference of the Section on Energy, Environment, Natural Resources and Infrastructure Law

(Toronto, ON, April 27, 2010)

Interstate Water Compacts – A Comparative Assessment

International Climate Law and Policy Symposium

Wayne State University Law School/Miller Canfield Law Firm

(Detroit, MI, April 14, 2010)

Climate Change Litigation Comes to Michigan

Environmental & Energy Law & Policy Journal and the University of Houston Law Center – Climate Change, Water, and Adaptive Law Symposium

(Houston, TX, February 26, 2010)

Interstate Water Compacts and Climate Change Adaptation

Michigan Senate Natural Resources and Environmental Affairs Committee and Senate Hunting, Fishing, and Outdoor Recreation Committee

(Lansing, MI, February 24, 2010)

Asian Carp and Supreme Court Litigation

Canada-United States Law Institute Annual Conference, Case Western Reserve University School of Law

(Cleveland, OH, April 4, 2009)

Emerging Great Lakes international legal issues

The Environmental Law Institute, George Washington University Law School, and the White House Council on Environmental Quality: NEPA at 40 – How a Visionary Statute Confronts 21st Century Environmental Impacts

(Washington, DC, March 24, 2009)

NEPA's International Dimension

American Bar Association 2009 Water Law Conference: Change in the Midst of Constants: Adapting Water Law to Meet New Demands
(San Diego, CA, February 19, 2009)
The Great Lakes Compact

Wayne Law Review – The Boundary Waters Treaty Centennial Symposium
(Detroit, February 5, 2009)
The Boundary Waters Treaty and Protecting Freshwater Resources in North America

Great Lakes Legislative Caucus Annual Meeting
(Chicago, June 13, 2008)
Federal and State Opportunities for Great Lakes Protection

American Bar Association 2008 Eastern Water Resources Conference: Eastern Water Law – A Climate of Change
(Charlotte, NC, May 2, 2008)
Interstate Water Management

Hamline University School of Law/Law Review Symposium – “Water, Catalyst of Life and Strife: A Threat to Security or a Vital Opportunity to Foster Cooperation?”
(St. Paul, MN, April 4, 2008)
Climate Change and Great Lakes Water Resources – Cooperation or Conservation

National Association of Environmental Law Societies Annual Conference
(Burlington, VT, March 21, 2008)
Climate Change and State Water Laws

United States House of Representatives Oversight and Government Reform Committee, Domestic Policy Subcommittee – hearing on “Assessing the Environmental Risks of the Water Bottling Industry’s Extraction of Groundwater”
(Washington, D.C., December 12, 2007)
Federal and State Laws Regarding Bottled Water – An Overview and Recommendations for Reform

University of Toledo College of Law – Great Lakes Water Conference
(Toledo, OH, November 16, 2007)
Invasive Species in the Great Lakes

Michigan Senate, Environment and Natural Resources Committee
(Lansing, MI, November 14, 2007)
The Great Lakes Compact and Public Trust Doctrine

The Chicago Humanities Festival – Climate of Concern
(Loyola University, Chicago IL, November 10, 2007)
Governing the Great Lakes

The Property and Environment Research Center 2007 Conference – Fresh Water
(Big Sky, Montana, September 29, 2007)
Protecting Regional Water Resources

Great Lakes Legislative Caucus Annual Meeting
(Traverse City, Michigan, August 25, 2007)
Federal Litigation and the Battle Over Invasive Species

Harvard Law School, Environmental Law Faculty Workshop
(Cambridge, Massachusetts, June 13, 2007)
*Political Externalities, Federalism, and a Proposal for an Interstate Environmental
Impact Assessment Policy*

University of Windsor (Canada) Faculty of Law – 2007 Wayne/Windsor Forum Lecture
(Windsor, Ontario, January 15, 2007)
Bilateral Breakdown: Going to Court Over U.S.-Canada Pollution Disputes

Michigan State University College of Law, Institute for Trade in the Americas – The
Great Lakes Water Basin: International Law and Policy Crossroads
(Chicago, IL, December 2, 2006)
Federalism and Interstate Environmental Management

Council of Great Lakes Industries – Building a Sustainable Great Lakes Water Quality
Agreement (Ann Arbor, MI, November 16, 2006)
Elements of Sustainable Development and the Role of Government

International Union for the Conservation of Nature and Natural Resources Academy of
Environmental Law – 4th Worldwide Colloquium (New York, October 18, 2006)
*The Evolving Role of Citizens in United States-Canadian International Environmental
Law Compliance*

University of Michigan Law School – The Great Lakes: Reflecting the Landscape of
Environmental Law Symposium (Ann Arbor, MI, September 29, 2006)
Transboundary Pollution: Harmonizing International and Domestic Law

Government of Canada Policy Research Initiative – Freshwater for the Future (Ottawa,
Ontario/Gatineau, Quebec, May 8-9, 2006)
*Boundary Waters: Implementing an Ecosystem Approach / Managing Conflicting
Interests*

Canadian Bar Association – Annual National Environmental, Energy and Resources Law
Summit: Canada-U.S. Cross-Border Issues (Toronto, Ontario, April 28, 2006)
Waterways, Waterwars: The Protection, Taking and Use of Water

International Joint Commission – The State of Groundwater in the Great Lakes Basin (Lansing, MI, March 9, 2006)
Reforming Public and Private Rights in Groundwater

Michigan Bar Association – Environmental Section Conference (Ann Arbor, MI, February 4, 2006)
Federal Jurisdiction for Wetlands Protection: The Clean Water Act in the Supreme Court

University of Toledo College of Law – The National Water Crises: Energy and Access for All (Toledo, OH, November 18, 2005)
New Legal Approaches to Controlling Access to Great Lakes Water

University of Michigan Law School – The World Today: Multi-Disciplinary Perspectives on Climate Change (Ann Arbor, MI, March 15, 2005)
Climate Change Litigation Strategies

Society of Environmental Journalists – 14th Annual Conference (Pittsburgh, PA, October 22, 2004)
Great Lakes Water Law and Policy

Selected Media Appearances

Bloomberg Businessweek – quoted in Margaret Cronin Fisk and Laurel Brubaker Calkins, *BP: Now Come the Fines* (August 5, 2010)

New York Times, “Room for Debate” forum – authored guest column on BP Gulf oil blowout, *Beyond the Blame Game* (June 16, 2010)

National Public Radio – interviewed on BP Gulf oil spill for *Tell Me More* with Michel Martin (June 16, 2010)

USA Today – quoted in Julie Schmit, *Gulf businesses say BP aid on oil spill too slow* (June 11, 2010)

Riz Khan Show, Al Jazeera English Network – interviewed on BP Gulf oil spill (June 9, 2010)

PBS NewsHour with Jim Lehrer – interviewed on BP Gulf oil spill (June 8, 2010)

FOX Business Network – interviewed on BP Gulf oil spill (June 3, 2010)

Wall Street Journal – quoted in Thomas Catan and Guy Chazan, *Spill Draws Criminal Probe* (June 2, 2010)

BNA Environment Report – quoted in Nora Macaluso, *State Seeks U.S. Supreme Court Order To Close Waterways to Block Entry of Carp* (January 1, 2010)

New York Times/Greenwire – quoted in Taryn Luntz, *Mich. Takes Invasive Carp Battle to Supreme Court* (December 22, 2009)

New York Times – quoted in *Suit on Invasive Carp and Great Lakes* (December 21, 2009)

Washington Post – quoted in Kari Lydersen and Peter Slevin, *Fish kill called necessary to save the Great Lakes* (December 6, 2009)

Detroit Free Press – authored op-ed, *Shut Plant Down* regarding the Detroit incinerator and greenhouse gas emissions (June 18, 2009)

Los Angeles Times – quoted in DeeDee Correll, *Out West, a new kind of water war*, (April 2, 2009)

BNA Daily Environment – quoted in *Michigan Attorney General's Opinion Calls Governor's Coal Plant Directive Unauthorized* (February 25, 2009)

ABA Journal – quoted in Kristin Choo, *Gulp: Litigation Won't End the Battles Over Depleted Water Resources in Several Regions of the United States* (September 2008)

Milwaukee Journal Sentinel – quoted in Dan Egan, *Action on Protective Laws Ever Likelier – Congress, President, Candidates Pledge Support for Compact* (August 16, 2008)

Los Angeles Times – quoted in John Flesher, *Deal with Clorox Spurs Sierra Club Feud* (July 17, 2008)

National Public Radio, Morning Edition – interview by David Schaper for story, *States Approve Compact To Protect Great Lakes* (July 8, 2008)

Detroit News – quoted in Jim Lynch, *Border Battles: Canada, U.S. Increasingly at Odds Over Pollution Issues* (June 27, 2008)

Detroit Free Press – quoted in Tina Lam, *Lakes Forecast: Tension High, and Michigan Partly to Blame* (April 3, 2008)

Cleveland Plain Dealer – quoted in Michael Scott, *Water is the Great Lakes Area's Prize* (March 30, 2008)

CQ (Congressional Quarterly) Weekly – quoted in Coral Davenport, *Creating New Water Ways* (March 10, 2008)

Milwaukee Journal Sentinel – quoted in Dan Egan, *Great Lakes Compact Hits Rough Waters* (February 16, 2008)

Detroit Free Press – quoted in John Flesher, *Proposed Changes Could Unravel Great Lakes Compact* (February 15, 2008)

Detroit News – quoted in Jim Lynch, *A Nation's Growing Thirst Threatens a Great Lakes Water War* (January 7, 2008)

Capital Times (Madison, Wisconsin) – quoted in Mike Ivey, *A Thirst for Fresh Water* (December 28, 2007)

Earth News – quoted in Sara Goodman, *Bottling Industry, Communities Debate Ownership and Regulation* (December 13, 2007)

Detroit News – quoted in Jim Lynch, *Lansing Moves to Protect Lakes* (December 6, 2007)

Cleveland Plain Dealer – quoted in editorial, *Protecting Great Lakes Water is a Clear Necessity* (December 2, 2007)

Toledo Blade – quoted in Tom Henry, *Global Warming Predictions Rouse Great Lakes Lobbying* (November 28, 2007)

Milwaukee Journal Sentinel – quoted in Dan Egan, *Protect Waters Before It's Too Late* (November 28, 2007)

Buffalo News – quoted in Jerry Zremski, *Great Lakes Face Trouble on 2 Fronts* (November 28, 2007)

Chicago Tribune – quoted in Tim Jones, *Great Lakes Key Front in Water Wars* (October 28, 2007)

Milwaukee Journal Sentinel – quoted in Dan Egan, *A Water Query from Out West* (October 5, 2007)

Milwaukee Journal Sentinel – quoted in Dan Egan, *BP Backpedals on Increasing Lake Pollution* (August 23, 2007)

Windsor Star (Canada) – quoted in *Great Lakes Divide Slows Water Deal* (March 31, 2007)

Law Times (Canada) – profiled extensively and research quoted in Ron Stang, *Domestic Courts Used to Fight Environmental Cases* (Feb. 19, 2007)

Windsor Star (Ontario, Canada) – quoted extensively in *Prof Raps Pollution Laws* (January 16, 2007)

Michigan Public Radio – invited studio guest to provide commentary on water privatization disputes (December 18, 2006)

Michigan Public Radio – invited studio guest to provide commentary on *Massachusetts v. EPA* case argued before the U.S. Supreme Court (November 29, 2006)

Chicago Tribune – quoted in John Flesher, *Book Predicts Great Lakes Water Battles Will Intensify* (September 8, 2006) (this article also ran in numerous other newspapers, including the Detroit News and the Detroit Free Press)

Milwaukee Journal Sentinel – quoted in Dan Egan, *Who Should Be Able to Tap Great Lakes?* (July 16, 2006)

Milwaukee Journal Sentinel – quoted in Dan Egan and Darryl Enriquez, *Michigan Shuts Tap to Lake New Berlin Blocked in Request to Divert Water* (June 30, 2006)

Detroit News – quoted in Alison Bethel, *Michigan Cases Key to Wetlands* (February 21, 2006)

Michigan Public Radio – invited studio guest on “Points North” show to discuss Great Lakes water law (December 2, 2005)

Michigan Public Radio – provided commentary on *Glass v. Goeckel* case decided by the Michigan Supreme Court (September 2, 2005)

Awards and Recognition for Scholarship

Wayne State University Academy of Scholars Junior Faculty Award and Honorarium (2009)

Harvard Law School Environmental Law Junior Faculty Forum selection for article *Political Externalities, Federalism, and a Proposal for an Interstate Environmental Impact Assessment Policy*

Awards and Recognition for Teaching

Professor of the Year (Upperclass) award from the Student Board of Governors (2010)

Donald Gordon Award and Honorarium for Teaching Excellence (2007)

Izumi Family Fund/Pedagogical Innovations Grant Award (2006)

Consistently highly rated based on Student Teaching Evaluations

Academic Service

Wayne State University Law School

Academic Affairs and Curriculum Committee (chair, 2010-2011; member 2009-2010)
Public Interest Law Fellowship Committee (chair, 2009-2010)
Clinical Programs Committee (2009-2011)
Faculty Advisor, Wayne Law Review (2009)
Faculty Appointments Committee (2007-2008)
Student Affairs Committee (chair, 2007-2008 and 2006-2007; member, 2005-2006)
Institute for Continuing Legal Education Executive Committee (2005-2007)
Faculty advisor, National Environmental Law Moot Court Competition (2005-2010)
Faculty advisor, Moot Court Program (2006-2007)

Professional Memberships

American Bar Association (Section of Environment, Energy and Resources)
Michigan Bar Association (Environmental Section)
Association of American Law Schools (section on Environmental Law)

Bar Admissions

Michigan, 2003
Minnesota, 1998 (inactive)
Also admitted to the Supreme Court of the United States, Sixth Circuit Court of Appeals, Eighth Circuit Court of Appeals, Federal District Court for the Eastern District of Michigan, and District of Minnesota