

DAVID KRUGER MEARS

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EXPERIENCE

VERMONT LAW SCHOOL, Environmental Law Center, South Royalton, VT

Associate Dean for Environmental Programs, August 2017 to Present

Manage the academic programs associated with the the law school's environmental law and policy curriculum for Juris Doctor, Master of Laws (LLM) in Environmental Law, and several environmental masters degrees. Teach and write in the area of environmental law. Support and coordinate the work of the law school's environmental and natural resources programs including a variety of institutes and centers.

VERMONT LAW SCHOOL, South Royalton, VT

Vice Dean for Faculty, July 2016 to July 2017

Provided oversight of the law school's academic programs and student services, and managed the instructional budget. Coordinated implementation of strategic priorities including the establishment of an online hybrid Juris Doctor degree, launch of a new Center for Justice Reform, and expanding international programs.

VERMONT LAW SCHOOL, Environmental & Natural Resources Law Clinic, South Royalton, VT

Director/Associate Professor of Law, August 2015 to June 2016

Directed Clinic again (after four and a half years away working for the State of Vermont), litigated cases, and taught Environmental Law. Led efforts to obtain a grant for the Clinic to support a new environmental justice initiative.

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION, Montpelier, VT

Commissioner, December 2011 to July 2015

Directed and managed a department of three hundred staff responsible for conserving Vermont's natural resources and protecting public health and the environment through implementing educational, regulatory, and funding programs to protect air, water and soil. Major initiatives included a cleanup and restoration plan for the Lake Champlain watershed and implementation of a new mandatory recycling law.

VERMONT LAW SCHOOL, Environmental & Natural Resources Law Clinic, South Royalton, VT

Assistant Director/Assistant Professor of Law, June 2005 to August 2007

Assisted in running a legal clinic in which students practiced in the areas of environmental and natural resources law with a focus on litigation. Litigated cases in state and federal court at trial and appellate levels. Taught Property Law.

Director/Associate Professor of Law, September 2007 to December 2011

Directed the Clinic and continued to litigate cases. Raised funds from private foundations to support the Clinic. Team-taught Summer Environmental Law course with two other faculty, and taught Watershed Protection and Management seminar.

U.S. Fulbright Scholar, Sun Yat Sen University in Guangzhou, China, August 2010 to December 2011

Taught Chinese law students regarding the United States Judicial System and United States Environmental Law. In addition to teaching courses at Sun Yat Sen University, lectured at Renmin University School of Law, China University of Politics and Law, Wuhan University School of Law, South China University of Technology, and Ningbo University School of Law on topics related to environmental law. Consulted with environmental law clinics at Sun Yat Sen University and China University of Politics and Law on behalf of Vermont Law School United States-China Partnership.

WASHINGTON OFFICE OF THE ATTORNEY GENERAL, Ecology Division, Olympia, WA
Senior Assistant Attorney General and Division Chief, December 1998 to June 2005
Managed a division of twenty-five attorneys representing the Department of Ecology, the State Conservation Commission, the Pollution Liability and Insurance Agency, and the Puget Sound Action Team. Provided legal advice to these state agencies and also litigated on behalf of the agencies before administrative hearings boards, as well as trial and appellate courts at both the state and federal levels.

U.S. DEPARTMENT OF JUSTICE, Environment and Natural Resources Div., Washington, D.C.
Counselor for State & Local Affairs, January 1998 to December 1998
Served as liaison to state and local governments and worked with Department of Justice attorneys to ensure cooperation and good working relations with states and local governments in environmental litigation.
Trial Attorney, May 1995 to January 1998
Represented the United States in affirmative federal court litigation filed under Superfund, the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act and other federal environmental statutes.

TEXAS OFFICE OF STATE-FEDERAL RELATIONS, Washington, DC
Energy and Environment Policy Director, December 1993 to May 1995
Developed policy positions and coordinated federal lobbying efforts on behalf of the State of Texas on federal environmental, agricultural and energy policy in conjunction with state elected and appointed leadership, with a focus on issues affecting the United States/Mexico border.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION, Austin, TX
Senior Attorney, June 1992 to November 1993
Managed the Commission's water quality practice including the following duties: supervising twelve attorneys; providing legal and policy advice; drafting and reviewing proposed regulations and legislation; and, representing the Commission at enforcement and permitting hearings.

TEXAS OFFICE OF THE ATTORNEY GENERAL, Environmental Protection Division, Austin, TX
Assistant Attorney General, June 1991 to May 1992
Represented Texas agencies, primarily in enforcement lawsuits, in the areas of water quality, drinking water, water rights, and wildlife protection.

VERMONT OFFICE OF THE ATTORNEY GENERAL, Environmental Unit, Montpelier, VT
Law Clerk, Summer 1990

TEXAS WATER COMMISSION, Water Quality Division, Austin, TX
Enforcement Coordinator, February 1987 to July 1988
Inspected and evaluated the compliance status of municipal and industrial waste water treatment plants and prepared recommendations for penalties and corrective action.
Administrative Technician, September 1985 to February 1987
Implemented a hazardous waste fee program.

EDUCATION

VERMONT LAW SCHOOL, South Royalton, VT
Juris Doctor, Summa Cum Laude (Class Rank: 1st of 153), May 1991
Masters of Studies in Environmental Law, Summa Cum Laude, May 1991

- National Environmental Moot Court Competition, Pace University: Member of the 1991 Vermont Law School Team that won Best Overall Team and Best Overall Brief
- Teaching Assistant, Legal Writing I (Fall 1990)
- Student Trustee, Vermont Law School Board of Trustees

CORNELL UNIVERSITY, College of Agriculture and Life Sciences, Ithaca, NY
Bachelor of Science, May 1985 Major: Environmental Engineering Technology

- Cornell National Scholar
- Teaching Assistant, Department of Government, Urban Affairs Laboratory
- Varsity Cross-Country, and Track and Field

PROFESSIONAL AFFILIATIONS – BOARDS

VERMONT CITIZENS ADVISORY COMMITTEE, Lake Champlain Basin Program, 2016 to Present
Appointed by the Governor of Vermont to advise the State of Vermont and the Lake Champlain Basin Program regarding the environmental protection of Lake Champlain.

CONNECTICUT RIVER CONSERVANCY, Board of Trustees, 2016 to Present
Non-profit organization committed to the protection and restoration of water quality, habitat and recreational opportunities on the Connecticut River and its tributaries.

HIGH MEADOWS FUND, Board of Directors, 2015 to Present
Foundation that provides funding for environmental organizations, engages in mission-investing, and convenes thought leaders and public officials for conversations in the areas of land use, agriculture, and environmental protection.

VERMONT LEAGUE OF CONSERVATION VOTERS, Board of Directors, 2006 to 2010
Non-profit organization that engages in political organizing and campaign work in support of candidates who support environmental protection, and also lobbies the Vermont General Assembly to support environmental legislation.

WASHINGTON FOUNDATION FOR THE ENVIRONMENT, Board of Directors, 2000 to 2005
Foundation that provides funding for organizations engaged in environmental advocacy, education and outreach.

PROFESSIONAL AFFILIATIONS – VLS

VERMONT LAW SCHOOL ALUMNI ASSOCIATION, Board of Directors, 2003 to 2010
Served two terms as an elected alumni representative on the VLS national alumni association.

VERMONT LAW SCHOOL D.C. ALUMNI ASSOCIATION, Board of Governors, 1995 to 1998
Helped to found and served as the president of the first regional VLS alumni association.

VERMONT LAW SCHOOL ENVIRONMENTAL LAW CENTER ADVISORY COMMITTEE,
1992 to 1995
Served as part of this advisory committee to the Environmental Law Center Director, first Jonathan Lash, then Patrick Parenteau.

PROFESSIONAL AFFILIATIONS – BAR ASSOCIATIONS

VERMONT STATE BAR, Member, 2005 to Present

WASHINGTON STATE BAR, Member, 1998 to 2011

TEXAS STATE BAR, Member, 1991 to Present (Currently “inactive” status)

FEDERAL COURTS:

- SUPREME COURT
- FIRST CIRCUIT

- SECOND CIRCUIT
- FOURTH CIRCUIT
- NINTH CIRCUIT
- WESTERN DISTRICT OF TEXAS
- EASTERN DISTRICT OF WASHINGTON
- DISTRICT OF VERMONT

PUBLICATIONS

Flint, Michigan: An essential lesson for state drinking water regulators, Trends: American Bar Association Section of Environment, Energy, and Resources Newsletter, Volume 48, Number 4, March/April 2017 (casting the Flint, Michigan drinking water lead contamination catastrophe and subsequent public scrutiny of Michigan's Department of Environmental Quality as a lesson for other state environmental regulators).

Foreword: Restoring and Maintaining the Ecological Integrity of Lake Champlain, with co-author Trey Martin, Vermont Journal of Environmental Law, Volume 17, Issue 4, Spring 2016 (introducing the "The Lake Champlain Edition" and providing background on the Clean Water Act and factual and scientific context for the papers included in this edition).

Lessons for Lake Champlain from Chesapeake Bay: Returning Both Waters to the "Land of Living," with co-author Rebecca Blackmon, Vermont Journal of Environmental Law, Volume 17, Issue 4, Spring 2016 (comparing the clean water restoration plans developed using the federal Clean Water Act "total maximum daily load" or "TMDL" provisions for both the Chesapeake Bay and Lake Champlain and proposing that a similar model for restoration be used for other major, complex watersheds).

Rivers and Resilience: Lessons Learned from Tropical Storm Irene, with co-author Sarah McKearnan, Vermont Journal of Environmental Law, Volume 14, 2012-2013 (exploring ideas for adapting land use and river management policies to better protect public safety and the environment from increasingly intense and frequent flood events resulting from climate disruption).

Observations of an Illiterate Law Professor: The Pearl River and Chinese Traffic Laws, Among Other Important Topics, Vermont Journal of Environmental Law, Volume 13, 2011-2012, (a compilation of blog postings from my time in China, using anecdotes from that experience to illustrate environmental law and policy challenges and opportunities for China and the United States).

Entergy Corp. v. Env. Prot. Agency, Amicus Brief filed in the United States Supreme Court on behalf of National Wildlife Federation and Sierra Club, Fall Term 2008 (arguing that EPA does not have authority to conduct a cost-benefit analysis when determining pollution technology requirements applicable to cooling water intake structures at existing power plants under Section 316(b) of the Clean Water Act). Research assistance provided by student clinicians.

S.D. Warren v. Maine Board of Environmental Protection, Amicus Brief filed in the United States Supreme Court on behalf of fifty-two national, regional and local non-profit environmental organizations, Spring Term 2006 (arguing that states have authority to issue water quality certifications for hydropower dams under Section 401 of the Clean Water Act). Research assistance provided by student clinicians.

Natural Resources Defense Council v. Abraham: Preventing the Department of Energy from Defining Away High-Level Nuclear Waste, with co-author John Ruple, Utah Journal of Land, Resources & Environmental Law, 2004, Volume 24, Issue 1 (providing the state perspective on the battle over the U.S. Department of Energy's efforts to seek authority to reclassify high-level radioactive waste).

Better to Work Outside Courts to Mix Roles, The Environmental Forum – The Policy Journal of the Environmental Law Institute, July/August 2002, Volume 19, Number 4, Page 54 (positing that U.S. Supreme Court federalism cases have little impact on on-the-ground state environmental protection

regulation, as part of a series of articles entitled “Forum: Who’s In Charge?” relating to the Supreme Court’s federalism jurisprudence).

The Mississippi Basin: A National Treasure, A National Challenge, with co-author Scott Siff, Tulane Environmental Law Journal, Volume 12, Issue 2, Spring 1999 (discussing joint state/federal efforts to protect the water quality of the Mississippi River).