

Hillary M. Hoffmann

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EDUCATION

UNIVERSITY OF UTAH, S.J. QUINNEY COLLEGE OF LAW, J.D. 2003
Richard L. Dewsnup Fellow, Natural Resources Law. William H. Leary
Scholar. *Utah Law Review*.

MIDDLEBURY COLLEGE, B.A., high honors, Spanish, 1997
Sigma Delta Pi Honor Society.

ACADEMIC APPOINTMENTS

VERMONT LAW SCHOOL (July 2008 – present)
Professor of Law (2013-present).
Courses: Constitutional Law, Natural Resources Law, Administrative Law, Native
Americans & the Law, Indian Tribes as Governmental Stewards of the Environment

UNIV. OF MONTANA, ALEXANDER J. BLEWITT SCHOOL OF LAW
Visiting Professor, Summer Indian Law Program (July 2017)
Course: Indigenous Cultural Preservation Law: Sacred Sites and Religious Freedom

PUBLICATIONS

Articles and Essays

*Congressional Plenary Power and Indigenous Environmental Stewardship: The Limits of
Environmental Federalism*, OREGON LAW REVIEW (forthcoming 2019).

Trump's Monuments Order Won't Benefit Tribal Economies, Law360 (Jun. 7, 2017).

Of Dinosaurs and Sagebrush: The Value of the Colorado Plateau Monuments, Colorado
Plateau Advocate Magazine (Apr. 10, 2017).

*Fracking the Sacred: Resolving the Tension Between Unconventional Oil & Gas Development
and Tribal Cultural Resources*, 94 DENVER LAW REVIEW 319 (2017).

Demand Management and Livestock Grazing in the Great Basin: An Integrated Approach to

the Climate Crisis Facing Federal Rangelands, 6 GEO. WASH. U. J. ENERGY & ENVTL. L. 14 (2016).

Impacts of the BLM Fracking Rule in Indian Country, Environmental Law Reporter (Oct. 2015).

Fracking In Indian Country: The Federal Trust Relationship, Tribal Sovereignty, and the Beneficial Use of Produced Water, 32 YALE J. REG. 451 (2015).

The Flawed Law and Economics of Federal Land Seizure Statutes, National Resources & Environment (Feb. 5, 2015).

Climate Change and the Decline of the Federal Range: Is Adaptive Management the Solution?, 15 VT. J. ENVTL. L. 262 (2014).

Signs, Signs, Everywhere Signs, *The Wilderness Society v. Kane County Leaves Everyone Confused About How to Navigate a Right of Way Claim Under Revised Statute 2477*, 18 HASTINGS W.N.W. J. ENVTL. LAW & POLICY 3 (2012).

A Changing of the Cattle Guard: The Bureau of Land Management's New Approach to Grazing Qualifications, 24 J. ENVTL. L. & LITIG. 243 (2009).

Editorials and Commentary

Grand Staircase-Escalante and Bears Ears National Monuments Litigation, Environmental Law Prof blog (Dec. 5, 2017).

Obama's Monument Designations Were Lawful, Not Land Grabs, L.A. TIMES (Jan. 13, 2017).

Dakota Access Pipeline: The Calm Between the Storms, Vt. J. Env't'l L. Top Ten Watch List (2016) (co-authored with Gabrielle Regney, J.D. 2017).

Dakota Access – Three Things to Watch, Environmental Law Prof blog (Dec. 5, 2016).

Bad Public Land Bills in Congress: H.R. 866 and H.R. 1484, Environmental Law Prof blog (Nov. 17, 2016).

With Astonishing Speed, Ninth Circuit Court of Appeals Holds Hage Family Liable for Trespass, Damages, Environmental Law Prof blog (Jan. 18, 2016).

Utah's Public Lands Aren't About to Change Hands, HIGH COUNTRY NEWS (Feb 24, 2015).

Obama Administration Settles Navajo Nation Trust Lawsuit for \$554M, Vermont Journal of Environmental Law Blog, December 10, 2014 (co-authored with Andrew Settle, J.D. 2015).

Tenth Circuit Issues Decision Regarding Claims to R.S. 2477 Rights of Way Over Federal Lands, Environmental Law Prof Blog (Dec. 5, 2014).

Federal District Court Upholds Obama Administration's Grand Canyon Uranium Mining Withdrawal, Environmental Law Prof Blog (Oct. 2, 2014).

The End of the Road for R.S. 2477 Claimants in Canyonlands National Park?, Environmental Law Prof Blog (May 2, 2014).

Pacific Coast Action Plan on Climate and Energy, Vt. J. Env't'l L., Environmental Top Ten Watch List (2013) (with Andrew Minikowski, J.D./M.E.L.P. '15).

Recent Surge in "Ghost Roads" Litigation Threatens National Parks and Other Federally Protected Lands, Vt. J. Env't'l L. Top Ten Watch List (2013) (with Sara Imperiale, J.D. '13).

PRESENTATIONS

Tribal Natural Resources Co-Management Agreements: Transitioning Natural Resource Management From a Jurisdictional Model to an Ecological Model, Economics for the Anthropocene (E4A) Law and Governance Research Initiative and Ecological Law and Governance Association (ELGA) Workshop, McGill University Faculty of Law, Montreal, QC (Oct. 18, 2017).

Impacts of Oil and Gas Development on Public and Tribal Lands, Legislative Hearing on H.R. 866, The Federal Lands Freedom Act and H.R. 1484, The Honor Nevada Enabling Act of 1864 Act, U.S. House Committee on Natural Resources, Washington, D.C. (Nov. 15, 2016) (invited).

Environmental Law in Indian Country, Federal Bar Association, Washington, D.C. (Oct. 28, 2016) (invited).

Public Lands and Climate Resilience: Implementing the Paris Agreement Through Progressive Grazing Policies in the U.S. and Australia, 7th Annual Colloquium on Environmental Scholarship, Vermont Law School (Sept. 23, 2016).

Environment Versus Development, University of Vermont, Economics for the Anthropocene Conference (July 6-7, 2015) (invited).

Fracking Waste Disposal in Indian Country, Environmental Law Institute (May 28, 2015) (invited).

The Unsustainable Livestock Grazing Regime on Federal Public Lands: Lessons from Abroad, First Annual Sustainability Conference of American Legal Educators, Sandra Day O'Connor College of Law, Arizona State University (May 8, 2015).

Fracking Waste Disposal in Indian Country, Vermont Journal of Environmental Law

Symposium (Oct. 24, 2014) (invited).

A Constitutional Critique of Utah's Transfer of Public Lands Act, 5th Annual Colloquium on Environmental Scholarship, (Oct. 4, 2014).

Public Lands Grazing and Climate Change, New England Association of Political Scientists Annual Meeting, Woodstock, Vermont (April 30, 2014).

Keynote address, Vermont Law School 2014 Solutions Conference, *Eco-Equity* (March 28, 2014).

Demand Management and Livestock Grazing in the Great Basin: an Integrated Approach to the Climate Crisis Facing Federal Rangelands, Shapiro Symposium on Public Lands, George Washington University, 2014 J.B. and Maurice C. Shapiro Environmental Law Symposium, George Washington University Law School (March 13-14, 2014) (invited).

Cultural Resource Protection and Federal Livestock Grazing Policy, Mercer University Virtual Guest Lecture Series (November 2013) (invited).

Managing Multiple Incompatible Uses: Why the Forest Service's Livestock Grazing Policy Fails to Protect Native American Archeological Sites, 19th International Symposium on Society and Resource Management, Estes Park, Colorado (June 2013) (invited).

PRO BONO WORK

Author of Brief of Amici Curiae Natural Resources and Property Law Professors, in *Garfield County, et al. v. United States, et al.* (Utah Supreme Court, 2015); Co-author (with Prof. John Echeverria) of Brief of Amici Curiae Natural Resources Defense Council and Sierra Club, in *United States v. Estate of E. Wayne Hage, et al.* (9th Cir. 2015); Signatory to various amicus briefs filed in the United States Supreme Court, the U.S. Courts of Appeals, and state supreme courts.

PROFESSIONAL EXPERIENCE

The Honorable Matthew Katz (ret.), Vermont Superior Court. Law clerk (2007-2008)

The Honorable Merideth Wright (ret.), Vermont Environmental Court. Law clerk (2006-2007).

Fabian & Clendenin, PC, Salt Lake City, UT. Associate in Commercial Litigation, Employment, and Natural Resources Practice Groups (2003-2006).

Fabian & Clendenin, PC, Salt Lake City, UT. Summer associate in Commercial Litigation Practice Group (2002)

Utah Attorney General, Natural Resources Div., Water Resources Div., Summer law clerk fellow (2001).

PROFESSIONAL AFFILIATIONS AND BAR MEMBERSHIPS

Vermont Law School

Faculty Fellow, Center for Agriculture & Food Systems (2013-present)

Economics for the Anthropocene Law & Governance Program Coordinator (2017-present)

Faculty Advisor, VERMONT LAW REVIEW (2012-present)

Faculty Advisor, Native American Law Students Association (2012-present)

Ad Hoc Grading Committee (2016-2017)

Judicial Clerkship Committee (2012-2016)

Faculty Advisor, VLS Masters Programs (2014-2015)

Director, Colloquium on Environmental Scholarship (2012-2015)

Faculty Advisor, Moot Court Advisory Board (2010-2013)

Burton Award Committee (2010-2013)

Curriculum Mapping Committee (2012-2013)

Profession and Community

Sierra Club Litigation Committee (2014-present)

Bar Admissions: Ninth Circuit Court of Appeals, Federal District Court for the District of Utah, Federal District Court for the District of Vermont, Utah Supreme Court, Vermont Supreme Court.

American Bar Association (2003-present)

Utah Bar Association (2003-2007)

Vermont Bar Association (2006-present)