

Jill Witkowski Heaps

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EDUCATION

Washington University School of Law, St. Louis, Missouri

Juris Doctor, 2002, Order of the Coif

Judge Amandus Brackman Moot Court Prize

Law Review, Executive Notes & Projects Editor, WASH. UNIV. J. OF LAW & POL'Y

Student Attorney, Interdisciplinary Environmental Clinic

PACE National Environmental Law Moot Court Competition, quarterfinalist

Research Assistant for Professor Karen Tokarz

Teaching Assistant for First Year Legal Writing Course

University of Notre Dame, South Bend, Indiana

Bachelor of Arts, 1999; Magna Cum Laude

Double major: Environmental Science & Political Science Concentration: Peace Studies

ACADEMIC APPOINTMENTS

Vermont Law School, South Royalton, Vermont

Director, Environmental and Natural Resources Law Clinic (May 2017 - Present)

Co-Director, Water and Justice Program (August 2018- Present)

Assistant Professor (May 2017 - Present)

Tenure-track appointment to direct all aspects of the Environmental and Natural Resources Law Clinic. Supervise a team of four attorneys and a paralegal in teaching and mentoring approximately 40 law students each year. Teach companion seminar. Spearheading the development of an environmental justice focus at Vermont Law School, including setting a vision for the program, hiring an environmental justice staff attorney, and collaborating with Duke Law School and Yale Law School on an environmental justice conference in March 2019. Raised \$200,000 to support clinic operations. Supervised two independent research projects. Represented Vermont Law School in Wuhan, China during Wuhan University's International Environmental Law Clinics conference.

Tulane University School of Law, New Orleans, Louisiana

Professor of the Practice, June 2008 – December 2009

Acting Director, August 2008 –December 2008

Deputy Director, Tulane Environmental Law Clinic, June 2008 – December 2009

Clinic Instructor, August 2005- June 2008

Supervised law students in public interest environmental litigation in federal and state courts. Cases involved air, water, and land pollution, endangered species. Assisted in fundraising efforts

to support clinic operations. As Acting Director, supervised four attorneys, a paralegal, taught clinic seminar, and oversaw clinical experience of 26 students.

FEDERAL ADVISORY COMMITTEE

National Environmental Justice Advisory Council, 2013-2019

Appointed by EPA Administrator Gina McCarthy. Serve on a 30-person Federal Advisory Committee advising the U.S. EPA on environmental justice issues. Have served as Vice-Chair since 2016. Served as Chair of work groups on Water Infrastructure Financing and Communicating Monitoring Results to Impacted Communities. Primary author of formal recommendation papers on water infrastructure financing and community monitoring. Contributing author to recommendation paper on building community resiliency in industrial waterfront areas. Primary author of recommendation letters to Administrator McCarthy regarding the chemical spill in Elk River, West Virginia, the refinery rule, and the farmworker protection standards. Appointment expires August 2019.

PROFESSIONAL EXPERIENCE

National Wildlife Federation, Annapolis, Maryland

Director, Choose Clean Water Coalition, 2013-2017

Led coalition of more than 200 organizations from across the region working towards a clean Chesapeake Bay watershed. Developed multi-year strategic plan and policy priorities adopted by the entire Coalition, which includes a focus on increasing the diversity among and within Coalition member groups. Spearheaded the Coalition's policy advocacy work by coordinating internal policy work groups on the Chesapeake Bay TMDL, stormwater, federal policy, fracking, and environmental justice, while building relationships with EPA's Chesapeake Bay Program and key state government leaders, the Chesapeake Bay Commission, and other integral partners. Served as co-chair of Chesapeake Bay Watershed Agreement's environmental justice working group. Worked with City of Harrisonburg, Virginia to develop and adopt a stormwater utility fee. Through funding from the Pisces Foundation, convened water policy thought leaders to strategize about a national approach to clean water advocacy. Spearheaded regional polling on attitudes toward clean water and water policies. Built relationships with funding community and raised more than \$800,000 annually.

San Diego Coastkeeper, San Diego, California

Waterkeeper, 2012-13

Legal Clinic Director, Environmental Law & Policy Clinic, 2011-13

Staff Attorney, Environmental Law & Policy Clinic, 2010-11

Developed and executed strategic vision for the organization to achieve fishable, swimmable, drinkable San Diego waters. Advocated as primary spokesperson for the waters in San Diego County. Served on Port of San Diego's Environmental Advisory Committee. Co-chaired Water Reliability Coalition, a diverse 20-member coalition of environmental groups, businesses, and labor focused on securing safe, local, reliable water supply. Participated in stakeholder group for

City of San Diego's 2012 Long Range Water Resources Plan. Served on LID Technical Advisory Committee for San Diego County's Low Impact Development Handbook. Litigated multi-year quasi-adjudicative process leading to clean-up of contaminated sediments in San Diego Bay. Developed a Community Advisory Committee, which launched a Leaders Environmental Action Program to train and engage diverse high school students in water issues. Managed two staff members and three student attorneys per semester, plus six students in summer.

Law Clerk to the Honorable Virginia M. Hernandez Covington,
U.S. District Court, Middle District of Florida, 2004-05

Skadden, Arps, Slate, Meagher & Flom, New York, New York
Associate, Executive Compensation & Employee Benefits 2002-04; Summer Associate, 2001

U.S. Environmental Protection Agency, Washington, D.C.
Intern, Office of Enforcement and Compliance Assurance, 2000

HONORS

International Advisory Committee for Wuhan University's Environmental Law Clinic,
Wuhan, China, 2018- Present

Serve as sole American representative on the International Advisory Committee, which advises the professors and students of Wuhan University's Environmental Law Clinic on best practices for clinical education and public interest environmental law. More than half of the twenty-two members of the committee are Chinese. The remainder of committee is comprised of public interest attorneys from Australia, Cambodia, Thailand, and Myanmar.

Harvard Law School Wasserstein Public Interest Fellow, 2012-13

The Wasserstein Public Interest Fellows program brings outstanding public interest attorneys from across the country to the Harvard Law School campus for two days during the year to advise law students about public service careers. Wasserstein Fellows are selected based on the depth and diversity of their public interest experiences, the areas of expertise which interest students, and the personal qualities that will make them excellent advisers.

BAR AND COURT ADMISSIONS

Bar Admissions: New York Bar, 2003 (active) Louisiana Bar, 2005 (inactive)
 California Bar, 2010 (inactive) Vermont Bar 2017 (active)

Court Admissions: D.C. Circuit, 5th Circuit, Eastern and Western Districts of Louisiana,
 Southern District of California

JUDICIAL EDUCATION

Judicial Remedies for Environmental Harms, Judicial Training for Judges from Supreme People's Court of China, Montpelier, VT, August 22, 2018.

PUBLICATIONS

Book Chapters

“The Establishment and Practice of Environmental Law Clinics: A Comparative Analysis of Clinical Models in the United States and Australia,” co-author with Evan Hamman, Queensland University of Technology,” Teaching and Learning in Environmental Law: Pedagogy, Methodology and Best Practice, International Union for the Conservation of Nature, *in progress*

Law Review Articles

Avoiding Flint: How to ensure environmental justice communities have clean, safe water, (in progress)

Holding Cigarette Manufacturers and Smokers Liable for Toxic Butts: Potential Litigation-Related Causes of Action for Environmental Injuries/Harm and Waste Cleanup, TULANE ENVTL. L. J., Vol. 28, Issue 1, Winter 2014

Can Juries Really Believe What They See? New Foundational Requirements for the Authentication of Digital Images, WASH. UNIV. J. LAW & POL’Y, Vol. 10 (2002)

Formal Agency Recommendations to EPA

Addressing the Urgent Water Infrastructure Needs of Environmental Justice Communities, Primary Author and work group chair, National Environmental Justice Advisory Council, August 2018

Recommendations and Guidance for EPA to Develop Monitoring Programs in Communities, Primary Author and work group co-chair, National Environmental Justice Advisory Council, August 2017

Proposed Recommendations for Promoting Community Resilience in Industrial Waterfront Areas, Work group member, National Environmental Justice Advisory Council, May 2015

Reports for which I served on a Stakeholder Committee or as a Technical Advisor

Low Impact Development Handbook: Stormwater Management Strategies, San Diego County, July 2014, LID Technical Advisory Committee Member

The Potential of Water Efficiency and Conservation: Opportunities in Single-Family Homes in San Diego, Equinox Center, San Diego, October 2012, reviewer/contributor

2012 Long Range Water Resources Plan, City of San Diego, 2012, Stakeholder Committee Member

Recycled Water Study, Black & Veatch, prepared for City of San Diego, May 10, 2012,
Stakeholder Committee Member

Amicus Curie Briefs

Johnson v. Consumers Coop. Ass'n of Litchfield, A18-0571. Minn. Ct of Appeals, Brief for Amicus Curie Organic Farmers Association, Center for Food Safety, and Organic Farmers' Agency for Relationship Marketing (August 1, 2018)(discussing the impact to organic consumers and farmers of Minnesota's cases interpreting federal pesticide regulations in the context of pesticide drift)

Ohio Valley Env'tl. Coal. v. Pruitt, No. 17-1430, 4th Circuit, Brief for Amicus Curie National Wildlife Federation, authored with P. Parenteau and R. Stevens (Sept. 1, 2017)(covering constructive submission of TMDLs)

Ogeechee-Canoochee Riverkeeper v. U.S. Army Corps of Engineers, 559 F. Supp.2d 1336, No. 606CV102 (S.D. Ga., 2008) Brief for Amici Curie Sierra Club, Louisiana Environmental Action Network, Gulf Restoration Network, Lake Pontchartrain Basin Foundation, Lower Mississippi Riverkeeper, Atchafalaya Riverkeeper, and Surfrider Foundation (supporting plaintiff's efforts to invalidate a Clean Water Act permit exemption the Corps granted for cypress logging)

Schoeffler et al v. Kempthorn, 493 F. Supp. 2d 805 (W.D. La. 2007) No. 6:05-cv-01573, Brief for Amicus Curie Sierra Club (supporting plaintiffs' efforts to compel the Secretary of the Interior to designate critical habitat for the Louisiana Black Bear)

Other Publications

Recent Developments in Environmental Law, Louisiana Bar Journal, June/July 2009, Vol. 57, No. 1

GUEST LECTURES—LAW SCHOOLS AND UNIVERSITIES

Chesapeake Bay and the Clean Water Act, University of Maryland School of Public Health, Course MIEH770, College Park, MD, February 18, 2016

Environmental Law Class, University of San Diego School of Law, San Diego, CA, April 4, 2013

Global TIES, University of California, San Diego, Jacobs School of Engineering, local non-profit partner, Spring 2013

Harvard Law School Legal Practice Settings: Non-profit/Advocacy Panel, Harvard Law School, Cambridge, MA, October 18, 2012

Research in the Real World: Administrative Law & Litigation, University of San Diego School of Law, San Diego, CA, May 16, 2012

Water Scarcity in San Diego, University of San Diego School of Law, San Diego, CA, April 11, 2012

Environmental Law Class, California Western School of Law, San Diego, CA, March 26, 2012

Environmental Law Class, Thomas Jefferson Law School, San Diego, CA, November 2, 2011

Public Interest Panel, California Western School of Law, San Diego, CA, October 13, 2011

Research in the Real World: Administrative Law & Litigation, University of San Diego School of Law, San Diego, CA May 18, 2011

Environmental Law Clinic Class, Tulane University School of Law, New Orleans, LA Fall 2008

SELECT PRESENTATIONS

Toward Water Equity: Challenges, Tools and Approaches, Urban Waters National Training Workshop, Washington, D.C., October 18, 2018 (invited)

Lessons from U.S. Environmental Law Clinics for Chinese Environmental Law Clinics, International Environmental Law Clinics Conference, Wuhan University School of Law, Wuhan, China, May 18, 2018

Leveraging Intersectionality to Address Injustice in Our New Reality, New England Clinical Conference, Suffolk University Law School, Boston, MA, October 17, 2017

Building Diversity and Addressing Environmental Justice, Chesapeake Bay Funder's Network meeting, Lancaster, PA, November 16, 2015

Envisioning Outcomes—Examples from the Chesapeake, Great Lakes & New England, Delaware River Watershed Forum, Newark, DE October 6, 2015

Breaking the Green Ceiling: Building Diversity in Your Organization, Delaware River Watershed Forum, Newark, DE, October 6, 2015

Increasing Diversity in Your Organization, Choose Clean Water Conference, Harrisburg, PA May 20, 2015

The Chesapeake Bay Agreement and Implementing the TMDL, Environment Virginia Symposium, Lexington, VA April 8, 2014

Draining the Mighty Colorado: San Diego's Insatiable Thirst and How You Can Quench It, Fleet Science Center, San Diego, CA, August 5, 2013

Moving Forward Together—perspectives on the new Municipal Stormwater Permit, American Public Works Association, San Diego Chapter, July 25, 2013

Sleeping with the Enemy—the rewards and challenges of unconventional partnerships, Waterkeeper Alliance Conference, Pine Mountain, GA, June 7, 2013

Development of a Community Advisory Council, Waterkeeper Alliance Conference, Pine Mountain, GA, June 6, 2013

Water Reliability Coalition—moving towards Potable Reuse in San Diego, National Association for Office and Industrial Parks, April 4, 2013; Building Owners and Managers Association, April 15, 2013

Environmental Protection Perspectives on the 2013 Municipal Stormwater Permit, North County Civil Engineers and Land Surveyors, San Marcos, CA, February 27, 2013

The 2013 Municipal Stormwater Permit—opportunities for partnership, Industrial Environmental Association, La Jolla, CA, February 14, 2013

Preventing San Diego's Silent Spring: what can be done about local water pollution, Silent Spring + 50: lessons from San Diego's bees and bays, Fleet Science Center, San Diego, CA, February 6, 2013 <http://www.ethicscenter.net/silent-spring-series-silent-spring-50-lessons-from-san-diegos-bees-and-bays/>

The 2013 Municipal Stormwater Permit—where the Green Building industry fits in, U.S. Green Building Council—San Diego Chapter, San Diego, CA, January 4, 2013

Healthy Watersheds: How Do We Get There From a Legal Perspective? MCLE, Association of California Water Agencies, Temecula, CA, December 7, 2012

The 2013 Municipal Stormwater Permit—clean water helps tourism and the blue tech industry, San Diego Chamber of Commerce Council, San Diego, CA, November 15, 2012

Moderated Panel after film premiere of Watershed: exploring a new water ethic for the new west, Water Conservation Garden, July 28, 2012

Using Technology to Take Action at the Local Level, Toxic Butts: Linking science and advocacy to protect our environment from cigarette butt pollution, Berkeley, CA, June 1, 2012

Advocates, Experts, and Lawyers: Working Together Effectively, Waterkeeper Alliance Conference, Portland, OR, May 7, 2012

Bang for the Buck: Enforcement and Technology, Waterkeeper Alliance Conference, Portland, OR, May 7, 2012

NPDES Basics, Waterkeeper Alliance Conference, Portland, OR, May 6, 2012

Harnessing the Power of Law Students, University of Oregon Public Interest Environmental Law Conference, Eugene, OR, March 3, 2012

National Nutrient Standards, River Network's National River Rally, Salt Lake City, UT, May 23, 2010

Citizen Enforcement of the Clean Water Act: taking the law into your own hands, Gulf Restoration Network's Gulf Gathering, Fairhope, AL, May 7, 2009

Practice and Procedure in the Division of Administrative Law, Louisiana Bar Association Environmental Law Section Spring CLE, New Orleans, LA March 12, 2009

Race, Poverty, and Katrina's Lessons on Environmental Justice, Jewish Council on Public Affairs' 2008 Community Relations Mission to New Orleans, New Orleans, LA, June 16, 2008

In Deep Water—Permitting Issues Surrounding Offshore LNG Facilities, Key Environmental Issues in U.S. EPA Region 4, Atlanta, GA May 17, 2007

SELECT MEDIA

Kelly Burch, "VLS Expands Environmental Justice Focus," Valley News, April 21, 2018 <https://www.vnews.com/Vermont-Law-School-Expands-Focus-on-Environmental-Justice-17006828>

Amena Saiyid, "More Households Will Struggle to Pay Water, Sewer Bills: EPA," BNA Environment & Energy Report, February 23, 2017, <https://www.bna.com/households-struggle-pay-n57982084256/>

Daniel Walmer, "Lessening pollution: Stormwater management pits costs against clean water," The Sentinel, July 30, 2014, https://cumberlink.com/news/local/lessening-pollution-stormwater-management-pits-costs-against-clean-water/article_6a4ff374-185d-11e4-b3a0-0019bb2963f4.html

Jeremy Cox, "Bay cleanup progressing but not on track groups say," Delmarvanow.com, June 11, 2014 <https://www.delmarvanow.com/story/news/local/maryland/2014/06/11/bay-cleanup-report/10306591/>

Andrew Keatts, "What's Holding Up the San Diego Bay Cleanup?" Voice of San Diego, September 25, 2013 <https://www.voiceofsandiego.org/topics/science-environment/whats-holding-up-the-san-diego-bay-clean-up/>

Sandra Phillips, "Is Mission Bay Gross? Select Experts Weigh in," Fox News, June 26, 2013
<https://fox5sandiego.com/2013/06/25/experts-answer-is-mission-bay-gross/>

Ioana Petinganru "Engineering Students Develop App to Help Protect Marine Conservation Areas," February 14, 2013 https://ucsdnews.ucsd.edu/feature/engineering_students_develop_app_to_help_protect_marine_conservation_areas

Kendra Hartmann, "Residents Train Eyes, Tars on Water Pollution," SDnews.com, December 2012 http://www.sdnews.com/view/full_story/21033869/article-Residents-train-eyes--ears-on-water-pollution?instance=bbp

Deborah Sullivan Brennan, "ENVIRONMENT: Group seeks to harvest 'low-hanging fruit' for water conservation," San Diego Union Tribune, October 4, 2012
<http://www.sandiegouniontribune.com/sdut-environment-group-seeks-to-harvest-low-hanging-2012oct04-story.html>

"Improving the flow to use recycled water," The San Diego Union Tribune, May 26, 2012

"Local Environmental Groups Don't Like Governor's Water Plan" KPBS, May 7, 2012

"Water Quality Board Orders Cleanup of SD Bay," 10News, San Diego, March 14, 2012
<https://www.10news.com/news/water-quality-board-orders-cleanup-of-sd-bay>

Ed Joyce, "San Diego Coastkeeper: EPA Ship Sewage Discharge Rule Good Start," KPBS, Feb. 9, 2012, <https://www.kpbs.org/news/2012/feb/09/san-diego-coastkeeper-epa-ship-sewage-discharge-ru/>

Ed Joyce, "San Diego Bay Sediment is 'Toxic Soup,'" KPBS, August 8, 2011
<https://www.kpbs.org/news/2011/aug/08/san-diego-bay-sediment-toxic-soup/>

"Power plants face closures," San Diego Union Tribune, May 11, 2010
<http://www.sandiegouniontribune.com/sdut-power-plants-face-closures-2010may11-story.html>

LAW SCHOOL AND COMMUNITY SERVICE

Dean's Advisory Committee

Curriculum Committee

Diversity Committee

Superadvisor

Clinics & Externships Work Group

Environmental Justice Law Society Faculty Advisor

Lake Champlain Sea Grant Program Advisory Committee