

Résumé

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Personal

Background Born in Brockton, Massachusetts
Married, with two grown children

Education Harvard University, B.A., 1961
Columbia University School of Law, J.D., 1965

Positions Held

<i>Winter, 2013</i>	Higgins Distinguished Visitor, Lewis and Clark Law School
<i>Fall, 2009</i>	Douglas Costle Chair Visiting Professor, Vermont Law School
<i>Fall, 2001</i>	Edward S. Godfrey Visiting Professor, University of Maine School of Law
<i>Fall, 2000</i>	Visiting Professor, University of Miami School of Law
<i>Fall, 1999</i>	Visiting Professor, Arizona State University School of Law
<i>Fall, 1997</i>	Hubert Hurst Eminent Scholar, University of Florida, College of Law
<i>Winter 1996</i>	Visiting Professor, University of British Columbia, Vancouver (co-taught course on U.S./Canadian Environmental Law)
<i>Fall, 1995</i>	George C. Johnson, Visiting Professor of Law, William S. Richardson School of Law, University of Hawaii
<i>1979-present</i>	Professor of Law, University of Washington School of Law
<i>1972-79</i>	Visiting Professor & Professor of Law, Georgetown University Law Center
<i>1971-72</i>	Professor of Law, University of Washington School of Law
<i>1970-71</i>	Associate Professor of Law, University of Washington School of Law
<i>1967-70</i>	Assistant Professor of Law, University of Washington School of Law
<i>1965-67</i>	Law Clerk, Hon. Fredrick van Pelt Bryan, Federal Judge
<i>Summer 1965</i>	Research Assistant to Professor Herbert Wechsler, Director, American Law Institute
<i>Summer 1964</i>	Willkie Farr Gallagher Walton & Fitz Gibbon
<i>Summer 1963</i>	Legal Aid Society, Harlem, N.Y.

Professional Memberships

Member: State Bars of Washington & New York; Washington, D.C. Bar

Admitted to Practice: Western District of Washington; 9th Circuit Court of Appeals; Southern District of New York; 2d Circuit Court of Appeals; 4th Circuit Court of Appeals; U.S. Supreme Court; Temporary Emergency Court of Appeals, all courts in New York, Washington and the District of Columbia

Teaching Experience (1980 to present)

Environmental Law, Property, Public Land Law, Energy and Natural Resources, Indian Law, Torts, Pollution Control, Environmental Law Seminars on Alaska, Climate Change, Hanford, The Duwamish and Puget Sound, Law and Biology, Natural Resources Damages, Ocean and Coastal Law, International Environmental Law.

"24 Hours of Environmental Law" (4-day CLE taught to hundreds of lawyers at various sites, including Anchorage, Alaska).

Honors

Appointment, Stimson Bullitt Professor of Environmental Law, University of Washington School of Law, 1999-2004; 2004-2009, 2009-2014.

Appointment, National Academy of Sciences, National Research Council and Ocean Studies Board, Committee on Defining Best Available Science for Fisheries Management, 2003-2004.

Appointment, National Academy of Sciences, Board on Environmental Studies and Toxicology, 1984-1990.

Bloedel Professorship of Law, 1987-1992 (5-year professorship from University of Washington rotates between departments; when assigned to the School of Law, the law faculty unanimously voted award to Professor Rodgers).

Annual Faculty Lecture, University of Washington, Nov. 1988.

Distinguished Visitor, Lewis and Clark Law School, September 23-25, 1991.

Books

1-Four volume *Treatise on Environmental Law*, West Publishing Company 1986-1992, with semi-annual pocket parts

2-*Hornbook on Environmental Law*, West Publishing Company, 1977, Second Edition (1994) (with annual pocket part)

3-A *Constitutional Law of the Environment*, in BLESSINGS OF LIBERTY: THE CONSTITUTION AND THE PRACTICE OF LAW (ALI/ABA, 1988)

4-*Some Theoretical Aspects of the American Environmental Law*, published in Japanese (Seibundo, 1989), and translated by Kensuke Itoh

Books, continued

- 5-*Intuition, Altruism, and Spite: Justice as Justification*, in R.D. MASTERS, M. GRUTER, THE SENSE OF JUSTICE: THE BIOLOGICAL FOUNDATIONS OF LAW, ch. 8 (Sage Publications, Inc. 1992).
- 6-Committee on Scientific and Technical Criteria for Federal Acquisition of Lands for Conservation, Board on Environmental Studies & Toxicology, Nat'l Research Council, *Setting Priorities for Land Conservation* (1993) (Prof. Rodgers was chair of the Committee)
- 7-ENVIRONMENTAL LAW IN INDIAN COUNTRY, Volume 1, Thomson West Publishing Company, 2005 (with annual pocket part)
- 8-THE ENDANGERED SPECIES ACT AT THIRTY (Dale D. Goble, J. Michael Scott, & Frank W. Davis eds.), *Indian Tribes*, ch. 14, Island Press, 2006
- 9-THE SI'LAILO WAY: INDIANS, SALMON, AND LAW ON THE COLUMBIA RIVER, with Kathleen S. Hill and Joseph C. Dupris, Carolina Academic Press, 2006
- 10-CREATIVE COMMON LAW STRATEGIES FOR PROTECTING THE ENVIRONMENT (Denise Antolini & Cliff Rechtschaffen, eds.), *The War of 'Clever Hans' on the Common Law of Environmental Law*, ch. 4, Environmental Law Institute, Washington, D.C, 2007.
- 11-THE EVOLUTION OF NATURAL RESOURCES LAW AND POLICY (Lawrence J. MacDonnell & Sarah F. Bates, eds.), *Dam Building and Removal on the Elwha: A Prototype of Adaptive Mismanagement and a Tribal Opportunity*, ch. 11, ABA Publishing, 2010.
- 12-2010 GULF COAST OIL DISASTER: LITIGATION AND LIABILITY, *Oil Pollution (Rodgers' Environmental Law (Excerpt))* 181-205 (West 2011).
- 13-2010 GULF COAST OIL DISASTER: LITIGATION AND LIABILITY, *Oil Pollution Act of 1990 (Rodgers' Environmental Law (Excerpt))* 207-35 (West 2011).
- 14-CLIMATE CHANGE: READER, (William H. Rodgers, Jr., Jeni Barcelos, Anna T. Moritz, Michael Robinson-Dorn, eds.), (1600 pp.) (Carolina Academic Press, 2011).

Selected Writings

- Giving Voice to Rachel Carson: Putting Science Into Environmental Law*, 28 J. LAND USE & ENVTL. L. ____, (Florida State University) (Autumn 2012) (in press).
- The Environmental Laws of the 1970s, They Looked Good on Paper*, 12 VT. J. OF ENVTL. L. 1 (2011).
- Betty B. Fletcher: NEPA's Angel and Chief Editor of the Hard Look*, 40 ELR 10268 (March 2010).
- The Worst Case and the Worst Example: An Agenda for Any Young Lawyer Who Wants to Save the World from Climate Chaos*, 17 SOUTHEASTERN ENVTL. L.J. 295 (2010).
- NEPA's Insatiable Optimism*, 39 ENVTL. L. RPTR. 10618 (2009).
- Anna T. Moritz, Kassie R. Siegel, Brendan R. Cummings, William H. Rodgers, Jr., *Biodiversity, Baking and Boiling, Endangered Species Act Turning Down the Heat*, 44 TULSA L.R. 205 (2009).

Selected Writings, Continued

- Tribal Governmental Roles in Environmental Federalism*, ABA Section of Environment, Energy & Resources, 21 NATURAL RESOURCES & ENVIRONMENT 3 (Winter 2007).
- The Exxon Valdez Reopener: Natural Resources Damage Settlements and Roads Not Taken*, with students in the 2005 Natural Resource Damages Seminar – J.B. Crosetto, C.A. Holley, T.C. Kade, J.H. Kaufman, C.M. Kostelec, K.A. Michael, R.J. Sandberg & J.L. Schorr, 22 ALASKA L. REV. 135 (December 2005).
- Judicial Regrets and the Case of the Cushman Dam*, 35 ENV'T'L LAW 397 (2005).
- Strengthen right to healthy environment*, SEATTLE POST-INTELLIGENCER Op-Ed page guest column, NEPA, with Rachael Paschal Osborn, April 28, 2005.
- The Tenth U.S. Supreme Court Justice (Crazy Horse, J.) and Dissents Not Written – The Environmental Term of 2003-04*,” 34 ELR 11033 (2004).
- Treatment as Tribe, Treatment as State – Getting the Treatment: The Penobscot Indians and the Clean Water Act*, 55 Ala. L. Rev 815, (2004).
- Improving Laws, Declining World—The Tort of Contamination*, 38 VALPARAISO U. L. REV. 1249 (2004 in press).
- White Paper, *Setting the Standard: The Legal Case for CO₂ Regulation in Washington* (Jan. 2003) (a response to an issue paper prepared by the Association of Washington Business).
- Atlantic Salmon, Pacific Bound: Initiative, Defiance, Courage, and Indian Tribes in Environmental Law*, 8 OCEAN & COAST. L. J. 1 (2002).
- Growth and Form: Indian Tribes, Terrorism, and the Durability of Environmental Law*, 26 VT. L. REV. 865 (2002).
- Defeating Environmental Law: Complexity and the Geology of Environmental Law*, 19 PACE ENV'T'L L. REV. 687 (2002 Special Edition).
- The Miccosukee Indians and Environmental Law: A Confederacy of Hope*, 31 ELR 10918 (2001).
- Executive Orders and Presidential Commands: Presidents Riding to the Rescue of the Environment*, 21 J. LAND, RES. & ENV'T'L LAW 13 (2001).
- The Most Creative Moments in the History of Environmental Law: “The Whats”*, 2000 ILL. L. REV. 1 (2000).
- The Myth of the Win-Win: Misdiagnosis in the Business of Reassembling Nature*, 42 ARIZ. L. REV. 297 (2000).
- What a Salmon Czar Might Hope For*, 74 WASH. L. REV. 511 (1999).
- The Most Creative Moments in the History of Environmental Law: “The Who’s,”* 39 WASHBURN L. J. 1 (1999).
- Law and Biology entry, New Palgrave Dictionary on Economics and the Law (1998).
- Defeating Environmental Law: The Geology of Legal Advantage*, 15 PACE ENV'T'L L. REV. 1 (1997).

Selected Writings, continued

The Sense of Justice and The Justice of Sense: Native Hawaiian Sovereignty and the Second "Trial of the Century" 71 WASH. L. REV. 379 (1996).

Deception, Self-Deception, and Mythology: the Law of Salmon in the Pacific Northwest, 26 PAC. L. J. 821 (1995).

Deception, Self-Deception, and Myth: Evaluating Long-Term Environmental Settlements, 29 U. RICH. L. REV. 567 (1995).

Environmental Law Trivia Test: II, 9 TULANE ENV'T L.J. 75 (1995).

The Seven Statutory Wonders of U.S. Environmental Law: Origins and Morphology, 27 LOYOLA L.A. L. REV. 1009 (1994), reprinted in *An Environmental Law Anthology* 82 (1996, Anderson Pub. Co., R.L. Fischman, M.I. Lipeles & M.S. Squillace eds.)

Where Environmental Law and Biology Meet: Of Pandas' Thumbs, Statutory Sleepers, and Effective Law, 65 U. COLO. L. REV. 25 (1993).

Gruter Institute for Law & Behavioral Research, *The Use of Biology in the Study of Law*, 844 pp. (Rodgers, ed.) (reader prepared for a Teaching Seminar, Squaw Valley, California, June 18-25, 1992) (these are only "informal" teaching materials and will not be published in this form).

An adaption of an earlier publication, *The Lesson of the Owl and the Crows*, will appear in another Gruter Institute book entitled *THE NEUROTRANSMITTER REVOLUTION*, in press (Southern Illinois University Press).

Superfund Trivia Test: A Comment on the Complexity of the Environmental Laws, 22 ENV'T L. 417 (1992).

The Porcupine's Dilemma: Strategic and Psychological Uncertainty in the Face of Global Warming, 9 ARIZ. J. INT'L & COMPAR. LAW 267 (1992).

Intuition, Altruism and Spite: Justice as Justification, 34 AM. BEHAV. SCIENTIST 386 (1991).

The Fox and the Chickens: Mr. Justice Douglas and Environmental Law, in "HE SHALL NOT PASS THIS WAY AGAIN": THE LEGACY OF WILLIAM O. DOUGLAS (S.L. Wasby, ed.) (U. Pitt., 1991).

The Evolution of the Energy Facility Site Evaluation Council, 7 HASTINGS WEST-NORTHWEST J. ENV'T LAW & POLICY 253 (1991).

NEPA at 20: Mimicry and Recruitment in Environmental Law, 20 ENV. LAW 485 (1990).

The Lesson of the Owl and the Crows: The Role of Deception in the Evolution of the Environmental Statutes, 4 J. OF LAND USE & ENV. LAW 377 (1989).

The Lesson of the Red Squirrel: Consensus and Betrayal in the Environmental Statutes, 5 J. CONTEMP. HEALTH LAW & POLICY 161 (1988).

A Constitutional Law of the Environment, in AMERICAN LAW INSTITUTE/AMERICAN BAR ASSOCIATION COMMITTEE ON CONTINUING PROFESSIONAL EDUCATION, *BLESSINGS OF LIBERTY: THE CONSTITUTION AND THE PRACTICE OF LAW* (1988).

Selected Writings, continued

Guerilla Decisionmaking: Judicial Review of Risk Assessments, 15 J. HAZ. MATERIALS 205 (1987).

The Washington Environmental Policy Act, 60 WASHINGTON LAW REVIEW 1 (1985).

Bringing People Back: Toward A Comprehensive Theory of Taking in Natural Resources Law, 10 ECOLOGICAL LAW QUARTERLY 205 (1982), **also reprinted** as a peer review choice in 14 LAND USE & ENVIRONMENTAL LAW REVIEW (1983).

The Natural Law of Administrative Law, 48 U. MO. LAW REVIEW 101 (1983).

CASES AND MATERIALS ON ENERGY AND NATURAL RESOURCES LAW, 2nd edition, West Publishing Company, 847 pages (July 1983)

WPPSS Ruling Put Risk Where It Belongs, in the LOS ANGELES TIMES (July 1983) [also reprinted in other newspapers].

Choosing A Theory of Liability for Transboundary Pollution, in Environmental Law Section, Canadian Bar Association, COMMON BOUNDARY/Common Problems; THE ENVIRONMENTAL CONSEQUENCES OF ENERGY PRODUCTION (1982).

Building Theories of Judicial Review in Natural Resources Law, 53 COLORADO LAW REVIEW 213 (1982).

Preview of Weinberger v. Romero-Barcelo, UNITED STATES SUPREME COURT CASES, published in the 1981-82 Supreme Court term under sponsorship of ABA, ALI-ABA, AALS, and the American Newspaper Publishers Association Foundation.

Judicial Review of Risk Assessments: The Role of Decision Theory in Unscrambling the Benzene Decision, 11 ENVIRONMENTAL LAW 301 (1981), **also reprinted in** 13 LAND USE & ENVIRONMENTAL LAW REVIEW 629 (1982). Article was "ranked second," by a panel of 62 peer reviewers who chose among all land use and environmental articles published in 1981.

Excerpts from ENVIRONMENTAL LAW Hornbook are reprinted in P. WEINBERG, ENVIRONMENTAL LAW: CASES AND MATERIALS, St. John's University (1981).

Negligence Reconsidered: The Role of Rationality in Tort Theory, 545 CALIF. L. REV. 1 (1980).

Benefits, Costs, and Risks: Oversight of Health and Environmental Decisionmaking, 4 HARVARD ENVIRONMENTAL LAW REVIEW 191 (1980).

A Hard Look at Vermont Yankee: Environmental Law Under Close Scrutiny, 67 GEORGETOWN LAW JOURNAL 699 (1979).

CASES AND MATERIALS ON ENERGY AND NATURAL RESOURCES LAW, (West Pub. Co., 1979), 995 pp., with a Teachers' Manual, 102 pp.

Comment on the Coal Lease Forfeiture Decision: The Hypothetical Case of United States v. Peabody Coal Co., 15 NATURAL RESOURCES JOURNAL 257 (1975).

The Back-Room Arm Twisters, THE NATION, on advisory committees (June 8, 1974).

Selected Writings, continued

- The Visionary Octopus*, THE NATION, a short piece on mergers among electrical utilities (Jan. 8, 1973).
- How to Make Washington Better Contest*, Winning Entry, WASHINGTONIAN, co-author with Janet M. Rodgers (Oct. 1973).
- The Washington State Thermal Power Plant Siting Act*, 47 WASHINGTON LAW REVIEW 8 (1972).
- The National Industrial Pollution Control Council: Advise or Collude*, 13 BOSTON COLLEGE INDUSTRIAL & COMMERCIAL LAW REVIEW 719 (1972).
- America the Beautiful*, THE NEW REPUBLIC (Jan. 1, 1972) (a short piece on billboards).
- Technology Suppression: The Most Dangerous Pollution*, in HEARINGS OF THE SENATE COMMERCE COMMITTEE, Energy Research and Development (1972).
- Air Pollution and the Copper Industry*, Before Conference of the Steelworkers, Denver, Colorado, conference transcript published (March 1972).
- Siting Power Plants in Washington State*, in NATIONAL ACADEMY OF ENGINEERING, Committee on Power Plant Siting Conference Proceedings (March 1972).
- Boise Cascade: The One That Got Away*, WASHINGTON MONTHLY, on recreational land development (Nov. 1972).
- Industrial Water Pollution and the Refuse Act: A Second Chance of Water Quality*, 119 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 761 (1971), **also reprinted in** 1971 WATER POLLUTION HEARINGS of the House Conservation and Natural Resources subcommittee.
- Nerve Gas to the Northwest*, 1 ENVIRONMENTAL LETTERS 2 (1971).
- Ecology Denied: The Unmaking of a Majority*, in the WASHINGTON MONTHLY (Feb. 1971), **also reprinted in** C. Peters & J. Rothchild, eds., INSIDE THE SYSTEM 247-56 (2d ed., Praeger, 1973).
- DDT: After the Sound and the Fury*, reproduced in THE ENVIRONMENTAL LAW HANDBOOK 329-31 (1971) (Friends of the Earth/Ballantine Books).
- Answer and Complaint in Intervention from An Air Pollution Lawsuit*, reproduced in THE ENVIRONMENTAL LAW HANDBOOK 258-63 (1971) (Friends of the Earth/Ballantine Books).
- Environmental Law*, published in proceedings of an environmental lecture series, sponsored by Oregon State University (1971).
- The Persistent Problem of the Persistent Pesticides: A Lesson in Environmental Law*, 70 COLUMBIA LAW REVIEW 567 (1970).
- A Model Bill on the Reporting of Campaign Contributions and Expenditures*, 23 VANDERBILT LAW REVIEW 293 (1970).
- When Seattle Citizens Complain*, an article on the ombudsman in 2 THE URBAN LAWYER 386 (1970).

Selected Writings, continued

The Washington DDT Hearings, PACIFIC SEARCH (a natural science publication for the PACIFIC NORTHWEST) (March 1970).

Industry Advisory Panels: Distorting Research by Closing the Doors, published in symposium by the PRACTICING LAW INSTITUTE, New York (1970).

How to Pollute: Tacoma's Tall Stack, THE NATION (May 11, 1970).

Selected Speeches

“Role of Indian Tribes and Alaska Natives in U.S. Environmental Issues, 2013 Tribal Environmental Leaders Summit, Kalispel Tribe of Indians and U.S. EPA Region 10, October 9, 2013 (Spokane, WA).

“Reflections on Culverts,” 26th Annual Indian Law Symposium, University of Washington School of Law, September 12-13, 2013 (Seattle, WA).

“Warranted but Precluded: The State of U.S. Environmental Law,” 2013 Higgins Distinguished Visitor Lecture, Lewis & Clark Law School, March 12, 2013 (Portland, OR).

“The Secret to a Happy Human Life? ‘Slightly Unwarranted Optimism,’” Resetting the Clock on Environmental Law and Justice: The Post-State World, Distinguished Speakers Series, St. Thomas University School of Law, February 14, 2013 (Miami Gardens, FL).

“The Other History of U.S. Environmental Law,” Association of American Law Schools, Sections on Environmental Law and North American Cooperation Joint Program: 40 Years of Environmental Law and Natural Resources Law –A Retrospective Look, Jan. 6, 2013 (New Orleans, LA).

“The Si’lailo Way — Indians, Salmon, and the Law on the Columbia River,” Environmental Protection Agency, Region 10, Native American Heritage Month, Nov. 29, 2012 (Seattle, WA).

Harvard Law School, “The Clean Water Act at 40,” Oct. 11, 2012 (Cambridge, MA).

Keynote, “Environmental Law, Environmental Justice, and Human Rights: The Obvious Synopsis,” University of Oregon School of Law, New Directions for Human Rights and the Environment: A Symposium Inspired by Svitlana Kravchenko, Sep. 28, 2012 (Eugene, OR).

“A Life of Contribution for All Time”, A Symposium Honoring Dean David H. Getches, University of Colorado School of Law, April 26-27, 2012 (Boulder, CO).

“Can Existing Environmental Law Meet the Challenges of Sustainability?,” Sustainability and the Law: Making Sustainability Legal, Economically Viable, and Socially Just, Seattle University School of Law, April 20, 2012 (Seattle, WA).

Keynote, “Giving ‘Voice’ to Rachel Carson: Putting Science Into Law,” Environmental Law Distinguished Lecture, 25th Anniversary Symposium: The Future of Ocean and Coastal Law Policy, Florida State University School of Law, March 14, 2012 (Tallahassee, FL).

Selected Speeches, continued

“Makah Whaling: Law and Science,” School of Marine Affairs, University of Washington, Feb. 14, 2012 (Seattle, WA).

“Perspectives on Whether SEPA / NEPA Impede Job Creation,” NEPA / SEPA Seminar, Law Seminars International, Jan. 13, 2013 (Seattle, WA).

“The Fuel of Falsehoods, the Endurance of Lies: A True Story of Substantive NEPA,” National Association of Environmental Professionals and the Northwest Association of Environmental Professionals, NEPA Symposium, May 21, 2012 (Portland, OR).

“Revival of the Public Trust,” Western Water Law & the Public Trust, Center for Environmental Law and Policy, December 9, 2011 (Seattle, WA).

“Natural Resource Damages: From Exxon to BP,” CERCLA and the Future of Liability-Based Environmental Regulation, Southwestern Law School Symposium, November 11, 2011 (Los Angeles, CA).

“Extending the Tribal Ecological Footprint”, 34th Public Land Law Conference, Strengthening Our Roots: Forest Law & Policy in a Changing World, University of Montana School of Law, September 14-15, 2011 (Missoula, MT).

“An Historical Perspective on Oil Spill Law Enforcement: From Exxon Valdez to Deepwater Horizon — Telling Tales of Environmental Disaster, Justice, and Recovery, University of Washington SeaChange 2011, April 2, 2011.

“An Historical Perspective on Oil Spill Law Enforcement,” ABA Section on Environment, Energy and Resources (SEER), There Will Be Blood, or Not? Environmental Enforcement in the Gulf Oil Spill Context, Salt Lake City, Utah, March 18, 2011.

“Global Warming and its Newest Challenges: Mitigation and Acidification,” Nelson Symposium, University of Florida, Levin College of Law, February 11, 2011.

“The BP Oil Spill: The Secretary of Interior and the President Decide to Take the Course on Environmental Law,” University of Washington School of Law All Class Reunion Program, Reunion Day, November 6, 2010.

Oil Spill Teleconference arranged by West Publishing; providing expertise on Oil Pollution and the Exxon Valdez Oil Spill and Reopener Clause, July, 2010.

Invited Participant: Law and Sustainability Summit and Roundtable, Sandra Day O’Connor College of Law, Arizona State University, April 16, 2010.

“Crisis at the Crossroads: Animals, The Environment, and the Law,” University of Washington CLE, January 22, 2010.

“The Environmental Laws of the 1970s: They Looked Good on Paper,” Douglas M. Costle Lecture, Vermont Law School, October 23, 2009.

Panel Presentation: “The Legal and Practical Consequences of the *Exxon Valdez* Oil Spill,” *Exxon Valdez* Revisited: Rights and Remedies Symposium, University of St. Thomas School of Law, October 1, 2009.

Selected Speeches, continued

- “NEPA’s Insatiable Optimism,” NEPA AT 40: A Visionary Statute Confronts 21st Century Environmental Issues, J.B. & Maurice C. Shapiro Environmental Law Conference, Environmental Law Institute, George Washington University Law School, March 23, 2009.
- “Climate Change and the Commons: Why the Study of the Tragedy of the Commons is Not Enough,” Law of the Commons CLE, Seattle University Law School, March 13, 2009.
- “Honorable Betty Fletcher: Our Leading U.S. Environmental Law Jurist,” Law Symposium Honoring the Honorable Betty Binns Fletcher ’56, University of Washington School of Law, March 6, 2009.
- “The Worst Case: Sustainability and the Future of the Endangered Species Act,” Symposium on the Evolving Endangered Species Act: A Twenty-First Century Perspective, University of California at Davis School of Law, February 20, 2009.
- Opening Keynote, “Sustainability: Too Little, Too Late in the World of Climate Two,” University of Houston Law Center, Environmental & Energy Law & Policy Journal, Sustainability: Moving from Theory to Practical Application, February 6, 2009.
- Participant, “Three Degrees: The Law of Climate Change and Human Rights,” School of Law, University of Washington, May 28-29, 2009.
- Comment on Stephen Gardiner paper, “Geoengineering the Climate in a Perfect Moral Storm,” with co-sponsors including the Center for Global Studies and the Department of Philosophy, University of Washington, April 18, 2009.
- Remarks, “Environmental Justice and Governance in Sub-Saharan Africa,” sponsored by (among others) the African Studies Program of the Jackson School of International Studies and the School of Law, University of Washington, April 16, 2009.
- “Back to the Future: the Authority and Effect of NEPA,” NEPA at 40: How a Visionary Statute Confronts 21st Century Environmental Impacts, George Washington University and The Environmental Law Institute, Washington, D.C., March 23, 2009, reported in the N.Y. TIMES , blog.
- “Climate Change and the Commons: Why the Study of the Tragedy of the Commons Is Not Enough,” 2009 Law of the Commons Symposium, Seattle University School of Law, March 13, 2009.
- “Betty B. Fletcher: NEPA’s Angel and Chief Editor of the Hard Look,” Symposium Honoring the Hon. Betty Binns Fletcher ’56, University of Washington School of Law, March 6, 2009.
- Keynote, “The Worst Case, Sustainability, and the Future of the Endangered Species Act,” 2009 Symposium on the Evolving Endangered Species Act: A Twenty-First Century Perspective, University of California at Davis School of Law, Feb. 20, 2009.
- Keynote, “Sustainability: Too Little, Too Late in the World of Climate Two,” The Environmental & Energy Law & Policy Journal Symposium: Reliable Energy and Sustainability, 2009 Symposium on Sustainability, University of Houston Law Center, Feb. 6, 2009.

Selected Speeches, continued

- “Indian Tribes and Environmental Law: The Loneliness of Leadership, The Burdens of History, The Distinctions of Place,” Rennard Strickland Lecture, University of Oregon School of Law, Eugene, Oregon, Oct. 22, 2008.
- Keynote, “Ground Zero on Climate Change: Multiple Stressors, Alaska Natives, and the End of Oil,” Panel on Oceans and Climate Change, University of South Carolina School of Law, Columbia, S.C., Oct. 2, 2008.
- “Climate Change in the Northwest: ‘Tribal Perspectives’,” Seattle Public Library Lecture Series, Downtown, Seattle, Wash., May 29, 2008.
- “Presentation on Ecological Economics,” The Green Festival, Joint Project of Global Exchange and Co-Op America, Washington Convention and Trade Center, Seattle, Wash., April 12, 2008
- “Wilderness and the Law, the Last Seven Years,” 2008 Northwest Wilderness and Parks Conference, Mountaineers, Seattle, Wash., April 4, 2008.
- “Environmental Law: Utterly Invincible, Completely Fragile — A Report From the Front,” 26th Annual Public Interest Environmental Law Conference, Compelling a Climate of Change, University of Oregon School of Law, Eugene, Oregon, March 6, 2008.
- “A Closer Look at the Law of Water Pollution,” 18th Annual Review of Research, The Water Center, University of Washington, Seattle, Wash., Feb. 14, 2008.
- “The Cold Realities of Endangered Species Act Recovery and Climate Change,” 15th Annual Endangered Species Act Conference, The Seminar Group, Seattle, Wash., Jan. 25, 2008.
- “An Environmental Lawyer Looks at the State of the World,” University of Washington School of Law Alumni Association Meeting, Portland, Oregon, Nov. 14, 2007.
- “The Elwha River Dam Removals — U.S. v. Washington — Spinoff No. 17,” 20th Annual Indian Law Symposium, University of Washington School of Law, Sept. 7, 2007.
- “Dam Building and Removal on the Elwha: A Prototype of Adaptive Mismanagement and a Tribal Opportunity,” Conference on the Future of Natural Resources Law and Policy, University of Colorado School of Law, Boulder, Colo., June 7, 2007.
- “Environmental Law and Indian Country, with an Emphasis on NEPA and Air Quality,” Workshop to Improve and Protect Air Quality in Indian Country, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Seattle, Wash., March 22, 2007.
- “Celilo and the Future, Remembering Celilo: Indian Fishing and the Columbia River,” co-sponsored by the Columbia River Inter-Tribal Fish Commission and the Tribal Leadership Forum, Portland, Ore., March 8, 2007.
- “Puget Sound: Sunk by Law, Salvaged by Law,” 17th Annual Review of Research, The Water Center, University of Washington, Seattle, Wash., February 14, 2007.

Selected Speeches, continued

- “Natural Resource Damage Law and Policy—With a Special Emphasis on the Indian Tribes, The Law or Ecosystem Restoration: National Policy Implications of the Clark Fork River Basin Natural Resource Damage Program,” 30th Annual Public Land Law Conference, University of Montana School of Law, Missoula, Mont., September 27, 2006.
- “Bookmaking and Indian Law – THE SI’LAILO WAY: INDIANS, SALMON AND LAW ON THE COLUMBIA RIVER AND ENVIRONMENTAL LAW IN INDIAN COUNTRY,” CLE Presentation with Robert Anderson, University of Washington, Seattle, June 2, 2006.
- “Baselines, Bad Memories and Indian Tribes: Environmental Law in the Terrorist Age,” University of Washington Earth Initiative Lecture Series, Kane Hall, May 17, 2006.
- “The *Exxon Valdez* Reopener,” Public Interest Environmental Law Conference, University of Oregon School of Law, Eugene, Oregon, March 3, 2006
- “Environmental Law in Indian Country,” Public Interest Environmental Law Conference, University of Oregon School of Law, Eugene, Oregon, March 3, 2006.
- “Environmental Law in Indian Country—Indian Environmental General Assistance Program (IGAP),” Alaska Forum on the Environment, Anchorage, Alaska, February 10, 2006.
- “National Pollution Discharge Elimination System (NPDES) in Alaska,” Alaska Forum on the Environment, Anchorage, Alaska, February 9, 2006.
- “The *Exxon Valdez* Reopener,” Native tribes of Alaska, Anchorage, February 7, 2006.
- “Hanford from a Tribal Perspective,” Hanford Advisory Board Meeting, University Towers Hotel, Seattle, Washington, November 3, 2005.
- “Real Environmental Law in Indian Country,” EPA Tribal Programs Workshop, Poulsbo, Washington, October 26, 2005.
- “Report on the Battles, Case Law Update,” Developing Tribal Energy in the Northwest, Law Seminars International, Seattle, Washington, June 16-17, 2005.
- “The Si’lailo Way – The Natives’ Legal Defense of Celilo Falls,” Yakama Nation Sesquicentennial Treaty Law Conference, Treaty Reserved Rights of the Yakama Nation, Cultural Heritage Center, Toppenish, Washington, June 7-8, 2005.
- “The Columbia River: Whose River Is It Anyway?” The Might Columbia River Seminar, The Seminar Group, The Westin Hotel, Seattle, Washington, Oct. 21, 2004.
- “CERCLA and Tribes” Superfund Working Group, NTEC, Tulalip Tribes, Marysville, Washington, August 3, 2004.
- “Saving Puget Sound Through Law: A History of High Points,” People for Puget Sound, Kane Hall, Walker-Ames Room, University of Washington, May 20, 2004.
- “Environmental Law and Engineering: Orders of Magnitude,” School of Engineering, University of Washington, May 6, 2004.
- “The Elwha River Dam Removals—U.S. v. Washington Spinoff No. 17,” 20th Annual University of Washington Indian Law Symposium, School of Law, University of Washington, Seattle, Washington, Sept. 7, 2007.

Selected Speeches, continued

- “Dam Building and Removal on the Elwha: A Prototype of Adaptive Mismanagement and a Tribal Opportunity,” Conference on the Future of Natural Resources Law & Policy, University of Colorado School of Law, Boulder, Colorado, June 8, 2007.
- “The Si'lailo Way: Indians, Salmon and Law on the Columbia River,” Celilo Authors Gathering, Tamástslíkt Cultural Institute, Confederated Tribes of the Umatilla Reservation, Pendleton, Oregon, May 5, 2007.
- “Environmental Law and Indian Country, with an Emphasis on NEPA and Air Quality,” Workshop to Improve and Protect Air Quality in Indian Country, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Seattle, Washington, Mar. 22, 2007.
- “Remembering Celilo: Indian Fishing and the Columbia River,” Celilo and the Future Conference, Co-Sponsored by the Columbia River Inter-Tribal Fish Commission and the Tribal Leadership Forum, Portland, Oregon, Mar. 9, 2007.
- “Puget Sound: Sunk by Law, Salvaged by Law,” The Water Center 17th Annual Review of Research, University of Washington, Seattle, Washington, Feb. 14, 2007.
- “Remembering Celilo: Indian Fishing and the Columbia River,” in anticipation of the 50th Anniversary of the Flooding of Celilo Falls, Celilo Encampment, Celilo, Oregon, Nov. 17, 2006.
- “Keynote Speaker, “The Law of Ecosystem Restoration: National Policy Implications of the Clark Fork River Basin Natural Resource Damage Program,” 30th Annual Public Land Law Conference, University of Montana, Missoula, Montana, Sept. 25-27, 2006.
- “Tribes and Natural Resource Damages,” Tribal Leadership Conference—Protecting our Tribal Harvest, sponsored by the U.S. Environmental Protection Agency, Confederated Tribes of the Umatilla Indian Reservation, Umatilla, Oregon, Aug. 23, 2006.
- “Forging Solutions: Applying Ecological Economics to Current Problems,” U.S. Society for Ecological Economics Conference, Tacoma, Wash., July 20-23, 2005.
- “Developing Tribal Energy in the Northwest,” Law Seminars International, Seattle, Washington, June 16-17, 2005.
- “First in Time, First in Right: Indian Tribes of the Pacific Northwest and Sustainable Fisheries,” Bevan Series on Sustainable Fisheries: “Fishing Rights or Fishing Wrongs?” School of Fisheries, University of Washington, April 29, 2004.
- “Creative Moments in Environmental Law (2003-2004),” University of Washington, on the occasion of the First Meeting of the Advisory Board of the Kathy and Steve Berman Environmental Law Clinic, School of Law, Seattle, Washington, Mar. 30, 2004.
- “NEPA in Indian Country: Making Use of the Federal Government’s Planning Documents,” Tribal Environmental Review Clinic, Tulalip Tribes, Mayflower Park Hotel, Seattle, Washington, Mar. 15, 2004.

Selected Speeches, continued

- “Environmental Law and the Theory of Deception,” University of Washington Retirement Association, Walker Ames Room, Kane Hall, University of Washington, Feb. 19, 2004.
- “Conflicts and Rivers,” Earth and Space Sciences Department, University of Washington, Feb. 18, 2004.
- “Inspirational Environmental Law in Indian Country,” Coeur d’Alene Tribe Environmental Management Conference, Worley, Idaho, Oct. 8, 2003.
- “Origins and Functions of the Point Source Provisions of the Clean Water Act,” Miccosukee Tribe Legal Counsel, Miami, Fla., Sept. 22, 2003.
- “Environmental Law in Indian Country,” University of Washington School of Washington Continuing Legal Education, Seattle, Wash., Sept. 19, 2003.
- “Origins and Functions of the Best Science Clauses,” National Research Council, Ocean Studies Board, Committee on Defining Best Available Science for Fisheries Management, Workshop, Washington, D.C., Sept. 8-9, 2003.
- “Best Available Science for Fisheries Management: A Legal Survey,” National Research Council, Ocean Studies Board, Committee on Defining Best Available Science for Fisheries Management, Meeting One, Seattle, Wash., July 16-17, 2003.
- “Evolutionary Theory and Environmental Law: Is Homo Sapiens Capable of Sustainable Behavior? Gruter Institute for Law and Behavioral Research Teaching Seminar, Squaw Valley, Calif., June 2003.
- “Evolutionary Theory: Emotions and Communication,” Gruter Institute for Law and Behavioral Research, Squaw Valley, Calif., June 2003.
- “Improving Laws, Declining World – The Tort of Contamination,” Annual Conference of the National Environmental Law Societies (NAELS), University of Maryland School of Law, Baltimore, Md., March, 2003.
- “The Tort of Contamination,” Monsanto Lecture, Valparaiso University School of Law, Valparaiso, Indiana, February, 2003.
- “Environmental Law in Indian Country,” ABA section on Administrative Law and Regulatory Practice, Seattle, Wash., Feb. 7, 2003.
- “Growth and Form: Indian Tribes, Terrorism, and the Durability of Environmental Law,” 2002 Waterman Lecture, Vermont Law School, 2002.
- “Environmental Law in Indian Country: Update on Agriculture,” University of Arizona School of Law, Tucson, Arizona, October, 2002.
- “Fighting Phantoms: Courage, Environmental Law and Free Speech,” Hugo L. Black Lecture, University of Alabama School of Law, Tuscaloosa, Ala., October, 2002.
- “Environmental Law in Indian Country: Update on Alaska,” Native American Law Center, University of Washington School of Law, Seattle, Wash., May, 2002.
- Keynote Speaker, “Endangered Species Act,” Law Seminars International, January 27, 2000.

Selected Speeches, continued

“Growth and Form: Developmental Constraints on Science Policy on the Columbia River,”
Panel on Columbia River Salmon, Association for Advancement of American Science,
Washington, D.C., February 21, 2000.

First Annual Wallace Stegner Lecture, Stegner Center, University of Utah College of Law,
March 30, 2000.

“Sense of Justice,” Gruter Institute, June, 2000.

Lecture, “The Most Creative Moments in the History of Environmental Law: ‘The Who’s,’”
Myrl L. Duncan Endowed Lecturer Series, Washburn University, Topeka, Kansas,
March 12, 1999.

Speaker, Environmental Restoration Conference, University of Arizona, College of Law,
Tucson, Arizona, Nov. 11-13, 1999.

“Environmental Law in Indian Country,” Intertribal Council of Arizona, Phoenix, Arizona,
Nov. 23, 1999.

Keynote Lecture, California Environmental Law Institute, Yosemite, Calif., Oct., 1997.

Lecturer, more than 20 law schools, including The Third Annual Lloyd K. Garrison Lecture,
Pace University School of Law, April, 1997.

Director, Gruter Institute/Squaw Valley Conferences on Law and Biology (annual 5-day
meetings designed to introduce law teachers to the most recent scientific findings in
evolutionary biology, 1992-1995).

Keynote Lecture, "Twenty-Five Years of Environmental Law," AALS Annual Meeting,
Orlando, Fla., Jan., 1994.

Keynote Speaker, "A Pictorial History of U.S. Environmental Law," Conference on
grassroots Organizations and Environmental Law, Eugene, Oregon, March 5, 1994
(over 2,000 attendees).

“Environmental Law: History, Sources, and Pictures,” Annual Meeting, American
Association of Law Librarians, Seattle, Washington, July 11, 1994.

“Sudden Migration: The Problem of Nonindigenous Species,” Speech, Conference
sponsored by Gruter Institute and Brookings Institute, Washington D.C., May, 1994.

Moderator and Interrogator, “Salmon and the Columbia River,” May 13, 1994, Seattle,
Wash, Sponsored by the Seattle Post-Intelligencer and Foundation for American
Communications (for newspaper and television reporters).

Taiwan Conference, “Environmental Law of the U.S. and Taiwan,” March 1993.

Litigation: Argued cases on environmental, energy, “point source” and treaty fishing
matters before U.S. Supreme Court, U.S. Courts of Appeals (4th, 9th, D.C.
Circuits), U.S. District Courts, and state courts.

Litigation: Fall, 2003 (filed Amicus brief in U.S. Supreme Court Miccosukee case for
National Tribal Environmental Council and National Congress of American
Indians with Professor Robert Anderson).

Litigation: Spring, 2040 (filed Amicus brief in “Third Runway” case in Ninth Circuit with Professor Michael Robinson-Dorn and students)

Testimony: Testified on more than 25 occasions on energy, natural resources, and environmental issues before Committees of the U.S. Congress.

Other Research and Professional Activities

1996 West Professional Training Programs, Sum & Substance Tape on Environmental Law (2d ed., 9 hours).

Professor Rodgers is recognized as a founder and one of the leading figures in U.S. environmental law. He is the author of the leading treatise and the leading hornbook and he is the creator of the only audio-tape on the subject. He is the inventor of a course (featuring video-tapes and slides) that is widely recognized as unique. He has presented environmental cases in many courts.