

## 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, Regulation of  
Vice, International Environmental Law, Advanced Topics in Environmental Law,  
Environmental Law Clinic, Advanced Environmental Law Clinic

University of Michigan Law School, Ann Arbor, MI

*Visiting Professor*, 2008 – present

*Adjunct Clinical Professor*, 2005

Teaching: Water Law, Administrative 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

MODERN WATER LAW: PRIVATE PROPERTY, PUBLIC RIGHTS, AND ENVIRONMENTAL  
PROTECTION (with Robert W. Adler and Robin Kundis Craig) (Foundation Press 2013)

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 Great Lakes: A Model of Transboundary Cooperation” (with Jamie Linton) in  
*WATER WITHOUT BORDERS?: CANADA, THE UNITED STATES, AND SHARED WATERS*, Emma  
Norman, Alice Cohen, and Karen Bakker Eds. (Forthcoming 2013, University of Toronto  
Press)

“Managing Demand for Water” (with Benjamin Houston) in *THE LAW OF ADAPTATION TO CLIMATE CHANGE: UNITED STATES AND INTERNATIONAL ASPECTS*, Michael Gerrard & Katrina F. Kuh Eds. (American Bar Association 2012)

“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**

*Interstate Groundwater Law in the Snake Valley: Equitable Apportionment and a New Model for Transboundary Aquifer Management* (with Benjamin L. Cavataro), 2013 UTAH L. REV. -- (volume 6, forthcoming 2013)

*Oil and Freshwater Don't Mix: Transnational Regulation of Drilling in the Great Lakes*, 38 BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW 303 (2011)

*Interstate Water Compacts and Climate Change Adaptation*, 5 ENVIRONMENTAL & ENERGY LAW & POLICY JOURNAL 237 (2010)

*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 HAMLINE 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, 4<sup>th</sup> 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)

### **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, 2012 YEAR IN REVIEW (as well as 2011 YEAR IN REVIEW, 2010 YEAR IN REVIEW, 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, Rocky Mountain Mineral Law Foundation Water Law Newsletter

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

Author of “Great Lakes Law” blog: <http://www.greatlakeslaw.org>

## 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 (6<sup>th</sup> 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 (8<sup>th</sup> Cir. 2003) – successfully represented environmental organization in NEPA challenge to proposed coal train based on expected increases in national carbon dioxide (CO<sup>2</sup>) 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 (complete list available on request)**

DePaul Law Review Great Lakes Symposium  
(Chicago, IL, March 1, 2013)  
*Keynote: The Great Lakes Legal Regime*

University of Utah Wallace Stegner Center Young Scholar Lectures  
(Salt Lake City, UT, October 31 – November 1, 2012)  
*The Law of the Great Lakes - Ninety Percent of North America's Available Freshwater and Not a Drop for Utah; Interstate Groundwater Law: Equitable Apportionment of Transboundary Resources and Implications for the Snake Valley Aquifer Dispute*

National Association of Environmental Law Societies - 25th Annual Conference  
(University of Michigan, Ann Arbor, March 23, 2012)  
*Blue Gold: The Future of Great Lakes Water*

Seventh Circuit Bar Association Foundation - Protecting the Great Lakes  
(Chicago, IL, February 24, 2012)  
*The Great Lakes Legal Regime*

American Association of Law Schools Annual Meeting – Changing Conceptions of Water in the Law  
(San Francisco, CA, January 5, 2011)  
*An Expansive View of Modern Water Law*

Woodrow Wilson International Center for Scholars and Institute of Developing Economies / Japan External Trade Organization – Lake Basin Governance  
(Suwa City, Japan, December 12, 2010)  
*Great Lakes Policy and Parallels with Lake Suwa*

Woodrow Wilson International Center for Scholars and Institute of Developing Economies / Japan External Trade Organization – New Clean Water Networks in China (Tokyo, Japan, December 10, 2010)

*The Great Lakes Compact and Lessons for China*

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*

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*

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*

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

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*

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 – 4<sup>th</sup> 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*

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 – 14<sup>th</sup> Annual Conference (Pittsburgh, PA, October 22, 2004)

*Great Lakes Water Law and Policy*

**Media Appearances (complete list available on request)**

Television appearances on PBS NewsHour with Jim Lehrer and FOX Business Network

Featured guest on PBS Film Series - Constitution USA with Peter Sagal

Live radio appearances on National Public Radio, CBS radio, Michigan Public Radio, and over a dozen other programs

Quoted in over fifty media publications including the New York Times, Washington Post, Wall Street Journal, Los Angeles Times, Chicago Tribune, USA Today, Detroit Free Press, Detroit News, Milwaukee Journal Sentinel, and Cleveland Plain Dealer

**Awards and Recognition for Scholarship**

University of Utah Wallace Stegner Center Young Scholar (2012)

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, 2010-11; member 2009-12)

Faculty Appointments Committee (2007-08, 2012)

Clinical Programs Committee (2009-13)

Faculty Advisor, Wayne Law Review (2009, 2011-12)

Public Interest Law Fellowship Committee (chair, 2009-10)

Student Affairs Committee (chair, 2007-08 and 2006-07; member, 2005-06, 2012-13)

Institute for Continuing Legal Education Executive Committee (2005-07)

Faculty advisor, National Environmental Law Moot Court Competition (2005-10)

Faculty advisor, Moot Court Program (2006-07)

**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