

Curriculum Vitae of Cale Jaffe

ACADEMIC APPOINTMENTS AND PROFESSIONAL POSITIONS

University of Virginia School of Law, Charlottesville, Virginia (2016 – present)

- Co-Director, Program in Law, Communities, and the Environment
- Director, Environmental Law and Community Engagement Clinic
- Professor of Law, General Faculty

Vermont Law & Graduate School, South Royalton, Vermont (Summer 2023)

- Distinguished Climate Law Scholar

Southern Environmental Law Center, Charlottesville, Virginia (2004 – 2016)

- Director, Virginia Office
- Attorney

GOVERNMENT SERVICE

- Virginia Coal and Energy Commission (2020 – 2023)
 - Appointed by Gov. Ralph Northam
- Virginia Climate Change and Resiliency Update Commission (2014 – 2015)
 - Appointed by Gov. Terry McAuliffe

EDUCATION

University of Virginia, Charlottesville, Virginia

- J.D.; M.A., Southern U.S. and Legal History
- Virginia Environmental Law Journal (Editor-in-Chief); Order of the Coif; Raven Society

Yale University, New Haven, Connecticut

- B.A., American Studies, Distinction in the Major

U.S. SUPREME COURT LITIGATION EXPERIENCE

- *City of Grants Pass, Oregon v. Gloria Johnson, et al.*, No. 23-175, ___ S.Ct. ___ (brief filed March 4, 2024) (counsel of record for *amicus curiae* San Bernardino County, California in support of Petitioners).
- *Sackett v. Environmental Protection Agency*, No. 21-454, 143 S.Ct. 1322 (2023) (counsel of record for *amicus curiae* the Idaho Conservation League in support of Respondents).
- *U.S. Forest Service v. Cowpasture River Preservation Association*, No. 18-1584, 140 S.Ct. 1837 (2020) (counsel of record for *amici curiae* City of Staunton, Virginia and Nelson County, Virginia in support of Respondents).
- *Atlantic Richfield Co. v. Christian*, No. 17-1498, 140 S.Ct. 1335 (2020) (counsel of record for *amici curiae* Clark Fork Coalition and Montana Environmental Information Center in support of Respondents).
- *County of Maui, Hawaii v. Hawaii Wildlife Fund*, No. 18-260, 140 S.Ct. 1462 (2020) (counsel of record for *amici curiae* Anderson County, South Carolina and Decatur County, Tennessee in support of Respondents).
- *Virginia Uranium, Inc. v. Warren*, No. 16-1275, 139 S.Ct. 1894 (2019) (counsel of record for Members of the Southern Virginia Delegation to the Virginia General Assembly, *et al.*, filing an *amicus* brief in support of Respondents).
- *Environmental Defense v. Duke Energy*, No. 05–848, 127 S.Ct. 1423 (2007) (on brief for Petitioners in Clean Air Act enforcement case).

SELECTED PUBLICATIONS

Book Chapters

- *Ripple Effect: The Non-Water Quality Values that the Clean Water Act Protects* (with Aspen Ono) in ENVIRONMENTAL LAW BEFORE THE COURTS: A US-EU NARRATIVE (Springer Publishing 2023).
- *EPA's Nondiscretionary Duties to Act under Section 115* (with Michael Livermore) in COMBATING CLIMATE CHANGE WITH SECTION 115 OF THE CLEAN AIR ACT: LAW AND POLICY RATIONALES (Edward Elgar Publishing 2020).

Academic Publications

- *Sackett and the Unraveling of Federal Environmental Law*, ENVIRONMENTAL LAW REPORTER, Vol. 53, pp. 10801-08 (Oct. 2023).
- *Environmental Law Education—Preparing for Environmental Practice*, (conversation with H. Kang and H. Osofsky), VERMONT LAW REVIEW, Vol. 46, pp. 604-41 (2022).
- *Federalism and Environmental Advocacy*, THE REGULATORY REVIEW (summary of environmental cases from latest U.S. Supreme Court term) (July 23, 2020).
- *Environmental Federalism as Forum Shopping*, 44 WILLIAM & MARY ENVIRONMENTAL LAW AND POLICY REVIEW 669 (2020).
- *ABA Rules Could be a Climate Activist’s Sword*, THE ENVIRONMENTAL FORUM (publication of the Environmental Law Institute) (Jan/Feb. 2020).
- *The Clean Water Act Might Just Survive This Latest Attack*, THE REGULATORY REVIEW (online publication of UPenn School of Law) (Nov. 25, 2019).
- *The Supreme Court’s Virginia Uranium Ruling Hints at the Limits of Federal Power*, THE CONVERSATION (June 18, 2019).
- *Melting the Polarization Around Climate Change Politics*, GEORGETOWN ENVIRONMENTAL LAW REVIEW, Vol. 30, pp. 455-97 (2018).
- *Record Belies Critics of Environmental Rules*, THE ENVIRONMENTAL FORUM (ENVIRONMENTAL LAW INSTITUTE) (Sept/Oct. 2017).
- *The Toxic Legacy of Coal Ash on Southeastern Rivers*, 40 WILLIAM & MARY ENVIRONMENTAL LAW AND POLICY REVIEW 557 (2016).
- *Environmental Law* (w/ Sean M. Carney), 45 RICHMOND LAW REVIEW 287 (2010).
- *Air in the Balance: Rewriting the Clean Air Act’s New Source Review Program*, 54 VIRGINIA LAWYER 30 (Oct. 2005).
- *An Uneasy Rebirth for the Clean Water Act: How Changes in Federal Case Law Impact ‘Isolated’ Wetlands in South Carolina*, 16 SOUTH CAROLINA LAWYER 36 (Mar. 2005).
- *Obligations Impaired: Justice Jonathan Jasper Wright and the Failure of Reconstruction in South Carolina*, 8 MICHIGAN JOURNAL OF RACE AND LAW 471(2003).
- *The Wetlands Commons: What the Virginia Nontidal Wetlands Resources Act of 2000 Says About the Future of Environmental Regulation*, 20 VA. ENVTL. LAW JOURNAL 329 (2001).

Op-Eds in Popular Media

- *A Supreme Court decision on wetlands might have affected debt ceiling talks on the Mountain Valley Pipeline*, ROANOKE TIMES (June 6, 2023).
- *Could Fossil Fuel Companies Ever Be Tried for Crimes Against Humanity?* GIZMODO (co-respondent to weekly *Giz Asks* column along with David Hunter, Benjamin Franta, Cymie Payne and Steph Tai) (Daniel Kolitz, ed.) (Oct. 4, 2021).
- *Who Will Be Virginia's Next Climate Governor?*, WASHINGTON POST (Sun., Jun. 13, 2021).
- *Candid Discussion Needed on Gun Safety Regulation*, NORFOLK VIRGINIAN-PILOT (Apr. 15, 2018).
- *Trump Just Made Life Harder for Business — And All of Us*, RICHMOND TIMES-DISPATCH (Oct. 16, 2017).
- *Trump's Disdain for Environmental Regulations Stems from his Misunderstanding*, SLATE (w/ Steph Tai) (May 11, 2017).
- *Trump Might Be Creating an Opportunity for Environmentalists*, RICHMOND TIMES-DISPATCH (Feb. 8, 2017).
- *With EPA Pick, Trump Is Swimming in the Swamp*, WASH. POST (Letter) (Nov. 15, 2016).
- *Environmentalists Must Reach Out to the GOP*, NORFOLK VIRGINIAN-PILOT (Oct. 2, 2016).

SELECTED PRESENTATIONS

- "Shortcomings of Legal Ethics for Community Lawyering," (with C. Banks & S. Matsumoto) *2024 Conference on Clinical Legal Education*, Association of American Law Schools (forthcoming May 3, 2024).
- "Wetlands Law: Emerging Trends & Challenges," University of Miami School of Law (Nov. 3, 2023).
- "The Climate Whisperers," *Hot Topics Summer Lecture Series*, Vermont Law and Graduate School, (June 1, 2023).
- "A Look at the Non-Water Quality Values that the Clean Water Act Protects," *41st Public Interest Environmental Law Conference*, University of Oregon School of Law (Mar. 4, 2023).
- "A Celebration of the 50th Anniversary of the Clean Water Act," Kentucky Journal of Equine Agriculture and Natural Resources Law, University of Kentucky J. David Rosenberg College of Law (March 11, 2022).
- Panelist, "From Exxon to Paris: A Review of Environmental Law Over the Last 30 Years," Georgetown Environmental Law Review Symposium, Georgetown University Law Center (April 13, 2018).