

DUKE ENVIRONMENTAL LAW

Spring 2005

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TIMOTHY PROFETA



WILLIAM REILLY

Profeta and Reilly to Lead New Duke Environmental Policy Institute

Duke University has named Timothy Profeta JD/MEM '97, counsel for the environment to U.S. Senator Joseph Lieberman, as the first director of its new Nicholas Institute for Environmental Policy Solutions. William Reilly, U.S. Environmental Protection Agency administrator under former President George H.W. Bush and currently president and CEO of Aqua International Partners, will serve as senior adviser and chair of the Board of Advisers for the Institute.

Duke has long recognized that environmental studies demand interdisciplinary approaches. A hallmark of the new Institute will be to expand this approach well beyond the boundaries of the University. Made possible through a \$70 million gift from Pete and Ginny Nicholas (both BA '64), the Institute will have a global reach, from Durham, NC, across the country and beyond, marshaling the broad resources of the University to improve our understanding of the great environmental challenges. As stated by Bill

Schlesinger, dean of the Nicholas School of the Environment and Earth Sciences, the Institute will address the demand for high-quality and timely data relevant to the world's most critical environmental problems. "There's a pressing need to raise the level of environmental debate and policy-making in our country and around the world, and the Nicholas School now has an unprecedented opportunity to bring together a unique constellation of resources to identify and tackle the problems we face."

The Institute will bring to the table the broad resources of the Duke University community, from the Nicholas School, Fuqua School of Business and Duke Law School to the Duke University Medical Center and the expertise of partners in industry, government and environmental organizations. This unique combination will allow the Nicholas Institute to become the only science and policy institute of its kind with a resident faculty that can work to identify important environmental problems and recommend effective



“By the end of the decade, I want the Nicholas Institute to be on the ‘first-call-made list’ by a wide range of groups interested in environmental issues.”

Timothy Profeta

*Profeta and Reilly
continued from page 1.*

policy based on unbiased data and careful analysis of the issues. In addition, the Institute will tackle specific environmental issues for its partners in the corporate, non-government and foundation sectors. Working with these partners, the Institute will recruit the best teams for developing results-driven plans to cover everything from the creation of employee training sessions to detailed case studies to complex business models.

Profeta’s vision for the Institute is clear. “By the end of the decade, I want the Nicholas Institute to be on the ‘first-call-made list’ by a wide range of groups interested in environmental issues. It should be a resource for businesses seeking to craft strategies to address environmental problems, policymakers seeking to draft effective solutions, advocates seeking credible insight into environmental challenges, and reporters and the public seeking objective analysis.”

As Senator Lieberman’s counsel, Profeta was a principal architect of the Lieberman-McCain Climate Stewardship Act in 2003. He is credited with helping to build the coalition of support and coordinating a political and media campaign to promote the Act’s passage. Profeta oversaw all activities of the Senate Subcommittee on Clean

Air, Wetlands and Climate Change during Lieberman’s term as chair in the 107th Congress and has represented Lieberman in legislative negotiations on environmental and energy issues. Senator Lieberman welcomed Profeta’s appointment, commenting that “Tim has shown an innate and uncanny ability to translate a rough concept into a mature and sophisticated policy proposal. There is no better example of that than his consistent and creative leadership over the years in championing the Climate Stewardship Act – a massive intellectual, legislative and political undertaking to address the most critical, overarching environmental challenge of our times.”

A 1997 graduate of the joint JD/Masters of Environmental Management program, Profeta was editor-in-chief of the *Duke Environmental Law & Policy Forum* and the recipient of both the Cummings Fellowship in Environmental Law and the 1996 Nicholas School Alumni Fellowship. Announcing his appointment, President Richard Brodhead emphasized that “Tim Profeta represents the environmental leaders of the future. He is experienced, enthusiastic and savvy about science policy and the political arena, and strategic in thinking about how Duke can best work with others to forge a positive environmental agenda for our nation.”

Working with Profeta as senior adviser and chair of the Board of Advisers will be William Reilly, one of the most accomplished environmental figures of the last 30 years. Former administrator of the EPA, Reilly has served on the White House Council of Environmental Quality, as president of the Conservation Foundation, and as president of the World Wildlife Fund. He currently chairs the World Wildlife Fund board and is a trustee of the National Geographic Society and the Packard Foundation, among others. As EPA administrator, Reilly championed the use of market-based instruments, playing a central role in adoption of the acid rain trading program in the 1990 Clean Air Act amendments. He also greatly increased EPA’s focus on international environmental

issues. As Brodhead observed, “Bill Reilly is recognized as one of the best-informed and most creative leaders associated with environmental issues. His career has been aimed at identifying environmental solutions. He will be a strong chair of the Nicholas Institute board and, with Tim Profeta, gives the Institute unparalleled leadership.”

Reilly is equally excited about the problem-solving focus of the Institute, noting that “at a time of planet-wide environmental transformation, the Nicholas Institute will not lament the problems but will hone in on solutions. And I look forward to helping it find them.”

A three-day environmental summit on the Duke campus, from September 20–22,

“At a time of planet-wide environmental transformation, the Nicholas Institute will not lament the problems but will hone in on solutions. And I look forward to helping it find them.” William Reilly

2005, will formally launch the Nicholas Institute, featuring a range of high-level workshops on pressing environmental issues. A university-wide initiative, the Institute will be housed within the Nicholas School while the University builds Nicholas Hall, a free-standing new “green” building on West Campus that will house the School, the Nicholas Institute, and related centers, programs and faculty that address environmental issues at Duke. ♣



Grad students create Duke University Greening Initiative

by **Kate Gehret JD/MEM '08**

Graduate students at Duke care about much more than their research projects or where their next grant is coming from. Many have demonstrated concern for the impact the University is having on the surrounding environment, and a few students are working hard to make sure that something is done about it.

The Duke University Greening Initiative (DUGI) is a graduate student group that promotes environmental sustainability on campus. It tackles topics such as green building standards and energy conservation, and works to encourage student and faculty involvement and awareness. Most recently, students in DUGI have advocated the adoption of an environmental policy statement, a declaration of the University's support of progressive environmental initiatives on campus.

Addressing academics, operations and the surrounding community, the policy's three-tiered approach is unique and is intended to effectively encompass all aspects of Duke's environmental impact. Second-year Masters of Environmental Management students Johanna Jobin and Sara Brodnax are co-chairs of the DUGI committee established to develop and promote the policy statement. Jobin believes the policy is an important step in Duke's attempt to construct an environmentally sustainable legacy: "Duke's environmental policy is so exceptional because it encompasses both the University and the Medical Center and includes everything from its operations to academics to community relations. This in itself sets Duke apart from other schools not only in the Southeast, but also throughout the rest of the country."

Brodnax, Jobin and others in DUGI have been joined in supporting the policy by many student groups including Environmental Alliance, Fuqua Business and Environment Club, the Nicholas

School Student Advisory Committee, the Environmental Law Society, the *Duke Environmental Law and Policy Forum* and the Graduate and Professional Student Council. The DUGI committee has focused on gaining the support and signatures of upper administration officials. A faculty committee has reviewed the policy, made revisions, and the policy was just approved on March first by the University Priorities Committee. The full text of the policy is on page 4 of this newsletter.

Now that formal administration support for the policy has been secured, the students will begin to focus on the policy's implementation. Key to this will be helping Bill Brewer, director of environmental programs in Duke's Occupational and Environmental Safety Office, develop an environmental management system (EMS). The EMS will provide a practical tool to aid Duke's departments in monitoring environmental performance, setting goals, and updating to reflect improvements and increased capabilities. The implementation of the EMS is only one purpose of the policy statement, however, which also addresses academic considerations and Duke's relationship with the surrounding community.

DUGI committee co-chair Sara Brodnax believes that the efforts students have made to ensure that Duke adopts this policy will



pay off in the future. "We are so excited about the policy statement. The policy will support current initiatives as well as create new opportunities for the University community to improve and protect the environment that we live in. We would like to see Duke University set the standard for sustainability among research institutions."

For more information on the environmental management system, please visit www.safety.duke.edu/ems or email breweo29@mc.duke.edu. Sustainability initiatives at Duke are described in more detail at <http://www.duke.edu/sustainability>, and information on DUGI can be found at <http://www.duke.edu/greening/>. ♻️



Duke University Environmental Policy

Duke University seeks to attain and maintain a place of leadership in environmental stewardship and sustainable ecologies on our campus, in our medical institutions and in the larger community of which we are a part. We will bring proactive vision, intellectual intensity, and high ethical standards to our pursuit of environmental leadership with research and teaching, institutional operations, and our relationship with the community.

Academics

Duke University will continue to be in the forefront of environmental research and education and will continue to use our institutional capabilities to constructively affect environmental policy throughout the world. We are committed to supporting interdisciplinary environmental scholarship and research, disseminating information about environmental research and policy, increasing faculty and student awareness of environmental issues, and enhancing environmental educational offerings.

Operations

Duke University will comply with all relevant environmental laws and regulations and go beyond the requirements for compliance by integrating the values of sustainability, stewardship, and resource conservation into our activities and services. We will make decisions with the goal of improving the long-term quality and regenerative capacity of the environmental, social, and economic systems that support the University's activities and needs. We will engage in pollution prevention activities and develop and promote practices that maximize beneficial effects and minimize harmful effects of operations, research, and activities on the surrounding environment. We are committed to assessment of the environmental impacts associated with our activities and services, and we will develop and track measures of our progress.

Community

Duke University is committed to playing a constructive and collaborative role as a responsible environmental citizen in the life of the surrounding community. We will maintain a positive and proactive role in communicating with the surrounding community, especially the Durham community, regarding our environmental activities and performance.

Richard H. Brodhead

Richard H. Brodhead, President

Tallman Trask III

Tallman Trask III, Executive Vice President

Victor J. Dzau

Victor J. Dzau, Chancellor for Health Affairs

Peter Lange

Peter Lange, Provost

March 1, 2005



Student Groups Show Leadership

DUKE GRAD STUDENTS ORGANIZE CONFERENCE ON CONFLICT AND THE ENVIRONMENT, CREATE NEW SIERRA CLUB CHAPTER

by Ruba Marshood MEM '06

Duke prides itself on the value it places upon an interdisciplinary approach to education through an array of activities and opportunities – and for good reason. Aside from the broad range of courses available to graduate students, group activities help students organize to bring about the changes they want to see in the world from within the University walls. The Student International Discussion Group (SIDG) and the Graduate Student Sierra Club are two among many student groups that exemplify the ambitions of the graduate student body and their accomplishments.

Student International Discussion Group

SIDG works to bring together students who are interested in international issues or cases relating to the environment. Every second Sunday of the semester, the group organizes for a speaker to attend an informal potluck dinner at a student's home. Discussion topics have included issues of international collaboration for sea turtle conservation in Latin America, environmental degradation in Haiti and DDT use for malaria protection in Africa. Each year, the group teams up with the Carolina and Duke Consortium Working Group on the Environment in Latin America, the Pan-Amazon Group, and the Nicholas School to host a daylong conference. On February 26, 2005, this collaboration culminated in the 15th Annual Duke University International Environmental Conference: Conflict and the Environment.

This conference brought speakers from around the globe to address themes of environmental management stimulating conflict, allowing conflict to persist, and as a tool in bringing about peace. Nearly 200 attendees were taken on a journey through the Amazon of Brazil, to the forests of Liberia; from the rain forests of Bolivia to the refugee camps of Uganda and to the desert

region of the Middle East. Presenters from various government and non-governmental agencies, including USAID, the UN, the Center for Social Analysis (Mexico), and the National Institute of Amazonian Research (Brazil), discussed the tensions involved with the interaction of interests including indigenous people, land rights, protected areas, and natural resource extraction.

SIDG co-organizer, Kathleen Lawlor, MEM '06, opened the event posing the question of why an issue like global warming, which poses such a grave threat to humanity worldwide, is only considered an "environmental problem," and why war, and conflicts that impose incredible degradation of the environment, are not also considered "environmental problems." As Bill Schlesinger, dean of the Nicholas School of the Environment and Earth Sciences, pointed out, the world's growing population of 6.3 billion is only increasing the tension over limited natural resources. Duke alumnus Geoffrey Dabelko, BA '90, of the Woodrow Wilson International Center for Scholars, followed with his keynote address and invited the audience to consider suggestions for science- and policy-driven actors to focus on and incorporate in order to improve the state of the world's groups in conflict over the environment.

Sierra Student Coalition

A perfect example of graduate students seeing an opportunity and paving the way for local and national change is provided by the recently-established Duke Graduate Student Chapter of the Sierra Student Coalition (SSC), the largest student-led environmental group in the country. This coalition volunteers its time and efforts toward the goals of the umbrella NGO, the Sierra Club. First year Nicholas School students, Jennifer Skilbred and John Tynan, realized that a Duke branch of the SSC was missing and took the initiative to orga-

nize a group dedicated to environmental service projects and advocacy, with a focus on environmental issues in the Durham and Research Triangle Park region.

Since the middle of the Fall 2004 semester, Skilbred and Tynan have coordinated a number of activities to promote environmental awareness and activism. Examples include: a voter education event to bring environmental issues onto the agenda of Duke students and voters, a petition to North Carolina senators and congressmen to oppose the U.S. Navy's proposal to develop an outlying landing field near the Pocosin Lakes National Wildlife Refuge, and work as a coalition with other students and student groups to develop the new Duke Environmental Policy for the University (discussed on pages 3-4 of this newsletter).

Most recently, the Duke Graduate Student Chapter of the Sierra Club co-sponsored a series of educational and advocacy sessions on the issue of drilling in the Arctic National Wildlife Refuge (ANWR). To this end, the Sierra Club worked on a number of events with other Duke and local student and community groups such as the Duke University Greening Initiative (DUGI), Students United for a Responsible Global Environment (SURGE), Energy Action, and NC Sustainable Energy Association, including a presentation by Elaine Alexie, member of Tetlit Gwich'in First Nation from the Northwest Territory, Canada. Alexie shared her personal story as a member of an indigenous tribe of the region and her growing realization that the Earth will continue to support generations of humanity only if it is taken care of. At the age of 25, Alexie has been serving on the board of the Arctic Children and Youth Foundation of Canada and has been actively involved with the campaign to protect the Arctic National Wildlife Refuge from proposed oil and gas drilling for seven years. As co-founder of the Arctic Indigenous Youth Alliance, she focuses youth empowerment on development and policy issues to improve their communities. Although recent news gives indication that drilling will in fact occur in the Refuge, Duke students are not losing hope or their drive. ♪



Cross-pollination

ENVIRONMENTAL LAW AND INTELLECTUAL PROPERTY INTERSECT AT DUKE

by Jena Reger JD '06

Assume for a moment the need for a politics of intellectual property. Go further for a moment, and accept the idea that there might be a special need for a politics to protect the public domain. What might such a politics look like? Right now, it seems to me that, in a number of respects, we are at the stage that the American environmental movement was at in the 1950's.

A Politics of Intellectual Property: Environmentalism for the Net? – James Boyle

Environmental scholarship at Duke Law School is not limited solely to the natural environment. Beyond the interdisciplinary nature of the environmental curriculum itself, the range of scholarly activities has created fertile ground for cultivation of environmental ideas in seemingly unrelated fields. This cross-fertilization is demonstrated most clearly in Duke's Intellectual Property Program and the Information Ecology Initiative.



JAMES BOYLE

Sponsored by the Center for the Study of the Public Domain at Duke Law, the Information Ecology Initiative was inspired by the application of ecology to the study of information. While ecology is typically thought of as the dynamic relations between organisms and their environment, "Information Ecology" examines the emerging relationships in the regulation and ownership of information. As Duke Law Professor James Boyle, faculty co-director of the Center, explains, "The environment is a very useful and productive concept if you want to understand what goes on in intellectual property law." Stimulated by environmental scholarship on the problems of externalities, Boyle argues that, in a similar manner, "if you proceed with an uninhibited development strategy in the material world, build more factories, build more roads, etc. on the assumption that your only limit is the amount of money or resources that you have, you'll end up dra-

matically undermining the public domain in which these things are placed." Rather than merely expanding in the pursuit of development, or granting more intellectual property rights in search of innovation or progress, law and policy should consider how to sustain economic activity as well as examine its costs and impacts. "It's not a simple opposition between development or the environment, intellectual property or the public domain; the relationship is a much more complicated and interesting one," noted Boyle, winner of the 2003 World Technology Award for Law for his scholarship in the area.

Striking the right balance between protection and use is a common struggle for both environmental and intellectual property law and policy, as is the notion of sustainable development, or development that occurs on scale that does not exceed the system's carrying capacity. As an example, Jennifer Jenkins JD/MA '97, director of the Center for the Study of the Public Domain, organized a conference last April called "Framed!! How Law Constructs and Constrains Culture." The conference showcased a presentation of the distributional costs of licensing and the disappearance of historical documentaries. "Eyes on the Prize," an important historical documentary of the civil rights movement, provides an example of the challenge for "sustainable development" in the realm of intellectual property. The licensing rights to the film have now expired and, as Jenkins notes, "The cost of actually getting those rights anew would be prohibitive, so that the documentary is no longer in circulation or widely available outside of educational settings."

In his scholarship, Professor Boyle has explored the history of the environmental movement to provide insights to the current challenges facing intellectual property law and policy. The environmental movement successfully linked together discrete concerns over air pollution, water pollution, loss of

wildlife and open space by creating an overarching concept of "environmental protection" that really had not existed as a popular concept. Similarly, in intellectual property, people concerned about software codes and the Digital Millennium Copyright Act are finding that their interests and ideas can be usefully connected to groups with seemingly different interests such as censorship, parody, and appropriation. "The history of the environmental movement," Boyle observes, teaches us that if you have the right concept it will allow people actually to perceive their own interests differently, so that they perceive themselves as allied in ways that they otherwise would not have been – the world changes. You literally see the world differently – so that the person in Maine who is worried about genetic diversity of salmon stocks has a connection to the person in Los Angeles worrying about smog policy. There is no connection without that word."

Viewed with the hindsight of 30 years, the environmental movement also brought complicated ideas into popular discourse and mainstream American politics. Environmental policy specialists, academics and activists "translated" arcane concepts such as the role of externalities and the tragedy of the commons into lay knowledge. Boyle suggests that this provides another key lesson for intellectual property law and policy: "You have to take the high brow theory and make it accessible. At the same time, the reason that people are paying attention to these academics is that there is this very broad movement which links together the abstract dry ideas, externalities, and the notion of ecology as a subtle relationship with stories, anecdotes, and horror stories. It's a process of quilting stories together with abstract ideas – something we need to do in intellectual property. One of the great things about working at Duke is the ongoing discussions between faculty and between disciplines. My work on the public domain relies a lot on analogies to the environment and to the environmental movement, and being able to brainstorm in the hall with distinguished colleagues in the environmental field, like Jim Salzman, Jonathan Wiener and Chris Schroeder has been hugely valuable to me." ♡



Alumni Profile



“BEING THE HEAD OF A SMALL FIRM HAS BEEN TRULY TERRIFIC. IT IS GREAT TO HAVE A SMALL TEAM THAT HAS THE FLEXIBILITY TO WORK ON THE WIDE RANGE OF CASES THAT COME OUR WAY.”

Gary Mason

JD '87

Gary Mason, Class of 1987, one of the country's leading toxic tort attorneys, traces the origins of his career path to Duke Law's far-flung connections to the 49th state. "My involvement in toxic torts stems directly from my clerkship in Alaska," Mason relates, "for which I am greatly indebted to Professor Walter Dellinger and the folks at the *Alaska Law Review* who introduced me to opportunities in Alaska. In fact, I actually first interned for the Alaska Supreme Court during the second semester of my second year at Duke Law. Following law school, I clerked for the Honorable Andrew J. Kleinfeld, U.S. District Court Judge in Anchorage, Alaska."

Returning to the "Lower 48" after his clerkship, Mason worked as a litigation associate at Skadden Arps in Washington, D.C. from 1988-1990, but his interest in Alaska remained strong. "Sometime after the Exxon Valdez oil spill in 1988," Mason says, "I read in the local legal paper that Jerry Cohen of Cohen Milstein was to be appointed co-lead counsel in the litigation. In 1990, I joined Cohen, Milstein, Hausfeld & Toll (CMHT), also in Washington, D.C. CMHT is one of the largest plaintiffs law firms in the country specializing in class actions. When I applied in 1990, they were eager to hire me, given my Alaska background. I ended up working extensively on the Exxon Valdez litigation

from 1990 until 1995, when the case was tried. Most of my work was on behalf of the Alaska Native Class, approximately 5000 Natives whose subsistence way of life was impacted by the spill."

By 2000, Mason had become a partner and co-chair of the Products Liability and Consumer Protection Practice Group. During that time, he was involved in a series of major toxic tort cases. In 1991, he worked on a case arising from the discovery of a massive underground plume of petroleum coming from a Texaco petroleum distribution facility in Northern Virginia. The plume was roughly ¼ mile long and extended beneath a residential community. The case was settled in 1992. In 2000, he served as lead counsel in a class action arising from an oil pipeline break which spilled thousands of barrels of oil into the Patuxent River, a tributary of the Potomac River. This spill was the largest oil spill in the history of the state of Maryland. The case settled in 2001 for \$2.2 million on behalf of property owners and fishermen. He is currently representing approximately 100 homeowners in litigation against Chevron arising from a plume from a former Chevron gasoline station in Chillum, Maryland. The suit alleges that the spill caused personal injuries to area residents and a loss of property value.

While consistently working on toxic torts throughout his career, Mason has also enjoyed success in the area of defective products, particularly defective construction materials. He has served as lead counsel or co-lead counsel on class actions involving numerous defective construction materials

including polubutylene pipe (\$950 million settlement), synthetic stucco (various settlements with values from \$1-\$40 million) and radiant heating systems (\$300 million). He frequently speaks and writes about class actions and will be moderating a panel at the 2005 American Trial Lawyers Association convention on emerging issues in construction defect class actions and mold litigation.

Despite his success at Cohen Milstein, after more than a decade Mason was eager for new opportunities. As he describes, "I left CMHT in 2002 after 12 years largely to satisfy my own entrepreneurial instincts. When I started at CMHT in 1990, I was the 12th lawyer. By 2002, we had more than 30 lawyers and the atmosphere was changing from 'LA Law,' where we could all discuss our cases at a meeting in a conference room, to a real institution with practice groups, committees, and endless meetings. Being the head of a small firm [the Mason Law Firm in Washington, D.C.] has been truly terrific. It is great to have a small team that has the flexibility to work on the wide range of cases that come our way. Above all, I love having the ability to make the decisions about what cases to pursue without having to convince a 'case intake' committee and the time and trouble that involves. The trick is figuring out how to stay small as the case load and opportunities increase. We now have four lawyers and one 'of counsel.' I refuse to move to a new office so I am relying on the constraints of our physical space to limit our growth!" ♡



Alumni Profile



NOWLIN STARTED HER CAREER AS AN ADVOCATE EARLY, PROPOSING A NEW ACADEMIC TRACK TO THE DEANS OF BOTH SCHOOLS. IN THE MEAN-TIME, SHE ENROLLED IN CLASSES AT FORESTRY, AND, TOWARD THE END OF HER FIRST YEAR, HER PROGRAM WAS APPROVED. FROM THESE HUMBLE BEGINNINGS, THE JD/MEM JOINT-DEGREE PROGRAM IS THRIVING TODAY.

Michelle Nowlin JD/MEM '92

If a history is ever written of the origins and rise of Duke's environmental law program, there's no doubt that Michelle Nowlin will figure prominently. Entering Duke in the summer of 1989 as a joint degree student in law and English, Nowlin knew from the first day that she wanted to pursue a career in environmental law, working in the public interest. She soon learned about the offerings of the School of Forestry and Environmental Studies (SFES, now the Nicholas School) and tried to change her joint degree to law and forestry. But there was a problem – no such program existed. Seeking to create a new joint degree, and realizing the growing importance of environmental issues in every facet of life, Nowlin started her career as an advocate early, proposing a new academic track to the deans of both schools. In the meantime, she enrolled in classes at Forestry, and, toward the end of her first year, her program was approved. From these humble beginnings, the JD/MEM joint-degree program is thriving today.

Not content with blazing the trail for future JD/MEM students, during her second year of law school Nowlin worked with friends in the Forestry and Law schools to establish the environmental law journal, the *Duke Environmental Law and Policy Forum*. With classmates Margaret Spring, Jonathan Lasley and several others, and Nowlin serving as the editor-in-chief, during the *Forum's* first two years they assembled a board of

advisors, solicited articles, and secured financing. Using an innovative (and still unique) multi-disciplinary approach, the staff included students from Fuqua, the Sanford Institute and SFES, and articles focused on topics such as risk assessment and technology development as well as legal and policy issues. *DELPF* is now one of the country's leading environmental law journals.

Awarded a Ford Foundation Fellowship in international law during her third year of law school, Nowlin developed a project for the Natural Resources Defense Council to study and report on the implementation of *Agenda 21*, the statement of principles for economic development and ecological sustainability adopted at the Earth Summit in 1992. Through that project, which resulted in a full report to the first meeting of the UN Commission on Sustainability, Nowlin met with and interviewed environmental advisors from several dozen countries and did field work in Costa Rica and Botswana for detailed case studies to present to the Commission. The unforgettable experience led to a lifelong love of the people, culture and environment of southern Africa.

While realizing that there was much work to do on a global scale, her passion was for work that led to more tangible, less incremental, and more enforceable results. After two years working for a small environmental boutique law firm, she began working at the Southern Environmental Law Center (SELC), a non-profit law firm focusing on the environment of the Southeastern U.S., where she's been since 1995. In this role Nowlin quickly became immersed in an emerging

environmental threat – pollution and community impacts from intensive and confined production of livestock. For the next seven years, she worked with coalitions throughout the country to develop state and federal legislation and regulatory programs to protect the environment from these industrial farms, authoring numerous articles, speaking at conferences and legislative hearings, and testifying before the Senate Committee on Agriculture. Legislation that Nowlin drafted resulted in the country's first moratorium on the development of new factory hog farms (a moratorium that remains in effect in North Carolina). For this work, she received the Bill Holman Award for Environmental Advocacy from the Conservation Council of North Carolina. During the past two years with SELC, Nowlin's primary focus has been on a high-profile lawsuit against the U.S. Navy, challenging its decision to build a jet training facility in eastern North Carolina adjacent to the Pocosin Lakes National Wildlife Refuge.

In addition to her work at SELC, Nowlin serves on the boards of several statewide and local conservation organizations. She is currently the chairwoman of the North Carolina Bar Association's Environment and Natural Resources Law Section. In addition, she's become an amateur potter and is a founding member of a cooperative studio in Carrboro. She and her husband are restoring a 100-year old mill house near East Campus, using as much reclaimed, recycled and low-impact material as they can find. Nowlin's greatest joy lies in spending time reading, drawing and playing with her daughter, Zoe, and sharing her love for the environment with her. ♡