

DEBRA L. DONAHUE

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EDUCATION

- University of Colorado School of Law, Boulder, CO 1986-89
J.D., 1989, Order of the Coif
Editor-in-Chief, Volume 60, University of Colorado Law Review
- Texas A&M University, College Station, TX 1975-77
M.S., Wildlife Biology, 1977
University Fellow, 1975-76
- Utah State University, Logan, UT 1971-74
B.S., Wildlife Science, 1975
University Club Scholar, 1971-74
Outstanding Senior, College of Natural Resources

EMPLOYMENT

- 1992-2013 **Professor of Law**, University of Wyoming College of Law, since 1999; **associate professor**, 1997-99; **assistant professor**, 1992-97. Law courses developed and taught: land use, hazardous waste/water pollution, Native American natural resources, environmental policy, and five natural resources seminars. Other law courses taught: environmental law, federal public land and natural resources, Indian law, legal writing I and II, and administrative law. Have also taught federal Indian law to UW undergraduates and environment and natural resources law and policy to undergraduates and non-law graduate students.
- 2008 **Columnist (on law)**, *WyoFile.com: Wyoming Politics and Policy* (web-based public interest news service).
- Aug. 2007 **Visitor**, University of Auckland (New Zealand) School of Law, Environmental LLM program. Developed and taught intensive course on biodiversity law.
- June-Dec. 2002 **Visitor**, University of Canterbury School of Forestry, Christchurch, New Zealand. On sabbatical from University of Wyoming, researched biodiversity conservation policy and taught graduate class (FORE 616 Fragmentation and Restoration Ecology).
- Feb.-June 2002 **Visiting academic/lecturer**, University of Auckland School of Law and Department of Environmental and Marine Sciences, Auckland, New Zealand. On sabbatical, researched biodiversity conservation policy and taught graduate class (ENVSCI 733 Biodiversity Management).
- 1991-92 **Caretaker**, small ranch near Dubois, WY.
- 1990-91 **Staff attorney**, National Wildlife Federation, Anchorage, AK.
- 1989-90 **Judicial clerk** for the Honorable Wade Brorby, United States Court of Appeals for the Tenth Judicial Circuit, Cheyenne, WY.
- 1989 **Law clerk** (summer), Holme Roberts & Owen, LLC, Denver, CO.
- 1988 **Law associate** (summer), Arnold & Porter, Denver, CO.
- 1987-88 **Research and editorial assistant**, international environmental law, Professor Daniel B. Magraw, University of Colorado School of Law, Boulder.

- 1987 **Law clerk** (summer), CERCLA (Superfund/hazardous waste) Litigation Section, Office of the Attorney General, State of Colorado, Denver.
- 1987 **Legal intern**, Environmental Defense Fund, Boulder, CO.
- 1986 **Science and policy intern**, Environmental Defense Fund, Boulder, CO.
Legal intern, Sierra Club Legal Defense Fund, Denver, CO.
- 1983-85 **Executive director**, Wyoming Outdoor Council, Cheyenne, WY. Directed statewide nonprofit organization. Overall responsibility for membership, fundraising, budgeting, and environmental/public lands issues work.
- 1981-83 **Environmental coordinator**, Freeport Gold Company, Elko, NV. Responsible for environmental compliance of gold mine/mill operation and industrial hygiene sampling and training; conducted facility tours.
- 1979-81 **Public information specialist/writer-editor** and **wildlife biologist** for 7.2-million-acre Bureau of Land Management district in Elko, NV.
- 1972-75,
1977-79 **Seasonal and temporary field positions** in five states with U.S. Forest Service, Bureau of Land Management, Interagency Grizzly Bear Study, and U.S. Army Corps of Engineers.

PUBLICATIONS

Books and book chapters (as sole author):

- Agricultural and Forestry Impacts, Chapter 11, in Michael B. Gerrard & Katrina F. Kuh, eds., *Adaptation to Climate Change and the Law: U.S. and International Aspects* (American Bar Ass'n 2012).
- The Endangered Species Act and Its Current Set of Incentive Tools for Species Protection, and A Critical Examination of Economic Incentives to Promote Conservation, Chapters 2 and 5, in Jason F. Shogren, ed., *Species at Risk: Using Economic Incentives to Shelter Endangered Species on Private Property* (U. Texas Press 2005).
- The Western Range Revisited: Removing Livestock from Public Lands to Conserve Native Biodiversity* (U. Oklahoma Press 1999).
- Conservation and the Law: A Dictionary* (ABC-CLIO 1998).

Journal articles (as sole author):

- Trampling the Public Trust, *Boston College Environmental Affairs Law Review* 37 (2010): 257-316.
- The Elephant in the Room: Livestock's Role in Climate and Environmental Change, in *Symposium: "A Climate of Disruption: Legal Measures for Adaptation and Mitigation," Michigan State Journal of International Law* 17 (2009): 95-122.
- Federal Rangeland Policy: Perverting Law and Jeopardizing Ecosystem Services, *Journal of Land Use & Environmental Law* 22 (2007): 299-354.
- Education and Cooperative Management of Tribal Natural Resources, *Tulsa L. Rev.* 42 (2006): 5-22.
- Western Grazing: The Capture of Grass, Ground, and Government, *Environmental Law* 35 (2005): 721-806.
- A Call for Native American Natural Resources in the Law School Curriculum, *Journal of Land, Resources, & Environmental Law* 24 (2004): 211-19.

The Law and Practice of Open Space Covenants, *New Zealand Journal of Environmental Law* 7 (2003): 119-68.

Justice for the Earth in the Twenty-first Century, *Wyoming Law Review* 1 (2000): 373-401.

The Untapped Power of Clean Water Act Section 401, *Ecology Law Quarterly* 23 (1996): 201-301.

Taking a Hard Look at Mitigation: The Case for the Northwest Indian Rule, *University of Colorado Law Review* 59 (1988): 687-720.

Journal articles (with others):

R.L. Beschta, D.L. Donahue, J.J. Rhodes, D.A. DellaSala, J.R. Karr, M.H. O'Brien, T.L. Fleischner, C.D. Williams, Adapting to Climate Change on Western Public Lands: Addressing the Ecological Effects of Domestic, Wild, and Feral Ungulates, *Environmental Management*, 51 (2012): 474-91.

Book reviews (as author):

Ranching West of the 100th Meridian: Culture, Ecology and Economics. R.L. Knight, W.C. and E. Marston, eds. (Island Press, 2002), *The Prairie Naturalist* 35 (June 2003): 121-22.
Post-Cowboy Economics: Pay and Prosperity in the New American West (Island Press 2001), by T. M. Power and R.N. Barrett. *Western Historical Quarterly* 33 (2002): 364.
Biodiversity and the Law (Island Press 1996), *Journal of Wildlife Management* 61 (1997): 573-75.

Other works (as author):

Columns for *WyoFile.com: Wyoming Politics and Policy* (web-based public interest news service): Some cautionary notes about CO₂ sequestration, Feb. 24, 2008; Subdivision law changes little without planning, Mar. 31, 2008; [Do Elk Feedgrounds Violate Public Trust](#), May 12, 2008; [Winslow Friday's Eagle](#), June 16, 2008; [Trophic Cascade: The Case for Wolves](#), July 21, 2008; [Lame Duck Rules Undercut Endangered Species Act](#), Sept. 8, 2008.

Reminiscences from New Zealand, *Counsel*, Summer/Fall 2003, at 12-17 (University of Wyoming College of Law publication).

Conservation and the Treaty: DoC's Proposed Eradication of Kiore from Little Barrier Island (feature article), *ARLAN*, July 2002 (Animal Rights Legal Advocates Network newsletter, New Zealand).

Ain't No Cow Country, *Writers on the Range*, Feb. 2000 (syndicated news service).

M.S. Thesis: *Pesticide and Heavy Metal Levels in Louisiana River Otters* (Texas A&M University 1977).

Other works (as editor/reviewer/contributor):

Management and Effects of Coalbed Methane Produced Water in the Western United States. National Research Council Board on Earth Sciences and Resources (National Academy Press, 2010) (pre-publication peer review).

Bruce L. Smith, Chapters 6 and 14, in *Where Elk Roam: Conservation and Biopolitics of Our National Elk Herd* (in press, 2010) (reviewer, editor).

James C. Catlin et al., Range Management in the Face of Climate Change, *Natural Resources and Environmental Issues* 17 (2011): 1-43 (Article 24) (reviewer, general editor).

Joining Space and Time: Redefining the Eastern Boundary of the Great Plains with a Time Line, *Great Plains Quarterly*, August 2009 (anonymous review of manuscript).

Riparian Areas: Functions and Strategies for Management. National Research Council, Committee on Riparian Zone Functioning and Strategies for Management, Water Science and Technology Board, Board on Environmental Studies and Toxicology (National Academy Press, 2002) (member of committee).

M. Lisa Floyd et al., Effects of Historic Livestock Grazing on Vegetation at Chaco Culture National Historic Park, New Mexico, *Conservation Biology* 17 (Dec. 2003): 1703 (outside reviewer).

Ownership Issues Relating to Implementation of "Carbon Credits" in New Zealand, If the Kyoto Protocol Becomes Enacted, thesis prepared by L.M. Delamare in partial fulfillment of requirements for M.S. degree, Environmental & Marine Sciences Department, University of Auckland, 2002 (outside evaluator).

Land Use Policy Doctrine in the U.S. Supreme Court, 1926-1994, submitted to *Journal of Policy History*, April 1999 (outside reviewer).

S.F. 117, Wyoming Game and Fish Commission Reform Act (Public Trust Bill) (reviewed draft bill ultimately passed by a Wyoming Senate committee in Jan. 1999).

Bud Moore, *The Lochsa Story: Land Ethics in the Bitterroot Mountains* (Missoula, MT: Mountain Press Publishing Co., 1996) (copyeditor).

John Wunder, *Law and the Great Plains*, University Press of Colorado, 1994 (outside reviewer).

Alexis Murphy, *Graced by Pines: The Ponderosa Pine in the American West* (Missoula, MT: Mountain Press Publishing Co., 1994) (copyeditor).

Jim Posewitz, *Plan for Producing a Model Law for State Wildlife Agencies*, 1994 (reviewed draft manuscript).

John Mionczynski, *The Pack Goat* (Boulder, CO: Pruett Publishing, 1992) (reviewer and copyeditor).

PRESENTATIONS

Landscape-scale Litigation: WWP v. Salazar, Hot Topics, Continuing Legal Education, University of Wyoming College of Law, Nov. 5, 2011.

Clean Water Act and forest thinning, presentation to ENR Capstone course, University of Wyoming, Oct. 2010.

Trampling the Public Trust, Natural Resources Law Teachers Institute, Rocky Mountain Mineral Law Foundation, Chico, Montana, May 29, 2009.

Trampling the Public Trust, *Rural Law Symposium*, University of Montana School of Law, Missoula, April 10, 2009.

The Elephant in the Room: Livestock's Role in Climate and Environmental Change, in *Symposium: "A Climate of Disruption: Legal Measures for Adaptation and Mitigation,"* Michigan State University, Feb. 15, 2008.

- Respondent to presentation, "The Business and Politics of Climate Change," by Anne Arquit Niederberger, Policy Solutions; First C3 Climate Change Symposium, University of Wyoming, Nov 1, 2007.
- Public Lands Politics, guest lecture in course Public Lands Policymaking, Colorado State University, Apr. 9, 2007.
- The Law School's Role in Cooperative Tribal Natural Resource Management, Association of American Law Schools, Joint Program of Sections on Indian Nations and Indigenous Peoples and Natural Resources Law, Washington, D.C., Jan. 4, 2007.
- Ecosystem Services of Rangelands, in *Symposium: The Law and Policy of Ecosystem Services*, Florida State University College of Law, Tampa, April 2006.
- Public Lands: Range Management, UW GEOG 5750, October 2005.
- Western Grazing: The Capture of Grass, Ground, and Government. Lewis & Clark Expedition Bicentennial Conference: The Rule of Capture and Its Consequences, Lewis & Clark Law School, Portland, OR, 2005.
- The Sagebrush Sea. RangeNet 2004 Conference, Albuquerque.
- ENR Problem-Solving and Policy-Making: Grazing, Open Space, and Drought. UW ENR 1100, September 2004.
- Why Teach Native American Natural Resources Law? Rocky Mountain Mineral Law Foundation 50th Annual Institute, Vail, CO, 2004.
- Marketing a Myth: Bush's Grazing Policies. Stanford Law School Environmental Seminar Workshop, 2004.
- New Zealand: Paradise Lost? UW College of Law faculty seminar, 2003
- Species and Habitat Protection: Comparison of Legal Tools in United States and New Zealand. Faculty seminar, University of Canterbury School of Forestry, Christchurch, NZ, 2002.
- Where Fools Rush In: Rewards and Pitfalls of Interdisciplinary Scholarship. University of Auckland School of Law, New Zealand Centre for Environmental Law, Social Ecology Seminar Series, 2002.
- Desert or Pasture: Cattle and the American Southwest. Sierra Club documentary film, 2002.
- The Western Range Revisited. University of Wyoming School of Environment and Natural Resources, Campus Colloquium, 2001.
- The Western Range Revisited. Utah State University College of Natural Resources, graduate seminar/public lecture, Logan, UT, 2001.
- The Western Range Revisited/public land grazing presentations in 2000: Plenary speaker, Cooper Ornithological Society Annual Meeting, Albuquerque; Featured speaker, Desert Tortoise Council 26th Annual Meeting, Tucson; Western Wyoming College, Board of Cooperative Educational Services, Rock Springs; RangeNet 2000 Conference, Reno, NV; Public Interest Environmental Law Conference, Western Environmental Law Center, Eugene, OR; Austin Scott Annual Lecture, Political Science Department, University of Nebraska, Kearney; Frontier Justice Symposium, Buffalo Bill Historic Center, Cody, WY; Lyceum (continuing education), University of Wyoming; Izaak Walton League, Laramie, WY; Albany County Extension Service, Laramie, WY; UW Animal Science writing course.
- Water Quality & Hazardous Waste Issues at BP-Amoco Soda Lake, Wyoming. Moderator, panel discussion, UW-Casper College Platte River course, Casper, WY, 1999.

Tools for Controlling Nonpoint Source Pollution. Panel discussion on Clean Water Act implementation issues, Wyoming Conservation Congress, Casper, WY, 1999.

Parent Corporation Liability (with Harvey Gelb), faculty seminar, UW College of Law, 1998.

Endangered Species Act, School of Environment and Natural Resources Seminar, University of Wyoming, 1996.

Federal rangeland management, guest lecture, Agricultural Law, UW College of Law, 1996.

Careers in environmental and natural resources law, guest lecture, UW School of Environment and Natural Resources Cornerstone Course, 1996.

Nonpoint source water pollution, guest lecture, UW Animal Science writing course, 1995.

Federal takings law. Briefing paper prepared for UW Institute for Environment and Natural Resource Research and Policy, 1995.

Hazardous waste regulation, guest lecture, Geology graduate seminar, University of Wyoming, 1994.

Nonpoint Source Pollution: Emerging Issues in the Clean Water Act. Wyoming Water Law Conference, CLE International, Cheyenne, WY, 1994.

History of environmental movement in the West (panel discussion moderator). American Heritage Center conference, University of Wyoming, 1993.

MEDIA INTERVIEWS

Indian law issues regarding tribal membership, intermarriage, land inheritance, Feb. 7, 2011, KUWR (NPR affiliate station), Laramie, WY.

Thinking Toward an American Indian Center at the University of Wyoming (promotional video), UWTV 2009.

Proposed changes to the Departments of Interior and Commerce's rules for Endangered Species Act Section 7 consultations, 2008, KUWR, Laramie, WY.

Public land grazing, July 2005, *Living on Earth*, PRI.

Proposed BLM grazing regulations, February 2004, KUWR, Laramie, WY.

Public land grazing issues, 2000-01: *USA Today*, *Audubon* magazine, *Casper Star Tribune*, *High Country News*, *Denver Post*, *The New Mexican* (Albuquerque), *Laramie Boomerang*, *Branding Iron*, *Rock Springs Rocket-Miner*, Kearney (NE) TV station, *High Country News Radio*, Utah State University Public Radio, Tucson Public Radio, Canadian Broadcast Corporation ("As It Happens"), "Working Assets" Radio Network program (Denver), KOWB (Laramie, WY).

Water policy issues in Upper Colorado River Basin, interview by Jack Loeffler, recipient of National Council for Humanities grant, 2002.

Western public lands, interview by feature editor for Stockholm, Sweden, newspaper, 2001.

PROFESSIONAL SERVICE AND MEMBERSHIPS

Colorado State Bar, member since 1989.

Wyoming State Bar, member since 2009.

Advisory Board, Natural Resources Law Center, University of Colorado School of Law, 2010-12.

Executive Committee, Natural Resources Law Section, Association of American Law Schools, 2006-09.

American Bar Association, Section on Energy, Environment, and Resources, member since 1993; vice-chair for Public Service, Public Lands Committee, 2004-06.

Rocky Mountain Mineral Law Foundation, Trustee, 2003-present; member, Planning Committee, RMMLF Special Institute on Wetlands, Wildlife, and Cultural Resources, April 2011.

Legal consultant to Ngatiwai Trust Board, Resource Management Unit, Whangerei, New Zealand, 2002-03.

National Research Council, Water Science & Technology Board, Committee on Riparian Zone Functioning and Strategies for Management, 1999-2001.

Advisory Board, Sinapu, 2003-07.

Board of Directors, Western Resource Advocates, 2003-05.

Science and Policy Advisory Board, Western Watersheds Project, 2001-present.

University of Wyoming service: UW Tenure and Promotion Committee, 2004-07, Chair 2006-07; Environment and Natural Resources Faculty Advisory Committee, 2009-present; American Indian Studies Faculty Advisory Committee, 2010-present; Academic Planning Committee, 2013-14; Member, graduate committee, Chelsea Frazier, M.A. History, 2012-14; Research Advisory Committee. 2008-11; Co-chair, graduate committee, Ken Steinken, MFA, 2007; Member, Five-Year Review Panel, Dean Jerry Parkinson, College of Law, 2006; Climate Change Committee, 2007-08; Research Advisory Committee, 2008, 1993-97; Advisor, ASUW Judicial Council, 2003-05; Chair, Hearing Committee (appointed by Faculty Senate under University Regulation 801), 2003; Faculty Senate, 1998-2001; Graduate School Dean Search, 1999; Research Review and Priorities, Wyoming Water Resources Center, 1997-98; Faculty Advisory, Institute for Environment and Natural Resources Research and Policy, 1996; School of Environment and Natural Resources Faculty (1993-95) (chair, graduate curriculum subcommittee); American Heritage Center conference planning, 1993.

College of Law committees: Chair, Faculty Appointments, 2008-09; Chair, Faculty Development, 2003-07; Academic Policies & Procedures, 2006-08; Curriculum, 2005-06; Academic Planning, 2003; Faculty Appointments, 1996-97, 2000-01; Admissions, 1993-97, 2000, 2004, 2008, 2010-12, 2013-14; Honor Code; 1999-2001; ABA Self-Study, 1998-99; College of Law Dean Search, 1996.

College of Law faculty advisor: *Wyoming Law Review*, 2000-07, *Land & Water Law Review*, 1998-2002; Natural Resources Law Forum, 1994-2001, 2003; Pace Environmental Moot Court Competition, 1992-2001, 2006; numerous independent study projects and law review case notes and comments.

HONORS and AWARDS

Winston S. Howard Professor of Law, University of Wyoming College of Law, 2003-06.

Participant and representative of University of Wyoming in 2005-06 Academic Management Institute, Colorado Network of Women Leaders and American Council on Education, Office of Women.

Resources Conservationist of the Year-2000, Air Conservationist of the Year-1985, awarded by Wyoming Wildlife Federation.

Order of the Coif, 1989.

Rocky Mountain Mineral Law Foundation (Joe Rudd) Scholarship, 1988-89.

Scribes Award for Outstanding Comment, University of Colorado Law Review, 1988.

Faculty award, outstanding contribution to classroom learning experience, University of Colorado School of Law, 1987.

University Fellow, Texas A&M University, 1975-76.

Outstanding Senior, Utah State University College of Natural Resources, 1974-75 (first woman in history of college to receive this award).

PERSONAL BACKGROUND

Born February 13, 1953, in Big Spring, TX. Married to writer C.L. Rawlins. Former name (1975-86), Debra Beck.