

## CLIFFORD J. VILLA

Professor of Law  
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### ACADEMIC EXPERIENCE

**Professor (with tenure)**, University of New Mexico School of Law. June 2021-present

**Associate Professor**, University of New Mexico School of Law. June 2018 – present

**Assistant Professor**, University of New Mexico School of Law. June 2015 – June 2018

*Courses taught:* Constitutional Rights; Environmental Law; Environmental Justice (writing seminar); Environmental Enforcement; Introduction to Natural Resources and Environmental Law; International Environmental Law (Madrid Summer Law Institute); Independent Study; Natural Resources and Environmental Law Clinic.

*Academic service:* UNM Law Dean Search Comm. (AY21-22); Faculty Retention, Promotion & Tenure Comm. (AY21-22); Chair, Student Suspension, Retention, and Readmission Comm. (AY20-21); Senate Graduate and Professional Comm. (AY19-present); UNMSOL COVID-19 Task Force (Summer 2020); Advisory Comm., UNM Land Grant Studies Program (AY19-present); Admissions Comm. (AY18); Chair, Building and Safety Comm. (AY15-AY17); Natural Resources Comm. (AY15-present); Faculty Appointments Comm. (AY15-16); Faculty Advisor, NATURAL RESOURCES JOURNAL (AY16-present); Faculty Advisor, Environmental Law Society (AY15-present); Faculty Advisor, Mexican American Law Students Ass'n (AY15-19); Latin American and Iberian Institute Grants and Awards Comm. (AY17).

*Community Service:* Board of Directors, Western Environmental Law Center (April 2020-present); Board Member, NMBA Section on Natural Resources, Energy, and Environmental Law (NREEL) (AY17-18); Rocky Mountain Mineral Law Foundation (RMMLF), Planning Committee, National Environmental Policy Act Institute (2019-2020); RMMLF Law Professors Task Force (2019).

**Adjunct Professor**, Seattle University School of Law. Aug. 2006 – June 2015

*Courses taught:* Environmental Law; Environmental Enforcement; Disaster Law (writing seminar); Advanced Legal Writing: Environmental Drafting; Alaska Natives and Environmental Law (Alaska Summer Program); Independent Study

*Academic service:* Faculty advisor, Environmental Law Society; Faculty advisor, Latina/o Law Students Ass'n; Co-founder, SEATTLE JOURNAL OF ENVIRONMENTAL LAW; Steering Comm., SU Center for Environmental Justice and Sustainability

## LAW PRACTICE

### **Assistant Regional Counsel**, U.S. EPA Region 10, Seattle, WA. Nov. 1996 – June 2015

- Represented EPA in administrative hearings, civil litigation, and criminal prosecution to enforce federal environmental laws including Clean Air Act and Oil Pollution Act.
- Negotiated with responsible parties to secure CERCLA cleanup and cost recovery at mining sites, military bases, industrial areas, Indian country, and other contaminated sites.
- Supported the EPA Region 10 Emergency Response Unit, providing timely legal assistance through means including emergency orders and administrative warrants.
- Counseled agency clients on requirements of Clean Water Act, Endangered Species Act, National Historic Preservation Act, and other applicable federal and state laws.
- Cooperated with foreign governments, including Canada, Mexico, and Chile, on efforts to improve enforcement capacity in conjunction with free trade agreements.
- Member, EPA Region 10 Environmental Justice Integration Team.
- Liaison Officer, Incident Command System; Instructor, EPA CERCLA Education Center.
- Acting Deputy Regional Counsel (2010); Acting Unit Manager (2011-2012, 2014).

### **Enforcement Attorney**, U.S. EPA Region 8, Denver, CO. Feb. 1995 – Oct. 1996

- Negotiated multi-billion dollar agreement with State of Colorado and U.S. Dept. of Energy to provide for cleanup of former Rocky Flats nuclear weapons plant.
- Advised remedy selection for billion dollar cleanup of Army's Rocky Mountain Arsenal.
- Provided enforcement support for multimedia environmental programs, including Safe Drinking Water Act and Underground Storage Tanks.
- Chair, EPA Federal Facilities Esquires Workgroup.

### **Honors Attorney**, U.S. EPA Office of Federal Facilities Enforcement, Washington D.C. Oct. 1993 – Feb. 1995

- Advised and monitored federal facilities enforcement actions in EPA Region 5 (Mid-West Region) and Region 8 (Rocky Mountain Region).
- Represented EPA Headquarters in negotiations concerning Rocky Flats (DOE) and Rocky Mountain Arsenal (U.S. Army), commuting between D.C. and Denver.
- Supported military base closure restoration and reuse programs.
- Drafted speeches, letters, and Congressional testimony for political appointees.

## EDUCATION

**J.D.**, May 1993. Lewis & Clark Law School. Certificate in environmental law. Articles Editor, Lewis & Clark law review ENVIRONMENTAL LAW.

**B.A. *summa cum laude***, May 1990. The University of New Mexico. Double major in English and economics; concentrations in professional writing and public finance.

## WORKS-IN-PROGRESS

A PRACTICAL INTRODUCTION TO ENVIRONMENTAL LAW (2<sup>nd</sup> ed. forthcoming 2022).

*Law and Lawyers in Disaster Response*, in THE CAMBRIDGE HANDBOOK OF DISASTER LAW: RISK, RECOVERY, AND REDEVELOPMENT (Cambridge University Press, 2021).

## SELECTED PUBLICATIONS

ENVIRONMENTAL JUSTICE: LAW, POLICY & REGULATION, THIRD ED. (Carolina Academic Press 2020), with Rebecca Bratspies, Nadia Ahmad, and Roger Lin.

*Environmental Justice in Modern Practice*, proceedings of the Rocky Mountain Mineral Law Foundation, 67<sup>th</sup> Annual Institute, July 2021.

*Brownfields Cleanup: A Look Backwards and Forwards Toward Superfund Authority*, presented at American Bar Ass'n, Section of Environment, Energy, and Resources 50<sup>th</sup> Spring Conference on Environmental Law, April 28, 2021.

*Remaking Environmental Justice*, 66 LOYOLA L. REV. 469 (2020).

*Gold King Mine Spill: Environmental Law and Legal Protections for Environmental Responders*, 2019 UTAH L. REV. 263 (2019).

Book Review: *River of Lost Souls: The Science, Politics, and Greed Behind the Gold King Mine Disaster*, 41 PUB. LAND & RESOURCES L. REV. 69 (2019).

- Reprinted in 2018 Animas & San Juan River Watershed conference proceedings, New Mexico State U. (2019).

*Es FEMA El Problema? Hurricane Maria and the Slow Road to Recovery in Puerto Rico*, LEGAL PLANET (May 17, 2018).

A PRACTICAL INTRODUCTION TO ENVIRONMENTAL LAW (Carolina Academic Press 2017), with Joel Mintz, Steve Gold, Kalyani Robbins, John Dernbach, and Wendy Wagner.

*Is the "Act of God" Dead?*, 7 WASH. J. ENVTL. L. & POL. 320 (2017).

*Fighting for Environmental Justice: The Life and Work of Professor Eileen Gauna*, 57 NAT. RESOURCES J. 519 (2017).

*Dawning of Disaster Law*, NORTHWEST LAWYER (Mar. 2016).

*Clearing Up Questions on River Spill*, ALBUQUERQUE JOURNAL, Aug. 13, 2015.

*Rising from the Ravages*, THE LAWYER (Sept. 2014), available in original form at <http://www.law.seattleu.edu/news-and-features/news/2014-news-archives/professor-celebrates-philippines-typhoon-recovery-on-earth-day>.

*Law and Lawyers in the Incident Command System*, 36 SEATTLE U. L. REV. 1855 (2013).

- Translated into Portuguese and anthologized in DELTON CARVALHO & DANIEL A. FARBER, ESTUDOS APROFUNDADOS EM DIREITO DOS DESASTRES (2<sup>nd</sup> ed. 2019).

*The Practice of Disaster Law*, ABA LAW PRACTICE TODAY (Mar. 2012).

*The Road Taken: A Reflection on Michael C. Blumm & William Warnock's Roads Not Taken: EPA vs. Clean Water*, 34 ENVTL. L. 809 (2004).

*Superfund vs. Mega-Sites: The Coeur d'Alene River Basin Story*, 28 COLUMBIA J. ENVTL. L. 255 (2003).

*Cleaning Up at the Tracks: Superfund Meets Rails-To-Trails*, 25 HARVARD ENVTL. L. REV. 481 (2001).

*California Dreaming: Water Transfers from the Pacific Northwest*, 23 ENVTL. L. 997 (1993).

### **SELECTED PRESENTATIONS**

*Environmental Justice – What It Is, When It Seeks to Help, and How to Address It*, Rocky Mountain Mineral Law Foundation, 67<sup>th</sup> Annual Institute, July 23, 2021 (via Zoom).

*Environmental Justice and Legal Ethics*, WATER LAW IN WASHINGTON,, Law Seminars Int'l, June 11, 2021 (via Zoom).

*A Look Into the Future: Navigating the Environmental Justice Landscape*, at ENVIRONMENTAL JUSTICE, Law Seminars Int'l, May 14, 2021 (via Zoom).

*Brownfields Cleanup: A Look Backwards and Forwards Toward Superfund Authority*, panel presentation at American Bar Ass'n, Section of Environment, Energy, and Resources, 50<sup>th</sup> Spring Conference on Environmental Law, April 28, 2021 (via Zoom).

*Environmental Justice: New Day for the U.S.A.*, U. of Detroit Mercy School of Law, Feb. 25, 2021 (via Zoom).

*Environmental Justice: A New Day at EPA*, EPA Region 10. EPA Region 10 Alumni Speakers Series, Feb. 17, 2021 (via Zoom).

*“We Speak for Ourselves”*: *Environmental Justice and Community Perspectives*, Los Padillas Elementary School, Albuquerque, NM, Jan. 29, 2021 (via Zoom).

*“We Speak for Ourselves”*: *Environmental Justice and the Power of Community Voices*, Amy Biehl High School, Albuquerque, NM, Jan. 18, 2021 (via Zoom).

*An Introduction to Environmental Justice*, U. of Montana Blewett School of Law, Jan. 11, 2021 (via Zoom).

*Gold King Mine Update*, Annual Natural Resources, Energy, & Env't'l Law CLE, NM State Bar Ass'n, Dec. 18, 2020 (via Zoom).

*Water Wars & Environmental Justice*, in *Values, Ethics, and Shared Decision Making Conf.*, UNM Office of Interprofessional Education and Medical-Legal Alliance, Nov. 6, 2020 (via Zoom).

*The Gold King Mine Spill*, UNM Intro to Chemical and Biological Engineering, Oct. 21, 2020 (via Zoom).

*Atlantic Richfield v. Christian (2020): Reinvigoration of Common Law Remedies for Remediation?* NM Water Law Conf., Oct. 1, 2020 (via Zoom).

*Superfund Meets Environmental Justice*, City University of New York (CUNY) School of Law, Sept. 24, 2020 (via Zoom).

*Diversity & Inclusion: Collaboration for Change*, Hispanic National Bar Ass'n, Aug. 28, 2020 (via Zoom). Panel presentation with Prof. Sonia Gipson-Rankin, David Urias, and Aja Brooks.

*Environmental Justice and the Clean Air Act*, Barry University, Dwayne O. Andreas School of Law, June 11, 2020 (via Zoom).

*Black Lives Matter: A UNM School of Law Virtual Teach-In*, June 5, 2020. Organizer and moderator, with presentations by Leon Howard, Dean Alfred Mathewson, Prof. Maryam Ahranjani, Prof. Josh Kastenberg, Prof. George Bach, and Prof. Sonia Gipson-Rankin.

*Environmental Justice: Before and After the Pandemic*, Law & Society Ass'n annual meeting. Zoom panel with Carmen Gonzalez, Nadia Ahmad, Rebecca Bratspies, Ileana Porras, and Tom Romero II. May 28, 2020 (via Zoom).

*COVID-19 Pandemic and Legal Response Authorities:*

- California Western School of Law (Zoom presentation), May 13, 2020 (via Zoom).
- UNM School of Law CLE webinar, April 1, 2020 (via Zoom).

*The Gold King Mine Spill: Environmental Law and Liability*, University of Utah S.J. Quinney School of Law, Mar. 2, 2020.

*A Silver Lining in the Silver Valley*, Idaho Bench-Bar Conf., Boise, ID, Oct. 25, 2019.

*Environmental Justice and the Law: An Introduction*, New Mexico Water Law Conf., Santa Fe, NM, Oct. 4, 2019.

*Environmental Justice in Indian Country*, 10<sup>th</sup> Annual Tribal Leadership Conf., Santa Ana Pueblo, NM, Oct. 2, 2019.

*Waters of the United States*, New Mexico Water Comm. monthly luncheon, Albuquerque, NM, Aug. 21, 2019.

*Environmental Law – Public Health Partnership*, Albuquerque Health Care for the Homeless, May 14, 2019.

*Environmental Justice: Reflections and Renewal*, Elisabeth Haub School of Law at Pace University, White Plains, NY, April 24, 2019.

*Character in Public Service*, City University of New York (CUNY) School of Law, New York City, NY, March 14, 2019.

*Disaster Response, Recovery, and Relief in Minority Communities*, AALS Annual Meeting, New Orleans, LA, Jan. 3, 2019.

*Minding the Mines: Permitting, Regulation, and Cleanup*, presented at *Recent Developments in New Mexico Natural Resources Law*, Natural Resources, Energy, and Environmental Law Section CLE. Albuquerque, NM, Dec. 21, 2018.

*Environmental Public Health Network* (keynote presentation to network of public health and environmental professionals). Albuquerque, NM, Dec. 6, 2018.

*Environmental Justice and the Law: An Introduction*, Env't'l Justice for Washington and Beyond, 3<sup>rd</sup> Ann. Env't'l Law Symposium, U. of Washington School of Law, Seattle, WA, Nov. 2, 2018.

*Climate Change and CERCLA*, Maryland-Pace Environmental Law Alliance, Sept. 19, 2018 (guest lecture via videoconference to law students at Maryland, Pace, and Houston).

*Flint Drinking Water Contamination: Lessons for New Mexico*, 3<sup>rd</sup> Ann. Conf. on Env'tl Conditions of the Animas & San Juan Watersheds, Farmington, NM, June 21, 2018.

*The Animas River Spill: Environmental Law and Liability*, Rocky Mountain Mineral Law Foundation Ann. Institute, Natural Resources Law Teachers Luncheon (keynote presentation), Santa Fe, NM, July 20, 2017.

*Drawing the Line at daPL: Responding to "Trumpism" and the Legacies of Settler Colonialism* (discussant), UNM School of Architecture and Planning, Albuquerque, NM, Feb. 27, 2017.

*Is the "Act of God" Dead?*—

- UNM School of Law, Albuquerque, NM, Sept. 25, 2017
- U. of Denver Sturm College of Law, Denver, CO, Feb. 15, 2017.
- U. of Houston Law Center, Houston, TX, Feb. 13, 2017.
- U. of Washington School of Law, Seattle, WA, Jan. 20, 2017.

*The Water Quantity/Water Quality Connection: Continuing Stories*, NM Water Judges Seminar, Albuquerque, NM, Nov. 4, 2016.

*Professional Responsibility for Government Lawyers: A "Different Balance"* (legal ethics presentation), Conf. of Gov't Mining Attorneys, Santa Fe, NM, Sept. 21, 2016.

*Flint Drinking Water Contamination: Frames of Reference*—

- Harvard Law School, April 13, 2016.
- Seattle U. School of Law, Seattle, WA, Mar. 21, 2016.
- U. Nevada-Las Vegas Boyd School, Las Vegas, NV, Feb. 8, 2016.
- UNM School of Law, Albuquerque, NM, Feb. 3, 2016.

*The Animas River Spill: Causes, Impacts, and Legal Implications*, CLE presentation, UNM School of Law, Albuquerque, NM. Oct. 2015.

*Supreme Court Review (2014-15)*, CLE presentation with Andy Schultz and Prof. Serge Martinez, Albuquerque Bar Ass'n, Albuquerque, NM. June 2015.

*Reflections on the Tenth Anniversary of Katrina*, Roundtable Session at the Law and Society Ass'n ann. conference, *Law's Promise and Law's Pathos in the Global North and Global South*. Seattle, WA. May 2015.

*Environmental Concerns and Public Participation in Oil Spill Response Planning*. Panel presentation at 33<sup>rd</sup> Ann. Public Interest Environmental Law Conference, University of Oregon School of Law. Eugene, OR. March 2015.

*Environmental Rights*. Session chair for "Just Sustainability: Hope for the Commons" conference at Seattle University, sponsored by Center for Environmental Justice and Sustainability. Aug. 2014.

*Disaster Management and the United States' Experience*. Presented at the School of the SEA, Bantayan Island, The Philippines. April 2014.



*EPA's Role in Disaster Response.* Webinar sponsored by EPA National Enforcement Training Institute. May 2013.

*Environmental Justice and the Law.* Heritage University, Toppenish, WA. Oct. 2011.

*Constitutional Law and the On-Scene Coordinator.* Webinar sponsored by U.S. EPA Readiness Training Board. Aug. 2011.

*You Can't Always Get What You Want: EPA in Court (2009).* Keynote speech at national On-Scene Coordinators Readiness Training. Orlando, FL. Feb. 2010.

*Professional Responsibility and Environmental Law: For Government Lawyers, a Different Balance.* Ethics CLE workshop presented at 26<sup>th</sup> annual Public Interest Environmental Law Conference, University of Oregon School of Law. Eugene, OR. March 2008.

*Información Ambiental y El Sistema Americano.* Presented in Spanish at “Jornadas de Verano: El Derecho de Información Ambiental y El Ámbito Municipal,” in conjunction with the University of Alicante. Finestrat, Spain. July 2005.

*Hipotética Minería: La Cuenca del Corazón de la Lechuga.* Presented in Spanish at “Taller de Cooperación: El Tratado Libre y La Restauración de Los Daños Naturales,” sponsored by U.S. State Dept. Santiago, Chile. Sept. 2004.

*Superfund Meets TMDLs.* Presented at “Getting It Done: TMDL Implementation in Watershed Restoration,” sponsored by Washington State University. Stevenson, WA. Oct. 2003.

#### **SELECTED MEDIA APPEARANCES**

*Environmental Justice in New Mexico,* Resilient New Mexico (podcast), Aug. 2021.

*The Long Fight for Environmental Justice Continues,* Bloomberg News, (June 10, 2021), available at <https://www.youtube.com/watch?v=Ylx1TT93XOo>.

*Protecting Vulnerable Waterways,* New Mexico in Focus, KNME-TV, Ch. 5 (May 21, 2021), available at <https://www.youtube.com/watch?v=ANNbxzwIIVQ>.

*UNM Law Students Help Pueblos Fight to Protect Clean Water,* KRQE-TV, Ch. 13 (Mar. 30, 2021). TV interview discussing civil complaint filed by the UNM Natural Resources and Environmental Law clinic on behalf of tribal clients to challenge Trump rule narrowing scope of Waters of the United States, available at <https://www.krqe.com/video/unm-law-students-help-pueblos-fight-to-protect-clean-water/6486902/>.

*Let's Talk Protecting Endangered Species,* KUNM – 89.9 FM, Albuquerque (Aug. 29, 2019). Hour-long radio call-in show addressing new Trump rules reducing protections for threatened and endangered species.

*Law Professor Describes Gold King Mine's Superfund Designation,* KOB-TV, Ch. 4 (Sept. 12, 2016). Live TV interview discussing recent listing of Gold King Mine area as designated Superfund site.

*Here and There with David Marash*, KSFR – 101.1 FM, Santa Fe (Feb. 17, 2016). Hour-long radio show on contamination of drinking water in Flint, Michigan.

Interview on KOB-TV, Ch. 4 Albuquerque (Oct. 26, 2015). With Prof. Carol Suzuki and students from my Constitutional Rights class, commentary after watching oral arguments before NM Supreme Court in *Morris v. Brandenburg*, broadcast via livestream at UNM School of Law.

*Who Pays for Animas and San Juan River Cleanup?*, KUNM – 89.9 FM, Albuquerque (Aug. 20, 2015). Hour-long radio call-in show on Gold King Mine spill and Animas River cleanup.

*Experto Explica Como el Derrame Puede Afectar a la Comunidad*, Univisión-TV, Ch. 41, Albuquerque (Aug. 12, 2015). Interview with Spanish-language TV news station on impacts of Gold King Mine Spill and on-going response actions.

*Ponds Slow Down Water at Spill Site*, KOAT-TV, Ch. 7, Albuquerque (Aug. 12, 2015). TV news interview on early response actions to Gold King Mine spill.

### **SELECTED HONORS**

Ron & Susan Friedman Faculty Excellence Award (July 2021)

Keleher & McLeod Professor of Law (2018-2020)

Haub Env'tl Law Distinguished Junior Scholar, Pace University Haub School of Law (2018-2019)

Distinguished Environmental Law Graduate, Lewis & Clark Law School (2013)

EPA Region 10 Environmental Justice Award (2012)

Outstanding Adjunct Faculty Award, Seattle University School of Law (2009)

Gold Medal for Commendable Service, U.S. EPA (2009)

*Modelo de Excelencia* award, Latina/o Bar Ass'n of Washington (2008)

Silver Medal for Commendable Service, U.S. EPA (2006)

Certificate of Commendation, U.S. Dept. of Justice (2002)

### **PROFESSIONAL AFFILIATIONS**

Tenth Circuit Court of Appeals. Active member in good standing

U.S. District Court of New Mexico. Active member in good standing.

Washington State Bar Ass'n. Active member in good standing.

Oregon State Bar. Inactive member.



## **PERSONAL INTERESTS**

Hiking, fishing, travel, writing, photography.