CURRICULUM VITAE

University of Idaho

NAME: Jerrold A. Long **DATE:** February 2014

RANK OR TITLE: Associate Professor

DEPARTMENT: Law

OFFICE LOCATION AND CAMPUS ZIP: Law 202, 2321 **OFFICE PHONE:** (208) 885-7988
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DATE OF FIRST EMPLOYMENT AT UI: July 2007

DATE OF TENURE: 2012

DATE OF PRESENT RANK OR TITLE: 2007

EDUCATION BEYOND HIGH SCHOOL:

PhD, 2008, University of Wisconsin-Madison, Environment and Resources
Gaylord Nelson Distinguished Graduate Fellow
Dissertation Title: *New West or Same West?: Evolving land-use institutions in the rural American West*

JD, 2000, University of Colorado-Boulder School of Law
Associate Editor, *Colorado Journal of International Environmental Law and Policy*
Dean's List
Jonathan Boyd Chase Human Rights Fellowship
Royal C. and Lynnel Rubright Scholarship
Benjamin S. Galland Scholarship
Bernard J. Seeman Scholarship
President, First Year Class

BS, 1997, Biology, Utah State University, *magna cum laude*
Presidential Scholar
National Merit Scholar
National Dean's List

Certificates and Licenses:
Idaho State Bar (active)
Colorado State Bar (inactive)

EXPERIENCE:

Teaching

Associate Professor, University of Idaho College of Law, 2007-present
2012-2013 Allan G. Shepard Professorship
Burton Ellis Research Scholar (2009, 2010, 2011, 2012, 2013)
Instructor, University of Wisconsin-Madison, 2006
Teaching Assistant, University of Wisconsin-Madison, 2004-2005
Project Assistant, University of Wisconsin, Extension, 2004-2006
Adjunct Professor of Legal Writing, Laramie County Community College, 2003

Non-Academic Legal Employment

Associate Attorney, Holland & Hart LLP, Cheyenne, WY, 2000-2003
Legal Extern, U.S. Department of Justice, Environment and Natural Resources Division, 1999
Law Clerk, Earthjustice Legal Defense Fund, Honolulu, Hawai`i, 1999

TEACHING

Areas of Specialization

Land use law
Evolution of legal regimes
Environmental and natural resources law
Property law and property rights

Courses Taught

Property Law – Fall Semester: 2007, 2008, 2009, 2010, 2011, 2012, 2013
Environmental Law – Fall 2007, Fall 2008, Fall 2009, Fall 2010, Spring 2012, Spring 2013
Land Use Law and Planning – Spring Semester: 2008, 2009, 2010, 2011, 2012, 2013, 2014
Seminar: Rethinking Cooperative Federalism – Spring 2009
Seminar: The Law of Sustainability –Spring 2010, Spring 2014
Seminar: Nonpoint Source Pollution in the Spokane/Coeur d'Alene Urban Corridor – Spring 2011
Seminar: Writing the Environment – Fall 2011, Fall 2012, Fall 2013

Interdisciplinary Programs

Affiliate Professor in Water Resources
Affiliate Professor in Bioregional Planning and Community Design

Students Advised:

Graduate Students as Major Professor

Justin Jolley (Water Resources), M.S. received, May 2010

Thesis Title: "Nonpoint Source Pollution: The unique opportunity for tribes to break the institutional malaise that plagues the Clean Water Act."

Lacey Rammell-O'Brien (M.S. Water Resources), M.S. expected Spring 2014

Graduate Degree Committees

Luke Marchant (Water Resources), M.S. received, December 2010
Meghan Carter (M.S. Water Resources), M.S. received, December 2012
Jessica Daniel (Ph.D. Conservation Social Sciences)
Eric Anderson (M.S. Bioregional Planning and Community Design)

Professional Degree Students

Samuel Creason (Idaho Law Review)

Land Use and the Lost Promise of Cooper: What Happened to the "Judicial" in Quasi-Judicial Proceedings? 44 IDAHO L. REV. 735 (2008).

Jason Naess (Idaho Law Review)

Ex-Convicts and the Fair Housing Act: Local discrimination against transitional homes. 45 IDAHO L. REV. 621 (2009).

Mark Cecchini Beaver (Idaho Law Review)

*Tough Law Getting Tougher: Permitting Idaho's Logging Road Stormwater Point Sources in the Wake of Northwest Environmental Defense Center v. Brown,*48 IDAHO L. REV. 467 (2013).

Owen Moroney (Idaho Law Review)

Complicating the Complicated: Southern Union and How Environmental Crime Cases Just Became More Complex, 50 IDAHO L. REV. 115 (2013).

David Law (Idaho Law Review)

Between a Rock and a Hard Place: Legal and Practical Issues Regarding Municipal Power to Address Federal Mandates, 50 IDAHO L. REV. __ (2014).

Shawn Boyle (Idaho Law Review)

Judicial Review of Local Land Use Decisions: Idaho Supreme Court Holding Burns Bridges Between Landowners and the Courts

Megan O'Dowd (Idaho Law Review)

Aesthetic and Recreational Injury in Environmental Litigation: Still good law or only safe for now?

Katherine Murdock (Idaho Law Review)

The Yellowstone Winter Use Plan: Competing purposes and the fight between conservation and use.

Student Mentoring Activities

Law Review Faculty Advisor of the Year, 2008 – Awarded by student members of the Idaho Law Review.

Advisor – College of Law Environmental Law Society.

Advisor – College of Law Environmental Law Moot Court Team.

Advisor – College of Law Natural Resources and Environmental Law Emphasis Program.

Courses and Programs Developed:

University of Idaho College of Law

Land-Use Law and Planning.
Law and Sustainability Seminar.
Natural Resources Federalism Seminar.
Writing the Environment (created with co-instructors).
NREL Field Course (under development).

Natural Resources and Environmental Law Emphasis (developed with Barb Cosens and Dale Goble) – a State Board approved emphasis program for law students desiring a focus in natural resources and environmental law.

Concurrent J.D./M.S.BioP program with Bioregional Planning and Community Design

University of Wisconsin-Madison

Government and Natural Resources – 400/500 level interdisciplinary course about the regulation of the natural environment by varies levels of government. Also developed course reading materials.

Non-credit Classes, Workshops, Seminars, Invited Lectures, etc.:

"Making 'Conservation' Work for the 21st Century – Enabling Resilient Place." Paper presented at Local Government Law Conference, Chapman University Fowler School of Law, Orange, CA (Oct. 25-26, 2013).

"Watershed Law and Policy in the Western United States." Invited lecture in Forest Resources 462, Watershed Science & Management, University of Idaho (Oct. 4, 2013).

"Law, Culture, and the Meaning of Landscape." Presentation at the annual conference of the Association of Law, Property, and Society, University of Minnesota School of Law (April 26-27, 2013).

"Air and Land." Panel moderator at *Legal Aspects of Hydraulic Fracturing: An Idaho Law Review Symposium*, Boise, ID (March 29, 2013).

"Two Hydraulic Fracturing Hot Topics: Trespass & Trade Secrets." Panel moderator at *Legal Aspects of Hydraulic Fracturing: An Idaho Law Review Symposium*, Boise, ID (March 29, 2013).

Organizer, presenter, and event moderator at the College of Law's 2012 Natural Resources and Environmental Law Symposium,. "Realizing Sustainable Communities in a Post-Recession West." Boise, ID (October 11-13, 2012).

"Defending Eminent Domain for Community Development." Debate with Professor Steven Eagle (George Mason University School of Law). Texas Wesleyan School of Law (Apr. 12, 2012).

"Waiting for Hohfeld: Property Rights, Property Privileges, and the Physical Consequences of Word Choice." Paper presented at the Annual Meeting of the Association for Law, Property and Society, Georgetown University Law Center, Washington, D.C. (March 1-2, 2012).

"Legal Basis for Comprehensive Planning." Invited lecture in BioP 504, Comprehensive Local and Regional Planning, Professor Sandra Pinel. University of Idaho (Jan. 31, 2012).

"Law, Planning, and the Lamarckian Evolution: Using effective visions to force legal change." Paper presented at the Annual Conference of the Association of Collegiate Schools of Planning, Salt Lake City, Utah (Oct. 13, 2011).

"The Rails-to-Trails Act: Legal Considerations in Creating Recreational Trails." Invited lecture in BioP 560, Planning Studio I, Professor Steven Hollenhorst. University of Idaho (Jan. 31, 2011).

"Legal Basis for Comprehensive Planning." Invited lecture in BioP 504, Comprehensive Local and Regional Planning, Professor Sandra Pinel. University of Idaho (September 9, 2010).

"Sustainability—Energy Independence: Challenges Facing the West in Adopting Alternative and Renewable Energy Resources." Panelist and author at Idaho Law Review Symposium. Boise, Idaho (April 9, 2010).

"Molecules and the Law: Legislating Risk and Harm." Invited Lecture in FS H400.2, Molecules of Death Honors Seminar, Professor Greg Möller, University of Idaho (March 30, 2010).

"Jobs in Environmental Law and Native American Law." Moderator at student-organized panel with practicing attorneys about the future of Environmental and Native American Law, University of Idaho College of Law (March 24, 2010).

"Conservation in Action: How Can International and Environmental Law Permanently Protect the Transboundary Flathead River?" Panelist at student-organized event discussing the effect of proposed Canadian coal mines on the North Fork of the Flathead River. University of Idaho College of Law (March 8, 2010).

"Introduction to the Planning Commission." Panelist at American Bar Association/Lincoln Institute of Land Policy training program for local governments from Idaho, Washington and Montana. Moscow, Idaho (December 9, 2009).

"Land Use Issues in Water Resources." Invited Lecture in Water Resources 506, Professors Barbara Cosens, Jan Boll, and Gary Johnson, University of Idaho (November 17, 2009).

"This Land is Your Land, This Land is My Land. Or is it?" Panelist at post-movie public discussion in conjunction with art show at the Washington State University Museum of Art. Moscow, Idaho (October 15, 2009).

"Does the Law Promote or Impede the Creation of Sustainable Communities?" Presentation at the 2nd Annual Idaho Chapter American Planning Association Conference, "Getting Real About Sustainability." Boise, Idaho (October 9, 2009).

"From Vacant Lot to Supreme Court: *Avoiding* the maze of appellate review for local land-use decisions." Presentation at National Association of Hearing Officials Annual Professional Development Conference. Boise, Idaho (September 22, 2009).

"Legal Basis for Comprehensive Planning." Invited lecture in BioP 504, Comprehensive Local and Regional Planning, Professor Sandra Pinel. University of Idaho (September 1, 2009).

"Sources of Uncertainty in Future Transboundary Governance." Panel Moderator at international conference: *Transboundary Governance in the Face of Uncertainty: The Columbia River Treaty, 2014.* Coeur d'Alene, Idaho (April 2-4, 2009).

"Waters of the West Highlights." Presentation with Waters of the West faculty and researchers at *Soothing Waters: Tribal Protection and Stewardship*. Moscow, Idaho (March 27, 2009).

Land Use Issues in Water Resources." Invited Lecture in Water Resources 506, Professors Barbara Cosens, Fritz Fiedler, and Brian Kennedy. University of Idaho (October 24, 2008).

"Legal Basis for Comprehensive Planning." Invited lecture in BioP 504, Comprehensive Local and Regional Planning, Professor Sandra Pinel. University of Idaho (September 4, 2008).

"Al Gore Visits Mackay, Idaho: The promise of and problems with addressing climate change at the local level." Presentation at Idaho State Bar, Environment and Natural Resources Section, Annual Update. Boise, Idaho (January 30, 2008).

SCHOLARSHIP

Sy Adler's Oregon Plans: The Making of An Unquiet Land Use Revolution (book review), PACIFIC HISTORICAL REVIEW 82(3): 485-486 (2013).

Local Flood Control: Using Idaho's Flood Control District Statute to Enable Place-Based Stream Restoration, THE ADVOCATE, June/July 2013, at 51-54 (with Samuel Finch).

Waiting for Hohfeld: Property Rights, Property Privileges, and the Physical Consequences of Word Choice, 48 GONZAGA L. REV. 307-364 (2013).

Overcoming Neoliberal Hegemony in Community Development: Law, Planning, and Selected Lamarckism, 44 URB. LAW. 345-398 (2012).

Subject of response article: Jeffrey Kleeger, *Overcoming Neoliberal Hegemony Will Be Difficult: Community Development and the Social Welfare Obligation Norm-A Response to Jerrold A. Long*, 45 URB. LAW. 693 (2013)

Private Lands, Conflict, and Institutional Evolution in the Post-Public-Lands West, 28 PACE ENVTL L. REV. 670-759 (2011).

Realizing the Abstraction: Using Today's Law to Reach Tomorrow's Sustainability, 46 IDAHO L. REV. 341-377 (2010).

Sustainability Starts Locally: Untying the Hands of Local Governments to Create Sustainable Communities, 10 WYO. L. REV. 1-34 (2010).

From Warranted to Valuable Belief: Local Government, Climate Change, and Giving Up the Pickup to Save Bangladesh, 49 NAT. RESOURCES J. 743-800 (2009).

Rethinking Regulations: Local Laboratories Inventing a Sustainable Idaho, THE ADVOCATE, May 2009, at 35-36.

New West or Same West?: Evolving land-use institutions in the rural American West (2008) (unpublished Ph.D. dissertation, University of Wisconsin-Madison).

Al Gore Visits Mackay, Idaho: The promise of and problems with addressing climate change at the local level, working paper, presented at the Idaho State Bar Annual Environmental Update, Jan. 30, 2008.

Protocol on Liability and Compensation for Damage Resulting from the Transboundary Movements of Hazardous Wastes and Their Disposal, 1999 COLO. J. INT'L ENVTL. L. & POL'Y 253-261 (2000)

Mine Disaster Threatens Spain's Doñana National Park, 1998 COLO. J. INT'L ENVTL. L.& POL'Y 310-322 (1998)

Additional Works:

"Working with 'new' Moscow economy," Op-Ed, *Moscow-Pullman Daily News,* (Nov. 11, 2013)

"University of Idaho on Business: How local economies can earn more than they spend," *Idaho Statesman, Business Insider* (Jan. 13, 2013). *Reprinted on* CommunityBuilders.net (Sonoran Institute) as "Moneyball: Local Economies Can Earn More Than They Spend," *available at* http://communitybuilders.net/moneyball-local-economies-can-earn-more-than-they-spend-2/

"University of Idaho on Business: Climate change-caused fires raise regulatory questions," *Idaho Statesman, Business Insider* (Oct. 24, 2012).

Guest Blogger on Land Use Professor Blog, April 2012

After the Zombie Apocalypse (April 4, 2012)
http://lawprofessors.typepad.com/land_use/2012/04/after-the-zombie-apocalypse.html

A Car, or a Smart Phone (for my 16th Birthday)? (April 6, 2012)
http://lawprofessors.typepad.com/land_use/2012/04/a-car-or-a-smart-phone-for-my-16th-birthday.html

Do We Need a Distinct Rural Land Use Law? (April 11, 2012)
http://lawprofessors.typepad.com/land_use/2012/04/do-we-need-a-distinct-rural-land-use-law.html.

In the Shadow of the Law? (April 17, 2012)
http://lawprofessors.typepad.com/land_use/2012/04/in-the-shadow-of-the-law.html

A Post-Public-Lands West? (April 25, 2012)
http://lawprofessors.typepad.com/land_use/2012/04/a-post-public-lands-west.html

SERVICE:

Committee Assignments:

University of Idaho
- Academic Hearing Board (2013-2016)
- Leadership Academy (2012-2013)
- Search Committee, Director, McClure Center for Public Policy Research (2010).
- Water Resources Curriculum Committee (2008-present)
- Water Resources Steering Committee (2008-present)

University of Idaho College of Law
- Third Year Review Committee (2011-2012, 2012-2013).
- Diversity Committee (2012-2013).
- Ad Hoc Committee on Bar Passage (2011-2012, 2011-2012).
- Faculty Appointments Committee (2010-2011).

Curriculum Committee (2008-2009, 2009-2010).
Student Engagement and Climate Committee (2008-2009, 2009-2010).

Service Activities with local governments or other organizations (due to confidentiality concerns, entities not identified in all cases)

Founding Board Member and Treasurer, *Palouse Bicycle Racing, Inc.* – Aug. 2012 to present

Board Member, *Palouse Clearwater Environmental Institute, Inc.* – May 2011 to present

Board Member, *Moscow City Board of Adjustment* – June 2011 to present

Pro Bono Consultant and Attorney – Represent and provide assistance to a non-profit organization with a watershed restoration project (in conjunction with a law student performing pro bono work under my supervision) – 2011 to present

Initiated and coordinated program connecting student externs with an Idaho county commencing comprehensive plan revision process – 2011-2013

Pro Bono Consultant – Provided assistance to an Idaho county rewriting its subdivision ordinances (in conjunction with a planning studio class) – 2011

Provided training to county planning commissioners at a program for local governments from Idaho, Washington and Montana, sponsored by the American Planning Association and Lincoln Institute of Land Policy. Moscow, Idaho – December 9, 2009.

Pro Bono Consultant – Provided legal advice to an Idaho county with potential appeal of court decision overturning a land use ordinance – 2008