

ALYSON CRAIG FLOURNOY

University of Florida
Levin College of Law
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EMPLOYMENT

2008 –2018	Alumni Research Scholar
1994 –2020	Professor University of Florida Levin College of Law Courses taught: Property, Administrative Law, Sea Level Rise Law and Policy Seminar, Introduction to Lawyering, Environmental Law, Advanced Environmental Law & Litigation Comparative Environmental Law (taught in Summer Study Abroad Programs in Montpellier, France and San Jose, Costa Rica), Introduction to United States Environmental Law (taught in Warsaw, Poland as part of Introduction to American Law Certificate Program).
2011-2015	Senior Associate Dean for Academic Affairs University of Florida Levin College of Law
2010-2013 & 2006-2008	UF Research Foundation Professor (three year term professorship)
1998 - 2011	Director, Environmental and Land Use Law Program University of Florida Levin College of Law
1991 - 1994	Associate Professor
1988 - 1991	Assistant Professor
1984 - 1988	Associate Attorney Covington & Burling, Washington, D.C. Practice primarily in environmental law
1983 - 1984	Law Clerk to the Honorable Robert N. Wilentz Chief Justice, Supreme Court of the State of New Jersey

1979 - 1980 English Teaching Assistant
Lycée Claude Bernard, Paris
 Appointment by virtue of Fulbright-Hays Teaching Fellowship

EDUCATION

1983 Harvard Law School
 J.D., cum laude

1979 Princeton University
 A.B., cum laude (Comparative Literature)

PUBLICATIONS

Edited Volume

BEYOND ENVIRONMENTAL LAW: POLICY PROPOSALS FOR A BETTER ENVIRONMENTAL FUTURE, David M. Driesen & Alyson C. Flournoy eds. (Cambridge Univ. Press 2010)

Book Chapters

Incorporating Resilience and Innovation into Law and Policy: A case for preserving a natural resource legacy and promoting a sustainable future (with Tarsha Eason, Heriberto Cabezas and Michael Gonzalez) in SOCIAL-ECOLOGICAL RESILIENCE AND LAW (Ahjond S. Garmestani and Craig R. Allen, eds.) (Columbia Univ. Press 2014)

The Case for a National Environmental Legacy Act, in BEYOND ENVIRONMENTAL LAW: POLICY PROPOSALS FOR A BETTER ENVIRONMENTAL FUTURE, David M. Driesen & Alyson C. Flournoy eds. (Cambridge Univ. Press 2010)

Following the Court Off-Road in Norton v. Southern Utah Wilderness Alliance, in STRATEGIES FOR ENVIRONMENTAL SUCCESS IN AN UNCERTAIN JUDICIAL CLIMATE (Michael Allan Wolf ed.)(ELI; 2005)

A NEW PROGRESSIVE AGENDA FOR PUBLIC HEALTH AND THE ENVIRONMENT (principal author of one chapter in multi-author book) (Rena Steinzor and Chris Schroeder eds.) (Carolina Academic Press; 2005)

Environmental Ethics and Environmental Law Scholarship, published in THE JURISDYNAMICS OF ENVIRONMENTAL PROTECTION: CHANGE AND THE PRAGMATIC VOICE IN ENVIRONMENTAL LAW (2003)

Articles

Integrative Environmental Law: A Prescription for Law in the Time of Climate Change
Environmental Law, 30 Duke Env'tl. L. & Policy Forum 225 (forthcoming 2020)

Recreational Rights to the Dry Sand Beach in Florida: Property, Custom and Controversy, 24 Ocean & Coastal L. Rev. 1 (2020) (co-authored with Tom Ankersen and Sasha Alvarenga)

Beach-Law Clean-Up: How Sea-Level Rise Has Eroded the Ambulatory Boundaries Legal Framework, 42 Vt. L. Rev. 89 (2018) (Selected through peer review process as one of five environmental law articles published in 2018 to be reprinted in the annual Land Use and Environment Review)

Wetlands Regulation in an Era of Climate Change: Can Section 404 Meet the Challenge?, 4 G.W. J. of Energy & Env't'l L. 67 (2013)(co-authored with Allison Fischman)

Three Meta-Lessons Government and Industry Should Learn from the BP Deepwater Horizon Disaster and Why They Won't, 38 B.C. Env'tl. Aff. L. Rev. 281-303 (2011)

Protecting a Natural Resource Legacy While Promoting Resilience: Can it Be Done?, 87 Neb. L. Rev. 1008-1035 (2009)

Harnessing the Power of Information to Protect Our Public Natural Resource Legacy, 86 Texas L. Rev. 1575-1599 (2008)(co-authored with Heather Halter and Christina Storz)

Supply, Demand, and Consequences: The Impact of Information Flow on Individual Permitting Decisions under Section 404 of the Clean Water Act, 83 Indiana L. J. 537-582 (2008)(selected as one of 20 best articles for the year by reviewers for 2009-2010 Land Use and Environmental Law Review)

Section 404 at Thirty-Something: A Program in Search of a Policy, 55 Ala. L. Rev. 607-649 (2004)

Building an Environmental Ethic from the Ground Up, 37 U.C. Davis L. Rev. 53-80 (2003) and 27 Environs 53-80 (2003)

In Search of an Environmental Ethic, 28 Colum J. Env'tl. L. 64-118 (2003)
[(reprinted in shortened form in ENVIRONMENTAL ETHICS AND LAW (Robert J. Goldstein ed.)(Ashgate Press; 2004)].

Restoration Rx: An Evaluation and Prescription, 42 Ariz. L. Rev. 187-213 (2000)

Preserving Dynamic Systems: Wetlands, Ecology and Law, 7 Duke Env'tl. L. & Policy Forum 105-132 (1997)

Coping with Complexity, 27 Loyola of Los Angeles Law Rev. 809-824 (1994) published as part of a Symposium: *Twenty-five Years of Environmental Regulation: Lessons from the Past and Directions for the Future*

Beyond the Spotted Owl Problem: Learning from the Old-Growth Controversy, 17 Harv. Env'tl. L. Rev. 261-332 (1993)

Legislating Inaction: Asking the Wrong Questions in Protective Environmental Decisionmaking
15 Harv. Envtl. L. Rev. 327-391 (1991)

Selected Legal Issues Related to Sound and Vibration in Pregnancy
14 Seminars in Perinatology 334-339 (1990)

Miscellaneous

Outer Continental Shelf Shell Game Leaves Florida's Coastline More at Risk for Drilling
(blog post on Center for Progressive Reform website) (February 6, 2018) available at:
<http://www.progressivereform.org/CPRBlog.cfm?idBlog=3B970636-B82C-AC59-1FB32E7D612D939B>

Guest View: *Without Public Protections, Florida will Suffer*, Pensacola News Journal (May 17, 2017) (with Mary Jane Angelo) available at:
<http://www.pnj.com/story/news/2017/05/17/without-public-protections-florida-will-suffer-guestview/101786510/>

Blogs on BP Deepwater Horizon disaster at:
<http://www.progressivereform.org/CPRBlog.cfm?fkScholar=18>

“Recommendation No. 5: Adopt Model National Environmental Legacy Act—NELA,” in *Recalibrating the Law of Humans with the Laws of Nature: Climate Change, Human Rights, and Intergenerational Justice* (Climate Legacy Initiative, Vermont Law School, 2009) available at
<http://www.vermontlaw.edu/x4128.xml>

“Dangerous Illusions about Wetlands,” guest column on website of Center for American Progress (May 19, 2004) (available at
<http://www.americanprogress.org/site/pp.asp?c=biJRJ8OVF&b=79581>

Other Co-authored Writings

Regulatory Blowout: How Regulatory Failures Made the BP Disaster Possible, and How the System Can Be Fixed to Avoid a Recurrence, Center for Progressive Reform White Paper #1007, available at: http://www.progressivereform.org/articles/BP_Reg_Blowout_1007.pdf (co-edited with James Goodwin and co-authored with William Andreen, Rebecca Bratspies, Holly Doremus, Victor Flatt, Robert Glicksman, James Goodwin, Joel Mintz, Daniel Rohlf, Amy Sinden, Rena Steinzor, Joseph Tomain, and Sandra Zellmer)(September 2010)

The Future of Environmental Protection: The Case for a National Environmental Legacy Act, Center for Progressive Reform White Paper, available at:
http://www.progressivereform.org/articles/NELA_1002.pdf (co-authored with Ryan Feinberg, Margaret Clune Giblin, Heather Halter, and Christina Storz) (January 2010)

Squandering Public Resources: A Center for Progressive Reform Report (with Margaret Clune Giblin and Matt Shudtz) (September 2007) available at http://www.progressivereform.org/articles/Squandering_Public_Resources.pdf

CPR for the Environment: Breathing New Life into the Nation's Major Environmental Statutes: A Legislative Sourcebook of Progressive Ideas for Members of Congress and Staff (June 2007) (co-editor and Project Chair) available at http://www.progressivereform.org/articles/CPR_701.pdf

An Unnatural Disaster: The Aftermath of Hurricane Katrina, (coordinated and edited work of 16 other member scholars of the Center for Progressive Reform) (September 2005) available at http://www.progressivereform.org/Unnatural_Disaster_512.pdf

“The Unnatural Disaster of Katrina,” guest column on website of Center for American Progress (Oct. 11, 2005) (with Robert R.M. Verchick) available at <http://www.americanprogress.org/site/pp.asp?c=biJRJ8OVF&b=1102571>.

Regulations in Name Only: How the Bush Administration's Forest Planning Rule Frees the Forest Service from Mandatory Standards and Public Accountability (with Margaret Clune and Robert L. Glicksman) (June 2005) available at http://www.progressivereform.org/articles/Forests_508.pdf

Analysis of the Proposed Alternatives for the Oklawaha River and Rodman Reservoir Under Florida Law (co-authored with Scott Shirley) (1993)

SPEECHES / PRESENTATIONS / GUEST LECTURES

Presented *From Integrative Medicine to Integrative Environmental Law* to Systems Thinking in One Health Course (via Zoom) (March 26, 2020)

Presented *From Integrative Medicine to Integrative Environmental Law* to UF Open One Health Seminar (June 27, 2019)

Presented “Beach Law 101”, Gainesville Rotary Club, (April 25, 2018)

Presented “Rising Seas and Property Rights: Legal Implications of Sea-Level Rise for Coastal Adaptation Planning” to iAdapt Research Group UF College of Design Construction and Planning (April 9, 2018)

Presented *Environmental Law in the Time of Climate Change: Toward Integrative Environmental Law* as part of opening plenary panel at 25th Annual Public Interest Environmental Conference (February 8, 2018)

Presented *Law in the Time of Climate Change: Towards an Integrative Ethical and Legal Framework* at Vermont Law School Annual Colloquium on Environmental Law Scholarship (September 21, 2018)

Moderator, Panel on Imagining Adaptive Governance in an Era of Climate Change, iNTA 2017, 6th Annual Conference of the International Network of Tropical Architecture, “Tropical Storms as a Setting for Adaptive Development and Architecture, University of Florida, Gainesville (December 3, 2017)

Presented “Beach Law Clean-Up: How Sea-Level Rise Has Eroded the Common Law Framework” at the 19th Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations, Tulane Law School (November 4, 2016)

Moderator, Katrina + 10, Virtual Conversation on the Tenth Anniversary of Hurricane Katrina, Center for Progressive Reform (September 2015), videorecording available at: <http://www.progressivereform.org/Katrina.cfm>

Presented “Three Lessons We Should Learn from the BP Deepwater Horizon Disaster (and Why We Won’t)” at the Boston College Environmental Affairs Law Review Symposium on *Learning from Disaster: Lessons for the Future from the Gulf of Mexico* (November 12, 2010)

Presented “The BP Deepwater Horizon Disaster: A Case Study in Regulatory Failure” at Florida Coastal School of Law Environmental Summit on *Environmental Disasters: Linking Law, Science & Policy* (November 4, 2010)

Presented “The Case for a National Environmental Legacy Act” at Barry Law School Symposium *Who’s Next? (And What Will We Leave Them?) Safeguarding the Earth for Future Generations* (March 26, 2010)

Presented “The Case for a National Environmental Legacy Act” at the University of Maryland School of Law (October 29, 2009)

Presented “Protecting a Natural Resource Legacy While Promoting Resilience: Can it Be Done?” At Nebraska Law Review Symposium on *Resilience and Progressive Law Reform* (Sept. 25, 2008)

Presented “Harnessing the Power of Information to Protect Our Public Natural Resource Legacy” at Texas Law Review Symposium on *Harnessing the Power of Information for the Next Generation of Environmental Law* (Feb. 1, 2008)

Invited participant, Dialogue and Workshop on Preparing Green Lawyers for Practice in a Changing Environment organized by ABA Section on Environment, Energy, and Resources, Keystone, Colorado (March 9-10, 2007)

Presentation, "Wetlands Conservation and Metropolitan Growth at Georgia State University College of Law (Thursday Nov. 16, 2006)

Presentation, "Consideration is Not Enough: Information Deficits and Incentives under Section 404 of the Clean Water Act", Indiana University School of Law -- Bloomington (March 24, 2006)

Panelist, "Disaster Recovery and Waiver of Environmental Laws" at 12th Annual UF Public Interest Environmental Conference (March 11, 2006)

Presentation, UF Foundation Board of Trustees on "An Unnatural Disaster: The Aftermath of Hurricane Katrina" (March 3, 2006)

Panelist, "Hurricane Katrina and the Administrative Process" at the American Bar Association 2005 Administrative Law Conference (November 18, 2005)

Commenter, Environmental Laws, Environmental Letters, University of Virginia Symposium, Commented on papers by environmental philosophers Bryan Norton and Andrew Light (October 6, 2005)

Briefing, "The Aftermath of Hurricane Katrina," U.S. House of Representatives Democratic Caucus (September 29, 2005)

Presentation, "The Hidden Values in Environmental Regulation" Florida State University Faculty Workshop (February 3, 2004) and Environmental Certificate Seminar (February 2, 2004)

Keynote, "The Future of Environmental Law and Philosophy: Building an Ethic from the Ground Up" U.C. Davis Environmental Symposium on Environmental Ethics and Policy: Bringing Philosophy Down to Earth, Davis CA (April 4, 2003)

Seminar Presentation, "Wetlands Regulation under 404: 30 Years of Success?" Wetlands Seminar Series, UF Center for Wetlands, Gainesville FL (Dec. 11, 2003)

Commencement Address, Stuart Country Day School of the Sacred Heart, Princeton, NJ (June 8, 2002)

Presentation, "Overview of the Endangered Species Act" The Endangered Species Act and Habitat Conservation Planning CLE, Orlando FL (March 21, 2002)

Presentation, "Unearthing Environmental Ethics" selected presentation at the International Society for Ethics Across the Curriculum Conference, Gainesville FL (February 1, 2002)

Presentation, "What's Justice Got to Do with it? An Environmental Justice Update for Non-

Environmental Justice Lawyers,” Florida Bar Environmental and Land Use Law Section Annual Update, Amelia Island, Fl (August 18, 2000)

Panelist, 2000 A.L. O’Quinn Symposium in Environmental Law, “Is there Too Little Environmental Mitigation?” Houston, Tx (April 28, 2000)

“Restoration Rx: An Evaluation and Prescription”, concluding speaker at Environmental Restoration: Challenges for the New Millennium, Univ. of Arizona, James E. Rogers College of Law, Tucson, AZ (November 13, 1999)

“The Intersection of Law and Science,” Graduate Seminar for faculty and students of the U.F. School of Forest Conservation and Resources (Sept. 19, 1996)

“The Property Rights Puzzle: Fitting Statutes into the Common Law and Constitutional Context,” speech to Senior Drafting Seminar of National Conference of State Legislators, Jacksonville Fl. (Oct. 24, 1996)

Participant in "Beyond the Balance of Nature: Environmental Law Faces the New Ecology" colloquium, co-sponsored by Duke Law School and the Nicholas School of the Environment at Duke (April 18, 1996)

Panelist on “The Role of Scientific Analysis in Environmental Regulation” at the National Association of Environmental Law Societies' Annual Conference, Tallahassee, Fl. (Jan. 26, 1996)

"Wetlands Regulation and Property Rights: New Pieces in an Old Puzzle" UF Wetlands Club's Inaugural Lecture series, Gainesville, Fl (Nov. 8, 1995)

"Addressing Uncertainty Legally: Standards of Proof and Burdens of Proof," Presentation to Toxicology and Regulatory Law Conference sponsored by University of California Toxic Substances Research and Teaching Program, Asilomar, Ca. (November 2, 1992)

"Environmental Decisionmaking Under Uncertainty," Presentation to Florida State University Law School Faculty Interdisciplinary Workshop (March 7, 1991)

"Property Rights and Environmental Law," Led seminar for students in Introduction to American Law course (July 19, 1990)

"Science and Environmental Law," Presentation to Co-op Unit of University of Florida and U.S. Fish and Wildlife Service at U.F. campus (June 18, 1990)

Participant in United Nations Association program on international environmental issues (April 26 1990)

"Selected Legal Issues Related to Sound and Vibration in Pregnancy," Presentation at Second International Conference on Sound and Vibration in Pregnancy, sponsored by the U.F. Dept. of Obstetrics and Gynecology of the College of Medicine (February 16, 1990)

"Unexamined Assumptions Underlying Property Law," Seminar for Public Interest Law Fellows at the Center for Governmental Responsibility (November 17, 1989)

"The Environment, Law and Ethics" Unitarian Fellowship, Gainesville Florida (August 6, 1989)

PROFESSIONAL ASSOCIATIONS

Past President, Environmental Law Section, Association of American Law Schools

Member, American Bar Association

Admitted to practice: District of Columbia (inactive status)

SERVICE

Professional Organizations

Chair, AALS Environmental Law Section (2008-2009)

Board of Trustees, Center for Progressive Reform (2004-2007, 2015-present)

Member Scholar, Center for Progressive Reform (2003-present)

Trustee, Florida Defenders of the Environment

Past President, Florida Defenders of the Environment

Advisory Board, Natural Resources Leadership Institute

University

Presidential Cultural Plaza Advisory Committee (2016-2019)

University Land Use and Facilities Planning Committee (3-year term beginning 2016)

College of Law

Chair, Promotion and Tenure Committee 2016-17

Chair, Levin College of Law Non-Tenure Track Hiring, Promotion and Retention Committee 2005-2006

Chair, Levin College of Law Long-Range Planning Committee 2004-2005

Member, Levin College of Law Appointments Committee 2004-2005

Member, Levin College of Law Dean Search Committee 2002-2003

Chair, Levin College of Law Community Relations Committee 2002

Chair, Levin College of Law Self Study Committee 2002-2003

Member, Levin College of Law Dean Search Committee 2002-2003

Member, University of Florida Sustainability Task Force 2001-2003

MEDIA APPEARANCES

On Customary Use Doctrine, H.B. 631 and Public Beach Use Rights

Politifact

<http://www.politifact.com/florida/statements/2018/apr/26/our-future-florida/did-gov-rick-scott-sign-bill-could-make-most-beach/>

Law 360

<https://www.law360.com/articles/1022861/panic-over-fla-beach-law-unfounded-experts-say>

Yahoo News

<https://www.yahoo.com/news/beaches-recede-florida-shores-private-ownership-201058299.html>

Christian Science Monitor

<https://www.csmonitor.com/USA/Politics/2018/0420/As-its-beaches-recede-Florida-shores-up-private-ownership>

Fox News

<http://www.foxnews.com/politics/2018/04/17/battle-over-beach-access-in-florida-heats-up.html>

Tampa Bay Times

http://www.tampabay.com/news/environment/New-law-Scott-signed-makes-public-access-to-beaches-harder-to-establish_167015546

Pinellas Beaches Patch

<https://patch.com/florida/pinellasbeaches/new-law-could-pit-beachfront-property-owners-against-beach-goers>

On Outer Continental Shelf Lands Act 5-year Plan and Removal of Florida

Alex Leary, *Interior Secretary Zinke may have hurt, not helped, Florida on oil drilling, critics say: Law professor makes argument with Rep. Kathy Castor* (February 1, 2018)

<http://www.tampabay.com/florida-politics/buzz/2018/02/01/interior-secretary-zinke-may-have-hurt-not-helped-florida-on-oil-drilling-critics-say/>

Mitch Perry, *Environmental attorney says Florida more vulnerable to offshore drilling after*

Ryan Zinke's remarks (February 1, 2018) <http://floridapolitics.com/archives/255104-environmental-attorney-says-florida-vulnerable-offshore-drilling-ryan-zinkes-remarks>

Darryl Fears, *State attorneys general are spoiling for a fight over Trump's offshore drilling plan,*

Washington Post (February 2, 2018) https://www.washingtonpost.com/news/energy-environment/wp/2018/02/02/state-attorneys-general-are-spoiling-for-a-fight-over-trumps-offshore-drilling-plan/?utm_term=.cecc35ac72df

Ashley Schiedenhelm, *Florida Still At Risk For Offshore Drilling* (February 2, 2018)

<https://www.floridatrend.com/article/23906/florida-still-at-risk-for-offshore-drilling>

Peter Schorsch, *UF law professor: Zinke announcement makes drilling more likely* in The Delegation for 2.6.18 – Beltway to the Sunshine State (February 6, 2018)

<http://floridapolitics.com/archives/254749-delegation-2-6-18-insights-beltway-sunshine-state>

On An Unnatural Disaster: The Aftermath of Hurricane Katrina (all in 2005 unless otherwise indicated)

- Cable Radio Network (National Satellite) Interviewed by Jack Roberts (Oct. 19)(live)
- WOOD-AM (Grand Rapids MI) Interviewed by Garry Allen for the Morning News (Oct. 20) (live)
- WWRL-AM (New York NY) Interviewed by Karen Hunter and Steve Feurstein on The RL Morning Show (Oct. 24)(live)
- KAHL-AM (San Antonio TX) Interviewed by Ron Thulin on The Ron Thulin Show (Oct. 26)(live)
- KXEL-AM (Des Moines IA) Interviewed by Mike Bunge (Oct. 27) (taped)
- Talkstar Radio (national webcast and podcast at www.talkstarradio.com) Interviewed by Chuck Harder on For the People (Oct. 28)(live and podcast)
- WGTD-FM (Milwaukee WI) Interviewed by Greg Berg on The Morning Show (Oct. 28)(30 minute interview) (taped, aired Nov. 11) available at <http://www.wgtd.org/morning.asp>
- WOCM-AM (Ocean City MD) Interviewed by Bulldog on The Rude Awakening Show (Nov. 1)(live)
- WNJC-AM (Syndicated, National and webcast on www.wnjc1360.com) Interviewed by Will Hemingway on The Will Hemingway Show (Thursday Nov. 3, 30 minute interview)(live)
- WZLX-FM (Boston) Interviewed by Kimberly on Common Grounds Show, (10 minute interview) (taped; to be aired in December 2005)
- KMTT-FM (Seattle) Interviewed by Lee Callahan for Mountain Magazine(15 minute interview)(taped, to be aired November 13, 2005)
- WHCR-FM (New York) Interviewed by Stephanie Stepps and John Isaacs for What's Going On? (Nov. 13)(live)
- WUML-FM (Lowell MA) Interviewed by Bob Ellis on Sunrise (Nov. 21)(30 minute interview)(live)
- Newsweek.com (aired on over 100 radio stations nationally and webcast and podcast at <http://msnbc.msn.com/id/10509074/site/newsweek/>) Interviewed by David Alpern for Newsweek on Air (taped)