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ACADEMIC EXPERIENCE

Richard E. Nelson Eminent Scholar Chair in Local Government and Professor, Levin College of Law, University of Florida (2019-current), Richard E. Nelson Chair in Local Government and Professor (2003-2019). *Courses:* Property, Land Use Planning, Constitutional Law, Race in Place, Constitutional History (I and II), Takings Clause and Property Rights, Local Government, Supreme Court and the Environment, Property Rights and the U.S. Constitution, Environmental Law.

Professor of Law and History, University of Richmond (1993-2003); Professor of Law (1990-1993); Associate Professor (1988-1990); Visiting Professor, 1987-1988. State Council of Higher Education for Virginia Outstanding Faculty Award, 2001; University Distinguished Educator Award, 1992.

Visiting Professor, Washington College of Law, American University (1993-1994).

Associate Professor, Oklahoma City University School of Law (1985-1988); Assistant Professor (1982-1985). John F. Olson Memorial Lecturer, 1984-85. Special Recognition Award, Law Student Board of Governors, 1984.

Research Associate for Professor Charles M. Haar, Harvard Law School (1980-1982) (position funded by Lincoln Institute of Land Policy, Cambridge, MA).

Teaching Fellow in History and Literature, Harvard University (1978-1981).

EDUCATION

Harvard University
Ph.D. awarded June, 1991. History of American Civilization. Dissertation: *Charles Warren: Progressive, Historian.*

Harvard University
A.M. awarded November, 1979. History.

Georgetown University Law Center
J.D. awarded May, 1977.

Emory University
B.A. awarded June, 1974; double major, History and English. High Honors. Phi Beta Kappa. John Gordon Stipe Society.

SELECTED PUBLICATIONS

BOOKS

POWELL ON REAL PROPERTY (author, 2019-current; General Editor, 2000-2019) (17 volumes, loose leaf updated quarterly). Matthew Bender/LexisNexis.

LAND USE LAW (6th ed., 2015-current) (loose leaf updated annually). Matthew Bender/LexisNexis. With Mandelker.

THE SUPREME COURT AND THE ENVIRONMENT: THE RELUCTANT PROTECTOR. CQ Press/Sage, 2012.

LAND USE PLANNING AND THE ENVIRONMENT: A CASEBOOK. Environmental Law Institute (ELI)/West Academic Press, 2010. With Haar.

POWELL ON REAL PROPERTY: MICHAEL ALLAN WOLF DESK EDITION. Matthew Bender/LexisNexis, 2009.

THE ZONING OF AMERICA: *EUCLID V. AMBLER*. University Press of Kansas, 2008.

STRATEGIES FOR ENVIRONMENTAL SUCCESS IN AN UNCERTAIN JUDICIAL CLIMATE (Michael Allan Wolf ed.) ELI Press, 2005 (contributions in volume: *Introduction: A New Realism About Environmental Law*, and *"They Endured": Mining the Supreme Court's Serviceable Past*).

LAND-USE PLANNING: A CASEBOOK ON THE USE, MISUSE AND RE-USE OF URBAN LAND (4th ed.). Aspen (formerly Little, Brown and Company), 1989. With Haar.

ARTICLES, REVIEW ESSAYS, AND BOOK CHAPTERS

"Zoning" Matters: RLUIPA and the New Normal of Religious Discrimination, SAN DIEGO LAW REVIEW ____ (2024).

A Taste of "Zoning Reformed," 47 Zoning & Planning Law Report, March, 2024, at 1.

Superfluous Judicial Activism: The Takings Gloss, 91 GEORGE WASHINGTON LAW REVIEW 287 (2023).

Fever Check: A Status Report on Judicial Treatment of COVID-19-Related Real Property Issues, 58 REAL PROPERTY, TRUST AND ESTATE JOURNAL 47 (2023).

There's Something Happening Here: Affordable Housing as a Nonstarter in the U.S. Supreme Court, in RACIAL JUSTICE IN AMERICAN LAND USE (Craig Anthony (Tony) Arnold, et al. eds., Cambridge University Press, forthcoming, 2024).

A Respectful Rejoinder to Two Zoning Legends, 71 UNIVERSITY OF KANSAS LAW REVIEW 305 (2022).

A Reign of Error: Property Rights and Stare Decisis, 99 WASHINGTON UNIVERSITY LAW REVIEW 449 (2021). (See Adam Liptak, *A Tiny Supreme Court Typo Had an Outsize Impact*, NEW YORK TIMES, Oct. 19, 2021, at A16; <https://www.nytimes.com/2021/10/18/us/politics/supreme-court-typo-revisions.html>.)

Zoning Reformed, 70 UNIVERSITY OF KANSAS LAW REVIEW 171 (2021). Also published as Chapter 11 in 2023 ZONING AND PLANNING LAW HANDBOOK (Patricia E. Salkin ed.) (Thomson Reuters, 2023).

Between Jacob(s) and Moses: Ed Logue, Urban Redevelopment Lawyer (Book Review), 29 JOURNAL OF AFFORDABLE HOUSING & COMMUNITY DEVELOPMENT LAW 381 (2021).

Check State: Avoiding Preemption by Using Incentives, 36 JOURNAL OF LAND USE & ENVIRONMENTAL LAW 121 (2020). (symposium)

An American Law of Zoning: If You Zone It, They Will Judge. PLANNING, May, 2020, at 13.

A Common Law of Zoning, 61 ARIZONA LAW REVIEW 771 (2019). Also published as Chapter 17 in 2020 ZONING AND PLANNING LAW HANDBOOK (Patricia E. Salkin ed.) (Thomson Reuters, 2020).

Right Environmentalism: Repurposing Conservative Constitutionalism, 50 ARIZONA STATE LAW JOURNAL 651 (2018).

Supreme Court Roadblocks to Responsive Coastal Management in the Wake of Lucas, 53 REAL PROPERTY, TRUST & ESTATE LAW JOURNAL 59 (2018).

Friends in High Places, PLANNING, July, 2018, at 13.

Lucas at 25, PLANNING, July, 2017, at 10.

Climate, Takings, and the U.S. Supreme Court, PLANNING, Oct. 2014, at 50.

Conservation Easements and the "Term Creep" Problem, 2013 UTAH LAW REVIEW 787, 33 UTAH ENVIRONMENTAL LAW REVIEW 101 (2013).

The Brooding Omnipresence of Regulatory Takings: Urban Origins and Effects, 40 FORDHAM URBAN. LAW JOURNAL 1835 (2013).

Strategies for Making Sea-level Rise Adaptation Tools "Takings-Proof", 28 JOURNAL OF LAND USE & ENVIRONMENTAL LAW 157 (2013). Also published as Chapter 5 in 2014 ZONING AND PLANNING LAW HANDBOOK (Patricia E. Salkin ed.) (Thomson Reuters, 2014).

A Yellow Light for "Green Zoning": Some Words of Caution About Incorporating Green Building Standards into Local Land Use Law, 43 URBAN LAWYER 949 (2011).

Planning and Law: Shaping the Legal Environment of Land Development and Preservation, 40 ENVIRONMENTAL LAW REPORTER 10419 (April, 2010). With Haar.

Becoming a Legal Troublemaker, in LAW TOUCHED OUR HEARTS: A GENERATION REMEMBERS BROWN V. BOARD OF EDUCATION 51 (Mildred W. Robinson & Richard J. Bonnie eds.). Vanderbilt University Press, 2009.

Hysteria v. History: Public Use in the Public Eye, in PRIVATE PROPERTY, COMMUNITY, AND EMINENT DOMAIN 15 (Robin Paul Malloy ed.). Ashgate Publishing, 2008.

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William Faulkner, Legal Commentator: Humanity and Endurance in Hollywood's Yoknapatawpha, 77 MISSISSIPPI LAW JOURNAL 957 (2008).

Looking Backward: Richard Epstein Ponders the "Progressive" Peril (Book Review), 105 MICHIGAN LAW REVIEW 1233 (2007).

Supreme Guidance for Wet Growth: Lessons from the High Court on the Powers and Responsibilities of Local Governments, 9 CHAPMAN LAW REVIEW 233 (2006). (symposium)

Yes, Thankfully, Euclid Lives, 73 FORDHAM LAW REVIEW 771 (2004). With Haar.

Euclid Lives: The Survival of Progressive Jurisprudence, 115 HARVARD LAW REVIEW 2158 (2002). With Haar. Also published as Chapter 15 in 2003 ZONING AND PLANNING LAW HANDBOOK (Patricia E. Salkin ed.) (Thomson West, 2003), and in LAND USE AND ENVIRONMENT LAW REVIEW 2003 (A Dan Tarlock & David L. Callies eds.) (Thomson West, 2003) (selected as one of the top articles in the field).

Earning Deference: Reflections on the Merger of Environmental and Land-Use Law, 32 ENVIRONMENTAL LAW REPORTER 11190 (October, 2002). Also published in 20 PACE ENVIRONMENTAL LAW REVIEW 253 (2002), and in NEW GROUND: THE ADVENT OF LOCAL ENVIRONMENTAL LAW 347 (John R. Nolon ed.) ELI Press, 2003.

Pondering Palazzolo: Why Do We Continue to Ask the Wrong Questions?, 32 ENVIRONMENTAL LAW REPORTER 10367 (March, 2002).

Book Review, MICHAEL J. PHILLIPS, *THE LOCHNER COURT, MYTH AND REALITY: SUBSTANTIVE DUE PROCESS FROM THE 1890S TO THE 1930S* (2001). 45 AMERICAN JOURNAL OF LEGAL HISTORY 109 (2001).

Practice, Policy, and Pedagogy in a Mandatory Environmental Law Course, 123 WATER, AIR, & SOIL POLLUTION: AN INTERNATIONAL JOURNAL OF ENVIRONMENTAL POLLUTION 409 (2000). With Eisen. (also published in ENVIRONMENTAL CHALLENGES (Shimshon Belkin ed.). Kluwer, 2000.)

Taking Regulatory Takings Personally: The Perils of (Mis)Reasoning by Analogy, 51 ALABAMA LAW REVIEW 1355 (2000). (symposium)

Environmental Slogans for the New Millennium, 30 ENVIRONMENTAL LAW REPORTER 10283 (April, 2000), revised at 35 UNIVERSITY OF RICHMOND LAW REVIEW 91 (2001).

The Evolution of American Common Law in the Nineteenth Century, in I LAW IN HISTORY: EVOLUTION OF THE JUDICIAL LAW IN XIXTH CENTURY (Grzegorz Górski ed.). Catholic University of Lublin, 2000.

Dangerous Crossing: State Brownfields Recycling and Federal Enterprise Zoning, 9 FORDHAM ENVIRONMENTAL LAW JOURNAL 495 (1998). (symposium)

"Compelled by Conscientious Duty": Village of Euclid v. Ambler Realty Co. as Romance, 2 1997 JOURNAL OF SUPREME COURT HISTORY 88.

The Supreme Court in United States History: A New Appreciation, 2 1996 JOURNAL OF SUPREME COURT HISTORY 161.

MICHAEL ALLAN WOLF (5)

Euclid at Threescore Years and Ten: Is This the Twilight of Environmental and Land-Use Regulation?, 30 UNIVERSITY OF RICHMOND LAW REVIEW 961 (1996). (symposium)

Fruits of the "Impenetrable Jungle": Navigating the Boundary Between Land-Use Planning and Environmental Law, 50 WASHINGTON UNIVERSITY JOURNAL OF URBAN AND CONTEMPORARY LAW 5 (1996).

Introduction to Essays Honoring Charles M. Haar, 50 WASHINGTON UNIVERSITY JOURNAL OF URBAN AND CONTEMPORARY LAW 1 (1996). With Liebman.

Uncommon Regulation: The Public Trust Doctrine and the Gulf of Mexico, 63 EKISTICS 102 (1995). With White and Savage. (symposium)

Overtaking the Fifth Amendment: The Legislative Backlash Against Environmentalism, 6 FORDHAM ENVIRONMENTAL LAW JOURNAL 637 (1995). (symposium)

U.S. Urban Areas Seek New Paths to Prosperity, FORUM FOR APPLIED RESEARCH AND PUBLIC POLICY, Winter, 1995, at 84-91. (symposium)

Takings Term II: New Tools for Attacking and Defending Environmental and Land-Use Regulation, 13 NORTHERN ILLINOIS UNIVERSITY LAW REVIEW 469 (1993). (symposium)

Saving the Honorable Court: Assessing the Proper Role of the Modern Supreme Court, 26 UNIVERSITY OF RICHMOND LAW REVIEW 499 (1992). (symposium)

Mixité des opérations: l'expérience américaine, ÉTUDES FONCIÈRES, December, 1991, at 8-14.

HUD and Housing in the 1990s: Crises in Affordability and Accountability, 18 FORDHAM URBAN LAW JOURNAL 545 (1991). (revised and expanded version of Wolf and Sharp, *The Housing Crises: Shortfalls in Affordability and Accountability*, 44 CONSUMER FINANCE LAW QUARTERLY REPORT 225 (1990))

Enterprise Zones Through the Legal Looking-Glass, in ENTERPRISE ZONES: NEW DIRECTIONS IN ECONOMIC DEVELOPMENT 58 (Roy Green ed.). Sage, 1991.

Enterprise Zones: A Decade of Diversity, in ECONOMIC DEVELOPMENT FINANCE TOOLS 123 (Richard D. Bingham *et al.* eds.). Sage, 1990. (also published in 4 ECONOMIC DEVELOPMENT QUARTERLY 3 (Feb., 1990))

The Prescience and Centrality of Euclid v. Ambler, in ZONING AND THE AMERICAN DREAM: PROMISES STILL TO KEEP (Charles M. Haar & Jerold Kayden eds.). American Planning Association, 1989.

An "Essay in Re-Plan": American Enterprise Zones in Practice, 21 URBAN LAWYER 29 (1989).

Potential Legal Pitfalls Facing State and Local Enterprise Zones, in 8 URBAN LAW & POLICY 77 (1987).

Three Strikes But Not Out: Hamilton Bank and the Takings Question, 60 FLORIDA BAR JOURNAL 65 (May, 1986).

Accommodating Tensions in the Coastal Zone, 25 NATURAL RESOURCES JOURNAL 7 (1985). (Coordinating Editor for, and contributor to, symposium on Coastal Zone Management)

Of Devils and Angels, Lawyers and Communities (Book Review), 97 HARVARD LAW REVIEW 607 (1983).

OTHER PUBLICATIONS

Dan Mandelker: Valued Treatise Partner, 52 URBAN LAWYER 323 (2023).

A Call for Action: Renewing the Federal Government's Commitment to the Construction of New Affordable Housing, 30 JOURNAL OF AFFORDABLE HOUSING & COMMUNITY DEVELOPMENT LAW 117 (2021).
With Buchsbaum, Mandelker, and Schnidman.

Colleague, Captain, Friend, 45 OKLAHOMA CITY UNIVERSITY LAW REVIEW 12 (2020) (tribute to Lawrence K. Hellman).

Brief of the American Planning Association and the Wisconsin Chapter of the American Planning Association as Amici Curiae in Support of Respondents, Murr v. Wisconsin, 2016 U.S. S. Ct. Briefs LEXIS 2440.

Charles Warren, in THE YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW. Yale University Press, 2009.

Lucas v. South Carolina Coastal Council, Lujan v. Defenders of Wildlife, and Village of Euclid v. Ambler Realty Co., in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES. Macmillan/Gale, 2008.

David Davis, James Clark McReynolds, George Sutherland, in BIOGRAPHICAL ENCYCLOPEDIA OF THE SUPREME COURT: THE LIVES AND LEGAL PHILOSOPHIES OF THE JUSTICES (Melvin I. Urofsky ed.). CQ Press, 2006. (Revision of THE SUPREME COURT JUSTICES: A BIOGRAPHICAL DICTIONARY (Melvin Urofsky ed.). Garland Publishing, 1994.

Leo Frank, Emma Goldman, Adam Clayton Powell, Jr., in ONE HUNDRED AMERICANS MAKING CONSTITUTIONAL HISTORY: A BIOGRAPHICAL HISTORY (Melvin Urofsky ed.). CQ Press, 2004.

Fifteenth Amendment, Nineteenth Amendment, in CIVIL RIGHTS IN THE UNITED STATES. With Wolf, D.A. MacMillan, 2000.

Charles Warren, in AMERICAN NATIONAL BIOGRAPHY. Oxford University Press, 1999.

CHARLES WARREN: PROGRESSIVE, HISTORIAN. Harvard University Doctoral Dissertation. University Microfilms, 1991.

E.Z. GAZETTE, a national newsletter on enterprise zones. Editor and Contributor. Printed version, 1983-85 Volume 1, Number 1, Fall, 1983. Volume 1, Number 2, Spring, 1984. Special Matrix Update, Winter, 1985. Internet version, 1995-99.

URBAN ENTERPRISE ZONES: INNER CITY PANACEA OR SUPPLY-SIDE SHOW-PIECE? Basic Concept Series Number 105. Cambridge, Mass.: Lincoln Institute of Land Policy, 1983. With Haar and others. (Reprinted by U.S. Department of Housing and Urban Development).

SHARED APPRECIATION MORTGAGES: PERILS OF THE RESIDENTIAL JOINT VENTURE Basic Concept Series Number 104. Cambridge, Mass.: Lincoln Institute of Land Policy, 1982.

SELECTED MEDIA COMMENTARIES

The Economist Podcast. October 6, 2023. "How Can America Fix its Housing Shortage?" (<https://www.economist.com/podcasts/2023/10/06/-how-can-america-fix-its-housing-shortage>).

WLRN Podcast. April 21, 2023. "Florida's Tug of War with Disney." (<https://www.wlrn.org/podcast/the-florida-roundup/2023-04-28/desantis-disney-florida-gender-identity-schools>).

Los Angeles/San Francisco Daily Journal Podcast. October 29, 2018. "An Uncertain Climate for Environmental Suits." (Audio file linked at <https://www.dailyjournal.com/articles/349936-an-uncertain-climate-for-environmental-suits>).

American Planning Association 2014 Planning Law Review Teleconference/Webinar. June 25, 2014.

American Bar Association Professor's Corner Webinar: *Rails-to-Trails and the Impact of Brandt Revocable Trust v. United States*. April 9, 2014.

LexisNexis Real Estate Law Center Podcast Commemorating the 125th Anniversary of Matthew Bender. Posted September 28, 2012.

American Planning Association 2012 National Planning Law Review Teleconference/Webinar. June 26, 2012.

Emerging Issues Commentary on Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection, 2010 U.S. LEXIS 4971 (June 17, 2010), available through Lexis-Nexis.

LexisNexis Real Estate Law Center Podcast on Private Nuisance Cases and His Annual "Dirty Dozen." Posted December 7, 2009.

Beach Access, Protection at Stake in Supreme Court (Op-Ed), TALLAHASSEE DEMOCRAT, December 3, 2009.

Eminent Domain, No Day at the Beach, interview on *Here & Now* (NPR). December 1, 2009.

LexisNexis Real Estate Law Center Podcast on Green Building Practices. Posted September 18, 2009.

Expert Commentary on Westchester Day Sch. v. Vill. of Mamaroneck, 504 F.3d 338 (2d Cir. 2007), available through Lexis-Nexis, also available at 2-7 LexisNexis Real Estate Rep. 39 (2007).

Expert Commentary on Mendota Golf, LLP v. City of Mendota Heights, 708 N.W.2d 162 (Minn. 2006), available through Lexis-Nexis.

NASCAR Fan Fights Scorn of Elitist Academia, on *All Things Considered* (NPR). February 21, 2006. (Audio file: <http://www.npr.org/templates/story/story.php?storyId=5227057>).

Picking a Political Winner for the Supreme Court, on *All Things Considered* (NPR). July 21, 2005. (Audio file: www.npr.org/templates/story/story.php?storyId=4765091).

A Win-Win for People of Faith, Op-Ed article on Ten Commandments decisions, MIAMI HERALD, July 1, 2005.

Hysteria Over Court's Ruling is Unwarranted, Op-Ed article on public use decision, TALLAHASSEE DEMOCRAT, June 29, 2005 (published in other Florida newspapers).

The Environment Show (two commentaries on nationally syndicated public radio program). 1995.

Empowerment Zones: Keeping Your Eye on the Prize, Op-Ed article; published as: *Houston Must Be Smart in Urban Renewal Quest*, HOUSTON CHRONICLE, May 20, 1994; *A New Strategy for Urban America*, ST. LOUIS POST-DISPATCH, June 9, 1994.

Compete and Empower, CHRISTIAN SCIENCE MONITOR, December 20, 1993 (Op-Ed Page).

Enterprise Zones: Clinton Style, Scripps-Howard Newspapers. June, 1993 (Op-Ed); revised version published as *Fighting for Enterprise Zones*, JOURNAL OF COMMERCE. July 28, 1993 (Op-Ed Page).

The Myths of Enterprise Zones, JOURNAL OF COMMERCE. June 10, 1992 (Op-Ed Page).

How to Do Enterprise Zones Right, WALL STREET JOURNAL. June 1, 1992 (Op-Ed Page).

SELECTED ADDRESSES, PRESENTATIONS, AND EXPERT TESTIMONY

"Emerging Issues: *Tyler, Sackett II, Sheetz*." 2023 Brigham-Kanner Property Rights Conference. Williamsburg, VA, October 27, 2023.

"Property Rights in the Supreme Court: Wetlands, Tax Sales, Impact Fees, and I-10 Flooding." 22nd Annual Alfred B. DelBello Land Use and Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2023.

"'Zoning' Matters." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Phoenix, AZ, May, 2023.

"No Silver Bullet: A Realistic Assessment of the Elimination of Single-Family Zones." 21st Annual Alfred B. DelBello Land Use and Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2022.

"Superfluous Judicial Activism: The Takings Gloss." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Phoenix, AZ, May, 2022.

"Superfluous Judicial Activism: The Third Takings Clause." Regulatory Takings at 100, AALS Annual Meeting (virtual). January, 2022.

"Summer Takings Fun in the High Court: Labor Unions, Condo Conversions, Pipelines, and a Chocolate Factory." 20th Annual Alfred B. DelBello Land Use and Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University (virtual). December, 2021.

"Annual Richard F. Babcock Faculty Address: Challenges and Opportunities for New Affordable

Housing Construction in the President Biden Administration." Virtual ABA Land Use Institute. October, 2021.

"Zoning Reformed." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law (virtual). May, 2021.

"Constitutional Rights and Zoning: Sacred, Profane, Fracking, Ripeness, Bricks, and Music." 19th Annual Alfred B. DelBello Land Use and Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University (virtual). December, 2020.

"The Future of Zoning: The View Through the COVID-19 Lens." Penn State Extension Webinar Series. August, 2020; Virtual ABA Land Use Institute (webinar). May, 2020.

"Taking Advantage of the Libertarian Climate to Challenge State Preemption of Local Sustainability Initiatives." Local Autonomy and Energy Law Symposium." FSU College of Law. Tallahassee, FL, February, 2020.

"Is Zoning Really about Use and not Ownership? Two Recent Cases on Short-Term Rentals." "There's Something Happening Here: Affordable Housing as a Nonstarter in the U.S. Supreme Court." 18th Annual Alfred B. DelBello Land Use and Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2019.

"Guerrilla Tactics for the War on Climate Change." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Phoenix, AZ, May, 2019.

"Case Law Update: Knick, Sticks, and a Trick." 17th Annual Land Use & Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2018.

"The Privilege and Immunity of 'Protection by the Public.'" Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Phoenix, AZ, May, 2018.

"Case Law Update: Guns, Green Energy, Post-Costner, and Post-Koontz." 16th Annual Land Use & Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2017.

"There's Something Happening Here: Affordable Housing as a Nonstarter in the U.S. Supreme Court." Racial Justice in Zoning: 100 Years after *Buchanan*, University of Louisville Brandeis School of Law. Louisville, KY, November, 2017.

"Supreme Court Roadblocks to Responsive Coastal Management in the Wake of *Lucas*." ABA Real Property Trust & Estate Law Journal Symposium, University of South Carolina School of Law. Columbia, SC, November, 2017.

"*Murr v. Wisconsin*: From Edgewood Drive to Cove Court." Fifteenth Kratovil Conference on Real Estate Law & Practice, John Marshall Law School Center for Real Estate Law. Chicago, IL, September, 2017.

"Putting the Shoe on the Other Foot: Conservative Jurisprudence and the Preservation of State and Local Sustainable Land Use Regulation." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Phoenix, AZ, May, 2017.

"Takings Triangles: Parcel as a Whole, Passive Takings, and Exactions Yet Again." 15th Annual Land Use & Sustainable Development Conference, Land Use Law Center, Elisabeth Haub School of Law, Pace University. White Plains, NY, December, 2016.

"*Murr v. Wisconsin*: Views from the Supreme Court's Planning Friends." American Planning Association Policy and Advocacy Conference. Washington, DC, September, 2016.

"The Common Law of Zoning and the War on Climate Change." Sustainability Conference of American Legal Educators, Arizona State University Sandra Day O'Connor College of Law. Tempe, AZ, May, 2016.

"Three Losses and a Tie for Local Governments: The Supreme Court's 2014-2015 Term." Fifteenth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville. February, 2016.

"Platitudes, Myths, and Superfluosnesses: Magna Carta as Symbol in the Modern Supreme Court." AALS Annual Meeting. New York, NY, January, 2016.

"Weaving Environmental Law into the Land Use Tapestry." "Raisin' Objections: *Horne v. Department of Agriculture*." 14th Annual Land Use & Sustainable Development Conference, Land Use Law Center, Pace University. White Plains, NY, December, 2015.

"The War on Climate Change: Legal Barriers to Stocking the Land Use Regulatory Arsenal." Sustainability Conference of American Legal Educators. Arizona State University Sandra Day O'Connor College of Law. Tempe, AZ, May, 2015.

"What Hath *Kelo* Wrought: Consequences Intended and Not." Fourteenth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2015.

"Takings in the 21st Century." American Planning Association National Planning Conference. Atlanta, GA, April, 2014.

"State and Local Election Laws: Mixing it Up." Thirteenth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2014.

"Respecting, Regulating, or Rejecting the Right to Rebuild Post Sandy: What Does the Takings Clause Teach Us?" 12th Annual Land Use & Sustainable Development Conference, Land Use Law Center, Pace University. White Plains, NY, December, 2013.

"The Brooding Omnipresence of Regulatory Takings: Urban Origins and Effects." *Fordham Urban Law Journal* Fortieth Anniversary Symposium. New York, NY, February, 2013.

"Unintended Consequences of 'Easement' Terminology, or, Conservation Hybrids and the Nomenclature Problem." Perpetual Conservation Easements: What Have We Learned and Where Should We Go From Here?. S.J. Quinney College of Law, The University of Utah. Salt Lake City, February, 2013.

"Preemption Puzzles: Ambiguity Breeds Exempt/Preempt." Twelfth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2013.

"Sea-level Rise and Takings." Adaptive Planning for Coastal Change: Legal Issues for Local Government. Tallahassee, Florida, August, 2012. Davie, FL, April, 2013.

"Four Haarvian Principles in the 21st Century: Exclusionary Zoning, the Comprehensive Plan, Urban Redevelopment, and Environmental Regulation." Memorial for Charles M. Haar. Harvard Law School. Cambridge, MA, May, 2012.

"Haarvian Principles in the 21st Century." Bettman Symposium. American Planning Association National Planning Conference. Los Angeles, CA, April, 2012.

"Strategies for Making Sea-Level-Rise Adaptation Strategies 'Takings-Proof.'" Environmental Law Distinguished Lecture 25th Anniversary Symposium: The Future of Ocean and Coastal Law & Policy. Florida State University College of Law. Tallahassee, March, 2012.

"History Counts: Four Questions for the *Stop the Beach* Plurality." Association for Law, Property, and Society Third Annual Meeting. Washington, D.C., March, 2012. With Treanor.

"Diamonds in the Rough or Snakes in the Grass?: Evaluating Recent Shifts in American Real Property Law." Eleventh Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2012.

"The Double Fallacy of Judicial Takings." CLE International. Tampa, FL, May, 2011.

"Judicial Takings: The Troublesome Legacy of *Stop the Beach Renourishment*." 34th Annual Local Government Law in Florida. St. Pete Beach, FL, May, 2011.

"History Counts." Tenth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2011.

"Incorporating Green Building Standards into Local Land Use Regulations: A Word (or Two) of Caution About 'Green Zoning.'" AALS Annual Meeting. San Francisco, CA, January, 2011.

"Private Property and Public Protection: The Brandeisian Alternative." Boehl Distinguished Lecture in Land Use Policy. University of Louisville Louis D. Brandeis School of Law. Louisville, KY, November, 2010.

"How Local Governments End Up Making New Federal Caselaw." Ninth Annual Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2010.

"*Euclid v. Ambler* Comes Alive." Bettman Symposium. American Planning Association National Planning Conference. Minneapolis, MN, April 2009.

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"What Are Those Justices Thinking (About Local Government?)" Eighth Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2009.

"How the Third Restatement (Servitudes) Has Been Received by the Courts: The Potential Impact of This New Approach." Law Seminars International. Tampa, FL, June, 2008.

"Green Building in the Evolving Legal Landscape." Seventh Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2008.

"The State of Regulatory Takings Today, or, 'The *Lingle* Effect.'" CLE International. Tampa, FL, February, 2007.

"Public Green for Private Greens: A Debate Over Public Use." Sixth Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2007.

Who's Afraid of Property Rights?, Or: How I Learned to Stop Worrying and Love the Constitution." Preservation 101. The Florida Trust for Historic Preservation. Jacksonville, FL, November, 2006.

Eminent Domain Debate. National Association of Appellate Court Attorneys Annual Conference. Richmond, VA, July, 2006.

"Property Rights Claims vs. Other Bill of Rights Claims"; "Another Perspective on Property Rights as 'Fundamental' or Not, and on the Meaning and Effect of *Lingle*." CLE International. Tampa, FL, March, 2006.

Moderator, Governmental Affairs Symposium. Young Lawyers Division of the Florida Bar. Levin College of Law, University of Florida. Gainesville, March, 2006.

"Takings and Private Property Rights, Or, 84 Years in 30 Minutes." Preservation Law Conference. The Florida Trust for Historic Preservation. Fort Pierce, FL, February, 2006.

"Supreme Guidance: Lessons from the High Court on the Powers and Responsibilities of Local Governments." The Slippery Slope: Urban Runoff, Water Quality, and the Issue of Legal Authority. *Chapman Law Review* symposium. Orange, CA, January, 2006.

"What Works and What Doesn't Work: Lessons from the Law." The Art of the Town: Past Present and Future. Planning and Historic Preservation in Palm Beach, A Legacy Worth Keeping. Palm Beach, FL, December, 2005.

"Hysteria v. History: Public Use in the Public Eye." Fifth Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, November, 2005.

"Big-Box Stores and Sprawl: Maybe This Time." *Environmental Outlook* Third Annual Symposium. Sprawl: Emerging Issues and Successful Initiatives. Albany Law School. Albany, NY, March, 2005.

Presenter on Citrus Canker Panel. 11th Annual Public Interest Environmental Conference. University of Florida. Gainesville, February, 2005.

"The Legal Challenges Posed by Billboard: An Introduction and Overview." Fourth Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida. Gainesville, February, 2005.

"'They Endured': Mining the Supreme Court's Serviceable Past." Alternative Grounds Conference. Sponsored by Richard E. Nelson Chair at the Levin College of Law, and ELI (organizer). Clearwater, FL, November, 2004.

"Guiding Spirit: Using the Constitution to Help Shape Landmark Preservation Policy." Preservation Foundation of Palm Beach. Palm Beach, FL, April, 2004.

"Affordable Justice?: Overcoming the Double Standard to Achieve the Dream of *Brown*." Faculty colloquy. Levin College of Law, University of Florida. Gainesville, April, 2004.

"Putting the Wrong Test in the Right Place: *Arlington Heights* and the Search for Fairness." Third Richard E. Nelson Symposium (organizer). Levin College of Law, University of Florida, Gainesville. October, 2003.

"Earning Deference: Reflections on the Merger of Environmental and Land-Use Law." Conference on Local Environmental Law, sponsored by Pace University School of Law. Glynwood Center, Cold Spring, NY, April, 2002.

"Enterprise Zones, Empowerment Zones, and Renewal Communities." Ontario Ministry of Economic Trade and Development. Toronto, Canada, September, 2001.

"Asking the Wrong Questions About Regulatory Takings." Environmental Law Institute Seminar on *Pallazo*. Washington, DC, September, 2001.

"A New Chain of Title: The Evolution of American Common Law in the Nineteenth Century." International Conference of Historians of Law. Catholic University of Lublin, Poland, June, 1999.

"Practice, Policy, and Pedagogy in a Mandatory Environmental Law Course." Conference on "Environmental Challenges for the Next Millennium." Seventh International Conference of the Israel Society for Ecology and Environmental Quality Sciences. Jerusalem, Israel, June, 1999.

"General Trends and Constitutional Issues." Program on "To Grow or Not to Grow: Environmental Regulation as Land-Use Control in the Twenty-First Century." Environmental Section of the Richmond Bar Association. Richmond, VA, May, 1999.

"Religious Freedom Restoration Acts." Virginia State Bar Pro Bono Conference. University of Richmond School of Law. Richmond, VA, May, 1999.

"Taking Regulatory Takings Personally." Symposium on "When Does Retroactivity Cross the Line? *Winstar*, *Eastern Enterprises*, and Beyond." United States Court of Federal Claims. Washington, DC, April, 1999.

"Environmental Law Slogans for the New Millennium." Presentation at University Presidential Symposium on "Addressing New Environmental Challenges." University of Richmond. Richmond, VA, April, 1999.

"The Bills for Religious Freedom: Preservation or Expansion? Implications for Local Government." Virginia State Bar Annual Meeting, Local Government Section, Virginia Beach, VA, June, 1998.

"Dangerous Crossing: State Brownfields Recycling and Federal Enterprise Zoning." Symposium on "Toxic Waste: Who's Getting Hurt?" Fordham University School of Law. New York, NY, February, 1998.

"Novel Approaches to Education: Student Beware!" Honors Convocation. University of Richmond. Richmond, VA, October, 1995.

"Overtaking the Fifth Amendment: The Legislative Backlash Against Environmentalism." Symposium on Perspectives on Regulatory Takings. Fordham University School of Law. New York, NY, February, 1995.

"Empowerment Zones: Cycle or Synthesis?" Bridgeport Regional Economic Development Speakers Series. Debate with Nicholas Lemann, National Correspondent, *Atlantic Monthly*. Bridgeport, CT, May, 1994.

"Empowerment Zones: What Did We Learn from the States?" Seminar on Empowerment Zone, Enterprise Community and Related Development Initiatives. National Real Estate Development Center. Washington, DC, April, 1994.

"Intersections of Land-Use Planning and Environmental Law: American Analogues to Integrated Environmental Zoning." International Symposium on Urban Planning and Environment. Seattle, WA, March, 1994.

Chair, Drafting Committee for "Declaration of Principles of the White Oak Conference on Regional Water Resources." White Oak Plantation, FL, February, 1994.

"Launching a National Empowerment Zones Program." Conference on Empowerment Zones and Enterprise Communities, George Washington University. Washington, DC, November, 1993.

"Governance" Workshop Leader. Conference on Enterprise Zones: Rebuilding Urban Communities, Hudson Institute. Indianapolis, IN, October 1993.

"Testimony on the Economic Empowerment Act of 1993." U.S. House of Representatives, Committee on Banking, Finance and Urban Affairs, Subcommittee on Economic Growth and Credit Formation. Washington, DC, May, 1993.

"The Supreme Court's Takings Term II: The Impact on Environmental Regulation." Northern Illinois University Law Review Environmental Law Symposium. DeKalb, IL, March, 1993.

"Enterprise Zones as a Weapon Against Poverty." Presentation to Lt. Governor's Commission to Stimulate Personal Initiative to Overcome Poverty. Alexandria, VA, October, 1992.

"Federal Enterprise Zone Initiatives." Congressional Research Service (CRS) seminar presentation. Washington, DC, June, 1992.

"Testimony on Federal Enterprise Zone Proposals." U.S. House of Representatives, Committee on Banking, Finance and Urban Affairs, Economic Stabilization Subcommittee. Washington, DC, February, 1992.

"Testimony on Federal Enterprise Zone Proposals." U.S. House of Representatives, Committee on Ways and Means, Select Revenue Measures Subcommittee. Washington, DC, June, 1991.

"Did the GAO Report 'Work'?" American Association of Enterprise Zones Annual Meeting. Washington, DC, April, 1990.

"A Comparative Perspective on State and Local Enterprise Zones: From Soup to Nuts." New York Economic Development Zones Program Annual Meeting. Albany, NY, January, 1990. Spring Conference of Iowa chapters of American Planning Association (APA) and National Association of Housing and Rehabilitation Officials (NAHRO). Dubuque, IA, April, 1990.

"The American Land Use Regulatory System: A Comparative Perspective." Land Policy Roundtable on European and American Land Use Regulatory Systems, Lincoln Institute of Land Policy. Cambridge, MA, December, 1989.

"Testimony on H.R. 6 and the President's Enterprise Zone Proposal." U.S. House of Representatives, Committee on Ways and Means. Washington, DC, October, 1989.

"Enterprise Zones: Their Role in Community and Economic Redevelopment." Congressional Research Service seminar presentation. Washington, DC, October, 1989.

"Enterprise Zones from a Federal, State, and Local Perspective." Illinois Department of Commerce and Community Affairs (DCCA) Annual Enterprise Zone Conference. Chicago, IL, October, 1989.

"Legal Pitfalls in Growth Management." Virginia Commonwealth University Urban and Regional Planning Student Association Annual Conference. Richmond, VA, April, 1989.

"Regulatory Takings: What Has the Supreme Court Wrought?" "Enterprise Zones: State Realities and Federal Prospects." Handling Land Use and Environmental Problems of Real Estate Program. Practising Law Institute (PLI). New York, NY, March, 1989.

"Overview of Zoning, Subdivisions, and Variances." Program on Planning and Zoning for the Community. Robert Merhige Center for Environmental Studies. Richmond, VA, March, 1989.

"Business Attraction versus Retention: Putting Up to Stay Put." National Association of State Development Agencies (NASDA) Enterprise Zone Task Force Annual Meeting. Meadowlands, NJ, November, 1988.

"Strategies for State and Local Nomination of Federal Enterprise Zones." Illinois DCCA Annual State Enterprise Zones Conference. Collinsville, IL, September, 1988.

"The Second Generation of Enterprise Zones: Developments and Disappointments." Urban Enterprise Zone Symposium. Chicago, IL, January, 1988. (Edited proceedings, Center for Policy Studies and Program Evaluation, Sangamon State University).

"Testimony on S. 983, The Rural Enterprise Zone Act of 1987." U.S. Senate, Committee on Finance, Subcommittee on Taxation and Debt Management. Washington, DC, November, 1987.

"Renewing Enterprise Zone Legislation: What to Do Before Riding into the Sunset." NASDA Enterprise Zone Task Force Annual Meeting. Louisville, KY, October, 1987.

"Testimony on Utah Enterprise Zone Proposal." Joint Committee on Economic Development, Utah Legislature. Salt Lake City, August, 1987.

"The Gap Between Enterprise Zone Theories and Realities." NAHRO Midwest Regional Meeting. South Bend, IN, May, 1987. Southern Regional Science Association Annual Meeting. Atlanta, GA, March, 1987.

"Recent Trends in Enterprise Zone Legislation." NASDA Enterprise Zone Task Force Annual Meeting. Austin, TX, December, 1986.

"The Prescience and Centrality of Village of *Euclid v. Ambler Realty Co.*" Lincoln Institute of Land Policy *Euclid* Symposium. Cambridge, MA, October, 1986.

"The Good, the Bad, and the Ugly: The Enterprise Zone Experience in the Southwest." HUD Economic Development Public/Private Partnership Conference. Fort Worth, TX, July, 1986.

"Some 'Antifederalist' Attributes of State and Local Enterprise Zones." American Society for Public Administration National Conference. Anaheim, CA, April, 1986.

"Enterprise Zones and Planning: Sizing Up Two 'Natural Enemies.'" American Planning Association National Conference. Los Angeles, CA, April, 1986.

"State Legislation: Choosing the Incentives" (panel moderator). Rebuilding New York--The Case for Enterprise Zones. Conference sponsored by HUD, New York State Legislative Commission on Public-Private Cooperation, and NYAHRO. Albany, NY, February, 1986.

"State and Local Perspectives on Federal Enterprise Zones." NASDA Enterprise Zone Task Force Annual Meeting. Hartford, CT, October, 1985.

"Potential Legal Pitfalls Facing State and Local Enterprise Zones." NASDA Enterprise Zone Task Force Annual Meeting. New Orleans, LA, September, 1984. Atlantic Economic Society Conference. Washington, DC, August, 1985.

"Enterprise Zones: A New Tool for Managing Urban Redevelopment." Olson Memorial Lecture. Oklahoma City University. Oklahoma City, OK, January, 1985.

"State and Local Enterprise Zones: Developments and Suggested Improvements." National Conference of State Legislatures Annual Meeting. Boston, MA, July, 1984.

SELECTED MEMBERSHIPS AND ACTIVITIES

The Florida Bar (1978-).

American College of Real Estate Lawyers (2021-).

American Society for Legal History (1983-).

American Planning Association Amicus Committee (2016-).

Director, EZ Project (1983-2003).

Advisor, *University of Richmond Law Review* (1994-2003).

Member and Government/Legislative Subcommittee Co-Chair, Jewish Community Relations Committee, Jewish Community Federation of Richmond (1997-2003).

Jewish Community Federation of Richmond, Board of Directors (2002-2003). President's Award (2003).

Outstanding Faculty Awards Selection Committee, State Council of Higher Education for Virginia (2001).

Virginia History and Social Science Standards of Learning Review Committee (2000).

Keneseth Beth Israel Congregation; President (1998-2000); Vice-President (1996-1998).

Task Force for Recodification of *Virginia Code* Title 15.1 (Local Government) (1994-1995).

Commentator, Central and East European Law Initiative (American Bar Association) (1992-1994).

Welfare Reform Subcommittee, Lieutenant Governor's Commission to Stimulate Personal Initiative to Overcome Poverty (1992-93).

Land Policy Roundtable, Lincoln Institute of Land Policy (1988-91).

Advisory Committee, Illinois Tax Foundation Enterprise Zone Study (1988-91).

Consultant on state enterprise zone programs, United States Department of Housing and Urban Development (1985-1986).