



**PACE LAW SCHOOL**  
P A C E U N I V E R S I T Y

**ANN POWERS**  
**ASSOCIATE PROFESSOR OF LAW**  
**CENTER FOR ENVIRONMENTAL LEGAL STUDIES**

**78 NORTH BROADWAY**  
**WHITE PLAINS, NY 10603**  
**TELEPHONE: +1 (914) 422-4232**  
**FACSIMILE: +1 (914) 422-4261**  
[APOWERS@LAW.PACE.EDU](mailto:APOWERS@LAW.PACE.EDU)  
[HTTP://WWW.LAW.PACE.EDU](http://WWW.LAW.PACE.EDU)

1995 **PACE UNIVERSITY SCHOOL OF LAW**  
*present* **CENTER FOR ENVIRONMENTAL LEGAL STUDIES**  
*Associate Professor of Law*

Full-time faculty member teaching a range of subjects including the law of oceans & coasts, international environmental law, UN diplomacy and water quality. Her scholarship includes emerging ocean issues and water pollution trading programs, among other subjects. Professor Powers' recent work has focused particularly on ocean and international issues, and she has worked with United Nations Environment Program projects and the World Conservation Union's (IUCN) Commission on Environmental Law and its Law Academy. She chairs the Land-based Pollution Subcommittee of the Commission's Oceans, Coasts & Coral Reefs Specialist Group. Professor-in-Residence, Pace London Law Program, Spring 2004 & 2010. Advisor to the National Environmental Law Moot Court Competition and Pace Environmental Law Review. Director, Pace Environmental Litigation Clinic.

1984-95 **CHESAPEAKE BAY FOUNDATION**  
*Vice President and General Counsel*

As General Counsel was responsible for all legal matters, both environmental and corporate. Assisted in administering operation of non-profit conservation organization with staff of 120 and annual budget of \$7 million. Formulated policy and plans for the Foundation and worked closely with program staff on particular projects, including litigation and legislation. Testified at congressional hearings and before state legislative panels. Worked frequently with representatives of governmental and non-governmental organizations and the private sector, both from U.S. and other countries, on legal and policy issues of mutual concern in watershed and resource management.

1975-84 **U.S. DEPARTMENT OF JUSTICE**  
*Trial Attorney, Land and Natural Resources Division 1979-84*  
*Assistant U.S. Attorney for the District of Columbia 1975-79*

As senior trial attorney in environmental office, supervised and coordinated work of Justice and EPA attorneys and technical support staff in complex legal proceedings under environmental statutes, including Clean Water Act, RCRA, CERCLA. Handled legislative issues of concern to the Department, including parks and public lands, wetlands, coastal protection and historic preservation. As Assistant U.S. Attorney, litigated criminal cases in U.S. District Court and Superior Court of D.C. Briefed and argued civil and criminal appeals before D.C. Circuit and D.C. Court of Appeals.

1974-75 **LAW CLERK, HONORABLE THOMAS A. FLANNERY, US DISTRICT JUDGE**  
U.S. District Court for the District of Columbia

1967-72 **STAFF ASSISTANT/CONSUMER POLICY SPECIALIST**  
U.S. Department of Health, Education and Welfare

Developed and taught innovative program for low-income consumers, including inner city residents, migrants and the elderly.

### EDUCATION

Georgetown University Law Center, JD 1974  
Georgetown Law Journal, Administrative Editor/Executive Board  
Indiana University, BA 1967  
Université de Strasbourg, Diplôme d'Etudes Françaises 1966

### BAR AND COURT ADMISSIONS

District of Columbia 1975; Maryland 1986; New York 1997  
U.S. Supreme Court; U.S. Courts of Appeals for the 4th, 5th and D.C. Circuits; U.S. Claims Court; U.S. District Courts for D.C. and Maryland (Trial Bar); D.C. Court of Appeals

### PUBLICATIONS

#### Books

JEFFREY MILLER, ANN POWERS, NANCY LONG, INTRODUCTION TO ENVIRONMENTAL LAW: CASES AND MATERIALS ON WATER POLLUTION CONTROL (Environmental Law Inst. 2008)

#### Chapters

*Climate Change and Pollution: Addressing Intersecting Threats to Oceans, Coasts and Small Island Developing States* in *THE FUTURE OF INTERNATIONAL ENVIRONMENTAL LAW* (David Leary and Balakrishna Pisupati eds.) (United Nations University Press 2010)  
Ann Powers and Odin Smith, *Emerging Ocean Issues*, in *OCEAN AND COASTAL LAW AND POLICY* (Donald C. Bauer et al. eds.) (American Bar Association 2008)  
*Protecting Our Waters and Watersheds: The United States' Experience*, in *DIREITO, ÀGUA E VIDA: LAW, WATER AND THE WEB OF LIFE* 41 (Antonio Herman Benjamin ed., 2003)  
*Law and Pollution*, in *REVISTA: DA ESCOLA DA MAGISTRATURA DO ESTADO DE RONDÔNIA* 197 (2002) (publication of the Judicial Center of the State of Rondônia, Brazil)

#### Law Review Articles

David VanderZwaag & Ann Powers, *The Protection of the Marine Environment from Land-based Pollution and Activities: Gauging the Tides of Global & Regional Governance*, 23 INT'L J. MARINE & COAST. L. 423 (2008)  
*The Connecticut Nitrogen Exchange Program*, 14 PENN ST. ENVTL. L. REV. 195 (2006)  
*The Current Controversy Regarding TMDLs: Contemporary Perspectives "TMDLs And Pollutant Trading,"* 4 VT. J. ENVTL. LAW 1 (2003), at <http://www.vje.org/articles/Powers.html>  
*Justice Denied? The Adjudication of Extradition Applications*, 37 TEXAS INT'L L. J. 277 (2002)  
*Gwaltney of Smithfield Revisited*, 23 WM. & MARY ENVTL. L. & POLICY REV. 557 (1999)  
*Reducing Nitrogen Pollution on Long Island Sound: Is There a Place for Pollutant Trading?*, 23 COLUM. J. ENVTL. L. 137 (1998), available at <http://www.law.pace.edu/environment/env-publications.html>

#### Other Publications

Environmental Policy & Law Journal, rapporteur for UN meetings, including Law of the Sea and Commission on Sustainable Development (2010-present)  
*Farming the Ocean*, Natural Resources & Environment Journal, ABA Section of Environment, Energy, and Resources 45 (Fall 2007) (selected by ABA General Practice, Solo and Small Firm Division as one of best articles published by ABA, and republished in condensed version, GPSolo 32 (March 2008))  
*Federal Water Pollution Control Act (1948)*, in MAJOR ACTS OF CONGRESS, McMillan Reference USA (2004)

Ann Powers et al., *Environmental Citizen Suits at Thirtysomething: A Celebration and Summit*, 33 ENVTL. L. REP. 10721, 10729 (2003) (conference remarks)

David R. Wooley & Ann Powers, *1997 Air Quality Standards: It's Not Over Yet*, THE ENVIRONMENTAL MANAGER'S ADVISOR, Oct. 20, 1997, at 3

Ann Powers & Eric S. Andreas, *Long Island Sound: A Bibliography of Legal and Related Materials*, 14 PACE ENVTL. L. REV. 447 (1997)

*Environmental Citizen Suits*, in UNDERSTANDING THE CLEAN WATER ACT, Video for Lawyers Study Materials (A.L.I.-A.B.A. 1995)

*Common Ground May Be Bad For The Environment*, in The Forum: Is There Common Ground?, ENVTL. L. FORUM, July/Aug. 1995, at 44

*Keep Government Participatory*, in The Forum: Lessons Worth Learning, ENVTL. L. FORUM, Nov./Dec. 1994, at 67

*Environmental Law is Alive and Well Outside of the Beltway*, in A GUIDE TO ENVIRONMENTAL LAW IN WASHINGTON 198 (Envtl. L. Inst. 1990)

*What Would You Do If You Were Running EPA?*, 18 ENVTL. L. REP. 10243 (Envtl. L. Inst. 1988)

*Citizen Suit Outline*, in THE CLEAN WATER ACT, Litigation and Admin. Practice Series (Practicing Law Inst. 1987)

*A Layman's Guide to the Takings Issue*, in WETLANDS OF THE CHESAPEAKE: CONFERENCE PROCEEDINGS (Envtl. L. Inst. 1985)

*A Citizen's View of Gwaltney*, 18 ENVTL. L. REP. 10119 (Envtl. L. Inst. 1988)

### **PROFESSIONAL ACTIVITIES**

American Bar Association, Standing Committee on Environmental Law/Task Force, 2008-present

The World Conservation Union (IUCN), Commission on Environmental Law, 1997-present; Oceans, Coasts & Coral Reefs Specialist Group, Land-based Pollution Subcommittee, Chair 2006-present

UN Meeting of the State Parties and the Consultative Process on Oceans & the Law of the Sea 11, International Council of International Law representative, 2010

UN Consultative Process on Oceans & the Law of the Sea 8 & 9, International Union for the Conservation of Nature delegate 2007& 2008

Institute for Sustainable Development and International Relations, International Seminar, Towards a New Governance of High Seas Biodiversity, participant, Principality of Monaco, 2008

United Nations Environment Program, Advisory Group on Access to Justice in Environmental Matters, Geneva, 2007

Workshop on High Seas Governance for the 21<sup>st</sup> Century, co-organizer of international conference on policy and regulatory options to improve oceans governance, New York, 2007

Fifth Global Forum on Oceans, Coasts, and Islands: *Ensuring Survival, Preserving Life, and Improving Governance*, participant, UNESCO, Paris 2010

Third Global Forum on Oceans, Coasts, and Islands: *Moving the Global Oceans Agenda Forward*, participant, UNESCO, Paris 2006

Land Use & Environmental Law Review, first level reviewer for annual selection of ten best articles in environmental and land use law, 2000-present

Pace Environmental Litigation Clinic, Director, 1996-present

Advisory Board, *The Environmental Forum: The Policy Journal of the Environmental Law Institute*, 1994-present

National Research Council, Board on Environmental Studies and Toxicology, 2000-2003

The Coast Alliance, Director, 2000-2004

Save the Sound, Director, 1997-2003

Environmental Law Institute, Director, 1988-2000; Secretary-Treasurer, 1990-93

Hudson River Sloop Clearwater, Director, 1995-1997

National Advisory Council for Environmental Policy and Technology, Implementation Tools Committee, 1994-95; Superfund Committee, 1993-94

Institute for Conservation Leadership, Director, 1994

Water Quality 2000, Steering Committee, 1990-94

Growth Management Institute, Director, 1992-93

American Bar Association, Section on Natural Resources Law, Water Quality Comm., Vice-Chair, 1987-88

American Planning Association, Planning and Law Division, Treasurer, 1982-84

**SELECTED LECTURES/PRESENTATIONS/PANELS**

- Old Laws, New Problems: Evolving Strategies for Water Quality*, presenter, Yale Law School, New Directions in Environmental Law, [Re]claiming Accountability 2011
- Coastal and Ocean Resources: Protection for the Most Vulnerable States*, presenter, 9<sup>th</sup> Worldwide Colloquium of the IUCN Academy of Environmental Law; chair, Governance and Water Management: Water and Ownership (property) Issues panel, South Africa 2011
- Rising Waters Don't Float All Boats: Preserving Marine Rights*, presenter, Threatened Island Nations Conference: Legal Implications of Rising Seas and a Changing Climate, Columbia Law School 2011
- Integrating Traditional Law School Courses and Employing Practical Methods*, presenter, Society of American Law Teachers Annual Conference, University of Hawaii 2010
- Land, Water and Climate: The Threats to Small Island and Most Vulnerable States*, presenter, International Conference on Protection of the Coastal and Marine Environment, Universidade Lusiana de Lisboa, Portugal 2009
- Land Based Sources of Ocean Pollution: Impacting the Most Vulnerable People in the Most Vulnerable Places*, presenter, 6<sup>th</sup> Worldwide Colloquium of the IUCN Academy of Environmental Law, Mexico City 2008
- The Protection of the Marine Environment from Land-based Activities: Gauging the Tides of Global and Regional Governance*, co-presenter, IUCN 4<sup>th</sup> World Conservation Congress, Barcelona 2008
- Current Issues in Ocean Resource Management and Governance: A Roundtable Discussion*, Roundtable Moderator, 10th Annual Professors' Workshop, National Environmental Law Moot Court Competition 2008
- Symposium, *The Bay in Crisis: Saving the Chesapeake, Citizens' Perspectives on Protecting the Bay*, Moderator, University of Baltimore School of Law 2007
- Mariculture and the Environment: Food for Thought*, 5<sup>th</sup> Worldwide Colloquium of the IUCN Academy of Environmental Law, Brazil 2007
- Overview of Coastal & Ocean Issues*, III CONGRESSO INTERNACIONAL DE DIREITO DO AMBIENTE DA PROCURADORIA GERAL DO MUNICIPIO DO RIO DE JANEIRO, May 2006
- Zero Discharge Initiatives - Chesapeake Bay & California*, THE HUDSON RIVER: ACHIEVING ZERO DISCHARGE, Pace Academy for the Environment & Center for Environmental Legal Studies at Pace Law School, September 2005
- Coastal Zone Management in the United States*, SEMINARIO DE DIREITO AMBIENTAL COMPARADO, sponsored by the Attorney General of the City of Rio de Janeiro, Brazil, May 2005
- Programs to Protect United States' Waters and Watersheds: Lessons Learned*, Guest Lecture, Baku State University, Baku, Azerbaijan, April 2005
- The Connecticut Nitrogen Exchange Program*, FIFTH GODDARD FORUM, PUTTING THE MARKET TO WORK FOR CONSERVATION: AN IN-DEPTH EXAMINATION OF TRADITIONAL AND NONTRADITIONAL MARKET-BASED MECHANISMS FOR ACHIEVING ENVIRONMENTAL IMPROVEMENT, Pennsylvania State University, April 2005
- Protecting Our Waters and Watersheds: The United States' Experience*, LAW, WATER AND THE WEB OF LIFE, 7<sup>th</sup> International Conference on Environmental Law, Sao Paulo, Brazil, May 2003
- Keynote Speaker, *Legal Protection of Waters*, SEMINAR ON THE ENVIRONMENT AND CIVILIZATION: A NEW SOCIAL CONTRACT, Judicial Institute of the State of Rio de Janeiro, May 2003
- Water and Air Pollution Control in the USA*, SEMINARIO DE DIREITO AMBIENTAL COMPARADO, sponsored by the Attorney General of the City of Rio de Janeiro, May 2003
- Transparency In Government: The United States Experience*, ENVIRONMENTAL LAW WITHIN THE CONTEXT OF SUSTAINABLE DEVELOPMENT, United Nations Commission on Sustainable Development, Eleventh Session, The Learning Center, UNITAR & Pace University School of Law, May 2003
- Bedrock Litigation in Environmental Citizen Suit Law: Chesapeake Bay Found. v. Gwaltney of Smithfield, Ltd.*, ENVIRONMENTAL CITIZEN SUITS AT THIRTYSOMETHING: A CELEBRATION & SUMMIT, Widener University School of Law, April 2003
- Protecting Water Resources In The United States*, FIFTH INTERNATIONAL ENVIRONMENTAL LAW SEMINAR, Ecolegis & Pace University School of Law, Sao Luis, Maranhao, Brazil, December 2002
- Water Pollution Control In The United States*, FOURTH INTERNATIONAL ENVIRONMENTAL LAW SEMINAR, Ecolegis & Pace University School of Law, Joao Pessao, Paraiba, Brazil, June 2002
- Keynote Speaker, *TMDLs and Pollutant Trading*, THE CURRENT CONTROVERSY REGARDING TMDLS: CONTEMPORARY PERSPECTIVES, Spring Symposium, Vermont Law School, 2002

*WATER POLLUTION CONTROL IN THE UNITED STATES*, THIRD INTERNATIONAL ENVIRONMENTAL LAW SEMINAR, Bar Association of Amazonas, Bar Association of Rondonia, Ecolegis & Pace University School of Law, Manaus, Brazil, June 2001

*Law And Pollution*, ENVIRONMENTAL LAW SEMINAR FOR BRAZILIAN JUDGES, Pace University School of Law, Tribunal de Justica de Rondonia, IUCN Commission on Environmental Law & United Nations Environment Programme, Rondonia, Brazil, September 2000

*Trading Concepts: Benefits & Challenges*, NUTRIENT TRADING WORKSHOP, The Chesapeake Bay Program & CBP Scientific & Technical Advisory Committee, Washington, DC, 1998

*Spotlight on Wetlands*, ABA-SONREEL, NYC Metropolitan Area Network, Environmental Law Committee of the Association for the Bar of the City of NY, & USEPA Region II, 1998

*Information Disclosure, Environmental Assessment and Public Accountability: How Non-Governmental Organizations Affect Environmental Law and Policy in the United States*, CONFERENCE ON THE ROLE OF GOVERNMENT, BUSINESS AND NGOS IN SUSTAINABLE DEVELOPMENT: THE IMPORTANCE OF OPENNESS AND COOPERATION, SHONAN KOKUSAIMURA SEMINAR, Kanagawa Foundation for Academic & Cultural Exchange/Tokyo American Center, Shonan Center, Kanagawa Prefecture & Tokyo, Japan, 1997

*U.S. Environmental Impact Assessment and Sustainable Growth*, Kyoto City International House, Fukuoka, Japan; Fukuoka American Center, Fukuoka, Japan, 1997

*Federal Agricultural Improvement and Reform Act [FAIR] and State Programs: Wetlands Directions in Agriculture and States*, ALI-ABA/ENVIRONMENTAL LAW INSTITUTE, ANNUAL ADVANCED COURSE OF STUDY, WETLANDS LAW AND REGULATION, Washington, DC, 1997

*Wetlands Banking and Other Market-Based Incentives for Water Pollution Control*, ABA-SONREEL, 26<sup>TH</sup> ANNUAL CONFERENCE ON ENVIRONMENTAL LAW, Keystone, CO, 1997

*Methods of Managing Inter-Jurisdictional Problems*, George Mason University, Environmental Science and Public Policy Program, Conflict Resolution Seminar, 1995

Keynote Speaker, *Building Consensus on Environmental Issues*, Indiana Governor's Conference on the Environment, 1994