

Craig N. Johnston
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Professional Experience:

Professor of Law, Lewis and Clark Law School (1991 to present, promoted to full professor in 1999). Tenured professor specializing in environmental law. Winner of the Leo Levenson Award (awarded to the best professor in the view of the graduating class). Classes taught include environmental law, hazardous waste law, the Clean Water Act, environmental enforcement, torts, administrative law, wetlands law, and the Supreme Court and the environment. Coach of the environmental law moot court team, which has won the Pace Environmental Moot Court Competition seven times, and qualified for the finals (top three out of approximately 72 teams) five other times, all in the last 17 years.

Founder and Director, Pacific Environmental Advocacy Center (1996-2001) (advisor and part-time litigant since then). Major cases included *Northwest Environmental Advocates v. City of Portland* (forcing Portland address its combined sewer overflows) and *Northwest Environmental Advocates v. U.S. EPA* (compelling EPA to address ballast water discharges under the Clean Water Act). Wrote an amicus brief that became a substantial basis for the Supreme Court's opinion in *United States v. Atlantic Research*.

Of Counsel, Perkins Coie, Portland, Oregon (1993 to 1996). Provided advice regarding advanced environmental issues on a part-time basis.

Associate, Perkins Coie, Portland, Oregon (1988 to 1991). Started the environmental practice group in the Portland office of the largest law firm in the Northwest.

Assistant Regional Counsel, United States Environmental Protection Agency, Region I, Boston, Massachusetts (1985 to 1988). Worked on enforcement matters under both the Resource Conservation and Recovery Act ("RCRA") and the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"). Leader of a team that negotiated one of the most influential CERCLA settlements in the nation (*U.S. v. Cannons Engineering*).

Education:

Lewis and Clark Law School, Portland, Oregon, J.D., *Magna Cum Laude*, 1985

Harvard Law School, visiting scholar, 1985

University of Rochester, B.A., 1978, English Literature

Related Experience:

Instructor, Federal Judicial Training Center Programs at Lewis and Clark Law School (1992 to present). Developing and presenting materials in an environmental training course for federal judges. Lead instructor in teaching pollution law materials to between 20 and 50 Article III judges each year.

Expert Witness Services (1998-present). I have been an expert witness in at least ten environmental cases, mostly involving CERCLA cases.

Arbitration (1999). I arbitrated a Clean Water Act case that an environmental group had filed against the City of Vancouver, Washington.

Professional and Civic Activities:

Admitted to the Practice of Law in Oregon and Massachusetts (inactive in Massachusetts, in the process of reactivating in Oregon)

Member, American Law Institute

Chairperson, Oregon Department of Environmental Quality Water Quality Advisory Committee (1993 to 1998)

Chairperson, Oregon Department of Environmental Quality Enforcement Advisory Committee (1992)

Member, Oregon Department of Environmental Quality Advisory Committee on Cleanup Standards (1991 to 1992)

Board Member, Friends of Tryon Creek (1996 to 2007; board chair from 2000 to 2003).

Books, Articles and Speeches:

Books include:

Johnston, Funk and Flatt, *Legal Protection of the Environment*, 3d ed. (Thompson/West Publishing Co.) (2010).

Miller and Johnston, *The Law of Hazardous Waste Disposal and Remediation*, 2d ed. (Thompson/West Publishing Co.) (2005).

Johnston and Powers, *A Concise Hornbook of Environmental Law* (Thompson/West Publishing Co.) (forthcoming, 2010).

Articles include:

United States v. Atlantic Research Corp.: The Supreme Court Restores Voluntary Cleanups Under CERCLA, 22 J. Envtl. L. & Litig. 313, 325 (2007).

Brief for Natural Resources Defense Council as Amici Curiae Supporting Respondent, U.S. v. Atlantic Research Corp., 37 Envtl. Law 411 (2007).

Salmon and Water Temperature: Taking Endangered Species Seriously in Establishing Water Quality Standards, 33 Envtl. Law 151 (2003).

Standing and Mootness after Laidlaw, 30 Envtl. L. Rep. 10317 (May 2000).

1999B The Year in Review, 30 Envtl. L. Rep. 10173 (2000).

1998: The Year in Review, 29 Envtl. Law 69 (1999).

Current Landowner Liability Under CERCLA: Restoring the Need for Due Diligence, 9 Fordham Envtl.L.Jnl. 401 (1998).

An Essay on Environmental Audit Privileges: The Right Problem, the Wrong Solution, 25 Envtl. Law 335 (1995)

Who Decides Who's Liable Under CERCLA?: EPA Slips a Bombshell into the CERCLA Reauthorization Process, 24 Envtl. Law 1045 (1994)

Don't Go Near the Water: The Ninth Circuit Undermines Water Quality Enforcement, 24 Envtl. Law 1289 (1994)

Hazardous Waste Law Update: An Outline of the Most Significant Judicial Decisions of 1990, 21 Chemical Waste Litigation Reporter 756 (April 1991)

Numerous speeches, including at the annual conferences of 9th and 10th Circuit judges, at the National Conference of Appellate Judges, and two general training programs for federal judges since 1999.