

Melissa K. Scanlan
Water Law and Policy Scholar
University of Wisconsin Law School
975 Bascom Mall, Madison, WI 53706
mscanlan2@wisc.edu

EDUCATION

University of California, Berkeley

Environmental Science, Policy and Management Program, M.S. May 1999

Boalt Hall School of Law, J.D. May 1999

Honors: Alvin & Sadie Landis Scholarship in Water Law - Class of 1999; Harmon Award for the Best Environmental Law Writing at UC-Berkeley (1999); California Bar Association Public Service Award (1998); Prosser Award in Feminist Theory and Welfare (1997); Charles Tigar Public Interest Award (1996)

The Catholic University of America, Washington, D.C., World Politics, B.A. May 1993

Honors: Phi Beta Kappa, Summa Cum Laude, Honors Comprehensive Exams

The Jagiellonian University, Krakow, Poland, Foreign Studies Program, 1990

EMPLOYMENT

University of Wisconsin Law School, *Water Law and Policy Scholar*, September 2011 - present

Joint appointment at University of Wisconsin – Milwaukee’s School of Freshwater Sciences; engage in interdisciplinary water law and policy research; teach water law; provide institutional bridge between UW Madison Law School and UW Milwaukee’s School of Freshwater Sciences.

Melissa K. Scanlan, LLC, *Principal*, Milwaukee, Wisconsin, July 2010 – present

Created consulting firm focused on teaching, writing, and promoting social enterprises engaged in water policy; *On the Commons Fellow* writing about Wisconsin’s public trust doctrine; represented Lynde B. Uihlein in designing and launching Center for Water Policy at University of Wisconsin-Milwaukee and closed a \$2.6 million gift for this venture.

Marquette University Law School, *Adjunct Professor of Law*, Milwaukee, Wisconsin, Spring Semester 2011

Developed and taught course on water pollution and restoration focused on the Clean Water Act.

Midwest Environmental Advocates, *Founder & Executive Director*, Madison, Wisconsin, September 1999 –

September 2007, *Senior Counsel*, Milwaukee, Wisconsin, September 2007 – June 2010

Founded and directed all aspects of Wisconsin’s first public interest environmental law center; Experienced in administrative, state and federal court proceedings; Participated in numerous Wisconsin Department of Natural Resources water policy determinations; Provided legal and policy advice to governmental and non-governmental collaborative of the Southeastern Wisconsin Watersheds Trust, focused on restoring the waters of the Greater Milwaukee watersheds; Responsible for raising up to \$500,000 per year from private foundations and donors; Established clinical externship program with University of Wisconsin-Madison Law School; Mentored and trained over 50 law students; Experienced in working with scientific and economic experts.

PUBLICATIONS: LAW REVIEWS

Invited symposium publication, “Protecting the Public Trust and Human Rights in the Great Lakes,” *Michigan State Law Review* 1333 (2006)

Scanlan, et al., “Realizing the Promise of the Great Lakes Compact: A Policy Analysis for State

Implementation,” 8 *Vermont Journal of Environmental Law* 39 (2006)

Invited Comment received Harmon Award for best environmental law writing at UC-Berkeley, “The Evolution of the Public Trust Doctrine and the Degradation of Trust Resources: Courts, Trustees and Political Power in Wisconsin,” 27 *Ecology Law Quarterly* 135 (2000)

“The End of Welfare and Constitutional Protections for the Poor: A Case Study of the Wisconsin Works Program and Due Process Rights,” 13 *Berkeley Women’s Law Journal* 153 (May 1998)

PUBLICATIONS: REPORTS

“Protecting Wisconsin’s Water: A Conservation Report and Toolkit,” *Midwest Environmental Advocates* (November 2005) [found at <http://www.midwestadvocates.org>]

“Who is Guarding our Waters? A Report on the Wisconsin Department of Natural Resources Enforcement of Water Pollution Laws,” *Midwest Environmental Advocates* (2002) [found at <http://www.midwestadvocates.org/media/publications/dnrwaters/index.html>]

“Being Heard: A Citizen’s Guide to DNR Hearings,” *Midwest Environmental Advocates* (2001) [found at <http://www.midwestadvocates.org/media/publications/dnrguide/index.html>.]

“The Milking of the Public: Wisconsin’s Cost Share Program for Farm Pollution,” *Midwest Environmental Advocates* (2000) [found at <http://www.midwestadvocates.org/media/publications/Report.pdf>.]

PUBLICATIONS: OP-EDS

“Op-Ed: [Implement Phosphorus Rules](#),” *Milwaukee Journal*, (June 13, 2011)

“Op-Ed: [Which Standards Apply?](#)” *Milwaukee Journal*, (November 20, 2010)

“Op-Ed: Stop Exporting Wisconsin Water,” *Wisconsin State Journal*, (July 27, 2006)

“Op-Ed: Tribe’s Efforts to Protect Reservation Waters Benefit Us All,” *Milwaukee Journal Sentinel* (February 12, 2006)

“Op-Ed: We Must Protect Great Lakes Water,” *Wisconsin State Journal* (August 13, 2005)

“Op-Ed: Spill Into Restored Trout River Shows Need for New Manure Spreading Rule,” *The Capital Times* (March 10, 2005)

“Op-Ed: Public Pays, Pollution Stays,” *Wisconsin State Journal* (December 17, 2004)

“Op-Ed: Growers: A Right to Pollute?” *Wisconsin State Journal* (August 14, 2004)

“Op-Ed: Let DNR Protect Lakes, Rivers,” *Wisconsin State Journal* (June 29, 2004)

“Op-Ed: Why Risk Our Environment to Rush Development?” *The Milwaukee Journal Sentinel* (October 18, 2003)

“Op-Ed: Nix Automatic DNR Permit OK,” *Capital Times* (October 13, 2003)

“Op-Ed: State Legislators’ Approval of Automatic Permits Harms Wisconsin’s Quality of Life,” *Door County Compass* (October 8, 2003)

SELECT ACADEMIC LECTURING

- ❖ University of Wisconsin-Milwaukee School of Continuing Education, September 23, 2010, and June 16, 2011, Lead Instructor for Course on Water Law for Sustainable Management, Lecturer on “History of Water Law in the U.S.”
- ❖ Edgewood College, August 11, 2010, Course on Sustainable Development Leadership, Guest Lecturer on “Social Equity and the Environmental Justice Movement”
- ❖ University of Minnesota, School of Law, February 1, 2010, Course on Environmental Law Capstone: Brownfields Redevelopment and Litigation, Guest Lecturer on “Environmental Justice Issues and Milwaukee’s 30th Street Industrial Corridor Case Study”
- ❖ Midwest Environmental Advocates, October 9, 2010, Taught CLE on “Global Water Scarcity and Privatization of Water”
- ❖ Southeastern Wisconsin Watersheds Trust, May 18, 2009, Moderated CLE on “Water Quality Trading: Overview of Issues and Perspectives Impacting Stakeholders”
- ❖ University of Wisconsin-Madison Law School and Midwest Environmental Advocates Environmental Law Seminar, each semester 2008-present, Lecturer on “Intersection of Law and Environmental Justice: Lawyering Skills in Practice”
- ❖ Clement Manor Continuing Education, October 1, 2008, Lecturer on “Value of the Great Lakes and Great Lakes Compact”
- ❖ Marquette University Law School, September 11, 2008, Course on Law and Social Change, Guest Lecturer on “Lobbying and Community Organizing for Social Change”
- ❖ University of Wisconsin-Milwaukee, Center for 21st Century Studies, December 2007, Panelist for symposium “From Magna Carta to the Sky Trust: The Historical Arc of the Commons”
- ❖ Michigan State University College of Law & Institute for Trade in the America’s Conference on The Great Lakes Water Basin: International Law and Policy Crossroads, Chicago, IL, December 2, 2006, Panelist on “Rights of Indigenous Peoples and International Human Rights”
- ❖ University of Toledo, College of Law, Toledo, Ohio, November 18, 2005, Taught CLE on “Update on the Annex: Access to Great Lakes Water Under the Proposed 2001 Agreements”
- ❖ University of Wisconsin-Madison, Gaylord Nelson Institute for Environmental Studies, Course on Green Politics, September 28, 2005, Guest Lecturer on “Environmental Theory and Practice: Oil and Water?”
- ❖ University of Wisconsin-Madison, Gaylord Nelson Institute for Environmental Studies, April 2005, Guest Lecturer on “Applying Environmental Studies to the Real World”
- ❖ University of Wisconsin-Madison, Gaylord Nelson Institute for Environmental Studies Course on Conservation Leadership Skills Development, January 19, 2005, Guest Lecturer on “Starting a Non-profit”
- ❖ Arrowhead Lecture Series, University of Wisconsin-Madison, October 6, 2004, Lecturer on “The State of Wisconsin’s Public Trust Doctrine and the Job Creation Act”
- ❖ Annual Seminar on Municipal Government Administration for the Xuhui District People’s Government Shanghai, Madison, Wisconsin, September 29, 2004, Guest Lecturer on “Using the Clean Water Act to Protect Your Watershed”

- ❖ University of Wisconsin-Madison, Gaylord Nelson Institute for Environmental Studies Course on Green Politics, June 2004, Guest Lecturer on “Green Politics in Wisconsin”
- ❖ Lawrence University’s Environmental Law Course, March 12, 2004, Guest Lecturer on “Career Opportunities in Public Interest Environmental Law”
- ❖ Land, Air, Water Annual Public Interest Environmental Law Conference, University of Oregon, School of Law, March 5, 2004 and March 7, 2002, Taught CLE on “How to Start and Run a Public Interest Law Firm”
- ❖ University of Wisconsin–Madison, Water Law and Policy Conference, May 28, 2003, Taught CLE on “New Directions in Groundwater Management”
- ❖ 2003 Water Symposium, University of Wisconsin–Stevens Point, April 22, 2003, Lecturer on “Current Issues in Water Policy”
- ❖ Lawrence University Environmental Law Course, January 27, 2003, Guest Lecturer on “Using the Clean Water Act to Protect Your Watershed”
- ❖ 14th Annual Environmental Law Update of the State Bar of Wisconsin, December 11, 2002, and March 4, 2003, Taught CLE on “Water Privatization: The Reach of the Public Trust Doctrine”
- ❖ Waters of Wisconsin Forum, October 22, 2002, Taught CLE on “Access to Wisconsin Water: The Public Trust Doctrine – Past, Present, and Future”
- ❖ University of Wisconsin–Madison, Business School course on The Greening of Business Strategy, March 11, 2002, Guest Lecturer on “An Environmentalist’s View of Sustainability”
- ❖ University of Wisconsin–Madison, Lecture Series on Groundwater Management in Wisconsin, November 15, 2002, Lecturer on “Groundwater in Wisconsin: Whom Should the Public Trust?”
- ❖ Wisconsin Water Law and Policy Conference, May 2001, Taught CLE on “The Public Trust Doctrine”
- ❖ University of Wisconsin-Stevens Point, December 2000, Guest Lecturer on “Agricultural Pollution from Factory Farms”

OTHER PUBLIC SPEAKING

- ❖ Milwaukee Turners and 4th Street Forum, May 14, 2009, Panelist on “Stimulating Wisconsin’s Green Economy”
- ❖ Wisconsin Water Table, February 26, 2008, Lecturer on “Watershed Permits Under the Clean Water Act: an Overview of Case Studies and Policy Considerations”
- ❖ Unitarian Universalist Church, Brookfield, Wisconsin, January 25, 2008, Presented on “Global Water Scarcity and Privatization” following showing of movie *Thirst*
- ❖ Milwaukee Turners and 4th Street Forum, March 23, 2006, Panelist on “Who Owns Lake Michigan Water?”
- ❖ Women Leaders in Environmental Issues Symposium, University of Wisconsin-Stevens Point, October 6, 2005, Featured Speaker on “The Midwest Environmental Advocates Model of Environmental Lawyering”
- ❖ Rural Women: Voice and Spirit Art Event Opening, Dodgeville, Wisconsin, August 13, 2005, Presented on “Using the Law to Support Sustainable Agriculture”
- ❖ Sinsinawa Dominican Sisters’ Faith and Resistance Working Circle and Ecology Committee Meeting,

Madison, Wisconsin, April 29, 2005, Presented on “Global Water Privatization”

- ❖ Earth Charter Community Summit, University of Wisconsin - Oshkosh, October 5, 2004, Lecturer on “Who ‘Owns’ the Water?”
- ❖ Fighting Bob Fest, Baraboo, Wisconsin, September 18, 2004, Panelist with State Rep. Spencer Black on “Environment at Risk”
- ❖ Great Lakes Region of the Native American Fish and Wildlife Society Conference, Lac du Flambeau, Wisconsin, September 16, 2004, Keynote Address on “Native and Non-native Conservation Collaborations”
- ❖ Zonta International, Madison, Wisconsin, May 19, 2004, Presented on “Emerging Issues for Wisconsin’s Environment and Options for Local Action”
- ❖ Wingspread Conference on *The Commons, the Public Trust, and the Precautionary Principle*, Racine, Wisconsin, May 15, 2004, Presented on “The Legal Response to the Commons, Public Trust, and Precautionary Principle: Water Privatization”
- ❖ Wisconsin Association of Lakes Annual Convention, Green Bay, Wisconsin, April 15, 2004, Led workshop on “The Clean Water Act: Tools for Citizen Involvement”
- ❖ Wisconsin Environmental Law Advocates Annual Reception, Madison, Wisconsin, March 13, 2004, Panel on “Careers in Public Interest Environmental Law”
- ❖ Trout Unlimited Workshop, Waupaca, Wisconsin, February 28, 2004, Led workshop on “The Clean Water Act: Tools for Citizen Involvement”
- ❖ Wisconsin Stewardship Network Annual Conference, Stevens Point, Wisconsin, February 6, 2004, Keynote Panelist on “Threats of Deregulation”
- ❖ Friends of Milwaukee’s Rivers Workshop, Milwaukee, Wisconsin, November 4, 2003, Led workshop on “The Clean Water Act: Tools for Citizen Involvement”
- ❖ Milwaukee Turners and 4th Street Forum, May 1, 2003, Panelist on “Wisconsin Water Conflicts, Crisis and Solutions”
- ❖ Door County Property Owners’ Annual Meeting, Egg Harbor, Wisconsin, September 27, 2003, Presented on “How the Public Trust Doctrine Impacts Property Owners”
- ❖ Fighting Bob Fest, Baraboo, Wisconsin, September 6, 2003, Led workshop on “Community Organizing to Protect our Local Environments”
- ❖ 25th Annual Wisconsin Lakes Convention, April 10, 2003, Presented on “A Primer on Wisconsin Water Law”
- ❖ Wisconsin Stewardship Network Annual Conference, February 15, 2003, Keynote Panelist on “Preventing Water Pollution: Commenting on Wisconsin Pollutant Discharge Elimination System Permits”
- ❖ League of Women Voters, February 5, 2003, Presented on “Suggested Water Policy and Budget Focus for Women Voters”
- ❖ Rivers 2002: A Watershed Event, November 9, 2002, Presented on “Using the Clean Water Act to Protect Your Watershed – Wisconsin Examples”
- ❖ Lower Northside and Depot Neighbors Community Forum, July 24, 2002, Presented on “Community

Informational Meeting on Xcel's French Island Incinerator and Its Effects on the Community"

- ❖ Wisconsin Water Summit, Madison, Wisconsin, May 13, 2002, Presented on "Legal Issues for Wisconsin's Waters"
- ❖ Wisconsin Stewardship Network Conference, Stevens Point, Wisconsin, January 26, 2002, Led workshop on "Effective Use of Wisconsin's Open Records and Open Meetings Laws to Protect the Environment"
- ❖ First Unitarian Society of Milwaukee, November 11, 2002, Presented on "Threats to Natural Resources in Wisconsin"
- ❖ Madison Christian Community, Madison, Wisconsin, October 21, 2002, Presented "Realities and Challenges of Environmental Justice"
- ❖ Wisconsin Stewardship Network Conference, January 2001, Keynote Panel Speaker on water law, the public trust doctrine, and groundwater withdrawals
- ❖ National Association of Public Interest Lawyers October 2000, Public Interest Law Conference, Speaker on "The World of Fellowships"
- ❖ Plato Society, October 2000, Speaker on pollution subsidies for agriculture and the fleecing of Wisconsin's taxpayers

SELECT MEDIA APPEARANCES

- ❖ Fox 6 News, May 29, 2010, featured in Justin Williams, "Community Garden in Milwaukee Brings Neighbors Together" <http://www.fox6now.com/videobeta/8271200e-9fc5-40ba-8a12-7236207730c3/Community/Community-Garden-in-Milwaukee-brings-neighbors-together>
- ❖ Circle of Blue, February 9, 2010, quoted in Steve Kellman, "Liquid Assets: Tide Turns Against Privatization of City Water Systems"
- ❖ Milwaukee Journal Sentinel, May 29, 2009, quoted in Larry Sandler, "Milwaukee Aldermen Halt Study of Privatizing Water Utility"
- ❖ Milwaukee Journal Sentinel, May 25, 2009, quoted in Dan Egan and Larry Sandler, "Can Water Keep City Budget Afloat?"
- ❖ Wisconsin Radio Network, January 14, 2009, quoted in Andrew Beckett, "A Push for Green Stimulus Projects"
- ❖ Chicago Tribune, January 13, 2009, quoted in Scott Bauer "Coalition Pushes Green Technology in Stimulus"
- ❖ GO: Air Tran Airways Inflight Magazine, February 2008, featured in Simon Van Booy, "Law of the Land: One Lawyer's Love for the Environment Became a Career in Preservation"
- ❖ Book, 2007, quoted in Alan Snitow, Deborah Kaufman, and Michael Fox, "Thirst"
- ❖ Sierra Magazine, Nov/Dec 2007, featured in Andrew Becker, "Hot Jobs for a Warming Planet"
- ❖ WUWM, Milwaukee Public Radio, October 2, 2007, featured on Lake Effect, "Midwest Environmental Advocates' Environmental Justice Focus in Milwaukee"

- ❖ Capital Times, June 2, 2007, quoted in Robert Imrie, “More Work and Reviews for Former Mine Site”
- ❖ Wisconsin Public Radio, December 14, 2005, guest on Larry Meiller, “Protecting Wisconsin’s Waters”
- ❖ Wisconsin State Journal, July 8, 2001, featured in “Know Your Madisonian: Environmental Crusader Works to Protect Our Natural Resources”

HONORS AND AWARDS

On the Commons Fellow, 2011
 Wisconsin Super Lawyers Rising Star, 2006, 2007, 2008
 Mesa Refuge Writing Fellowship, June 2005
 Environmental Advocate of the Year, *Clean Water Action Council*, 2003
 State of the State High Point, *Clean Wisconsin*, 2000
 National Association of Public Interest Law (now known as Equal Justice Works) Fellowship (1999-2001)
 Echoing Green Fellowship (1999 -2003)

BAR MEMBERSHIPS

State Bar of Wisconsin; U.S. Court of Appeals for the 7th Circuit ; U.S. District Court of the Eastern and Western Districts of Wisconsin

PROFESSIONAL AFFILIATIONS

Environmental Law Section of the Wisconsin Bar Association, *Board Member*, 2010 – present
Midwest Environmental Advocates, *Board Member*, 2010-present
Washington Heights Community Garden, *Co-founder and Lead Organizer*, February 2010- present
Water Council, *Member*, 2009 – present
Echoing Green Foundation, *Fellowship Reviewer*, 2005 – present
Sierra Club National Litigation Committee, *Member*, 2003 – present
River Alliance of Wisconsin, *Board Member*, 2000 – 2006