

**SEEMA KAKADE (she/her/hers)**  
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## **PROFESSIONAL EXPERIENCE**

### **University of Maryland Francis King Carey School of Law, Baltimore, Maryland**

Professor of Law (Tenured) and Director of the Environmental Law Clinic (2017-present)

White House Council on Environmental Quality, Senior Counsel (2023-present)

- **Teaching:** primary teaching in the clinic, an intensive course managing 10-12 students per year as they work on environmental justice legal and policy matters. The Clinic's work covers a wide range of matters related to environmental justice including zoning, energy infrastructure (natural gas), transportation (road/rail), historic preservation, endangered species, urban agriculture, pesticides, and water pollution (coal ash, sewage, groundwater). The Clinic's geographic focus is the Mid-Atlantic area but has also served community level organizations in developing countries, including Guinea and Bosnia. The Clinic won the "Best Student Program" of the year award from the American Bar Association's Section of Environment, Energy, and Resources, in 2018.
- **Academic Research:** areas of scholarly research and writing focus on implementation, compliance, and enforcement of environmental law.
- **Diversity, Equity, Inclusion Service:** active engagement with the law school's environmental law program diversity law scholarship and Asian American Pacific Law Students Association.
- **Consultancy:** judge for worldwide carbon removal competition sponsored by the XPRIIZE Foundation- environmental justice category (multi-year, \$100 mil incentive prize). See <https://www.xprize.org/prizes/elonmusk/articles/bringing-environmental-justice-to-the-forefront-of-carbon-removal-projects>
- **Leave of Absence:** serving as Senior Counsel to White House Council on Environmental Quality, with primary focus on permitting, clean energy infrastructure, global plastics pollution, and environmental justice. See <https://www.law.umaryland.edu/content/articles/name-656148-en.html>

### **United States Environmental Protection Agency, Washington, DC**

Attorney-Advisor, USEPA's Office of Enforcement and Compliance Assurance (2008-2017)

#### **Representative List of USEPA Matters:**

- Worked as EPA staff team lead for two parts of settlement in the Clean Air Act case involving a multi-national corporation, *In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*: the \$2.7 billion nationwide and tribal mitigation requirement and the \$2.0 billion zero emission vehicle investment.
- Managed Clean Air Act New Source Review enforcement cases for the coal-fired power plant sector, including substantial brief writing with the U.S. Department of Justice, preparation of government engineer expert witness for depositions and trial, and ensuring consistency in legal arguments across multiple cases.
- Co-lead vessel marine domestic and international enforcement program under the Act to Prevent Pollution from Ships, in coordination with the United States Coast Guard Office of General Counsel.
- Acted as lead counsel for coordination with National Park Service and National Forest Service on developing environmental restoration projects to repair acidic deposition damage to federal lands and wildlife as a remedy for Clean Air Enforcement cases
- Provided expertise on electricity reliability and energy efficiency in rulemakings such as the Clean Power Plan and utility mercury and air toxic standards.
- Participated in legal aspects of large-scale office records management, including electronic discovery, Freedom of Information Act (FOIA) lawsuits, complying with Confidential Business Information (CBI) regulations, and civil discovery protective orders.

### **United States Department of Energy, Washington D.C.**

Attorney-Advisor, Office of General Counsel-Environmental Law (2005 – 2008)

#### **Representative List of USDOE Matters:**

- Worked as environmental counsel for issuance of Presidential permits required for international Mexico and

Canada cross-border electric transmission lines. Representative example includes compliance under the National Environmental Policy Act, National Historic Preservation Act, and Endangered Species Act for a transmission line across the Montana/Alberta border for proposed use by wind farms.

- Counseled program office on Section 1221 of the 2005 Energy Policy Act, siting of Electric Transmission Facilities, including first National Electric Transmission Congestion Study.
- Negotiated and drafted Memorandum of Understanding with other federal agencies regarding coordination in permitting and siting of electric transmission lines on federal public lands.
- Acted as lead environmental attorney on issue of first impression regarding the Department's use of emergency authority to restart a coal-fired power plant critical for electricity reliability that closed due to Clean Air Act non-compliance, *See Mirant Potomac River: DOE Case OE-05-01*.

**The Environmental Law Institute**, Washington, D.C.

Staff Attorney- International Program and Co-Director of India Program (2003-2005)

- Secured funding for program to develop and deliver two-part course on environmental law and compliance for small- and medium-sized businesses in India.
- Participated in multiple grant writing proposals to US Agency for International Development, the Ford Foundation, General Electric Foundation, and the World Bank.
- Co-developed toolkit on public participation in transboundary pollution and natural resource management decision-making, culminating in co-hosting participant driven workshop in Brazil.

**Arnstein & Lehr** (now Saul Ewing Arnstein & Lehr, LLP), Chicago, IL

Litigation Associate (2002-2003)

- Engaged in extensive civil discovery and deposition preparation for a hazardous waste case in defense of lead shot pellet recreational gun club.
- Represented condominium association members on landscape contract case, including small motions hearings.

**EDUCATION**

Undergraduate

B.S., International Relations and Economics, University of Wisconsin, Madison, WI (1995-1998)

*Elected, Iron Cross Honors Society (1998)*

Juris Doctorate

J.D., George Washington University School of Law, Washington, DC (1999 – 2002)

*Admitted to Maryland Bar*

**MEMBERSHIPS**

- American College of Environmental Law, Fellow (elected 2019)
- Environmental Defense Fund, Litigation Advisory Committee
- Chesapeake Legal Alliance, Board Member
- Greenfield Environmental Trust Implementing the Multistate Trust for the Kerr-McGee/Tronox Bankruptcy Settlement, Environmental Justice Board Member
- Environmental Protection Network of USEPA Alumni, Member
- The Environmental Law Institute, Environmental Justice Advisory Council
- Center for Transnational Environmental Accountability, Board Member
- NYU School of Law-State Impact Center, Advisory Council Member
- South Asian Bar Association of Washington DC, Member

**PUBLICATIONS**

Author, *A Contractual Relationship with Environmental Justice*, 73 Am. U. L. Rev. (forthcoming 2023).

Contributor, From the Ground-Up: Recommendations for Building an Environmental Just Carbon Removal Industry, XPRIZE and Carbon 180 Report, Feb 7, 2023, <https://www.xprize.org/prizes/carbonremoval/articles/from-the-ground-up>

Author, *Environmental Evidence*, 94 U. Colo. L. Rev. 757 (2023)

Author, *Environmental Enforceability*, 30 N.Y.U. Env't L.J. 65 (2022)

Co-Author, *Revitalizing Greenhouse Gas Permitting inside a Biden EPA*, Environmental Law Reporter, May 2021

Co-Author, *Detecting Corporate Environmental Cheating*, 47 Ecology L.Q. 771 (2020)

Author, *Remedial Payments in Agency Enforcement*, 44 Harv. Envtl. L. Rev. 117 (2020)

Chapter Contributor, *An Overview of climate change mitigation in the industrial sector of the United States*, Research Handbook on Climate Change Mitigation Law (2015)

Co-Author, *Climate Change Law: An Introduction*, Energy L.J.1 (2008)

## **PRESENTATIONS**

Presenter, "Environmental Evidence," 2022 Georgetown Law Environmental Law Scholarship Workshop, Georgetown University Law Center, Washington DC (October 2022)

Moderator, Environmental Justice: What Industry Can Do, American College of Environmental Lawyers Annual Conference, Santa Fe, NM (October 2022)

Moderator, Change is in the Air: Evaluating and Understanding the Biden EPA's Clean Air Act Agenda, American Bar Association Fall Conference, Nashville, TN (September 2022)

Speaker, Environmental Justice, Carbon Dioxide Removal Law and Policy Conference, Northwestern University (September 2022)

Speaker, An Introduction to Environmental Justice, Baltimore Gas and Electric Corporate Diversity, Equity, Inclusion Week, Baltimore, MD (September 2022)

Natural Resource Law Teachers Lunch Speaker, Challenges and Opportunities to Uplift Community Voices in the Environmental Legal System, Rocky Mountain Natural Resources and Energy Law Institute, Vail, CO (July 2022)

Presenter, Environmental Enforcement, Arizona State University College of Law, Phoenix, AZ (May 2022)

Instructor, Community Engagement in Federal Environmental Enforcement Cases, USDOJ National Advocacy Center (May 2022)

Panelist, Water Quality, Infrastructure, and Community Accountability, Just Transition Lawyering Institute/University of California-Irvine Law Center on Law Equality and Race (May 2022)

Panelist, A Discussion on Global Environmental Justice, University of Maryland Black Law Students/Asian American Law Students Associations' Event (February 2022)

Panelist, Community Lawyering for Environmental Justice, The Environmental law Institute, Webinar (January 2022)

Panelist, Common Hour: Environmental Justice 101, The Aspen Institute, Webinar (October 2021)

Panelist, Where is the Biden Administration Heading on Key Natural Resource Issues”, Rocky Mountain Mineral Law Foundation-Natural Resources Law Teachers Institute, Virtual Conference (July 2021)

Panelist, Facilitating Conversations around Competing Environmental Values, International Academy of Dispute Resolution- World Mediation Congress hosted by Loyola University Chicago School of Law, Webinar (June 2021)

Panelist, Amending the Environmental Appeals Board: Impact on Communities, The Environmental Law Institute, Webinar (May 2021)

Speaker, Environmental Justice in a Biden Administration, Northern Illinois University Race and the Law Series, Webinar (March 2021)

Co-Speaker, Detecting Cheating with Sulfur Standards in the Shipping Industry, International Transport and Air Pollution Conference, Webinar (March 2021)

Panelist, The First 100 Days of the Biden Administration and the Legal Landscape, The Daily Record News, Webinar (February 2021)

Speaker, Introduction to Environmental Justice, 3M Corporation, Webinar (February 2021)

Panelist, EPA’s Next Four Years, American College of Environmental Lawyers, Webinar (November 2020)

Panelist, Reimagining Environmental Governance, The Environmental Law Institute Policy Forum, Washington DC (October 2020)

Speaker, Introduction to Environmental Justice, Exelon Corp., Webinar (September 2020)

Panelist, Navigating NEPA 50 Years Later, Dentons Law Firm, Washington, DC (December 2019)

Panelist, NYU Law School, Health and Environmental Settlements Project Workshop, New York, NY (March 2019)

Panelist, Emory University the Future of Environmental Law Symposium, “Environmental Law Clinics: The Secret to Saving Our Environment,” Atlanta, GA (January 2019)

Speaker, National Diversity Pre-Law Conference, American University, Washington DC (April 2018)

Speaker, Legal Tools for Advancing Environmental Justice and Public Health, World Justice Forum, The Hague, Netherlands (April 2018)

Speaker, University of Richmond Colloquy Speaker Series, “What is the Harm? Remedies in Clean Air Act Enforcement Cases,” Richmond, VA (September 2018)

Panelist, IUCN Academy of Environmental Law, “Using Technology in Enforcement and Compliance of Emission Standards in Shipping,” Glasgow, Scotland (July 2018)

Speaker, Emissions Control Area Enforcement, West Coast Collaborative Private-Public Partnership, Linthicum, Maryland (March 2015)

### **IN THE NEWS**

Rose Wagner, Courthouse News Service, Supreme Court Ruling Passes Climate Change Fight Off to a Hobbled Congress, July 1, 2022, available at <https://www.courthousenews.com/supreme-court-ruling-passes-climate-change-fight-off-to-a-hobbled-congress/>

Lisa Song, ProPublica, Air Monitors Alone Won't Save Communities from Toxic Industrial Air Pollution, May 18, 2022, available at <https://www.propublica.org/article/air-monitors-alone-wont-save-communities-from-toxic-industrial-air-pollution>

Dawn Reeves, Inside EPA, Former Officials See Conflicts Between DOJ's Mitigation Defense Ban, SEPs, May 20, 2020, available at <https://insideepa.com/daily-news/former-officials-see-conflicts-between-doj-s-mitigation-defense-sep-ban>

## **RECOGNITION**

- 2021 and 2023 Lawdragon 500 Leading U.S. Environmental and Energy Lawyers, see <https://www.lawdragon.com/guides/2021-03-16-lawdragon-500-leading-environmental-energy-lawyers>, <https://www.lawdragon.com/guides/2023-02-03-lawdragon-green-500-leading-lawyers>
- The Environmental Law Institute "2019 Futures Awardee" (2019), <https://www.eli.org/yvon-chouinard-founder-patagonia-and-rose-marcario-patagonias-president-and-ceo>
- American Bar Association Best Student Program of the Year (2018)
- EPA Administrator's Award for Excellence, Volkswagen Team (2017)
- EPA Administrator's Award for Excellence, Clean Power Plan Team (2016)
- EPA Office of Enforcement and Compliance Assurance Silver Medal for Exceptional Service for Clean Air Act Coal-Fired Utility Team (2013 and 2015)
- EPA Office of Enforcement and Compliance Assurance Silver Medal for Exceptional Service for Marine Emission Control Area Implementation Team (2013)



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March, 2023