



Green Grads

Yale Law School counts among its graduates a great number of leaders in the environmental arena. The following profiles highlight just a few of the alumni involved in the “green” arena.



Calling for Transformative Change
James Gustave Speth '69
Dean, Yale School of Forestry & Environmental Studies

As a boy in the rural South Carolina low country, James Gustave “Gus” Speth grew up hunting, fishing, and swimming the Edisto River. Each summer he visited his grandparents on Lake Junaluska in the North Carolina mountains. The year he turned thirteen, Speth arrived for his summer in the mountains to find the lake wiped out—dead—due to a major pollution incident.

In Speth’s words, “That did it.”

The death of that lake propelled Speth toward a lifetime devoted to environmental advocacy. Now, with more than forty years of work as an environmental advocate and adviser to his credit, Speth is calling for a radical departure from the environmental movement’s strategy as he urges Americans to rethink our very way of life.

Speth’s work got its first real foothold during the late 1960s when, as a student at the Law School, he and several of his classmates began planning out what was to become the Natural Resources Defense Council, America’s most well-

endowed and well-respected environmental organization. After NRDC, as the principal White House adviser to President Carter on environmental affairs, Speth was responsible for the development and coordination of the

Nations Development Programme, the principal arm of the United Nations for funding and coordination of international assistance for development.

Since 1999, Speth has been at the School of Forestry & Environmental Studies, where he now serves as the Carl W. Knobloch, Jr. Dean and Sara Shallenberger Brown Professor in the Practice of Environmental Policy. He is the author of several books, including most recently, *The Bridge at the Edge of the World: Capitalism, the Environment, and Crossing from Crisis to Sustainability* and

“Working within this system alone is not going to solve the problem ... What we really need is transformative change within the system itself if we’re going to save this planet.” *Gus Speth*

Carter Administration’s environmental program. Speth again advised the White House about natural resources, energy, and the environment when he was tapped to be senior adviser on President Clinton’s transition team in 1992. For much of the 1990s, Speth led the United

Red Sky at Morning: America and the Crisis of the Global Environment.

In *The Bridge at the Edge of the World*, Speth details the deterioration of the planet. He writes, “Half the world’s tropical and temperate forests are gone. The rate of deforestation in the tropics is

about an acre a second. Half the planet's wetlands are gone. An estimated 90 percent of the large predator fish are gone and 75 percent of marine fisheries are overfished, fished to capacity or depleted, up from 5 percent a few decades ago. Twenty percent of the corals are gone; another 20 percent severely threatened. Species are disappearing about 1,000 times faster than normal. The planet has not seen such a spasm of extinction in 65 million years, since the dinosaurs disappeared. Each year desertification claims a Nebraska-sized area of productive capacity worldwide. Toxic chemicals can be found by the dozens in essentially every one of us."

Speth is now calling for a transformation in American society as he points to American "affluenza" as one of the root causes of the escalating deterioration of the planet. In order to save the planet, Speth argues, we must challenge our own consumption and move from a "consumer to conserver society."

"All we have to do to ruin the planet is keep doing exactly what we're doing today," Speth said while serving as a panelist at the Law School's Alumni Weekend in October.

"Working within this system alone is not going to solve the problem," he continued. "What we really need is transformative change within the system itself if we're going to save this planet."

See page 52 to read about the environmental policy discussion that took place this past October during Alumni Weekend. Moderated by Daniel C. Esty '86, the panelists included:

Liz Barratt-Brown '91
Douglas Kysar
J. Gustave Speth '69
Robert M. Sussman '73



Redeveloping Brownfields

Thomas Darden '81

CEO, Cherokee Investment Partners

Fifteen miles north of Montreal, a former General Motors manufacturing site is gaining new life. Until recently, the 232-acre industrial site was a ghost town, plagued with soil contamination and littered with abandoned debris. Now more than a thousand housing units, shops, offices, a recreation center, and an urban town square are starting to rise on the once discarded site. The project, known as "Faubourg Boisbriand," is one of some five hundred redevelopment sites taken on by Cherokee, a firm headed by Tom Darden '81.

Under Darden's leadership, Cherokee invests in the acquisition, remediation, and sustainable development of underutilized or contaminated properties (called "brownfields"). Darden sees opportunity in properties where most other people would see only difficulties. Many of the projects are developed in or in close proximity to urban centers. Faubourg Boisbriand, for example, will be in walking distance to a regional commuter rail line that connects the site to downtown Montreal.

The same story of redevelopment is repeating itself at other Cherokee project sites. Southwest of Houston, a mixed-use community will be built on the site of a former Imperial Sugar Company plant—the oldest continuously operating business in Texas before it closed in 2003. In San Francisco, Cherokee is completing remediation work and building on a site once plagued by lead contamination.

Darden's inspiration for redevelopment work came years ago, while on a business trip in Spain where he was purchasing brick manufacturing equipment. He noticed workers building on walls that were close to two thousand

years old. "It was so compelling," he remembers, "it gave me a new mental construct for how growth could happen in the U.S."

Redevelopment and urban infill projects are low-hanging fruit in the mission to green the planet, according to Darden. Buildings, he explains, use 30 to 40 percent of all energy consumed in the U.S. The location of buildings accounts for another 20 percent of energy consumption. Taken together then, buildings and their locations make up half of the energy problem in the country.

"Americans need to think more about where we build," Darden says. "If you build the right kind of buildings, in the right places, you can address half of the energy equation."

Darden attended the Law School before an environmental law program was in place. He took property law courses that touched on some of the work he would do in the future, but the

“If you build the right kind of buildings, in the right places, you can address half of the energy equation.” *Thomas Darden*

real benefit of law school, he says, was that it helped establish a way of thinking.

"It was a great place for me to rethink how to make a positive contribution to the environment," he says. "I went in as kind of this bomb thrower...and came out with a sense of how to approach things differently, how to make a difference from within the system."

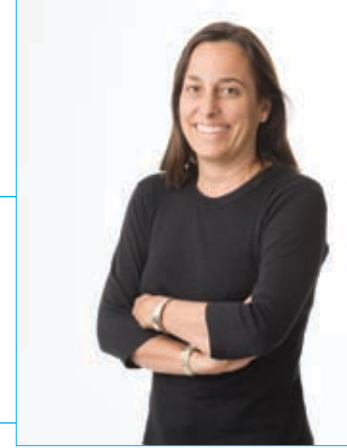
After graduating from YLS, Darden went to work for Bain & Company, where he did energy efficiency cost reduction

work in the steel industry. He soon branched out on his own, purchasing what would become Cherokee Sanford Group, the largest privately-held brick manufacturing company in the United States. Darden's environmental bent and ingenuity came into focus when he converted the plant's fuel source from fossil fuels to sawdust. In 1985, Cherokee took on the work of cleaning up contaminated soil. That arm of the business eventually led Darden to redevelopment work.

Today, one of Cherokee's biggest challenges is changing public perception about urban infill and redevelopment. Trying to convince the American public that urbanization is positive for the environment—that densely populated areas are less resource-intensive than the more superficially "green" suburbs—is a tough sell. "The public at large is not as aware [as policy makers] of the environmental impact of real estate on the environment," Darden says. "There is nothing less green than big houses built on grassy lots around golf courses."

In addition to having a business mission focused on advancing sustainability, Cherokee has also funded or helped to raise more than \$30 million for philanthropic works. The company's outreach program operates in the U.S. and internationally, helping those who have been affected by environmental disasters. In India, "Cherokee Gives Back" is committed to addressing problems stemming from the Union Carbide pesticide plant disaster that killed thousands in 1984. Closer to home, Cherokee is tackling the aftermath of the Katrina disaster as a principal partner in actor Brad Pitt's "Make It Right" project, which is building a neighborhood of affordable, energy efficient and sustainable homes in New Orleans' Lower 9th Ward.

"It's great to be involved in any kind of building position, whether it's a new idea, a physical structure or a company," Darden says. "Seeing change happen is a cool thing."



Advocating for the Environment

Liz Barratt-Brown '91

Senior Attorney, International Program,
Natural Resources Defense Council

Liz Barratt-Brown '91 is passionate about Canada's Boreal Forest—and about stopping the strip mining that has already forever changed the forest's landscape.

"Oil from this region—called tar sands—is literally scraped out of what was previously part of a beautiful forest of green, slow-growing trees and winding rivers, and the nesting ground for nearly 40 percent of our songbirds and waterfowl," explains Barratt-Brown.

As an attorney in the International Program with the Natural Resources Defense Council (NRDC), one of the nation's top environmental action groups, Barratt-Brown has spent twenty-five years working tirelessly on a

number of key issues. Among the projects she has worked on: building and implementing the global warming, biodiversity, and ozone layer treaties; strengthening international institutions; and instituting corporate purchasing policies around forest conservation and energy use.

Barratt-Brown, who worked for the NRDC and in the U.S. Senate for six years prior to law school, was happy to rejoin the group after graduating from Yale.

"I love the organization and its mission," she says.

"We have more than one million members and activists. I've seen the organization grow tremendously, but it



Protecting the Environment at Work and at Home

Michael Fisher '94

Environmental Protection Agency lawyer Michael Fisher '94 grew up in a small

town in the Midwest, where he spent a lot of time outdoors with his parents. They weren't backpackers or campers, says Fisher, but they passed on to him their appreciation for nature.

Fisher started thinking about environmental issues as a career after graduate school, when he traveled through Eastern Europe, the U.S.S.R., and China and saw remarkable examples of environmental destruction, caused by the lack of political accountability.

Today, he works to achieve environmental accountability in the U.S., as head of the legal division of EPA's criminal enforcement office. He and his wife Christy '94 are also personally commit-

ted to protecting the environment. They made a conscious choice to live where they can walk to work or take public transit, and their home runs on 100% wind power. Still, says Fisher, he doesn't focus too much on the "personal virtue" aspect of environmental decisions.

"Each of us should do what we can to protect the environment," he says, "but individualized action can't keep the air safe for our kids to breathe or ensure that our tap water is safe to drink. And more complex problems like climate change are even further beyond our individual ability to address. Environmental protection ultimately depends on the public paying attention to these issues and educating themselves, then voting their environmental principles."

still has at its core a commitment not only to the environment, but to people and equality. I appreciate that NRDC works for every American and for people and places around the world.”

Currently, Barratt-Brown is working on slowing the development of a new, high-carbon synthetic fuels industry in North America, focusing her efforts on the strip mining for oil taking place in the Boreal Forest. Starting in the Yukon Territory, the Boreal Forest forms a band more than 600 miles wide sweeping southeast to Newfoundland and Labrador. The forest is one of the planet’s last large intact ecosystems and the largest terrestrial storehouse of carbon.

“Boreal Forest-derived oil now makes up nearly eight percent of our daily oil use and its production releases three times the global warming pollution per barrel than conventional oil,” she says

She points out that while protecting the forest is a major goal of NRDC work, the group is also contrasting the strip mining of oil with cleaner alternatives, such as fuel efficiency, improved public transportation, and renewable energy.

“This is a very real example of the fork in the road we find ourselves at the turn of the 21st century. We can use American ingenuity and policy to move us to a different energy path or we can scrape the bottom of the barrel and lose irreplaceable natural resources.”

Barratt-Brown spends a great deal of her time educating members of Congress and large oil-using corporations about the Boreal Forest, as well as about cleaner alternatives.

“I also work to put in place low carbon fuel requirements, again both at the governmental level and within corporations,” she explains. “We just launched, for example, a Sustainable Aviation Fuel Users group with Boeing and Virgin Atlantic Airways and ten other airlines that will use, as its basis, research from a team at the School of Forestry & Environmental Studies on jatropa, a potential fuel source.”

Fighting Pollution and Poverty

Van Jones '93

Founder, *Green for All*

Van Jones graduated from Yale Law School more concerned with vulnerable people than a vulnerable planet. Social justice and civil rights were his main focus and, to that end, in 1996 he founded the Ella Baker Center for Human Rights. Jones’s main mission was to get kids out of jail and into jobs.

Fast-forward to 2000. Burned out from what Jones describes as “too many funerals and too many court hearings that ended badly,” he crossed the bay from his hardscrabble home base of Oakland, California, to glittering, New Age Marin County to attend a meditation retreat.

“Everyone was doing yoga and eating

these things called salads and tofu,” Jones remembers with a laugh. It was the first time he saw clearly what he has now come to call the “eco-apartheid.” While the mostly white, affluent Marin County was embracing all things green, the predominantly African-American city of Oakland was mired in unemployment and industrial pollution.

“I had this kind of epiphany,” Jones remembers, “that Oakland needs green jobs, not jails.”

As Jones saw it, there were two ways to proceed. “On the one hand, we have the opportunity for more work, more wealth, and more health,” he says.



Examining Climate Change and Energy Policy

Robert Sussman '73

Robert Sussman '73, a senior fellow at the Center for American Progress in Washington, D.C., is a leading expert on climate change and energy policy. During the Clinton administration, he served as deputy administrator of the Environmental Protection

Agency and, as second in command, played a lead role on Superfund, global warming, science policy, and the environmental aspects of NAFTA.

Sussman most recently lent his expertise to the Law School during Alumni Weekend 2008: Imagining the Future, where he participated in a fascinating discussion on the Next Generation of Environmental Policy. Sussman, a former partner at Latham & Watkins and head of its environmental practice, discussed the Supreme Court’s landmark 5-4 decision in *Massachusetts v. Environmental Protection Agency* in 2007, which he said “changed the environmental policy landscape in a very profound way.” In the case, twelve states and a number of cities brought suit against the EPA to require it to regulate greenhouse gases as pollutants under the 27-year-old Clean Air Act. Sussman said that the favorable decision resulted in the current Supreme Court “basically deciding that the scientific evidence on global warming was too compelling to ignore.”

“When I went to law school, there were no environmental law courses,” Sussman recalled. “But interest in the environment was definitely building and we had the first Earth Day in 1970. Charlie Reich '52 had already written *The Greening of America*, which was a formative book for me. So I think the atmosphere of the times—and the early commitment of Yale Law grads to public interest environmental law—were key influences for me.”



Van Jones '93

“On the other hand, we have an eco-apartheid.”

Jones soon founded Green for All, a national organization dedicated to building a “green economy” connecting the environmental movement with the work for social justice.

Jones sees a growing green movement as part of the recipe for improved economic health for the United States, and a cornerstone of the next economy. “We can simultaneously create an economic and environmental renaissance,” he says. “The problem with the U.S. economy is that we’ve been borrowing rather than building—our consumption, ecological destruction, and economic downfall are all interrelated,” he adds. “We have to start producing something in the United States.”

Wind turbines—too heavy to be shipped from overseas—have been one new American product gaining ground thanks to increased environmental awareness. “One thing that we can produce here is clean energy,” Jones says.

“We have a Saudi Arabia of wind and solar energy in our Plains States.”

Green for All works to train people who need jobs—many of them minorities—in the “green collar” sector. Beyond being about greening the planet, Jones sees the movement as central to the 21st century civil rights agenda.

“Everything that is good for the environment is also a job or a business or an economic opportunity,” he says. “Buildings don’t weatherize themselves. Solar panels don’t install themselves. Gardens don’t plant themselves.”

“It would be very easy to create eco-apartheid jobs,” Jones adds. “The trick is to create green collar jobs that are regulated in some way. We don’t want to create a solar sweatshop... We need to do this in a way that would make Dr. King proud.” **Y**

See page 16 to read about Jones’s new book, *The Green Collar Economy*.

Winds of Change

Steve Vavrik '96



Steve Vavrik '96 is a farmer—but you won’t find him driving a tractor, milking a cow, or baling hay.

Vavrik, vice president of origination, and his colleagues at their company First Wind focus exclu-

sively on the development, ownership, and operation of wind farms.

“At First Wind, we create wind power plants from just an idea,” Vavrik explains. “Successful development requires the combination of wind resource, revenue, equipment cost, and creative financing.”

“What I enjoy most is seeing how this all comes together from the perspective of the owner. In addition, I feel a tremendous sense of pride when one of our projects starts operating. While all projects are challenging, renewable energy projects help create a positive legacy for future generations.”

First Wind is currently focusing its efforts on developing wind farms in the northeastern and western regions of the U.S. and in Hawaii, and is already producing energy through three operating wind farms. The company is looking to develop wind energy projects in other markets as well.

According to the American Wind Energy Association, wind power is now one of the largest sources of new electricity generation of any kind. Wind projects accounted for about 30% of all new power-generating capacity added in the U.S. in 2007.

Vavrik joined First Wind after a stint with GE Capital as a financial associate. He has ten years of energy industry experience under his belt and is in charge of creating and executing the revenue plans for First Wind’s power projects. This involves identifying the key market opportunities and risks, developing relationships with the power buyers, and then negotiating and executing the power purchase agreements.