

ALISON RIESER
Professor of Political Geography and Ocean Law
Department of Geography
University of Hawai'i at Mānoa
Honolulu, HI 96822

Education LL.M., Yale Law School, 1990
J.D. cum laude, The George Washington University, 1976
B.S., Human Ecology, Cornell University, 1973

Professional Experience

Tenured Academic Appointments

2006-present Professor, Department of Geography
University of Hawai'i at Mānoa

1993-2006 Professor of Law, University of Maine School of Law
Founding Faculty Advisor, *Ocean and Coastal Law Journal*

Administrative and Research Institute Appointments

2006-2014 Director, Graduate Ocean Policy Certificate Program
Director, UH@SEA Field Course in Ocean Conservation
University of Hawai'i at Mānoa

1983-2001 Director, Marine Law Institute, University of Maine School of
Law, Portland, Maine

Government Experience

1976-1977 Attorney-Advisor for Fisheries, Office of General Counsel,
National Oceanic & Atmospheric Administration,
U.S. Department of Commerce, Washington, D.C.

1974-1976 Legal Assistant, Office of General Counsel for Water,
U.S. Environmental Protection Agency, Washington, D.C.
(Office of Regional Counsel, Region I, Boston, MA, 1975)

Fellowships and Visiting Appointments

1999-2002 Pew Fellow in Marine Conservation
2000-2001 George M. Johnson Visiting Professor of Law
W.S. Richardson School of Law, University of Hawai'i at Mānoa

2000 Tulane Law School, International Summer Program,

Spetses, Greece (Int'l and Comparative Fisheries Law)

1989-1990 Graduate Law Fellow, Yale Law School

1977-1980 Post-doctoral Research Fellow, Marine Policy Center,
Woods Hole Oceanographic Institution

Bar Admissions

Admitted to the Massachusetts Bar, 1977

Courses Taught

Graduate courses at University of Hawai'i:

Ocean Policy & Management
Coastal Planning & Management
Research in Maritime Political Geography
Oceans and Human Health
International Ocean Law & Governance

Upper division undergraduate courses at University of Hawai'i:

Human Dimensions of the Coastal Ocean
Political Geography of Oceans

Law courses at University of Maine Law:

Marine Resources Law
Law of the Sea
Coastal Zone Law
Marine Environmental Law Clinic
Legislation and Legislative Process
Natural Resources Law
Environmental Law

Scholarship and Research Activity

Book

The Case of the Green Turtle: An Uncensored History of a Conservation Icon,
Baltimore, MD: Johns Hopkins University Press (2012).

Book Chapters and Articles Selected for Anthologies

“Whales, Whaling, and the Warming Oceans,” in *Climate Change: A Reader*, W.H. Rodgers, Jr. et al. eds., Durham, NC: Carolina Academic Press, 2011, published originally in *Boston College Environmental Affairs Law Review*, 36(2): 401-429 (2009).

“Saving *Salmo*: Federalism and the Conservation of Maine’s Atlantic Salmon,” in *The Endangered Species Act and Federalism*, K. Arha and B.H. Thompson, Jr., eds., Washington, DC: Resources for the Future Press, 2011, published originally in *Ocean & Coastal Law Journal* 16(1): 135-179 (2010).

“The Evolution of Ocean Law,” with J.L. Jacobson, in *Oceans: A Scientific American Reader*, Chicago, IL: University of Chicago Press, 2007.

“The Role of Legal Regimes in Marine Conservation Biology,” with C. Gray Hudson and S. Roady, in E. A. Norse and L. Crowder, eds. *Marine Conservation Biology: The Science of Maintaining the Sea's Biodiversity*, Washington, DC: Island Press, 2005.

“Prescriptions for the Commons: Environmental Scholarship and the Fishing Quotas Debate,” in P. Menell, ed., *The Int’l Library of Essays in Law and Legal Theory: Environmental Law* (2003), published originally in *Harvard Environmental Law Review* 23:393-421 (1999).

"Ecological Preservation as a Public Property Right: An Emerging Doctrine in Search of a Theory," in S.L. Deutsch and A.D. Tarlock, eds., *Land Use and Environmental Law Review* –1992, published originally in *Harvard Env'l Law Review* 15: 393- 433 (1991).

Textbooks and Teaching Materials

Ocean and Coastal Law: Cases and Materials 4th ed. with D.R. Christie, J.J. Kalo, and R.G. Hildreth, St Paul, MN: Thomson West, 2013 (lead author).

Law Review and Law Journal Articles

“The Unexpected Ark: The Blue Legacies of the Clinton and Bush Presidencies, 1993-2006,” *Journal of Land Use and Environmental Law*, 28: 5-34 (2012).

“The Papahānaumokuākea Precedent: Large-scale Marine Protected Areas in the Exclusive Economic Zone,” *Asian-Pacific Law & Policy Journal*, 13(2): 210-251 (2012).

“New Marine National Monuments Settle Legal Issues,” with J.M. Van Dyke, *Environment & Natural Resources* 24(2): 50-52 (2009).

“Oysters, Ecosystems, and Persuasion,” *Yale Journal of Law & Humanities* 18: 49-55 (2006)(Special Issue: The Properties of Carol Rose).

“Property Rights and Ecosystem Management in U.S. Fisheries: ‘Contracting’ for the Commons?” *Ecology Law Quarterly* 24: 813-832 (1997).

“International Fisheries Law, Overfishing, and Marine Biodiversity,” *Georgetown International Environmental Law Review* 9: 251-279 (1997).

“Defining the Federal Role in Offshore Aquaculture: Should It Feature Delegation to the States?” *Ocean and Coastal Law Journal* 3: 209-234 (1996).

"A Review of Developments in U.S. Ocean and Coastal Law 1990-1991," with W. Milliken, *Territorial Sea Journal* 1: 291-358 (1991).

"Public Trust, Public Use, and Just Compensation," *Maine Law Review* 42: 5-41(1990).

"Managing the Cumulative Effects of Coastal Land Development: Can Maine Law Meet the Challenge?" *Maine Law Review* 39: 321-389 (1987).

Refereed Research Articles

“Trawl Fisheries, Catch Shares and the Protection of Benthic Marine Ecosystems: Has Ownership Generated Incentives for Seafloor Stewardship?” with L. Watling and J. Guinotte, *Marine Policy* 40: 75-83 (2013).

“The Control of Biological Invasions in the World’s Oceans,” with N. Bax, J.T. Carlton, A. Mathews-Amos, R.L. Haedrich, F.G. Howarth, J.E. Purcell, and A. Gray, *Conservation Biology* 15(5): 1234-1246 (2001).

“Essential Fish Habitat as a Basis for Marine Protected Areas in the U.S. EEZ,” *Bulletin of Marine Science* 66: 889-899 (2000).

“Comment: The Interface between Fisheries Research and Habitat Management,” with P.J. Auster and L. Watling, *N. Am. J. Fisheries Mgt.* 17: 591-595 (1997).

"Measuring and Explaining Non-Compliance in Federally Managed Fisheries," with J. Sutinen and J. Gauvin, *Ocean Development & Int'l Law* 21: 335-372 (1990).

"U.S. and Canadian Groundfish Management in the Gulf of Maine-Georges Bank Region," with J. Bubier, *Ocean Management* 10: 83-124 (1986).

"Scientific Fact and Value in U.S. Ocean Dumping Policy," with J. Spiller, *Policy Studies Review* 6: 389-98 (1986).

"Regulating Oil and Gas Activities in the Flower Garden Banks," with J. Spiller, *Oceanus* 24: 58-63 (1981).

Book Reviews

Review of *The Albatross and the Fish: Linked Lives in the Open Seas* by R.W. Doughty and V. Carmichael 2011, *Annals of the Assoc Amer Geographers* (forthcoming).

Review of *Freedom of the Seas for the 21st Century: Ocean Governance and Environmental Harmony*, eds. J. Van Dyke, D. Zaelke, and G. Hewison (1993),

Yearbook of Int'l Environmental Law 4: 647-652 (1993).

Conference Proceedings

"Offshore Marine Aquaculture in the U.S. EEZ: Legal and Regulatory Concerns," with S. Bunsick, in *Trends and Future Challenges for U.S. National Ocean and Coastal Policy*, N.M. Foster, B. Cicin-Sain, and R.W. Knecht, eds., Proceedings of a Workshop, Jan. 22, 1999, Lewes, DL (Washington, DC: NOAA National Ocean Service, 1999).

"Assessing Cumulative Impacts," in *Ocean Governance: A New Vision*, B. Cicin-Sain, ed. (Lewes, DL: Center for the Study of Marine Policy, U. Delaware, 1992).

East Coast Fisheries Law and Policy with J. Bubier, eds. (Portland, ME: Marine Law Institute, University of Maine, 1987).

"State-Federal Relations in Marine Fisheries Management," in M. Silva, ed., *Intergovernmental Relations and Ocean Resources in the 1980s* (Boulder, CO: Westview Press, 1986).

Environmental Decision-making in a Transboundary Region, with J. Spiller and D. VanderZwaag, eds. (New York: Springer-Verlag, 1986).

"Legal Aspects of Interjurisdictional Fisheries Management," in R. Stroud, ed., *Multi-jurisdictional Management of Marine Fisheries* (Savannah: Nat'l Coalition for Marine Conserv., 1986).

National Academy Press Books and Task Force Reports

Tackling Marine Debris in the 21st Century, National Research Council, Committee on the Effectiveness of International and National Measures to Prevent and Reduce Marine Debris and Its Impacts (2009)(contributing author).

Sustainable Marine Aquaculture: Fulfilling the Promise, Managing the Risks, Report of the Marine Aquaculture Task Force, Woods Hole Oceanographic Institution and Pew Charitable Trusts (2007)(contributing author).

Science and its Role in the National Marine Fisheries Service, National Research Council, Committee to Review the National Marine Fisheries Service (2002)(contributing author).

Sharing the Fish: Toward a National Policy on Individual Fishing Quotas, National Research Council, Committee to Study Individual Fishing Quotas (1999)(contributing author).

Striking a Balance: Improving Stewardship of Marine Areas, National Research Council, Committee on Marine Area Governance and Management (1997) (contributing author).

Invited and Conference Presentations

“When the ‘Best Available Science’ Becomes an Inconvenient Truth, Safeguarding Science in the Era of Climate Denial,” presented to the 9th Marine Law Symposium, Roger Williams University School of Law, Marine Affairs Institute, Bristol, RI, Nov. 15, 2012.

“Too Good to Last, Too Precious to Eat: How Scientists Used the Endangered Species Act to Change the Most Popular Seafood Species into a Conservation Icon,” guest lecture presented in Wildlife Law (Prof. R. Anderson) and U.S. Coastal & Ocean Law (Prof. W. Rodgers), University of Washington School of Law, May 14, 2012.

“Black Holes and Blue Legacies: Large-scale Marine Protected Areas in the Exclusive Economic Zone,” Distinguished Lecture in Environmental Law, Florida State University College of Law, March 14, 2012.

“Too Precious to Eat: Archie Carr and the Listing of the Green Sea Turtle as an Endangered Species,” Natural Resources and Environmental Law Workshop (Prof. M. Caldwell), Stanford Law School, Palo Alto, CA, Oct. 3, 2011.

“MPAs in Deep Water Are Not All Created Equal,” with L. Watling and J. Guinotte, presented at Second International Marine Conservation Congress, Victoria, BC, Canada, May 17, 2011.

“The Wisdom of the Polar Bear: Lessons from Past and Future Oil Spills,” presented at 40th anniversary celebration of George Washington University Law School’s Environmental Law Program, Washington, D.C., Nov. 6, 2010.

“Dispatches from the Benthos: Catch Shares and the Promise of Industry Stewardship,” presented at the 8th Marine Law Symposium, Roger Williams University School of Law, Marine Affairs Institute, Bristol, RI, Nov. 5, 2010.

“Endangered Species, Endangered Cultures: Is Hawaii Ready to De-List the Green Sea Turtle?” presented at Environmental Law Colloquium, William S. Richardson School of Law, University of Hawai‘i at Mānoa, Honolulu, HI, March 3, 2009.

“Do Whales Need US? Global Warming and Reform of the International Whaling Regime,” presented at MIT-Boston College Symposium on Climate Change and the Great Whales of the Atlantic, Newton and Cambridge, MA, Oct. 15-16, 2008.

“Beauty, Boundaries and Baselines: An Environmental History of Papahānaumokuākea Hawai‘i’s Marine National Monument,” Dai Ho Chun Distinguished Lecture, University of Hawai‘i at Mānoa, Honolulu, HI, May 2, 2008.

“The Changing Climate of High Seas Fisheries Governance,” presented at Workshop on Climate Change and the Socio-economics of Managing Top Oceanic Predators, University of California at Santa Barbara, Marine Science Institute, Santa Barbara, CA, April 12, 2007.

“The Sea Turtle Trials: Conservation Research and Science-based Advocacy,” presented at University of Connecticut, Avery Point, CT, March 18, 2005; University of Wollongong, Center for Maritime Policy, Wollongong, NSW, Australia, April 17, 2005; and James Cook University, Centre for Coral Reef Research, Townsville, QLD Australia, April 20, 2005.

“Prescriptions for Fisheries Reform: Is Rights-based Management Compatible with an Ecosystems Approach?” presented at Bevan Symposium on Sustainable Fisheries, University of Washington, Seattle, WA, April 29, 2004; and Hopkins Marine Station, Stanford University, Pacific Grove, CA, June 4, 2004.

“Science is Not the Problem, but the ‘Best Available Science’ is Not Enough,” presentation at a symposium, “Tough Decisions: Dealing with Uncertainty in Managing Marine Fisheries,” AAAS Annual Meeting, Seattle, WA, Feb. 15, 2004 (co-organized with Josh Eagle, Stanford Fisheries Law Project).

“The Legal Authority of the U.S. to Prevent Ship Strikes of North Atlantic Right Whales,” presentation to the U.S. Marine Mammal Commission (with Prof. Daniel Bodansky), Newport, Rhode Island, Oct. 23, 2003.

Conservation Scholar-in-Residence, Duke University Marine Laboratory, Program in Marine Conservation Biology (one public lecture and two class lectures), July 20-24, 2003.

“The Dolphin-Safe Label Decision and the Best Available Science,” AAAS Annual Meeting, Symposium on Social Science in Conservation (M. Mascia organizer), Denver, CO, Feb. 14, 2003.

“The Legal Requirement to Address Fishing Effects on Habitat: When is Habitat Protection ‘Practicable’?” Symposium on Effects of Fishing Activities on Benthic Habitats, American Fisheries Society and Ecological Society of America, Tampa, FL, Nov. 14, 2002.

“Scientific Uncertainty and the ‘Best Available Science’ Standard in U.S. Marine Law,” Ocean Governance Symposium, University of California at Berkeley, Boalt Hall School of Law, April 4, 2002.

“Train Wrecks and Paradigm Shifts: Reconciling Law and Science in the Quest for an Ecosystem Approach to Fisheries,” Natural Resources and Environmental Law Workshop, Stanford Law School, Palo Alto, CA, April 17, 2001.

“Problems in the Management of Marine Fisheries under the Magnuson-Stevens Fishery Conservation and Management Act,” Pew Oceans Commission, Maui, Feb. 9, 2001.

“Ecosystem Approaches to Fisheries Management under U.S. Law,” National Association of Environmental Law Societies, Conference on Ocean and Environmental Law, Stanford Law School, Mar. 10, 2000.

“Environmental Law Scholarship and the Fishing Quotas Debate,” Symposium on Trends in Environmental Law Education and Scholarship, Harvard Law School, Nov. 21, 1998.

“Essential Fish Habitat as a Basis for Marine Reserves in the U.S. EEZ,” Mote Marine Laboratory International Symposium on Marine Reserves and Essential Fish Habitat, Sarasota, FL, Nov. 5, 1998.

“The Precautionary Principle and International Fisheries Law,” Law of the Sea Symposium, Boalt Hall School of Law, University of California at Berkeley, Oct. 30, 1998.

“International Law and Marine Biodiversity,” Workshop in International Environmental Law Research, Georgetown University Law Center, Oct. 2, 1998.

“The Legal Framework for Biological Control of Introduced Marine Species,” Workshop on Controlling Established Populations of Alien Marine Species, Marine Conservation Biology Institute, Leavenworth, WA, May 28, 1998.

“Valuing the Shoreline through Transferable Development Rights,” Symposium on Public Values and Private Lands: Balancing Development and Farmland Preservation, New York University Law School, Feb. 12, 1998.

“The Precautionary Approach to Protecting Fisheries Habitat,” Symposium on Marine Conservation Biology, University of Victoria, Victoria, B.C., Canada, June 7, 1997.

Selected Research Grant and Contract Reports

Legal Authority of the United States to Adopt Measures to Protect Right Whales from Ship Strikes, A Report to the U.S. Marine Mammal Commission (with D. Bodansky, 2003).

The Global Marine Aquarium Trade: A Legal and Policy Assessment, A Report to the Hawaii Audubon Society (with K. Boggiatto, 2003).

Legal Assessment of the Councils’ Role under the Magnuson-Stevens Act, the Endangered Species Act, and the National Environmental Policy Act, A Report to the North Pacific Fishery Management Council (with J.P. Walsh and H. Wilson, 2002).

State Fisheries Jurisdiction in the Gulf of Maine: A Legal and Policy Analysis for the Maine State Planning Office & Maine Dept. of Marine Resources (with J.M. Van Dyke, 1997).

Methodologies and Mechanisms for Management of Cumulative Coastal Environmental Impacts, NOAA Coastal Ocean Program, Decision Analysis Series No. 6 (with B.A. Vestal, 1995).

Spill: The Wreck of the Exxon Valdez, Vol. III, Policy Options to Prevent Future Spills, Alaska Oil Spill Commission (with Sea Grant Legal Research Team: Zygmunt Plater, Ralph Johnson, and Harry Bader, 1990).

North Atlantic Water Dependent Use Study, Vol. I, Managing the Shoreline for Water Dependent Uses: A Handbook of Legal Tools; Vol. II, Guidebook to the Economics of Waterfront Planning and Water Dependent Uses (with Barbara Vestal, David G. Terkla, P.B. Doeringer, and D. Merriam, 1988)(NOAA Office of Coastal Zone Management).

Research Grants, Contracts, and Consultancies

Monumental Questions: Governing the Northwestern Hawaiian Islands Marine National Monument, National Sea Grant Law Center, NOAA, 2007-08 (Principal Investigator).

Legal Authority of the U.S. to Prevent Ship Strikes of Right Whales in U.S. Waters, Marine Mammal Commission, 2003 (Principal Investigator).

Legal Analysis of the Global Marine Aquarium Trade, Hawaii Audubon Society, 2001-02 (Principal Investigator).

Legal Authority of the Regional Councils under NEPA, Endangered Species Act, and the Magnuson-Stevens Act, North Pacific Fishery Management Council, 2001-02 (Co-Principal Investigator, with J.P. Walsh and H. Wilson).

State Fisheries Jurisdiction in the Gulf of Maine: A Legal and Policy Analysis, Maine State Planning Office and Department of Marine Resources, 1997 (Co-Principal Investigator, with J.M. Van Dyke).

Regulatory Issues in Groundfish Aquaculture for New England Coastal and Offshore Waters, National Office of Sea Grant, NOAA, 1995-97 (Principal Investigator).

Rights-Based Fisheries Management: Legal and Economic Analysis of Some New Concepts, University of Maine/New Hampshire Sea Grant College Program, 1993-95 (Co-Principal Investigator, with R. Townsend).

Methodology and Mechanisms for Management of Cumulative Coastal Environmental Impacts, National Oceanic and Atmospheric Administration (NOAA), Coastal Oceans Program, U.S. Dept. of Commerce, 1992-95 (Co-Principal Investigator, with B. Vestal).

Anticipatory Planning for Relative Sea Level-Rise Along the Coast of Maine, U.S. Environmental Protection Agency (EPA), State Global Change Program, 1991-93 (Co-Principal Investigator, with B. Vestal).

Assessing the Regulatory Framework and Long-Term Management Alternatives for the Casco Bay Estuary, US EPA National Estuary Program, Casco Bay Estuary Project, 1991-92 (Co-Principal Investigator, with B. Vestal).

North Atlantic Water Dependent Use Study, NOAA Office of Coastal Zone Management and CZM Programs of Maine, Massachusetts, Rhode Island, Connecticut and New York, 1986-88 (Co-Principal Investigator, with B. Vestal).

Service Activities

National Policy Reviews

National Research Council, Ocean Studies Board, Committee on the Effectiveness of International and National Measures to Prevent and Reduce Marine Debris and Its Impacts (2009)(committee member); Committee on Defining the Best Scientific Information Available for Fisheries Management (2004)(outside reviewer); Committee to Review Science and its Role in the National Marine Fisheries Service (2001-02)(committee member); Committee to Study Individual Fishing Quotas (1997-98)(committee member); Committee on Marine Area Governance and Management (1995-96) (committee member).

Member, Task Force on Environmental Standards for Offshore Aquaculture, Woods Hole Oceanographic Institution and the Pew Charitable Trusts, 2005-2006.

Intergovernmental Conferences

Observer for the American Society of International Law, United Nations Conference on Straddling and Highly Migratory Fish Stocks, New York, July 1993-August 1995.

Observer for the IUCN- World Wide Fund for Nature, 44th Annual Meeting of the International Whaling Commission, Glasgow, Scotland, June-July 1992.

State of Maine

Member, State of Maine Submerged Lands Advisory Board, 1996-1999.

Member, State of Maine Lobster Cooperative Management Project, 1995-96.

Member, State of Maine Aquaculture Development Steering Committee, 1995-96.

Amicus Curiae Brief to the Maine Supreme Judicial Court in support of the State of Maine in *Bell v. Town of Wells*, 1988 (determining public trust rights in intertidal lands)(with O. Delogu, T. Brett, and T. Burrowes).

Other State and Federal Entities

North Pacific Fishery Management Council, Legal Authority of the Regional Councils under NEPA, the ESA, and the Magnuson-Stevens Act, 2001-02.
New England Fishery Management Council, Study on Enforcement and Noncompliance Problems in New England Fisheries, 1989-90.

Alaska Oil Spill Commission, In the Wake of the Exxon Valdez (analysis of legal options to prevent marine terminal and pipeline-related oil spills), 1989-90.

University Service (at University of Hawai‘i at Mānoa)

Program and Curriculum Committee, Colleges of Arts & Sciences, 2008-2011 (chair, 2009-2011)
Tenure and Promotion Review Committee, 2009
Post-Tenure Review Appeals Committee, 2008
Council on Program Review, 2007-2010
Department of Geography, Personnel Committee, 2011
Department of Geography, Search Committee (marine geography position), 2011 (chair)
Department of Geography, Graduate Admissions and Program Committee, 2013-14,
2007-2008 (chair, 2008)

University Service (at University of Maine Law)

University of Maine Law School Curriculum Committee, 1998-1999; 2002-2005
Law School Dean’s Advisory Committee, 1999-2000
Law School Faculty Appointments Committee, 1994-1995 (chair); 2002 (chair)
Law School Admissions Committee, 1992-1993
Provost’s Search Committee (University of Southern Maine), 1990-1991