



Dave Owen

Associate Dean for Research and Harry Sunderland '61 Professor of Law

Professor Dave Owen teaches courses in environmental, water, land use, energy, and administrative law. His interest in the subject area began when he was about six years old and his parents denied him access to all television except for PBS wildlife specials. He then became inordinately interested in poachers. He went on to study geology in college, primarily because the labs were outside, and became an environmental consultant. During one hot summer day of hazardous waste site sampling, while sweating miserably in a Tyvek suit and inhaling aniline fumes, he decided graduate school sounded like a nice idea. So he became an environmental lawyer. He went to Berkeley Law, where he served as editor-in-chief of Ecology Law Quarterly and was selected for the Order of the Coif.

Professor Owen went on to clerk at federal district court and then work for a small law firm in San Francisco, where his practice focused primarily on water law. He worked on Colorado River allocation, Sacramento-San Joaquin Delta litigation, and federal state disputes over the proposed Yucca Mountain nuclear waste repository, among other matters. In 2007, he began teaching at the University of Maine School of Law. He joined the Hastings faculty in 2015.

His research focuses primarily on water resource management, and some recent projects have addressed roles of negotiation in environmental regulation, equity implications of a turn toward community-centered energy governance, groundwater-surface water interactions, taxation of water consumption, the roles of federal regional offices, stream protection under the Clean Water Act, and policies to expedite dam removals and hydropower upgrades. Five of his articles have been recognized by his peers as among the top environmental law articles of their respective years; another article has won the Morrison Prize as the top sustainability-law article of its year; and he has presented three articles at the Harvard-Stanford-Yale Junior Faculty Forum. He also contributes to the Environmental Law Prof Blog.

In his spare time, Professor Owen was once a passably competent ultimate frisbee player. Now he mostly runs on trails, a bit slower with each passing year. He lives in Albany with his wife Megan, a pediatric occupational therapist, his two children, and a dog named Allie.

Education

University of California, Berkeley School of Law, J.D., Law, 2002

Amherst College, B.A., Geology, 1996

Accomplishments

Land Use and Environmental Law Review

The Land Use and Environmental Law Review, a compilation of the top environmental and land use law articles of the preceding academic year, has republished Professor Owen's article "Law, Land Use, and Groundwater Recharge" (73 Stan. L. Rev. 1163).

2022

Morrison Prize

Professor Owen's recent paper "Trading Dams", coauthored with The Nature Conservancy's Colin Apse, received the first annual Morrison Prize for sustainability research. The Morrison Prize, sponsored by Arizona State Law School, "seeks to recognize the most impactful sustainability-related legal academic article published in North America during the previous year."

2016

Land Use and Environmental Law Review

The Land Use and Environmental Law Review, a compilation of the top environmental and land use law articles of the preceding academic year, has republished Professor Owen's article "Mapping, Modeling, and the Fragmentation of Environmental Law" (2013 Utah L. Rev. 219).

2013

The Land Use and Environmental Law Review

The Land Use and Environmental law Review, a compilation of the top environmental and land use articles of the previous academic year, has republished Professor Owen's article "Regional Federal Administration" (63 UCLA L. Rev. 58).

2016

Rutter Award for Teaching Excellence

UC Law SF College of the Law

2017

Selected Scholarship

Community Energy Exit (with Sharon Jacobs) (forthcoming 2023)

73 Duke L.J. __

The Negotiable Implementation of Environmental Law

75 Stan. L. Rev. 137

2023

The Realities of Takings Litigation

47 BYU L. Rev. 577

2022

Law, Land Use, and Groundwater Recharge

73 Stan. L. Rev. 1163

2021

Coequal Federalism and Joint Federal-State Agencies

55 Ga. L. Rev. 287

2020

Consultants, the Environment, and the Law

61 ARIZ. L. REV. 823

2019

California Groundwater Management, Science-Policy Interfaces, and the Legacies of Artificial Legal Distinctions

with Alida Cantor et al., ENVIRONMENTAL RESEARCH LETTERS

2019

The Conservative Turn Against Compensatory Mitigation

Environmental Law

2018

Cooperative Subfederalism,

9 U.C. IRVINE L. REV. 177

2018

Water and Taxes

UC Davis Law Review

2017

Little Streams and Legal Transformations

Utah Law Review

2017

Regional Federal Administration

UCLA Law Review

2015

Trading Dams

UC Davis Law Review

2015

Taking Groundwater

Washington University Law Review

2014

Links

Publications

O'Brien Center for Scholarly Publications

Courses

Legislation and Administrative Regulation

Water Law

Environmental Law & Policy

Energy Law

Environmental Justice

Expertise

Administrative Law

Energy Law

Environmental Law

Government Law

Natural Resources Law