

# Wyatt Gregory Sassman

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## Experience

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- 2018 – present      **University of Denver Sturm College of Law**  
Associate Professor with Tenure (2024 – present)  
Assistant Professor (2018 – 2024)  
Director, Christopher N. Lasch Clinical Fellowship Program (2021 – 2022, 2024 – present)  
*Courses:*  
Environmental Law Clinic & Seminar (Fall 2018 – present)  
Natural Resources Law (Spring 2025)  
Environmental Justice (Spring 2022, Spring 2023, Spring 2025)  
Clinical Pedagogy & Scholarship (Fall 2021, Spring 2022, Fall 2024, Spring 2025)  
*Other Affiliations:*  
Center for Environmental Justice, Colorado State University (2020 – present)  
Rocky Mountain Collective on Race, Place & Law (2018 – present)
- 2016 – 2018      **Georgetown University Law Center**  
Clinical Teaching Fellow
- 2014 – 2016      **Southern Environmental Law Center**  
Associate Attorney
- 2013 – 2014      **U.S. Court of Appeals for the Sixth Circuit**  
Law clerk to Judge Gilbert S. Merritt, Jr.

## Education

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- 2018    LL.M.      **Georgetown University Law Center** (*with distinction*, Clinical Advocacy)
- 2013    J.D.      **Vanderbilt University Law School**  
• Bennett Douglas Bell Memorial Award (awarded by faculty for commitment to public-interest law)  
• Executive Editor, Environmental Law & Policy Annual Review  
• Research assistant to Prof. J.B. Ruhl
- 2010    B.A.      **Vanderbilt University** (*magna cum laude*, Political Science)

## Publications

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### Book

NATURAL RESOURCES LAW (West Academic Publishing, 4th ed., forthcoming 2026) (with Jan G. Laitos).

### Law Review Articles & Essays

*What's Left of Environmental Democracy?*

49 HARV. ENVTL. L. REV. \_\_ (forthcoming 2025).

*The Legal Foundations of Extractive Power*

71 UCLA L. REV. 66 (2024).

- Featured on [LPEBlog's](#) "Best New LPE and LPE-Adjacent Scholarship," April 5, 2023.
- "Recommended" on [Legal Theory Blog](#), March 24, 2023.

*Prioritizing Proximity in Phasing Out Oil & Gas Extraction*

55 CONN. L. REV. 749 (2023) (symposium on Climate and Environmental Justice in the 21st Century: A Just Transition).

- Selected as one of the top twenty environmental law and policy articles published in 2023 and highlighted in the Environmental Law & Policy Annual Review, a publication designed to elevate academic ideas for policymakers.

*Community Empowerment in Decarbonization: NEPA's Role*

96 WASH. L. REV. 1511 (2021).

- Selected as one of four top environmental law articles of the year through peer-review and reprinted in Land Use & Envtl. L. Rev. (2022-2023).

*Beyond Emissions: Migration, Prisons, and the Green New Deal*

51 ENVTL. L. 161 (2021) (with Danielle C. Jefferis).

*Critical Questions in Environmental Law*

98 U. DETROIT MERCY L. REV. 487 (2020) (symposium on Race, Class, and Environmental Justice).

*How Circuits Can Fix Their Splits*

103 MARQ. L. REV. 1401 (2020).

- “Recommended” on [Legal Theory Blog](#), Oct. 10, 2019.
- Featured on appellate litigation blog [How Appealing](#), Sept. 30, 2019.

*Cases as Fictions: Clinical Methods in Teaching and Scholarship*

4 SAVANNAH L. REV. 95 (2017) (symposium on American Legal Fictions).

*A Survey of Constitutional Standing in State Courts*

8 KY. J. EQUINE, AGRIC. & NAT. RESOURCES L. 349 (2016).

- Featured on [Legal Theory Blog](#), June 6, 2017.
- Cited in *Ward v. Westerfield*, 653 S.W.3d 48, 52 n.13 (Ky. 2022); *Reclaim Idaho v. Denney*, 497 P.3d 160, 196 (Idaho 2021) (Stegner, J., concurring); *Dep't for Medicaid Servs. v. Sexton*, 566 S.W.3d 185, 193-94 (Ky. 2018).

*Environmental Justice as Civil Rights*

18 RICH. J. L. & PUB. INT. 441 (2015).

*The Grass is Always Greener: Keystone XL, Transboundary Harms, and Guidelines for Cooperative Environmental Assessment*

45 VAND. J. TRANSNAT'L L. 1489 (2012) (note).

## Book Chapter

*Energy and Climate Change* (with James Blanding Holman, VI) in ENVIRONMENTAL LAW IN SOUTH CAROLINA (Wyche & Finklea eds., 3d ed. 2016).

## Reviews and Shorter Works

*Communities of Extraction*, LPEBlog (March 10, 2022) ([link](#)).

*Tenth Circuit Database Project: An Update and Preview*, 98 DENV. L. REV. 421 (2021).

*Introducing the Tenth Circuit Database Project*, 97 DENV. L. REV. 383 (2020).

*Excavating Congress's Relationship to the Administrative State*, JOTWELL (July 25, 2018) (reviewing Maggie Blackhawk (née McKinley), *Petitioning and the Making of the Administrative State*, 127 YALE L.J. 1538 (2018)).

*Applying Originalism*, 63 UCLA L. REV. DISC. 154 (2015), featured on [The Originalism Blog](#), Feb. 4, 2016.

*On Being Mostly Right*, JOTWELL (March 3, 2016) (reviewing Samuel Bray, *The Supreme Court and the New Equity*, 68 VAND. L. REV. 997 (2015)), featured on [PrawfsBlawg](#), March 3, 2016.

*Administrative Compliance Orders and Due Process After Sackett*, TENN. B. ASS'N ENVTL. L. SEC. NEWSL. (July 2013) (Winner of 2013 Jon E. Hastings Memorial Award for writing in environmental law) ([link](#)).

## Selected Presentations

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“Clean Energy and Community Economic Development,” AALS Annual Meeting, Jan. 11, 2025.

“CAFOs and Environmental Law,” Colorado Bar Association CLE, Sept. 16, 2024.

“Children’s Equality and Environmental Regulation,” Children’s Equal Protection Symposium, Duke Law School, March 29, 2024.

“Waste’s Potential,” 2023 Natural Resources Law Teachers Workshop, Univ. of Utah S.J. Quinney College of Law, July 22, 2023.

“Embedding Racial Justice in the Work of Environmental NGOs,” Eighth Annual SRP Sustainability Conference of American Legal Educators, Sandra Day O’Connor College of Law, Arizona State University, May 12, 2023.

“The Rights of Nature Movement: Lunch & Learn,” Denver Law Natural Resources & Environmental Law Society, April 17, 2023.

“Navigating Choppy Waters: River Access and Recreation in Colorado,” 2023 Water Law Symposium, Denver Law, April 14, 2023.

“Law and the Political Economy of Petrosuburbs,” ClassCrits XIII Conference: Unlocking Race & Class For Just Transitions, Thurgood Marshall School of Law, Oct. 21, 2022.

“Phasing-in Phase-outs: Priorities for a Just Transition in the Petrosuburbs,” Symposium on Climate and Environmental Justice in the 21st Century: A Just Transition, Univ. of Connecticut Law School, Oct. 21, 2022.

“The Role of Communities in Renewable Energy Development,” ABA Section of Real Property, Trust & Estate Law, Oct. 13, 2022.

“Banning Extraction,” Colloquium on Environmental Scholarship, Vermont Law & Graduate School, Sept. 24, 2022.

“Banning Extraction,” Natural Resources Law Teachers Workshop, Vail, Colorado, July 23, 2022.

“The Supreme Court’s Term and Social Justice,” Denver Law Diversity, Equity, and Inclusion Program, Aug. 25, 2022.

“Law and the Political Economy of Petrosuburbs,” Clinical Law Review Writers’ Workshop, N.Y.U Law School (remotely), Oct. 2, 2021.

“Law and the Political Economy of Petrosuburbs,” Colloquium on Environmental Scholarship, Vermont Law School (remotely), Sept. 28, 2021.

“The Green New Deal,” Denver Law Natural Resources & Environmental Law Society (remotely), March 29, 2021.

“Environmental Justice,” Colorado Bar Association, Environmental Law Section (remotely), Feb. 23, 2021.

“The Next Four Years,” Rocky Mountain Collective on Race, Place & Law (remotely), Nov. 10, 2020.

“Climate Policy & the Election” Denver Law Natural Resources & Environmental Law Society (remotely), Oct. 29, 2020.

“A New National Environmental Policy: NEPA and the Green New Deal,” Colloquium on Environmental Scholarship, Vermont Law School (remotely), Sept. 26, 2020.

“A New National Environmental Policy: NEPA and the Green New Deal,” Sabin Colloquium on Innovative Environmental Law Scholarship, Columbia Law School (remotely), May 5, 2020.

“Critical Influences in Environmental Law,” Detroit Mercy Law Review Symposium on Race, Class and Environmental Justice, Detroit Mercy Law School, March 6, 2020.

“Immigration Control and Environmental Regulation: Towards Justice?,” AALS Annual Meeting, joint session of Immigration, International, and Environmental Law Sections, Jan. 3, 2020.

“How Circuits Can Fix Their Splits,” Southern Clinical Conference, LSU Law Center, 2017.

“The Law of Energy,” Law & Society Symposium, Charleston School of Law, 2016.

“The Relationship between Law and Environmental Science,” Postgraduate and Early Careers Conference, UCL, 2014.

#### Selected Media

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Colorado Sun, [“Is a Supreme Court Fight Over 88-mile Uinta Basin Railway Really a Battle over NEPA?”](#) Nov. 5, 2024 (quoted).

Lawdragon, "[The 2024 Leaders in Environmental Law](#)," February 2, 2024 (named as a leading lawyer in environmental justice & law for the third year in a row).

Colorado Sun, "[Colorado Air Pollution Regulations Offer Neighborhood Groups Free Lawyers to Represent them in Environmental Rulemaking](#)," July 26, 2023 (quoted).

Colorado Politics, "[Colorado Supreme Court shuts door on man's challenge to private riverbed ownership](#)," June 5, 2023 (quoted).

Lawdragon, "[Leaders in Environmental Law](#)," February 3, 2023 (named as a leading lawyer in environmental justice & law for the second year in a row).

Bloomberg Law, "['No Brainer' Methane Rule Touts New EPA Approach to Carbon Costs](#)," Nov. 17, 2022 (quoted).

Grist, "[Brooklyn pipeline disproportionately harms communities of color, complaint alleges](#)," Sept. 14, 2021 (quoted)

Bloomberg Law, "[Biden Era Brings Legal Disappointments for Environmental Groups](#)," June 2, 2021 (quoted).

Grist, "[The EPA just accused Missouri's environmental agency of violating the Civil Rights Act](#)," May 14, 2021 (quoted).

Bloomberg Law, "[Biden Environment Agenda Spurs Early Pivots, Attacks in Court](#)," April 20, 2021 (quoted).

Bloomberg Law, "[Judge Nixes Civil Rights Bid to Block Chicago Metal Shredder](#)," April 15, 2021 (quoted).

Bloomberg Law, "[Environmental Justice Bill Sharpens Civil Rights Litigation Tool](#)," April 8, 2021 (quoted).

Lawdragon, "[500 Leading Environmental & Energy Lawyers](#)," March 16, 2021 (named as a leading lawyer in environmental justice & law).

E&ENews, Climatewire, "[Biden win won't change Juliana's fate](#)," Nov. 18, 2020 (quoted).

E&ENews, Climatewire, "[4 climate questions for Barrett](#)," Oct. 9, 2020 (quoted).

E&ENews, Climatewire, "[Biden presidency could spur change in climate litigation](#)," Aug. 18, 2020 (quoted).

Colorado Independent, "[Some Colorado residents want their local governments to ban fracking. Here's why that probably won't happen](#)," Jan. 6, 2020 (quoted).

## Bar Admissions

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Colorado, District of Columbia, South Carolina (inactive), Texas

United States Supreme Court; United States Courts of Appeals for the Fourth, Sixth, Ninth, Tenth, and District of Columbia Circuits; United States District Courts for the Districts of Colorado and Columbia.

## Litigation

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### With University of Denver Environmental Law Clinic (2018 – present)

*In re Water Rights of St. Vrain & Left Hand Water District*, 23CW3001 (District Ct., Water Div. 1)

Representing nonprofit environmental group opposing an application water rights for a new reservoir near Lyons, Colorado because, among other reasons, the applicant has publicly said that it no longer plans to build the reservoir.

*In re Water Rights of Middle Park Conservancy District*, 23CW3176 (District Ct., Water Div. 5)

Representing nonprofit environmental group opposing an application water rights for a new reservoir in western Colorado because, among other reasons, the application does not account for climate change induced drought.

*Center for Biological Diversity, et al. v. U.S. EPA*, No. 23-9565 (10th Cir.)

Challenging EPA's partial approval of Colorado's plan for meeting an ozone pollution standard by a certain date after EPA has already determined Colorado did not meet the ozone standard by that date.

*Center for Biological Diversity, et al. v. Colorado Dept. of Public Health & Environment*, 2022CV030476 (Adams Co. Dist. Ct. 2022), 2022CV309000 (Weld Co. Dist. Ct. 2022)

Successfully enforced the state agency's obligation to update and reissue permits under Title V of the Clean Air Act to several major sources of air pollution in Adams County and Weld County, Colorado.

*Colorado v. Hill*, 22SC119 (Colo. 2023)

Authored amicus brief on behalf of law professors in a fishing access case, now before the Colorado Supreme Court, discussing the application of the Equal Footing Doctrine and public trust principles to Colorado's navigable rivers.

*Center for Biological Diversity, et al. v. Colorado Dept. of Public Health & Environment, et al.*, WQ 2022-0001 (Colo. Admin. Ct.)

Administrative adjudication challenging the state agency's issuance of a general permit for concentrated animal feeding operations in Colorado without groundwater monitoring provisions required by the Clean Water Act.

*Western Energy Alliance v. Biden*, No. 0:21-cv-00013 (D. Wyo. 2022)

Authored amicus brief on behalf of a group of local governments across the West in support of the federal government's pause on oil & gas leasing on federal lands.

*Wild Virginia v. Council on Environmental Quality*, 56 F.4th 281 (4th Cir. 2022)

Authored amicus brief on behalf of rural and animal welfare groups on the harms of the Trump administration's decision to exclude federal funding and approvals of concentrated animal feeding operations from NEPA review.

*American Lung Assoc., et al. v. U.S. EPA*, 985 F.3d 914 (D.C. Cir. 2021)

Authored amicus brief on behalf of historic-preservation advocates highlighting how EPA's rollback of the Clean Power Plan and replacement Affordable Clean Energy rule will irrevocably damage historic places and communities.

*Juliana, et al. v. United States*, 947 F.3d 1159 (9th Cir. 2020)

Authored amicus brief on behalf of children's rights advocates in support the youth plaintiff's petition for rehearing en banc, detailing remedies provided by the federal courts when government policy uniquely harms children.

*Hill v. Warseva, et al.*, 947 F.3d 1305 (10th Cir. 2020)

Authored amicus brief on behalf of law professors in a fishing access case, discussing the application of the Equal Footing Doctrine and public trust principles to Colorado's navigable rivers.

*Save the Colorado, et al. v. U.S. Bureau of Reclamation*, No. 1:17-cv-02563 (D. Colo. 2020)

Challenging federal decisions under NEPA and the CWA to permit a large water resource project that would seriously damage the Colorado River without considering available data on water demand and climate change.

*Grand Valley Citizens Alliance v. Colorado Oil & Gas Conserv. Comm'n*, 2019CV30618 (Denv. Dist. Ct. 2020).

Challenging a state agency's decision to permit the fifth industrial-scale fracking project in a residential community without considering, among other things, the cumulative impacts of the projects.

*Neighbors Affected by Triple Creek v. Colorado Oil & Gas Conserv. Comm'n*, 2018CA116 (Colo. Ct. App. 2021).

Challenging a state agency's decision to permit an industrial-scale fracking project in the middle of a residential community without considering mitigation measures requested by the community.

*Weld Air & Water, et al. v. Colorado Oil & Gas Conserv. Comm'n*, 2018CA1147; *cert. denied* 2019SC505 (Colo. 2020).

Challenging a state agency's decision to permit an industrial-scale fracking project next to the playgrounds and ballfields of a middle school serving a low-income, primarily Spanish-speaking community. Received the first published decision in Colorado finding citizen standing to challenge oil & gas permits and successfully opposed the agency's petition for certiorari to the Colorado Supreme Court on that issue.

#### **With Georgetown Law Appellate Courts Immersion Clinic (2016 – 2018)**

*Cirocco v. McMabon*, 768 Fed. Appx. 854 (10th Cir. 2019)

Federal-sector Title VII case, asking whether exhaustion of administrative remedies is a jurisdictional requirement, among other things.

*United States v. Mitchell*, 905 F.3d 991 (6th Cir. 2018)

CJA appointment defending grant of habeas relief from government appeal and cross-appealing district court's decision to impose supervised release after the defendant overserved his statutory maximum sentence by over 7 years.

*Jones v. Medtronic*, 745 Fed. Appx.714 (9th Cir. 2018)

Pro bono appointment to federal-preemption case, asking whether federal regulation preempts state-law claims based on a medical device manufacturer's promotion of unapproved, or "off-label," uses of its products.

*Alvarez v. City of Brownsville*, 904 F.3d 382 (5th Cir. 2018) (en banc)

Section 1983 case, asking whether due process under *Brady v. Maryland* requires the government to disclose exculpatory evidence when negotiating a plea agreement.

*Lockwood, Andrews & Newman v. Mason*, No. 16-1092, *cert. denied* 137 S.Ct. 2242 (2017)

Supervised clinic students who assisted small plaintiffs' firm in drafting brief opposing certiorari in a Class Action Fairness Act case arising out of the Flint water crisis.

*General Motors v. Elliott*, No. 16-764, *cert. denied* 137 S.Ct. 1813 (2017)

Supervised clinic students who assisted Georgetown Law professor Gary Peller in drafting brief opposing certiorari on complex due process issues stemming from GM's "Great Recession" bankruptcy.

*Advocate Health Care Network v. Stapleton*, 137 S.Ct. 1652 (2017)

Merits-stage amicus brief on behalf on National Employment Lawyers Association in case about whether ERISA plans maintained, but not established, by certain church affiliates are exempt from ERISA's protections for retirees.

*Lyons v. Johns Hopkins Hospital*, 712 Fed. Appx. 287 (4th Cir. 2017) (argued)

Americans with Disabilities Act case, asking whether a disabled social worker is excluded from the protection of the ADA under the statutory exception for "current drug users," among other things.

*Andrew F. v. Douglas County School District*, 137 S.Ct. 988 (2017)

Merits briefing in an Individuals with Disabilities Education Act case, deciding what the statutory guarantee of a "free and appropriate education" requires.

**With Southern Environmental Law Center (2014 – 2016)**

*Congaree Riverkeeper v. Carolina Water Services*, 248 F. Supp. 3d 733 (D.S.C. 2017)

Clean Water Act citizen suit against a privately-owned wastewater treatment facility resulting in a permanent injunction prohibiting any discharge into the affected river and over \$1.5 million in civil penalties.

*Preservation Soc'y v. S.C. Dept. of Health & Emntl. Control*, 2017 WL 4838490 (S.C. Ct. App. 2017)

State wetlands permitting case, appealing state administrative law court decision on standing.

*S.C. Coastal Conservation League v. U.S. Army Corps of Engineers*, 789 F.3d 475 (4th Cir. 2015)

Federal wetlands permitting case, appealing district court's decision on standing and mootness.