

**DAMIEN SCHIFF**  
Biographical Sketch

Damien Schiff is a Principal Attorney in the Environmental Law Practice Group of the Pacific Legal Foundation. At PLF, Mr. Schiff has been regularly involved in cases with the Endangered Species Act and the Clean Water Act, among other environmental laws.

Mr. Schiff was PLF's lead attorney in its successful legal challenge, *Constoski v. Scarlett*, to force the government to delist the bald eagle from the ESA. He was also lead attorney in PLF's challenge to the National Marine Fisheries Service's revised Hatchery Listing Policy, *Trout Unlimited v. Lohn*, and to the critical habitat designation of 15 vernal pool species in California and Oregon, *Home Builders Association of Northern California v. United States Fish & Wildlife Service*, among other cases. He also has been involved in PLF's Tenth Amendment challenges to ESA regulation, including *Stewart & Jasper Orchards v. Salazar*, challenging water cutbacks for the Delta smelt, and *People for Ethical Treatment of Property Owners v. United States Fish & Wildlife Service*, challenging take protections for the Utah prairie dog.

Mr. Schiff was lead attorney in *Sackett v. United States Environmental Protection Agency*, in which the United States Supreme Court held that landowners may obtain judicial review of compliance orders issued by EPA under the Clean Water Act. He was also lead attorney in *Barnum Timber Co. v. United States Environmental Protection Agency*, in which the Ninth Circuit Court of Appeals held that landowners have a right to challenge environmental regulations that reduce their property values.

Mr. Schiff's legal writing includes: *Rollin', Rollin' Rollin' on the River: A Story of Drought, Treaty Interpretation, and Other Rio Grande Problems*, published in volume 14 of the *Indiana International and Comparative Law Review*; *Nothing New Under the Sun: The Minimalism of Chief Justice Roberts and the Supreme Court's Recent Environmental Law Jurisprudence*, published in volume 15 of the *Missouri Environmental Law and Policy Review*; *The Distinct Population Segment Provision of the Endangered Species Act and the Lack Thereof in the California Endangered Species Act*, published in volume 30 of the *Journal of Land, Resources, and Environmental Law* (co-authored with Joshua P. Thompson); *Sackett v. EPA: Compliance Orders and the Right of Judicial Review*, published in the 2011-2012 *Cato Supreme Court Review*; and *Leveling the Playing Field in David v. Goliath: Remedies to Agency Overreach*, published in volume 17 of the *Texas Review of Law & Policy* (co-authored with Luke Wake).

Mr. Schiff obtained his law degree *magna cum laude* from the University of San Diego School of Law, and his undergraduate degree *magna cum laude* from Georgetown University. He is a former law clerk to the Honorable Victor J. Wolski, United States Court of Federal Claims.