



Joe Feller, second from left, with students in his Natural Resources Field Seminar in 2008. Photo by Bret Birdsong.

Today I learned the sad news that Joe Feller, Professor of Law at Arizona State University, has died after being hit by a car. Joe was a fine scholar (coincidentally, I was reading a terrific piece he wrote on The Adjudication that Ate Arizona Water Law when the news came in), but he was so much more than that. Joe, whose father David was a highly respected labor and civil rights lawyer for two decades before he joined the faculty at Berkeley Law, knew firsthand that (to borrow the words of Dan Tarlock) environmental law is all about marrying wonder to power. Joe loved the west's great landscapes, even the ones most people don't find picturesque or beautiful. He knew that law review articles don't save landscapes. Joe did just that. He used every tool available, from buy-outs to litigation, to reduce the amount of livestock grazing on some of the west's most ecologically fragile lands. And he got his students out to those lands, passing along both his love of them and his deep understanding of how easily and lastingly they could be damaged by careless use.

I first met Joe at a Natural Resources Law Teachers Institute sponsored by the Rocky Mountain Mineral Law Foundation. I was brand new to teaching and very much intimidated by the self-assured, experienced teachers and scholars in the crowd, people whose names were familiar from their scholarly writings. Joe helped put me at ease. He knew just about everything, it seemed to me, about every natural resource conflict in the west, and he had a PhD in physics. Pretty intimidating credentials, but he clearly didn't take himself or legal academia too seriously. He talked with equal enthusiasm and humor about the latest court

decision, the litigation tactics of NGOs and property rights groups, and where he was planning to hike when the conference broke up.

I last saw Joe at another Natural Resources Law Teachers Institute, this one two years ago in the Columbia Gorge. It was the end of a day-long field trip, and the group was hiking up to Multnomah Falls in an intermittent misty drizzle. I fell in with Joe and others who were discussing the recent Congressional action authorizing the Fish and Wildlife Service to delist the gray wolf in Montana and Idaho. People were understandably outraged, but Joe was gently forcing them to confront their intuitive reaction that this couldn't be lawful, drawing others into the conversation by appealing to their expertise, and turning all of us from mere complaints to thinking about what could be done in a positive way. It was a great teaching moment, an illustration by example of the qualities needed to be a good environmental lawyer or environmental law professor, and it happened while we were all admiring a spectacular landscape.

Joe will be sorely missed, but his influence will be with us for a long time, in the landscapes he worked to save and in the hearts and minds of his students, colleagues, family, and friends.



Grand Gulch, one of the landscapes Joe Feller loved and worked to keep natural.

From his Picasa web albums.