

**Comments Submitted by Waters Advocacy Coalition, *et al.*  
in Response to the  
Environmental Protection Agency's and U.S. Army Corps of Engineers'  
Draft Guidance on Identifying Waters Protected by the Clean Water Act  
EPA-HQ-OW-2011-0409**

**EXHIBIT 12**


**David L. Sunding Biography**



## David L. Sunding



**David L. Sunding**  
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### Education

University of California, Berkeley, Ph.D. in Agricultural and Resource Economics; University of California, Los Angeles, M.A. in African Area Studies; Claremont McKenna College, B.A. in Economics

### Biography

Dr. David Sunding has extensive experience as a researcher, consultant, and expert witness in matters related to natural resources, environmental quality, energy, and the economics of regulation. His expertise includes experience in complex litigation, regulation, and transactions. He has testified in state and federal courts and in regulatory proceedings around the country.

He has assisted corporations, utilities, and government agencies in developing economic testimony in a variety of matters concerning environmental damages, product liability, risk assessment, resource planning, cost allocation, and project financing. Dr. Sunding has played a central role in several prominent water resource matters, including the landmark Quantification Settlement Agreement for the Colorado River, interstate water disputes before the U.S. Supreme Court, and the Federal Energy Regulatory Commission's relicensing of hydropower facilities. He has authored several widely cited studies on the economics of water quality regulation and has served as an expert in cases involving regulation and litigation under the Clean Water Act, the Endangered Species Act, and other statutes.

Dr. Sunding is the Thomas J. Graff Professor in the College of Natural Resources at UC Berkeley, where he is also the co-director of the Berkeley Water Center. He has received numerous awards for his research, including grants from the National Science Foundation, the U.S. Environmental Protection Agency, and private foundations. He is currently a Visiting Professor in the Woods Institute of the Environment at Stanford University.

Prior to joining *The Brattle Group*, Dr. Sunding was a founding director of Berkeley Economic Consulting. Previously, he was a senior consultant at Charles River Associates and NERA. He served as a senior economist for President Clinton's Council of Economic Advisers, and is a member of the American Economic Association, the Association of Environmental and Resource Economists, the Econometric Society, and the American Law and Economics Association.

### Selected Publications

- o "Economic Incentive Effects of EPA's After-the-Fact Veto of a Section 404 Discharge Permit Issued to Arch Coal," by [David L. Sunding](#), *UC Berkeley and The Brattle Group*, May

### Areas of Expertise

- [Environmental Litigation and Regulation](#)
- [Product Liability](#)
- [Utility Regulatory Policy and Ratemaking](#)
- [Valuation](#)

30, 2011. 

### Selected Testimony

- "Oral Testimony of David L. Sunding, University of California at Berkeley, Before the U.S. House of Representatives, Committee on Transportation and Infrastructure, Subcommittee on Water, Resources and Environment," by [David L. Sunding](#), May 11, 2011. 

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