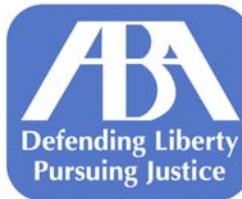


2008
Guide to ABA
Annual Meeting
Environmental
Law Activities

NEW YORK, NY
AUGUST 7–12



ABA ENVIRONMENTAL LAW & NATURAL RESOURCES GROUPS

Standing Committee on Environmental Law (SCEL)
202/662-1694

Section of Administrative Law and Regulatory Practice
Agriculture Committee
Antitrust and Trade Regulation Committee
Environmental and Natural Resources Regulation Committee
202/662-1528

Section of Business Law
Environmental, Energy and Natural Resources Law Committee
312/988-5584

Section of Criminal Justice
White Collar Crime Committee
202/662-1500

Section of Dispute Resolution
Environment and Natural Resources ADR Committee
202/662-1686

Section of Environment, Energy, and Resources
Agricultural Management Committee
Air Quality Committee
Annual Keystone Conference on Environmental Law Committee
Climate Change, Sustainable Development and Ecosystems Committee
Endangered Species Committee
Energy and Natural Resources Litigation Committee
Environmental Disclosure Committee
Environmental Enforcement and Crimes Committee
Environmental Impact Assessment Committee
Environmental Litigation and Toxic Torts Committee
Environmental Transactions and Brownfields Committee
Environmental Values and Ethics Committee
International Energy and Resources Transactions Committee
International Environmental Law Committee
Pesticides, Chemical Regulation and Right-To-Know Committee
Public Land and Resources Committee
Site Remediation Committee
Special Committee on Environmental Justice
Smart Growth and Urban Policy Committee
State and Regional Environmental Cooperation Committee
Superfund and Natural Resource Damages Litigation Committee
Waste Management Committee
Water Quality and Wetlands Committee
312/988-5602

Section of General Practice, Solo and Small Firm
Environmental, Natural Resources and Energy Law Committee
Real Estate Law Group & Committee
312/988-5648

continued on inside back cover

2008
ABA Annual Meeting
Environmental Law
Activities Guide

FRIDAY, AUGUST 8

7:00 a.m. to 8:15 a.m.

**Criminal and Civil Enforcement Initiatives –
Hear it Directly from the DOJ and EPA**

Location: Lincoln West, 2nd Floor, Jumeirah Essex House

Description: This program will examine the recent and developing civil and criminal enforcement priorities of the DOJ and EPA.

Primary Sponsor: Section of Litigation – Environmental Litigation Committee

Additional Sponsor: Section of Environment, Energy, and Resources

Contact: Esther Brewer, 312/988-5499

8:30 a.m. to 10:00 a.m.

How Judges Think: Rule of Law or Rule of Man?

>This is a complimentary CLE program

Location: Sutton Parlor South, 2nd Floor, Hilton New York

Description: The New York Times runaway best-seller *How Doctors Think*, by Dr. Jerome Groopman, demonstrates how cognitive errors can distort physicians' diagnostic processes, leading to faulty diagnoses. Are judges' rulings any different? In this engaging program, the audience will use hand-held devices to "vote" on various fact patterns, indicating how they would "judge" each case. Panelists will then explain how the cognitive phenomena illustrated by the hypotheticals distort judicial decision making, and what can be done to prevent it. The "take-away"? Even (seemingly) rigorous legal analysis may be tainted by logical

fallacies and biases, which can be outcome-determinative. And, although judges aspire to “the rule of law,” cognitive errors affecting their decisions may sometimes result in “the rule of man.”

Chair: *Honorable Delissa A. Ridgway*, New York, NY

Panelists: *Jerome Groopman, M.D.*, Boston, MA;
Mark J. Mills, J.D., M.D., Washington, D.C.;
Honorable Alvin W. Thompson, Hartford, CT;
Honorable Ann Claire Williams, Chicago, IL;
Honorable Andrew J. Wistrich, Los Angeles, CA

Primary Sponsor: Judicial Division

Additional Sponsors: Section of Litigation; Section of Business Law; Tort Trial and Insurance Practice Section; Section of Administrative Law and Regulatory Practice; Section of Antitrust Law; Commission on Women in the Profession; Criminal Justice Section; Section of Dispute Resolution; Section of Environment, Energy, and Resources; Section of Family Law; Section of Labor and Employment Law; General Practice, Solo and Small Firm Division; Health Law Section; Section of International Law; Section of Individual Rights and Responsibilities; Section of Labor and Employment Law; Law Practice Management Section; Section of Public Contract Law; Section of Public Utility, Communications and Transportation Law; Commission on Racial and Ethnic Diversity in the Profession; Section of Real Property, Trust and Estate Law; Section of Science and Technology Law; Senior Lawyers Division; Standing Committee on Judicial Independence; Section of State and Local Government Law; Young Lawyers Division; Coalition for Justice; American Judicature Society; National Association of Women Judges

Contact: Kris Berliant, 312/988-5700

9:00 a.m. to 10:30 a.m.

The Corporate Counsel Chronicles

>This is a complimentary CLE program

Location: O'Neill, 4th Floor, Marriott Marquis

Description: Don't miss this exciting opportunity to attend a roundtable discussion with four in-house corporate attorneys and one former in-house corporate attorney, who will share their real life tales

of life beyond the billable hour. This presentation is geared for attorneys whose goal is to practice in an in-house environment as well as those who currently find themselves in that role, the "outside" law firm attorneys who represent them, and in-house attorneys whose goal is to enter private practice. Some of the topics will include: (i) how best to position yourself for an eventual in-house corporate counsel career; (ii) how to maintain that role once you have achieved it, by becoming an effective and successful member of your corporate employer; and (iii) where to go once you've become a key member of your company's team, A.K.A. "Life after the Legal Department – making the most of in-house and other opportunities." Special emphasis will be placed on the fundamental differences between practice in a law firm and a corporate (profit or non-profit) organization.

Speakers: *Ingrid Busson*, New York, NY; *Kevin Andrew Clunis*, New York, NY; *Stephanie Cohen*, Washington, D.C.; *Jennifer Hilsabeck*, Henderson, NV; *David Martinez*, New York, NY

Primary Sponsor: General Practice, Solo and Small Firm Division

Additional Sponsors: Law Student Division; Young Lawyers Division; Health Law Section; Section of International Law; Section of Real Property, Trust and Estate Law; Standing Committee on Environmental Law

Contact: Nicole Nikodem, 312/988-5640

9:45 a.m. to 10:45 a.m.

What Every Commercial Real Estate Attorney Needs to Know about Environmental Law

>This is a complimentary CLE program

Location: Music Box/Winter Garden/Palace, Majestic Complex, 6th Floor, Marriott Marquis

Description: Join a commercial real estate attorney, an environmental compliance counselor/litigator and an environmental insurance broker for a discussion of modern trends in environmental law and the challenges environmental risk imposes on commercial real estate transactions. You will leave this session with an overview of: statutory environmental liability and shields; contractual

allocation of environmental liability; post-closing environmental issues: litigation considerations from both buyers' and sellers' perspective; and current insurance products offered to manage environmental risk.

Speakers: *Adrienne Cronas*, New York, NY; *Karen Kavanagh Mack*, Chicago, IL; *Robert A. Stout Jr.*, Westfield, NJ

Primary Sponsor: Young Lawyers Division

Additional Sponsors: Section of Environment, Energy, and Resources; Section of Real Property, Trust and Estate Law

Contact: Tracy Kaempf, 312/988-5626

10:30 a.m. to 12:00 Noon

Growing and Mowing Grassroots Involvement in Development Proposals

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Mirus 1, 3rd Floor, Le Parker Meridien

Description: Opposition to development proposals by the neighborhood and local community can turn even the most straightforward plan into a lengthy and expensive proposition. Community support for a proposal, on the other hand, can smooth the way to putting the shovel in the ground. Our panel will use the Atlantic Yards Project in Brooklyn as an example to discuss how community opposition can organize and fund itself, and how a project proponent can generate support for their project and minimize opposition, both during the permitting stage and beforehand. Additionally, our panel will discuss strategies for the inclusion of affordable housing in a project to generate support rather than opposition.

Speakers: *Jeffrey Baker*, Albany, NY; *Karen Sherman*, New York, NY

Primary Sponsor: Section of State and Local Government Law

Additional Sponsors: Forum on Affordable Housing and Community Development Law

Contact: Marsha Boone, 312/988-5649

11:00 a.m. to 12:00 Noon

Energy Business Committee Business Meeting

Location: Plymouth, Conference Level, Grand Hyatt

Sponsor: Section of Business Law

Contact: Carol Reising, 312/988-6187

2:00 p.m. to 3:30 p.m.

Business Improvement Districts and Urban Revitalization

>Ticket Price: \$75, Judges: \$35, Government Attorney: \$35

Location: Conference Room H, Executive Conference Room, Sheraton New York

Description: Speakers will discuss Business Improvement Districts from the public sector perspective and private sector perspectives. The program will include a general discussion of the nature of this type of public-private organization and how BIDs are established: fundamental legislative framework, establishing boundaries, use of eminent domain, establishing a tax assessment formula, establishing a board of directors, obtaining municipal approval, reaching a consensus of the property owners and businesses on what services are needed, and the sharp debate and serious questions that frequently arise in the process.

Speakers: *Peter Bellomo*, Ft. Lauderdale, FL; *Dan Biederman*, New York, NY; *Michael Buckley*, New York, NY; *David Greenbaum*, New York, NY

Primary Sponsor: Section of State and Local Government Law

Additional Sponsors: Section of Real Property, Trust and Estate Law; Forum on Affordable Housing and Community Development Law

Contact: Marsha Boone, 312/988-5649

3:30 p.m. to 5:00 p.m.

Public Health, Environmental Law and Preparedness Committee Business Meeting

Location: Promenade A(2), Promenade Level, Waldorf-Astoria

Sponsor: Section of Science and Technology Law

Contact: Shawn Taylor Kaminski, 312/988-5601

SATURDAY, AUGUST 9

7:00 a.m. to 8:15 a.m.

**The Condemnation, Zoning and Land Use
Litigation Website: The Past, Present and Future**

Location: Hyde Park East, 2nd Floor, Jumeirah
Essex House

Sponsor: Section of Litigation – Condemnation,
Zoning and Land Use Litigation Committee

Contact: Esther Brewer, 312-988-5499

7:30 a.m. to 8:30 a.m.

**Toxic Torts & Environmental Law Committee
Business Meeting**

Location: Carnegie Suite, 18th Floor, Waldorf-
Astoria

Sponsor: Tort Trial and Insurance Practice Section

Contact: Denise St. Fort, 312/988-5498

8:00 a.m. to 5:00 p.m.

Hospitality Suite

Location: Ferion, 2nd Floor, Le Parker Meridien

Sponsor: Section of Environment, Energy, and
Resources

Contact: Ninah Moore, 312/988-5724

8:00 a.m. to 5:00 p.m.

Section Council Meeting

Location: Estrela Penthouse, 42nd Floor, Le Parker
Meridien

Sponsor: Section of Environment, Energy, and
Resources

Contact: Ninah Moore, 312/988-5724

10:30 a.m. to 11:15 a.m.

Land Use Committee Meeting

Location: Mirus 1, 3rd Floor, Le Parker Meridien

Sponsor: Section of State and Local Government
Law

Contact: Marsha Boone, 312/988-5649

2:00 p.m. to 3:30 p.m.

Climate Change: Avoiding, Managing and Resolving Emerging Risks, Disputes and Liability

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Sutton Parlor Center, 2nd Floor, Hilton New York

Description: Climate change responses are creating significant changes in broad sectors of the economy requiring that businesses and their lawyers focus on the numerous areas of opportunity and potential risk. The development of new regulations and incentives is underway; a new generation of energy and water is required; potential new legal risks are on the horizon. Speakers will flag areas of potential exposure, describe newly developed insurance products to manage climate-change related risk and discuss the benefits of using alternative dispute resolution mechanisms to avoid and resolve disputes. Speakers also will review the various collaborative and negotiated processes pursuant to which climate change policy is being shaped with stakeholder input.

Moderator: Edna Sussman, New York, NY

Panelists: Gail Bingham, Washington, D.C.; Stephen Gordon, New York, NY; Colburn Kenneth, Harrisburg, PA; Lindene Patton, Zurich, Switzerland

Primary Sponsor: Section of Dispute Resolution

Additional Sponsors: Section of Environment, Energy, and Resources

Contact: Jannice Hodge, 202/662-1687

2:00 p.m. to 3:30 p.m.

Climate Change in the Face of Rising Energy Costs and Demands

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Conference Room F, Executive Conference Center, Sheraton New York

Description: This program will feature a panel discussion among an environmental proponent for reducing the effects of global warming, an industrial/commercial user of energy, and an energy generation representative. The program will focus on whether there is a path to reconcile competing demands and obligations presented by the rising demand for

energy, wildly spiraling costs for energy generation, and the growing need to monitor and control the rate and quality of climate change.

Primary Sponsor: Section of Public Utility, Communications and Transportation Law

Additional Sponsor: Section of Environment, Energy, and Resources

Contact: Susan Koz, 312/988-5604

SUNDAY, AUGUST 10

8:00 a.m. to 5:00 p.m.

Hospitality Suite

Location: Ferion, 2nd Floor, Le Parker Meridien

Sponsor: Section of Environment, Energy, and Resources

Contact: Ninah Moore, 312/988-5724

8:30 a.m. to 10:00 a.m.

Concerns of Tribes in New York

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Nassau Suite B, 2nd Floor, Hilton New York

Description: This program will address tribal land claims and related jurisdictional issues in New York, issues involving cross-border rights of tribes near or adjacent to the international boundary with Canada, and public safety in Indian Country in New York.

Moderator: *Geoffrey Strommer*, Portland, OR

Panelists: *Carl Artman*, Washington, DC; *Robert Odawi Porter*, Syracuse, NY; *Chief Lorraine White* (invited), Akwesasne, NY

Sponsor: Section of Individual Rights and Responsibilities

Additional Sponsors: Judicial Division; Section of Environment, Energy, and Resources

Contact: Jaime Turner Campbell, 202/662-1028

9:30 a.m. to 10:30 a.m.

**Environmental, Energy and Natural Resources
Law Committee Business Meeting**

Location: Executive Boardroom 5, 14th Floor,
Grand Hyatt

Sponsor: Section of Business Law

Contact: Carol Reising, 312/988-6187

10:30 a.m. to 12:00 Noon

**SHOWCASE PROGRAM: Climate Change –
The Growing Legal Storm**

>Ticket Price: \$75.00, Judges: \$35.00, Government
Attorney: \$35.00

Location: Mercury Ballroom, 3rd Floor, Hilton
New York

Description: Without question, climate change is the issue of today. This cross-cutting panel will provide practical information on how climate change will affect the practice of law. No matter your field of expertise, climate change and its regulation will affect your clients' business, operations, future plans, property, and investments. This "don't miss" panel will explore how climate regulation has already affected law practice in Europe; the likely shape of climate regulation in the U.S. including the continuing emergence of state/local regulation; how climate regulation will affect transactions and boardrooms in the U.S., including securities disclosures, greenhouse gas inventories, and preparing for anticipated sea level rise; and the forecast for climate litigation in the absence of federal climate legislation.

Moderator: *Michael Gerrard*, New York, NY

Speakers: *Laura Kosloff*, Portland, OR; *Owen Lomas*, London, UK; *Leslie Lowe*, New York, NY

Primary Sponsor: Section of Environment, Energy, and Resources

Additional Sponsors: General Practice, Solo and Small Firm Division; Young Lawyers Division; Section of Administrative Law and Regulatory Practice; Section of Public Utility, Communications and Transportation Law; Section of Real Property, Trust and Estate Law; Standing Committee on Environmental Law

Contact: Ninah Moore, 312/988-5724

11:00 a.m. to 12:00 Noon

Subcommittee on Environmental Litigation Business Meeting

Location: Executive Boardroom 21, 14th Floor, Grand Hyatt

Sponsor: Section of Business Law – Business and Corporate Litigation Committee

Contact: Carol Reising, 312/988-6187

2:00 p.m. to 4:00 p.m.

Hot Topics in Environmental Law

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Empire State Ballroom D, Ballroom Level, Grand Hyatt

Description: This program continues the tradition of Annual Meeting programs cosponsored by several ABA entities. This panel discussion will present a number of key trends and issues central to the environmental bar including: carbon emission credit trading; valuation and disclosure—environmentally impaired assets; greenhouse gas regulation in the U.S.; case law emerging from the Hurricane Katrina disaster; vapor intrusion and emerging industrial standards; and *Winter v. NRDC*.

Moderator: *Cynthia Retallick*, Windsor, CT

Speakers: *Jon Brooks*, New York, NY; *Marc Faecher*, Millburn, NJ; *Richard Horsch*, New York, NY; *Jennifer Kilpatrick*, New Orleans, LA; *Monique Mooney*, Philadelphia, PA; *Ronald Tenpas*, Washington, DC

Primary Sponsor: Section of Business Law

Additional Sponsors: Section of Environment, Energy, and Resources; Section of Litigation; Section of Real Property, Trust and Estate Law; Tort Trial and Insurance Practice Section; Standing Committee on Environmental Law

Contact: Carol Reising, 312/988-6187

2:00 p.m. to 5:00 p.m.

Renewable Energy and Transportation: An Afternoon at the Intersection of Law, Finance, Politics and Public Necessity

>Ticket Price: \$75.00, Judges: \$35.00, Government Attorney: \$35.00

Location: Astor Salon, 3rd Floor, Waldorf-Astoria

Description: This program will take an in-depth look at a growing area of interest to practitioners and policymakers – the delivery of critical goods and services in an era of shrinking government budgets and declining interest in more public debt. From the financial capital of the world, New York City, two panels will examine how the private capital markets interface with the legal and political worlds to provide the public with new and innovative goods and services during challenging economic times.

Panel 1 – The Promise of Renewable Energy:

With the huge growth in interest in renewable energy and energy efficiency in the commercial markets over the last year has come a tremendous growth in interest by state and federal governments. Whether to smooth out volatile energy prices, cut a growing cost, or put idle resources to work, state and federal governments have been pursuing energy projects at a record pace. How do public entities purchase renewable energy? What are the available mechanisms for the purchase of renewable energy generated on-site? How important are the tax benefits to making a project work? How do federal entities do it? Can state and local entities take advantage of power purchase agreements? Who bears pricing risk?

Moderator: *Christopher J. Lord*, Annapolis, MD

Speakers: *Kevin W. Billings*, Washington, D.C.; *John Dotson*, San Francisco, CA; *James F. Duffy*, Boston, MA; *Scott Provinse*, Beltsville, MD

Panel 2 – The Promise of Enlightened Transportation:

Jurisdictions across the U.S. have been exploring light rail solutions to alleviate their urban congestion problems. Many creative solutions have been looking at the convenience of at-grade surface light rail. This allows urban planners to integrate the rail system into an urban community framework. One such project that has been considered for decades is a light rail system moving east-west along 42nd Street in New York City, commonly known as vision42. Why should a project like this be supported in New York City? What federal, state and local agency programs can be accessed

for funding transit capital projects, and what are their benefits and limitations? Can a complex urban transit project such as vision42 use traditional sources of funding? What are other options for funding such a transit project? Are public-private partnerships an option to making a project like this a reality?

Moderator: *Sotiris Pagdadis*, Washington, D.C.

Speakers: *Regina Armstrong*, New York, NY; *Daniel Biederman*, New York, NY; *George Haikalis*, New York, NY; *Roxanne Warren*, New York, NY

Sponsor: Section of Public Contract Law

Contact: Ernestine Leibas, 312/988-5699

4:00 p.m. to 5:30 p.m.

Environmental Law Coordinating Forum

Location: Chrysler, Mezzanine Level, Grand Hyatt

Description: Annual forum for ABA entities to share plans and information about their environmental law programs and activities, including proposed policy making.

Sponsor: Standing Committee on Environmental Law

Contact: Jinny Choi, 202/662-1694

5:00 p.m. to 6:00 p.m.

Section Business Meeting

Location: Mirus 1, 3rd Floor, Le Parker Meridien

Sponsor: Section of Environment, Energy, and Resources

Contact: Ninah Moore, 312/988-5724

6:00 p.m. to 7:30 p.m.

ABA Award for Distinguished Achievement in Environmental Law and Policy: Ceremony and Reception

Location: Estrela Penthouse, 42nd Floor, Le Parker Meridien

Joint Sponsors: Standing Committee on Environmental Law and Section of Environment, Energy, and Resources

Contact: Jinny Choi, 202/662-1694

NOTES

PROGRAM PRICING

Purchasing CLE at the 2008 Annual Meeting is easy! Attendees can register for the meeting and purchase an All-Access CLE Badge for a fee of \$450*. This badge can be used for admittance to governance meetings, non-CLE programs and ALL CLE programs at the Annual Meeting, including those in the Presidential CLE Centre and at the satellite hotels. Members whose primary focus at the Annual Meeting is governance, and who may only be able to attend a few CLE programs, can register for the Meeting for a fee of \$175*, which includes admittance to all governance and non-CLE programs, and purchase individual program tickets for \$75 each. Discounted program tickets will be available to government lawyers and judges for \$35. Law Student registrants will be admitted to all CLE programs at no additional charge. Admittance to each CLE program will require one individual program ticket OR the All-Access CLE Badge. Registration with an All-Access CLE Badge for non-ABA members is \$875.

*increases by \$145 after May 30, 2008

NOTES

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NOTES

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Section of Individual Rights and Responsibilities

Environmental Justice Committee
202/662-1030

Section of International Law

International Environmental Law Committee
International Investment and Development Committee
202/662-1672

Section of Litigation

Condemnation, Zoning and Land Use Litigation Committee
Environmental Litigation Committee
312/988-6069

Section of Public Utility, Communications and Transportation Law

Environmental Committee
312/988-5604

Section of Real Property, Trust and Estate Law

Agribusiness Committee
Condemnation Committee
Environmental Committee
Land Use and Environmental Group
Land Use and Zoning Committee
312/988-5651

Section of Science and Technology Law

Public Health, Environmental Law and Preparedness Committee
312/988-5599

Section of State and Local Government Law

Environmental Law Committee
Land Use Planning and Zoning Committee
312/988-5652

Section of Taxation

Energy and Environmental Taxes Committee
202/662-8675

Tort Trial and Insurance Practice Section

Toxic Torts and Environmental Law Committee
312/988-5573

Young Lawyers Division

Environment, Energy and Resources Law Committee
Real Property, Probate and Trust Law Committee
312/988-5614

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