Tulane Environmental Law Society Presents

Tulane’s 11th Annual Environmental Conference

Environment 2006
Law, Science, and the Public Interest

Program

This year’s conference brings academic, practical, and popular perspectives to current issues, including:

Rebuilding and Repopulation in the Hit Zone
The Past Present and Future of the Lake Maurepas and Manchac Swamps
MRGO: Open or Closed?
Rebuilding Healthy Families
O&G Impacts and Liability
1 Cat, 1 Dog: How the Animals Weathered the Storm
Levee Failure and Liability
Bio Mass and Alternative Energy
Talkin’ Trash Post-Katrina

Special Session Speaker
Steve LeGore
Fisheries Recovery Following the Indonesian Tsunami: Process, Issues, and Parallels with Gulf Coast Recovery

Keynote Speaker
Vijay Vaitheeswaran
MR. VAITHEESWARAN is the Global Environment & Energy Correspondent for The Economist, and author of “POWER TO THE PEOPLE: How the Coming Energy Revolution will Transform an Industry, Change our Lives, and Maybe Even Save the Planet” (www.vijaytothepeople.com).

Hosted by the Tulane Environmental Law Society
Welcome to Tulane University School of Law

The Campus at-a-glance

Freret Street

Weinmann Hall, School of Law (detail below)
6329 Freret Street

St. Charles Ave

Free Garage Parking

Additional free parking is available in the neighborhoods adjacent to Tulane, starting roughly three blocks from the Law School. If you have special needs, please contact the conference coordinator at enlaw.tulane.edu

Law School at-a-Glance

All Exits Marked

Room 110
Multipurpose Room
Patio
Room 157
Room 251 (2d floor)
Freret Street Entrance
Accessible Entrances
Room Assignments
(all rooms in John Giffen Weinmann Hall, School of Law)

First Floor Hall / Lounge
Registration
Exhibits
Journal Sales

Multipurpose Room & Patio
Coffee Breaks
Saturday Lunch
Evening Reception

Room 251
IN THE CITY

1 CAT, 1 DOG: HOW THE ANIMALS WEATHERED THE STORM

LEVEE FAILURE AND LIABILITY
(Debate Panel)

TALKIN’ TRASH POST-KATRINA

Room 157
CULTURE AND THE ENVIRONMENT

REBUILDING AND REPOPULATING

REBUILDING HEALTHY FAMILIES

BIOMASS AND ALTERNATIVE ENERGY

Room 110
PROTECTING COASTAL WETLANDS

O&G IMPACTS AND LIABILITY

LAKE MAUREPAS AND MANCHAC SWAMPS

MR-GO: OPEN OR CLOSED?

SPECIAL SESSION & KEYNOTE

Have a Question? Ask one of these people, or any of our student volunteers!

Professor Oliver Houck
Our Esteemed Faculty Advisor

Alicia Smith
Food and Entertainment

Matt Fraser
Publications

Elizabeth Nagelin
Assistant Coordinator

Kathy Harrison
Conference Consultant

Lauren Hassler
Conference Coordinator

Rina Eisenberg
Speaker Chair

Todd Campbell
Speaker Chair

Not Pictured:
Tina Hanson
Logistics Guru

John Binder
Speaker Chair
<table>
<thead>
<tr>
<th>Time</th>
<th>Room 110 Event</th>
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<tbody>
<tr>
<td>9:40 - 9:55 am</td>
<td>Opening Ceremonies - Welcome to the Conference!</td>
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<tr>
<td>10:00-11:30 am</td>
<td><strong>Theme 1 - Room 251</strong>&lt;br&gt;In the City&lt;br&gt;&lt;br&gt;1 Cat, 1 Dog: How the Animals Weathered the Storm&lt;br&gt;Laura Maloney, Louisiana SPCA&lt;br&gt;Kathryn Destreza, Louisiana SPCA&lt;br&gt;Parke Moore, Louisiana Dept. of Wildlife and Fisheries&lt;br&gt;Dana Campbell, Animal Legal Defense Fund&lt;br&gt;Laurie Redman, Attorney</td>
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<td><strong>Theme 2 - Room 157</strong>&lt;br&gt;Culture and the Environment&lt;br&gt;&lt;br&gt;Rebuilding and Repopulating in the Hit Zone&lt;br&gt;Richard Campanella, Tulane Center for Bioenvironmental Research&lt;br&gt;Jeff Thomas, Attorney Simon, Peragine, Smith &amp; Redfearn&lt;br&gt;Rod Emmer, Louisiana Floodplain management Association</td>
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<td><strong>Theme 3 - Room 110</strong>&lt;br&gt;Protecting the Coast&lt;br&gt;&lt;br&gt;O&amp;G Development and Liability&lt;br&gt;Duke Williams, Attorney St. Martin &amp; Williams&lt;br&gt;Michael Lyons, Louisiana Mid-Continent Oil &amp; Gas Assn.&lt;br&gt;Eugene Turner, Coastal Ecology Institute, LSU</td>
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<td>11:30</td>
<td>Lunch on the Patio</td>
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<td>12:30</td>
<td><strong>Special Session - Room 110</strong>: Fisheries Recovery Following the Indonesian Tsunami: Process, Issues, and Parallels with Gulf Coast Recovery Steve LeGore, Ph.D. and (see program insert)</td>
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<td>1:45 - 3:30 pm</td>
<td>Levee Failure and Liability&lt;br&gt;&lt;br&gt;Jonathan Nash, Tulane Law School&lt;br&gt;Adam Babich, Tulane Environmental Law Clinic&lt;br&gt;Pat Martin, LSU Law Center&lt;br&gt;Paul Kemp, LSU School of the Coast and Environment&lt;br&gt;William O’Neil,</td>
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<td>Rebuilding Healthy Families&lt;br&gt;&lt;br&gt;Shawn Eller, 15th Judicial District Court in Lafayette&lt;br&gt;Monique Harden, Advocates for Environmental Human Rights&lt;br&gt;Nathalie Walker, Advocates for Environmental Human Rights&lt;br&gt;Bernadette D’Souza, New Orleans Legal Assistance</td>
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<td>Bio Mass and Alternative Energy&lt;br&gt;&lt;br&gt;Andy Taggart, Board of Supervisors, Madison County, Mississippi&lt;br&gt;Victor Law, Tulane University&lt;br&gt;Paul Breslow, Tulane University</td>
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<td>MR-GO: Open or Closed?&lt;br&gt;&lt;br&gt;Jerry Speir, Louisiana Environmental Action Network&lt;br&gt;Pam Dashiel, Holy Cross Neighborhood Assn.&lt;br&gt;Hassan S. Mashriqui, LSU Hurricane Center</td>
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<td>3:45 - 5:30 pm</td>
<td>Talkin’Trash Post-Katrina&lt;br&gt;&lt;br&gt;Robert Verchick, Loyola Law School&lt;br&gt;Charles Reith, Sustainable Systems, Inc.&lt;br&gt;Chuck Brown, Brown &amp; Associates&lt;br&gt;Joel Waltzer, Waltzer &amp; Associates</td>
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<td>Evening Events Continued on next page...</td>
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5:45-6:45 pm  **Keynote Address:**  Vijay Vaitheeswaran  Room 110

**Mr. Vaitheeswaran** is the Global Environment & Energy Correspondent for *The Economist*, and author of “POWER TO THE PEOPLE: How the Coming Energy Revolution will Transform an Industry, Change our Lives, and Maybe Even Save the Planet* (www.vijaytothepeople.com).

6:45 pm  **Reception ~ Live Music and Local Fare!**

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**Panel Abstracts**

Rebuilding and Repopulating in the Hit Zone addresses the historic and current impacts of oil and gas development on the coastal zone, increased vulnerability of New Orleans and coastal communities, and potential liability.

Rebuilding Healthy Families addresses challenges for attorneys in the public interest sector in addressing the health, safety and environmental justice issues of families returning to some of the worst-hit areas of New Orleans.

Biomass and Alternative Energy addresses alternative energy policy and law with respect to bio-fuels: Are they a good answer? Is this one way for New Orleans to deal with organic waste disposal?

O&G Impact and Liability addresses historic and current impacts of oil and gas development on the coastal zone, increased vulnerability of New Orleans and coastal communities, and potential liability.

Levee Failure and Liability addresses the causes and consequences of levee failure, including pending litigation.

The Past, Present and Future of Lake Maurepas and Manchac Swamps addresses the history, hurricane impacts and restoration policy for the major cypress swamps surrounding New Orleans.

MR-GO: Open or Closed? considers the impacts of the Mississippi River Gulf Outlet on the delta and its relationship to flooding during Hurricane Katrina. The panel examines the environmental and economic impacts of closing the outlet.

1 Cat, 1 Dog: How the Animals Weathered the Storm addresses animal rights and rescue that have arisen during and after Hurricane Katrina. It also examines the impact of the hurricane on wildlife in the hit zone.

Talkin’ Trash Post-Katrina addresses disposal practices and options for white goods, demolition debris, entire households, and includes discussion of recent litigation and pending proposals.

**Fisheries Recovery Following the Indonesian Tsunami: Process, Issues, and Parallels with Gulf Coast Recovery**

Dr. LeGore recently developed a Fisheries Management Action Plan as a component of the USAID Sri Lanka Tsunami Reconstruction Program (SLTRP), directed toward development of recommendations to improve the fisheries value chain while promoting responsible stewardship of coastal resources. The effort was focused on the Fishery Harbors at Dondra, Mirissa and Hikkaduwa, which are scheduled for post-tsunami reconstruction within the SLTRP, but wider ranging recommendations were also provided in the hope that they will be advanced by interested parties. Dr. LeGore will discuss the process and issues encountered during this program.

Dr. LeGore’s presentation will be followed by a discussion, led by Professor Oliver Houck, about the legal implications of LeGore’s work and will emphasize the parallels between the restoration efforts following the tsunami disaster in Indonesia and following Hurricane Katrina on the Gulf Coast.

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**Speaker Biographies (very abridged)**

**Adam Babich** teaches environmental law and directs the Tulane Environmental Law Clinic. Before joining the Tulane faculty, Adam was a Chicago-based litigator whose practice emphasized environmental and insurance-related disputes. He has taught at Georgetown University Law Center, American University, and the University of Denver and has an extensive publications record.


**Chuck Brown** has a Bachelor of Science in Chemistry from the University of Southern Mississippi, a Master of Public Administration, from Southern University A & M College, and a Doctorate of Philosophy in Public Policy/Environmental Policy from the Nelson Mandela School of Public Policy and Urban Affairs at Southern University A & M College in Baton Rouge. Brown is President and CEO of Brown and Associates, a firm specializing in training and development, strategic planning and program evaluation.

**Richard Campanella,** Geographer, is the assistant director of Tulane’s Center for Bioenvironmental Research and a research professor in Earth and Environmental Sciences. His work entails the application of mapping sciences to physical, biological, and social science research. Campanella is the author of three books, including the award-winning *Time and Place in New Orleans: Past Geographies in the Present Day* (2002) and the forthcoming
Shawn Eller
by the Louisiana Coalition Against Domestic Violence for her work toward ending domestic violence in Louisiana.

Bernadette D’Souza
published several articles on the history of Manchac Swamp.

Park Moore
has 10 years of state service including his time with the following Louisiana Departments: Wildlife and Fisheries; Culture, Recreation and Tourism; and Public Safety and Corrections. He came to state government after 14 years in the private sector, serving in management positions for environmental consulting firms and as staff biologist at Howard, Needles, Tammen & Bergendoff (HNTB). Moore, a graduate of Louisiana State
Speaker Biographies (very abridged)

Robert Moreau is the Station Manager at Southeastern Louisiana University’s Turtle Cove Environmental Research Station. Mr. Moreau also teaches courses in environmental studies at Southeastern Louisiana University. He has worked extensively on the Mississippi River (the DEAD ZONE). In recent years, his research has focused on efforts to “re-invent” environmental law and regulation, especially in those areas of reinvention involving the ISO 14001 environmental management system standard. He has served as a member of the Multi-State Working Group on Environmental Management Systems (MSWG) since its inception, is a member of the U.S. Technical Advisory Group (TAG) to the ISO 14001 process, and has served as a U.S. delegate to the international ISO 14000 meetings. He is also a founding member of the NGO/ISO Initiative and a frequent speaker and writer on these issues.

Jerry Speir is a former director of the Tulane Institute for Environmental Law & Policy. He has been an active participant in environmental discussions in Louisiana for almost twenty years. In recent years, his research has focused on efforts to “re-invent” environmental law and regulation, especially in those areas of reinvention involving the ISO 14001 environmental management system standard. He is also an Adjunct Professor at Tulane.

Andy Taggart Andy represented Mississippi in 2002 on Tennessee Governor Don Sundquist’s Bio-Tech Task Force and its Regionalism Subcommittee. He has recently been named to the Technology Steering Committee of the National Association of Counties. Andy is a Board Member of the Metro Planning Organization, Central Mississippi Planning and Development District and the Metro Jackson Chamber of Commerce. He is also a member of the Executive Committee and also serves as the Chairman of the Board for the Mississippi Center for Public Policy, formerly the Mississippi Family Council.

Jeff Thomas is an environmental attorney with Simon, Peragine, Smith & Redfearn law firm in New Orleans. Mr. Thomas has clerked for Earthjustice and served as an environmental policy analyst in Washington, DC.

R. Eugene Turner is a faculty member, Coastal Ecology Institute, Louisiana State University, and sometimes an oceanographer and at other times a wetland ecologist. He serves as Chair of the INTECOL Wetlands Working Group, and as Treasurer of INTECOL. He was the recipient of the 1998 National Wetland Award and, with Nancy Rabalais, of the 1999 Blasker Award for Science and Engineering for their work on the low oxygen zone off the Mississippi River (the DEAD ZONE).

Vijay Vaitheeswaran is the Global Environment & Energy Correspondent for The Economist. He has covered the politics, economics, business and technology involved in those topics since 1998. Mr. Vaitheeswaran is also a term member of the Council on Foreign Relations. He has lectured at Stanford, Yale and Oxford, and is an adjunct faculty member at New York University. He is a commentator on NPR and Marketplace radio, and a frequent guest on the BBC, PBS’s NewsHour, ABC’s Nightline and other television programs.

Robert R.M. Verchick holds the Gauthier-St. Martin Chair in Environmental Law at Loyola University New Orleans. He is a graduate of Stanford University and of Harvard Law School. Professor Verchick has been a visiting professor at several law schools including Beijing University, Aarhus University in Denmark, and Lewis & Clark in Portland, Oregon. He is also a Research Scholar with the Center for Progressive Reform in Washington, D.C. (www.progressivereform.org), and serves on that organization’s board. Professor Verchick’s research emphasizes environmental federalism, administrative decision making, and environmental justice. This year he has lectured widely about the aftermath of Hurricane Katrina and testified twice before Congress on the subjects of urban contamination in New Orleans and hurricane protection. He is currently working on a book about the rebuilding of New Orleans.

Nathalie Walker has provided legal counsel and advocacy support for over fifteen years to communities struggling for environmental justice. In 2003, Ms. Walker, along with Monique Harden, co-founded Advocates for Environmental Human Rights (“AEHR”), a public interest law firm based in New Orleans. Ms. Walker was a charter member of and served for several years on the National Environmental Justice Advisory Council (“NEJAC”), and has authored and co-authored numerous reports and papers on environmental justice issues. Her environmental justice advocacy has been featured in several books, documentaries, and news articles.

Joel Waltzer is an attorney with Waltzer & Associates law firm in New Orleans.

Conrad S.P. “Duke” Williams is an environmental attorney with St. Martin and Williams law firm in Houma, LA.
Acknowledgements

The organizers would like to give special thanks to the following:
For Making this Thing a Reality
The Students of Tulane’s Environmental Law Society Executive Committee and Student Volunteers
(the Creative and Logistical Soul of the Conference)

Lauren Hassler
Rina Eisenberg
Kathy Harrison
Kat Rito
J.C. Cronin
Charlie Walsh
Elizabeth Nagelin
Alicia Smith
Machelle Lee
Jennifer Hoekstra
Mary Reichert
Jennifer Greip
Tina Hansen
Andy Jacoby
Valerie Auger
Todd Campbell
Jon Binder
Rick Fabiani

For Co-Sponsoring and Co-Creating Panels
New Orleans Sierra Club
Louisiana Environmental Action Network
Tulane International Law Society
Tulane Animal Rights Law Society
Tulane Family Law Society
US Army Corps of Engineers
Tulane Women’s Law Society
Tulane Human Rights Law Society
Tulane Black Law Students Association
Tulane Federalist Society
Gulf Coast Restoration Network
Louisiana Department of Environmental Quality

For Consistent Support and Participation
Robert Moreau
and the Students of Southeastern Louisiana University in Hammond, LA

Keynote Sponsor:
Alliance for Affordable Energy

Financial Support:
Louisiana Environmental Action Network
Sierra Club
Environmental Law Institute
James Guilbeau

For (Occasional) Sage Advice and Technical Support
Oliver Houck & Eric Dannenmaier

And for a range of additional support far too important and vast to reduce to writing
The Tulane, New Orleans, Gulf Coast, and Washington DC, and Global Environmental Communities
(the usual suspects)

Oh, and by the way, we do more than just teach environmental law at Tulane:

TULANE’S ENVIRONMENTAL LAW PROGRAM

The Tulane Environmental Law Program is one of the largest and most diverse in the United States. Each year Tulane graduates more than forty Juris Doctor and fifteen Masters candidates with specialties in environmental law. What distinguishes Tulane’s program in addition to the experience of its faculty is the scholarship of its journal, the strength of its clinic, the international projects of its institute, and the momentum provided by an engaged group of students. These four components of Tulane’s program—in the extraordinary setting of New Orleans, the Lower Mississippi River, and the Gulf Coast—provide a unique academic experience for those with an interest in environmental law and international sustainable developmental policy. For more information, contact the Law School’s admissions office at John Giffen Weinmann Hall, Tulane University, 6329 Freret Street. (504) 862-5930, or its web site at http:\\www.law.tulane.edu.