

Tulane Law School's 13th Annual Environmental Conference on Law, Science & the Public Interest

April 4th and 5th, 2008

6329 Freret Street

New Orleans, Louisiana

Tulane Environmental Law Society &
F. Gerald Maples, P.A. *presents*

Climate Change:

*In the Community and
the Courtroom*



Sponsors:

F. Gerald Maples, P.A.
 Tulane Environmental Law Society
 Tulane Institute on Water Resources Law & Policy
 Tulane School of Public Health & Tropical Medicine
 Sierra Club, Delta Chapter
 Beveridge & Diamond, P.C.
 Federal Bar Association EENR Section
 Tulane Center for Bioenvironmental Research

Conference Planning Committee:

Conference Chair: Dante DiPasquale
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 Food & Entertainment Chair: Galia Aharoni
 Day-Of Coordinator: Heather Gaw
 CLE Representative: Rebekah Robinson
 ELS Board: Elizabeth, Cavell, Anthony Cerceo, Barry Griffith, Melissa Marsh, Mary Reichert, Rose Sher, Lacy Smith, Jaimie Tuchman

12:00 pm - 1:30 pm

- *The Morganza Project: A Viable Solution?*
 - Participants of this ongoing proposal discuss reasons for and against this hurricane protection plan for coastal Louisiana
 - Paul Harrison, Environmental Defense
 - John Lopez, Multiple Lines of Defense Strategy
 - Jerome Zeringue, Terrebonne Levee District
 - John Ettinger, EPA, *Moderator*
- *Global Warming's Effect on Endangered Species*
 - Representatives and attorneys from the National Wildlife Federation, Center for Biological Diversity, and U.S. Geological Survey discuss the ESA and the effects of climate change on various endangered species
 - Karla Raettig, National Wildlife Federation
 - Kassie Siegel, Center for Biological Diversity
 - Dr. Robert Thomas, Loyola University

1:45 pm - 3:15 pm

- *Recent Climate Change Litigation*
 - Presentations by litigators of recent global warming cases including *Comer v. Murphy Oil*, *Connecticut v. American Electric Power*, and *Massachusetts v. EPA*
 - Michael Rice, Jones Day (invited)
 - Alex Williamson, F. Gerald Maples
 - Benjamin Wilson, Beveridge & Diamond
 - Vicki Arroyo, PEW Center, *Moderator*
- *Impacts of Ocean Acidification on Coral Reefs*
 - Examining solutions to detrimental impacts of ocean acidification on marine life and discussing potential litigation for climate change damages under the UN Straddling Stocks Agreement and UNCLOS
 - Dr. Wil Burns, Journal of Int'l Wildlife Law & Policy
 - Bob Irvin, National Wildlife Federation (invited)
 - Ken Caldiera, Carnegie Institute (invited)

3:30 pm - 5:00 pm

- *Environmental Ethics & Post-Kyoto Action*
 - FBA presents this panel discussing the Collaborative Program on the Ethical Dimensions of Climate Change and likely future directions for climate change policy internationally and at the state and federal level in the United States
 - Donald Brown, Pennsylvania State University
 - John Dernbach, Widener Law School
 - Robert McKinstry, Ballard Spahr
 - Kenneth Gelburd, PA DEP, *Moderator*
- *The Current State of Biofuels*
 - Discussing the part that biofuels will play in our nation's energy portfolio, the emerging technologies that are reshaping the industry, & role of the legal system in light of new developments such as the Energy Independence and Security Act of 2007
 - John Atkeison, Alliance for Affordable Energy
 - John Howe, Verenum Corp. (invited)
 - Jeff Williams, Entergy (invited)

5:00 pm - 6:00 pm

Beveridge & Diamond Reception
 w/ food, drinks, and live music





6:00 pm - 7:15 pm

Keynote Address
presented by Tulane Institute on
Water Resources Law & Policy:

Jerome Ringo

President, Apollo Alliance
Former Chair, National
Wildlife Federation

2:00 pm - 3:30 pm

- *Int'l & U.S. Legislative Response to Climate Change*
 - Discussing state, national, and international legislature featuring the Senate's new global warming bill, ideas for a viable post-Kyoto regime, and carbon as a commodity
 - Vicki Arroyo, PEW Center for Climate Change
 - Dr. Wil Burns, Journal Int'l Wildlife Law & Policy
 - Joseph Siegel, Pace School of Law (invited)
 - Brian Murphy, Consultant, *Moderator*
- *Coal Industry in the Post-Mass v. EPA World*
 - Analyzing pros, cons, and alternatives to coal as a main power source asking what happens when climate change and probable CO2 regulations challenge America's cheap, abundant, and local energy fuel source?
 - Melissa Watson, LA Public Service Commission
 - Patrick Parenteau, Vermont Law School
 - T. Michael Twomey, Entergy
 - Paul Zimmering, Stone Pigman (invited)

7:30 pm - 9:00 pm

Tulane Law School Drama Series presents:

Sinking Feeling:

A play about the feeling you get when you think about the future of New Orleans in the face of global warming

————— **Saturday, April 5th, 2008** —————

9:00 am - 10:00 am

- *The Science of Climate Change*
 - An introductory panel reviewing the science behind global warming and laying a foundation for the Conference's panels
 - Jay Gullede, PEW Center for Climate Change
 - Robert Thomas, Loyola University

10:00 am - 11:30 am

- *Sea Level Rise & Coastal Risk*
 - Focusing on global warming's inevitable effect on rising sea levels and its threat on coastal communities, including a discussion of recent flooding-related takings litigation and the EPA report on greenhouse effect & sea level rise
 - Dr. G. Paul Kemp, National Audubon Society
 - Jim Titus, EPA (invited)
 - Stephen Wiles, F. Gerald Maples
- *Carbon Market Mechanisms*
 - A cutting edge panel reviewing the carbon market and discussing applicable technologies, portfolio management of attributes, and attribute transactions & contracts
 - Brian Murphy, Environmental Consultant
 - T.J. Roskelley, Anderson & Kreiger (invited)
 - Christopher Carr, Vinson & Elkins (invited)

3:45 pm - 5:15 pm

- *Climate Change Impacts on Indigenous Communities*
 - Featuring the NRLC's report to Congress on global warming's devastating effects on native communities, as well as the Inuit people of the Arctic's petition to the IACHR
 - Dr. Darron Collins, World Wildlife Fund
 - Mark Squillace, Natural Resources Law Center
 - Hari Osofsky, Oregon School of Law (invited)
 - Dr. William Balee, Tulane University, *Moderator*
- *Sustainable City Planning: A Tale of Two Cities*
 - A look at New York's and New Orleans' plans, or lack thereof, for creating a greener urban future including sustainable architecture, building codes, and real estate incentives
 - Jeffrey Thomas, N.O. Mayor's Office (invited)
 - Ariella Rosenberg Moran, NYC Policy Advisor

11:45 am - 1:00 pm

Keynote Address:

Dr. Devra Davis

Epidemiologist, University of Pittsburgh Cancer Institute
Author of "The Secret History of the War on Cancer"

Moderator: Dr. John McLachlan,
Center for Bioenvironmental Research, Tulane University



5:15 pm - 6:00 pm

Refreshments

6:00 pm - 7:30 pm

Keynote Address: "Rain, Rainforests, Shamans, & Climate Change"

Dr. Mark Plotkin

World Renowned Ethnobotanist
Founder, Amazon Conservation Team
Time Magazine "Hero for the Planet"



7:30 pm - 9:30 pm

F. Gerald Maples Reception
w/ live music by *Gravity A*

Lunch w/ Dr. Devra Davis book-signing and networking tables

General Information:

Registration and Fees

Online registration is available at: <http://www.law.tulane.edu/cle>. The full two-day registration fee is \$250, a one-day fee \$150, and an Ethics panel only fee is \$50. The fee for non-Tulane students and faculty is \$20 and is waived for Tulane students and faculty. Tulane Law School CLE accepts checks, cash, Visa, or MasterCard.

Registration fees include refreshments, luncheons, and receptions each day and night. You are also invited on a pontoon boat trip down Pass Manchac near Turtle Cove. The first 35 people to sign up get a seat on the boat and the suggested donation is \$10. Please check the boxes on the registration form to indicate which you plan to attend.

Course Materials

Course materials are also included in your registration fee and will be available on CD on the first day of the Conference. Please check the box if you are interested in purchasing hard-copies for a fee of \$25.

Cancellation and Refunds

A full refund less a \$25 administrative fee will be offered through March 21, 2008. A \$50 administrative fee will be assessed for cancellations made from March 21 through March 28 and no refunds will be made after March 28. To avoid cancellation penalties, registrations can be transferred from one member of an organization to another member of the same organization right up until the day of the Conference. Cancellations and transfers must be submitted in writing either by fax at (504) 866-1583 or by e-mail at patsmith@tulane.edu no later than 5:00 pm CST on April 1.

Hotel Accommodations

Registrants are responsible for their own hotel accommodations. Conference attendees are encouraged to contact local hotels as soon as possible. For any questions, please e-mail Dante DiPasquale at ddipasqu@tulane.edu.

Continuing Education Credits

This Conference has been submitted for approval for a total of 10.0 CLE credit hours, including 1.5 credits in Ethics for 60 minute states, and 12.0 CLE credit hours, including 1.8 credits in Ethics for 50 minute states.

Registration Form:

- Full Registration @ \$250 \$ _____
- Day Registration @ \$150 \$ _____
- Ethics Panel Only Registration @ \$50 \$ _____
- Non-Tulane Student & Faculty @ \$20 \$ _____
- Tulane Student & Faculty \$ ____ 0 ____
- Course Materials (hard copy) @ \$25 \$ _____

I will attend:

- Friday, April 4th Refreshments, Keynote, & Play
- Saturday, April 5th Luncheon, Keynote, & Book-signing
- Saturday, April 5th Keynote & Reception w/ live music
- Sunday, April 6th Pontoon Boat trip at Turtle Cove

Name _____

State & Bar # _____

Firm / Organization _____

Address _____

City / State / Zip _____

Phone _____ Fax _____

E-mail _____

To register by FAX: (504) 866-1583 with Visa or MasterCard only:

Card # _____ Exp. Date _____

Make Checks Payable to: Tulane Law School CLE

Mail registration form and check to:

Tulane Law School CLE
 Tulane Environmental Law Conference
 7016 Zimple Street
 New Orleans, Louisiana 70118