On July 1, 2011, the longstanding ELULP Director, Alyson Flournoy, assumed the role of Senior Associate Dean for Academic Affairs at the law school. The promotion of ELULP Director Flournoy to Senior Associate Dean created a series of transitions and developments for the program. Professor Mary Jane Angelo, who was recently announced as a UF Research Foundation Professor, has assumed the leadership of the ELULP, and Christine Klein, the Chesterfield Smith Professor of Law, has taken on a new role as Director of the LL.M. in the ELULP. Dean Flournoy will continue to be involved in the ELULP as a faculty member. Professors Angelo and Klein are both nationally recognized environmental law, natural resources law and water law scholars. Professor Angelo’s teaching and research interests include environmental law, agricultural policy and the environment, pesticide law, endangered species and wildlife law, and water and wetlands law. She received her J.D. and M.S. from the University of Florida and her B.S. in biological sciences from Rutgers University. She joined the UF law faculty in 2004 after serving as Senior Assistant General Counsel at the St. Johns River Water Management District and as an Attorney at the U.S. Environmental Protection Agency in Washington, D.C. Professor Klein’s teaching and research interests include natural resources law and water law. She received an LL.M. from Columbia University School of Law; J.D. from the University of Colorado and B.A. from Middlebury College. She joined the UF law faculty in 2003. Her previous academic experience was at Michigan State University, the University of Denver, the University of Colorado, and the Natural Resources Law Center. She also worked in the Natural

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The April 20, 2010, blowout of BP’s Macondo well in the Gulf of Mexico created an environmental disaster caused by more than four million barrels of oil flowing into the Gulf, raising a range of legal and policy questions about the impact on residents and resources of the region. Immediately following the oil spill, a UF law school team consisting of faculty and students from the Center for Governmental Responsibility and the Environmental and Land Use Law Program began researching legal and policy issues related to the spill. That research is ongoing.

Funded by two grants, the research will yield reports that will be made available to the Gulf Coast Ecosystem Restoration Task Force, which was appointed by President Obama to develop a plan by October for restoring the region damaged by the BP spill. The Task Force is staffed by Executive Director John Hankinson (JD 79), a UF law graduate, who spoke at the law school on June 17, describing the work of his task force. His visit was sponsored by the Center for Governmental Responsibility and the Department of Civil and Coastal Engineering.

The research team received grants from Ocean Therapy Solutions, a company affiliated with the actor Kevin Costner, and from The McIntosh Foundation for research. These two grants enabled CGR to hire six legal research assistants, including UF law students Alyssa Cameron, James Davies, Carli Koshal, Austin Moretz, Fay Pappas, and Jesse Reiblich. The project is being supervised by Dean Emeritus Jon Mills and CGR Staff Attorney Tim McLendon. UF law faculty participating in the research formed the UF Law Oil Spill Working Group, and they are Mills, McLendon, Alyson Flournoy, Mary Jane Angelo, Richard Hamann, Joan Flocks, and John Klein.

The preliminary oil spill research was presented in a law school symposium in September, 2010, and featured presentations by the law school faculty members and six UF law legal research assistants. During summer, 2011, the research expanded to include a focus on the potential threat of an oil spill in international waters, such as the drilling beginning off the coast of Cuba. Law students conducting research this summer included Davies, who continued and expanded his work; Yvette Sturkey; and Dominique Gonzales, who is a joint degree student in law and Latin American Studies. Mills and Flournoy also participated in a forum on the oil spill, sponsored by the American Constitution Society for Law and Policy.
The Levin College of Law’s Environmental and Land Use Law Program’s Spring 2011 Speaker series offered programs on “Climate Change and Energy” from January 27-March 17. The presentations are also part of ELULP’s Capstone Colloquium for students enrolled in the ELULP Certificate Program. It is sponsored by Hopping Green and Sams, P.A., in Tallahassee, and Springfield Law, P.A., in Gainesville.

Spring 2011 speakers included:

**Victor B. Flatt**
Tom F. & Elizabeth Taft Distinguished Professor in Environmental Law
Director, Center for Law, Environment, Adaptation, and Resources
University of North Carolina School of Law
Thursday, Jan. 27, 2011
The Gulf Oil Spill and NEPA Dysfunction

**Joel Mintz**
Professor of Law
Nova Southeastern University
Thursday, Feb. 3, 2011
Institutional Issues in the Enforcement of Future U.S. Climate Change Legislation

**William Rodgers**
Stimson Bullitt Professor of Law
University of Washington School of Law
Thursday, Feb. 10, 2011
Ocean Acidification

**John Copeland Nagle**
John N. Matthews Professor of Law
University of Notre Dame Law School
Thursday, March 3, 2011
Climate Exceptionalism

**Hari Osofsky**
Associate Professor of Law
University of Minnesota Law School
Thursday, March 17, 2011
Climate Change Governance

Buddy MacKay

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**National Academies, National Research Council, tap expertise of Angelo and Klein**

Two members of the ELULP faculty are currently serving on the National Academies, National Research Council (NRC) committees. Professor Christine Klein is serving on the NRC’s Sustainable Water and Environmental Management in the California Bay-Delta committee. This committee, which was formed at the request of Congress and the Departments of the Interior and Commerce, is a committee of independent experts who are tasked with reviewing the scientific basis of actions that have been and could be taken to simultaneously achieve both an environmentally sustainable Bay Delta and a reliable water supply.

Professor Mary Jane Angelo is serving on the NRC’s Committee on Independent Scientific Review of Everglades Restoration Progress. This committee was established in response to a request from the U.S. Army Corps of Engineers, with support from the South Florida Water Management District and the Department of the Interior based on a Congressional mandate. The Committee’s charge is to review the progress toward achieving the restoration goals of the Comprehensive Everglades Restoration Plan.

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**10th Annual Richard E. Nelson Symposium Focuses on Coast**

More than 200 environmental practitioners participated in UF Law’s 10th annual Richard E. Nelson Symposium focused on challenges facing coastal regions, examining issues of sea level rise mitigation, oil spill litigation, drilling moratoria, the U.S. Supreme Court 2010 decision in Stop the Beach Renourishment, ocean acidification, and judicial takings. The February event in Gainesville featured presentations by national experts, including Peter Byrne, Georgetown Law; Sarah Chasis, the Natural Resources Defense Council; Cynthia Drew, University of Miami; Scott D. Makar, Florida Solicitor General; William Rodgers, University of Washington; Buzz Thompson, Stanford University; and Michael Alan Wolf, UF law. The symposium was co-sponsored by the Florida Bar’s Environmental and Land Use Section and the City, County, and Local Government Section.

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**Wolf Family Lecture Speaker Discusses Properties Law**

Hanard Law School Professor Joseph Singer, a nationally recognized expert in property law, presented the Fourth Annual Wolf Family Lecture on the American Law of Real Property in April. He spoke on “Property Law as the Infrastructure of Democracy.” The Wolf Family Lecture was endowed by a gift from UF Law Professor Michael Alan Wolf and his wife, Betty. Past scholars who have delivered the Wolf Family Lecture include Thomas W. Merrill, Charles Evans Hughes Professor of Law at Columbia Law School; Gregory S. Alexander, A. Robert Noll Professor of Law at Cornell Law School; and Lee Fennel, Professor of Law at the University of Chicago.

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**More Than 200 Experts Participate in PIEC**

More than 200 environmental practitioners participated in the 17th annual Public Interest Environmental Conference (PIEC) in February. The conference focused on renewable and non-renewable sources of energy; how that energy is distributed and its relationship to economic development, environmental protection and social justice. Keynote speakers included former Florida Governor Kenneth H. (Buddy) MacKay and Princeton University Professor of Mechanical and Aerospace Engineering Robert Socolow, an expert on global energy resources and climate change mitigation and a pioneer in environmental studies. The conference featured a wide variety of panels dealing with various energy-related topics, including the 2010 BP Deepwater Horizon spill in the Gulf of Mexico and licensing of new nuclear power plants in Florida. Workshops focused on green jobs and what endangered species laws mean to homeowners.
ELULP Establishes New Fellowship Programs and Names Fellows

The ELULP is proud to offer a number of new fellowships for both LL.M. and J.D. students. Three ELULP students were selected from a strong applicant pool to receive the Program’s J.D. fellowships, the Conservation Law Fellowships and the Minority Fellow. The program also named a Florida Climate Institute LL.M. Fellow.

Antoinette Vanterpool, and Jenn Allen have been named the 2011 J.D. Conservation Law Fellows. Danisa M. Gonzalez was selected as the Florida Climate Institute LL.M. Fellow. Conservation Law Fellowships are awarded to students who demonstrate exceptional commitment to and achievement in environmental and land use law and participate in the Conservation Clinic. Each fellow received a $2,500 grant and worked in a summer placement focusing on environmental and land use projects of relevance to the Conservation Clinic.

Allen traveled to Costa Rica this summer with the Conservation Clinic and worked with The Center for Environmental and Natural Resources (CEDARENA) on water-related issues through the Conservation Clinic. This project involved development of strategies for small-scale community associations that administer rural water to secure protection of their water sources. Allen has had other study abroad experiences, including traveling to South Africa and Tanzania during her law school career. Allen is a dual-degree student in UF’s Masters in Sustainable Development Practice (MDP) program and hopes to combine her training in law and development policy to “discover ways and means for developing countries to protect their fragile environmental resources while addressing the needs of their populations.” After law school, she would like to build a career centered on her interests in human rights, the environment and development to help communities protect their citizens’ rights.

Vanterpool had an externship with the Public Trust Environmental Law Institute in St. Augustine and worked with the Jamaica Environmental Trust in Jamaica, where she advocated for communities facing environmental issues, and assisted with the Trust’s general projects whose goals consist of the protection of Jamaica’s unique and valuable natural resources. As a native of St. Thomas, Virgin Islands, Vanterpool has a continuing interest in Caribbean and international environmental policy. Her specific interests include natural resource conservation and management and sustainable energy issues.

Danisa M. Gonzalez is this year’s J.D. Minority Fellow. The Minority Fellow must demonstrate an interest in the impact of environmental and land use law issues on minorities or be a member of a minority group. Gonzalez’s summer placement and project also involved travelling to Costa Rica, where she externed with the Inter-American Institute for Human Rights, which provides support to the International Court for Human Rights located in Costa Rica. She received a $2,000 grant.

As the Florida Climate Institute LL.M. Fellow, Woźniak will work on a project related to climate change under Professor Tom Ankersen’s supervision, working through the Conservation Clinic. The fellowship included a grant of $18,000.

Recent Graduate Awarded Prestigious Fellowship

Sean McDermott, who graduated in May 2011 with a joint J.D. and Master of Science in Interdisciplinary Ecology, was awarded the 2011 Knauss Marine Policy Fellowship. He will be working with a member of Congress on marine policy issues. Recent ELULP graduates who have been selected for the Knauss Fellowship include Heather Coll (formerly Halter) and Melanie King.

PIEIC Receives Sustainability Award

The Public Interest Environmental Conference received a Sustainable Solutions Award in the category of energy from the UF Office of Sustainability. The student-run conference just completed its 17th session. Also receiving an award in the water category was the UF Center for Watershed Excellence, which was a project developed in part by Levin College of Law students Alyssa Cameron and Megan Policastro in conjunction with the Conservation Clinic.
Doctoral students work with Clinic on watersheds

UF doctoral students in the NSF-funded IGERT Program in Water, Wetlands and Watersheds continue to work with UF Law Conservation Clinic on interdisciplinary “black water to blue water initiative” designed to characterize the regulatory and biophysical status of selected Florida watersheds. Each of these watersheds discharges to important estuarine and marine environments, hosts a traditional working waterfront that participates in the Waterfronts Florida Partnership Program, and includes a watershed-based stakeholder organization with whom the clinic works. The work of the Clinic-IGERT partnership in the St. Marys River, Blackwater River and Withlacoochee River watersheds is posted at www.law.ufl.edu/conservation. Recent results of this work include:

• Establishment of an interstate water quality technical subcommittee, under the auspices of the St. Mary’s River Management Committee, which has resulted in changes to the way agencies monitor water quality on the river to avoid duplication, share data and make the data more policy relevant.
• Catalyzed the establishment of a U.S. EPA Center for Watershed Excellence at UF that encourages UF researchers to work at the watershed level with stakeholders to achieve measurable improvements in water quality.
• Identified a policy gap in the way the State of Florida treats the management of large woody material in sand bed streams; then drafted best management practices that address that gap within the existing legal framework. The underlying law, science and management research has been submitted for peer review publication.

New report published

The Conservation Clinic report A Legal Analysis of DEP’s new ERP Exemption for Small Scale Living Shorelines has been published in the Florida Bar’s Environmental and Land Use Law Section Reporter, Vol. XXXII, No. 4 (June 2011).

Florida Sea Grant report released

The third edition of the Florida Sea Grant technical report Anchoring Away: Government Regulation and the Rights of Navigation in Florida has been released. The report includes important updates to Florida boating law resulting from 2009 legislation. The report can be downloaded at http://www.flseagrant.org/images/POFs/anchoring%20.

Clinic works with recent grad, Waterfronts

The Clinic has continued its work with the Waterfronts Florida Partnership and recent Clinic graduate Kevin Sharbaugh has taken that work into his practice. Sharbaugh now works under contract to complete development of a desktop planning tool to assess the significance of maritime infrastructure to local governments. The tool will assist state and local planners, as well as maritime community stakeholders, with land use decisions that may affect public access to the water.

Conservation Clinic ventures to Costa Rica

Every summer the Conservation Clinic goes to Costa Rica for six weeks. This year’s participants included work on international sea turtle law, community based watershed management through environmental service payments, local markets for sustainable seafood, and ecotourism concession agreements within protected areas.
Environmental Law Students Busy This Summer

UF Law students participated in a variety of opportunities this summer, including the UF ELUL Summer Study Abroad in Costa Rica, externships, salaried positions, and volunteer employment.

Two students worked with federal agencies. Vivek Babbar participated in an externship with the National Oceanic and Atmospheric Administration in St. Petersburg, and worked on matters related to the 2010 BP Oil Spill; and Alison Fischman was a law clerk with the U.S. Environmental Protection Agency Office of Enforcement and Compliance Assurance in Washington, D.C.

Several students worked with nonprofits on conservation issues. Stephen McCubers externed with The Nature Conservancy in its Altamonte Springs, Florida office. Sekoba Grant (LL.M.) was a volunteer law clerk for The Nature Conservancy’s Latin America and Caribbean Legal Group in Washington, D.C. during the early summer and then traveled to Costa Rica where she worked on an international sea turtle conservation project with colleagues from Costa Rica and Panama through the UF Conservation Clinic. Alexis Leventhal drew on her background in urban and regional planning in her work with the New England Aquarium in Washington, D.C. during the early summer and then traveled to Costa Rica where she worked on an international sea turtle conservation project with colleagues from Costa Rica and Panama.

The ELULP has been working to raise funds to renovate different space in Brinton-Geer Hall, but when this space became available, Dean Robert Jerry made it available to the program. It will require some modest work to refit the space to serve ELULP’s needs, but will enable the program to consolidate students into one area with a modest financial investment. The space also will provide offices for adjuncts or visiting faculty and a central conference area that can be used by all ELULP’s constituencies.

Project Highlights

Three students had externships with County Attorneys’ offices: Chad Bickerton with the Seminole County Attorney’s Office, Nicholas Andrews with the Pasco County Attorney’s Office, and Heather Judd with the Brevard County Attorney’s office, where she worked on projects involving planning, environmental, and local government issues. Evan Seretan externed with the Connecticut Department of Environmental Protection in Hartford, CT.

New Space for ELULP

The Environmental and Land Use Law Program is unifying into new office space in Brinton-Geer Hall, which will allow students space for the Conservation Clinic, Mock Court Practice rooms, LL.M. student study space, and offices for the Public Interest Environmental Conference and GreenLaw. The offices are available because the UF Law Legal Research and Writing Program moved into the recently completed second floor of the Martin H. Lewis Advocacy Center. The ELULP has been working to raise funds to renovate different space in Brinton-Geer, but when this space became available, Dean Robert Jerry made it available to the program. It will require some modest work to refit the space to serve ELULP’s needs, but will enable the program to consolidate students into one area with a modest financial investment.

Curriculum Review

ELULP Director Mary Jane Angelo is undertaking a review of the ELULP curriculum with the involvement of ELULP alumni and the Advisory Board. Based on input from faculty, students and the ELULP Advisory Board, she has developed a survey to gather information from all ELULP alumni to improve and enhance the ELULP curriculum. The survey seeks input regarding what types of traditional and non-traditional legal and general professional practice skills are useful to new associates.

Student Accomplishments, Publications and Awards

Recent graduate Sean McDermott has been selected to work with a member of Congress in the 2012 Knauss Marine Policy Fellowship.

The UF Law Conservation Clinic won a student planning award from the Florida Chapter of the American Planning Association for the “Town of Manatee Land Development Code Clinic.” Students over several semesters were involved with the project. Alison Fischman accepted the award on behalf of the Clinic at the FAPA annual meeting in Tampa.

Recent graduate Ben Lingle’s article, “Living Shorelines” is to be published in the Florida Bar Environmental and Land Use Law Section’s Reporter.


LL.M. student Andrew Hoek wrote a paper titled “Lee County Facelift: Using Transit Oriented Development To Revitalize One Of Southwest Florida’s Most Historic Counties” which was relied on in a land use symposium called “Lee County in 2035: Back to the Future?” organized by Fowler White, Reconnecting Lee, City of Fort Myers, and Florida Gulf Coast University. His paper was included in one of the speakers’ materials for the symposium and on Reconnecting Lee’s website.

Professor Dawn Jordan’s Spring 2011 Land Use Planning Students worked on drafting disaster response ordinances for Pinellas County. The students were mentored during this project by Thomas Ruppert of Florida Sea Grant.

LL.M.’s and Certificates in Environmental and Land Use Law Awarded

This year marks the fourth year of UF Law’s LL.M. in Environmental and Land Use Law. The program is kept small by design to foster development of in-depth expertise in the subject matter by allowing students to work closely with faculty and in special programs such as the Conservation Clinic.

James Chute and Erin Condon received LL.M. degrees in December 2010. In May 2011, four students received the LL.M. degree: Byron D. Flagg, Karen E. Greene, Seth M. Hennes, and Andrew K. Hoek.

In addition, the May commencement exercises recognized ten students who received a Certificate in Environmental and Land Use Law in addition to their J.D. degrees. To be eligible for the certificate students must have completed required core and elective courses and eight additional credit hours beyond the minimum required for graduation with a J.D. The Spring 2011 ELULP Certificate graduates are: Zachary O. Bazara, Zachary T. Brine, Alyssa L. Cameron, Daniel B. Harris, Carl M. Koshy, Robert B. Lingle, Sean M. McDermott, Jesse L. Nellbeck, Joanna Reilly-Grown, and William B. Sasser.
The program has one of the largest full-time environmental faculties, with 14 full-time professors, including a clinical skills professor and six legal experts from the Center for Governmental Responsibility, all in a partnership with a team of talented adjuncts. The faculty takes pride in its accessibility to students, and faculty members routinely sponsor environmental receptions and dinners at their homes and accompany students on kayaking, backpacking, and other expeditions and field trips.