Amy Stein Joins ELULP Faculty

Amy Stein has joined the faculty of the Environmental and Land Use Law Program as an associate professor of law. She will be teaching Energy Law and Policy, Climate Change Law and Torts.

“I am extremely excited to be joining such a top-notch environmental program,” she said.

Stein focuses her scholarship on clean energy, environmental law, and climate change law and policy. “Energy law has spilled over into so many other fields that everyone should have a basic understanding of the administrative, regulatory, market, and environmental issues facing energy development today. I look forward to working with such bright and engaged UF students to provide them with the foundation necessary to continue to explore both the historical and cutting edge issues relevant to navigating our energy future,” she said.


Her most recent work was selected for presentation at Columbia Law School’s Sabin Colloquium on Innovative Environmental Law Scholarship, Minnesota Law School’s Legal and Policy Pathways for Energy Innovation conference, UT-Austin’s Electricity conference, Northwestern’s Federalism and Energy Conference, and the Electric Power Executive Conference.

Previously, she was an associate professor of Law at Tulane Law School, an adjunct professor in the environmental studies program at the George Washington University.
meet my goal, I was able to kayak most weeks and spend a considerable amount of time enjoying Florida’s beautiful waters. This experience reminded me of why I entered this career in the first place and provided me with a greater awareness of the serious environmental threats faced by Florida’s springs, rivers, lakes, wetlands and estuaries. It is easy to get so caught up in our legal work that we lose our connection to the environment that we seek to protect. Maintaining a connection to the natural world and having an understanding of how nature operates are critical to being an effective environmental lawyer and to having a fulfilling career in this field. I always tell my students that two of the best aspects of being an environmental lawyer are that you frequently engage in interdisciplinary work with scientists and that, sometimes, you get to go outside. I believe UF’s ELULP has done a fantastic job of showing students the connections between our legal work and the environment.

As you can see in this newsletter, the ELULP has a long history of providing many interdisciplinary opportunities for students, including many courses that get students out into the field to see firsthand the natural world to better understand environmental problems and solutions to those problems. In this newsletter, we highlight some of those interdisciplinary courses including our field courses in Costa Rica, Belize, and the Everglades, as well as interdisciplinary conservation clinic projects. We also include a profile of Professor Richard Hamann, whose teaching and research have centered on interdisciplinary work and courses in wetlands and water law. I hope you enjoy reading about our interdisciplinary courses, projects, and activities as well as learning about some of the recent activities of faculty and students in the ELULP program.

— Mary Jane Angelo, Director of ELULP

**University of Florida Levin College of Law**

**Environmental and Land Use Law Program**

**Faculty Profile**

**RICHARD HAMANN EPITOMIZES INTERDISCIPLINARY, INNOVATIVE TEACHING AND RESEARCH**

Richard Hamann was immersed in law from an early age. “Since my father worked in the law library for Betty Taylor (long-time Legal Information Center director and former acting dean), I feel certain I must have been wheeled into the stacks in my stroller and somehow impressed on the small of the Southern Reporter.”

That unconventional beginning of a career in legal education epitomizes Hamann’s unique method of experiential learning that extends far beyond the traditional classroom.

Hamann will retire next year after four decades at the University of Florida, first as an undergraduate in political science, then as a J.D. student, then as a research assistant at the Eastern Water Law Center, and today as a teacher and researcher at the Center for Governmental Responsibility and ELULP program.

Hamann typifies the same individualism as his father who lived in a tent at the Gainesville airport with other veterans after WWII. Hamann grew up listening to the tales of his father, who graduated from UF and practiced law in Miami. Although born in Gainesville, Hamann moved to South Florida at an early age and grew to love the adventures the region offered him.

“I loved listening to the trials and tribulations of him and his colleagues, but I had no intention of becoming a lawyer. Nature was my love and with a hunting camp in the Fakahatchee Strand and a succession of boats, I had plenty to explore.”

His plans changed one cold day in Colorado. During college, Hamann’s interests shifted from zoology to political science, with an emphasis on Latin America, and he received his bachelor’s degree in it. After graduation, he hitchhiked from the U.S. to Colombia, and later he began working in construction in Denver.

“One day during a blizzard as I stood on a scaffolding removing hurricane clips that someone had been put on backwards, I noticed that my boots were frozen and thought ‘I need to work inside.’ That night an old friend called and reported that she was taking the LSAT and applying to Florida. I decided to do the same.”

He admittedly enjoyed law school “to the exclusion of everything else” and after graduation, didn’t want to leave Gainesville. Fortunately, the late Frank Maloney (former dean) needed a research assistant, so Hamann was hired by Dan Fernandez, then director of the Eastern Water Law Center, for a short-term project. There he applied for a grant and secured two more years of funding, beginning Hamann’s long history of successful grant applications. Ultimately, when the Eastern Water Law Center moved to the Center for Governmental Responsibility, Hamann moved too. He’s been at CGR since, including a stint as acting director. “I don’t particularly like administrative jobs and have never desired another.”

That move began his career in project-driven, funded research. Hamann soon was asked to teach a four-credit course on state and federal environmental law in 1984. “I covered everything from sovereign lands to water pollution control and hazardous waste. One thing I learned from that class was the importance of a targeted exam. I made the mistake of giving the students an 11-page fact pattern that raised every issue we covered in the class. People wrote in longhand back then, and the students came out of that exam with cramped hands and vacuous stares. It was horrible for them, and then I had to grade the papers, which was horrible for me.”

That first class began a long friendship with former student Ralf Brookes, now an environmental and land use and local government attorney who practices throughout Florida. “One of my best memories from the class was of Ralf Brookes. I was going to a conference in D.C., and told him that if he could get here, I could get him admitted. To my amazement, he drove 16 hours, arrived just before it started and got a lot out of it.”

continued on page 11
The Florida Department of Environmental Protection’s Coral Reef Conservation Program presents the new Our Florida Reef’s Marine Planner Decision Support (OPD3) system. (Photo by Caitlin Pomerance)
Environmental Conference Examines Sustainable Agriculture Issues

Florida law professor and former Florida Gov. Buddy MacKay and Columbia University professor and author Dickson Despommier headlined the 20th annual University of Florida Environmental Conference at UF law in February. Environmental and legal experts discussed “Feeding the Future: Shrinking Resources, Growing Population and a Warming Planet” with more than 200 participants in tracks on agricultural fronts, natural resources, and legal-regulatory issues.

Jack Payne, senior vice president for agriculture and natural resources at the University of Florida’s Institute of Food and Agricultural Sciences, kicked off the conference with an opening talk on the current challenges and opportunities for Florida agriculturists face. Sarah Bittleman, senior agricultural counselor for the Environmental Protection Agency, Florida, compared the current issue to when he was faced with Hillborough and Pinellas counties sucking down water while competing for growth in the 1990s. Their overconsumption left nearby Pasco County nearly dry. “I have seen this movie before. I know the plot, and some of the players are even the same,” MacKay said.

Pasco County represents Florida’s springs, and Hillsborough and Pinellas represent today’s competing interests, including agriculture – one of the biggest, he said. In order to protect the springs, the most endangered ecosystem in Florida, it’s going to take more than policy framework or regulation.

“When all else fails,” MacKay said, “we’re going to have to work together.”

The UF Law Costa Rica Program is partnering with the Organization for Tropical Studies (OTS) and UF’s Center for Latin American Studies, enhancing efforts to build interdisciplinary bridges between law, policy and the social and natural science of conservation and sustainable development. With administrative offices, classrooms and three internationally renowned field stations in Costa Rica, OTS is a consortium of U.S. and international universities and institutions focused on tropical research and education. Using OTS field stations as policy laboratories, the program explores the issues of sustainable development through the lens of the ecosystems and communities that surround the stations at La Selva, Palo Verde and Las Cruces.

A skills emphasis: Practicums at the heart of the program. Law and graduate students from the U.S., Costa Rica and elsewhere develop their knowledge and skills through an integrated suite of courses that coalesce around efforts to find practical, policy-relevant solutions to issues of immediate importance to the conservation and sustainable development community.

A field-based approach: For policymakers and those advising them, conservation and sustainable development issues are best understood where they occur. Each week the Program embarks on extended visits to OTS field stations and their neotropical context – rivers, wetlands, forests (wet, dry and cloud), beaches and mountains. They will also visit indigenous communities, meet with farmers and land owners, and encounter unique sustainable development projects – all grist for collaborative problem-solving approaches.

Visiting International Faculty

Professor Roberto Vizzo of the University of Sannio in Benevento, Italy, will offer a course on “Law of the Sea” this year. He previously taught the same course at UF law.

The course provides a survey of international law of the sea and focuses on the legal regime established by both customary international law and the United Nations Convention on the Law of the Sea (UNCLOS). It covers the topics of: international waters; territorial sea; international straits and archipelagos; contiguous zone; exclusive economic zone; continental shelf; high seas and the international seabed area; management and conservation of living resources (including fisheries); protection and preservation of marine environment; and settlement of law of the sea disputes.

ELULP Awards Degrees, Certificates

The Environmental and Land Use Law Program awarded LL.M. degrees to two students, Chelsea Ann Daiziel (a land use attorney with Pinellas County) and Jacyln Marie Lopez (an attorney with the Center for Biological Diversity). An additional seven J.D. graduates received certificates in environmental and land use law. They are Nicholas Barshel, Amanda Broadwell, Brian Davis, Carly Grimm, Jon Morris, Zachary Rogers and Alexander Wilkens.

ELULP Students Participate in Summer Experiential Learning

Twelve ELULP students participated in summer experiential learning in 2014. They are Gentry Mander (3L), The World Bank, Guatemala City, Guatemala; Christopher Johns (3L), Harvard Food Law and Policy Clinic, Boston, MA; Elizabeth Turner (3L), U.S. Environmental Protection Agency, Office of General Counsel, Honors Program, Washington, D.C.; Melissa Federiko (3L), U.S. Environmental Protection Agency, Office of Enforcement, Washington, D.C.; Bruce Groover (3L), Defenders of Wildlife, Washington, D.C.; Daniel Fontana (3L), Aucha County Environmental Protection Department, Gainesville; William White (3L), Hopping Green & Sams, Tallahassee; Nathalie Vergoulias (3L), Florida Island Navigation District, Miami; Sara Frick (3L), Hillsborough County Environmental Protection Commission; Amanda Hudson (3L), Public Trust Environmental Law Institute; Adrian Mahoney (3L), Auburnd, Miami; and Jennifer Lombork (3L), Aucha County Forever, Gainesville.

First Rumberger Fellows Selected

UF law students Chris Johns (3L) and Elizabeth Turner (3L) were selected as the inaugural E. Thom Rumberger Everglades Foundation Fellows. The fellows program was led by Rumberger’s law firm, Rumberger, Kirk & Caldwell, and UF law to honor the late attorney known for his work on landmark environmental and constitutional cases.

The two students were introduced to the Everglades Foundation Board in February. “For the rest of the day the staff and Board were talking about how proud they were to be part of preparing new environmental leaders,” said Jon Mills, UF Law Dean Emeritus and Director of the Center for Governmental Responsibility. Mills serves on the Everglades Board and worked with Rumberger on numerous cases. He also worked to establish the Rumberger Fellowship.
The Conservation Clinic continues to maintain a robust portfolio of domestic and international projects. Here are just a couple of the highlights from the 2013-2014 academic year. Supported by a grant from the Florida Department of Economic Opportunity, the Clinic worked with the town of Yankeetown and the Friends of the Withlacoochee Gulf Preserve to develop a strategy to incorporate sea level rise adaptation into local planning and policy as a form of community economic development. The town owns the Withlacoochee Gulf Preserve (WGP), a small estuarine protected area that will be on the front lines of the rising sea. Alachua Conservation Trust, another long time clinic client, holds a conservation easement over the WGP, which includes an education center overlooking the marsh. This unique relationship lends itself to promoting Yankeetown and the WGP as a center for natural resource adaptation and education. In the 2013-2014 academic year the Clinic teamed up with the UF Watershed Ecology Lab and assisted the town and the WGP with a science plan and an economic development plan, explicitly adopting by resolution natural resource adaptation as an explicit town policy. The results were presented at the NOAA sponsored “Social Coast Forum” in Charleston, South Carolina under the title “Using Blue Infrastructure, Adaptive Science and Education to Transition to Drive a Sustainable Economy in a Rural Coastal Community.”

In the international arena, the clinic has continued its work with Florida’s island neighbor – the Bahamas. A Program Development Support grant from Florida Sea Grant has enabled the clinic to launch the South Florida-Bahamas Ecoregional Initiative. The project aims to provide law and policy support and exchange to the Bahamas National Trust, an quasi-governmental entity charged with managing the country’s protected areas, while addressing issues of mutual interest. As part of the effort, BNT has commissioned a series of white papers. The first in this series addresses the law of vessel groundings, a matter of considerable interest in an archipelagic nation with extensive coral reefs. The project options to move water from Lake Okeechobee to the estuaries and to increasing the flow of water from the lake to the Everglades. The Florida Senate authorized an independent review of this regional water management issue, including an inventory and assessment of current and proposed restoration options to move water from Lake Okeechobee to the Everglades. The Florida Senate contracted for the research project, which will conclude with a report by the UF team in early 2015. The research team includes Project Leader Wendy Graham, Director, UF Water Institute; Karl Havens, Director, Florida Sea Grant College Program; Thomas Frazer, Director, UF School of Natural Resources and Environment; K. Ramesh Reddy, Chair, UF/IFAS Department of Soil and Water Science; Peter Frederick, Research Professor, Wildlife Ecology and Conservation; and Angelo.

For decades, planning has been underway to develop a strategy to incorporate sea level rise adaptation into local planning and policy as a form of community economic development. The town owns the Withlacoochee Gulf Preserve (WGP), a small estuarine protected area that will be on the front lines of the rising sea. Alachua Conservation Trust, another long time clinic client, holds a conservation easement over the WGP, which includes an education center overlooking the marsh. This unique relationship lends itself to promoting Yankeetown and the WGP as a center for natural resource adaptation and education. In the 2013-2014 academic year the Clinic teamed up with the UF Watershed Ecology Lab and assisted the town and the WGP with a science plan and an economic development plan, explicitly adopting by resolution natural resource adaptation as an explicit town policy. The results were presented at the NOAA sponsored “Social Coast Forum” in Charleston, South Carolina under the title “Using Blue Infrastructure, Adaptive Science and Education to Transition to Drive a Sustainable Economy in a Rural Coastal Community.”

In the international arena, the clinic has continued its work with Florida’s island neighbor – the Bahamas. A Program Development Support grant from Florida Sea Grant has enabled the clinic to launch the South Florida-Bahamas Ecoregional Initiative. The project aims to provide law and policy support and exchange to the Bahamas National Trust, a quasi-governmental entity charged with managing the country’s protected areas, while addressing issues of mutual interest. As part of the effort, BNT has commissioned a series of white papers. The first in this series addresses the law of vessel groundings, a matter of considerable interest in an archipelagic nation with extensive coral reefs. The project is being implemented by the Florida Sea Grant College Program; Thomas Frazer, Director, UF School of Natural Resources and Environment; K. Ramesh Reddy, Chair, UF/IFAS Department of Soil and Water Science; Peter Frederick, Research Professor, Wildlife Ecology and Conservation; and Angelo. The UF research team is charged with developing a final report to the Florida Senate, including a summary and assessment of this regional water management issue, including an inventory and assessment of current and proposed restoration plans developed by state and federal agencies and stakeholders, as well as any identified by the review team, future uncertainties that could affect restoration plans; and policy and project options for improving water management. Prior to joining the UF law faculty in 2004, Professor Angelo served as Senior Assistant General Counsel to the St. Johns River Water Management District, Palatka, Florida, and was an attorney in the U.S. Environmental Protection Agency, Washington, D.C.
UF Law Professor Cohn Instrumental in ‘Green’ Corporations Law

UF Law Professor Stuart Cohn was a principal in drafting a new law that allows corporations in Florida to form a “benefit corporation” – a social purpose corporation, thus allowing them to contribute in a significant way to greater social causes and look beyond the bottom line.

The new law went into effect in Florida on July 1. Cohn worked with state Sen. Jeff Clemence (D-Lake Worth) and Rep. Pat Rooney, Jr. (R-Palm Beach), the legislation’s sponsors.

Professor Cohn said the idea of benefit corporations arose a few years ago when he was appointed by the Corporations, Securities & Financial Services Committee of the Business Law Section of The Florida Bar to head up a study of this new form of enterprise and to draft legislation. He headed the project and was assisted by UF Law student James Glover.

“The idea of a benefit corporation has been around for several years and now over 25 states have adopted some form of legislation allowing it. Those of us who worked on this project believe that Florida’s legislation may be the best in the country, as we provide socially-minded entrepreneurs greater choice and freedom than exists in most other states,” Cohn said.

“Socially-minded entrepreneurs and investors who want to engage in for-profit companies that undertake substantial and significant public interest activities can do so without fear of running up against traditional corporate doctrine regarding maximization of profit. We are likely to see a growth in Florida in public-interest for-profit companies that undertake substantial and significant public interest activities can do so without fear of running up against traditional corporate doctrine regarding maximization of profit. We are likely to see a growth in Florida in public-interest for-profit companies that undertake substantial and significant public interest activities without fear of running up against traditional corporate doctrine regarding maximization of profit.”

UF Law Offers Foreign Field Study Opportunities

UF’s ELULP offered two foreign field study opportunities this academic year, one in Belize during spring break and one in Costa Rica during the summer.

“Sustainable Development: Law, Policy & Practice” the summer abroad program, was an interdisciplinary policy-focused program consisting of three linked courses integrating international and comparative sustainable development law and policy, contemporary issues in tropical conservation and development, and professional skills for practitioners. The program consisted of a foundational course in international sustainable development law and policy; a topical course in water, wetlands and wildlife conservation, and a sustainable development practitioner skills course. All three courses were integrated through practicals based around current issues of conservation and development in Costa Rica and elsewhere, jointly developed by U.S. and Costa Rican faculty. Costa Rican law and graduate students as well as young professionals participated. The course included lectures at the Organization for Tropical Studies field headquarters in the Atalaia Rainforest, El Falso, and at the San Ignacio School for Conservation and Development.

For further information, please contact Program Coordinator, Hannah H. Williams, at hwilliams@law.ufl.edu.

UF Environmental Moot Court Team Named Quarterfinalist

The UF law Environmental Moot Court team was named a quarterfinalist at the Pace Law National Environmental Law Moot Court Competition, which took place Feb. 20-22, 2014. Elizabeth Turner (3L), Melissa Federico (3L) and Zachary Rogers (JD 14) competed against teams from more than 75 other schools, and were judged on oral argument performance and brief writing skills.

This year’s competition focused on issues in the Clean Water Act relating to citizens suits, navigable waters, point and source definitions. Rogers also received an award for Best Oralist Honorable Mention, among more than 200 participants.

2015 Spring ELULP Capstone Colloquium Speakers Selected

“Emerging Topics in Land Use and Renewable Energy” is the theme for the 2015 Spring Environmental Colloquium, as directed by UF Law Professors Stuart Cohn and Elizabeth Turner. Cohn is the ELULP Director and Turner is the ELULP Program Coordinator.

The colloquium will feature speakers who have expertise in how the legal and regulatory framework in Florida, and how these legal and regulatory frameworks in other states, influence the status quo. The colloquium is open to the public.

For additional information, please contact Program Coordinator Hannah H. Williams, at hwilliams@law.ufl.edu.
Giving to the Environmental and Land Use Law Program

We depend on our environmental law alumni and friends to support our programs, and you have helped us gain national recognition as one of the top programs in the U.S. Your support allows us to offer enhanced learning experiences for our students through activities such as the environmental moot court competition, summer abroad program in Costa Rica, Public Interest Environmental Conference, Conservation Clinic, environmental speaker series, and externship opportunities. Fellowships for our J.D. and LL.M. students allow us to recruit and enroll the top candidates for our program. If you would like to make a donation to our program, please complete the form below and return it to us at the address provided.

My gift is to benefit:

- Annual Public Interest Environmental Conference
- Conservation Clinic
- Conservation Law J.D. Summer Fellowships
- ELULP J.D. Minority Fellowships
- Environmental Speaker Series (Capstone Colloquium)
- E. Thom Rumberger Fellowship Program
- General ELULP Program Development

Gift Amount:
- $500
- $250
- $100
- $50
- $_______

Name:__________________________________________
Address:________________________________________
City/State/Zip:___________________________________
E-mail:__________________________________________

Method of Payment:

- Check (Make check payable to: University of Florida Foundation [indicate “Environmental and Land Use Law Program”])
  Please send your check with this form to:
  Attn: Lauren Wilcox – Sr. Director of Development
  University of Florida
  Law Center Association
  P.O. Box 14412
  Gainesville, FL 32604-2412

- Credit Card
  To give by credit card, please call 1-877-351-2377 or visit us online at www.uff.ufl.edu/OnlineGiving/law.asp and select the Environmental and Land Use Law Program.

Thank you for your support!

The program has one of the largest full-time environmental faculties, 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.