

UFELAW

Environmental & Land Use Law

FREDRIC G. LEVIN COLLEGE OF LAW • SPRING 2009



Alyson Flournoy

LETTER FROM THE DIRECTOR

It's hard to believe how much has changed since this time last year—the worldwide economic crisis, the election of President Obama, the progress toward both legislative and regulatory action on climate change. Inside, you can read what's been happening here at the UF Levin College of Law throughout the year – new courses and programs, visiting speakers, clinic projects, conferences, and faculty research.

With the arrival of summer, it also seems an appropriate time to highlight the impressive array of employment settings where UF environmental and land use law students will be spending their summers. Some of our students will head to Costa Rica to participate in our summer environmental law study abroad program along with students from other law schools around the U.S. and Latin America and five UF Ph.D. students. But many will spend the summer in employment settings where they continue their educations and gain valuable experience—some in paid positions and others through our externship program. (See list on page 3).

We are committed to developing our students' professional skills through courses like Environmental Dispute

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LL.M. in Environmental and Land Use Law Graduates Inaugural Class

UF's newest program, the LL.M. in Environmental and Land Use Law, received final ABA acquiescence late last spring and graduated its first class of two students in May 2009: Kalanit Oded (J.D. Tulane Law School) and Andrew Hand (J.D. and M.S. in real estate, University of Florida).

Prior to commencing her studies at UF, Oded was a mediation attorney with the U.S. Court of Appeals for the Fifth Circuit and before that was in private practice in New York. Hand has practiced with Shepard, Smith & Cassidy, P.A. in Maitland, Fla. since earning his degrees. "It has been a privilege to be a member of the inaugural LL.M. class. The ELULP faculty at UF Law has truly created a unique, flexible and cutting edge curriculum that caters to practitioners and academics alike," said Hand.

The LL.M. program is designed to be a small and selective full-time program, geared towards students with an interest in studying both law and closely related fields such as land use planning, wildlife ecology, public health and environmental engineering.

LL.M. students complete 26 hours of coursework during their one-year program, 6 credits of which are in courses with substantial non-law content. Students develop a course of study that includes courses offered through the J.D. curriculum and other UF departments, an LL.M. research methods course, and the environmental capstone colloquium, and can include the Conservation Clinic. LL.M. students can also apply to participate in the Costa Rica summer study abroad program.



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Resolution and the Conservation Clinic. And students get real world experience through clinic projects, in courses like Wetlands and Watersheds that build in field trips and simulations, and by working with case studies in Environmental Issues in Business Transactions. But there is no substitute for the education our students gain during their summer experiences.

We're also pleased that despite the difficult economic times, recent graduates of UF Law have also found employment related to environmental and land use law in a wide variety of settings. A selection of these is highlighted on page 9. If you are a member of our recent alumni and don't see your employer on the list, please drop us a note to let us know where you are. The rest of the faculty, our Program Assistant Lena Hinson, and I always enjoy hearing from you!

—Alyson Flournoy

inaugural class

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Hand and Oded both pursued courses of study that drew on the strength of UF's Urban and Regional Planning program, and they collaborated on a written project they hope to publish that focuses on direct democracy in land use decision making and Florida's Hometown Democracy proposed constitutional amendment.

Professor Alyson Flournoy said that the first year of the program was very successful. "Kalanit and Andrew both fit the model for our program extremely well with their desire to enhance their knowledge about land use planning as well as law. They were able to design academic programs that enabled them to achieve their goals for the year. As we anticipated, the LL.M. students' presence enhances our J.D. program as well."

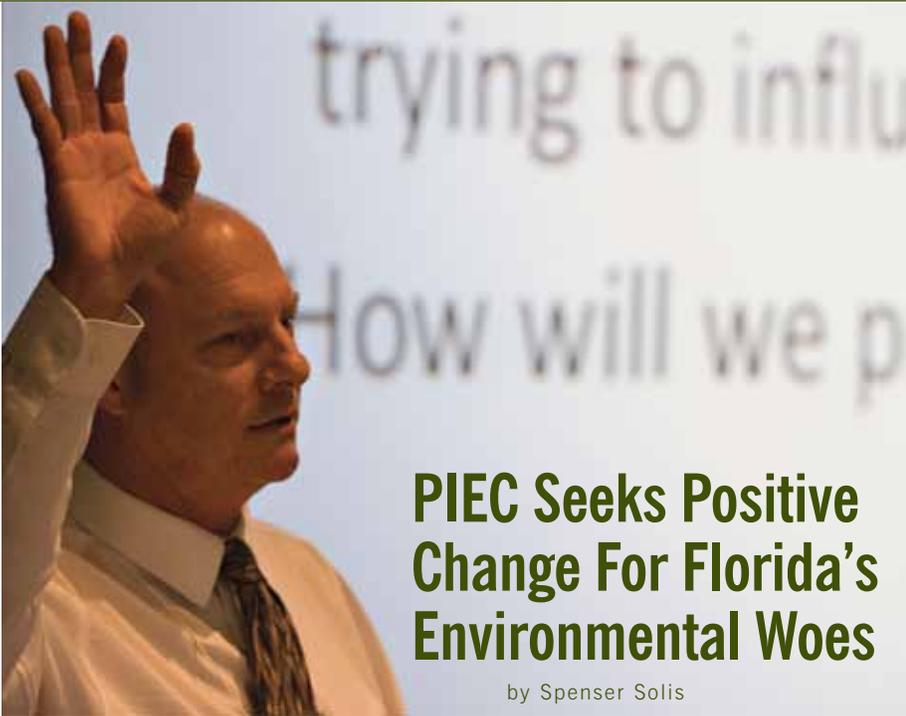
Oded began the master's degree in Urban and Regional Planning at UF prior to entering the LL.M. program and completed her M.U.R.P. concurrent with her LL.M. Hand worked with Professors Tom Ankersen and Michael Wolf to develop a new course for the UF Law curriculum: Florida Land Use Law. The course will provide a valuable addition to the land use law curriculum, providing an in-depth look at the history, statutory and regulatory framework, and important concepts and case law related to Florida's growth management laws. During the fall semester, Hand developed the course and this past spring, he was able to "field test" some of the materials in guest lectures to Conservation Clinic students. Hand will return as an adjunct faculty member in fall 2009 to offer this one-credit course.

UF is concluding its admission process for the fall 2009 entering class, and anticipates admitting a class of five students. For more information on the LL.M. in Environmental and Land Use Law, visit our Web site at www.law.ufl.edu/elulp/llm or contact Lena Hinson at elulp@law.ufl.edu.

Conservation Clinic Camping Trip On Bank Of St. Marys

Faculty and students in UF Law's Environmental and Land Use Law Program took advantage of the glorious spring weather and the largesse of White Oaks Plantation Conservation Center to camp on the banks of the St. Marys River on the Florida-Georgia border. Students in the Conservation Clinic and Professor Richard Hamann's Adaptive Watershed Management course have been examining legal, scientific and management issues related to management of the trans-boundary river, including designation as an Outstanding Florida Water, harmonized local environmental regulation and the potential for an interstate compact. They have been collaborating with the University of Georgia's environmental law practicum under the direction of Professor Laurie Fowler. The two law school-based service learning programs are working with the St. Marys River Management Committee, a volunteer board appointed by the four counties that border the river (Nassau and Baker in Florida; Camden and Charleston in Georgia) and supported by the St. Johns River Water Management District. At White Oak, students were treated to a tour of the facility, which provides a refuge for 35 species of endangered African wildlife. Several students braved the season's last chill and swam across the river to Georgia and back.





PIEC Seeks Positive Change For Florida's Environmental Woes

by Spenser Solis

The 15th annual Public Interest Environmental Conference (PIEC) gave environmentalists, scientists, lawyers and law students the opportunity to seek solutions to Florida's environmental woes. The law student-organized conference titled, "Beyond Doom and Gloom: Illuminating a Sustainable Future for Florida," took place February 26-28. PIEC participants chose from three different tracks, focused on science and technology, economics and progressive regulation, and social marketing, respectively.

Social marketing is designed to promote voluntary behavioral change, said UF agriculture Professor Paul Monaghan during the opening plenary. One of the many environmental issues in Florida stems from lawn care. There are currently five million acres of lawns in the state. "Most people are watering more during the rainy season," Monaghan said. "Those who have an irrigation system often overwater."

Another important issue in Florida is diesel emissions. Florida is a focal point for issues related to shipping because of its large number of ports. "Fifty-six percent of the cruise ships in the U.S. leave from Florida," said Chuck Littlejohn, an attorney with Littlejohn Mann & Associates in Tallahassee. Port maintenance can cause a variety of problems, including disrupting wildlife, said Kelly Samek of the Florida Department of Environmental Protection. "You have to

dredge annually to create it, maintain it and to expand it," Samek said. "We should care more about supporting ports."

An afternoon session titled, "The Long Slow Flood," addressed the dangers of rising sea levels. Florida's coastline is particularly vulnerable to changes in sea level. Katherine Isaacs (3L) explained how humans have disrupted natural coastal erosion patterns in Florida by building armored sea walls.

"It does have long-term environmental impacts," Isaacs said. Isaacs suggested the construction of "living shorelines," which use natural elements to create sustainable coastlines. "Living shorelines are an environmentally friendly alternative to prevent homeowners from falling prey to natural erosion," Isaacs said.

The conference's closing plenary on Saturday afternoon ended on an optimistic note. John Hankinson (JD 79), a former Environmental Protection Agency regional administrator, engaged in an impromptu harmonica performance. "I'm trying to get everybody to march out the door without any sense of doom and gloom," Hankinson said.

Attendees clapped along as Hankinson sang a Ry Cooder cover for which he penned original lyrics. "The only reason to be workin' is to be feelin' good," Hankinson sang. "The fate of the planet is in our hands."

ENVIRONMENTAL AND LAND USE LAW STUDENTS SUMMER PLACEMENTS 2009

Akerman Senterfitt (Tampa)

Alachua Conservation Trust (Gainesville)

Alachua County Attorney's Office/
Alachua County Forever Program

Bay County Attorney's Office

Brevard County Attorney's Office

Caribbean Conservation Corporation
(Gainesville)

City of Jacksonville Office of General Counsel

Earthjustice (Denver)

Flagler County Attorney's Office

Hillsborough County
Environmental Protection Commission

National Oceanic and Atmospheric
Administration Regional Counsel
(St. Petersburg)

New Orleans Redevelopment Authority
(New Orleans)

NextEra Energy (Juno Beach)

Orange County Attorney's Office

Pasco County Attorney's Office

Phelps Dunbar (Tampa)

Public Trust Environmental Institute of Florida
(Jacksonville)

Seminole County Attorney's Office

Southern Environmental Law Center (Atlanta)

The Nature Conservancy (Altamonte Springs)

The Trust for Public Land (Washington, D.C.)

U.S.E.P.A. Office of Administrative Law Judges
(Washington, D.C.)

U.S.E.P.A. Region I (Boston)

U.S.E.P.A. Region III (Philadelphia)

Wildlaw (St. Petersburg)

Faculty Profile

Mary Jane Angelo

ASSOCIATE PROFESSOR

by Ian Fisher



Fresh out of law school, Mary Jane Angelo was given a case to work on just as she started working at the Environmental Protection Agency. Angelo, an assistant judicial officer, wrote an opinion for the agency about an interstate water pollution dispute in *Arkansas, et al. v. Oklahoma, et al.* “At the time, I had no idea how important it was going to be; it was just something that I was given to work on,” said Angelo, a UF Law alum and now an environmental law professor at UF. The case went all the way up to the U.S. Supreme Court and her opinion was upheld unanimously.

“I was there in the courtroom,” Angelo said. “Sandra Day O’Connor read a paragraph of what I had written and said, ‘That sounds reasonable to me.’ That was definitely a big highlight [of my career], and now that case is in virtually every environmental law casebook. I joke that I peaked early and it’s been downhill ever since. At the time, I thought, ‘Oh this is cool, my cases go up to the Supreme Court,’ but that never happened again.”

After seven years at the EPA in Washington, D.C. Angelo and her husband wanted a change. She took a job with the St. Johns River Water Management District. Angelo oversaw attorneys doing mostly regulatory work, but she often branched out into other areas of law. “What was interesting about that job was that we got to do a little bit of everything,” Angelo said. “We did permitting litigation, enforcement litigation, legislative work, lobbying, rulemaking, litigation at the administrative level, trial level and appellate level, and just did a lot of day-to-day counseling and working with the program staff on legal issues.”

During her time at the St. Johns River Water Management District, Angelo became an adjunct professor at UF Law, teaching a course she developed, environmental dispute resolution, which she still teaches. In the course, students participate in realistic simulations of various dispute processes including negotiation, mediation and administrative hearings. “When I developed the course, I was thinking, ‘What do I wish they had taught me in law school that I never had the opportunity to learn in law school?’ Angelo said.

“Students seemed to really like it because it serves as a bridge between law school coursework and being out in the real world. I know a lot of my former students who have gone onto jobs where they’ve done administrative hearings who have said, ‘It was so great to have gone through it in a safe, simulated setting

before we had to do it for real.’”

Angelo has been interested in the environment for as long as she can remember. She read Rachel Carson books and was the president of the ecology club in fifth grade. Angelo was more interested in the science side of the environment and earned her B.S. in biological sciences from Rutgers University, but became more interested in policy as a master’s student in entomology at UF.

Since Angelo first became interested in the environment there have been a few waves of environmentalism, she said. Within the last five years, society has begun to care a lot more about the environment, she said. “A lot of it has to do with the public focus on climate change issues and all of the controversy and concern over that and energy issues and just sort of a different culture,” Angelo said.

Angelo has seen UF Law turn into one of the top schools for environmental law, which now offers a unique LL.M. in environmental and land use law. UF’s environmental program was much smaller when Angelo was a student.

“Back in the 70s, the environmentalists were thought of as fringe, considered more liberal, hippieish, Birkenstock-wearing, granola-crunching. Now it’s very mainstream. You have all kinds of businesses going green and wanting to have a green image, and people from all different segments of society are interested and concerned.”

“It’s exciting to me having gone to school [at UF] to see how much our environmental program has grown and how many opportunities there are for the students now that didn’t exist when I was in law school.”

Lena Hinson Wins Davis Productivity Award

The Davis Productivity Awards, an annual program honoring state government employees throughout Florida, has announced its winners for 2009. Lena Hinson, program assistant at the Levin College of Law, was nominated in fall 2008 by Professors Flournoy and Cohn and recently received the award for streamlining procedures for both the Environmental & Land Use Law and International Programs. She assisted in the administration of a new degree program, implemented new rules applied to visiting foreign faculty, and streamlined budget preparation and review of operating figures. She also provided considerable assistance to another program during a staff transition. Congratulations, Lena!



Conservation Clinic Briefs

by Thomas T. Ankersen, Legal Skills Professor and Director, Conservation Clinic

The UF Law Conservation Clinic continues to maintain an active portfolio of environmental and land use law and policy products, many of which yielded tangible results over the course of the academic year. Additional clinic resources can be found at <http://www.law.ufl.edu/conservation/resources/resources.shtml>

Petition to Relist Everglades National Park as World Heritage in Danger

In 2007 Everglades National Park was removed from the list of World Heritage in Danger at the request of the United States, based on the progress of the Everglades restoration project. The decision prompted an outcry in the South Florida environmental community and hearings by Florida Senator Bill Nelson. Drawing on the Clinic's previous experience with the World Heritage Convention in assisting with an orchestrated effort to list 3 prominent sites as endangered world heritage due to climate change (Belize, Nepal & Peru), 3L Andrew Beckington researched and drafted a relisting petition, adding climate change to the list of threats Everglades National Park now faces. Signatories to the petition include the 57 member Everglades Coalition and Senator Bob Graham (ret.), who launched the Everglades Forever Program as Governor. The Petition has been acknowledged by UNESCO, and the relisting decision will be taken up at either the 2009 or 2010 meeting of the World Heritage Committee.

Promoting Environmental Law Clinics in the Brazilian Amazon

Through the Costa Rica Program, The Clinic will continue to work with the University of Florida's School of Forest Resources and Conservation Amazon Conservation Leadership Initiative to promote environmental law in the Brazilian Amazon. In 2007 and 2008 the Costa Rica Program hosted faculty and students from the Federal University of Mato Grosso to assist with the development of an environmental law clinic in the Brazilian state law school (clinics are known as "escritorios" in Portuguese and "consultorios" in Spanish). Working with U.S. law student Michael Willson (3L) in the Program's Conservation Clinic, the 2008 Brazilian students produced a draft state law creating incentives for forest conservation that is currently being considered by the state legislature. In 2009, the initiative will be extended to the Brazilian state of Para, at the headwaters of the Amazon River, in hopes of replicating the Mato Grosso clinic model at the law school of the Federal University of Para.

Recreational Boating Law Reform Becomes Law

The 2009 Florida legislative session ended with the passage of a significant boating law reform package promoted by the Florida Fish and Wildlife Conservation Commission, and based in part on a law and policy analysis done by the Clinic during the prior year. Among other things the new law authorizes local governments to create boating restricted areas for certain purposes, after approval by FWCC, and creates a pilot program allowing selected local governments to regulate anchoring outside of mooring fields, also after approval by FWCC. 2008 graduate Melanie King contributed to the policy paper that served as the basis for these reforms. King is currently in Washington D.C. serving as Florida Sea Grant's Knauss Fellow.

The 2009 Conservation Clinic in Costa Rica

The 2009 UF Law Costa Rica Program will celebrate its 10th year of collaboration with the University of Costa Rica. This year's Program will be especially interdisciplinary and thematic as the Program's U.S. & Latin American law students will be joined by 5 PhD students from the NSF funded doctoral program in Water, Wetlands & Watersheds. Projects contemplated for the Clinic and its Costa Rican collaborators include work on a new water law for Costa Rica, a law proposal to create a wild and scenic river program in Costa Rica, a review of a dam proposal in Southwest Costa Rica based on human rights and environmental concerns, and a policy analysis of environmental product certification for the rapidly growing pineapple industry. The 2009 Program is also sponsoring a visit by former U.S. Senator Bob Graham who will participate in Water Law and Politics conference the Program is hosting in Costa Rica and join the group on a field trip.

St. Marys River Trans-boundary Watershed Planning Project

The St. Marys River is one of Florida's least disturbed rivers. It is also one of Georgia's least disturbed rivers due to the fact that the centerline of the River forms the border of the 2 states before discharging into Cumberland Sound north of Jacksonville. In the Fall of 2008 the Clinic began to work with the St. Marys River Management Committee on the implementation of their River Management Plan. The River's transboundary status provided the opportunity for the Clinic to team up with its University of Georgia counterpart, the Environmental Law Practicum, under the supervision of Professor Laurie Fowler at UGa. UF Law Clinic students Kristianna Lindgren (3L), Rachel Mertz (3L) and John November (3L) first investigated the potential for declaring the River an Outstanding Florida Water under Florida law, while Practicum students looked at the potential for similar water quality protection under Georgia law, as well as the effect a Florida OFW designation would have on discharges into the River from the Georgia side. In the spring, the Clinic teamed up with PhD students and faculty from the UF Department of Environmental Engineering's NSF funded program in Water, Wetlands and Watersheds to apply adaptive management principles to the St. Marys River Plan. At the request of the Committee, the students have also been investigating the options for more formal interstate collaboration, including an interstate compact.

Model Unified Land Development Code for a Small Sustainable Coastal Community

Small communities have a difficult time dealing with increasingly complex policy mandates and limited resources. The Conservation Clinic is drafting a model land development code to implement a small Coastal Community's recently completed comprehensive plan. The Town seeks to implement the latest in sustainable development policy practices, but does not have the financial or human resources to create a major regulatory program. A Clinic team of law and planning students, with the support of planning expert and adjunct Urban and Regional Planning Professor Gail Easley, concluded that a key means to achieve this with limited resources was through the adoption of a single map "quasi-form-based code" that adopts sustainability based certification programs, such as green building through LEEDs, Florida Water Star, Florida Friendly Yards & Neighborhoods, and the Clean Marina Program. Another policy innovation the Clinic researched was the creation of a "green variance" to address instances where a developer may propose a superior sustainable design that conflicts with the existing code but does not otherwise create an economic hardship (the traditional standard for a variance). Students participating in the project include LLM students Andrew Hand and Kalnit Oded, 3Ls J.B. Brickelmeyer, Patrick Wheeler and Kathryn Hurd and Urban and Regional Planning graduate student Allison Fischmann. Fischmann will be entering the law school in the Fall while Kathryn Hurd has received a graduate research assistantship to pursue her joint degree in urban and regional planning.

Conservation Clinic Helps Solve Boating Issues in Bradenton Beach

by Andre Salhab

UF Law continues to find ways to make a positive impact on the state of Florida. With the help of Tom Ankersen (JD 86) and members of the Conservation Clinic, the school was able to help solve an important boating issue in Bradenton Beach, Fla.

“One of the areas that was of particular concern in Bradenton Beach was the anchoring of boats next to the City Pier, which by itself is not a problem, but it often leads to abandoned and derelict vessels, illegal discharges, and safety and ‘land use’ conflicts with shore-side neighbors.” Ankersen said. “We learned a lot about this from the 2004-05 hurricanes.”

Ankersen, legal skills professor and director of the Conservation Clinic, said the solution to the problems occurring at Bradenton Beach was the addition of a mooring field to the boating area. The plan was to install moorings instead of relying on anchors because moorings are safer and will increase the number of boats that can fit in a particular area. Though there are management costs and liability concerns associated with the installation of these fields, Ankersen said it will be relatively inexpensive to the boaters.

Ankersen said the pressure to have mooring fields has increased as the development of the coast has increased in Florida because traditional marinas are being pushed out by what are called “dockminiums.” The dockminium is a concept that allows boaters to buy a slip and keep it for the life of the lease. Dockminiums restrict the availability of marina slips for the first-come first-serve boater. This helps justify the need for mooring fields.

William Grant Watson (JD 05) and Cathleen Kenney (JD 06), former students of the Conservation Clinic who are currently practicing law in Florida, were heavily involved in the project with Ankersen. The mooring project didn’t reach fruition though until 2008, well after the students had graduated.

“The real world doesn’t run on semesters or even academic years,” said Ankersen on the length of time it takes to complete projects. “Things usually take longer than the amount of time that the students are here with us.” Watson is currently working in a law firm in Lake County. He said he is thrilled to see what has happened at Bradenton Beach. “There

was a lot of hard work and long hours that went into putting together this plan, and as with everything else in life, it’s great to see results,” said Watson.

Because of the location of the municipal boundary line, the submerged lands beneath the water were under the jurisdiction of Manatee County. That meant that Manatee County had jurisdiction over all of the water, even though the area of importance was immediately adjacent to the Bradenton Beach municipal pier.

Ankersen said through working with Ralf Brookes (JD 84), and a Manatee County attorney, they were able to draft a special act of legislation to change the boundary line so a mooring field could be built at Bradenton Beach. Currently, Bradenton Beach has the only mooring field in Florida enshrined in legislation.

Kenney, who is currently working for a small private firm in Ocala, was also excited to find out Bradenton Beach was creating a mooring field. “Really, our project was both an opportunity to learn about the preservation of Florida’s coastal communities and continued water access, and an opportunity to disseminate this information to people eager to learn,” she said.



photo by Lisa Neff / *The Anna Maria Islander*

UF Law Professors to Collaborate on Grant to Develop Regional Environmental Law Diploma for Central America

A consortium of Spanish speaking environmental law professors from throughout the United States were awarded a \$650,000 grant to assist with the development of a regional environmental law diploma for Central America. The grant is supported through the Central American Free Trade Agreement, which recently entered into force, and is administered by Professor Colin Crawford at Georgia State Law School. UF Law Professor Berta Hernandez will assist with the project's human rights and the environment module. Legal Skills Professor Tom Ankersen will host Central American law faculty from each of the participating institutions in the UF Law Costa Rica Program in order to demonstrate the use of clinical environmental law education in Central America.

Costa Rica Program Celebrates 10th Anniversary with Interdisciplinary Focus

The 2009 edition of the UF Law Costa Rica Program, celebrating its 10th year, will have a special interdisciplinary thematic focus. This year's law student cohort will be joined by five doctoral candidates from UF's NSF funded IGERT Program in Water, Wetlands & Watersheds. The law faculty will be joined by UF environmental engineering professor and Systems Ecologist Mark Brown and UF Anthropology Ph.D. candidate Gabriella Stocks. Stocks is completing her Ph.D. in Costa Rica on dam resettlement. Brown and Stocks will join UF Law Professor Richard Hamann in a course titled, Comparative Watershed Management: Law, Science & Policy. In addition Costa Rican attorney and dispute resolution specialist Franklin Paniagua will focus the program's simulation skills course around ongoing water allocation, diversion and pollution controversies in Costa Rica. The Conservation Clinic in Costa Rica will be considering projects that address protection of wild and scenic rivers in Latin America, environmental service payments for privately owned wetlands, a life cycle analysis of pineapple production in Costa Rica and its impact on watersheds, a review of a draft water law being considered by the National Assembly in Costa Rica, and the human rights implications of a proposed dam in the southwestern part of the country.

Congratulations

TO OUR GRADUATING ENVIRONMENTAL AND LAND USE LAW STUDENTS:

J.D. with Certificate in Environmental and Land Use Law

Erin Condon
Christine Covington
Jason Hall (summer 2009)
Ann Hove
Katherine Isaacs

LL.M. in Environmental and Land Use Law

Andrew Hand
Kalanit Oded

EMPLOYMENT OF RECENT GRADUATES IN ENVIRONMENTAL AND LAND USE LAW

Akerman Senterfitt (Orlando)
Bilzin Sumberg (Miami)
Carlton Fields (Tampa)
City of Fernandina Beach
Earthjustice (Seattle)
Florida Dept. of Environmental Protection (Tallahassee)
Florida Fish and Wildlife Conservation Commission (Tallahassee)
Hand Arendall (Mobile)
Holland & Knight (Orlando)
Icard Merrill (Sarasota)
National Oceanic and Atmospheric Administration (Silver Springs, MD)
NextEra Energy (Juno Beach)
Nuclear Regulatory Commission (Washington, D.C.)
Public Trust Environmental Law Institute of Florida (Jacksonville)
St. Johns Riverkeeper (Jacksonville)
The Center for Progressive Reform (Washington, D.C.)
The Trust for Public Lands (Jacksonville)
U.S. Army Corps of Engineers (Jacksonville)
U.S. Court of Appeals for the Eleventh Circuit (Tampa)
U.S. Department of Justice (Washington, D.C.)

Speaker Series

Environmental and Land Use Law

The Levin College of Law's Environmental and Land Use Law program began its spring 2009 Environmental Speaker Series Jan. 15 with a presentation by Michelle Mack, assistant professor of ecosystem ecology at the University of Florida titled, "The Science of Climate Change."

The series featured nationally known scholars and practicing attorneys who present their research to Environmental and Land Use Law (ELUL) students and faculty. The seminars, which allow students to explore new perspectives, are part of the capstone colloquium for certificate students and are designed to enrich students' knowledge of environmental and land use law. The speaker series is made possible through the support of the law firms of Hopping Green & Sams, P.A. and Lewis Longman & Walker, P.A.

Spring 2009 speakers included:



Michelle Mack

Michelle Mack

Assistant Professor, Ecosystem Ecology
University of Florida
Thursday, Jan. 15, 2009
The Science of Climate Change



Michael Vandenberg

Michael Vandenberg

Professor of Law
Co-director, Regulatory Program
Director, Climate Change Research Network
Vanderbilt Law School
Thursday, Jan. 22, 2009
The Behavioral Wedge



Linda Malone

Linda Malone

Professor of Law
Marshall-Wythe Foundation Professor of Law
Director, Human Rights and National Security Law Program
William & Mary Law School
Thursday, Jan. 29, 2009
Climate Change, Human Rights and International Law



Michael Dworkin

Michael Dworkin

Professor of Law
Director, Institute for Energy and the Environment
Vermont Law School
Thursday, Feb. 12, 2009
Climate Change and Energy Policy



J. Kevin Healy

J. Kevin Healy

Partner, Bryan Cave LLP, New York
Thursday, March 5, 2009
Climate Change and Law Practice



Robert R.M. Verchick

Robert R.M. Verchick

Gauthier-St. Martin Eminent Scholar Chair
in Environmental Law
Loyola University New Orleans
Thursday, March. 19, 2009
Climate Change, Disaster Law and Sea Level Rise

Nelson Symposium Discusses Squeeze On Local Governments

by Spenser Solis and Andre Salhab

The Eighth Annual Richard E. Nelson Symposium brought together top legal experts to discuss challenges and proposed solutions to the multitude of problems faced by local governments. More than 100 legal professionals and law students attended the day-long event, which took place at the UF Hilton Conference Center on Friday, February 13. The conference, titled “The Squeeze on Local Governments,” included presentations from experts in topics ranging from land-use, local government, and property to environmental law.

“This year’s topic is particularly meaningful,” said Dean Robert Jerry in a welcome address. “Local governments are being hammered by economic forces.”

Michael A. Wolf, UF Law’s Richard E. Nelson Chair in Local Government Law, organized the conference. Florida has faced high rates of foreclosure and abandonment of homes, Wolf said. “When the real estate bubble burst a year ago, the Sunshine State was hit particularly hard,” he said.

Government’s use of eminent domain to seize private property for economic development has also elicited a variety of responses throughout the country. “State and federal courts have sent mixed signals,” Wolf said.

Frank S. Alexander, a professor of law at Emory Law School, described the impact of the foreclosure crisis on state and local governments. Foreclosures increase costs for local governments because they can bring with them instances of vandalism, arson and copper theft. “A single foreclosure will reduce the value of properties within a half mile by 2.5 percent,”

he said. Alexander suggested that local governments provide short-term leases to reoccupy vacant property. “No one is maintaining the property post foreclosure,” he said. “The most important thing, I think, is to get them reoccupied.”

Robert Guthrie, senior assistant county attorney for Orange County, Fla., outlined his county’s plans to use federal funding to purchase foreclosed structures. Through the Neighborhood Stabiliza-

tion Program (NSP), Orange County will improve troubled homes by coordinating with organizations such as Habitat for Humanity. “We can dole these out to non-profits and let them be responsible for the improvements,” Guthrie said.

Before closing, Wolf felt compelled to say one last thing. “At least [Tim Tebow] will be back for one more year,” said Wolf, wanting to give everyone something to which to look forward.



Produced in the UF Law Communications Office for the Environmental and Land Use Law Program. For Information, contact ELULP Director Alyson Flournoy at Box 117625, Gainesville, FL 32611-7625; e-mail elulp@law.ufl.edu; phone (352) 273-0777; fax (352) 392-9419; website www.law.ufl.edu/elulp/



The program has one of the largest full-time environmental faculties, with 15 full-time professors, 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.