



The Florida Bar Continuing Legal Education Committee and the  
Environmental & Land Use Law Section present

# 2011 Ethical Challenges for the Environmental Lawyer and Consultant

Course Classification: Intermediate Level (1283R)

*and*

# 2011 ELULS Update: Power to the People

Course Classification: Advanced Level (1284R)

**August 11-13, 2011**

**Sawgrass Marriott Golf Resort & Spa  
1000 PGA Tour Boulevard  
Ponte Vedra Beach, FL 32082  
800-457-4653**

Course No. 1283R/1284R  
1285C



# SCHEDULE OF EVENTS

## 2011 Ethical Challenges for the Environmental Lawyer and Consultant (1283R)

### Thursday

8:00 a.m. – 8:30 a.m.

#### Late Registration

8:30 a.m. – 8:35 a.m.

#### Opening Remarks/Introduction

8:35 a.m. – 9:20 a.m.

#### Practice Makes Perfect: Ethically Staying Within Your Practice Area

*William L. Finger, Attorney at Law*  
*Robert Wojcik, Golder Associates, Inc.*

9:20 a.m. – 10:05 a.m.

#### Lawyers and Consultants: Preparing Each Other for the Presentation of Ethical Expert Testimony

*Robert D. Fingar, Guilday Tucker Schwartz & Simpson*  
*James Hirsch, F and H Consulting, LLC*

10:05 a.m. – 10:30 a.m.

#### Break

10:30 a.m. – 11:15 a.m.

#### Duty to Preserve Evidence and Protect Environmental Reports: Ethical and Practical Challenges

*Rory C. Ryan, Ryan Law, P.A.*  
*Joel Balmat, HSW Engineering, Inc.*

11:15 a.m. – 12:00 noon

#### Situational Ethics: Can the Circumstance Affect the Ethical Responsibilities of Environmental Attorneys and Professionals?

*Anna H. Long, Lowndes Drosdick Doster Kantor & Reed, P.A.*  
*Peter K. Partlow, E Sciences, Inc.*

## 2011 ELULS: Power to the People (1284R)

12:45 p.m. – 1:30 p.m.

#### Late Registration

1:30 p.m.

#### Opening Remarks/Introduction

1:40 p.m. – 2:20 p.m.

#### Keynote Address - Power to the People: What's Energy Got to Do with It?

*Charles E. Sieving, NextEra Energy, Inc.*

2:20 p.m. – 3:20 p.m.

#### Energy Innovations: From Siting to Financing "Green" Energy Projects

*Sarah M. Doar, Hopping Green & Sams, P.A.*  
*Patrice F. Boyes, Patrice Boyes, P.A.*  
*Erin L. Deady, Lewis, Longman & Walker, P.A.*

3:20 p.m. – 3:35 p.m.

#### Break

3:35 p.m. – 4:10 p.m.

#### Environmental Justice and Ethical Considerations in Energy Development

*Jeanne M. Zokovitch-Paben, Barry University School of Law*  
*B. Suzi Ruhl, U.S. Environmental Protection Agency*

4:10 p.m. – 4:40 p.m.

#### Climate Change Litigation Update

*Douglas M. Halsey, White & Case LLP*

4:40 p.m. – 5:25 p.m.

#### Legislative Update

*Lawrence E. Sellers, Jr., Holland & Knight LLP*  
*Terry E. Lewis, Lewis, Longman & Walker, P.A.*

5:25 p.m. – 5:30 p.m.

#### Session Summary and Announcements

5:30 p.m. – 6:30 p.m.

#### Reception

6:30 p.m. – 7:30 p.m.

#### EcoWalk

*E Sciences, Inc. and Water, Wetlands, Wildlife & Beaches Committee*

### Friday

#### Concurrent Sessions

A) Track A

B) Track B

8:30 a.m. – 9:20 a.m.

#### A) Raining on Your Parade: Evolving Stormwater Management Issues in Florida

*Mark W. Ellard, Geosyntec Consultants*  
*Richard J. Budell, Department of Agriculture & Consumer Services*  
*Robert A. Malinoski, Gunster, Attorneys at Law*  
*Donald D. Carpenter, HSW Engineering, Inc.*

#### B) The American Renaissance of Form Based Land Development Regulations

*Samuel E. Poole, Berger Singerman*  
*Daniel K. Slone, McGuire Woods LLP*  
*William M. Spikowski, Spikowski Planning Associates*

9:20 a.m. – 10:10 a.m.

#### A) Resetting the Table: A Pivotal Year for Land Use Practice in Florida

*Cari L. Roth, Bryant Miller Olive, P.A.*  
*Janet E. Bowman, The Nature Conservancy*

#### B) Commercial Lending Update: From Lender Liability in Foreclosures to Current Market

*Stacy Watson May, Stacy Watson May, P.A.*  
*Daniel D. Richardson, Lewis, Longman & Walker, P.A.*  
*Michael I. Maguire, BB&T*  
*Randy A. Muller, Bank of America*

10:10 a.m. – 10:25 a.m.

#### Break

10:25 a.m. – 11:15 a.m.

#### A) The Future of Offshore Energy After Deepwater Horizon

*Jeffrey A. Collier, Greenberg Traurig, P.A.*  
*J. Keith Tolson, Geosyntec Consultants*  
*Martha M. Collins, Collins Law Group*

#### B) Smart Growth and Mobility: A Tale of Two Cities

*T.R. Hainline, Jr., Rogers Towers, P.A.*  
*Steven J. Wernick, Bilzin Sumberg, LLP*

11:15 a.m. – 12:05 p.m.

**A) Fisheries Update**

*Ross S. Burnaman, Ross Stafford Burnaman, Attorney at Law  
Quilla E. Miralia, Fish & Wildlife Conservation Commission*

**B) Update on Waste Management and Recycling**

*Carl Eldred, Hopping Green & Sams, P.A.  
Christopher D. McGuire, Department of Environmental Protection*

12:05 p.m. – 1:45 p.m.

**Section Annual Meeting and Awards Luncheon**

1:45 p.m. – 2:25 p.m.

**Recent Trends in NEPA**

*Moderator: Susan L. Stephens, Hopping Green & Sams, P.A.  
Christina Storz, US Army Corps of Engineers  
Gene Stillman, Ecology & Environment, Inc.  
Douglas P. Manson, Manson Law Group, P.A.*

2:25 p.m. – 3:15 p.m.

**Administrative Update I: Recent Decisions**

*Mary F. Smallwood, GrayRobinson, P.A.*

3:15 p.m. – 3:30 p.m.

**Break**

3:30 p.m. – 4:15 p.m.

**Administrative Update II: Tips for Effective and Ethical ELUL Practice at DOAH**

*Hon. Bram D.E. Canter, Division of Administrative Hearings  
Hon. J. Lawrence Johnston, Division of Administrative Hearings*

4:15 p.m. – 5:40 p.m.

**General Counsels' Roundtable**

*Moderator: Timothy J. Center, Collins Center for Public Policy  
Christopher D. McGuire, Department of Environmental Protection  
Deborah K. Kearney, Department of Community Affairs  
TBD, South Florida Water Management District  
Harold G. "Bud" Vielhauer, Fish & Wildlife Conservation Commission  
Lorena A. Holley, Department of Agriculture & Consumer Services*

5:40 p.m. – 5:45 p.m.

**Closing Remarks**

5:45 p.m. – 7:00 p.m.

**Reception**

7:00 p.m. – 9:30 p.m.

**Musical Entertainment**

**CLE CREDITS**

**2011 Ethical Challenges for the Environmental Lawyer and Consultant (1283R)**

General: 3.5 hours • Ethics: 3.5 hours

**CERTIFICATION PROGRAM**

(Max. Credit: 3.5 hours)

- Business Litigation: 2.5 hours
- City, County, Local Gov't: 3.5 hours
- Civil Trial: 2.5 hours
- Real Estate: 3.5 hours
- State & Federal Gov't & Administrative Practice: 3.5 hours

**2011 Environmental and Land Use Law Annual Update (1284R)**

General: 12.5 hours • Ethics: 1.5 hours

**CERTIFICATION PROGRAM**

(Max. Credit: 12.5 hours)

- City, County & Local Government: 12.5 hours
- Real Estate Law: 12.5 hours
- State & Federal Gov't & Administrative Practice: 12.5 hours

Seminar credit may be applied to satisfy CLER / Certification requirements in the amounts specified above, not to exceed the maximum credit. See the CLE link at [www.floridabar.org](http://www.floridabar.org) for more information.

Prior to your CLER reporting date (located on the mailing label of your Florida Bar News or available in your CLE record on-line) you will be sent a Reporting Affidavit if you have not completed your required hours (must be returned by your CLER reporting date).



**REFUND POLICY**

A \$25 service fee applies to all requests for refunds. Requests must be in writing and postmarked no later than two business days following the live course presentation or receipt of product. Registration fees are non-transferrable, unless transferred to a colleague registering at the same price paid. Registrants who do not notify The Florida Bar by 5:00 p.m., August 4, 2011 that they will be unable to attend the seminar, will have an additional \$150 retained. Persons attending under the policy of fee waivers will be required to pay \$150.



**HOTEL RESERVATIONS**

A block of rooms has been reserved at the Sawgrass Marriott Golf Resort & Spa, at the rate of \$129 single/double occupancy. To make reservations, call the Sawgrass Marriott Golf Resort & Spa directly at (800) 457-4653. Reservations must be made by 7/11/11 (3:00 p.m.) to assure the group rate and availability. After that date, the group rate will be granted on a "space available" basis.



**ELECTRONIC COURSE MATERIAL NOTICE**

Effective July 1, 2010, every CLE course will feature an electronic course book in lieu of a printed book for all live presentations, live webcasts, webinars, teleseminars, audio CDs and video DVDs. This searchable, downloadable, printable material will be available via e-mail several days in advance of the live course presentation or thereafter for purchased products. We strongly encourage you to purchase the book separately if you prefer your material printed but do not want to print it yourself.

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# REGISTRATION

## Register me for "2011 Ethical Challenges for the Environmental Lawyer and Consultant" and/or "2011 ELULS Annual Update: Power to the People"

ONE LOCATION: (140), SAWGRASS MARRIOTT GOLF RESORT & SPA (AUGUST 11-13, 2011)

TO REGISTER OR ORDER AUDIO CD OR COURSE BOOKS BY MAIL, SEND THIS FORM TO The Florida Bar, Order Entry Department, 651 E. Jefferson Street, Tallahassee, FL 32399-2300 with a check in the appropriate amount payable to The Florida Bar or credit card information filled in below. If you have questions, call 850/561-5831. ON-SITE REGISTRATION, ADD \$25.00. **On-site registration is by check only.**

Name \_\_\_\_\_ Florida Bar # \_\_\_\_\_

Address \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

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*\*E-mail address is required to receive electronic course material and will only be used for this order. JMW: Course No. 1283R/1284R/1285C*

### REGISTRATION FEE (CHECK ONE):

#### 1283R

- Member of the Environmental & Land Use Law Section: \$115
- Non-section member: \$155
- Full-time law college faculty or full-time law student: \$78
- Persons attending under the policy of fee waivers: \$0

#### 1284R

- Member of the Environmental & Land Use Law Section: \$440
- Non-section member: \$480
- Full-time law college faculty or full-time law student: \$315
- Persons attending under the policy of fee waivers: \$150

### Reduced fee for both seminars 1283R and 1284R:

- Member of the Environmental & Land Use Law Section: \$505
- Non-section member: \$585
- Full-time law college faculty or full-time law student: \$343
- Persons attending under the policy of fee waivers: \$150

*Members of The Florida Bar who are Supreme Court, Federal, DCA, circuit, county judges, magistrates, judges of compensation claims, full-time administrative law judges, and court-appointed hearing officers, or full-time legal aid attorneys for programs directly related to their client practice; are eligible upon written request and for personal use only, complimentary admission to any live CLE Committee sponsored course. (We reserve the right to verify employment.)*



Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

### METHOD OF PAYMENT (CHECK ONE):

- Check enclosed made payable to The Florida Bar
- Credit Card (Advance registration only. Fax to 850/561-5816.)
  - MASTERCARD  VISA  DISCOVER  AMEX

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## COURSE BOOK – AUDIO CD

Private recording of this program is not permitted. **Delivery time is 4 to 6 weeks after 8/11/11. TO ORDER AUDIO CD OR COURSE BOOKS**, fill out the order form above, including a street address for delivery. **Please add sales tax. Tax exempt entities must pay the non-section member price.** Those eligible for the above mentioned fee waiver may order a complimentary audio CD in lieu of live attendance upon written request and for personal use only.

*Please include sales tax unless ordering party is tax-exempt or a nonresident of Florida.* If this order is to be purchased by a tax-exempt organization, the media must be mailed to that organization and not to a person. Include tax-exempt number beside organization's name on the order form.

### 2011 Ethical Challenges for the Environmental Lawyer and Consultant

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| <input type="checkbox"/> <b>COURSE BOOK ONLY (1283M)</b><br>Cost \$60 plus tax<br>TOTAL \$ _____ | <input type="checkbox"/> <b>AUDIO CD (1283C)</b><br>(includes Electronic Course Material)<br>\$115 plus tax (section member); \$155 plus tax (non-section member)<br>TOTAL \$ _____ |
|--|---|

### 2011 ELULS Annual Update: Power to the People

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| <input type="checkbox"/> <b>COURSE BOOK ONLY (1284M)</b><br>Cost \$60 plus tax<br>TOTAL \$ _____ | <input type="checkbox"/> <b>AUDIO CD (1285C)</b><br>(includes Electronic Course Material)<br>\$290 plus tax (section member); \$330 plus tax (non-section member)<br>TOTAL \$ _____ |
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