

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

# 2012 Ethical Challenges for the Environmental Lawyer and Consultant

**Course Classification: Intermediate Level (1426R)** 

and

## 2012 ELULS Annual Update

**Course Classification: Advanced Level (1427R)** 

August 9-11, 2012

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

Course No. 1426R/1427R

1428C



### **SCHEDULE OF EVENTS**

# 2012 Ethical Challenges for the Environmental Lawyer and Consultant (1426R)

#### **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.

Rules Governing Ethical Practices for Attorneys and Consultants

F. Joseph Ullo, Jr., Lewis Longman & Walker, P.A. Roger B. Register, Cardno TBE

9:20 a.m. - 10:05 a.m.

Ethical Aspects of RBCA Implementation: Who's on 1st, 2nd, or 3rd Base? A PE, PG, or Esq?

James P. Oliveros, Golder Associates, Inc. William D. Preston, William D. Preston, P.A.

10:05 a.m. - 10:30 a.m.

**Break** 

10:30 a.m. - 11:15 a.m.

Ethical, Legal and Technical Issues Associated with Reporting Contamination

Daniel H. Thompson, Berger Singerman J. Chris Herin, Geosyntec Consultants

11:15 a.m. - 12:00 noon

Ethical Issues Related to Bidding and Contracting Ralph A. DeMeo, Hopping Green & Sams, P.A.

Bradley S. Pekas, ECT, Inc.

#### 2012 ELULS Annual Update (1427R)

12:45 p.m. – 1:30 p.m.

Late Registration

1:30 p.m.

**Opening Remarks/Introduction** 

1:40 p.m. - 2:00 p.m.

**Sustainable Railroad Development** 

Carl A. Gerhardstein, CSX Corporation

2:00 p.m. - 3:15 p.m.

Numeric Nutrient Criteria and Water Quality Standards Update

David W. Childs, Hopping Green & Sams, P.A.

David G. Guest, Earthjustice

Andrew S. Bartlett, Department of Environmental Protection

3:15 p.m. - 3:30 p.m.

Break

3:30 p.m. - 4:40 p.m.

Land Use and the Community Planning Act: One Year Later

Suzanne Van Wyk, Bryant Miller and Olive

Janet E. Bowman, The Nature Conservancy

J. Thomas Beck, Department of Economic Opportunity

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) Air Quality Regulation Update

Brian J. Accardo, Department of Environmental Protection Scott Osbourn, Golder Associates, Inc.

B) Keeping Up with the Board: Update on Sovereign Submerged Lands

Christopher T. Byrd, Department of Environmental Protection Edwin A. Steinmeyer, Lewis Longman & Walker, P.A.

9:20 a.m. - 10:10 a.m.

A) Endangered Species and Habitat Conservation

Harold G. "Bud" Vielhauer, Fish & Wildlife Conservation Commission

Douglas J. Rillstone, Broad & Cassel

B) Dismantling State Oversight of Local Land Use Decisions - Has the Pendulum Swung too far?

Nancy G. Linnan, Carlton Fields P.A. Robert Lincoln, Icard Merrill, P.A.

10:10 a.m. - 10:25 a.m.

**Break** 

10:25 a.m. - 11:15 a.m.

A) Competing Use of Water Resources

Frank E. Matthews, Hopping Green & Sams, P.A. Timothy A. Smith, St. Johns River Water Management District

B) Whose Beach is it Anyway?

Angela Howe, Surfrider Foundation Francine M. Ffolkes, Department of Environmental Protection

11:15 a.m. – 12:05 p.m.

A) Waste Cleanup Regulation Update

Christopher D. McGuire, Department of Environmental Protection

Joel Balmat, HSW Engineering

B) The Encore: Tampa's Downtown Tempo District

Roxanne M. Amoroso, Bank Of America Merrill Lynch Leigh K. Fletcher, Kellerhals Ferguson Fletcher Kroblin, LLP

12:05 p.m. - 1:45 p.m.

**Section Annual Meeting and Awards Luncheon** 

1:45 p.m. – 2:25 p.m.

Swamps & Sinkholes - an Ethics Update for Land Use and Environmental Lawyers

Kenneth A. Tinkler, Carlton Fields

2:25 p.m. - 3:15 p.m.

**Statewide Environmental Resource Permit Rule** 

Jeffrey M. Littlejohn, Department of Environmental Protection Mark W. Ellard, Geosyntec Consultants 3:15 p.m. – 3:30 p.m. **Break** 

3:30 p.m. – 4:15 p.m. **Administrative Law Update** 

Mary F. Smallwood, GrayRobinson, P.A.

4:15 p.m. – 5:40 p.m.

**General Counsel Roundtable** 

Moderator: Timothy J. Center, Collins Center

Thomas M. Beason, Department of Environmental Protection Harold G. "Bud" Vielhauer, Fish & Wildlife Conservation Commission David L. Jordan, Department of Economic Opportunity John W. Costigan, Department of Agriculture & Consumer Services

Timothy A. Smith, St. Johns River Water Management District

5:40 p.m. – 5:45 p.m. **Closing Remarks** 

5:45 p.m. - 7:00 p.m.

Reception

#### **CLE CREDITS**

#### 2012 Ethical Challenges for the Environmental Lawyer and Consultant (1426R)

General: 3.5 hours Ethics: 3.5 hours

#### **CERTIFICATION PROGRAM**

(Max. Credit: 3.5 hours) City, County, Local Gov't: 3.5 hours Real Estate: 3.5 hours

State & Federal Gov't & Administrative Practice: 3.5 hours

## 2012 Environmental and Land Use Law Annual Update (1427R)

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 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 2, 2012 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 3:00 p.m. on 7/6/12 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**

Florida Bar CLE Courses feature electronic course materials for all live presentations, live webcasts, webinars, teleseminars, audio CDs and video DVDs. This searchable electronic material can be downloaded and printed and is available via e-mail several days in advance of the live presentation or thereafter for purchased products. The Course Book can be purchased separately. Effective July 1, 2010.











#### REGISTRATION

#### Register me for "2012 Ethical Challenges for the Environmental Lawyer and Consultant" and/or "2012 ELULS Annual Update"

ONE LOCATION: (140), SAWGRASS MARRIOTT GOLF RESORT & SPA (AUGUST 9-11, 2012)

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. \_\_\_\_\_Florida Bar # \_\_\_\_\_ Name\_ Address \_\_\_ City/State/Zip\_\_\_\_\_\_ Phone # \_\_\_\_\_ \*E-mail address is required to receive electronic course material and will only be used for this order. JMW: Course No. 1426R/1427R/1428C REGISTRATION FEE (CHECK ONE): Reduced fee for both seminars 1426R and 1427R: Member of the Environmental & Land Use Law Section: \$515 1426R Non-section member: \$595 Member of the Environmental & Land Use Law Section: \$115 Full-time law college faculty or full-time law student: \$348 Non-section member: \$155 Persons attending under the policy of fee waivers: \$150 Full-time law college faculty or full-time law student: \$78 Members of The Florida Bar who are Supreme Court, Federal, DCA, circuit judges, Persons attending under the policy of fee waivers: \$0 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 Member of the Environmental & Land Use Law Section: \$450 personal use only, complimentary admission to any live CLE Committee sponsored Non-section member: \$490 course. Not applicable to webcast. (We reserve the right to verify employment.) Full-time law college faculty or full-time law student: \$320 Persons attending under the policy of fee waivers: \$150 ☐ 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 850/561-9413.) ☐ MASTERCARD ☐ VISA ☐ DISCOVER ☐ AMEX Exp. Date: \_\_\_\_/\_\_\_(MO./YR.) Signature: \_\_ Name on Card: \_\_\_\_\_\_ Billing Zip Code:\_\_\_\_\_ Card No. \_\_\_\_\_ COURSE BOOK — AUDIO CD Private recording of this program is not permitted. Delivery time is 4 to 6 weeks after 8/9/12. 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

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2012 ELULS Annual Update		
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