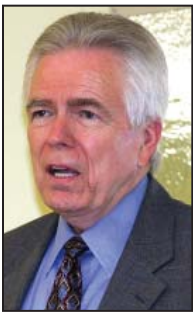


# FLORIDA STATE LAW

*Environmental & Land Use Law Newsletter*



## Forum focuses on growth management

The Spring Environmental Forum, “Growth Management in a Shrinking Economy,” took place April 1, 2009.

The panel included experts in the area of growth management (from left) Tom Pelham ('71), Secretary of the Florida Department of Community Affairs; Tim Chapin, associate professor in the

Florida State Department of Urban and Regional Planning; Nancy Linnan ('74), a shareholder of Carlton Fields; Rebecca O'Hara ('94), legislative director, Florida League of Cities; Uma Outka, former general counsel, 1000 Friends of Florida; and Linda Shelley, a shareholder of Fowler White Boggs. A video of the forum may be viewed [online](#).

## LAW SCHOOL ROLLS OUT LL.M. IN ENVIRONMENTAL LAW AND POLICY

Building on its highly regarded environmental law program, Florida State Law now offers an LL.M. degree in Environmental Law and Policy. The new LL.M. gives J.D. holders the opportunity to engage in a concentrated program in environmental and natural resources law.

Utilizing a graduate school model of education, students enrolled in the program work one-on-one with a faculty member to tailor their curriculum to their unique interests and goals. Each student is mentored by their assigned faculty member throughout the

course of their studies.

In addition to working intensively with the faculty, students benefit from a wide range of courses taught by some of the nation's leading scholars in environmental law and related areas. Students also have access to regionally and nationally recognized experts who visit Florida State Law as distinguished speakers.

For more information about the LL.M. in Environmental Law and Policy, visit [www.law.fsu.edu](http://www.law.fsu.edu). If you have questions about the program, e-mail [Environmental\\_LandUse@law.fsu.edu](mailto:Environmental_LandUse@law.fsu.edu).

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# Recent Faculty Presentations



**ROBIN KUNDIS CRAIG, Attorneys' Title Professor and Associate Dean for Environmental Programs**

*Constitutional Aspects of Multistate Alternative Energy Agreements. Multi-State Decisionmaking for Renewable Energy and Transmission: Spotlight on Colorado, New Mexico, Utah and Wyoming.* (National Renewable Energy Laboratory & U.S. Department of Energy. Denver, CO. August 2009)

*Adapting to Climate Change: The Potential Role of State Public Trust Doctrines.* (Lecture as Distinguished Summer Environmental Scholar. Vermont Law School. South Royalton, VT. July 2009)

*Water Supply, Desalination, Climate Change, and Energy Policy. Critical Intersections for Energy and Water Law: New Challenges and Opportunities.* (University of Dundee (Scotland), University of Calgary Faculty of Law (Alberta), and University of the Pacific McGeorge School of Law. Alberta, Calgary, Canada. May 2009)



**DAVID L. MARKELL, Steven M. Goldstein Professor**

*Revisiting Regional Environmental Agreements* (Wake Forest. October 2009)

*Greening the Economy Sustainably* (Washington and Lee Law School Symposium: Climate Policy Advice for the Obama Administration. February 2009)

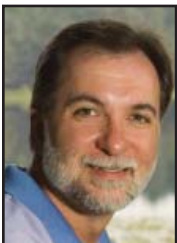


**JIM ROSSI, Harry M. Walborsky Professor and Associate Dean for Research**

*The Trojan Horse of Transmission Line Siting Authority* (Portland, Oregon. Lewis & Clark "Greening the Grid" Conference. April 2009)

*The Political Economy of Energy in Climate Change Legislation* (Northwestern Law School. Searle Institute Conference on Energy, Technology and Institutions. May 2009)

*Public Choice and Energy Law* (Vancouver, British Columbia. Society for Environmental Law & Economics. March 2009)



**J.B. RUHL, Matthews & Hawkins Professor of Property**

*After Cap-and-Trade* (Southeastern Association of Law School Annual Meeting, Panel on Climate Change Law in the Obama Administration. Aug. 2009)

*Climate Change and the Endangered Species Act* (Vanderbilt Law School and Environmental Law Institute Symposium. April 2009)

*Climbing Mount Mitigation Without a Map* (Washington & Lee Law School Climate Change Symposium Panel. February 2009)

*Climate Change and the Endangered Species Act* (National Conservation Training Center. January 2009)



**MARK B. SEIDENFELD, Patricia A. Dore Professor of Administrative Law**

*Who Decides Who Decides: The Institutional Competence of Courts and Agencies to Set Standards of Care* (New York University, Annual Survey of American Law Symposium: Tort Law in the Shadow of Agency Preemption. February 2009)



## ENVIRONMENTAL CAREER PANEL

Students in the Environmental Law Society, in conjunction with the Environmental Law Program, hosted the 2009 Environmental Law Career Panel on March 18th in the law school Rotunda. This panel featured, from left, Winston K. Borkowski ('94), shareholder, Hopping Green & Sams; Maribel Nicholson-Choice, shareholder, Greenberg Traurig; Rebecca O'Hara ('94), legislative director, Florida League of Cities; and Nona R. Schaffner, Florida Department of Environmental Protection. These lawyers spoke about their experiences in the field of environmental law. They also outlined possible career paths for students.

## OUTKA NAMED VISITING SCHOLAR



Uma Outka has been named the law school's visiting scholar in Energy and Land Use law. During her appointment at Florida State Law, Outka will direct the Sustainable Energy Research Project (SERP), an initiative of the Environmental and Land Use program aimed at understanding and advancing legal frameworks to support sustainable energy development. The project is associated with Florida State's Sustainable Energy and Governance Center and is supported by the interdisciplinary Institute for Energy Systems, Economics and Sustainability (IESES).

The project will aim to answer questions of practical importance to this rapidly evolving area of law — nationally and in Florida. For example, how do existing Florida laws and local land use codes facilitate or impede the location of renewable energy production facilities and other innovative energy infrastructure designed to respond to the state's present and future energy needs? What policy considerations and trade-offs are presented by the shift toward renewable energy and what best practices can be employed to balance competing goals and interests?

### QUESTIONS?

For information about any aspect of the environmental law program, e-mail [Environmental\\_LandUse@law.fsu.edu](mailto:Environmental_LandUse@law.fsu.edu).

# DISTINGUISHED LECTURE SERIES CONTINUES

The *Florida State Law Journal of Land Use & Environmental Law* will continue its distinguished lecture series in the 2009-10 academic year with Tony Arnold in the fall and G. Tracy Mehan, III, in the spring.

Arnold — Boehl Chair in Property and Land Use, Professor of Law, Affiliated Professor of Urban Planning, and Chair of the Center for Land Use and Environmental Responsibility at the University of Louisville — will present his lecture on October 28th.

A nationally recognized scholar in the environmental regulation of land use, water and property, Arnold teaches property law, land use planning and regulation, environmental law and policy, and water resources law and policy.

The fall lecture will begin at 3:30 p.m. on October 28th in room 102.

Mehan is principal with The Cadmus Group, Inc., an



Arnold

environmental consulting firm. Mehan served as Assistant Administrator for Water at the U.S. Environmental Protection Agency from 2001-2003. He served as Environmental Stewardship Counselor to the 2004 G-8 Summit Planning Organization. Mehan is a graduate of Saint Louis University School of Law. Presently, Mehan serves on the Water Science and Technology Board for the National



Mehan

Research Council of the National Academies and its Committees on the Mississippi River and the Clean Water Act. He has also served as an independent expert judge for the Municipal Water Conservation Achievement Award Program (2006) sponsored by the U.S. Conference of Mayors and its Urban Water Council.

The spring lecture will begin at 3:30 on February 10th in room 102.

## CRAIG NAMED ASSOCIATE DEAN FOR ENVIRONMENTAL PROGRAMS

***Attorneys' Title Professor of Law Robin Kundis Craig was recently named Associate Dean for Environmental Programs.***



# Student Activities

## STUDENTS RECOGNIZED FOR ENVIRONMENTAL WORK

Environmental law program students at Florida State Law continued to excel this spring and summer. Several students were published in prestigious publications while others received grants, fellowships or other noteworthy opportunities to work in the environmental law field.



**KARLIE S. CLEMONS** of Lake Wales, won the nationwide “Energy and the Environment” writing competition sponsored by Hofstra Law School. Clemons’ paper was, *Potable, Fresh Water Versus Climate Preservation: Can Florida Justify an Increased Use of Desalination Given Florida’s Vulnerability To Climate Change and Current (and Anticipated) Policies?*



**ABIGAIL DEAN** received a Florida Bar Public Service Fellowship to work at Wildlife Guardians this summer.

**CAROLYN HASLAM** won The Florida Bar’s Environmental and Land Use Law Section’s Maloney writing contest.

**BRIAN KENYON** was selected to be a student volunteer at the ABA Section on Environment, Energy, and Resources’ annual fall meeting.



**ERIC NEIBERGER** placed second in the 2008-2009 *American Indian Law Review* writing competition. Neiberger’s second place paper was *Seminole Success and Winters Rights: Twenty-One Years After the Seminole Water Rights Compact of 1987*.

**MEGHAN McDONOUGH’S** paper, *The Phoenix of Land Use Planning: Can Oregon Rise from the Ashes of Measure 37*, was selected by Attorneys’ Title Insurance Fund as winner of the 2009 Law Student Award. McDonough earned \$500.



**KATHERINE WEBBER’S** article, *Increasing Hope for Florida Keys Coral Reefs in the Face of Climate Change*, was published in the ABA Section on Environment, Energy, and Resources’ *Marine Resources Newsletter* in February 2009.

### THE JOURNAL OF LAND USE AND ENVIRONMENTAL LAW 2009-2010 EXECUTIVE BOARD

**Editor in Chief**  
Sarah Pomerance

**Associate Editor**  
Leean Johns

**Executive Editors**  
Alvan Balent  
Sally Kent

**Articles Selection Editor**  
Melanie Leitman

**Administrative Editor**  
Abigail Dean

#### ENVIRONMENTAL EXTERNS SPRING 2009

##### **Earthjustice**

*Andrew Lutostanski*

##### **Florida Department of Environmental Protection**

*Nathaniel Kennedy*

##### **City of Tallahassee Attorney’s Office**

*Khon Tuy*

##### **Leon County Attorney’s Office**

*Shaun Johnson*

#### ENVIRONMENTAL EXTERNS SUMMER 2009

##### **Florida Freshwater Fish and Wildlife Commission**

*Benjamin Cooper Lord*

##### **Florida Department of Community Affairs**

*Sarah Shuler*

##### **Leon County Attorney’s Office**

*Brandon Howes*

# Environmental Alumni in Action

**S. CURTIS KISER (1970)** has joined Brewton Plante, P.A. in Tallahassee as a partner. His practice areas include administrative and environmental law, legislative and governmental affairs and insurance regulation.



**LONNIE N. GROOT (1976)** has joined the Lake Mary firm of Stenstrom, McIntosh, Colbert, Whigham & Partlow, P.A. His practice focuses on representation of local government, land use and planning. He is board certified in city, county and local government law.

**VIVIAN ARENAS-BATTLES (1986)**, a shareholder at Tampa firm of de la Parte & Gilbert, P.A., is certified by the Florida Supreme Court as a circuit court mediator for eminent domain and environmental law cases.

**SUZANNE DOUB BRANTLEY (1988)** retired after 20 years of representing Florida State Parks in the Department of Environmental Protection.

**CHRISTINE N. SENNE (2006)** is an associate practicing environmental law with Akerman Senterfitt.



**WILLIAM CANTRELL (2008)** was recently published in the *Columbia Journal of Environmental Law*. His article is titled *Cleaning Up the Mess: United Haulers, The Dormant Commerce Clause, and Transaction Costs Economics*.

**HOWARD 'HOWIE' FOX (2009)** was recently hired as a staff assistant for the U.S. Senate for the committee on Small Business and Entrepreneurship.

## 2009 ENVIRONMENTAL LAW CERTIFICATE GRADUATES

Caroline Brady  
Karlle Clemons  
Susan Harbin  
Carolyn Haslam  
Nathaniel Kennedy  
Christopher Leal

Gareth Leonard  
Charles McLane  
James Moore  
Eric Neiberger  
Neil Paradise  
Jeffery Patenaude  
David Phillips

Carlana Seeba  
John Terrezza  
Ramona Thomas  
Reid Wakefield  
David Weiss  
Terry Wood

### ALUMNI NEWS WANTED

Florida State Law wants to hear from alumni!

Please send us recent accomplishments and updates. We look forward to sharing your news.

E-mail: [jlghtne@law.fsu.edu](mailto:jlghtne@law.fsu.edu)

Phone: 850.644.7781 • Fax: 850.644.7282