



**NSU** | Energy, Climate Disruption,  
Shepard Broad Law Center | and Sea Level Rise:  
**NEW DIRECTIONS IN LAW & POLICY**

Co-sponsored by:



**Nova Southeastern University – Shepard Broad Law Center**

Energy, Climate Disruption and Sea Level Rise: New Directions in Law and Policy

Ongoing disruption of the world's climate has begun to cause significant changes in physical and social patterns in many regions of the globe. Low lying areas with large amounts of coastline—such as the state of Florida—are particularly threatened by current and future sea level rise, intense storms, and high tide events. These emerging realities raise a number of difficult legal issues and they present immense challenges to policy-makers at all levels, with respect to both the ways that electrical energy is generated for human use and the shape and application of public policies regarding land use, development and pollution prevention..

This Symposium will focus on the legal and policy issues raised by climate disruption and sea level rise. It will feature expert presenters from across the United States—with significant representation from Florida—who will describe current (and possible future) Florida and federal regulation of energy as it is related to the impact of climatic shifts. A selected group of scientists will provide necessary background on the causes and projected physical and social impacts of climate disruption. The Symposium will then consider the legal and policy steps that are being taken or may be taken—based on experiences in and outside of Florida--to adapt to growing problems of flooding and sea level rise and to mitigate these potentially severe difficulties. The Symposium will be useful for attorneys who advise local, state and federal government agencies, landowners, insurance companies, industrial clients and non-governmental organizations. It will also benefit policy-makers, academics from several disciplines, and interest group advocates.

Thursday, February 6, 2014

***Climate Disruption: Defining the Problem and Adapting to Its Effects***

**8:00-9:00 a.m. Registration and Continental Breakfast**

**9:00 a.m. Welcome and Introduction:** Joel A. Mintz, J.D., LL.M., J.S.D., Professor of Law, Nova Southeastern University, Shepard Broad Law Center

**9:00 a.m. – 10:45 a.m.: Climate Disruption and Sea Level Rise: What's Happening Now, What's to Come, and What Should We Be Doing About It?**

This panel will discuss the scientific, physical, social, and other impacts being felt and projected for Florida and the nation, and the key recommendations for policy responses from the experts in the field.

**Moderator:**

**Song Gao**, Ph.D., Associate Professor, , Nova Southeastern University, Division of Math, Science, and Technology, Farquhar College of Arts and Sciences

**Panelists:**

**Hal Wanless**, Ph.D., Professor and Chair of the Department of Geological Sciences at the University of Miami Geologist and Climate Science Professor, discussing Sea Level Rise Projections for Florida.

**Joann Mossa**, Ph.D., Associate Professor, University of Florida, Department of Geography, discussing The Social and Physical Impacts of Coastal & River Flood Events.

**Robert Young**, P.G., Ph.D., Professor of Geology, Western Carolina University, Department of Geosciences & Natural Resources, discussing Sound Coastal and Floodplain Protection and Redevelopment Strategies.

**10:45 a.m. – 12:30 p.m.: Regional Resiliency and Restoration Planning: The Southeast Florida Regional Compact, Everglades Restoration and Integrated Resiliency Planning**

This panel will discuss South Florida's Four County Regional Adaptation Compact, and the Comprehensive Everglades Restoration Plan, as cutting edge responses to the challenges of climate change and ecological disruption, as well as the adaptation efforts of federal agencies.

**Moderator:**

**Brion Blackwelder**, J.D., Associate Professor of Law, Nova Southeastern University, Shepard Broad Law Center

**Panelists:**

**Nancy Gassman**, Ph.D. Broward County, discussing Sea Level Rise Adaptation in South Florida.

**Nichole L. Hefty**, Office of Sustainability, Planning Division, Miami-Dade Dept. of Regulatory & Economic Resources

**Shannon Estenoz**, Director of Restoration Initiatives, U.S. Dept. of Interior, discussing The Comprehensive Everglades Restoration Plan.

**Rob Glicksman** M.A., J.D., Professor of Environmental Law, George Washington University Law School, discussing Federal Agency Efforts to Deal with Adaptation to Sea Level Rise, Coastal Flooding, and Salt Water Intrusion.

**12:30 p.m. – 1:30 p.m. Lunch Break**

**1:30 p.m. – 3:15 p.m.: Land Use, Development and Property Rights Issues**

This panel will discuss the environmental, land use and development law, property rights and other legal implications of climate/ sea level rise adaptation strategies which might be pursued by local, state and federal agencies.

**Moderator:**

**James Murley**, Executive Director, South Florida Regional Planning Council

**Panelists:**

**Richard Grosso**, J.D., Director, Environmental and Land Use Law Clinic and Professor of Law, Nova Southeastern University, Shepard Broad Law Center, discussing Environmental Permitting, Land Use Planning, and Property Rights as They Relate to Climate Change and Sea Level Rise.

**Erin Deady**, J.D., Attorney, discussing Local Government Sustainability Planning, Legal Consequences of Ignoring Climate Issues and the Role of Federal Environmental Laws.

**John Echeverria**, M.F.S., J.D., Professor of Law, Vermont Law School, discussing Property Rights, including Eminent Domain as a Response to Sea Level Rise.

**Alfred Light**, J.D., Ph.D., Professor of Law, St. Thomas University School of Law, discussing Green Building Ratings Systems.

**3:15 p.m. - 3:30 p.m.: Afternoon Break**

**3:30 p.m. – 5:00 p.m.: Energy Policy: Industry, Politics & the Law**

This panel will include presentations on the role of energy – related industries, vis a vis the public, in determining legislative and executive agency energy policy in Florida and throughout the U.S., and on the obstacles to and possibilities for policy approaches that reflect progressive energy policies.

**Moderator:**

**Martin Kiar**, J.D. Attorney and Broward County Commissioner

**Panelists:**

**Tom McGarity**, J.D. Joe R. and Teresa Lozano Long Endowed Chair in Administrative Law, University of Texas at Austin School of Law discussing The Impact of the Laissez Faire Revival on National Climate Disruption Politics.

**George Cavros**, J.D. Adjunct Professor and Attorney, Nova Southeastern University, Shepard Broad Law Center, Member of the Florida Bar Environmental and Land Use Law Section Executive Council, and Co-Chair of its Energy Committee discussing Florida's Energy Regulatory Framework and the Practices of the Florida Public Service Commission.

**Susan Glickman**, Florida Director, Southern Alliance for Clean Energy discussing Florida's Current Legislative Landscape and Prospective Energy Legislation.

**5:00 p.m.: Adjourn for the day**

**Friday, February 7, 2014**

**8 a.m. Registration & Continental Breakfast**

**9:00 a.m. – 10:30 a.m.: New Directions in National Energy Policy**

This panel will discuss national trends in market-based and regulatory approaches to climate mitigation.

**Moderator:**

**Joel A. Mintz**, J.D., LL.M., J.S.D., Professor of Law, Nova Southeastern University, Shepard Broad Law Center

**Panelists:**

**David Driesen**, M.Mus, J.D., University Professor, Syracuse University College of Law, discussing the Phasing Out of Fossil Fuels .

**Victor Flatt**, J.D., Thomas F. and Elizabeth Taft Distinguished Professor of Environmental Law, University of North Carolina School of Law, discussing Carbon Taxation vs. Cap and Trade.

**Mona Hymel**, J.D., Arthur W. Andrews Professor of Law, James E. Rogers College of Law, The University of Arizona, discussing Tax Incentives for Renewable Energy.

**10:30 a.m. -10:45 a.m. Morning Break**

**10:45 a.m. - 12:30 p.m.: State Level Energy Policy Reform: National & International Perspectives**

**Moderator:**

**George Cavros**, J.D. Adjunct Professor and Attorney, Nova Southeastern University, Shepard Broad Law Center, Member of the Florida Bar Environmental and Land Use Law Section Executive Council, and Co-Chair of its Energy Committee.

**Panelists:**

This panel will discuss various policy issues and approaches to state level energy regulations that have been taken, or may be taken, around the United States and abroad.

**Joseph Tomain** J.D., Dean Emeritus and Ziegler Professor of Law, University of Cincinnati College of Law discussing Changing Cost-of-Service Ratemaking.

**William Buzbee**, J.D., Professor of Law, Emory University School of Law discussing State Regulation, Federalism and Energy and Climate Policy: Anticipating Regulatory Failure to Foster Innovations

**Alexandra Klass** J.D., Professor of Law, University of Minnesota Law School discussing Energy Transportation Infrastructure.

**Michael Mehling**, LL.M., President, Ecologic Institute, USA , discussing The German Experience with Feed-In Tariffs.

**12:30 p.m. – 1:30pm. Lunch Break**

**1:30 p.m. – 3:30 p.m.: Science, Governance & Public Policy Roundtable**

This closing session will feature a moderated roundtable discussion among a number of the Symposium presenters, joined by the governmental and political leaders mentioned below, on the current state of public energy policy, and the prospects for future changes to law and policy) that relate to greenhouse gas mitigation and adaptation to the impacts of sea level rise in Florida and nationally .

**Moderator:**

**Richard Grosso**, J.D., Director of the Environmental and Land Use Law Clinic and Professor of Law, Nova Southeastern University, Shepard Broad Law Center

**Panelists:**

**Jose Diaz**, J.D., Florida State Representative, Chair, House Energy & Utilities Subcommittee

**Shannon Estenoz**, Director of Restoration Initiatives, U.S. Department of Interior

**James Murley**, Executive Director, South Florida Regional Planning Council

**3:30 p.m. to 3:35 p.m.: Closing Remarks & Adjournment: Joel A. Mintz**, J.D., LL.M., J.S.D., Professor of Law, Nova Southeastern University, Shepard Broad Law Center