



AMERICAN BAR ASSOCIATION

Section of Environment,
Energy, and Resources

41st Annual Conference on Environmental Law



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March 22–24, 2012

The Grand America • Salt Lake City, Utah



About the Conference

41st Annual Conference on Environmental Law

The conference will be a dynamic gathering of this nation's leading environmental officials, lawyers, professionals, and academics. Join your colleagues from private practice and the government, industry, and public interest sectors at the country's most prestigious environmental law conference, to discuss cutting-edge and around-the-corner trends and topics. The conference includes two days of breakout sessions, keynote speakers, expert panels, and an abundance of networking opportunities—all in close proximity to world-class skiing.

This year's conference theme reflects the core areas of environmental practice and the emerging and evolving legal issues surrounding them: air, land, and water. Presentations and activities are geared toward experienced lawyers and young lawyers and law students alike. The conference also continues its tradition of presenting leading experts, including top federal and state government officials, on almost every panel discussion. So that you have the latest and best information, this year's brochure does not include speakers and moderators. For up-to-date speaker and moderator information, visit the 41st Annual Conference on Environmental Law home page at www.ambar.org/EnvironACEL.

A Special Invitation to Young Lawyers and Law Students

This year the conference is extending a special invitation to young lawyers and law students to explore new and growing areas of environmental law and to network with experienced lawyers at the top of their fields. For each breakout panel period, two panels have been identified as addressing issues that will be of increasing importance as young lawyers and law students develop their careers in environmental law. By focusing on emerging issues, these panels will be appealing to newer lawyers while being of interest to experienced lawyers as well. These panels are shaded in **yellow** in the brochure. In addition to networking opportunities, upon request we will also pair young lawyer attendees with an experienced lawyer from the ABA Section of Environment, Energy, and Resources, who can provide advice on navigating the conference and be a helpful point of contact among the accomplished lawyers attending the conference. Following the Speed Networking event on Friday evening, there will be a reception.



Section Chair

Irma S. Russell

Section Chair, Dean and Professor,
The University of Montana
School of Law, Missoula, MT

Program Chair

Roger R. Martella Jr.

Sidley Austin LLP, Washington, DC

Planning Committee

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Program Schedule

Thursday, March 22, 2012

Thursday, March 22, 2012

9:00 a.m. – 12:00 p.m.

Public Service Project

Join us for an environmental restoration service project in cooperation with TreeUtah. Participants will plant seedlings and small trees to add to the existing riparian habitat along the Jordan River. Local avian ecologists have designated the Jordan River riparian ecosystem as critical habitat for ninety-eight species of song birds which require lower elevation riparian habitat. This riparian ecosystem is also a crucial stopover for hundreds of thousands of migrating birds each season. Participants should dress for planting and bring work gloves! To volunteer, please indicate your interest when registering. This activity is part of the Section's One Million Trees Project, which has the goal to plant one million trees by 2014. For more information, visit www.ambar.org/EnvironTrees. For questions, contact Julie Connell, Program Assistant, at Julie.Connell@americanbar.org.

10:00 a.m.

Registration Opens

1:00 p.m. – 1:15 p.m.

Welcome and Opening Remarks

- **Irma S. Russell**, *Section Chair, Dean and Professor, The University of Montana School of Law, Missoula, MT*
- **Roger R. Martella, Jr.**, *Sidley Austin LLP, Washington, DC*

1:15 p.m. – 1:45 p.m.

Keynote Address: Roundtable Discussion with the Government's Senior Legal Officers

The senior legal officers from the agencies that most impact environmental law at the national level, including the U.S. Environmental Protection Agency, the U.S. Department of Interior, the U.S. Department of Energy, the U.S. Department of Agriculture, and the U.S. Department of

Justice, will discuss their perspectives on evolving trends and emerging themes in environmental law.

1:45 p.m. – 3:15 p.m.

Plenary Session— The Rise of the NGOs as the Drivers of Environmental Law

With the pace of environmental legislation at a standstill and environmental group scrutiny of the strength and stringency of environmental regulations, environmental nongovernmental organizations (NGOs) are increasingly taking matters into their own hands. In recent years, both long-standing and newly established NGOs have been leading the charge before regulatory agencies and the courts in pursuing new regulations and judicial decisions that advance their environmental agendas. Recent trend-setting actions include orchestrated litigation in fifty states to pursue climate change controls under the public trust doctrine, petitions before the U.S. Environmental Protection Agency (EPA) resulting in significant new regulations, citizen suit actions seeking to enforce environmental laws and permit actions, and landmark settlements under the Endangered Species Act (ESA) that will fundamentally change government approaches to the act's implementation. The session will bring together leading drivers of the NGO strategy to describe the tools they are using and the goals they are pursuing, as well as representatives of industry trade associations to describe their response. Focusing on examples of recent cases and legal actions, the discussion will address the legal tools that NGOs are increasingly employing to change and advance environmental laws, regulation, litigation, the government's responses and defenses to such initiatives, and industry's legal strategy in response.

3:15 p.m. – 3:30 p.m.

Networking Break

3:30 p.m. – 5:00 p.m.

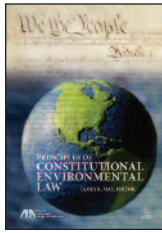
Concurrent Breakout Sessions

- **The Rise of the Constitution: How Core Constitutional Law Principles Are Shaping Environmental Law**

While the Constitution has always exerted a profound and continuing influence on



environmental law in a variety of ways, the assertion of bedrock principles has been playing an increasing role in environmental law in the last several years. Recent landmark cases, including *American Electric Power v. Connecticut*, *Massachusetts v. EPA*, and *National Meat Ass'n v. Harris* (pending), demonstrate the Constitution's profound influence on the enactment of laws. These influences include tensions in jurisdiction between state and federal governments, protection of property rights, and standing to sue to effects on interstate commerce, on the relevance of treaties, and, of course, on due process and equal protection. This panel will address the current constitutional law constraints facing environmental law constituencies including practitioners, courts, and regulators, with examples from recent key decisions and upcoming litigation.



• Transactions Today: An Update for New, Gently Used, and Road-Hardened Environmental Lawyers

With many environmental lawyers expanding their practice areas or just starting out in the field, the transactional side of the practice such as permitting, compliance, remediation, and due diligence is a critical core expertise. Even seasoned lawyers are running into new issues. A panel of experienced transactional lawyers will discuss the kinds of environmental issues that typically arise in transactions, as well as some novel and unusual things they are running into now. What are those issues? What are some of the ways in which they can be managed? What are some recommended contract terms? Is there insurance available to cover these issues? What issues come up when dealing with environmental consultants? What are the roles of in-house and outside counsel? What are the unique ethical issues which may arise? This panel will cover issues of interest to both newer and experienced lawyers.

• Letting Mother Nature Do the Work: The Role of Ecosystem Services in Satisfying Environmental Legal Requirements

In the face of aging infrastructure, financial insecurity, and unhealthy urban ecosystems,

finding innovative ways to fulfill legal mandates for environmental requirements is a top priority. Using ecosystem services to mitigate pollution and to provide future resilience may be the answer, but significant legal questions remain regarding whether such opportunities satisfy requirements. The cheapest and quickest way to achieve environmental compliance may be to let nature do the work. Clean Water Act compliance for stormwater systems may be achieved by installing rain gardens and detention basin parks. Watershed conservation may be achieved by using sustainable forestry and sustainable agriculture. Thermal pollution from power plants may be mitigated by the creation of marshes and wetlands while also creating habitat. Superfund sites have become solar energy farms using the power generated in the treatment of contaminated soil and water. This panel will examine the use of ecosystem services, sustainable design, and green planning to obtain environmental compliance in ways that benefit both regulated industry and the public. The focus will be on how such options have been used successfully to remedy legal disputes or otherwise satisfy legal requirements in environmental laws, regulations, and consent decrees.

• Is the Grass Greener? Hot Topics in EU Environmental Law

While environmental issues and regulatory actions dominate much political debate in the United States, our colleagues overseas are wrestling with many of the same issues, including how to reconcile economic development with environmental protection, how to address shared environmental problems and impacts, and how to advance and pay for protection in a period of economic crisis. These are increasingly important issues for U.S. practitioners as European Union (EU) laws will impact multinational clients and serve as models for regulations throughout the world. A panel of EU environmental practitioners and experts will address pressing issues facing the EU, contrast them with U.S. developments, and provide perspectives on counseling clients with footprints on both sides of the Atlantic.

Program Schedule

Thursday, March 22, 2012 –
Friday, March 23, 2012

5:00 p.m. – 5:15 p.m.

Networking Break

5:15 p.m. – 6:30 p.m.

Technical Roundtable Presentations

The technical roundtable presentations offer the opportunity to interact with some of the nation's top environmental consultants and service providers. The roundtable format will include time for discussion during three 20-minute roundtable presentations of your choice.

- **AlterEcho**—*A Risk Worth Taking: Risk Assessment Approach to Cost Allocation*
- **BNA**—*Chemical and Consumer Products: The New Battle Frontier*
- **Exponent, Inc.**—*“Hydrofracking”: Separating the Realities from the Myths*
- **Geosyntec Consultants, Inc.**—*Challenges and Strategies for Managing Complex Sites Impacting Natural Resources*
- **Quest Consulting, Inc.**—*How FORENSICS Can Make a Difference in Identifying PRPs*
- **Woodard & Curran, Inc.**—*Solving the Nutrient Nightmare: How Technology Advancements Impact CWA Compliance and Enforcement Strategy*

6:30 p.m. – 7:30 p.m.

Welcome Reception (cash bar)

7:30 p.m. – 9:30 p.m.

Section Dinner (ticketed)

Friday, March 23, 2012

7:30 a.m.

Breakfast and Registration

8:20 a.m. - 8:30 a.m.

Opening Remarks

- **Wendy Bowden Crowther**, 2013 Program Chair, *Clyde Snow & Sessions, PC, Salt Lake City, UT*

8:30 a.m. – 10:00 a.m.

Plenary Session—Environmental Protection on the Chopping Block? How Environmental Law and Enforcement Will Respond to Funding Cuts and Other Restrictions

The year 2011 saw several key events that will significantly impact federal environmental and natural resource agencies over both the short and long term, including the budget crisis debate, a near government shutdown, a debt crisis and accord that threatens funding cuts across all agencies, and finally, a job creation debate. Against this backdrop, Congress has debated riders and bills restricting or delaying EPA and the U.S. Department of the Interior legal authority over issues such as the ESA, toxic emissions, and greenhouse gas regulation (GHG), arguing that regulations hurt job growth and the economy. Finally, the 2012 elections loom with the future of environmental regulation likely to remain a key concern dividing the parties. This panel will present differing perspectives on how the overall state of fiscal austerity ultimately will impact environmental law and enforcement, including impacts to regulatory agendas, the stringency of new rules, and environmental enforcement initiatives.

10:00 a.m. – 10:30 a.m.

Networking Break

10:30 a.m. – 12:00 p.m.

Concurrent Breakout Sessions

• Time and Scale: Emerging Challenges to NEPA and the ESA

Time and scale are constants in environmental law. As the ESA and the National Environmental Policy Act (NEPA) have matured, issues of time and scale have emerged as some of the toughest concerns confronting stakeholders, agencies, and the courts. For example, what is the appropriate period of analysis for a biological opinion? Recent court decisions assessing biological opinions for aquatic species have arrived at different numbers. What can courts and



regulated parties expect in a world where climatic conditions appear more uncertain? Can the agencies provide the certainty demanded by courts and parties? Similarly, the courts and the public continue to expect large-scale programmatic NEPA documentation and extensive NEPA documentation for broad-scale rulemakings. Is NEPA up to the task and can agencies provide adequate analysis of vast projects or programmatic actions? This panel will tackle the challenges of time and scale that the courts increasingly grapple with in ESA and NEPA litigation.

- **Identifying and Negotiating Cost Allocation Among Potentially Responsible Parties: History, Science, and Money**

Companies can face extensive costs for property damage related to soil and groundwater contamination; these costs can be especially acute in Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) settings, with its joint and several liability scheme for site cleanup costs, and in natural resource damages cost recovery/sharing cases. In this panel, practitioners and outside experts will discuss their experience with soil and groundwater contamination matters and show how historical and scientific research can be used to inform parties of their potential liability and guide their negotiating stance with other parties. The session will discuss situations where historians and scientists worked collaboratively on such cases in a manner that produced a more accurate and nuanced understanding of a site's past, in turn assisting lawyers in identifying, characterizing, and negotiating with potentially responsible parties, conferring with other parties and regulatory agencies, and developing appropriate cost allocation models for past and future site remediation costs.

- **Developments in Greenhouse Gas Regulation: EPA, Courts, and Legislatures**

With EPA's first GHG rules being implemented in 2012 and a heavy agenda of upcoming rules, this panel will review the first two years of implementation—focusing on the successes, achievements, compliance difficulties, and

failures experienced by EPA and the industry. The panel will also examine Texas's showdown with EPA and the state challenges to the endangerment finding and EPA's regulation of GHGs—all pending at the D.C. Circuit. The panel will also discuss forthcoming GHG regulation including next steps with New Source Performance Standards for GHGs and key judicial decision-impacting GHG regulation, such as the Supreme Court case *Conn. v. AEP* and similar cases in other courts. Finally, any legislative actions to address GHGs at federal or state levels will be summarized.

- **Getting Real About “Growing Communities”—How New Laws and Regulations Are Changing the Game of Urban Expansion**

Legal doctrines central to municipal water supply planning are undergoing a wave of adaptations to accommodate shifting priorities and uncertainty about future water supply. This wave of new laws and rulings is affecting urban growth throughout the nation. In the western United States urban growth is primarily regulated through municipal water rights. In the East, urban growth may be restrained by water quality and stormwater regulation. This panel will address the effects these laws are having on urban growth throughout the United States and will examine how uncertainty about municipal water supply and urban growth may lead to interstate challenges.

12:00 p.m. – 1:30 p.m.

Keynote Address and Luncheon

1:30 p.m. – 3:00 p.m.

- **Plenary Session—Hydraulic Fracturing on Trial: Possibilities, Pollution, and Preemption**

Departing from a standard panel-based format, this plenary session will put key legal issues surrounding hydraulic fracturing on trial before a panel of expert judges. The session will begin with a presentation on the preemption in hydraulic fracturing that describes the hypothetical decision of a lower court that (1) the State of New Union's outright ban on hydraulic fracturing was

Program Schedule

Friday, March 23, 2012–
Saturday, March 24, 2012

unconstitutional, and (2) the state's hydraulic fracturing regulations (promulgated before the ban took effect) are preempted by federal storm water, wastewater, and drinking water laws. An appellant and an appellee will argue the case in front of a panel of "judges" who are legal experts in this area, with the judges' decision to be rendered at the end of the discussion, with further follow-up in the following breakout.

3:00 p.m. – 3:30 p.m.

Networking Break

3:30 p.m. – 5:00 p.m.

Concurrent Breakout Sessions

• Hydraulic Fracturing on Trial, Part 2: Recap—Judges' Discussion of Emerging State and Interstate Hydraulic Fracturing Controversies

In a follow-up to the preceding plenary session, the judges and advocates will discuss the decision in greater detail. In addition, topics related to various legal issues surrounding hydraulic fracturing will be discussed, including issues arising as municipalities, counties, states, and interstate commissions from New England to Texas consider bans, partial bans, and new regulatory programs to manage the impacts to water quality and public health from hydraulic fracturing activities.

• Environmental Enforcement: What to Expect?

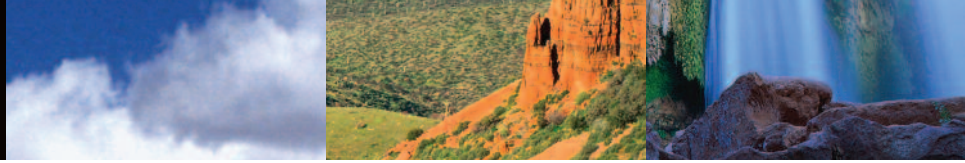
Covering both civil and criminal enforcement, this panel will provide practical information for practitioners regarding federal enforcement initiatives, including areas on which the government will be focusing: what industries likely will be targeted; trends in penalties; significant, recent, and ongoing enforcement actions; legal theories being argued; and recent developments in applicable law. The panel will also discuss EPA penalty policies, including their purpose, how they actually work, and tips for presenting mitigation factors, as well as other strategies for reducing clients' exposure.

• Energy Projects off the Reservation: Pursuing Consultation and Conflict Resolution When Energy Development Impacts Tribal Resources Beyond Trust Lands

Increasingly, large-scale energy projects, including utility-scale wind and solar projects, transmission lines, pipelines, and conventional projects such as mining, oil and gas wells, and hydroelectric projects, are being cited as threats to tribal cultural property even when such projects are not constructed on Indian reservations. Most Indian tribes have cultural and religious ties to places beyond the boundaries of the reservations. Energy projects that involve federal lands or require federal approvals are subject to review under federal laws including the NEPA and the National Historic Preservation Act (NHPA). Like NEPA, failure to comply with the NHPA regulations can result in a court setting aside the offending federal action. Early consultation with tribes can avoid conflicts, and when conflicts cannot be avoided, the NHPA process provides a framework for reaching agreements on how to resolve adverse effects and increase the defensibility of the project. This panel will provide an overview of cultural property disputes and the NHPA process in the context of energy development.

• Roles, Responsibilities, and Ethical Considerations of In-House Counsel Related to Responding to Government Inquiries

This panel will address the scope of the government's authority to initiate criminal prosecutions based on the information obtained during administrative or civil proceedings. The panel will explore, among others, the following questions: When can legal advocacy by in-house counsel lead to charges of obstruction? What guidelines should in-house counsel and outside counsel follow in representing their clients in such situations? What is the risk that privileged documents will have to be surrendered to the government or when might responses to information requests be used for criminal prosecution? Are two recent prosecutions indicative of a trend or do they represent an anomaly? Will the government's approach create a "chilling effect" for in-house counsel attempting to zealously represent their respective clients



in responding to governmental inquiries and investigations? When might the use of information violate a defendant's Fourth Amendment right against unlawful search and seizure? And what are the ethical and professional responsibility considerations of in-house counsel and outside counsel advising in such investigations? The panel will explore these questions and will highlight how the day-to-day role of in-house counsel could expose the individuals to criminal prosecution. The panel will also provide helpful guidance and practical tips on ways in which in-house counsel can minimize their own potential liability.

5:00 p.m. – 6:00 p.m.

Speed Networking Event

You've probably heard of "Speed Dating," but what about "Speed Networking"? Young lawyer and law student attendees will meet one-on-one with seasoned environment, energy, and resources law practitioners over the course of an hour. This is the place to network and seek general advice from your colleagues and potential mentors, and to discuss Section activities and initiatives that may be of interest.

6:00 p.m. – 7:00 p.m.

Reception (cash bar)

This reception will give Speed Networking participants a chance to continue their conversations. All attendees are welcome to attend.

Saturday, March 24, 2012

7:30 a.m. – 8:30 a.m.

Breakfast

8:30 a.m. – 10:00 a.m.

Plenary Session— Federal Air Regulation of the Energy Sector: What to Expect for Oil, Natural Gas, and Coal

In light of the sweeping federal air regulations that impact the energy generation, production, extraction, and transmission sector, this session

will discuss the impacts of regulations on creating incentives to further a new clean air economy as well as the concern that industry is facing over-regulation with negative economic impacts. This panel comprised of representatives will address the range of air compliance issues facing the energy sector, and how those regulations are implemented and affecting the industry: GHG reporting and management, compliance issues, environmental benefits, and energy security. Lastly, the panel will discuss how to move forward under these regulations and what EPA is focusing on today. Regulations that will be discussed include the Cross State Air Pollution Rule (interstate transport rule), upcoming Section 111 regulations for electric generating units (EGUs) and oil refineries, EGU Mercury and Air Toxics Rules (New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs)), NSPS rule for oil and gas industry, other NESHAPs (i.e., ICI Boiler) and National Ambient Air Quality Standards (SO₂, ozone), and other regulatory initiatives coming down the pipe.

10:00 a.m. – 10:30 a.m.

Networking Break

10:30 a.m. – 12:00 p.m.

Ethical Issues Associated with the Latest Trends and Technologies Including Working in the "Cloud"

Whether operating in the "Cloud" or using Internet-based services to disseminate information about the law and legal services as well as to attract new clients, a lawyer's use of technology will continue to grow. As technology evolves at an unprecedented pace, so does its ethical implications for lawyers in all practice areas and settings. This panel will engage participants in a discussion about those ethical issues and the recent technology-related proposals of the ABA Commission on Ethics 20/20.

12:00 p.m.

Closing Remarks

- **Sean T. Dixon**, *2014 Program Chair, Clean Ocean Action, Highlands, NJ*

Registration Information

Location and Lodging

The 41st Annual Conference on Environmental Law will take place at **The Grand America**, 555 S. Main St., Salt Lake City, UT (www.grandamerica.com). A block of rooms has been reserved at the discounted rate of \$239 standard single/double occupancy. A limited number of rooms are available at **The Little America** (across the street from the Grand America) (www.saltlake.littleamerica.com) at the rate of \$169 standard single/double occupancy along with a limited number of government rooms at the rate of \$95. Government identification is required for the reduced rate. The cutoff for room reservations at the discounted rates is **Monday, February 27, 2012**. After this date, rooms can be reserved on a space-available basis. To reserve a room, call the Grand America at (800) 621-4505 or the Little America at (800) 453-9450. **Be sure to mention the ABA Annual Conference on Environmental Law to receive the special rate.**

Register Online!

Save time and trees by registering for this meeting online!
Visit www.ambar.org/EnvironACEL.

Advance Registration

We encourage you to take advantage of online registration at www.ambar.org/EnvironACEL. You can also retrieve a registration form online at the same URL. Please mail the form with your check (payable to the American Bar Association) or credit card information to: ABA Section of Environment, Energy, and Resources, Attn: Program Registrar, 321 N. Clark St., Chicago, IL 60654. All attendees must be registered for this meeting to participate. The deadline to receive the early bird registration rate for the 41st Annual Conference on Environmental Law is **Friday, February 17, 2012**. All registrations postmarked after **Friday, February 17, 2012**, must include an additional \$50 for processing. The final cutoff date for advance registration is **Thursday, March 8, 2012**. After this date, registrations must include an additional \$25 for processing.

Registration Fee Information

The registration fee for the 41st Annual Conference on Environmental Law includes tuition and course materials (provided on a USB-drive and online) developed especially for this conference. In addition, your fee covers Thursday's public service project, networking breaks, and welcome

Attention ABA Members!

If you are an ABA member but not a member of the Section of Environment, Energy, and Resources please note that your conference registration fee (\$665 before 2/17/12 or \$715 after 2/17/12) now includes Section membership, a \$75 value! You will be automatically enrolled in the Section of Environment, Energy, and Resources. *ABA Membership is a prerequisite of Section membership. If you are not already an ABA member, please call (800) 285-2221. Please note: Free membership only applies to individuals who have not been a member of the Section during the past two years.*

Registration Rates

	Before 2/17/12	After 2/17/12
Section Member	\$590	\$640
ABA Member	\$665	\$715
General Attendee	\$675	\$725
Section Member Gov't, Public Interest, Academic	\$460	\$510
Gov't, Public Interest, Academic	\$510	\$560
Young Lawyer *	\$510	\$560
Law Student Section Member	\$50	\$50
Law Student ABA Member	\$75	\$75
Law Student General Attendee	\$100	\$100

* Qualifying young lawyers are under 36 years old or admitted to practice for five years or less.

reception, Friday's breakfast, breaks, lunch, and reception, and Saturday's breakfast and break. **Please indicate when registering if you plan on attending Thursday night's dinner or Friday's lunch. An additional fee of \$75 is required for Thursday night's dinner.**

Cancellation Policy

Attendees registered for the 41st Annual Conference on Environmental Law are eligible for a full refund of the registration fee and dinner tickets less a \$50 administrative fee for all written requests received by **Thursday, March 8, 2012**. No refunds will be granted after **Thursday, March 8, 2012**. Registration fees are not transferable to other Section or ABA programs. Substitutions for the program

Achieving Carbon Neutrality

are acceptable. Cancellations may be sent via e-mail to the Program Assistant at Julie.Connell@americanbar.org or by fax to (312) 988-5572, attn.: Julie Connell. The ABA reserves the right to cancel any program and assumes no responsibility for personal expenses.

Tuition Assistance

A limited number of registration fee waivers are available for government employees, public interest lawyers employed with nonprofit organizations, and academics. To apply, send a letter outlining why you are interested in the conference and the basis for your request of a fee waiver to the Program Assistant, by e-mail to Julie.Connell@americanbar.org. **Deadline: Tuesday, February 14, 2012.**

Law Student Scholarship Opportunity

A limited number of scholarships are available to law students interested in attending the entire meeting. To be considered, you must be a member of the ABA Section of Environment, Energy, and Resources. You must also submit a 2-3 paragraph letter indicating your interest in environmental, energy, or resources law and why you wish to attend the meeting by **Tuesday, February 14, 2012**. The letters will be reviewed and scholars will be selected and notified no later than **Friday, February 17, 2012**. All selected scholars will receive complimentary registration and a discounted dinner ticket for \$35. **This scholarship does not include lodging or transportation.** Send all letters to the Program and Membership Coordinator, via e-mail to Yumeka.Brown@americanbar.org, fax: (312) 988-5572, or by mail to American Bar Association, Section of Environment, Energy, and Resources, Attn: Yumeka Brown, 321 N. Clark St., Chicago, IL 60654.

Program Course Materials

Course materials and related background information will be provided to attendees online prior to the conference and distributed on a USB-drive on-site. You may wish to bring a laptop, netbook, or tablet to view the materials on-site as complimentary Wi-Fi access will be available.

CLE Credit

ABA programs ordinarily receive CLE credit in AK, AL, AR, AZ, CA, CO, DE, FL, GA, GU, HI, IA, ID, IL, IN, KS, KY, LA, ME, MN, MS, MO, MT, NH,

Calculated with great care, the Section estimates that the average Annual Conference on Environmental Law attendee's participation will generate approximately one metric ton of carbon emissions. Conference attendees can offset their carbon footprint by adding the cost of a one-ton carbon credit from NativeEnergy and help pay for tree plantings with TreeUtah.

By adding \$20 to your registration fee, you can both offset your footprint and help a great cause. Meeting attendees who sign up to make their conference attendance carbon-neutral will be entered into a drawing to win a copy of *The Law of Clean Energy: Efficiency and Renewables*, Michael B. Gerrard, editor.

NM, NV, NY, NC, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA, VI, WA, WI, WV, and WY. These states sometimes do not approve a program for credit before the program occurs. For more information about CLE accreditation for this program and in your state, visit www.ambar.org/EnvironACEL. For questions, please contact the Program and Membership Coordinator at Yumeka.Brown@americanbar.org or (312) 988-5577.

Dress and Weather

Section meetings are business casual. Suggested dress includes slacks, skirts, polo-type shirts or blouses, sweaters, and comfortable shoes. Hotels tend to be cool, so please pack a jacket or sweater. The average temperature in Salt Lake City in March ranges from a high of 52 degrees to a low of 31 degrees.

Dietary Restrictions

If you have any dietary restrictions, please so indicate on the registration form or by e-mail to the Program Assistant at Julie.Connell@americanbar.org by **Thursday, March 8, 2012**, so that your needs are noted.

Americans with Disabilities Act

If any special arrangements are required for a disabled individual to attend this program, please call or e-mail the Program Assistant at (312) 988-5724 or Julie.Connell@americanbar.org by **Thursday, March 8, 2012**.



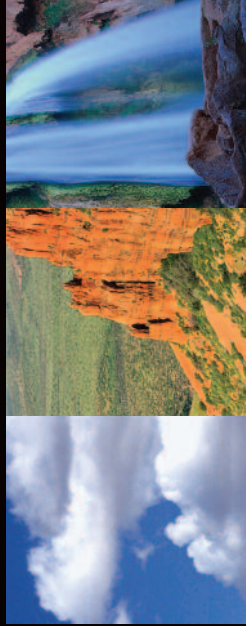
American Bar Association
Section of Environment, Energy, and Resources
321 North Clark Street
Chicago, IL 60654

Register early for the:
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March 22-24, 2012

**Early Registration Deadline:
February 17, 2012**

**Location:
The Grand America, Salt Lake City, UT
Housing Deadline:
February 27, 2012**



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