

CONFERENCE

19th Annual Environmental, Land Use & Energy Law Conference 2018

Comprehensive coverage and updates

Serious environmental and land use attorneys know that MCLE's *Annual Environmental, Land Use & Energy Law Conference* is "the place to be" on February 8th. Join your colleagues at this premier event to learn what happened in the legislature, state agencies, and courts, and what's new at the municipal level. Find out what you need to know for your clients and your career, and catch up on what you missed during this busy year.

The *Conference* is designed for both attorneys who have been coming, or practicing in the field, for years as well as for those new to this practice area. For those who have attended the *Conference* in prior years, attending annually refreshes your knowledge and helps keep you up-to-date on the latest developments. And for those new to the *Conference*, attending is a great way to broaden and deepen your knowledge by learning from well-known experts who have been tracking trends, cases, and statutory changes of which you need to be aware.

Among the topics covered this year are surveys of important court decisions, new programs and initiatives at EPA and DEP, and presentations on key energy law trends of practical note to attorneys. The agenda concludes with a roundup of significant evolving practice areas affecting environmental and land use clients.

Leading practitioners in the field and accomplished MCLE speakers and authors share their practical expertise. Get what you need directly from the experts.

Come EARLY to meet and reconnect with colleagues at the NETWORKING BREAKFAST!

Keynote Presentation:

The Boston and Regional Development Boom—Implications for Environmental, Land Use, and Energy Law Practice

Marc Draisen, *Executive Director of the Metropolitan Area Planning Council*

Faculty

Pamela D. Harvey, Esq., *Brookline*, Cochair; Gregor I. McGregor, Esq., *McGregor & Legere, PC, Boston*, Cochair; Julie P. Barry, Esq., *Prince Lobel Tye LLP, Boston*; Mark Bobrowski, Esq., *Blatman, Bobrowski & Haverly LLC, Concord*; Carl F. Dierker, Esq., *U.S. Environmental Protection Agency, Region 1, Boston*; Marc Draisen, *Metropolitan Area Planning Council, Boston*, *Keynote Speaker*; Martin R. Healy, Esq., *Goodwin Procter LLP, Boston*; Aladdine D. Joroff, Esq., *Staff Attorney and Instructor, Emmett Environmental Law Clinic, Harvard Law School, Cambridge*; Jonathan S. Klavens, Esq., *Klavens Law Group, PC, Boston*; Richard A. Nylen, Jr., Esq., *Lynch, DeSimone & Nylen LLP, Boston*; Kathleen M. O'Donnell, Esq., *Law Office of Kathleen M. O'Donnell, Milton*; Mary K. Ryan, Esq., *Nutter McClennen & Fish LLP, Boston*; C. Dylan Sanders, Esq., *Sugarman, Rogers, Barshak & Cohen, PC, Boston*; Martin J. Suuberg, Esq., *Commissioner, Department of Environmental Protection, Commonwealth of Massachusetts*; Diane C. Tillotson, Esq., *Hemenway & Barnes LLP, Boston*



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Dates & Locations

BOSTON

Thursday, February 8, 2018
9:15 am–5:00 pm

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2180141P01

LIVE WEBCAST

Thursday, February 8, 2018
9:15 am–5:00 pm

Register at www.mcle.org
Program Number: 2180141WBC

RECORDED WEBCAST

Thursday, February 22, 2018
9:15 am–5:00 pm

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Program Number: 2180141RBC

Tuition *(includes written materials)*

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Agenda

- 8:45 am–9:15 am **Networking Breakfast—Come Early!**
- 9:15 am–9:20 am **Welcome and Introduction**
Pamela D. Harvey, Esq., *Brookline*, Cochair;
Gregor I. McGregor, Esq., *McGregor & Legere, PC, Boston*, Cochair
- 9:20 am–11:20 am **Survey of Cases: Significant Jurisprudence for Massachusetts Attorneys**
- Environmental Permitting Litigation**
Environmental and land use litigation, including jurisdiction, standing, procedure, discovery, expert witnesses, remedies, and important holdings
Mary K. Ryan, Esq., *Nutter McClennen & Fish LLP, Boston*
- Subdivision and Zoning Cases**
Presentation of the leading Supreme Judicial Court, Appeals Court, Land Court, and Superior Court decisions dealing with the Subdivision Control Act and the Zoning Act, including standing, board powers, and moratoria
Martin R. Healy, Esq., *Goodwin Procter LLP, Boston*
- DEP and Home Rule Cases**
An annual compilation of state environmental agency rulings, DEP administrative cases, and court decisions on wetlands and other topics, plus court rulings under municipal Home Rule environmental bylaws
Richard A. Nysten, Jr., Esq., *Lynch, DeSimone & Nysten LLP, Boston*
- 40B Cases**
Court cases related to affordable housing projects under G.L. c. 40B and other land use cases
Mark Bobrowski, Esq., *Blatman, Bobrowski & Haverty LLC, Concord*
- 11:20 am–11:30 am **Networking and Refreshment Break**
- 11:30 am–12:30 pm **Government Updates: EPA and DEP**
- EPA Update**
New regulations and program initiatives at EPA, including air, water, hazardous waste, and climate change
Carl F. Dierker, Esq., *U.S. Environmental Protection Agency, Region 1, Boston*
- MassDEP Update**
An update from the Commissioner on current priorities in policies, regulatory development, and enforcement
Martin J. Suuberg, Esq., *Commissioner, Department of Environmental Protection, Commonwealth of Massachusetts*
- 12:30 pm–1:30 pm **Lunch Break (on your own)**
- 1:30 pm–2:15 pm **Keynote Presentation: The Boston and Regional Development Boom: Implications for Environmental, Land Use, and Energy Law Practice**
Marc Draisen, *Executive Director, Metropolitan Area Planning Council, Boston*
- 2:15 pm–3:00 pm **Energy Law**
- Energy Resources**
The changing landscape of energy resources and facilities
Julie P. Barry, Esq., *Prince Lobel Tye LLP, Boston*
- Energy Projects**
Overcoming barriers to renewable energy projects in the current market
Jonathan S. Klavens, Esq., *Klavens Law Group, PC, Boston*
- 3:00 pm–3:10 pm **Networking and Refreshment Break**
- 3:10 pm–5:00 pm **Significant Evolving Practice Areas**
- Trends in Land and Water Conservation Law**
Article 97, public trust waterfront rights, historic preservation, and related Home Rule bylaw and/or conservation restrictions
Kathleen M. O'Donnell, Esq., *Milton*
- Brownfields Redevelopment & 21E Update**
The latest in practice for hazardous waste cleanup and brownfields redevelopment, including important policy updates
C. Dylan Sanders, Esq., *Sugarman, Rogers, Barshak & Cohen, PC, Boston*
- Strategies for Challenging Land Use and Real Estate Litigation**
Building the record in bylaw cases, special strategies in Land Court litigation, choosing experts, managing testimony of expert witnesses
Diane C. Tillotson, Esq., *Hemenway & Barnes LLP, Boston*
- Climate Change: Update on Mitigation and Adaptation**
New Massachusetts regulations and programs; status of regional and federal programs
Aladdine D. Joroff, Esq., *Emmett Environmental Law Clinic, Harvard Law School, Cambridge*

Materials

In addition to a faculty-prepared program book, the materials for this program include MCLE's updated *Massachusetts Real Estate Law Sourcebook & Citator 2018*, a compendium of essential resources for both commercial and residential real estate practitioners, combining the latest statutes, regulations, and judicial and administrative resources with a citator summarizing key court decisions from the past year.

With MCLE's supplementation service, new supplements are mailed automatically with an invoice. If you do not wish to subscribe, please note on order form.



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Policies and Information

Register early!

For course agendas, hours, fees, and discounts, please refer to the respective seminar pages. The fee includes all written materials unless otherwise noted, program instruction, and refreshment breaks. Lunch may be enjoyed on your own.

To reserve seating and written materials, please register in advance of the program.

Upon registration, MCLE will e-mail a confirmation. Please check in with the registrar on the day of the program.

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Attorneys with financial need who certify that they are unable to attend a program without financial aid may request a partial tuition scholarship in confidence by writing or emailing scholarships@mcle.org at least two weeks in advance of the program.

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MCLE Sponsorship runs for 12 months beginning September 1. The fee for firm, corporate law department, or agency membership is calculated based on the number of Massachusetts admittees within the organization. Benefits of membership extend to all lawyers and non-lawyer professionals associated with the organization.

- Solo Practitioners \$95
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 - 2-5 \$ 150
 - 6-10 250
 - 11-25 500
 - 26-75 1,000
 - 76-150 \$ 2,500
 - 151-250 3,500
 - 251+ 4,500