

CONFERENCE

20th Annual Environmental, Land Use & Energy Law Conference 2019

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 7th. 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 veteran environmental attorneys who specialize and those who are brand new to the field, as well as attorneys who occasionally encounter these issues in their practices. The panelists survey the critical new developments in each of the major fields of environmental law, energy law, land use, and related litigation.

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.

Keep track of court decisions, current regulations, and pending bills—and spot new ideas for your federal, state, or local practice. Among the topics covered this year are surveys of important court decisions, new programs at EPA and the Massachusetts Attorney General's Office, and presentations on key energy law trends of practical note to attorneys.

Hear Keynote Speaker, Martin J. Suuberg, Esq., Commissioner of the Massachusetts Department of Environmental Protection, discuss recent and pending initiatives. 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. The plenary format gives you the latest information on a variety of hot topics. Get what you need directly from the experts.

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

NEW this year—

- Alternative dispute resolution in environmental matters
- New trends in municipal law, 21E, and Brownfields
- Government progress in climate change mitigation and adaptation
- Regulatory landscape for renewable energy projects



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Dates & Locations

BOSTON

Thursday, February 7, 2019
9:15 am–5:00 pm

Includes Networking Breakfast

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2190176P01

LIVE WEBCAST

Thursday, February 7, 2019
9:15 am–5:00 pm

Register at www.mcle.org
Program Number: 2190176WBC

RECORDED WEBCAST

Thursday, February 21, 2019
9:15 am–5:00 pm

Register at www.mcle.org
Program Number: 2190176RBC

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Sponsor Members
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To receive the eBook instead of the print book of the MCLE manual accompanying this program, please register online at www.mcle.org and select your format.

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View the webcast—live or later, or download the mp3 recording at www.mcle.org

Listen to the Audio CD
Available after Thursday, February 21

- \$135
- \$121.50 MCLE Sponsor Members
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Agenda & Faculty

8:45 am–9:15 am **Networking Breakfast—Come Early!**

9:15 am–9:20 am **Welcome & 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, McClennan & Fish, Boston*

Zoning & Subdivision Cases

Presentation of the leading Supreme Judicial Court, Appeals Court, Land Court, and Superior Court decisions dealing with the *Zoning Act* and *Subdivision Control Act*, including standing, board powers, and enforcement

Martin R. Healy, Esq., *Goodwin Procter LLP, Boston*

DEP & 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 & Haverly LLC, Concord*

11:20 am–11:30 am **Networking & Refreshment Break**

11:30 am–12:30 pm **Government Updates: U.S. Environmental Protection Agency and the Massachusetts Office of the Attorney General**

EPA Update

New regulations and program initiatives at EPA, including air, water, hazardous waste, and climate change

Erin Flannery-Keith, Esq., *EPA Region 1 New England, Boston*

Attorney General's Office

Current civil and enforcement priorities, including the status of litigation against energy companies

Christophe G. Courchesne, Esq., *Chief, Environmental Protection Division, Office of the Attorney General, Commonwealth of Massachusetts*

12:30 pm–1:30 pm **Lunch Break (on your own)**

1:30 pm–2:15 pm **Featured Presentation: Massachusetts Department of Environmental Protection—The Year Behind and the Year(s) Ahead**

Martin J. Suuberg, Esq., *Commissioner, Department of Environmental Protection, Commonwealth of Massachusetts*

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 & Refreshment Break**

3:10 pm–5:00 pm **Significant Evolving Practice Areas**

Trends in Municipal Law

The latest cases and practice tips on public lands law, Article 97 parklands, Community Preservation Act funds, seawall disputes, solar farms, and storm water fees

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

Dylan Sanders, Esq., *Sugarman, Rogers, Barshak & Cohen, PC, Boston*

Alternative Dispute Resolution of Environmental and Land Use Controversies

When to consider the use of ADR to resolve disputes, government and private resources for using ADR, and tips for successful resolution of controversies

Michelle N. O'Brien, Esq., *Pierce Atwood LLP, Boston*

Climate Change: Update on Mitigation and Adaptation

New Massachusetts regulations and programs; Status of regional and federal programs

Aladdine D. Joroff, Esq., *Staff Attorney & Instructor, 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 *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 updates are mailed automatically with an invoice. If you do not wish to subscribe, please note on order form.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants will receive a link to a written verbatim transcript of this program.

Choose from 5 easy ways to register and order!

Reference # 19-020

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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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For your convenience, MCLE also offers closed captioning **CC** and written transcripts of all recorded webcast programs, available to you online two weeks after the program date.

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Record of attendance is kept and transmitted upon request to any jurisdiction having mandatory continuing education. MCLE is an accredited sponsor of continuing legal education for Rhode Island and our programs are regularly approved by Maine, New Hampshire, Pennsylvania, New York, Vermont, and other jurisdictions.

And, now, depending on the jurisdiction, lawyers can satisfy their mandatory CLE requirements online with MCLE's live webcasts, which include periodic attendance prompts and the opportunity to forward written questions to the faculty during the program, fill out an evaluation form and receive a certificate of attendance.

If your plans change

If you're unable to attend a program you've registered for, you will receive an email notification shortly after about how to access the program on demand via webcast and/or downloadable mp3 file, including the written materials in electronic form, in full satisfaction of the tuition paid. If you prefer a refund, let us know by the end of the business day prior to the program and we'll refund your tuition after deducting a \$25 processing fee. Note that limited enrollment programs are an exception, cancellation of which require two weeks notice and are subject to a \$45 processing fee.

Attorney scholarships

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
- Firms by number of Massachusetts attorneys:
 - 2-5 \$ 150
 - 6-10 250
 - 11-25 500
 - 26-75 1,000
 - 76-150 \$ 2,500
 - 151-250 3,500
 - 251+ 4,500