GLOBAL WARMING: HOW THE LAW CAN BEST ADDRESS CLIMATE CHANGE

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University of Maryland School of Law, Baltimore, Maryland

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GLOBAL WARMING: HOW THE LAW CAN BEST ADDRESS CLIMATE CHANGE

In recent years, climate change has become an increasingly urgent global concern. It is now generally well-accepted that the atmosphere of our planet is warming, largely as the result of carbon dioxide and other greenhouse gas emissions. Further, there is wide recognition that this warming trend will have serious environmental, economic and geopolitical consequences. Projections of increased global temperatures present the prospect of rising sea levels and associated risks to coastal areas, increased risks of floods and droughts, new and exacerbated public health problems, and threats to biodiversity and the viability of numerous ecosystems. In addition, these risks, and the prospect of various means of addressing them, point towards major impacts on our economy and potentially dramatic shifts in the relative strengths and stability of various industry sectors. The impacts of climate change also involve substantial political problems and policy issues, both domestically and internationally. We face enormous risks and daunting challenges.

We also face critical opportunities. As lawyers, we are called upon to address in particular the legal aspects of those challenges and opportunities. It is clear that our existing and ever-evolving framework of laws and regulations is a key field on which the phenomenon and impacts of climate change will be worked through in the coming years. In recognition of that fact, this conference will address the question of how lawyers can best use the legal framework to address climate change issues in a constructive, pro-active, effective way, to provide leadership and produce positive changes in a world that must adjust to new realities and find more climate-friendly ways of working.

Part of the challenge now facing lawyers is the need to “change the climate” of the ongoing discussion of global warming issues, away from the sometimes polarized and unproductive talk that has affected much of the “debate” in recent years, and towards a positive and constructive consideration of how we can best use the legal framework to help control climate change. Towards that end, this program will analyze domestic and international climate change initiatives that are currently being explored and consider ways in which our legal framework might promote appropriate actions within our communities, both locally and globally. The program also will consider how lawyers may help to harmonize the emerging regional, state and local climate change regulatory systems in the United States; assist clients in preparing for future carbon regulation; and develop best practices for law offices seeking to reduce their own carbon footprint.
PROGRAM

8:00 a.m.  Registration and Coffee

8:30 a.m.  Welcome: R. Kinnan Golemon, Brown McCarroll L.L.P., Austin, TX and Professor Robert V. Percival, Director, Environmental Law Program, University of Maryland School of Law, Baltimore, MD

Conference Goals and Introduction of Keynote Speakers:
• James W. Harbell, Stikeman Elliott LLP, Toronto, Ontario, Canada
• Lisa C. Goodheart, Sugarman, Rogers, Barshak & Cohen, P.C., Boston, MA

8:45 - 9:45 a.m.  Opening Keynote Address

Jeff Sterba, Chairman, President and CEO, PNM Resources, Inc., Albuquerque, NM

9:45 - 11:15 a.m.  The State of the Union: Domestic Climate Change Initiatives
Regional, state and local climate change initiatives such as RGGI, California's AB32 and the Western Regional Climate Action Initiative are proliferating in the absence of federal leadership and oversight. What are the general requirements and goals of these various programs? How are both the public and private sectors responding? What federal involvement and oversight in the climate change arena can or should be expected, and how are pressures from the investment and shareholders impacting legal and business strategies? This panel will focus on change developments within the United States.

Moderator: Michele A. Powers, Weston Benshoof Rochefort Rubalcava MacCuish LLP, Los Angeles, CA

Speakers:
• Laura H. Kosloff, Senior Counsel, EcoSecurities Consulting Ltd., Portland, OR
• Mindy S. Lubber, President, Ceres, Boston, MA
• Jared Snyder, Assistant Attorney General, Environmental Protection Bureau, Albany, NY

11:15 - 11:30 a.m.  Networking Break
11:30 a.m. - 1:00 p.m.  

**World Initiatives -- And Their Impact on the United States**  
Mandatory greenhouse gas emission reduction regulations already apply to U.S. multinational corporations operating in regions such as Europe, and many such companies, including Pfizer Inc., are taking a global approach to complying while voluntarily taking actions here in the U.S. With the help of the World Bank and other organizations such as EcoSecurities and the International Emissions Trading Association, there has been a steady increase in international transactions that develop renewable energy and greenhouse gas-reducing projects in developing countries and generate tradable carbon emission reduction credits. Experiences from these international cap-and-trade programs and growing generation of credits for clean development projects may offer insight for the approaches under consideration in the U.S.

**Moderator: Stephen J. Humes**, McCarter & English, LLP, Newark, NJ

**Speakers:**
- **Eron Bloomgarden**, U.S. Country Director, EcoSecurities Ltd., New York, NY
- **Christopher K. Carr**, Senior Counsel, Project Finance and Cofinancing, World Bank, Washington, DC
- **Michael G. Mahoney**, Senior Environmental Counsel, Pfizer, Inc., New York, NY

1:00 - 1:30 p.m.  

**Lunch**

1:45 - 2:30 p.m.  

**Luncheon Keynote Address**

**Suedeen Kelly**, Commissioner, Federal Energy Regulatory Commission, Washington, DC
2:30 - 4:30 p.m.  

**How Can the ABA Provide Leadership in Addressing Climate Change?**

This panel will attempt to convert the preceding discussions into action by formulating ways in which individual lawyers, law offices, and the organized bar can contribute to the control of climate change. Among the ideas to be discussed are promotion of voluntary actions by corporations and other clients; coordination and harmonization of the emerging regional, state and local climate change regulatory systems in the U.S.; helping clients prepare for future carbon regulation; and development of best practices for law offices in reducing their own carbon footprint.

**Moderator:** Michael B. Gerrard, Arnold & Porter, LLP, New York, NY

**Speakers:**
- **David R. Hodas**, Professor, Widener University School of Law, Wilmington, DE
- **Howard J. Hoffman**, Attorney-Advisor, U.S. Environmental Protection Agency, Washington, DC
- **Leslie Lowe**, Director of Energy and Environment, Interfaith Center for Corporate Responsibility, New York, NY

5:00 p.m.  

**Closing Remarks**

5:30 p.m.  

**Conference Reception**
THE CONFERENCE HOST AND SITE

This conference is hosted by the University of Maryland School of Law and takes place in the Ceremonial Moot Court Room at the Nathan Patz Law Center, 500 W. Baltimore Street, Baltimore, Maryland.

Traveling to the Conference Site
➢ By car: From I-95 take route 395 (“Downtown Baltimore”) and exit onto Martin Luther King, Jr. Blvd. Turn right at fourth traffic light, onto Baltimore Street. Turn left at second traffic light, onto Paca Street. Go ¼ block and turn right into the Baltimore Grand Garage. Lexington Market garages also are available on Paca Street. Parking fees must be paid by participants. The Law School is directly across the street from the garage.
➢ By plane: Conference participants may use any of three regional airports. The closest and most convenient is Thurgood Marshall/Baltimore-Washington International (BWI). If you prefer to fly into the Washington, DC area, use Reagan National Airport or Washington Dulles International Airport. Shuttle and light rail to Baltimore are available from BWI, and rental cars are available at all three airports.
➢ By train: Baltimore’s Penn Station is on main Amtrak routes and close to the School of Law. More information may be found at http://www.amtrak.com/stations/bal.html. Amtrak and MARC trains also run from Union Station in Washington, DC to Camden Yards and Penn Station in Baltimore (Note: MARC runs only Monday-Friday).

Special Needs
Any person with disabilities who would like to attend the program and who has special needs should contact Laura Mrozek at the Law School at least 72 hours in advance at 410/706-8157.

Accommodations
A block of rooms will be held until May 24 at the Radisson Plaza Lord Baltimore Hotel, 20 West Baltimore Street, Baltimore, MD 21201. This is just a few blocks from the Law School. To receive our rate of $139 + tax, advise the hotel that you are with the “ABA Standing Committee on Environmental Law 2007 National Spring Conference.” To reserve a room, call 410/539-8400 or 800/333-3333. To receive the conference rate, reservations must be made by phone using our group designation.

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Register using this form or on our web site at http://www.abanet.org/publicserv/environmental

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☐ ABA Member $325 ☐ General Attendance $400 ☐ Academic/NGO/Gov’t $150 ☐ F/T Student $75

☐ YES, I will attend. Reserve a space for me at the fee circled below. I enclose a check or credit card authorization payable to “American Bar Association” (government employees may enclose an authorized purchase order).

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I will attend _____ Lunch _____ Reception

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*Your conference fee covers admission to all sessions, course materials, breaks, lunch and reception.

This program has been accepted for Continuing Legal Education (CLE) credits. CLE forms and course materials will be available on-site.

Questions? Contact us at scel@staff.abanet.org or call us at 202/662-1694.

If mailing, return completed form along with payment made payable to “ABA” to: Carrie Coleman, American Bar Association, 740 15th Street, NW, Washington, DC 20005 or fax form with credit card information to 202/638-3844 attn: Carrie Coleman.