

CLEE Events List



Title	Date	Description
Professor Mary Wildermuth Paper Discussion	January 31, 2005	<i>Professor Amy Wildermuth is an associate professor at the University of Utah S.J. Quinney, College of Law. She clerked for Justice John Paul Stevens of the U.S. Supreme Court, for Judge Guido Calabresi of the U.S. Court of Appeals for the Second Circuit, and for Judge Harry T. Edwards of the U.S. Court of Appeals for the D.C. Circuit. In addition to a one-year visiting professorship at Utah, Amy has taught law at her alma mater, the University of Illinois. She teaches and writes in the areas of environmental law, administrative law, and civil procedure.</i>
Guest Lecture by Michael Vandenberg for Professor Farber's Environmental Law Workshop	March 7, 2005	<i>This paper proposes a new conception of the administrative regulatory state that accounts for the vast networks of private agreements that shadow public regulations. The traditional account of the administrative state assigns a limited role to private actors: private firms and interest groups seek to influence regulations, and after the regulations are finalized, regulated firms face a comply-or-defy decision. In recent years, scholars have noted that private actors play an increasing role in the traditional government standard setting, implementation and enforcement roles. This paper demonstrates that the private role in each of these regulatory functions is far greater than others have identified. Furthermore, the paper argues that only when this private regulation is considered can the accountability and efficacy of the administrative state be judged. Using environmental regulation as an example, the paper examines a wide range of empirical data to demonstrate that public law requirements spawn a vast body of private agreements.</i>
Guest Lecture by David Dana for Professor Farber's Environmental Law Workshop	March 14, 2005	<i>David Dana is a leading scholar in the fields of environmental, property, intellectual property, and professional responsibility law. Before becoming a professor, he was an environmental litigator in both the private (Wilmer, Cutler & Pickering) and public (U.S. Department of Justice) sectors.</i>
Environmental Law Program Welcome Lunch	March 15, 2005	<i>An introduction for all students and other interested members for the Berkeley community to learn more about the course content and mission of the California Center for Environmental Law and Policy.</i>
Guest Lecture by Dan Tarlock for Professor Farber's Environmental Law Workshop	March 28, 2005	<i>Environmental law, as we now understand it, did not exist before the late 1960s. Since that time, a discrete area of law has emerged from a combination of extensive federal legislation and judicial decisions forcing agencies to give greater weight to environmental considerations. In a previous paper, I have argued that it is still difficult to identify distinctive elements of "environmental law" as distinguished from administrative law, statutory construction, and more recently, constitutional law. I also argued that what distinctive principles have emerged are procedural rather than substantive duties. Not surprisingly, environmental law scholars have asked, "Are there no substantive principles?" In this paper, I explore the usual candidate suspects which include: green rather than Lockian property, the public trust and other constraints on resource use choices, the ethical duty to protect non-human constructs such as ecosystems, intergeneration rights, a neo-Kantian human right to minimum risk, and others.</i>
Environmental Law Program Open House for	April 1, 2005	<i>An open house for prospective students to learn more about the course content and mission of the California Center for Environmental Law and Policy.</i>

New Admits		
Guest Lecture by Ann Carlson for Professor Farber's Environmental Law Workshop	April 4, 2005	<i>Ann Carlson is Associate Dean and Professor of Law at UCLA School of Law. She also co-directs the Frank G. Wells Environmental Law Clinic and teaches first year Property. Professor Carlson's scholarship focuses on important constitutional issues affecting environmental law and policy and on the role social norms play in affecting environmentally cooperative behavior. Her article "Takings on the Ground" was selected by the Land Use and Environmental Laws Review as one of the ten best recently-published environmental law articles in the country. Carlson is also the co-editor of the UCLA Southern California Environmental Report Card for 2002-06. She is a 1989 magna cum laude graduate of Harvard Law School and received her B.A. magna cum laude from UC Santa Barbara in 1982.</i>
Guest Lecture by Chris Schroeder for Professor Farber's Environmental Law Workshop	April 18, 2005	<i>My paper will contain three parts. (1) It will lay out the general case for the hydrogen economy in terms of issues of global warming, local air pollution, energy independence, sustainability and decentralization. (2) It will identify the key obstacles to the transition from hydrocarbons to hydrogen as well as the incentives needed to accelerate the transition. (3) It will analyze why there is so much green skepticism toward administration efforts to remove those obstacles and create those incentives.</i>
Environmental Law Certificate Ceremony	May 13, 2005	<i>This ceremony is intended to honor those students who have satisfied the Boalt requirements for a specialization in Environmental Law.</i>
The Supreme Court on Takings and Other Constitutional Challenges to Land Use and Environmental Regulations	June 20, 2005	<i>This term, the U.S. Supreme Court heard arguments in three important takings cases. Not since 1987 have takings cases been so prominently featured on the Court's docket. Lingle v. Chevron USA has already been decided; holdings on the other two cases, Kelo v. New London, Connecticut and San Remo Hotel v. City and County of San Francisco, will come down in the next month. These decisions will have a major impact on land use planning and environmental protection. Please join Professor Emeritus Joseph Sax, one of the nation's preeminent legal scholars on takings law; Andrew Schwartz, of counsel at Shute, Mihaly & Weinberger and lead counsel for the City and County of San Francisco in San Remo Hotel; and Eric Grant '90, a leading advocate for property owners who submitted an amicus brief in San Remo Hotel, for a timely panel discussion of these critical rulings.</i>
California State Bar Environmental Law Careers Panel	August 29, 2005	<i>Event put on for current Boalt students discussing all of the possible career paths for someone specializing in environmental law.</i>
Natural Resources Federalism: Balancing the Power to Regulate and Manage Natural Resources between State and Federal Governments	October 28, 2005	<i>A roundtable discussion on balancing the power to regulate and manage natural resources between state and federal governments.</i>
Preliminary Findings and Discussion of the New Orleans Levee Failures	November 16, 2005	<i>Panel convened by the newly-formed Center for Catastrophic Risk Management, organized under the auspices of the University of California Center for Information Technology Research in the Interest of Society (CITRIS).</i>
Apres Le Deluge: Building a Sustainable City after Katrina	January 19, 2006	<i>A one-day event that will bring together legal scholars and lawyers with diverse interests, as well as experts from other fields such as engineering. Because it has been only a few months since Katrina, it is too soon to attempt definitive answers. Instead, we urgently need new ideas that will become the basis for more extensive consideration and implementation. Borrowing a term from architecture, we call this session a charette – a term that describes a focused brainstorming design</i>

		<i>session.</i>
Exxon Valdez Litigation Lunch Talk	January 26, 2006	<i>Brian O'Neill and Rick Duncan will give a presentation on the status of the Exxon Valdez litigation, as well as other environmental pro bono cases they have litigated.</i>
Federal Energy Regulatory Commission (FERC) and the State: A Long Struggle for Control	February 7, 2006	<i>The debate over market design and the development of key resources has featured a tug-of-war between the Federal Energy Regulatory Commission and the states. This lecture will look at the historical evolution of the division of responsibilities for regulation generation and transition.</i>
California and the Future of Environmental Policy	February 16, 2006 February 17, 2006	<i>Because it has been only a few months since Katrina, it is too soon to attempt definitive answers. Instead, we urgently need new ideas that will become the basis for more extensive consideration and implementation. Borrowing a term from architecture, we call this session a charette – a term that describes a focused brainstorming design session. This Conference will bring leading scholars together to address California's continuing role as an environmental pioneer.</i>
The Future of Natural Gas	February 21, 2006	<i>The cleanest-burning of the fossil fuels, hailed as the energy bridge that will sustain us until renewable energy markets can grow, natural gas has become the fuel of choice for new electric power plants, residential and industrial uses. While demand for natural gas has continued to grow, domestic supplies have begun to taper. Experts are no longer forecasting continued growth in domestic gas production. The price of gas has also soared, stimulating the development of liquefied natural gas terminals, to receive foreign shipments of gas. Andy Weissman was one of the first experts to foresee the changes in domestic gas production and higher prices. He will discuss the future of gas supply, domestic and foreign, and assess the implications of our growing natural gas dependency.</i>
The Promise of Energy Efficiency	March 7, 2006	<i>Energy efficiency expert Devra Bachrach Wang of the Natural Resources Defense Council will talk about energy utility energy efficiency programs -- past, current, and future.</i>
The Energy Crisis -- Picking Up the Pieces: Generator Law Suits and Questionable Utility Practices	March 23, 2006	<i>If the California energy crisis was in its acute phase in 2000 and 2001, its chronic phase is still with us, as law suits linger and customers await the return of ill-gotten gains. Deputy California Attorney Ken Alex has been closely involved in many of these legal actions. He will talk about what has been accomplished, and what lies ahead.</i>
Electric Utilities, Climate Change, and Regulation	April 4, 2006	<i>California has once again moved the forefront in the effort to use the tools of economic regulation to reduce greenhouse gas emissions. Commissioner Dian Grueneich of the California Public Utilities Commission will talk about the California greenhouse gas initiatives and what lies ahead.</i>
The California and Western Energy Crisis	April 6, 2006	<i>In 2000 and 2001, Californians faced rolling blackouts and soaring electric rates as deregulated electric markets rules allowed for manipulation of the wholesale electric markets. Professor Tim Duane will discuss what went wrong as well as the implications for future regulations of electricity markets in California and the West.</i>
Environmental Law Certificate Ceremony	May 13, 2006	<i>The Berkeley Environmental Alumni Network engages alumni from the University of California at Berkeley in professional, educational, and networking opportunities as well as environmental philanthropy and volunteering activities that benefit the University.</i>
Richard Frank's Student Reception	September 6, 2006	<i>An introduction for all students and other interested members for the Berkeley community to learn more about the course content and mission of the California Center for Environmental Law and Policy, and get to know Richard Frank.</i>

State Bar Careers Panel	September 6, 2006	<i>A presentation from a panel of experienced environmental lawyers from large and small law firms, government and the public interest sectors on career paths in environmental law, how to pursue environmental clerkships while at Boalt, and what you can do to best prepare yourself for a career in environmental law after you graduate.</i>
One Year Later, Reflections on Hurricane Katrina: Response and Responsibilities	September 7, 2006	<i>As we reflect upon this seminal event in American history, Professors John Brown Childs, William Russell Ellis, Jr. and Hardy T. Frye will discuss their contributions to the book, Hurricane Katrina: Response and Responsibilities. We will also screen a short documentary film chronicling grassroots organizing in New Orleans post-Katrina.</i>
California Delta and Levee Workshop: Now and in the Future: Identifying Research Needs	September 28, 2006 September 29, 2006	<i>This workshop is intended to define research requirements to mitigate the hazards facing the Sacramento-San Joaquin Delta and levee system. The Workshop will provide a forum to identify current vulnerabilities facing the levees, such as structural failure, seismic loading, flooding, terrorism; consider longer term challenges such as climate change, sea level rise and water supply implications; and define research requirements to fill gaps in knowledge and reduce uncertainties in hazard assessments.</i>
Litigating Takings and other Constitutional Challenges to Land Use and Environmental Regulations	October 26, 2006 October 27, 2006	<i>This legal and policy conference explores constitutional and related statutory challenges to growth control measures, redevelopment projects, and environmental and natural and resource management laws. One major focus of this year's conference will be the legal and policy reaction to the U.S. Supreme Court's Kelo decision — in California and around the country. Another major focus will be the burgeoning federal and state litigation over water resource management. A stellar faculty of leading academics and top-flight practitioners will provide a combination of practical advice for litigators with valuable theoretical insights into the foundations of this cutting-edge field.</i>
CCELP Fall Welcome Lunch	October 31, 2006	<i>An introduction for all students and other interested members for the Berkeley community to learn more about the course content and mission of the California Center for Environmental Law and Policy.</i>
Cap and Trade as a Tool for Climate Change Policy: An International Conference for Law, Business and Policy Practitioners (Climate Change Conference) with Senator Dianne Feinstein	February 22, 2007 February 23, 2007	<i>This conference brings together leading international practitioners and experts on law, economics, and technological innovation to control greenhouse gas emissions. The conference will present perspectives on key issues and will inform the business, finance, legal and policy communities on the design and implementation of cap and trade programs for greenhouse gas (GHG) emissions as a tool for climate change policy at the state, regional, national, and international levels.</i>
The U.S. Supreme Court Confronts Global Warming: Deconstructing Massachusetts v. USEPA	April 10, 2007	<i>Join a panel of distinguished scholars and expert environmental lawyers for a panel discussion of the U.S. Supreme Court's April 2, 2007, decision in the groundbreaking climate change case, Massachusetts, et al. v. U.S. Environmental Protection Agency.</i>
Ecology Law Quarterly Reception for New Admits	April 13, 2007	<i>This meeting is intended to showcase the work of the Ecology Law Quarterly publication and encourage current and prospective students to become involved in the creation of the journal.</i>
Colloquium on Biofuels— Law & Policy	April 26, 2007	<i>Biofuels are touted as one of the most promising new, clean technologies that will replace foreign oil and reduce greenhouse gas emissions. The California Center for Environmental Law and Policy offers this colloquium to explore a range of legal and policy issues raised by biofuel research, development and commercialization.</i>

Environmental Law Certificate Ceremony	May 11, 2007	<i>The Berkeley Environmental Alumni Network engages alumni from the University of California at Berkeley in professional and fun educational and networking opportunities as well as environmental philanthropy and volunteering activities that benefit the University.</i>
Disasters and the Law Workshop	June 25, 2007	<i>This paper examines the human and organizational failures that have plagued the design and construction of the new east span of the San Francisco-Oakland Bay Bridge, drawing comparisons to the failures of the New Orleans Flood Defense System before and during Hurricane Katrina. It also suggests what lessons can be learned from the successes of "high reliability organizations," so that more integrity and reliability can be built into the leadership and decision-making processes of future projects of this magnitude.</i>
Public Trust Doctrine Colloquium	August 7, 2007	<i>This presentation is based on a preliminary review of cases decided in the early formative years of Copyright law prior to 1909. The search was to identify indicators of the underlying public interest as a positive right. The preliminary belief, if that can be supported by a negative inference, is that in this early commentary and focus on the creation, perfection and enforcement of private rights, there lurked in the shadows commentary useful to recognition of the public beneficial interest as an enforceable right. The impetus of the search was the belief that prior natural resource rights of similar public nature had found recognition and protection through the use of remedial constructs, such as the Public Trust Doctrine and other forms of civil action. One proposition that emerges from these readings, and the wealth of secondary scholarship, is that a wide gap remains between the teachings of those versed in the Public Trust Doctrine and the application of this doctrine to intellectual resources.</i>
Boalt Centers Reception	August 28, 2007	<i>A joint reception with the Berkeley Center for Criminal Justice and the Thelton E. Henderson Center for Social Justice similar to the State Bar Careers Panel on September 6, 2006.</i>
An Inconvenient Truth Film Screening	August 29, 2007	<i>Presentation of Al Gore's film where both beer and pizza were offered to viewers.</i>
Federal Energy Regulatory Commission (FERC) Hydropower Relicensing	September 11, 2007	<i>The California Center for Environmental Law and Policy was pleased to sponsor this noontime program designed to familiarize the Boalt Hall community with the background, challenges, and opportunities presented by these pending hydropower relicensing proceedings. The speakers, Richard Roos-Collins, Director of Legal Services at the natural Heritage Institute, and Scott Williams, Partner at Alexander, Berkley, Williams & Weathers, LLP, are recognized experts on the subject, who participates in one of the most important legal and policy disputes currently affecting California's environment.</i>
Environmental Law Careers Panel	September 18, 2007	<i>A presentation from a panel of experienced environmental lawyers from large and small law firms, government and the public interest sector on career paths in environmental law, how to pursue environmental clerkships while at Boalt, and what you can do to best prepare yourself for a career in environmental law after you graduate.</i>
CAL Climate Action Partnership (CAP) Luncheon	September 25, 2007	<i>Join Scott Zimmermann, Co-Founder of CalCAP, Boalt Hall and Energy and Resources Group, and Fahmida Ahmed as she describes how the Cal Climate Action Partnership can help integrate campus sustainability, climate research, and education.</i>
Spring Roll-out	October 16, 2007	<i>This forum is offered every semester and attempts to aid current and prospective students in deciding which courses to choose. It acted as an opportunity to meet and greet professors as they offered.</i>
Current Events in the Antarctic Regime	October 18, 2007	<i>This presentation addresses current developments within the Antarctic Treaty System, and highlights challenges arising from marine living resource exploitation, human impacts and climate change. Challenges facing the Antarctic Treaty Consultative Parties in responding to these issues also provide an opportunity to consider the way in which the Antarctic regime has evolved.</i>

<p>Litigating Takings Conference and Other Constitutional Challenges to Land Use and Environmental Regulations</p>	<p>October 26, 2007</p>	<p><i>This legal and policy conference explores constitutional and related statutory challenges to growth control measures, redevelopment projects, and environmental and natural and resource management laws. One major focus of this year's conference will be the legal and policy reaction to the U.S. Supreme Court's Kelo decision — in California and around the country. Another major focus will be the burgeoning federal and state litigation over water resource management. A stellar faculty of leading academics and top-flight practitioners will provide a combination of practical advice for litigators with valuable theoretical insights into the foundations of this cutting-edge field.</i></p>
<p>Berkeley Institute of the Environment Roundtables</p>	<p>October 29, 2007</p>	<p><i>This event was an informal discussion on *Climate Modeling* with UC Berkeley's outstanding climate researchers and lawyers working on climate change litigation and policy. Participants discussed the reliability of models, recent improvements in modeling in the last decade and projected future improvements. This was the first in a series of three meetings between climate scientists and lawyers that will be held in the Fall, and was sponsored by Professors Dan Farber, Zack Powell, John Harte and Cymie Payne.</i></p>
<p>Public Lands and Climate Change Symposium</p>	<p>November 15, 2007</p>	<p><i>This symposium is not about carbon sequestration or reducing greenhouse gas emissions, but rather about how global warming will impact the California landscape and the future success of conservation projects and large expenditures for natural resource stewardship, restoration and acquisition. We will explore current research on evolutionary hotspots in California, valley oak genetic discoveries and dynamic species range modeling, all tied to climate change in California. You'll hear about expected impacts of climate change on Southern California reforestation, Bay Area regional land use redevelopment, coastal wetland restoration and acquisition, and large landscape reserve planning. Representatives from California departments of Fish and Game and State Parks, The Nature Conservancy, and the National Park Service will describe how climate challenges will effect their conservation planning procedures, practices, and priorities for the future. And we'll unveil a new process for keeping track of conservation and climate change research-related practices over the next ten years.</i></p>
<p>Speaker Series: with Stanley Lubman</p>	<p>November 20, 2007</p>	<p><i>This lunch time talk presented Boalt faculty member Stanley Lubman in which he discussed his expertise on China. He has specialized on China as a scholar and as a practicing lawyer for more than 35 years. He first taught at Boalt from 1967-1974, and returned in 2002. In the meantime, he taught at Stanford, Columbia, Harvard, the University of Heidelberg, and the School of Oriental and African Studies of the University of London. Lubman has advised American, European and Japanese clients on the People's Republic of China since 1972 on a wide range of matters, and he has also represented clients in disputes arbitrated by the China International Economic and Trade Arbitration Commission in Beijing. From 1978 to 1997 he headed the China practices at two major San Francisco law firms and a large English firm of solicitors. Since 1997 he has devoted his time to scholarly research, teaching and non-profit activities.</i></p>
<p>Speaker Series: with Howard Shanker</p>	<p>November 26, 2007</p>	<p><i>Howard Shanker wrapped up the American Indian Heritage Month speaker series with his account of representing several tribes in Arizona in litigation to protect sacred mountains, the San Francisco Peaks. The U.S. Forest Service planned to permit the production of snow using treated sewer water on a mountain that is sacred to many tribes in Arizona. Shanker argued on the tribes' behalf before the Ninth Circuit, and won the appeal earlier this year. The decision is now slated to be reheard en banc. Sacred site protection issues are frequently encountered in the land use and environmental legal realm; students interested in religious freedom, real estate, land use, and environmental law all enjoyed this talk. It was co-sponsored by the Office of Student Services and the California Center for Environmental Law and Policy (CCELP).</i></p>

Speaker Series: Saving the Sacramento-San Joaquin Delta	January 22, 2008	<i>California's Sacramento-San Joaquin Delta, the largest estuary on the West Coast of North America, is currently facing an unprecedented environmental crisis. Come hear two experts discuss the multiple causes of that crisis, and some potential paths to a more environmentally sustainable future for the Delta. Speaking at this event, which kicks off CCELP's Spring Environmental Lecture Series, will be Ellen Hanak, Research Fellow at the Public Policy Institute of California and co-author of PPIC's influential report, "Envisioning Futures for the Sacramento-San Joaquin Delta" and CCELP Executive Director Rick Frank, a member of the Delta Vision Blue Ribbon Task Force appointed by Governor Schwarzenegger. The Task Force is charged with providing California's political leaders with policy recommendations addressing the Delta's environmental problems, and presented its report to the Governor and California Legislature last month. Please join us for this timely and informative discussion.</i>
A Workshop with Berkeley Mayor Tom Bates	February 19, 2008	<i>In the minds of many, downtown Berkeley is at a crossroads. If a significant infusion of new stores, smart development and energy is not received soon, the downtown area may go the way of many neglected city centers. Mayor Tom Bates will discuss his vision of the future of downtown Berkeley, the problems that afflict the area and proposed solutions.</i>
Speaker Series: with Steve McCaffrey on International Regulation of Shared Surface and Ground Water: A Work in Progress	March 20, 2008	<i>Over a billion people lack access to potable supplies of fresh water and some two and a half billion are without adequate sanitation. Climate change will continue to exacerbate conditions of water stress in many countries. Given that well over half the world's freshwater is shared by two or more countries, international law and institutions will have an increasingly critical role to play in helping to avoid conflicts and promote cooperation over water among states and other stakeholders. Are they up to the task?</i>
California and the Future of Environmental Policy -- Leading the Global Response to Environmental & Energy Challenges	April 10, 2008 April 11, 2008	<i>This conference is intended to examine California's leadership role in a wide variety of environmental and natural resource contexts. Over the next two days, you will hear from an equally broad array of respected government policymakers, academics, scientists and legal practitioners. This diverse and respected faculty, in turn, mirrors the interdisciplinary approach that will no doubt be required in the future to meet and surmount the environmental challenges confronting us.</i>
Fall Rollout	April 15, 2008	<i>This forum is offered every semester and attempts to aid current and prospective students in deciding which courses to choose. It acted as an opportunity to meet and greet professors as they offered.</i>
Speaker Series -- Tom Sansonetti on Practicing Environmental Law for the Bush (H.W. & W.) Administration	April 22, 2008	<i>Join us for the concluding event in CCELP's Spring Speaker Series: an appearance and stimulating talk by the top environmental lawyer in both the Bush-Cheney Administration and the earlier Administration of President H.W. Bush. Mr. Sansonetti will talk about the challenges and opportunities of practicing environmental law—and making environmental policy—for the United States government.</i>
Transnational Environmental Harm: U.S. v. Mexico and Argentina v. Uruguay	April 24, 2008	<i>The US has commenced lining the All-American Canal, a large leaky irrigation canal transporting Colorado River water to southern Californian agricultural districts. The water conserved will go to support San Diego's growing population. South of the border in Mexicali, however, a large farming community will lose a source of groundwater they have relied on for decades. Veronica will discuss the international law aspects of this dispute, and the questions it raises about territorial sovereignty, surface/groundwater connections and water treaty regimes. In the last five years, the bilateral relationship between Argentina and Uruguay has systematically deteriorated. The reason is the construction of a series of Cellulose Pulp Mills on the coast of the River Uruguay, which serves as international boundary between the two states. The nature of the conflict evolved into a politico-judicial situation of multiple interests and subjects. At present time, the only solution seems to be a final adjudication by the ICJ.</i>

Environmental Law Specialization Certificate Ceremony	May 16, 2008	<i>Ceremony where the Boalt Hall faculty and the California Center for Environmental Law and Policy in honored the 2008 recipients of the Environmental Law Certificate.</i>
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