

NORTH CAROLINA BAR ASSOCIATION

seeking liberty + justice

2019 NCBA Environment, Energy & Natural Resources Law Section Annual Meeting



LIVE

Friday–Saturday, May 10–11, 2019
Holiday Inn Resort
1706 North Lumina Avenue
Wrightsville Beach

7.5
HOURS

TOTAL CLE CREDIT

1.0
HOUR

**Substance Abuse/
Mental Health**

REGISTER TODAY!

Save 10% if registration is received
by April 19, 2019.

www.tinyurl.com/CLE807EVM

AVAILABLE FORMATS



PROGRAM SUMMARY

This program explores some of this year's hot topics in environmental law in North Carolina, with a focus on lessons learned and what comes next.

Pulling from the experience of a wide variety of presenters and topics, this program includes:

- A keynote address by NC DEQ Secretary Michael Regan
- Updates on federal and state environmental policy and case law
- Emerging contaminants from a state and federal regulatory perspective
- How nuisance law and property rights are changing with a focus on the recent litigation against Smithfield Foods
- Disaster recovery and resilience in a hurricane-prone state
- A conversation about renewable energy in North Carolina

WHAT PEOPLE ARE SAYING...



The most helpful part of this program [for me] was hearing various perspectives on new developments in case law and environmental statutes. Always good to hear others' views of things you work on.



Very well-organized!



Good program. Well-run, interesting topics and speakers were well-prepared and engaging.

— Attendees, *In the Environment of Change (2018 Environment, Energy & Natural Resources Law Section Annual Meeting)*

AGENDA

FRIDAY, MAY 10, 2019 | 8:00 a.m. – 12:30 p.m.

- 8:00 **Registration and Continental Breakfast**
Sponsored by Mid-Atlantic Associates Inc.
- 8:40 **Welcome and Introductions**
- 8:45 **Keynote Address**
Regan
The secretary of NCDEQ provides an update on current key agency issues and initiatives. Hear a high-level overview of regulatory challenges associated with emerging contaminants and partake in an opportunity for questions and discussion.
- 9:15 **Emerging Contaminants, a Regulatory Perspective**
Culpepper, Scott and Strynar
The recent emergence of new contaminants has fundamentally changed our understanding of how contaminants can impact human health and the environment. This panel provides a historical overview of the discovery of Polyfluoroalkyl Substances, known as PFAS (including Gen-X), their unique environmental fate and transport characteristics, and how this has created a number of challenges from a regulatory, technical and legal perspective.
- 10:15 **Federal Environmental Update**
Billmire and Mund
Receive an update of federal environmental law and policy from the past year.
- 11:15 **Break**
- 11:30 **State Environmental Update**
Lane, Lilley and Snukals
DEQ's general counsel highlights the latest on policies and priorities from Green Square. This panel also addresses an annual update on noteworthy developments in the General Assembly related to environmental issues and provides a review of significant cases.
- 12:30 **Adjourn**

AGENDA

SATURDAY, MAY 11, 2019 | 7:30 a.m. – 1:00 p.m.

- 7:30 **Family Breakfast**
Sponsored by Duncklee & Dunham PC, Terracon Inc. and The John R. McAdams Co.
- 8:25 **Announcements**
- 8:30 **Nuisance Law and Property Rights**
Branan and Miller
Hear an overview of the ongoing nuisance litigation against Smithfield Foods and the potential implications of this litigation on environmental law and policy.
- 9:30 **Disaster Recovery**
Sprayberry and Tschirky
This panel discusses the Cooper administration's policy goals related to resiliency, floodplain mapping and vulnerable infrastructure located in the floodplain, and the new Office of Resiliency and Recovery.
- 10:30 **Break**
- 10:45 **A Conversation About Renewable Energy**
Ross and Smith
This session provides a review of the evolution of renewable energy policies and laws. Learn about the issues renewable energy projects face today such as interconnection, power sales, permitting and land use.
- 11:45 **Environment, Energy & Natural Resources Law Section Annual Meeting**
Brooks Rainey Pearson, Southern Environmental Law Center, Chapel Hill, 2018-2019 Section Chair, presiding
- 12:00 **Addiction and Recovery[†]**
Budnick and Miller
This session examines the relationship between stress from a lawyer's professional responsibilities, and substance abuse and debilitating mental conditions. Chris Budnick with Healing Transitions and Rick Miller with the North Carolina Lawyer Assistance Program provide insight into this issue using real-life perspectives. Learn how to recognize patterns and symptoms to support proactive intervention and services that are available for those impacted by addiction and mental health issues.
- 1:00 **Adjourn**
- [†] Indicates portion providing Substance Abuse/Mental Health credit

PROGRAM DETAILS

SPEAKERS

- **Todd W. Billmire**, Womble Bond Dickinson (U.S.) LLP, Charlotte
- **Robert A. “Andrew” Branan**, North Carolina State University, Hillsborough
- **Chris Budnick**, Healing Transitions, Raleigh
- **Linda M. Culpepper**, North Carolina Department of Environmental Quality, Raleigh
- **William F. “Bill” Lane**, North Carolina Department of Environmental Quality, Raleigh
- **Lee Lilley**, North Carolina Governor’s Office, Raleigh
- **Lee Miller**, Duke Environmental Law and Policy Clinic, Durham
- **Rick Miller**, North Carolina Lawyer Assistance Program, Raleigh
- **Nathaniel B. “Nat” Mund**, Southern Environmental Law Center, Washington, DC
- **Michael S. Regan**, North Carolina Department of Environmental Quality, Raleigh
- **Katherine E. Ross**, Parker Poe Adams & Bernstein LLP, Raleigh
- **Michael E. Scott**, North Carolina Department of Environmental Quality, Raleigh
- **Benjamin W. “Ben” Smith**, North Carolina Sustainable Energy Association, Raleigh
- **William D. “Dixon” Snukals**, McGuireWoods LLP, Raleigh

- **Michael A. Sprayberry**, North Carolina Department of Public Safety Emergency Management, Raleigh
- **Mark Strynar**, U.S. Environmental Protection Agency, Research Triangle Park
- **Paul Tschirky, Ph.D., P.Eng, D.CE**, Geosyntec Consultants, Baton Rouge, LA

HOTEL INFORMATION

Contact hotel directly for reservations at the special NCBA room rate. Rates and rooms are based on availability and may sell out.

Holiday Inn Resort

1706 North Lumina Avenue
Wrightsville Beach

- **Nightly rates:**
 - \$169 Standard room
 - \$199 Oceanfront room
- **Reservations:** 877.330.5050
Ask for the NCBA Environment Law Section group rate.
- **Cutoff date:** April 9, 2019

RECEPTIONS

Thursday, May 9

5:00–6:30 p.m.

Holiday Inn Resort
Sunset Terrace

Friday, May 10

5:30–7:00 p.m.

Holiday Inn Resort
(outside, by the volleyball court)

Sponsored by Geosyntec Consultants
and Spangler Environmental, Inc.

PROGRAM DETAILS

PLANNERS

- **Blakely E. Hildebrand**, Southern Environmental Law Center, Chapel Hill
- **Brooks R. Pearson**, Southern Environmental Law Center, Chapel Hill
- **Amanda K. Short**, McGuireWoods LLP, Charlotte
- **Mary Katherine H. Stukes**, Parker Poe Adams & Bernstein LLP, Charlotte
- **Jeffrey B. Tyburski**, The John R. McAdams Company, Durham

SPECIAL ACCOMMODATIONS

NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

CLE AND PUBLICATION SCHOLARSHIPS

Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.

Apply at www.ncbar.org/cle/scholarship.

We extend our sincere gratitude to the NCBA Environment, Energy & Natural Resources Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.

REGISTER TODAY!

Online: www.tinyurl.com/CLE807EVM | **By phone:** 800.228.3402

By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

STEP 1: Tell us who you are. (Please print clearly.)

Print Full Name: _____

Address: _____

City, State and ZIP: _____

Daytime Phone Number: _____

Email Address: _____

NC State Bar No. (Required for MCLE Credit): _____

STEP 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

Standard Rate: \$700 / \$630 *Early*

NCBA Member: \$585 / \$525 *Early*

Environment, Energy & Natural Resources Law Section Member: \$545 / \$490 *Early*

CLE Premier Pass: \$0

STEP 3: Select your learning format.

Live (807EVM) Video Replay (See below.)

Video Replay registration (if selected).

Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE807EVM and indicate your choice below.

Location: _____ Date: _____ Code: _____

STEP 4: Complete your payment information.

(Registration is complete only after payment is processed. Please print clearly.)

I am registering for this program at the tuition rate checked above.

Enclosed is a check, payable to NCBA. Please charge my credit card.

Card Number: _____ Exp. Date: _____

Total Amount: _____ Signature: _____

Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.

NCBA

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NCBA is an accredited CLE sponsor under the MCLE regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education.

INTRODUCING...

premier pass

The 2018-2019 CLE Premier Pass is
an exclusive NCBA member benefit
providing unlimited CLE
including access to hundreds of
On Demand programs.

www.tinyurl.com/PremierPass

REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. **CHANGES TO EXISTING REGISTRATIONS:** Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a \$75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations including On Demand registrations, cannot be cancelled, substituted or transferred once purchased. **NO-SHOWS:** Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a \$75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. **MISCELLANEOUS:** The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee's image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.