

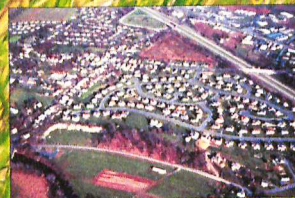


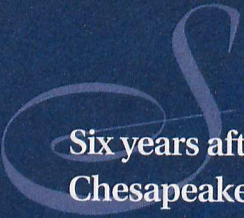
**RICHMOND**  
School of Law

**Friday, October 20, 2006**

MCLE Credits

# Preserving the Chesapeake: Law, Ecology, and the Bay





Six years after the signing of the historic Chesapeake Bay Agreement, the Bay's ecology remains imperiled. Population growth, nutrient run-off, and land use practices continue to threaten water quality, wetlands, and the livelihoods of thousands whose jobs depend on a healthy Bay. This Conference brings together experts from federal and state government, leading law firms, non-profits, and academia to assess past regulatory efforts and identify the steps that still need to be taken to achieve the goal of recovery of the Bay by 2010. The Conference will provide updates from the key players on the cutting-edge issues that are critical for preserving this unique resource.

Virginia MCLE Accreditation has been requested for this program for 5.5 (0.0 ethics) credits. The University of Richmond School of Law is an accredited CLE provider in Virginia and most MCLE states.



Friday, October 20, 2006

University of Richmond School of Law

R.s.v.p.: (804) 287-6463

Questions: (804) 289-8740



## Opening

9:00 – 9:30 A.M.

**9:00 A.M. – Registration and Breakfast**  
University of Richmond School of Law atrium

**9:20 A.M. – Conference Welcome**  
University of Richmond School of Law

**Heather N. Stevenson**  
McGuireWoods LLP

**Professor Noah M. Sachs**  
University of Richmond School of Law  
Faculty Director, Robert R. Merhige, Jr.  
Center for Environmental Studies

## Historical Background

9:30 – 10:30 A.M.

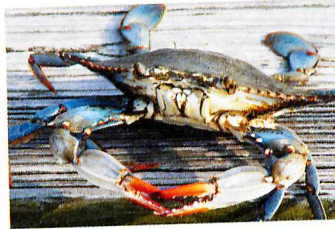
**Moderator: Dean Rodney A. Smolla**  
University of Richmond School of Law  
**The Honorable Governor Gerald L. Baliles**  
Director, Miller Center of Public Affairs  
65th Governor of the Commonwealth of Virginia  
**Gerald McCarthy**  
Executive Director  
Virginia Environmental Endowment  
**Russell W. Baxter**  
Deputy Director, Virginia Department  
of Conservation and Recreation

## Current State of the Bay

10:45 – 11:45 A.M.

**Moderator: Professor Joel Eisen**  
University of Richmond School of Law  
**Professor Jonathan Z. Cannon**  
Director, Center for Environmental and Land Use Law  
University of Virginia School of Law  
**Professor Erin Ryan**  
Marshall-Wythe School of Law  
College of William & Mary  
**Richard Batiuk**  
Associate Director for Science of the  
Chesapeake Bay Program Office  
United States Environmental Protection Agency

*\* Unless otherwise noted, all programs will be held in the University of Richmond School of Law Moot Court Room.*



## Lunch

11:45 A.M.–1:15 P.M.

**Keynote Speaker:**

**The Honorable L. Preston Bryant**  
Secretary of Natural Resources of the  
Commonwealth of Virginia

## Regulatory Efforts

1:15–2:15 P.M.

**Moderator: Kathy R. Frahm**  
Director, Division of Policy  
Virginia Department of Environmental Quality

**Joseph J. Tannery**  
Virginia Staff Attorney  
Chesapeake Bay Foundation

**David E. Evans**  
Partner, McGuireWoods LLP

**Mark Smith**  
Environmental Scientist, Water Protection Division  
United States Environmental Protection Agency

## Future and Solutions

2:30–3:45 P.M.

**Moderator: Professor Carl Tobias**  
University of Richmond School of Law

**Nikki Rovner**  
Deputy Secretary of Natural Resources  
of the Commonwealth of Virginia

**Timothy G. Hayes**  
Partner, Hunton & Williams LLP

**Clyde Wilbur**  
Principal, Greeley & Hanson

**Alexandra Dunn**  
General Counsel  
National Association of Clean Water Agencies



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## Co-Sponsors:

### **Merhige Center for Environmental Studies**

The Robert R. Merhige, Jr. Center for Environmental Studies at the University of Richmond engages in research, instruction, and public outreach on energy and environmental issues in the mid-Atlantic region and beyond. The Center hosts conferences, symposia, and speakers on pressing environmental issues, generating dialogue for policy solutions. Drawing on the resources of the law school and the University, the Center prepares students to tackle the complex challenges of careers in environmental law. The Center honors the work of the late U.S. District Court Judge Robert R. Merhige, Jr., whose creativity in settling the Kepone litigation of the 1970s made the Center's activities possible.

### **Allen Chair**

The George E. Allen Chair in Law honors the late George E. Allen, distinguished Virginia trial lawyer. Allen was the first recipient of the Award for Courageous Advocacy from the American College of Trial Lawyers in 1965. The award was presented for Allen's representation of an African-American law student from Harvard who, while serving as a summer intern with a firm in Virginia, was charged with felonious assault with intent to kill a police officer at a local courthouse where the young intern had gone to file legal documents. Serving without fee and at the request of Harvard Law School Dean Erwin Griswold and the Lawyer's Committee for Civil Rights Under Law, Allen successfully represented the student.

### **Virginia State Bar**

For sixty-seven years, the Virginia State Bar has been responsible for the regulation of the legal profession, protection of the public from lawyer misconduct, and support for the rule of law. Through its staff and hundreds of lawyer and lay volunteers, the state bar works to serve lawyers and the public. The VSB provides lawyers with support to better practice their profession, encourages service to our institutions of justice, and improves access to that system for all Virginians.

*The Environmental Law Section of the Virginia State Bar focuses on the practice of environmental law in Virginia. The Section currently has approximately 300 members located throughout the Commonwealth. Section membership is open to all interested members in good standing of the Virginia State Bar.*

### **The Miller Center of Public Affairs**

The Miller Center was established in 1975 through the generous gift of Burkett Miller, a Tennessee philanthropist and businessman with a vision of a university-based center of public affairs that would focus on important public policy issues and the American presidency.

Drawn to Virginia's legacy of democratic tradition, scholarship, and community, Miller envisioned a strictly nonpartisan institution within Thomas Jefferson's University, focused on the problems and challenges of the American presidency. Now, more than twenty-five years later,

the Miller Center of Public Affairs continues to embody the philosophy of its founder. It has firmly established its reputation as a truly unique and nonpartisan research institution standing apart from a sea of ideologically motivated policy think tanks. Indeed, the Miller Center is widely recognized as the vanguard non-governmental national institution for basic research on the American presidency and the executive branch of government.

## Biographies:

### **Secretary of Natural Resources L. Preston Bryant, Jr.**

L. Preston Bryant, Jr. serves as Secretary of Natural Resources in the cabinet of Virginia Governor Timothy M. Kaine. Prior to joining Governor Kaine's cabinet, Secretary Bryant served in the Virginia House of Delegates for 10 years, where he sponsored landmark legislation to help preserve more than one million acres of nontidal wetlands, streamline the state's stormwater management programs, and create a nutrient credit trading program to advance upgrades to more than a hundred wastewater treatment facilities that discharge into Virginia waters. Secretary Bryant also was a partner in a Virginia-based engineering, surveying, and planning firm that specialized in the design of large-scale residential, commercial and industrial developments as well as transportation facilities.

Secretary Bryant was born in Lynchburg, Virginia. He received a bachelor's degree in English from Randolph-Macon College, a master's degree in the humanities from the University of Richmond, and a master's degree in modern British literature from the University of London.

### **Gerald L. Baliles, Governor of Virginia (1986–1990)**

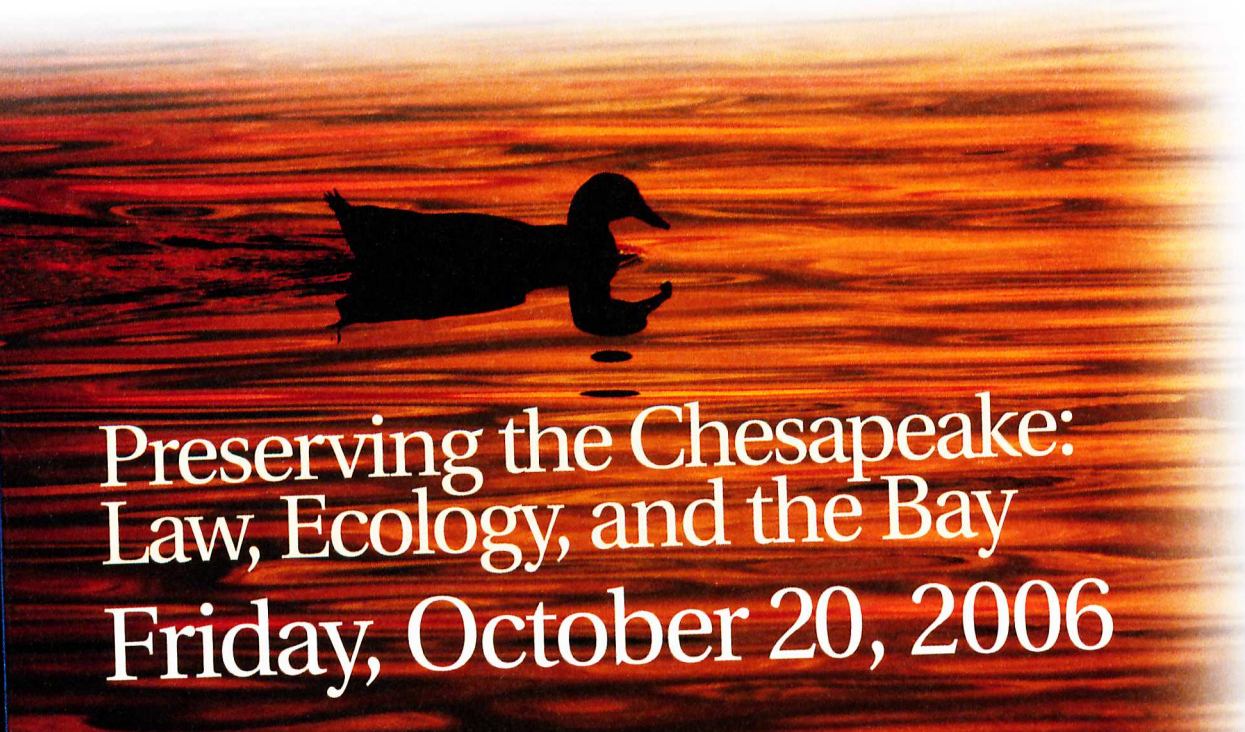
Governor Gerald L. Baliles, Director of the Miller Center of Public Affairs at the University of Virginia, served as the 65th Governor of the Commonwealth of Virginia. His tenure as governor capped a career in public service that included serving as the attorney general of Virginia (1982–85) and a member of the Virginia House of Delegates (1976–82). After leaving public office, he entered private law practice as a partner in the firm of Hunton & Williams, LLP, headquartered in Richmond, Virginia.

Baliles holds a bachelor's degree from Wesleyan University and a J.D. from the University of Virginia Law School. He became the Miller Center's fifth director in April 2006. Founded in 1975, the Miller Center is a nonpartisan public policy institution devoted to studying, examining, and sharing information about American government and the presidency, and promoting discourse and bipartisan consensus on issues of national and international policy.



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