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- Beveridge & Diamond PC
- Blank Rome LLP
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- Committee on Ocean Policy
- Environmental Law Institute
- Hydrovolts, Inc.
- Kirkpatrick & Lockhart Preston Gates Ellis LLP
- Marten Law Group
- National Oceanic and Atmospheric Administration
- Office of the Governor, Washington State
- Port of Seattle
- Stoel Rives LLP
- U.S. Dept of the Interior, Minerals Management Service
- Van Ness Feldman
- Westwood Shipping

An Important Two-Day New Conference on Cutting-edge Issues of:

# Ocean Law

Emerging legal, regulatory and business developments for use of the ocean surface and floor

May 22 & 23, 2008

Seattle, Washington

Washington State Convention and Trade Center

**Credits:** WA CLE 11.75 (call about others)

**Quick when/where:** 8:30 a.m., 800 Convention Place

### Ocean Law Conference

May 22 & 23, 2008 | Seattle, Washington  
Washington State Convention and Trade Center

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**8:00 Registration and Continental Breakfast**

**8:30 Introduction and Overview**  
**Karen M. Hansen, Esq., *Program Co-Chair***  
 Beveridge & Diamond PC ~ Washington, DC

**8:45 Special Opening Address: The Evolution of, and Best Direction for Ocean Governance in the United States**  
 Current proposals and recent changes in national ocean governance, including an update on activities following release of the Pew Oceans Commission and the U.S. Commission on Ocean Policy reports, and likely changes in federal ocean law and policy.  
**Gerhard Kuska, Ph.D.**  
*Director of Ocean and Coastal Policy*  
 Committee on Ocean Policy ~ Washington, DC

**9:15 The Legal Structure for Ocean Law: Statutory and Treaty Provisions**  
 Overview of the myriad of laws that constitute ocean law; background on the U.S. and Pew Ocean Commission Reports that form the framework for today's legal trends and emerging issues  
**Laura B. Fandino, Esq., Ph.D., *Program Co-Chair***  
 Marten Law Group ~ Seattle, WA

**10:00 Break**

**10:15 Lessons from Recent Cases**  
 Recent case law on ocean use and development, and the implications  
**Karen M. Hansen, Esq., *Program Co-Chair***

**11:15 A Walk Through the Permitting Process**  
 Shoreline Management Act, Coast Zone Management Act, Clean Water Act and Endangered Species Act; Columbia River Case study; ocean disposal issues involved with deepening Columbia River shipping channel  
**Eric S. Laschever, Esq., *Program Co-Chair***  
 Stoel Rives LLP ~ Seattle, WA

**12:15 Lunch (on your own)**

**1:30 Commercial Uses of Ocean Surfaces: Regulatory and Business Perspectives on Lessons Learned from a Century of Use**  
 What current activities are giving rise to challenges? What are the impacts on salmon recovery and other sensitive issues in the Pacific Northwest?  
**James R. Walpole, Esq., *Former General Counsel of NOAA***  
 National Oceanic and Atmospheric Administration  
 Alexandria, VA  
**L. John Iani, Esq.**  
 Van Ness Feldman ~ Seattle, WA

**2:45 Overview of Ocean Energy Project Developments**  
 A review of the technology in development and potential markets  
**Burton Hamner, *Founder and CEO of Hydrovolts, Inc.***  
 Hydrovolts, Inc. ~ Seattle, WA

**3:30 Break**

**3:45 New Twists for Coastal Energy: Layering Renewables on a Regulatory Structure for Oil and Gas**  
 Regulatory and technical perspectives on locating, permitting, and siting offshore ocean renewable energy projects; the status and prognosis for the new MMS rules implementing the Energy Policy Act of 2005; FERC's expedited permitting for tidal energy  
**Peter J. Schaumberg, Esq.**  
 Beveridge & Diamond PC ~ Washington, DC  
**Walter D. Cruickshank, Ph.D., *Deputy Director***  
 U.S. Dept of the Interior, Minerals Management Service  
 Washington, DC  
**Michael P. O'Connell, Esq.**  
 Stoel Rives LLP ~ Seattle, WA

**5:30 Reception**  
 Sponsored by Beveridge & Diamond PC, Marten Law Group, and Stoel Rives LLP



### About the Conference

#### LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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*Ocean law issues have received substantial recent attention alongside changes in regional ocean governance, new regulatory requirements and expanding offshore ocean uses. Regulatory regimes for project development and ocean use are evolving, and new concerns are being raised regarding the environmental impacts of development and the sustainability of marine resources.*

*This conference is the first of its kind with a legal focus on the environmental, energy and commercial developments impacting the nation's ocean and coastal resources. It will explore major legal and policy issues and initiatives related to shipping, offshore commercial development, water quality and climate change. Our leading experts will provide you with new insights into the cutting-edge issues of ocean law.*

*~ Program Co-chairs : Laura B. Fandino, Esq., Ph.D., Karen M. Hansen, Esq. and Eric S. Laschever, Esq.*



8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Laura B. Fandino, Esq., Ph.D., Program Co-Chair  
Eric Laschever, Esq., Program Co-Chair

8:45 Climate Change and Ocean Acidification

Causes and consequences of ocean acidification; overall impacts to the ocean system

Edward Miles, Ph.D., Professor of Marine Studies and Public Affairs, University of Washington  
Climate Impacts Group ~ Seattle, WA

9:30 Marine Resource Protection

Marine Sanctuaries; Endangered Species Act and Marine Mammal Protection Act Issues; Recent efforts to list ocean waters as impaired under the Clean Water Act; evolving regulatory and policy frameworks including Puget Sound Partnership update.

William W. Stelle, Esq.  
Kirkpatrick & Lockhart Preston Gates Ellis LLP  
Seattle, WA

10:15 Break

10:30 Pollution in the Ocean and Coastal Areas: Oil, Ballast Water, and Wastewater Discharges

Federal and state regulations including Washington's regulations for ballast water management; EPA's rulemaking following the 9th Circuit's decision in Northwest Environmental Advocates v. EPA and the pending appeal; other discharge issues

Jeanne M. Grasso, Esq.  
Blank Rome LLP ~ Washington, DC

Practical aspects of complying with the regulations: What is working well and what is not

Guy Stephenson, Esq., President of Westwood Shipping  
Westwood Shipping ~ Federal Way, WA

11:45 Lunch (on your own)

1:00 New Regional Initiatives

West coast regional management initiatives: A response to the Ocean Commission and PEW reports; regional/state governance models; priorities of the West Coast Governor's Initiative; watershed-based management in Puget Sound

Kathleen Drew, Esq., Executive Policy Officer  
Office of the Governor, Washington State ~ Olympia, WA

Green ports Initiatives: Moving towards a full suite of environmental controls for air, water, and noise pollution to lessen the overall footprint of a port in urban areas while handling bigger and deeper ships

Stephanie Jones, Senior Manager,  
Seaport Environmental Programs, Port of Seattle  
Port of Seattle ~ Seattle, WA

2:00 Emerging Technologies and Uses

Update on Ecosystem Based Management (EBM) as a regulatory tool: the coupling between land use, watershed processes, and coastal riverine, estuarine, and marine ecosystems; the application of EBM under existing regulations; whether it's gaining traction

Kathryn Mengerink, Esq., Ph.D.  
Director of Ocean Program  
Environmental Law Institute ~ Washington, DC

Oceans as carbon sinks: technological update on ocean iron fertilization for carbon sequestration; legal and practical challenges to be overcome before implementation

Dan Whaley, Esq., Founder and CEO  
Climos ~ San Francisco, CA

3:00 Evaluations and Adjourn

### Upcoming Related Seminars:

Washington Water Law 2008 April 10 & 11, 2008 Seattle, WA

See more at [lawseminars.com](http://lawseminars.com)



## Registration & Other Conference Information

### To Register:

Call us at: 800-854-8009 or 206-567-4490

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

**Tuition:** Regular tuition for this program is \$895 with a group rate of \$795 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$447.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

**Substitution & Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, May 16, 2008. After

that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

**Seminar Location:** The conference will be held at the Washington State Convention and Trade Center at 800 Convention Place in Seattle, WA 98101. Sleeping rooms are available at the adjacent Sheraton Seattle Hotel (1400 Sixth Avenue, Seattle, WA 98104) for \$189-209/nt. Register on-line at [www.sheraton.com](http://www.sheraton.com) or via phone at 1-888-627-7056 and reference SET code 352710. Rooms are on a first come, first served basis.

**Continuing Education Credits:** This program qualifies for 11.75 WA CLE credits. Upon request, we will apply for CLE credits in other states and other types of credits.

**If You Cannot Attend:** Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$905. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

## Faculty: Ocean Law Conference

**Laura B. Fandino, Esq., Ph.D.,** *Program Co-Chair*, received a Ph.D. in Marine Biology before joining the Marten Law Group, where she focuses on environmental and natural resource litigation. She has special expertise in ocean and coastal resource issues.

**Karen M. Hansen, Program Co-Chair**, principal with Beveridge & Diamond PC, focuses on water law, regulation and policy, including disputes over water quality and use, the impacts of land-based uses on coastal and ocean resources and emerging regulation of new and traditional uses of water resources.

**Eric S. Laschever, Program Co-Chair**, principal at Stoel Rives LLP, focuses on helping clients secure federal, state and local land use and environmental permits and approvals needed to implement large infrastructure, energy and other complex projects. He has been named as "Super Lawyer" by *Washington Law & Politics*.

**Gerhard Kuska, Ph.D.**, Associate Director of the White House Council on Environmental Quality, and Director of Ocean and Coastal Policy, advises the President and the Chairman of the Council on Environmental Quality on ocean, coastal and maritime policy issues.

**Walter D. Cruickshank, Ph.D.**, Deputy Director of Minerals Management Service at the U.S. Dept. of the Interior, assists in the administration of programs that ensure the effective management of energy and mineral resources located on the nation's outer continental shelf.

**Kathleen Drew**, Executive Policy Officer, Office of the Governor, Washington state, focuses on sustainable economic development, energy and environmental management. Previously, she was the

Community and Government Relations Director for the University of Washington.

**Jeanne M. Grasso**, partner at Blank Rome LLP, focuses on maritime, environmental and transportation law for domestic and international clients. She counsels owners and operators of vessels, cargo owners, and marine-side and inland facilities.

**Burton Hamner**, Founder and CEO of Hydrovolts, Inc., directed the Tacoma Narrows Tidal Power Feasibility Study. He has been a clean technology consultant to the U.S. Agency for International Development, the United Nations, the Asian Development Bank, the government of Thailand and the City of Seattle.

**John L. Iani**, member at Van Ness Feldman, focuses on project development, energy, natural resources, fisheries and environmental issues before Congress, federal and state agencies. Previously, he was the Regional Administrator for Region 10 of the Environmental Protection Agency (EPA).

**Stephanie Jones**, Senior Manager of Seaport Environmental programs at the Port of Seattle, oversees all programs in air and water quality, environmental review and permitting for port development projects and clean up of contaminated sediments and upland sites.

**Kathryn Mengerink, Esq., Ph.D.** is Director of the Ocean Program with the Environmental Law Institute and leads efforts to develop practical governance materials for implementing ocean and coastal ecosystem-based management. She has a Ph.D. in Marine Biology.

**Edward L. Miles, Ph.D.**, Professor of Marine Studies and Public Affairs at the University of Washington, is a Senior Fellow at the Joint Institute for the Study of the Atmosphere and Ocean (JISAO). He is also

the Co-Director for the Center for Science in the Earth System and he leads the Climate Impacts Group.

**Michael P. O'Connell**, partner at Stoel Rives LLP, focuses on energy project development, including hydrokinetic and other hydroelectric projects licensed under the Federal Power Act.

**Peter J. Schaumberg**, of counsel at Beveridge & Diamond, focuses on mineral royalty, land use, oil and gas, mining sector matters and renewable energy resource development. He received the Presidential Rank Senior Executive Meritorious Service Award for his outstanding work.

**William W. Stelle**, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, focuses on environmental and natural resource law and spearheads the firm's Endangered Species Act practice group. Previously, he was the Northwest Regional Director of the National Marine Fisheries Service (NMFS).

**Guy Stephenson**, President of Westwood Shipping, manages a fleet of seven ships in a container/break bulk liner service between the Pacific Northwest and the Far East. Previously, he was Senior Litigation Counsel to Westwood Shipping.

**James R. Walpole**, as the NOAA General Counsel from 2002 through 2007 focused on ocean exploration, drilling, shipping routes and acoustics, managing and sustaining fishing, protecting marine mammals and endangered species and resolving coastal zone management appeals.

**Dan Whaley** is Founder and CEO of Climos, a company that is exploring processes for ocean iron fertilization to naturally remove large amounts of CO<sub>2</sub> from the atmosphere, reduce global warming, and use carbon-

May 22 & 23, 2008

Seattle, Washington

Washington State Convention  
and Trade Center

800 Convention Place  
(206) 694-5000

### Who Should Attend:

*Lawyers, business executives, environmental professionals and governmental officials involved with shipping, aquaculture, electric energy generation, natural resource extraction, and other uses of the ocean surface and floor*

### This Conference Addresses:

- Ocean governance in the United States: Current proposals
- Legal structures for ocean law: Statutory and treaty provisions
- Recent case law
- Puget Sound regional perspectives
- Marine resource protection
- Pollution in the ocean and coastal areas
- New regional initiatives
- New green ports initiatives
- Climate change and ocean acidification
- Emerging technologies and uses

### To Register:

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