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- Aggregate Industries Management, Inc.
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- Foley Hoag LLP
- Greenberg Traurig, LLP
- Hoyle, Tanner & Associates, Inc.
- Lowe's Home Centers, Inc.
- Normandeau Associates, Inc.
- Pierce Atwood LLP
- U.S. Environmental Protection Agency
- Vermont Department of Environmental Conservation

## Who Should Attend:

Attorneys, governmental officials, real estate and environmental professionals, consultants and planners

An Important One-Day Seminar on

# Stormwater Regulation in New England

New regulatory, legal and business developments

Webcasting now available! -Attend from anywhere-

November 6, 2009

Boston, Massachusetts

Hyatt Regency Boston Hotel

Credits: CT CLE 6.5 | ME CLE 6.5 | NH CLE 6.5 | NY CLE 7.5 (non-transitional) RI CLE 7.5 | VT CLE 6.5 | AICP CM pending (call about others)

Quick when/where: 8:30 a.m., One Avenue de Lafayette

## Stormwater in New England Seminar

November 6, 2009 | Boston, Massachusetts  
Hyatt Regency Boston Hotel

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09STORMMA WS



- 8:00 Registration and Continental Breakfast
- 8:30 Introduction and Overview
  - Helen L. Edmonds, Esq., Program Co-Chair**  
Pierce Atwood LLP ~ Augusta, ME
  - H. Hamilton Hackney, III, Esq., Program Co-Chair**  
Greenberg Traurig, LLP ~ Boston, MA
- 8:45 **The Emerging Role of TMDLs in the Stormwater Regulatory Programs**
  - How TMDLs are driving changes in the state and federal stormwater programs
  - Ken Moraff, Deputy Director**  
*New England Office of Ecosystem Protection*  
U.S. Environmental Protection Agency ~ Boston, MA
- 9:30 **The New Role of Stormwater Utility Districts in Managing Stormwater Discharges**
  - South Burlington
  - Eugene J. Forbes, P.E., Senior Vice President**  
Hoyle, Tanner & Associates, Inc. ~ Burlington, VT
- 10:15 Break
- 10:30 **Update on Key Federal and State-Level Developments in New England**
  - Massachusetts
    - Seth D. Jaffe, Esq.**  
Foley Hoag LLP ~ Boston, MA
  - Maine
    - William E. Taylor, Esq.**  
Pierce Atwood LLP ~ Portland, ME
  - Vermont
    - The Hon. Justin Johnson, Commissioner**  
Vermont Department of Environmental Conservation  
Waterbury, VT
- 12:00 Lunch (on your own)

- 1:15 **Enforcement Issues**
  - National update on state and federal enforcement initiatives
  - Christopher J. Neumann, Esq.**  
Greenberg Traurig, LLP ~ Denver, CO
  - Achieving a successful outcome in enforcement cases
    - Joel Nickel, Environmental and Land Service Manager**  
Aggregate Industries Management, Inc. ~ Rockville, MD
  - U.S. EPA's new approach that uses traditional enforcement with compliance assistance to combat illegal connections between municipal sanitary sewer systems and storm systems
    - Susan Studlien, Director**  
*Office of Environmental Stewardship*  
U.S. Environmental Protection Agency ~ Boston, MA
- 2:45 Break
- 3:00 **Citizen Suits in Stormwater Regulation and Enforcement**
  - How citizen suits are being used to drive stormwater regulation in New England
  - Christopher M. Kilian, Esq., Vice President & Director**  
*Vermont Advocacy Center*  
Conservation Law Foundation ~ Montpelier, VT
- 3:45 **Implications of Stormwater Developments to Existing and Future Commercial Real Estate Development**
  - What effect can we expect these emerging trends to have on the development and operation of commercial real estate?
    - Robert B. Jess, P.E., Senior Site Development Manager**  
Lowe's Home Centers, Inc. ~ Saratoga Springs, NY
    - Robert Varney, Senior Vice President**  
Normandeau Associates, Inc. ~ Bedford, NH
- 5:00 Evaluations and Adjourn



## About the Seminar

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Federal, state and local governments are increasingly focused on stormwater as a critical water quality issue. As a result, the regulation of stormwater runoff now plays a central role in local and regional land use planning and project permitting. This has led to increasingly complex regulatory programs, such as TMDLs and the exercise of EPA's Residual Designation Authority, as well as the creation of local stormwater utility districts. All of these developments present new challenges to regulated parties and their counsel and consultants.

We have assembled experienced representatives of federal, state and local governments, consultants and legal practitioners from throughout New England to discuss these novel challenges and to provide practical suggestions and insights for those facing them.

~ Program Co-Chairs: Helen L. Edmonds, Esq. and H. Hamilton Hackney, III, Esq.



**Helen L. Edmonds**, *Program Co-Chair*, partner at Pierce Atwood LLP, chairs the Land Use Practice Team. She focuses on state and federal land use, environmental permitting and compliance issues, including solid waste licensing, municipal zoning, and licensing under Maine’s comprehensive Site Location of Development Act.

**H. Hamilton Hackney, III**, *Program Co-Chair*, shareholder at Greenberg Traurig, LLP, practices environmental and commercial real estate law, including enforcement and regulatory matters relating to stormwater discharges. He is listed in *Chambers* and *Best Lawyers*, is a “Super Lawyer”, and serves as the representative for NAIOP of Massachusetts in the stakeholder process for MassDEP’s proposed stormwater regulations.

**Eugene J. Forbes, P.E.** is Senior Vice President at Hoyle, Tanner & Associates, Inc., which provides municipal, state and federal clients with quality civil, structural, environmental, transportation and aviation, planning and engineering.

**Seth D. Jaffe**, partner at Foley Hoag LLP, focuses on the permitting and licensing of new facilities and offers ongoing guidance on permitting and enforcement related matters. He is a “Super Lawyer” and is listed in *Chambers* and *Best Lawyers*.

**Robert B. Jess, P.E.**, Senior Site Development Manager with Lowe’s Home Centers, Inc., is responsible for managing the due diligence, design and permitting process for Lowe’s new store expansion program in the Northeast, and has been involved in the successful development of 35 new stores.

**The Hon. Justin Johnson**, Commissioner of the Vermont Department of Environmental Conservation, is responsible for the functioning of the department and the work of individual divisions. He has experience in public management and public development at the federal, state and local levels.

**Christopher M. Kilian** is the Vice President and Director of Conservation Law Foundation’s Vermont Advocacy Center and its Clean Water & Healthy Forests Program. Previously he was with the Vermont Natural Resources Council.

**Ken Moraff** is the Deputy Director of the U.S. Environmental Protection Agency (EPA) New England Office of Ecosystem Protection, which includes EPA’s air, water, energy and climate change programs. He has managed high-impact environmental projects, including EPA’s Charles River cleanup and the Boston Harbor enforcement case and previously directed EPA’s New England enforcement office.

**Christopher J. Neumann**, shareholder at Greenberg Traurig, LLP, counsels clients on complex storm water compliance and enforcement matters. He is an appointee of Governor Bill Owens and Governor Bill Ritter to the Colorado Solid and Hazardous Waste Commission and is a civil engineer and Certified Professional in Erosion and Sediment Control.

**Joel Nickel** is the U.S. Environmental and Land Service Manager at Aggregate Industries Management, Inc. which includes environmental compliance, permitting, biodiversity, sustainability and geology. He was recognized as the producer of the year in Arizona in 2007 by the Arizona Rock Produces Association.

**Susan Studien** is Director of the Office of Environmental Stewardship at the U.S. Environmental Protection Agency New England, which is comprised of enforcement, compliance assistance and pollution prevention programs. Previously she directed EPA’s Office of Site Remediation and Restoration.

**William E. Taylor**, partner at Pierce Atwood LLP, focuses on matters relating to water law, waste discharge, wetland and natural resource licensing, compliance counseling, rulemaking, auditing, and enforcement. He is listed in *Chambers* and *Best Lawyers*.

**Robert Varney**, Senior Vice President at Normandeau Associates, Inc., was the longest-serving Regional Administrator at EPA-NE and the nation’s first official to use residual designation authority under the Clean Water Act to reduce stormwater pollution, issuing decisions regarding the Charles River in Massachusetts and Long Creek in Maine. In New Hampshire three governors appointed him Commissioner of the EPA.



## Registration & Other Seminar Information

### To Register:

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**Tuition:** Regular tuition for in-person or webcast attendance for this program is \$695 with a group rate of \$595 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$495. For students and people in their job for less than a year, our rate is \$347.50. 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, October 30, 2009. 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 seminar will be held at the Hyatt Regency Boston Hotel at One Avenue de Lafayette in Boston, MA 02111. Call the hotel directly at (617) 912-1234 for reservations at the special negotiated rate of \$239 and mention that you are attending a Law Seminars International seminar. Rooms are on a first come, first served basis.

### Continuing Education Credits:

This program qualifies for 6.5 CT, ME, NH, and VT CLE, and 7.5 NY (non-transitional) and RI 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 course materials (either a binder or searchable CD), is available for \$705. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.



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November 6, 2009

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(617) 921-1234

## You Will Learn About:

- The emerging role of TMDLs in the stormwater regulatory programs
- The new role of stormwater utility districts in managing stormwater discharges
- Update on key state-level developments in New England
- Enforcement issues
- Citizen suits in stormwater regulation and enforcement
- Implications of stormwater developments to existing and future commercial real estate development

## Watch for our telebriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for telebriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

[kate@lawseminars.com](mailto:kate@lawseminars.com)

## Law Seminars International News:

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Smart Grid Implementation & Development	October 16, 2009	Washington, DC
Wind and Solar Project Development & Permitting	October 23, 2009	Chicago, IL
Energy in the Northeast	November 9 & 10, 2009	Boston, MA
Natural Resource Damages	November 12 & 13, 2009	Newark, NJ
Current Developments in Renewable Energy	November 16 & 17, 2009	Houston, TX
Commercial Real Estate Workouts & Remedies	November 18, 2009	Chicago, IL
New Water Quality Regulation in the Chesapeake	December 7 & 8, 2009	Baltimore, MD

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