



Blowout: The Legal Legacy of the Deepwater Horizon Catastrophe

April 13, 2011

Roger Williams University School of Law · Bristol, Rhode Island



THE
UNIVERSITY
OF RHODE ISLAND



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WELCOME!

One year ago in the Gulf of Mexico, a chain of events led to the explosion at the Deepwater Horizon oil rig, killing eleven people, devastating marine ecosystems, and harming thousands of businesses and individuals in coastal communities. This tragedy was headline news for months, the subject of several investigations and congressional hearings, and led to numerous lawsuits.

Fast forward one year later: much has changed but much has not. The news is dominated by political unrest in the Middle East, a nuclear plant crisis in Japan, and political gridlock in Washington, D.C. Rising gas prices and national security raise important questions about our energy future. While the details of the Deepwater Horizon event itself may not still be in the headlines, we have much to learn from this tragedy. How can we keep a Deepwater from happening again? What are the tradeoffs we are willing to make to ensure affordable energy supplies, sustainable coastal communities, and healthy marine ecosystems?

Blowout: The Legal Legacy of the Deepwater Horizon Catastrophe will probe this event in unprecedented fashion. We have assembled lawyers, scientists, Gulf of Mexico residents, and economists, to ponder the lasting legacy of this tragedy. From examining the risks of “agency capture” and how to accurately calculate the damages caused by major oil spills, to the pros and cons of victim compensation funds and any future legislative changes, we will hear experts from diverse viewpoints.

The future of deep, offshore oil drilling is but one example of the complex decisions we face regarding how to use ocean resources. We want to develop renewable energy production, fish sustainably and maintain commercial as well as recreational access along our nation’s coasts. It is essential that we make these decisions in the context of all our ocean uses and energy needs.

We hope that this day contemplating lessons learned from the Deepwater Horizon event will help inform future deliberations and decisions. To further capitalize on the expertise we have gathered, we have resources available on our website, <http://law.rwu.edu/academics/institutes-programs/marine-affairs-institute/symposia>, will be posting the conference presentations there, and will be publishing articles from presenters in a special marine law 2011-12 edition of *The Roger Williams University Law Review*.

Sincerely,

Susan E. Farady
Director,
Marine Affairs Institute, Roger Williams University
School of Law and
Rhode Island Sea Grant Legal Program

David A. Logan
Dean, Roger Williams University School of Law
and Professor of Law





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AGENDA

- 8:00 a.m. **Registration Opens**
- 8:00 – 9:00 a.m. **Continental Breakfast**
- 9:00 – 9:15 a.m. **Welcome**
Ronald O. Champagne, President, Roger Williams University
David A. Logan, Dean, Roger Williams University School of Law
Susan E. Farady, Director, Marine Affairs Institute, RWU School of Law
- 9:15 – 9:30 a.m. **Keynote: Senator Sheldon Whitehouse (D-RI) (video recorded)**
- 9:30 – 11:00 a.m. **Panel I: Origin of a Disaster**
Deepwater Horizon was sited in accordance with existing regulations and policies, yet the blowout and its aftermath demonstrated significant weaknesses in the current regulatory system. This panel will examine how this disaster unfolded, including the laws regarding offshore oil and gas, protection of the marine environment, the health and safety of maritime workers, and the role of regulators and industry.
- Moderator:** **Michael Burger**, Professor, RWU School of Law
Panelists: **Stephen Da Ponte**, Attorney, Office of Maritime and International Law, U. S. Coast Guard
Juliet Eilperin, Reporter, The Washington Post
Garret Graves, Director, Coastal Protection and Restoration Authority, State of Louisiana
Sidney Shapiro, Associate Dean for Research and Development, Wake Forest University School of Law
David Westerholm, Director, Office of Response and Restoration, National Ocean Service, NOAA
- 11:00 – 11:15 a.m. **Break**
- 11:15 – 12:30 p.m. **Panel II: Assessing Damage to Marine and Human Communities**
The Gulf of Mexico ecosystem experienced significant harm as a result of the Deepwater disaster. This panel will discuss the challenges of assessing damage to ecosystems and the human communities that surround them following an environmental disaster.
- Moderator:** **Susan Farady**, RWU School of Law
Panelists: **Harold T. Chittum, III**, Chittum Skiffs
Kevin Dean, Esq., Motley Rice
James J. Opaluch, Professor & Dept. Chair, Environmental and Natural Resource Economics, University of Rhode Island
Jill Rowe, Biologist, Applied Science Associates, Inc.



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12:30 – 1:30 p.m.

Lunch

Keynote Speaker: **Christopher M. Reddy**

Sr. Scientist, Woods Hole Oceanographic Institute

1:30 – 2:45 p.m.

Panel III: Sue or Settle? The Adequacy of Tort Law to Fairly and Expeditiously Compensate Victims of Mass Disasters

The Deepwater Horizon catastrophe caused extensive damages to businesses on the Gulf of Mexico and beyond. This panel will explore whether tort law is up to the task, either procedurally or doctrinally, to fairly compensate victims of mass disasters or whether a compensation fund is preferable.

Moderator: **David A. Logan**, RWU School of Law

Panelists: **George W. Conk**, Adjunct Professor & Sr. Fellow, Stein Center, Fordham University School of Law

Deborah E. Greenspan, Atty., Dickstein Shapiro LLP

Donald A. Migliori, Esq., Motley Rice

2:45 – 3:00 p.m.

Break

3:00 – 3:15 p.m.

Keynote Speaker: **Senator Jack Reed (D-RI)** (*video recorded*)

3:15 – 4:45 p.m.

Panel IV: The Legal Legacy

The wake of the Deepwater disaster included numerous legislative hearings, introduction of numerous pieces of legislation and high-level investigative Commissions. Will legislation significantly change law and policy in environmental, energy and tort arenas? What will the lasting legal legacy of the Deepwater Horizon be?

Moderator: **Dennis Nixon**, Associate Dean/Professor, University of Rhode Island

Panelists: **Fred H. Bartlit, Jr., Esq.**, Bartlit Beck Herman Palenchar & Scott LLP, Chief Counsel to National Commission on BP Deepwater Horizon Oil Spill

Thomas C. Galligan, Jr., President and Professor of Humanities, Colby-Sawyer College

David Pettit, Senior Attorney, Natural Resources Defense Council

Jonathan K. Waldron, Esq., Blank Rome LLP

5:00 – 6:00 p.m.

Reception

Redlefsen's, Bristol, RI

6:00 – 8:00 p.m.

Dinner

Redlefsen's, Bristol, RI



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KEYNOTE SPEAKERS



Senator Sheldon Whitehouse (D-RI) *(video recorded)*

Rhode Islanders know they can count on Sheldon Whitehouse as a tireless advocate, fighting on the issues that touch our lives every day – from jobs and economic development, to health care, the environment and the future for their children. Sheldon Whitehouse makes a difference for the people of Rhode Island.

In the Senate, and before that as Rhode Island's Attorney General and U.S. Attorney, Sheldon has focused on the well-being of families, children, and seniors; protecting consumers; helping small businesses grow and create jobs; and assisting the unemployed and all those hit by the recession, a changing economy and hard times.

Job creation is Sheldon's immediate top priority. Earlier this year, he launched his "Making it in Rhode Island" initiative, listening to Rhode Island small businesses and manufacturers, the backbone of our state's economy, and offering a plan to boost local manufacturing. Sheldon's plan will make Rhode Island businesses more competitive, provide continued access to capital, and eliminate the tax incentives encouraging companies to move jobs overseas. Sheldon knows how imperative it is we keep good jobs here at home.

Tough economic times make it tougher for families to make ends meet. Sheldon understands that the loss of a job can mean the loss of a home and is continuing to work to expand efforts to help people avoid foreclosure. He has also been working to lower taxes for the middle class and protect Social Security from cuts.

We live in one of the most beautiful states in the nation, and Sheldon understands that the quality of our lives is tied directly to the quality of our environment. As a member of the Senate Environment and Public Works Committee, Sheldon has championed efforts to protect our environment, including our oceans and marine ecosystems, which are so important to our tourism and fishing industries. He is also a forceful advocate for urgent action to address the threat of climate change, especially its impact on our coastal communities.

And Sheldon understands the impact of high health care costs on everyone in Rhode Island – from families and seniors who need care to all those who provide it. He is a leader in the effort to expand the use of information technology in health care, to lower costs, and to improve the quality of care, helping Rhode Island become a national leader in the development and implementation of this technology.

A graduate of Yale University and the University of Virginia School of Law, Sheldon served as a policy advisor and counsel to the Governor of Rhode Island and as the state's Director of Business Regulation before being nominated by President Bill Clinton to be Rhode Island's United States Attorney in 1994. He was elected State Attorney General in 1998, a position in which he served from 1999-2003. On November 7, 2006, Rhode Islanders elected Sheldon to the United States Senate, where he is a member of the Budget Committee; the Environment and Public Works (EPW) Committee; the Judiciary Committee; the Health, Education, Labor, and Pensions (HELP) Committee; and the Special Committee on Aging. He chairs the Judiciary Subcommittee on Crime and Terrorism and the EPW Subcommittee on Oversight.

He lives in Newport with his wife, Sandra, a marine biologist and environmental advocate, and their two children.



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Christopher M. Reddy
Senior Scientist
Woods Hole Oceanographic Institute

Christopher Reddy is a Senior Scientist at the Woods Hole Oceanographic Institution. His research interests include oil spills and other forms of marine pollution. Dr. Reddy has earned numerous awards and honors, including being a Kavli Fellow in 2009 and 2010, which is awarded by the National Academy of Sciences as the premiere recognition for distinguished young scientists under the age of 45. He has been heavily involved in the scientific response during the Deepwater Horizon oil spill as well as providing over 200 media interviews, giving two Congressional testimonies and one testimony to the National Commission on the spill, and was the academic liaison at the Unified

Area Command (oil spill headquarters) in September 2010. Dr. Reddy has also written seven opinion pieces on the spill. He received a Ph.D. in chemical oceanography in 1997 from the University of Rhode Island and a B.Sc. in chemistry from Rhode Island College in 1992.



Representative Jack Reed (D-RI) (*video recorded*)

A leader on defense, education, and health care issues, Jack Reed is a senior member of the Armed Services Committee and a former Army Ranger. *Time* magazine noted: "Reed is a serious, intellectually honest veteran and an expert on defense issues in the Senate."

In 1996, the people of Rhode Island elected Reed to succeed Claiborne Pell (D-RI) as Rhode Island's 46th United States Senator. Prior to serving in the Senate, Reed was a three-term Member of the U.S. House of Representatives from Rhode Island's 2nd Congressional District. During his tenure in the House, Reed championed child health care, public libraries, and campaign finance reform. He also helped strengthen our national defense and found innovative ways to promote Rhode Island's economy. Reed has been described by the *Boston Globe* as "a relentless advocate for his home state."

A member of the powerful Appropriations Committee, which controls the purse strings of Congress, Reed continues to work tirelessly to secure federal funding for the Ocean State, such as mass transit funding and community development projects. He has also played a pivotal role in safeguarding our nation. In an effort to reduce crime at home, he helped pass legislation to put more police officers on the streets and enact common-sense gun safety laws. To ensure that America stays strong abroad, he led the effort in Congress to increase the size of our Armed Forces.

As a senior member of the Senate Banking, Housing and Urban Affairs Committee, Reed's key economic priorities include promoting responsible budgets, bringing business to Rhode Island and creating high-paying, sustainable jobs, and strengthening the national economy. In June of 2008 the *New York Times* noted: "Mr. Reed has had a passion for housing issues throughout his career. Beginning in the early 1980s when, as a young lawyer, he did pro bono work for Amos House, a Providence soup kitchen and social service agency, and continuing after his election to the Rhode Island Assembly, the House and finally the Senate." Recently, he co-authored legislation to create a new affordable housing trust fund, improve consumer disclosures on mortgages, and address the needs of middle-class families who are struggling with the fallout from the housing crisis.



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Jack Reed was born and raised in Cranston, Rhode Island. His father, Joe, was a World War II veteran and Cranston school janitor who worked his way up to become custodial supervisor of the city's school system. Both his father and his mother, Mary, taught him the values of hard work, integrity, commitment, and respect for all people. His parents' lessons helped Reed excel at LaSalle Academy in Providence and earned him an appointment to the United States Military Academy at West Point where he received a Bachelor of Science degree in 1971.

After graduating from West Point and receiving an active duty commission in the United States Army, Reed attended the John F. Kennedy School of Government at Harvard University where he received a Masters of Public Policy. Reed, an Army Ranger and a paratrooper, served in the 82nd Airborne Division as an Infantry Platoon Leader, a Company Commander, and a Battalion Staff Officer. He returned to West Point in 1978 as an Associate Professor in the Department of Social Sciences.

Reed resigned from the Army as a Captain in 1979 and enrolled at Harvard Law School. In 1982, he graduated from Harvard and served a year as an associate with the Washington, DC law firm of Sutherland, Asbill, and Brennan. In 1983, he returned to Rhode Island and joined the Providence law firm of Edwards and Angell. Reed was elected to the Rhode Island State Senate in 1984 and served for three terms.

Senator Reed is married to Julia Hart Reed. They have a daughter, Emily, and make their home in Jamestown, Rhode Island.

Today, Senator Reed continues to utilize the lessons he learned growing up in Cranston, which were deepened in the Army and tested in the halls of Congress, to stand up and speak out for the hard-working families who are the heart and soul of our country.



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WELCOME REMARKS



Ronald O. Champagne, Ph.D.
President
Roger Williams University

Following a celebrated career as an academic and administrator in higher education and beyond, Ronald O. Champagne, Ph.D., became president of Roger Williams University on August 25, 2010. Dr. Champagne will lead the University while a presidential search committee identifies the next permanent president of Roger Williams.

A Rhode Island native, Dr. Champagne is an accomplished leader – his extensive résumé includes 12 years as president of Saint Xavier University in Chicago, four years as senior vice president for development at the Alzheimer's Association, and more recently, interim presidency roles at Shimer College in Chicago and Merrimack College in North Andover, Mass.

Throughout his career in academe, Dr. Champagne has displayed tremendous commitment to teaching and learning. As president of Saint Xavier from 1982 to 1994, he directed a major transformation of the institution that culminated in its transition from college to university in 1992. Along the way, the University achieved a top-tier rating and recognition for student diversity from *U.S. News & World Report*. Among myriad accomplishments, Dr. Champagne created the Center for Educational Practices to support faculty initiatives and teaching excellence and established the Saint Xavier University Whitman Scholarship for outstanding Chicago public school principals.

In recent years, Dr. Champagne has earned a stellar reputation as a leader at colleges and universities in periods of transition. He served as Shimer College president during the 2007-08 academic year, transforming the institution's enrollment and fundraising efforts and updating a long-range strategic plan as the college searched for a permanent president. From 2008 to 2010, Dr. Champagne led Merrimack College through a strategic planning process and accreditation preparations; he also spearheaded the creation of a new School of Education and produced operating surpluses for the college during two years of national economic uncertainty.

Dr. Champagne has also held administrative positions as senior vice president for development of the National Alzheimer's Disease and Related Disorders Association, where he advanced the organization's fundraising rank among the top 26 voluntary health associations in America from 18th in 2001 to ninth in 2004; vice president for development at Roosevelt University; vice president for academic administration and dean of the college at Salem College; and founder and director of the Manhattanville Advanced Studies Program at Manhattanville College. Faculty appointments include professor of philosophy of science at Roosevelt University and professor of mathematics at Saint Xavier University and Salem College.

Dr. Champagne earned his doctorate in philosophy in the foundations of mathematics and physics and a master's degree in philosophy from Fordham University in New York; he holds a master's degree in mathematics and physics from the Catholic University of America in Washington, D.C.; and he earned a bachelor of arts in mathematics, philosophy and classics from Duquesne University in Pittsburgh, Penn.



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David A. Logan
Dean and Professor of Law
Roger Williams University School of Law

A graduate of the University of Virginia School of Law, David A. Logan has been Dean at the Roger Williams School of Law since 2003. After law school, he clerked for a federal judge and then joined a major Washington, D.C. law firm. During his time in practice he represented American Indian tribes, as well as being on brief in *Havens Realty v. Coleman*, in which the United States Supreme Court approved the use of “testers” to prove racial discrimination under the federal Fair Housing Act. From 1981-2003, Dean Logan was on the faculty at Wake Forest University School in Winston-Salem, North Carolina, where he taught and wrote about Torts.

He has won awards for his teaching and public service, and is often called upon to provide expert commentary on controversial legal issues. Dean Logan has frequently been quoted in major newspapers and appeared on Nightline, The NBC Evening News, and CBS Morning News, National Public Radio, and the O'Reilly Factor.



Susan E. Farady
Director
Marine Affairs Institute/Rhode Island Sea Grant Legal Program
Roger Williams University School of Law

Susan Farady is the Director of the Marine Affairs Institute and the Rhode Island Sea Grant Legal Program, and adjunct faculty. She teaches marine policy and law, and directs the education, outreach and research programs of the Institute, including the joint degree program with the University of Rhode Island Department of Marine Affairs, activities with Rhode Island Sea Grant, and marine affairs curriculum and outreach activities at the School of Law. Professor Farady has presented on marine governance reform, marine protected areas, and the National Marine Sanctuary

Act. She serves as an advisor to the Stellwagen Bank National Marine Sanctuary, the Metcalf Institute for Marine and Environmental Reporting, and the Sea Education Association. Professor Farady co-authored a textbook, *Marine and Coastal Law*, 2nd. Ed. and has published papers on the National Marine Sanctuary Act and governance reform.

Prior to joining RWU, she directed the Ocean Conservancy's New England Regional Office, served as an advisor to the Maine Department of Marine Resources and the New England Fishery Management Council Enforcement Committee, and practiced both civil and criminal law. She received her Bachelor's Degree from the University of Colorado and her J.D. from Vermont Law School.



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PANEL I



Michael Burger - Moderator
Associate Professor of Law
Roger Williams University School of Law

Michael Burger teaches Environmental and Marine Law at RWU Law. Prior to his arrival here, he was assistant acting professor of Lawyering at New York University School of Law. Professor Burger is a graduate of Columbia University School of Law, where he was a Harlan Fiske Stone Scholar and an articles editor for the *Columbia Journal of Environmental Law*; and of Brown University, where he graduated *magna cum laude* and received the Ratcliffe Hicks Prize for highest standing in language and literature. He also holds a Master of Fine Arts degree from the Graduate Creative Writing program at NYU.

Between college and law school, Professor Burger worked as an overnight editor for a Bay Area news wire, a writer for *The American Lawyer* magazine, and a freelance writer and editor for various other print and online publications. After graduating, he served as an environmental attorney in the Office of the Corporation Counsel of the City of New York, where he worked on matters ranging from global warming to the most local of land-use planning. Professor Burger's scholarly interests include environmental law, ocean and coastal law, and law and literature. His recent work on local climate-change initiatives was published in the *University of Cincinnati Law Review* and the *Environmental Law Reporter*.



Stephen Da Ponte
Attorney
Office of Maritime and International Law
United States Coast Guard

A native of Rhode Island, LCDR Stephen Da Ponte enlisted in the United States Marine Corps in 1993. After basic training at Parris Island, South Carolina, he completed the Aviation Electrician's "A" school in Millington, Tennessee, followed by the F/A 18 Electrician's School at NAS Lemoore, California. He served as an F/A 18 Aviation Electrician with VMFA (AW) 533 out of MCAS Beaufort, South Carolina, and VFA-106 out of NAS Cecil Field, Florida.

After completing Coast Guard Officer Candidate School he was commissioned as an Ensign in 2000. His first Coast Guard assignment was as an intelligence officer at the Seventh Coast Guard District Maritime Intelligence Center in Miami, Florida. This was followed by a tour as a Marine Safety Officer in the Port Operations Department of Coast Guard Marine Safety Office Miami, where he conducted port security and hazardous material container inspections, as well as pollution response operations. He currently serves as an attorney in the Coast Guard Headquarters Office of Maritime and International Law, where he provides legal advice on domestic and international maritime laws and regulations, as well as environmental and administrative law issues. LCDR Da Ponte holds a Bachelor of Science degree in Criminal Justice from Park University, a Master of Science degree in International Relations from Troy State University, and a Juris Doctor degree, *magna cum laude*, from the University of Miami School of Law, where he also served as an editor on the *University of Miami Law Review*. He is a member of the Florida Bar.



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Juliet Eilperin
Reporter
The Washington Post

A born-and-bred Washingtonian, Juliet Eilperin graduated in 1992 magna cum laude from Princeton University, where she received a bachelor's in Politics with a certificate in Latin American Studies. In March 1998 she joined *The Washington Post* as its House of Representatives reporter, where she covered the impeachment of Bill Clinton, lobbying, legislation, and five national congressional campaigns.

Since April of 2004 she has served as the *Post's* national environmental reporter, reporting on science, policy and politics in areas including climate change, oceans, and air quality. In pursuit of these stories she has gone scuba diving with sharks in the Bahamas, trekking on the Arctic tundra with Selma Hayek and Jake Gyllenhaal, and searching on her hands and knees for rare insects in the caves of Tennessee. She covered the 2008 presidential race, traveling with Sen. John McCain (R-AZ) and Alaska Gov. Sarah Palin, while maintaining her environmental beat, and launched the paper's *Post Carbon* blog in December 2009. In the wake of the Deepwater Horizon explosion in April 2010, Ms. Eilperin wrote several investigative pieces exposing the lack of federal oversight of offshore drilling.

In the spring of 2006 Rowman & Littlefield published her first book, "Fight Club Politics: How Partisanship is Poisoning the House of Representatives", which has been featured on NPR's "Fresh Air with Terry Gross" and Comedy Central's "The Daily Show with Jon Stewart." Ms. Eilperin has just completed "Demon Fish: Travels Through the Hidden World of Sharks," to be published in June 2011 by Pantheon.

Presentation Abstract: As the BP oil spill spun out of control last spring, it exposed serious flaws in the federal regulatory system that had overseen offshore oil and gas drilling for decades. What is clear now is that the failed partnership between the Minerals Management Service and the oil and gas industry was not adequate to ensure safe energy exploration off our coasts. But as drilling commences once again in the Gulf of Mexico, what is less obvious is how the Obama administration--and subsequent administrations--can best fix it.



Garret Graves
Director
Coastal Protection and Restoration Authority
State of Louisiana

Garret Graves is currently the Chair of the Coastal Protection and Restoration Authority of Louisiana (CPRA). The CPRA was established after Hurricane Katrina as the state agency leading hurricane protection, flood control, ecosystem restoration and other community resiliency efforts. His efforts to restructure and streamline Louisiana's coastal programs and agencies resulted in increasing output by more than 500 percent. The authority currently oversees a \$17 billion coastal resiliency and hurricane protection program.

Prior to joining the State of Louisiana, Mr. Graves served for 13 years as a policy advisor to Senator John Breaux, Congressman Billy Tauzin, as well as the Senate Commerce, Science and Transportation Committee and the House Energy and Commerce Committee. During this time, he advised Members of Congress on energy, environment, water resources, transportation, maritime, defense, trade, foreign affairs, and budget issues. Mr. Graves was also staff director of the U.S. Senate Subcommittee on Climate Change and Impacts.



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Following the 2010 Deepwater Horizon Oil Spill, Mr. Graves was appointed as lead trustee for the Natural Resources Damage Assessment process and directs the state's oil spill recovery efforts.



Sidney A. Shapiro
Associate Dean for Research and Development
University Distinguished Chair in Law
Wake Forest University School of Law

Sidney A. Shapiro is the University Distinguished Chair in Law at Wake Forest University and the Vice President of the Center for Progressive Reform (CPR), a nonprofit research and educational organization of sixty scholars dedicated to protecting health, safety, and the environment through analysis and commentary. He is the co-author of *The People's Agents and the Battle to Protect the American Public: Special Interests, Government, and Threats to Health, Safety and the*

Environment, published by the University of Chicago Press, and of *Risk Regulation at Risk: Restoring a Pragmatic Approach*, published by Standard University Press, two law school textbooks on regulatory law and practice and administrative law, as well as a one-volume administrative law treatise. Professor Shapiro has written widely on regulatory policy and process topics, including a book on occupational safety and health law and policy. He has been a consultant to the Occupational Safety and Health Administration (OSHA) and the Administrative Conference of the United States (ACUS), and he has testified in Congress on a regulatory policy and process issues.



David Westerholm
Director
Office of Response and Restoration, National Ocean Service
NOAA

David Westerholm is a member of the Senior Executive Service who currently serves as the Director of NOAA's Office of Response and Restoration where he provides comprehensive solutions to the environmental hazards caused by oil, chemicals, and marine debris. He oversees an Emergency Response Program that includes Scientific Support Coordinators who directly support Coast Guard FOSCs with environmental data, modeling, preparedness aids and training. As the primary federal trustee, his Restoration Program is responsible for protecting coastal and marine resources, mitigating threats, reducing harm, assessing damage and restoring ecological function under the Clean Water Act, CERLCA, and the Oil Pollution Act. He also manages the Marine Debris Program, a multi-agency effort devoted to prevention, education, and mitigation of the hazards of persistent marine debris. Prior to NOAA, Mr. Westerholm had several years of corporate experience as both Senior Operations Director and Vice President for Maritime Security, Policy, and Communications for Anteon Corporation and then General Dynamics.

Mr. Westerholm is also a retired Coast Guard Captain with over 27 years of experience in a variety of fields including maritime safety, port security, and environmental protection. A specialist in emergency management and environmental protection he served in positions of Commanding Officer, Federal On Scene Coordinator, Officer in Charge of Marine Inspection, and Captain of the Port. Mr. Westerholm's last Coast Guard assignment was the Chief of Response where he also held the positions of Vice Chair of the National Response Team and Chair of several interagency groups and government/industry partnerships that focused on emergency response and oil and hazardous material spill research and development. He has a degree in Science from Temple University and a Masters from Michigan in environmental policy and planning.



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Presentation Abstract: The Office of Response and Restoration provided scientific and technical expertise during the response to the Deepwater Horizon oil spill. Mr. Westerholm will use his experience during this event to address the roles of NOAA, speak to the challenges and discuss the concerns of the public as the event evolved. These include response strategies such as in situ burning and the use of dispersants, developing a common operating picture, dealing with the loop current and severe weather as well as seafood safety and protecting the environment.

PANEL II



Susan E. Farady - Moderator

Director

Marine Affairs Institute/Rhode Island Sea Grant Legal Program

See Bio under “Welcome Remarks”



Harold T. Chittum, III

Owner

Chittum Skiffs

Hal Chittum was born in Orlando, Florida in 1951. He graduated from the University of Central Florida and was a Fishing Guide in the Florida Keys and the Gulf Coast from 1974 to 1990.

Mr. Chittum founded the H. T Chittum & Co. retail stores in 1985, which sold fishing tackle and men’s & ladies clothing. In 1997, he founded Hell's Bay Boatworks to build technical flats fishing boats. This company was sold in 2002. From 2004 to present, Mr. Chittum’s company, Cutting Horse Yachts, has been designing and building high-end Sport fishing yachts and other technical fishing boats.



Kevin Dean

Member Attorney

Motley Rice, LLC

Kevin Dean focuses his litigation efforts on catastrophic injury, products liability, complex personal injury and wrongful death cases. As co-leader of Motley Rice’s Catastrophic Injury practice group, Mr. Dean represents individual victims and families affected by tragic events caused by hazardous consumer products, occupational and industrial accidents, fires, premise injuries and other incidents of negligence. He currently serves as lead plaintiffs’ counsel in *In re: Charleston Firefighter Litigation*, a wrongful death and negligence case against the Sofa Super Store, contractors and

multiple furniture manufacturers on behalf of the families of the nine firefighters lost in the June 2007 warehouse fire in Charleston, South Carolina.



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Since the explosion of the Deepwater Horizon, Mr. Dean has been active in the litigation and claims process surrounding the oil spill. He currently serves as a member of the GCCF Jurisdiction & Court Oversight Workgroup of the BP Oil Spill MDL and manages the firm's numerous business and individual clients filing cases and claims related to the oil spill matter.

Presentation Abstract: Mr. Dean's will first provide background information of how the *Deepwater Horizon* Oil Spill occurred and its environmental impact on the Gulf Coast region. Building upon this foundation, Mr. Dean will provide an overview of the State and Federal remedies available to individuals and entities impacted by the Oil Spill. Moreover, drawing upon his personal experience representing both individuals and businesses in Florida, Alabama, Mississippi, and Louisiana, Mr. Dean will provide insight into the Gulf Coast Claims Facility's claims adjudication process and the requirements for establishing and documenting damages claims under the Oil Pollution Act.



James J. Opaluch
Professor & Department Chair
Environmental and Natural Resource Economics
University of Rhode Island

Dr. James J. Opaluch is a Professor and Chair of the Department of Environmental and Natural Resource Economics at the University of Rhode Island. He has extensive experience working on oil spill related issues, especially on liability for oil spill damages. Dr. Opaluch was co-Principal Investigator of a project for the U.S. Department of Interior that developed the original "Type A" approach of assessing damages from spills of oil and hazardous substances under CERCLA, and has worked as an expert on about 25 oil spill damage assessments. He has served on several National Academy of Science panels on oil spill issues, and served on the US Environmental Protection Agency Science Advisory Board.



Jill Rowe
Biologist
Applied Science Associates, Inc.

Dr. Jill Rowe received her Bachelor's degree in Biology from DePauw University and her Master of Science degree in Marine Biology from the University of Charleston, South Carolina. She joined ASA in December 2001, and specializes in natural resource damage assessment (NRDA) modeling; the analysis of potential impacts from power plant emissions, water intakes, and dredging operations on aquatic organisms; data management, and GIS mapping and analysis. The NRDA models she uses simulate the physical fates, biological effects, restoration strategies and costs, and economic valuations following oil or chemical spills in aquatic environments. One of her roles at ASA is to assist the NOAA Damage Assessment Center in NRDA case work, including the recent spill in the Gulf of Mexico, as part of an on-going contract.

Presentation Abstract: **The Deepwater Horizon Oil Spill NRDA**, Jill Rowe and Deborah French McCay (Applied Science Associates). Applied Science Associates, under contract to NOAA, has been very involved in developing the Natural Resource Damage Assessment (NRDA) for the Deepwater Horizon Oil Spill. In addition to leading various Technical Working Groups (TWG's) for NOAA and the state trustees, ASA has planned and organized numerous cruises in 2010 to sample water and biota in the offshore and shelf area in the vicinity of the spill. The planning and organizing of more cruises is continuing into 2011. Additionally, to estimate injuries for water column organisms, ASA will conduct oil transport, fate and exposure modeling using the SIMAP model.



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PANEL III



David A. Logan - Moderator
Dean and Professor of Law
Roger Williams University School of Law

See Bio under “Welcome Remarks”



George W. Conk
Adjunct Professor of Law & Senior Fellow
Stein Center for Law & Ethics
Fordham University School of Law

Professor George Conk has been at Fordham since 2002. He teaches torts, business torts, product liability, remedies, and professional responsibility. He was Certified as a Civil Trial Attorney by the Supreme Court of New Jersey from 1990 to 2010. He was named 1 of the top 100 lawyers in New Jersey by the Rutgers Law School Alumni Association in 2006.

A leading appellate lawyer, he has appeared in landmark cases in the New Jersey Supreme Court and the United States Supreme Court. For the bulk of his career he represented industrial workers in occupational disease and industrial accident claims. He has represented the Hemophilia Association of New Jersey, the Industrial Union Council, AFL-CIO, the National Organization for Women, and the Association of Trial Lawyers of America. In 1984 he served as a permanent member of the Platform Committee of the Democratic National Committee.

Professor Conk’s scholarly work, principally about the law of pharmaceutical product liability, has been published by the Yale Law Journal, the UCLA Law Review, Penn State Law Review, Seton Hall Law Review, the Peking University Press, and others.

Presentation Abstract: The mechanism of administering claims and making payments has started well. But the Administrator’s claim of neutrality was a significant misstep. Kenneth Feinberg was judicially compelled to acknowledge that he is BP’s agent for claims resolution. His offers of early settlement of future loss claims are burdened by the belated acknowledgment that he is BP’s agent, his reliance on a report by a Texas A&M scientist who tentatively predicts a continued strong recovery of the fisheries, and by BP’s public complaints that he has been too generous and has demanded too little documentation. Traditionally such issues have been resolved in the courts. The BP settlement plan suffers from its lack of an element for resolution of such issues by public authority.



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Deborah E. Greenspan
Attorney
Dickstein Shapiro LLP

Deborah Greenspan is the co-leader of Dickstein Shapiro's Complex Dispute Resolution Group. Her practice focuses on class action, mass tort and bankruptcy law and procedure with a particular expertise in mass torts and products liability, analysis of damages and future liability exposure, negotiation, alternative dispute resolution, claims evaluation and dispute analysis, settlement distribution design and implementation, claims management and risk analysis, and general litigation. She has represented clients in the most significant complex litigation matters in the United States.

Representative clients include Dow Corning Corporation, Pfizer Inc, Kaiser Aluminum & Chemical Corporation, Armstrong World Industries, Inc., Corning Incorporated, and General Motors. Ms. Greenspan has been appointed to serve as a special master and neutral in various matters, including the Agent Orange Product Liability Litigation, and has designed and implemented complex settlement programs. Appointed by the U.S. Department of Justice, she served as the Deputy Special Master of the *September 11th Victim Compensation Fund of 2001*.

Presentation Abstract: We have seen mass claims arise in a variety of disparate circumstances: environmental disasters, mass exposures to products (including drugs, medical devices, materials used in manufacturing, construction and in consumer products); industry practices; and, of course, terrorist attacks. Individuals and entities affected by these sorts of events have often turned to alternative compensation procedures to address the claims (as opposed to carrying out litigation to a final verdict). The reasons for this are manifold and the types of compensation systems vary widely: they can be private, judicially enforced or statutorily created; they can address medical conditions, economic loss and potential for future injuries. The benefits of such alternatives are obvious to an extent: where the claim volume or complexity is great, it can take years to resolve the claims through litigation. For example, the claims arising out of the 9/11 attacks are just heading into trial now – almost ten years after the event. Alternatives can be structured to meet the specific needs of claimants and can provide “horizontal equity” so that like claims are treated alike (as opposed to the potential for inconsistent verdicts in different jurisdictions with different juries). On the other hand, the alternative systems might not provide a mechanism for eliciting the causes of the injuries may lack accountability and may not distribute available assets in the most appropriate way. Examples of such alternatives and their success and failure are instructive and provide a basis for evaluating their effectiveness, desirability and limitations.



Donald A. Migliori
Member Attorney
Motley Rice LLC

Building upon his experience in complex asbestos cases, the historic tobacco lawsuits and 9/11 litigation, Don Migliori is a multifaceted litigator. He represents victims of terrorism, aviation disasters, environmental contamination, defective medical devices and drugs, and occupational diseases in cutting-edge litigation that spans the country. Mr. Migliori is currently serving as co-lead counsel and liaison counsel for the Compositex® Kugel® Mesh multidistrict litigation, the first MDL in federal Rhode Island Court. He is also a member of the Plaintiffs' Steering Committee in the

Levaquin® litigation and serves on the BP Oil Spill Interim Ad Hoc Feinberg Liaison Committee. A recurrent speaker at legal seminars across the country, Mr. Migliori has appeared in numerous media outlets to address legal issues related to terrorist financing, aviation security, class action litigation, premises liability, asbestos and defective medical devices cases. He teaches mass torts as a "Distinguished Practitioner in Residence" at Roger Williams University School of Law and is a member of the American Association for Justice and the American Bar Association and serves as President Elect of Rhode Island Trial Lawyers and Treasurer for the Rhode Island Association for Justice. Mr. Migliori received an A.B. degree from Brown University and M.A. and J.D. degrees from Syracuse University.



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Presentation Abstract: With his experience in the September 11th and BP Oil litigations, Mr. Migliori will discuss the recent evolution of no-fault compensation funds as an alternative to the tort system, as well as the devaluation of the non-compensatory purposes and function of the traditional civil justice system. Can the civil justice system manage mass torts on the scale of the BP Oil disaster? Is reform needed or have the reformers subverted the fundamentals of the civil justice system in America?

PANEL IV



Dennis Nixon - Moderator
Associate Dean for Research and Administration,
Graduate School of Oceanography, and Professor of Marine Affairs
University of Rhode Island

Dennis Nixon joined the faculty of the University of Rhode Island in 1976, rising to the rank of Professor of Marine Affairs. He taught courses in admiralty, fisheries, marine pollution, and coastal zone law. He is the author of over 60 articles, papers, and reports as well as the textbook *Marine and Coastal Law*, now in its second edition.

After 25 years on the faculty and Director of the Graduate Marine Affairs Program, Dean Nixon began his career as an academic administrator in 2001 when he assumed the position of Associate Dean for Academic Affairs in the College of the Environment and Life Sciences. He transferred to his current position in 2009, where he has the responsibility of administering all operations on the Narragansett Bay Campus, including the *R/V Endeavor*.

Dean Nixon became involved with research vessel operations in 1986, when he was recruited as a guest speaker on liability issues for the annual meeting of the Research Vessel Operators Council. He undertook several studies on behalf of the National Science Foundation on research vessel insurance and liability issues, and became a regular advisor to the members of the academic research vessel fleet. In 1991, he was asked to serve in the newly created position of Risk Manager and Legal Advisor for UNOLS, a position he has enjoyed since then. In that capacity, he has provided legal advice for UNOLS members and the sponsoring federal agencies. He was instrumental in the transition from charter parties to cooperative agreements in the ships owned by the National Science Foundation. He restructured the insurance requirements for the entire UNOLS fleet. He has visited every major oceanographic program in the United States and provided legal counsel for most of them. As part of the U.S. delegation to the International Ship Operators' Meeting (ISOM), he has visited and lectured in the oceanographic programs of fourteen other countries on five continents.

Dean Nixon received two Outstanding Service Awards in 2009: the first from the National Science Foundation for his work as UNOLS Legal Counsel, and the second from the American Academy of Underwater Sciences for his work on the law of scientific diving.

Dean Nixon received his J.D. from the University of Cincinnati College of Law, a Master of Marine Affairs from the University of Rhode Island and B.A. (*cum laude*) from Xavier University.



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Fred H. Bartlit, Jr., Esq.

Partner, Bartlit Beck Herman Palenchar & Scott LLP

Chief Counsel to the National Commission on BP Deepwater Horizon Spill

Fred Bartlit is the founder of Bartlit Beck (Chicago and Denver), a firm described by the *National Law Journal* as “the nation’s hottest defense boutique, with a roster of litigation stars.” The *National Law Journal* described Mr. Bartlit as “*personally one of the most successful corporate litigators ever, with a long history of big wins.*” In January 2009, *American Lawyer* named Bartlit Beck “Litigation Boutique of the Year”, stating that the firm has a “*Unique Model, Unmatched Results. No hourly fees, no leverage, no laterals. The firm’s model is unique- and its results are, too.*” In March, 2009, Mr. Bartlit was cited as “Lion of the Trial Bar” and “John Wayne in Pinstripe Suit” in the *ABA Journal* feature article. In September 2009, the *National Law Journal* honored Mr.

Bartlit, and his partner Phil Beck by including them in its “Winning Hall of Fame.” Mr. Bartlit and Mr. Beck were recognized for their significant bench or jury trial verdicts and their records of success over many years. Each exemplifies the qualities that make a great lawyer.

Mr. Bartlit has tried cases in 24 different states, the Virgin Islands and Scotland. His trial techniques are described in recent books on the leading trial lawyers in the United States (“*The Trial Lawyers*,” St. Martin’s Press, NY (1988); “*America’s Top Trial Lawyers – Who They Are & Why They Win*,” Prentice Hall, NJ (October 1994)). He represented President George W. Bush in the election contest filed by former Vice President Al Gore in Tallahassee, Florida, contesting the results of the 2000 Presidential election in Florida. In August 2010, Mr. Bartlit was appointed as Lead Investigator and Chief Counsel for President Obama’s National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.



Thomas C. Galligan, Jr.

President and Professor of Humanities

Colby-Sawyer College

Thomas C. “Tom” Galligan, Jr. joined Colby-Sawyer College as its eighth president in August 2006. He previously served as dean and professor of law at the University of Tennessee College of Law in Knoxville, Tenn., where he also taught torts and admiralty. From 1986 until May 1998, President Galligan taught at the Paul M. Hebert Law Center at Louisiana State University (LSU). At LSU, Galligan was named the Dr. Dale E. Bennett Professor of Law and was honored by the students as the Outstanding LSU Professor six times. President Galligan has published numerous books and articles on torts and admiralty. His scholarship has been cited in the proposed Restatement (Third)

of Torts and by numerous legal scholars. It has also been cited by the United States Supreme Court and other federal and state appellate and trial courts. He has also testified on admiralty issues before committees of the U.S. House and Senate.

President Galligan currently serves as co-chair of the New Hampshire Supreme Court Society Civics Education Task Force and is a commissioner for the New Hampshire Post-Secondary Education Commission. He holds an A.B. from Stanford University, a J.D. from the University of Puget Sound (now Seattle University) School of Law and a L.L. M. from the Columbia University Law School.

Under President Galligan’s leadership, Colby-Sawyer has continued its commitment to basing its core decisions on how students will benefit. Through college-wide collaboration and strategic planning, the college has experienced significant growth in enrollment, added new academic majors and minors, increased the size of the full-time faculty, and established the



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Colby-Sawyer College Athletics Hall of Fame. In 2010, following a successful matching-gift campaign, Colby-Sawyer constructed the new Windy Hill School, a LEED-certified laboratory school for the Early Childhood Education Program that offers preschool, kindergarten and after-school programs.

Presentation Abstract: President Galligan will discuss how antiquated maritime tort recovery rules for wrongful death are the tragic foundation for a regime of limited liability. In turn that regime leads to under investments in safety and increased risk. He will also discuss the 1851 Shipowners Limitation of Liability Act and punitive damages in maritime torts.



David Pettit
Senior Attorney
Natural Resources Defense Council

David Pettit joined the Los Angeles staff of the Natural Resources Defense Council in 2007 as the senior attorney in charge of NRDC's Southern California Air Quality Project. He is an experienced civil litigator, having tried more than 100 cases in state and federal courts

For 17 years, Mr. Pettit was a partner in Caldwell, Leslie, Newcomb & Pettit, a Los Angeles law firm specializing in complex civil litigation. Prior to that, he was an associate at O'Melveny & Myers, a deputy city attorney for the City of Santa Monica, and a staff attorney with San Fernando Valley Neighborhood Legal Services.

Mr. Pettit also is active in the legal profession. He has served as a Judge Pro Tem in the Los Angeles Superior and Municipal Courts, and authored articles on land use, and environmental and civil rights for the *Los Angeles Daily Journal*, *Los Angeles Lawyer* magazine and the *National Law Journal*. He is a graduate of UCLA Law School and the UCLA College of Letter and Science, where he majored in philosophy. When he's not trying cases, Mr. Pettit plays rhythm and bass guitar in the Los Angeles Community Klezmer Band.

Presentation Abstract: Mr. Pettit will present the environmental community's suggested legislative changes and their status, current and future changes to MMS/BOEMRE, the natural resource damages assessment process in the Gulf going forward, and the legal issues raised by the recently-issued drilling permits.



Jonathan K. Waldron, Esq.
Partner
Blank Rome LLP

Jonathan Waldron concentrates his practice in maritime, international, and environmental law. Mr. Waldron counsels clients, both domestically and internationally, in areas such as: environmental maritime compliance and pollution response; vessel/facility operations and legislative and regulatory affairs; coastwise trade; criminal defense; maritime security compliance; and citizenship and manning issues. Mr. Waldron is ranked by Chambers USA and Who's Who Legal as a leading shipping and maritime attorney.

Mr. Waldron served in the U.S. Coast Guard for 20 years, attaining the rank of commander and served as the overall coordinator of legal issues for the Coast Guard during the Exxon Valdez incident. He served as senior counsel to the Marine Spill Response Corporation following his service in the Coast Guard, where he provided on-scene legal advice at major spill events. He is a graduate of the U.S. Coast Guard Academy (BS) and the University of Miami School of Law (JD cum laude).



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GENERAL INFORMATION

Food & Beverages

Conference registration includes admission to the program, continental breakfast and lunch. The Bay View Room and Second Floor Atrium are available for use during the breakfast, breaks and lunches. A sign is posted at the door to the Bay View Room.

Continuing Legal Education (CLE) Credit

The Rhode Island MCLE Commission has granted **7 credits** (no ethics credits) by attending the conference. Please note rules differ in each jurisdiction. Please see conference staff at the registration table for a CLE certificate.

No Smoking

Roger Williams University has a no-smoking policy in effect within all buildings.

Telephones

There are two public telephones located in the School of Law: one located on the main floor next to the elevators and one on the lower level far side of the cafeteria near the mailboxes.

Directions to T.F. Green Airport from law school

(45 mins. to an hour, depending on traffic)

Leaving campus, turn right onto Route 136N. Follow Rt. 136 for approx. 8 miles to the light at Route 6 (MA).

Go through the light and follow signs to I-95W. Follow I-95W to I-95 South. Take Exit 13 to T. F. Green Airport.



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ACKNOWLEDGEMENTS

Thank you to our Institute partners for their invaluable contributions to this event:



Roger Williams University School of Law, the only American Bar Association-accredited law school in Rhode Island, provides a broad-based legal education to over 600 students, drawn from over 40 states and 300 colleges and universities. Founded in 1993, the School of Law is a young, dynamic institution that has made its mark in the professional and educational legal communities in an unprecedented short period of time. The School of Law earned full accreditation approval from the American Bar Association by February 1997, the earliest possible time under the Association's rules and procedures, and became a member of the Association of American Law Schools in 2006.

Although a young law school, its academic profile is rising sharply. Since 2000, applications have jumped as the school has added new faculty with national reputations. Law school professors have appeared on television, radio, and print media as expert commentators on a range of subjects including the Martha Stewart criminal case, Vioxx civil litigation, sentencing guidelines, and the status of Guantanamo detainees.

The Marine Affairs Institute, the Feinstein Institute for Legal Service, three exciting live-client clinics, and summer programs in London provide students unique opportunities to learn outside of the confines of the traditional classroom setting. Visit the School of Law at <http://law.rwu.edu>.



The Rhode Island Sea Grant College Program is a federal-state-university partnership, based at the University of Rhode Island, which designs and supports research, outreach, and education programs that foster coastal and marine stewardship. Rhode Island Sea Grant is one of over 30 programs that make up the National Sea Grant College Program, a part of the National Oceanic and Atmospheric Administration. Rhode Island Sea Grant works with federal, state, and local partners to achieve its goals.

Rhode Island Sea Grant addresses challenges of human-dominated ecosystems through efforts in two core thematic areas: Sustainable Coastal Communities and Ecosystems and Sustainable Fisheries. Visit Rhode Island Sea Grant at <http://seagrant.gso.uri.edu>. It also boasts of having one of the four Sea Grant Legal Programs in the country. The Legal Program, located at the Marine Affairs Institute at Roger Williams University School of Law, provides analysis and research of marine law issues to further innovative legal and policy approaches to coastal and fisheries management.



The National Oceanic and Atmospheric Administration's (NOAA's) mission is to understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs. This mission is based on a vision that an informed society uses a comprehensive understanding of the role of the oceans, coasts, and atmosphere in the global ecosystem to make the best social and economic decisions to protect life and property and conserve and protect our natural resources. NOAA's data, scientific research and technical products are instrumental in advancing the environmentally-sound use of the marine environment by both traditional and evolving new technologies.



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NOAA is extensively involved in coastal and ocean energy matters through its mandates related to fisheries, marine mammals and other protected marine resources, national marine sanctuaries, coastal zone management, oceanic and atmospheric research, etc. Energy facilities provide significant economic and energy self-sufficiency benefits to the nation. Energy projects also impact the coastal and ocean biological and physical environment as well as have socio-economic impacts on coastal and ocean uses and users. Energy demands are increasing the need to facilitate the appropriate siting of energy-related activities and to coordinate authorities of states and federal agencies and the interests of affected parties. NOAA, through its many mandates related to meeting the Nation's energy needs, seeks to reduce coastal use conflicts, conserve coastal resources, and to work with coastal managers, fishery managers, and decision makers to address energy facility technologies and siting.

THE UNIVERSITY OF RHODE ISLAND

COLLEGE OF THE ENVIRONMENT
AND LIFE SCIENCES

The University of Rhode Island offers world-class training in the basic sciences combined with hands-on learning that will shape students into successful problem solvers. Students in CELS have the opportunity to learn in advanced research laboratories and community outreach settings, where they gain important real-world experiences. Our internationally renowned faculty members are student oriented and winners of numerous national teaching awards. Our programs integrate classroom studies, field training, internships and research experiences with faculty and staff. Students develop well-honed skills that prepare them to be scientists, managers and policymakers destined for key roles in the life sciences and in the stewardship of our environment and society.

DEPARTMENT OF MARINE AFFAIRS

Marine Affairs is the multi-disciplinary, systematic study of the human uses of coastal and ocean space and the resources found there and the myriad factors that influence that pattern of use. Central to marine affairs are concerns relating to conflict of use and the need to maintain the sustainability of the natural environment. To this end, the Department of Marine Affairs focuses on the governance of coastal and ocean uses, the need for and development of integrated approaches to governance, and the potential for governance systems and mechanisms to incorporate consideration of relevant ecosystems and their dynamics. Increasingly, as attention turns to management efforts on an ecosystem basis, whether in terms of coastal watersheds, the coastal zone, estuaries, large marine ecosystems or some combination thereof, the need to incorporate marine science in public policy becomes more pronounced and is a concern of marine affairs. A central goal is the development of appropriate governance systems that utilize adaptive management techniques on an ecosystem basis.

The mission of the Department of Marine Affairs is to provide leadership in the management of marine and coastal environments through distinction in teaching, research, and outreach programs. The department's teaching mission is accomplished through degree programs at the Bachelor's, Master's, and Doctoral levels. Through their coursework, independent research and internships, students develop the research, communication, and leadership skills necessary to make important professional contributions in the sustainable management of ocean and coastal resources. Department faculty engage in research on a wide range of issues related to the central mission of sustainable and effective ocean and coastal management. The faculty demonstrates "real world" applications of a Marine Affairs education through involvement with governments, international organizations, business, professional groups, and non-governmental organizations.



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The Marine Affairs Institute/Rhode Island Sea Grant Legal Program at Roger Williams University School of Law educates and prepares exceptional marine law professionals and is the home of North America's expert marine law and policy researchers, educators and conveners. We achieve our goals by:

- Offering rigorous and diverse maritime and marine law courses.
- Providing full extracurricular opportunities to develop excellent research, writing and advocacy skills.
- Convening local, regional, national and international experts in a neutral forum to address relevant maritime and marine law issues.
- Leveraging unique institutional strengths and interdisciplinary approaches of our partners, Rhode Island Sea Grant and the University of Rhode Island.

Curriculum

Courses are taught by full professors as well as by expert practitioners, and include:

Admiralty Law	Marine Insurance
Administrative Law	Marine Pollution
Climate Change Law	Marine Salvage
Environmental Law	Maritime Security Law
Fisheries Law	Ocean and Coastal Law
Law of the Sea	Ocean Management and Policy

Sea Grant Law Fellows

In partnership with the Rhode Island Sea Grant College Program, the Institute hires law students as Sea Grant Law Fellows to conduct legal research and analysis for government agencies, industry and non-profit organizations. Fellows are supervised and work on timely legal issues such as fisheries management and coastal access, honing their legal research and writing skills while acquiring hands-on application of their classroom knowledge. Constituents benefit from receiving balance, neutral research while also providing students with real world experience.

Marine Affairs Joint Degree Program

Students interested in more extensive study of marine law and policy may simultaneously earn a JD from RWU and a Master of Marine Affairs degree from the University of Rhode Island (URI) in 3 ½ years through sharing of selected credits. Joint degree students enhance their legal education with additional courses at URI on economic, international and policy considerations, positioning them well to address today's complex maritime, ocean and coastal legal issues.

Events

The Institute sponsors speakers, symposia, and inter-disciplinary training programs that provide law students and practitioners with opportunities to meet with other marine law professionals in both formal and informal settings to learn about recent developments in ocean and coastal law. Topics include marine renewable energy, international cargo liability, ecosystem based management and fishery law.



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