

Adaptive Planning for Coastal Change: Legal Issues for Local Government

Friday, April 19, 2013, 9:00 am to 4:45 pm

Long Key Natural Area & Nature Center, 3501 S.W. 130th Ave., Davie, FL 33330

OBJECTIVES

- Introduce climate change law generally and develop focus on most obvious impact for Florida: sea-level rise
- Present importance of and ways to develop local notice ordinances
- Describe rolling easements, and give examples of possible implementation
- Discuss the impact of the Bert Harris Act on the ability of local governments to engage in adaptive planning, share information on the 2011 amendments, and present defenses and strategies relevant to Bert Harris
- Present on state-level planning initiatives such as the pilot project on Adaptation Action Areas
- Understand potential liability of local governments for flooding or infrastructure related to coastal hazards such as sea-level rise; review the case of *Jordan et al.* in St. Johns County
- Share planning resources available to communities working to address SLR

9:00 am Welcome and Introductions; pre-evaluation

Session I: Laying a Foundation for Climate Change Law & Policy (That Doesn't End Up All Wet)

9:05 – 9:35 am Understanding and Addressing Climate Vulnerabilities in Our Communities; Dr. Nancy Gassman, Broward County and SE Fla. Climate Compact

9:35 – 10:25 am The Big Picture on Climate Change Law: Heating Up the Discussion; Erin Deady of Erin L. Deady, P.A.

10:25 – 10:40 am Break



For questions about the program, please contact either:

Thomas Ruppert (truppert@ufl.edu 352-392-5870)

or

Erin Deady (erin@deadylaw.com 954-593-5102)

Approved for 6 CECs for Certified Flood Plain Managers

Applied for CLEs for Florida attorneys (7 credits anticipated)

Applied for CM Units for certified planners (5 units anticipated, including 1.5 legal credits)

Session II: Property Rights, Government Liability and Planning for Climate Change: Is the Fiction Stranger Than Truth?

- 10:40 – 11:10 am Property Protections 101: Takings Law & Making Adaption Strategies “Takings Proof”; Michael Wolf, UF Levin College of Law
- 11:10 – 12:00 pm Takings Law and Adaptation Planning: Reasonable Investment-Backed Expectations and the Bert J. Harris, Jr., Private Property Rights Protection Act; Thomas Ruppert, Florida Sea Grant
- 12:00 – 12:50 pm Lunch (on-site lunch included in registration)
- 12:50 – 1:20 pm The Wake-Up Call for Local Government Liability and Coastal Change: The *Jordan* Case; Patrick McCormack, St. Johns County Attorney
- 1:20 – 1:55 pm Other Considerations for Adaptive Planning for Coastal Change; Samantha “Sam” Medlock, Policy Manager for the Association of State Flood Plain Managers

Session III: Best Practices and Measuring Progress of Tools and Strategies for Adaptation

- 1:55 – 2:30 pm Best Practices for Adaptation Planning; Kim Lundgren, AICP, Climate & Energy Practice Leader, VHB Miller Sellen (formerly of ICLEI)
- 2:30 – 2:45 pm Break—refreshments provided
- 2:45 – 3:20 pm Rolling Easements: Theory and Practice Intro; Richard McLaughlin, Harte Research Institute at Texas A&M University

Session IV: Real Life Applications and Implementation for Climate Change Adaptation in the Regulatory and Planning Context

- 3:20 – 3:50 pm Overview of Adaptation Action Areas and Initiative at state level; Julie Dennis, planner, Florida Department of Economic Opportunity
- 3:50 – 4:30 pm Group/Panel Discussion: Implications of the Jordan et al. Case and Infrastructure Divestment Issues
- 4:30 – 4:45 pm Course Evaluation and Conclusion

Additional resources and links available at Florida Sea Grant’s Coastal Planning page:

<http://www.flseagrant.org/coastalplanning/>

The National Oceanic and Atmospheric Administration’s “Digital Coast” website contains extensive data resources, tools, and training opportunities:

<http://www.csc.noaa.gov/digitalcoast/>

The Climate Adaptation Knowledge Exchange has numerous case studies (by geographic area), a virtual library, and a tools section: <http://www.cakex.org/>

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