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Environment, Development & Justice Project: 2012-2013 Annual Report



06/25/2013

This memorandum summarizes the initiatives, student achievements, and faculty activities of the Environment, Development & Justice Project in the 2012-2013 academic year.

Mission Statement

Founded in 2011, the Environment, Development & Justice Project (EDJP) of the Center for International Law and Justice (CILJ) at Florida A&M College of Law is a multi-faceted program to promote faculty and student engagement within and outside the law school community on pressing issues involving environmental regulation, the needs of developing countries and of minority and low-income populations, and how these two topics intersect in the domestic and international law fields in promoting justice for vulnerable populations while ensuring adequate protection of the natural environment.

The EDJP seeks to advance FAMU College of Law's overall mission of training minority students for the legal profession and, more particularly, to place FAMU graduates in careers in domestic and international environmental law field, areas in which there is significant historical under-representation for minorities.

I. Project Initiatives

A. *Internships in Domestic and International Environmental Law*

Environmental Law and Justice Internship Placements (Summer 2013)

- Cindi McGee – NOAA International Program (Washington, DC)¹
- Cameryn Rivera – EPA Region IV (Atlanta, GA)
- Monica Fish - Greenaction (San Francisco, CA)²

All internships have an international or comparative law component to qualify for credit

B. *Environmental Law and Justice Symposium*

- Third Annual Environmental Law and Justice Symposium, held on Nov. 1-3, 2012 at the main campus (2012 theme: *Climate Change and Global Food Security*)
- Third Annual Symposium program is available here: <http://law.famu.edu/download/file/Program20121030.pdf>
- Fourth Annual Environmental Law and Justice Symposium will be held on Nov. 7-8, 2013 at the College of Law (2013 theme: *Empowering Environmental Justice Communities*)

¹ Prof. Abate conducted a site visit for this internship in June 2013.

² Prof. Abate conducted a site visit for this internship in June 2012.

C. *FAMU Law Review: Environmental Law and Justice Symposium Issue*

- Third symposium issue is scheduled for publication in August 2013
- Second symposium issue, featuring scholarship from law professors and practitioners from five countries, was published in October 2012
- First symposium issue published in October 2011

D. *Annual Spring Environmental Justice Lecture*

- Prof. David Deganian (Mar. 2013)
- Brett Paben, Esq. (Mar. 2012)
- Justine Thompson, Esq. (Apr. 2011)

E. *Environmental Law Lectures and Career Development Initiatives*

- Lecture by Dr. Sarah Krejci, Ph.D. in Oceanography, “Principles of Oceanography for Environmental Lawyers,” Aug. 29, 2012
- Lecture by Prof. Claudio Lutzky, Executive Director, Climate Change Law Program, University of Buenos Aires Law School, “Sustainability as a Challenge for Legal Thinking,” Oct. 17, 2012
- Panel Discussion, “Ocean Law and Policy Challenges in Florida and the Caribbean,” Jan. 10, 2013
- Panel Discussion, “Coastal Law and Policy Challenges in Florida and the Caribbean,” Jan. 24, 2013
- Lecture by Lindsay Harper, “Telling Our Own Stories: Empowering Our Communities and Ourselves,” Apr. 4, 2013

F. *NOAA-ECSC Grant*

- Profs. Abrams and Abate participated in drafting and implementing a multi-year grant received by FAMU’s Environmental Cooperative Science Center (ECSC).
- In 2012-2013, the grant funded three COL research assistants in summer 2012 (splitting 40 hrs/wk) and three \$10,000 fellowships for COL students on ocean and coastal law issues in the Gulf of Mexico region.
 - Fellows: Victoria Orero, Elizabeth Nakagoshi, and Cindi McGee
 - Research Assistants: Stacy Fallon, Mike Nichola, and Akunna Olumba
- NOAA-ECSC fellows conduct grant-sponsored research examining ocean and coastal issues in the Gulf of Mexico region. These fellows are part of the NOAA Educational Partnership Program and emphasize educational outreach to communities that are traditionally underrepresented in the Science, Technology, Engineering, and Mathematics (STEM) workforce. Under this most recent renewal of the grant to FAMU, the focus has been expanded to include “Policy and Decision Tools,” which includes the processes by which STEM research is integrated into ocean and coastal law governance. Professors Abrams and Abate supervise the NOAA-ECSC Fellows program.

- Profs. Abrams and Abate have selected the new fellows for 2013-2014
 - Cindi McGee, Carlton Huntley, Cameryn Rivera, Loren Vasquez, Kayann Chambers, and Daniela Carrion
 - Three of these fellows will participate in an intensive core competency course in Apalachicola, FL from Aug. 5-9 on marine and coastal science, law, and policy in the Gulf region

II. Student Achievements

A. *LL.M. Degrees in Environmental Law*

These FAMU graduates will begin LL.M. in Environmental Law programs in Aug. 2013:

Daniel Lewis ('13) – University of Florida College of Law
 Michael Nichola ('13) – University of Florida College of Law

These FAMU graduates completed LL.M. in Environmental Law degrees in May 2013:

Alexander Brick ('10) – Florida State College of Law
 Pauline Evans ('10) – Florida State College of Law
 Francheska Markus ('12) – George Washington University Law School

These FAMU graduates completed LL.M. in Environmental Law degrees in May 2012:

Josie Balzac ('11) – George Washington University Law School
 Vanessa Danley ('11) – University of Oregon School of Law
 Joe Dillon ('11) – Pace Law School
 Giselle Peruyera ('10) – St. Thomas Law School

B. *LL.M. Graduate Activities*

- **Francheska Markus ('12)** is working as an environmental consultant for WSP Natlikan (based in Stockholm, Sweden), which provides monitoring and updating services in Environmental Law, Health & Safety, and Food Safety. She is researching existing and pending legislation to present to clients through web based tools.

C. *FAMU Students Publishing Articles on Environmental Law Topics*

- Sabrina Collins, *A Tale of Two Cities: The Need for Greater Federal Involvement to Ensure Proper Notification, Medical Monitoring and Treatment, and Successful Relocation for Tallevast, Florida and Other Environmental Justice Communities*, 3 ENVTL. & EARTH L.J. (Barry Law School) (forthcoming Spring 2014)
- Mfon Etukeren, *Hydrofracking and Environmental Justice: A Proposal to Lower the Threshold for Evidence of Discriminatory Impact in Title VI Complaints*, 4 SEATTLE J. ENVTL. L. (forthcoming Fall 2013)

- Annie Wilkinson, *The Health of Nations: Ecuador's Twenty Year Crusade to Establish Environmental Human Rights as Customary International Law*, 11 DARTMOUTH L.J. (forthcoming Fall 2013)
- William Nartey, *A REDD Solution to a Green Problem: Using REDD Plus to Address Deforestation in Ghana through Benefit Sharing and Community Self-Empowerment*, 21 AFRICAN J. INT'L & COMP. L. (forthcoming Fall 2013)
- Natalia Gove, *A Proposal for Addressing Violations of Indigenous Peoples' Environmental and Human Rights in the Inter-American Human Rights System*, 4 U. LOUISVILLE J. ANIMAL & ENVTL. L. 184 (2013)
<http://www.jael-online.org/wp-content/uploads/JAELVolume4Number2.pdf>
- Malcolm Lavaud, *Addressing Potential Environmental and Health Threats from Climate Change in Inuits Living in Quebec*, THE STUDENT APPEAL (Apr. 2013)
<http://thestudentappeal.com/article/climate-change-in-quebec>
- Stacy Fallon, *Don't Leave the Sami Out in the Cold: The Arctic Region Needs a Binding Treaty that Recognizes Its Indigenous People's Right to Self-Determination and Free, Prior and Informed Consent*, 3 LAW OF THE SEA REPORTS (online journal of the American Society of International Law) (2012) <http://www.asil.org/losreports/>

D. Other Student Achievements

Elizabeth Nakagoshi ('13)

- Delivered a presentation, *The Need for Enhanced Federal Regulation of the Dispersant Corexit to Ensure Sustainable Populations of West Indian Manatees*, at the NOAA-ECSC conference at the InterContinental Hotel in Tampa on March 11, 2013. Her presentation received high praise from the approximately 40 participants in attendance, including science and policy experts from the National Oceanic and Atmospheric Administration (NOAA) and faculty, post-docs, and graduate students from several universities (FAMU, Creighton, University of Texas-Brownsville, Delaware State, and Jackson State).
- Earned second place in the "Sustainable U" Poster Competition at the Third Annual Environmental Law and Justice Symposium in Tallahassee on Nov. 2, 2012 (received \$200 Visa gift card)

Amber Sliger ('14)

- Selected as a volunteer research and writing intern (working from Orlando) for *Our Children's Trust*, an environmental NGO based in Eugene, Oregon that focuses on climate justice litigation throughout the U.S. (Summer 2013)

III. Faculty Activities in the 2012-2013 Academic Year

Prof. Randall S. Abate

Books and Book Chapters

- CLIMATE CHANGE IMPACTS OF OCEAN AND COASTAL LAW: U.S. AND INTERNATIONAL PERSPECTIVES (Oxford University Press, forthcoming November 2014)
- CLIMATE CHANGE AND INDIGENOUS PEOPLES: THE SEARCH FOR LEGAL REMEDIES (Randall S. Abate & Elizabeth Ann Kronk, eds.) (Edward Elgar Publishing 2013)
- Book Chapter, *Ocean Iron Fertilization: Science, Law, and Uncertainty* in CLIMATE CHANGE GEOENGINEERING: PHILOSOPHICAL PERSPECTIVES, LEGAL ISSUES, AND GOVERNANCE FRAMEWORKS (William C.G. Burns & Andrew Strauss, eds.) (Cambridge University Press, forthcoming July 2013)

Law Journal Articles

- *Corporate Responsibility and Climate Justice: A Proposal for a Polluter-Financed Relocation Fund for Federally Recognized Tribes Imperiled by Climate Change*, 25 Fordham Env'tl. L.J. (forthcoming Fall 2013) (invited symposium submission)
- *International and Domestic Law Dimensions of Climate Justice for Arctic Indigenous Peoples*, 45 U. Ottawa L.J. (forthcoming Fall 2013) (with Elizabeth Ann Kronk) (invited symposium submission)
- *Commonality Among Unique Indigenous Communities: An Introduction to Climate Change and its Impacts on Indigenous Peoples*, 26 Tul. Env't'l L. J. 179 (2013) (with Elizabeth Kronk) (lead article in special issue on climate change and indigenous peoples)

Presentations

- Panelist, *REDD and Indigenous Peoples: More Harm than Good?*, 17th Annual Tribal Law and Government Symposium, University of Kansas School of Law, Mar. 1, 2013
- Panelist, *Corporate Responsibility and Climate Justice: A Proposal for a Polluter-Financed Relocation Fund for Federally Recognized Tribes Imperiled by Climate Change*, 20th Annual Fordham Environmental Law Review Symposium, Fordham Law School, Feb. 22, 2013
- Panelist, *Climate Justice and the Kivalina Case: Can the Courts Provide an Adequate Solution?*, Symposium on Environmental Justice and Human Rights: Exploring the Tensions, Investigating the Possibilities, University of Ottawa Law School, Nov. 8-9, 2012
- Moderator, *Climate Change, Food Security, and Arctic Indigenous Peoples*, Third Annual FAMU Environmental Law and Justice Symposium, Nov. 1-3, 2013

- Lecture, *New Directions in Climate Change Law and Justice in a Post-Kyoto World*, University of Buenos Aires Law School, August 12, 2012, Buenos Aires, Argentina
- Lecture, *Climate Change in the Courts: Promoting Justice or Undue Judicial Activism?*, ABA Section on International Law Breakfast, August 9, 2012, Buenos Aires, Argentina
- Panelist, *Climate Change and Indigenous Peoples: The Search for Legal Remedies*, Conference on New Perspectives in Environmental Law, UCES Law School, August 8, 2012, Buenos Aires, Argentina
- Lecture, *Climate Change and Indigenous Peoples: The Search for Legal Remedies*, University of Nairobi, College of Humanities and Social Sciences, July 6, 2012, Nairobi, Kenya

Other Activities

- Fulbright Specialists Grant Award Recipient
 - Delivered lecture Series on *Climate Change Law and Justice*, National Aviation University, Kiev, Ukraine, Apr. 15-16, 2013
 - Taught two-credit *Climate Change Law and Justice* course, National Law Academy, Odessa, Ukraine, Apr. 17-30, 2013

Prof. Robert H. Abrams

Publications

- Thompson, Jr., Barton, Leshy, John, & Abrams, Robert, LEGAL CONTROL OF WATER RESOURCES, 5th ed. (West 2013)
- Thompson, Jr., Barton, Leshy, John, & Abrams, Robert, A TEACHER'S MANUAL FOR LEGAL CONTROL OF WATER RESOURCES, 5th ed. (West 2013)
- Amicus Brief on behalf of Law Professors Interested in Property Law, submitted and cited in the majority opinion of *Arkansas Game & Fish Commission v. United States*, 133 S. Ct. 511 (2012) (available on-line at 2012 WL 3875238)
- Abrams, Robert H., *Water, Climate Change, and the Law: Integrated Eastern States Water Management Founded on a New Cooperative Federalism*, 42 ENVTL. L. REP. 10433 (2012)
- Abrams, Robert H., *Legal Convergence of East and West in Contemporary American Water Law*, 42 ENVTL. L. 65 (2012)

Presentations

- Speaker, NOAA-EPP-ECSC Conference, Report of Policy and Decision Tools Focus Area, March 11, 2013, Tampa, FL

- Speaker & Moderator, Not Weather Ready: Water Resources Management, 6th NOAA-EPP Forum, Florida A & M University, March 26, 2012
- Speaker & Moderator, Legal Convergence in American Water Law, 30th Annual American Bar Association Water Resources and Water Law Conference, February 12, 2012, San Diego, CA