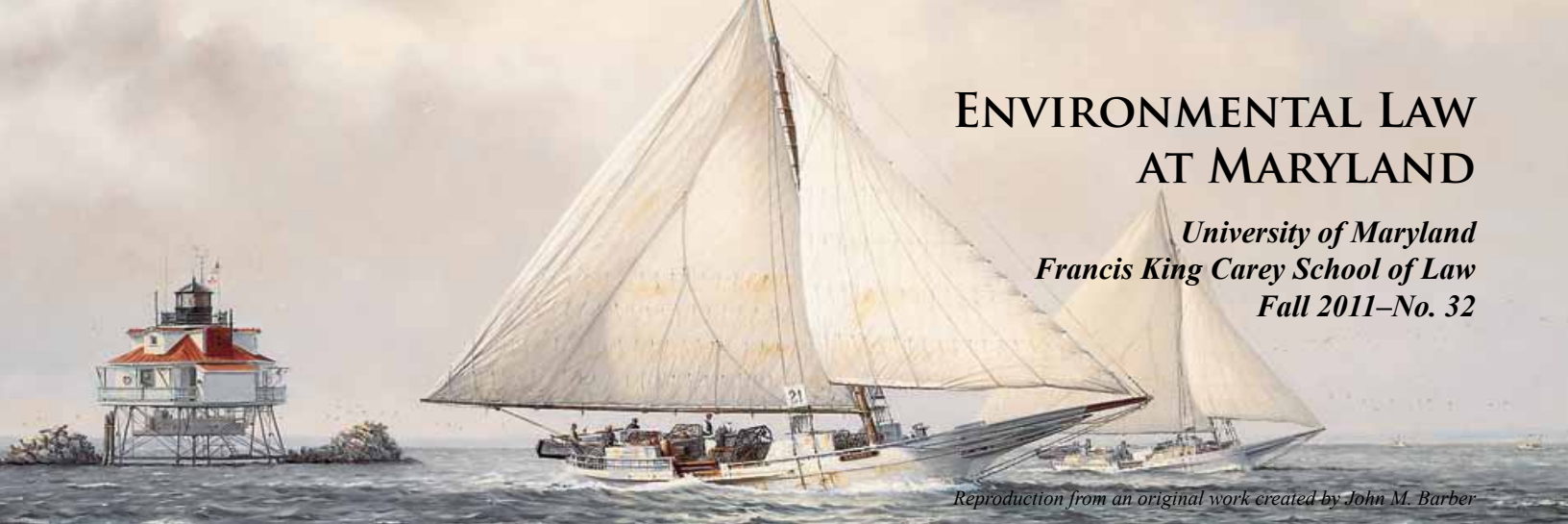


ENVIRONMENTAL LAW AT MARYLAND

*University of Maryland
Francis King Carey School of Law
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GLOBAL COLLOQUIUM TO CAP 25TH ANNIVERSARY CELEBRATION FOR MARYLAND'S PROGRAM

In 2012 the University of Maryland Francis King Carey School of Law will celebrate the 25th anniversary of its Environmental Law Program by hosting the largest annual global environmental law colloquium. For nearly a decade the world's top environmental law scholars have gathered on a different continent each year for the annual colloquium of the International Union for the Conservation of Nature's Academy of Environmental Law (IUCN Academy) (see article on p. 2). This week-long gathering of specialists in environmental law now regularly attracts hundreds of experts from every corner of the globe. From July 1-5, 2012, the University of Maryland Environmental Law Program will have the honor of hosting the 10th Colloquium of the IUCN Academy.

Founded in 2003, the IUCN Academy's membership now includes 149 law faculties and environmental research centers from all regions of the world. In August 2011 the Academy received the American Bar Association's Award for Distinguished Achievement in Environmental Law and Policy at the ABA Annual Meeting in Toronto, Canada. This award recognized the Academy's outstanding accomplishments in improving environmental law research, teaching and policy initiatives.

The theme of the 10th IUCN Academy Colloquium will be "Global Environmental Law at a Crossroads." The timing of the conference will be particularly propitious because it will be held just one month after world leaders gather in Rio in June 2012 for the "Rio+20" Earth Summit. The Colloquium will examine the path forward for the development of global environmental law and governance,



China Ministry of Environmental Protection General Counsel Bie Tao addressing the 2009 Colloquium of the IUCN Academy of Environmental in Wuhan, China

including opportunities for overcoming political resistance to policies to promote sustainable development and new strategies for improving national, regional and international environmental law.

The 2012 Colloquium will feature more than 100 paper presentations on cutting-edge topics involving developments in environmental law and policy throughout the world. Participants will enjoy a dinner and Fedder lecture at the National Aquarium Baltimore, an international wine tasting, a global environmental film festival, and an optional outing to a Baltimore Orioles game. The festivities also will include an optional Fourth of July "crab cruise" on

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the Baltimore Harbor that will give the participants a front row seat to watch Baltimore's annual Independence Day fireworks display.

The organizers of the Colloquium will be issuing a call for papers during Fall 2011 with paper abstracts due by February 2012. The Colloquium is open to all environmental law professors and their students with special rates for those attending from institutions who are Academy Members. For further information about the Colloquium and a video urging you to attend in more than 20 languages, visit <http://www.law.umaryland.edu/iucnael2012>.

IUCN ACADEMY OF ENVIRONMENTAL LAW COLLOQUIA

- First Colloquium, Shanghai Jiao Tong University, Shanghai, China, "The Law of Energy for Sustainable Development," November 2003
- Second Colloquium, University of Nairobi, Nairobi, Kenya, "Human Habitats and Land Stewardship," October 2004
- Third Colloquium, Macquarie University, Sydney, Australia, "Biodiversity: Bridging the Divide," July 2005
- Fourth Colloquium, Pace University, White Plains, NY, USA, "Compliance and Enforcement of Multilateral Environmental Agreements," October 2006
- Fifth Colloquium, Rio de Janeiro and Parati, Brazil, "Rio+15: A Legal Critique of Ecologically Sustainable Development," June 2007
- Sixth Colloquium, Universidad Autonoma Metropolitana, Mexico City, Mexico, "Poverty Alleviation and Environmental Protection," November 2008
- Seventh Colloquium, Wuhan University, Wuhan, China, "Environmental Governance and Sustainability," November 2009
- Eighth Colloquium, Ghent University, Ghent, Belgium, "Linkages Between Biodiversity and Climate Change," September 2010
- Ninth Colloquium, Mpekweni Beach Resort, Eastern Cape, South Africa, "Water and the Law Towards Sustainability," July 2011
- Tenth Colloquium, University of Maryland Francis King Carey School of Law, Baltimore, Maryland USA, "Global Environmental Law at a Crossroads," July 2012

ABOUT THE IUCN ACADEMY OF ENVIRONMENTAL LAW AND ITS ANNUAL COLLOQUIUM

The IUCN Academy of Environmental Law was established pursuant to a resolution approved in 2000 at the IUCN's World Conservation Congress in Amman, Jordan. The purpose of the Academy is to improve collaboration and capacity-building for environmental law and policy research, teaching and public service. The Academy's Secretariat is housed at the University of Ottawa, Faculty of Law in Canada.

The Academy held its first annual Colloquium in November 2003 at Shanghai Jiao Tong University in China. At its second Colloquium in 2004, which was held in Kenya at the University of Nairobi, the keynote speaker was Wangari Maathai who eloquently described the world of her Green Belt Movement that led to her being declared the surprise 2004 winner of the Nobel Peace Prize, which was announced shortly after her presentation. In 2005 environmental law scholar Joe Sax delivered the keynote address at the Third Colloquium held at Macquarie University in Sydney, Australia. Colloquia have now been held on every populated continent in the world. The 2013 Colloquium will be held at the University of the South Pacific in Tuvalu.



Participants at the 2005 Colloquium "Biodiversity Conservation, Law and Livelihoods: Bridging the North-South Divide," held in Sydney, Australia.



Justice Antonio Benjamin of the Supreme Court of Brazil with Dr. Ricardo Lorenzetti, Chief Justice of the Supreme Court of Argentina at the 2007 Colloquium in Brazil.



Alejandro Iza, Director of the IUCN Environmental Law Centre in Bonn, speaking at the opening ceremonies of the 2011 Colloquium in South Africa.

\$30 MILLION CONTRIBUTION FROM CAREY FOUNDATION AMONG THE LARGEST GIFTS IN HISTORY OF LEGAL EDUCATION

The W. P. Carey Foundation made history on April 25, 2011 when it announced that it was making a \$30 million donation to the University of Maryland School of Law. In appreciation for the donation, Maryland has added the name of a distinguished 1880 alum from the Carey family to its name. On September 16, 2011, the law school celebrated its new name—the University of Maryland Francis King Carey School of Law—during the Dean’s Convocation, which featured alumni awards and a conversation with U.S. Supreme Court Justice Sonia Sotomayor. Justice Sotomayor addressed questions from students on a wide range of legal issues for more than an hour to a packed house of over 400 students, graduates, and faculty. The day marked the celebration of the W. P. Carey Foundation’s gift of \$30 million to the University of Maryland School of Law. The gift is the largest in the School’s history and one of the top 10 largest gifts to any law school in the country. The gift will enable the School of Law to strengthen its programs, particularly faculty support, and increase the School’s endowment.



The announcement of the Carey Foundation gift on April 25, 2011. 1st row (from l to r): University President Jay Perman, Baltimore Mayor Stephanie Rawlings-Blake '95, Wm. Polk Carey, UMD Law Dean Phoebe Haddon, and Maryland Governor Martin O'Malley '88. 2nd row (from l to r): University System Chancellor William "Brit" Kirwan, Congressman Elijah Cummings '76, and Francis J. Carey.

The Dean’s Convocation included an alumni awards celebration at which Maryland Governor Martin O’Malley ‘88 was honored with the Distinguished Graduate Award. The event also included a major address by Dean Phoebe Haddon, as well as remarks by U.S. Senator Benjamin Cardin, a 1967 alumnus of UM Carey Law and founder of the school’s Cardin Requirement, which mandates that students provide legal services to the public.

The W. P. Carey Foundation Gift

Francis King Carey, an 1880 graduate of the law school who became a prominent attorney and civic leader in Maryland, was the grandfather of Carey Foundation founder William Polk Carey. A legal and business pioneer, Francis King Carey served on numerous corporate and civic boards and helped to start two large and successful law firms, now named Semmes, Bowen & Semmes, and DLA Piper. Carey was also a legal scholar who wrote what became the standard text on domestic relations law.

The gift to the law school represents a larger commitment the Carey Foundation has made to higher education, donating generous gifts to the Johns Hopkins University and Arizona State University business schools, which also bear the Carey name. The mantra of the Carey Foundation has been “doing good while doing well” since its inception in 1988. William Polk Carey, chairman of W. P. Carey & Co. LLC and the W. P. Carey Foundation, explained “‘(d)doing good while doing well’ means that when we are financing properties for companies we are also helping the communities those companies serve.” The Carey Foundation charitable giving, totaling \$150 million, has certainly backed their philosophy with action.

The entire law school community and the Environmental Law Program are deeply grateful for the Carey Foundation’s generosity and excited about the many future initiatives it will enable the school to undertake.

PROFESSOR RENA STEINZOR AND CENTER FOR PROGRESSIVE REFORM SPEAK OUT AGAINST OBAMA ADMINISTRATION OZONE RETREAT

On September 2, 2011, President Obama announced that he has “requested” EPA Administrator Lisa Jackson to withdraw the draft Ozone National Ambient Air Quality Standard (NAAQS), ostensibly to reduce “regulatory burdens and regulatory uncertainty” on industry and state governments who would be required to develop plans to implement the new ozone standard. The requested withdrawal comes despite the unanimous recommendations of the Clean Air Scientific Advisory Committee and Administrator Jackson’s concerns that the existing ozone NAAQS (and the 2008 proposed standard the draft was to replace) are not legally defensible. As Center for Progressive Reform (CPR) policy analyst and Maryland alum James Goodwin ‘07 noted “(t)he Obama Administration turned its back on both science and the law.”¹ More importantly, as Professor Rena Steinzor notes, this withdrawal is extremely costly to our nation’s public health.

The Ozone Standard Retreat

One of the environmental issues at the fore of the Obama Administration had been revising the 2008 ozone NAAQS. The 2008 ozone standard proposed lowering the primary ozone NAAQS from .08 ppm to .075 ppm. However, this proposal was seen by many, including the Clean Air Scientific Advisory Committee (CASAC), as an arbitrary standard that did not sufficiently protect public health. CASAC had unanimously recommended to the Bush Administration an ozone standard of between .060 and .070 ppm, i.e. a standard that would protect public health with an adequate margin of safety as required under the Clean Air Act §109. Rather than trying to implement the 2008 standard which ignored CASAC’s recommendations, the EPA led by Lisa Jackson decided to pull the 2008 proposed standard and re-issue a new standard, noting her concerns that the .075 ppm NAAQS was not legally or scientifically defensible.

In September 2010, EPA began formal reconsideration of the ozone standard. The EPA asked CASAC to revisit its recommendations in an abundance of caution, prepared its formal proposal and submitted it to the White House Office of Management and Budget on July 11, 2011 for final review with all indications that the proposed ozone rule would be within the .060 and .070 ppm range that CASAC had recommended more than three years ago. Soon thereafter, Professor Steinzor noted that the three year delay is causing premature deaths, non-fatal heart attacks, chronic bronchitis, asthma attacks, and missed work and school days. Professor Steinzor also warned that further review by the White House Office of Information and Regulatory

Affairs (OIRA) provides yet more opportunity for industry lobbyists to derail long overdue regulatory reform.² Unfortunately for millions of Americans who have to regularly deal with Code Red and Code Orange smog days, those warnings proved to be prescient when the Administration announced its “request” to withdraw the proposed, updated, science-based ozone standard.

The Cost of Appeasement

The cost of appeasing industry groups who actively pushed the EPA and the White House to scuttle the proposed ozone standard is very dear. First are the costs to public health. As Professor Steinzor pointed out, the years of delay (which now stretch to 2013 and beyond) have the very real human costs of death, disease and permanent injury.³ These costs to our health care system and society as a whole are enormous and continue to grow: thousands of deaths, non-fatal heart attacks, and asthma attacks requiring hospitalization; hundreds of thousands of missed work and school days. Beyond the loss of life, permanent disability from heart attacks, and exacerbated chronic conditions (along with the attendant emergency room visits), the costs of out-dated smog standards includes lost productivity, increased health care costs, and an erosion of our quality of life.

Professor Steinzor notes that, in Maryland alone, the elderly and 140,000 asthmatic children were warned to stay indoors for dozens of Code Orange days (Harford County had the most with 49 Code Orange days). Requiring asthmatics, the elderly, and children to stay indoors because of smog on Code Red and Code Orange days is yet another price we are regularly asked to pay in the hope that industry will create jobs. Apparently the Obama Administration has bought into the false choice of creating jobs or having clean air, as if the two are mutually exclusive.

Indeed, as CPR scholar David Driesen points out⁴, implementing a science-based ozone standard may require industry to invest in modernizing out-dated equipment and installing pollution controls, thereby spurring economic demand. Industry estimates that an ozone NAAQS between .060 and .070 ppm could cost them \$20 to \$90 billion. However, what goes unmentioned is what these costs entail – hiring contractors, purchasing pollution control equipment, investing in energy efficiency, and hiring additional workers to run new equipment. Professor Driesen points out that whether implementing NAAQS would lead to net job loss is dubious given that past environmental regulations have had little net effect on jobs.



The smog problem: Baltimore on clear and hazy days. Ozone (which cannot be seen) is one of the pollutants that contributes to unhealthy air, usually in tandem with particulate matter (the haze seen above). Images provided courtesy of NESCAUM; source: hazecam.net.

In addition, President Obama's decision comes at the expense of the rule of law. CPR scholars David Driesen and Thomas McGarity note that the Clean Air Act requires the EPA Administrator to set ozone NAAQS based on health considerations. Professor Driesen asserts that President Obama's rationale of reducing regulatory burdens and costs ignores the mandates of the Clean Air Act, including the Supreme Court's decision in *Whitman v. American Trucking Assoc., Inc., et al.* where Justice Scalia, writing for the Court, held that the EPA Administrator may not consider costs in setting NAAQS.

But the costs still mount. President Obama's decision not only damages public health and the rule of law, but also harms the role of science in regulatory decision making. OIRA head Cass Sunstein rationalized the smog standard retreat by relying on Executive Order 13563 which requires regulatory decisions to be made "based on the best available science" and changing the standard now would create uncertainty as the EPA may change the standard in 2013 when it comes up for review again.⁵ The reasoning goes that we should continue to employ the unhealthy 1997 ozone standard because "new" science is right around the corner. In essence, this logic ignores the best science available today, allows the unhealthy ozone standard to continue (which is based on out-dated science) with the hope that tomorrow's science will provide certainty for the regulated

community. Unfortunately, the only certainty this approach will bring are thousands more deaths, debilitating heart attacks, and hospital visits. The costs of the ozone standard retreat continue to mount.

REFERENCES

¹James Goodwin, "Looking Back at the Ozone Retreat: A Step Back for the Obama Administration on Science Integrity," CPRBlog, September 27, 2011. Available at: <http://www.progressivereform.org/CPRBlog.cfm?idBlog=AB0C2C6C-E68B-DAA9-8A0E0AE8C266DC33>.

²See, Rena Steinzor, "When Politics Trump Science: How the Ozone Standard's Three-Year Delay Has Already Led to Thousands of Avoidable Deaths," CPRBlog, July 20, 2011. Available at: <http://www.progressivereform.org/CPRBlog.cfm?idBlog=483F8B22-F51E-8878-8CF5637195407C19>.

³Rena Steinzor, "Breathing Uneasily: Obama Retreats on Tightening Smog Standards." *The Baltimore Sun*, September 7, 2011. Available at: <http://www.baltimoresun.com/news/opinion/oped/bs-ed-obama-epa-20110907,0,7067572.story>.

⁴See, David Driesen, "The Ozone Standard as Presidential Policy: Some Concerns," CPRBlog, September 14, 2011. Available at: <http://www.progressivereform.org/CPRBlog.cfm?fkScholar=14>

⁵See, notes 1 and 3.

ENVIRONMENTAL LAW PROGRAM HOSTS WORKSHOP FOR CHINESE ENVIRONMENTAL LAW PROFESSIONALS

From June 13 through June 15, 2011, the Environmental Law Program, working with the National Committee on U.S.-China Relations, hosted an Environmental Law Workshop for Chinese scholars and professionals. The Workshop was part of a two-way exchange of environmental professionals developed through a partnership between the National Committee on U.S.-China Relations, the oldest organization fostering cooperative U.S.-Sino relations, and the Center for Legal Assistance to Pollution Victims at China University of Political Science and Law with funding provided by the U.S. State Department's Bureau of Educational and Cultural Affairs. The program began with a two week intensive study program where eleven Chinese participants met with environmental lawyers, government officials and non-profit representatives. Five participants had a further month of study beginning at the University of Maryland Francis King Carey School of Law and continuing on with four-week fellowships at NGO's, private law firms and law clinics.

Environmental Law Program faculty, alumni and students provided three days of presentations for the Chinese visitors. Professor Robert Percival opened each day with an overview of the development of United States environmental law, beginning with the historical roots of modern environmental law to the legal structure of air and water pollution control and ending with natural resources and



Environmental Law Workshop Participants: First row: Daniel Murphy, Bo Xiaobo, Liu Xiaoying, Robert Percival, Dr. Qin Xudong, Hu Wei. Second Row: Megan Ulrich, Ma Yong, Matthew Gravens, Rebecca Brown, Katherine Hamner, and Huang Jing.

biodiversity law. Professor Jane F. Barrett provided a two part lecture on environmental enforcement generally, and criminal enforcement specifically. Alumni Nathaniel Keller '11, a Pew Charitable Trust fellow, and Andrew Gohn '09, attorney for the Maryland Energy Administration, provided presentations on land use regulation and renewable energy

Chinese Scholars and Professionals at the Environmental Law Workshop

- **Bo Xiaobo**, an environmental law PhD candidate at the Chinese University of Political Science and the Law, teaches environmental law at Beijing University of Posts and Telecommunications and the China Agricultural University.
- **Hu Wei**, an attorney at the DeBund Law Firm in Shanghai who specializes in employment and administrative law and works for a Chinese non-profit, Friends of Nature, representing pollution victims.
- **Liu Xiaoying**, a public interest lawyer at Beijing Children's Legal Aid and Research Center working on the Center's environmental law initiatives and author of "A Legal Study of Rural Pollution in China."
- **Ma Yong**, the Director of the Department of Supervision and Litigation of the All-China Environment Federation (ACEF) and heads the ACEF's environmental legal practice where he monitors industry pollution, provides legal assistance to pollution victims and brings environmental public interest lawsuits on behalf of the ACEF.
- **Dr. Qin Tianbao**, a professor of environmental law and policy at the Research Institute of Environmental Law, Wuhan University – the premier Chinese university for the study of environmental and natural resources law and policy. Dr. Tianbao also heads the Environmental Rights Department of the Centre of Protection of Rights of Disadvantaged Citizens, serves as adviser to Chinese delegations in international negotiations on biodiversity and climate change and serves as a legislative expert for the Ministry of Environmental Protection.

policy respectively. Jill Smith, Research and Instructional Technology Librarian, gave a presentation and demonstration of film making techniques – a powerful tool for advocacy and public education. The program ended with Maryland law students making presentations addressing emerging issues of environmental law, including transnational liability litigation (Andrew Kraus 2L), hydraulic fracturing (Katherine Cooper 2L), fisheries management (Matthew Gravens 2L), climate change (Rebecca Brown 3L), and control of non-point source pollution (Megan Ulrich 3L).

The presentations and discussions were facilitated by an interpreter and a representative from the National Committee on U.S.-China relations. The Chinese participants firmly grasped both the development of United States environmental law and its potential applicability to Chinese environmental problems. But perhaps the greatest cultural

exchange occurred, not surprisingly, over lunch. Each day the workshop attendees dined with students and alumni and exchanged thoughts, ideas and experiences. We learned of Ma Yong's recent successful lawsuit to shut down a polluting paper mill; we heard of the challenges facing Beijing with the explosion of the automobile; and saw films that Chinese students made as part of Professor Percival's environmental law course he taught at the China University of Political Science and Law in Beijing.

As we grapple with environmental problems in the United States, this workshop underscored the importance of developing an understanding and dialogue concerning a new set of environmental issues on an ever-shrinking planet. As China continues to industrialize, the United States can and should provide China guidance as to the wisdom (and follies) of industrialization, which is a sound investment in the future of our global environmental health.

VISIT OF VIETNAMESE ENVIRONMENTAL PROFESSIONALS INTERRUPTED BY RARE EARTHQUAKE

On August 23, 2011 the Environmental Law Program hosted a group of seven visiting environmental professionals from Vietnam. The group included officials from the Vietnam Environment Administration (VEA): Dr. Loi Van Dang, Deputy Director of VEA's Department of Pollution Control, Son Minh Hoang, Deputy Director of VEA's Department of Policy and Legislation, Dr. Dong The Nguyen, VEA's Deputy General Director, and Dr. Khanh Quoc Nguyen, Director of the VEA's Center for Environmental Information and Data. The group also included Dr. My Thi Pham, editor-in-chief of the newspaper *Natural Resources & Environment*; Phuong Nam Nguyen, Director of the Vietnam Environment Protection Fund, a government agency that provides loans and other financial support for environmentally-responsible business and development projects in Vietnam; and Sy Thi Nguyen, Deputy Director of the Environmental Crime Prevention Unit in Vietnam's Ministry of Public Security. Mr. Nguyen recently completed successful investigations of metal product and textile companies that were releasing toxic pollutants and untreated waste into surface waters.

The purpose of the visit was to gather information that could assist in improving Vietnam's environmental laws. Vietnam is in the process of revising its environmental laws, as is customary every five years. The group was visiting the U.S. under the sponsorship of the U.S. Department of State's International Visitor Leadership Program. Professor Percival, who visited Vietnam in May 2008, was asked to present a lecture to the group reviewing aspects of U.S.



Professor Percival with Vietnamese environmental professionals gathered outside the law school after a rare earthquake hit the region

environmental law that might be useful in updating Vietnam's laws.

While in Vietnam in 2008, Professor Percival spent an afternoon in Hanoi at what was then called the Vietnam Environmental Protection Agency. He met with agency staff including Dr. Tran Hong Ha, who was then the agency's Director General. Dr. Ha is now the Deputy Minister of Vietnam's Ministry of Natural Resources and the Environment, the Ministry under which VEA is housed.

During Professor Percival's presentation to the Vietnamese visitors, the ceiling started rumbling and the floor

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Vietnamese Professionals

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shook. One of the group's interpreters jumped under a table and declared that it was an earthquake. After the shaking subsided, Professor Percival, who had experienced several earthquakes while studying and clerking in California, continued lecturing for another 15 minutes until security personnel asked the group to leave the building. The evacuation enabled the visiting Vietnamese group to meet several

additional members of the Maryland faculty, who were gathered in the park while the school was checked to ensure that there was no danger in returning to the building. None of the Vietnamese visitors had experienced an earthquake before and they expressed surprise that an earthquake had occurred in this part of the U.S. They were assured that it was an extremely rare occurrence.

ON THE CLINIC DOCKET

ENVIRONMENTAL LAW CLINIC WORKS TO IMPROVE GOVERNMENT TRANSPARENCY

What started as a simple Maryland Public Information Act request for documents from the Maryland Department of Agriculture (MDA) has resulted in multiple lawsuits by a third party (the Maryland Farm Bureau), a lengthy litigation process, and now an appeal to the Maryland Court of Special Appeals. At the heart of the case is the issue of transparency in government programs and the right of citizens to access public files. In 2007, the Waterkeeper Alliance, Inc., a network of Waterkeeper programs and a client of the Environmental Law Clinic (the Clinic), began this long process by requesting documents from the MDA concerning nutrient management plan implementation and enforcement. In 2010, the Clinic, on behalf of its client, Assateague Coastkeeper, requested documents from MDA concerning nutrient management plans, agriculture cost share programs, and documents related to compliance and enforcement of these programs. These agricultural programs are at the heart of Maryland's Water Quality Improvement Act of 1998 (the Act) designed to reduce nitrogen, phosphorous, and sediment run-off into the Chesapeake Bay from agriculture and are the focus of Maryland's plans to improve Chesapeake Bay water quality as detailed in Maryland's December 2010 submission to the U.S. EPA.¹ According to Maryland's submission, agriculture is the single largest source of nitrogen, phosphorous and sediment pollution flowing into the Chesapeake Bay.

The Clinic's clients in this litigation are non-profit entities, primarily Maryland-based, whose over-arching mission is to protect the Chesapeake Bay, its tributaries, and Maryland's shores from pollution. Clinic clients Assateague Coastkeeper, Baltimore Harbor Waterkeeper, Lower Susquehanna Riverkeeper, Patuxent Riverkeeper, Potomac Riverkeeper, Severn Riverkeeper, South Riverkeeper, and

West/Rhode Riverkeeper are all part of The Waterkeeper Alliance, a network of Waterkeeper programs with thousands of individual members who live in Maryland and financially support the individual Riverkeeper organizations. These local Riverkeeper programs regularly ply the waters of the Chesapeake Bay and its Maryland tributaries, taking stock and measuring the health of the Bay, working with communities to improve tributary water quality, and advocating for protection of the Bay, a "national treasure."² Given the importance of the nutrient management plans and cost sharing initiatives in Maryland's strategy to protect the Bay, these programs are of vital concern to the groups the Clinic represents, their members, Maryland citizens, and the state as a whole.

The agricultural programs under the Act are also a significant allocation of Maryland taxpayer resources. According to Maryland's submission to the EPA, more than \$200 million is allocated to the implementation, oversight, aid and enforcement of programs to reduce agricultural pollution run-off. Not surprisingly, the Clinic, on behalf of its clients, has asserted the right to information concerning these programs because they are critical to the clients' goals, represent important government functions which affect the entire State of Maryland, and involve hundreds of millions of Maryland tax payer dollars spent to assist the agricultural community and protect a vital Maryland resource.

The documents at issue in the Public Information Act requests, such as information concerning nutrient management plans, agricultural cost sharing programs, and enforcement of Maryland's Water Quality Improvement Act, are critical to Maryland's plans to save the Chesapeake Bay and such information is typically available through Mary-

land Public Information Act requests. However, a provision in the Water Quality Improvement Act addressing nutrient management plan summaries states that: “the Department (of Agriculture) shall maintain a copy of each (Nutrient Management Plan) summary for three years in a manner that protects the identity of the individual for whom the nutrient management plan was prepared.” Ann. Md. Code Agriculture §8-801(b)(2). This small provision has created a large wave of litigation.

Maryland’s Public Information Act and the Clinic’s Requests for Information

Maryland’s Public Information Act (PIA) specifies that “(a)ll persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees.” Md. Ann. Code State Gov’t §10-612(a). The Maryland legislature instructed courts to interpret the PIA in such a way as to promote government disclosure of information: “(the PIA) shall be construed in favor of permitting inspection of a public record.” Ann. Md. Code State Gov’t §10-612(b).

The PIA requires disclosure of information with few exceptions. The PIA limits disclosure of information that would constitute an “unwarranted invasion of the privacy of a person,” or if information that is otherwise protected by statute or court order as privileged or confidential or disclosure would be contrary to a federal or state law. The PIA lists several categories of records that cannot be disclosed, such as personal information, medical information, confidential business information, and trade secrets. Because the overarching purpose of the PIA is to facilitate disclosure of information concerning the affairs of government, courts have routinely presumed the PIA requires disclosure and interpret exceptions narrowly. See, e.g., *Office of the Governor v. Washington Post. Co.*, 360 Md. 520 (2000).

The Ensuing Litigation

Despite the importance of public access to information concerning vital government functions, the MDA refused to provide the documents requested by the Clinic’s clients in 2007, citing to Ann. Md. Code Agriculture §8-801.1(b)(2) which, as noted above, instructs MDA to protect certain identifying information contained in nutrient management plan summaries. The MDA expanded the application of this subsection to cover any documents related to nutrient management plans. Due to the MDA’s refusal to provide the requested documents, the Clinic filed suit on behalf of its clients, challenging the MDA’s broad reading of §8-801.1(b)(2).

On February 4, 2008, the Clinic filed suit in Anne Arundel County Circuit Court to force the MDA to provide the requested documents, arguing that the statutory protection cited by MDA only covers nutrient management plan summaries and only those portions that would link an individu-

al to a specific nutrient management plan. In the spring and summer of 2008, the Clinic and MDA reached a settlement to produce most of the requested documents, with some redaction of statutorily protected information. Thereafter, the Maryland Farm Bureau filed a separate suit in Dorchester County Circuit Court attempting to block disclosure of the requested documents. The Clinic was forced to intervene in the Farm Bureau suit, inform the court that the matter was currently being litigated in Anne Arundel County, and successfully had the Farm Bureau suit consolidated with the original action in Anne Arundel County Circuit Court. In 2009, the Anne Arundel County court ruled that the Clinic’s clients were entitled to the majority of the requested documents, requiring MDA to redact some protected information from them. In 2010, the Clinic updated its information requests.

In response to the Clinic’s 2010 request, MDA once again failed to provide the documents and, once again, the Farm Bureau filed another lawsuit to block the release of documents to the Clinic - this time in Worcester County Circuit Court. The Clinic intervened and successfully moved the second lawsuit to Anne Arundel County Circuit Court. In May 2011 the Anne Arundel County Court dismissed the Farm Bureau suit. Thereafter, the Court further clarified its February 2009 order concerning the documents that the MDA must produce but expanded the information MDA must redact, well beyond the identifying information contained in nutrient management plan summaries noted in §8-801.1(b)(2). On August 16, 2011 the Clinic filed a notice of appeal, challenging the Circuit Court’s reading of the confidentiality provision in §8-801.1(b)(2) which the Court applied to documents relating to nutrient management plans, rather than only protecting some information contained in the plan summaries.

What is at Stake

The fundamental issue at stake in the litigation is whether the public should have access to information regarding how its tax dollars are spent³ and how the government is (or is not) working to protect the Chesapeake Bay. This information can help promote better, more efficient public policy and, more fundamentally, advance the rights of Maryland citizens to have a transparent government – that is, a government that provides information to its citizens. The Public Information Act requires government agencies to provide information, upon request, within 30 days or deny the request and provide the reasons for such denial within 30 days. The MDA failed to promptly respond and, after four years, has provided little of the information requested despite the requirements of the PIA and a Court order commanding them to do so.

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ENVIRONMENTAL LAW CLINIC EXPANDS, HIRES TWO ADDITIONAL CLINICAL LAW FELLOWS

Through the fund raising efforts of Environmental Law Clinic Director Jane F. Barrett, the Environmental Law Clinic obtained a grant from the Town Creek Foundation to further fund the Clinic's efforts to advocate for increased environmental enforcement to help protect Maryland and the Chesapeake Bay. The funds raised were used to hire two Clinical Law Fellows (Erin Doran and Matthew Peters), adding to the existing Environmental Clinic staff of Tina Myers (staff attorney) and Andrew Keir (Senior Clinical Law Fellow).

Erin Doran graduated *cum laude* from the School of Law in May 2011 and *magna cum laude* from State University of New York at Geneseo with a Bachelor of Arts in Political Science. In between college and law school, Erin served as Assistant Director of Admissions for Green Mountain College in Poultney, Vermont. While in law school, Erin clerked for the Maryland Attorney General's Office, the Animal Legal Defense Fund and was a student attorney in the Environmental Law Clinic during the 2010-11 school year. Erin was also the manuscripts editor for the University of Maryland Law Journal



Erin Doran '11



Matt Peters '11

of Race, Religion, Gender and Class and the Co-Executive Director of the Maryland Student Animal Legal Defense Fund.

Matt Peters obtained his Masters degree in Environmental Science and Policy at the Johns Hopkins University in 2009 and graduated cum laude from the University of Maryland School of Law in May 2011. Prior to attending law school, Matt worked at the Environmental Protection Agency, first as a grant specialist overseeing grant recipient compliance, and then as a Program Analyst where he coordinated EPA-state partnerships. While in law school, Matt made the most of his time through clerkships with Senator Benjamin Cardin at the Senate Environment and Public Works Committee, the U.S. Department of Justice's Environment and Natural Resources Division, and at the Chesapeake Bay Foundation. In addition, Matt was an Associate Editor for the Maryland Law Review, served on the Board of the Baltimore Harbor Watershed Association and currently serves as Vice-chair of Programs and Policy for Blue Water Baltimore.

ENVIRONMENTAL CLINIC CLIENT SPOTLIGHT: PATUXENT RIVERKEEPER

In addition to his day job as Patuxent Riverkeeper, Frederick Tutman pursues his family's tradition of farming—repairing tractors, amateur blacksmithing and keeping alive his great grandfather's dream of an independent, family-run farming enterprise. Patuxent Riverkeeper headquarters is located on Fred's working farm in Upper Marlboro, Maryland. Land is often provided for free (or barter) to local farmers aspiring to be good land stewards who protect the rich land-based traditions of the region. In addition to working on the river, the Patuxent Riverkeeper also works with local food activists to develop sustainable farming practices and promote urban agriculture.

Fred was born and raised along the Patuxent River as were seven generations of his ancestors. He lives on his family's nearly 200-acre farm, which grows grain crops,

vegetables and includes an orchard. The family farm hosts a community-based agricultural venture that provides fresh produce to residents in nearby Crofton, Maryland, plus another venture that teaches others how to farm and provides organic produce to local area restaurants.

Fred has received numerous awards and recognitions for his work on behalf of environmental causes and issues in Maryland. He represents farmers on the State's Rural Legacy Advisory Board which helps preserve farms and he has served on the Prince George's County Agricultural Commission. He also serves on a variety of other boards, task forces and commissions related to protecting the Patuxent and the natural environment. Among them, Fred serves or has served, on the Board of the Environmental Integrity Project, as a Governor-appointed Commissioner (represent-

ing farmers) on the State's Patuxent River Commission and on the Board of Waterkeeper Alliance, the international group that licenses Waterkeepers. Additionally, he presently sits on the Board of the Scenic River's Land Trust and the Anne Arundel Community College Foundation.

Currently, the Patuxent Riverkeeper program is supported by 530 dues-paying Maryland residents. The sole purpose of the Patuxent Riverkeeper, a licensed member program of the Waterkeeper Alliance, Inc., is to protect, restore, and advocate for clean water in the Patuxent River watershed. Fred patrols the river, investigates and resolves water quality and pollution complaints, launches and manages restoration projects, raises awareness about the river and its problems and works toward better enforcement of current laws and improvement of existing laws. The Environmental Law Clinic (the Clinic) represents Patuxent Riverkeeper in a lawsuit against Mirant Ash Management, LLC for alleged improper coal ash disposal at its Brandywine facility (see Spring 2011, No. 31, p. 4) as well as in the Public Information Act suit against the Maryland Department of Agriculture (see article on p. 8).

Launched in 2004, Patuxent Riverkeeper has worked on a variety of pollution, water quality, growth management, environmental justice and resource policy issues ranging from fisheries management to smart growth, transportation funding to environmental justice. The group is a voice for the underdog and for environmental fairness in its seven-county corridor. Through the work of members, staff, volunteers, and supporters, the organization has emerged as



Riverkeeper Fred Tutman working to clear snags and maintain the Patuxent Water Trail.

a critical watershed protection advocate.

Fred has found the work of the Clinic instrumental in furthering his environmental efforts: "Maryland's law clinic is an indispensable resource helping level the playing field for public interest environmental cases and issues that would be neglected but for the clinic. Public advocacy groups like ours rely on the strong client-centered work being done by the law students to ensure not only that the environment has a strong voice, but that the lack of means is not a barrier to those seeking justice for the Patuxent river and the people whose lives and livelihoods are intertwined with the Patuxent."

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The Clinic students are getting a first-hand look at important public interest issues that ultimately affect all Maryland citizens: what is the scope of a citizen's right to information on taxpayer supported programs and what restrictions can be placed on that right? In answering this question, Courts must consider and ultimately balance competing statutory goals - the PIA's goal of broadening access to information concerning government operations versus the specific protections from disclosure provided in other statutes. How the appellate courts resolve this issue is an important lesson on statutory interpretation and will undoubtedly be the subject of a future newsletter article.

References

¹In December 2010 the U.S. EPA promulgated a Total Maximum Daily Load (TMDL) for nitrogen, phosphorous and sediment discharges into the Chesapeake Bay and its tributaries, requiring a 25% nitrogen reduction, 24% reduction in phosphorous and an 18% reduction in sediment from

2009 levels and required the Bay states to develop Watershed Implementation Plans (WIPs) to achieve these goals under the Clean Water Act. Maryland has submitted its phase I or general plan to achieve these goals with a more detailed, phase II plan forthcoming.

²Exec. Order No. 13,508, 74 Fed. Reg. 23099 (May 15, 2009).

³According to MDA's annual reports, it awarded \$19 million in grants to farmers in 2009 and \$17.1 million in 2010. Md. Dep't of Agric., MACS 2009 Annual Report 4 (June 15, 2011)<http://www.mda.state.md.us/pdf/macsar09.pdf>. Also, Md. Dep't of Agric., MACS 2010 Annual Report 2 (Feb. 15, 2011), available at <http://www.mda.state.md.us/pdf/2010macsar.pdf>

JACLYN FORD '04 APPOINTED POLICY DIRECTOR FOR WASHINGTON STATE DEPARTMENT OF AGRICULTURE

After Jaclyn Ford had worked for three years as non-partisan counsel to the Washington State Legislature drafting and providing analysis of proposed legislation, she was appointed the Policy Director for the Washington State Department of Agriculture by Dan Newhouse, a Washington legislator appointed as the Director of the Department of Agriculture by Governor Chris Gregoire. As Policy Director, Jaclyn works closely with Director Newhouse on a variety of agriculture policy matters.

Jaclyn came to the School of Law intent on studying environmental law. Simultaneously, Jaclyn sought to bolster her science background by pursuing a Masters in Environmental Science at The Johns Hopkins University, focusing on wetlands hydrology. During her summers, Jaclyn taught in New Zealand, Thailand, and Costa Rica for the University of California's summer abroad program. In addition, Jaclyn worked as a law clerk for Rich & Henderson, an Annapolis, Maryland environmental law boutique firm.

After graduation, Jaclyn was a Presidential Management Fellow with the Department of the Interior and the State Department from 2004 to 2006. While at the Department of the Interior, Jaclyn worked primarily on Endangered Species Act issues, including fieldwork in Klamath Falls, Oregon where conflicts between the needs of farm irrigators, fishermen, tribes, and endangered fish had to be considered on a regular basis. While at the State Department, Jaclyn worked at the Office of Global Change, negotiating with Indian and Chinese officials on collaboration efforts to reduce greenhouse gas emissions.

While working at the federal level was satisfying, Jaclyn wanted to work on the state level where her efforts could be translated into action. After her Presidential Fellowship ended, Jaclyn obtained a position as legislative counsel for the Washington State Legislature, focusing on environmental matters. While working with the legislature from 2007 to 2010, Jaclyn helped draft competing versions of envi-

ronmental bills, including a bill that requires recycling at all community events in Washington. In addition, Jaclyn was also responsible for policy advice concerning climate change, water policy, natural resources, and agriculture matters.

The contacts she made and work she performed as legislative counsel with legislators (including, at the time, legislator Dan Newhouse), stakeholders, and state agency personnel were instrumental in her appointment as Director of Policy for the Department of Agriculture. Currently, Jaclyn's work focuses on water policy, agricultural development, and the potential for agriculture policy to mitigate climate change. Jaclyn works closely with the farming community, trying to broaden the role of the agricultural community in shaping Washington's future. In doing so, she must continuously balance the needs of the agriculture industry to promote and expand agriculture with tribal and environmental concerns, demands on water resources, land use constraints, and concerns over water quality on agricultural lands. Jaclyn has found that her work with the Environmental Law Program served her well in balancing these competing interests: "I came to Maryland because the Environmental Law Program has a national reputation and I knew that I may want to eventually work on the West Coast. In addition, the law school's diverse student and faculty interests and strong business and corporate law programs would provide a variety of perspectives. I found the diverse views of faculty and students instrumental in my development and invaluable in my current position."



Jaclyn Ford '04

LCDR RUSSELL BOWMAN '05 CALLED TO ACTION ON DEEPWATER HORIZON RESPONSE TEAM

Ever since high school Lieutenant Commander Russell Bowman knew he wanted to be an environmental law attorney, he just took a different path than most. Russ decided to go to the Coast Guard Academy and graduated with a degree in Marine and Environmental Science in 1996. He began his Coast Guard career with a two-year tour afloat on the Chesapeake Bay, and then served four years ashore investigating and responding to marine casualties and pollution incidents. Russ was then selected for the Coast Guard's advanced education program, attending law school while continuing to serve in the Coast Guard. In law school, Russ interned at the Maryland Department of Environment and was a student attorney with the school's federal criminal defense clinic.

Upon graduation, Russ attended the Naval Justice School in Newport Rhode Island, was certified as a Judge Advocate, and was assigned to the Coast Guard's First District Legal Office in Boston in 2005. As we previously reported (Fall 2009, No. 28 at 14), during his first tour of duty as a "JAG," Russ was appointed as a Special Assistant United States Attorney as part of the team that investigated and prosecuted the *U.S. v. ExxonMobil Pipeline Co.* case concerning a 15,000 gallon oil spill into the Mystic River. In addition to prosecutions, Russ provided real-time legal advice to Coast Guard cutters during at-sea boarding operations, and provided advice on regulatory matters, port security operations, and energy policy issues. For example, Russ advised Coast Guard decision makers charged with providing the service's input on the nation's first offshore wind farm, Cape Wind.

Since 2009, Russ has been stationed at the Coast Guard Academy teaching courses in criminal justice, trial advocacy, and maritime law enforcement. Currently, Russ serves as the Chief of the Law Faculty. In July 2010, Russ was temporarily assigned as a legal advisor to the National Incident Command for the federal government's response

to the Deepwater Horizon catastrophe, serving under Admiral Thad Allen who coordinated all response efforts. The response team for Deepwater Horizon was massive. At its height, oil containment and recover operations involved over 46,000 responders including contract workers—a response team larger than the Coast Guard itself. During his time with the National Incident Command, Russ was responsible for providing legal advice to Admiral Allen and his senior staff on a host of specific questions concerning the jurisdiction of the Coast Guard and cooperating agencies as well as briefings on the various statutes implicated by the massive response efforts.



Russ Bowman '05

Russ's wide-ranging experiences as a prosecutor, professor, and counselor have given him an appreciation of his studies at the University of Maryland School of Law: "The Environmental Law Program does a great job harmonizing law, policy, science, and politics in the study of environmental law. My clinical work with the federal criminal defense clinic proved invaluable in my service as a prosecutor. The breadth and depth of Maryland's law school curriculum really provided a solid foundation for my career in the Coast Guard JAG program."

We look forward to hearing more from Russ and hope to have him back at the law school to discuss his work on the Deepwater Horizon response. In the meantime, we are happy to report that Russ has been selected for promotion and will soon be Commander Bowman.

ANNE MERWIN '06, DIRECTOR OF PUBLIC LANDS POLICY AT THE WILDERNESS SOCIETY

When Anne Merwin graduated from Rice University in 2000 with a focus on urban development and planning, she had no idea she wanted to pursue a career in environmental law. She worked at the City of Houston Planning Department while in college and, after graduation, she worked for a private firm in Los Angeles writing the social and historical portions of

National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) submissions for proposed transit and urban development projects. Her work in this field exposed her to environmental law and made her realize the impact attorneys could have on development where political and legal issues generally shaped proposed

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projects. Anne moved to Washington D.C. where she first volunteered for the National Trust for Historic Preservation while looking for work. Soon, Anne found a job working for a contractor with the EPA on recycling and climate change projects.

Through her work with the EPA, Anne became acquainted with the University of Maryland's Environmental Law Program. Anne decided to apply to the University of Maryland because of the Environmental Law Program's reputation and the law school's reasonable tuition: "I knew I wanted to work in the government or for a non-profit on land use and conservation issues. Maryland's Environmental Law Program provided a wealth of opportunities to develop my interest in land policy and, combined with the school's lower tuition, enabled me to pursue my career goals." Anne made the most of her time at the law school, obtaining externships with The National Trust for Historic Preservation, the House of Representatives Natural Resources Committee, the EPA General Counsel's Office and the Potomac Conservancy. Her work with the Potomac Conservancy continued on a contract basis and, when she graduated in 2006, she got her first job working on conservation easements and policy work with the Potomac Conservancy.

When her supervisor at the Potomac Conservancy moved on to the Wilderness Society, Anne maintained contact

with him, which eventually led to her move to the Wilderness Society in 2009. Anne has worked on a variety of policy issues from public land conservation, to federal land management planning and budgeting, to recreation and extractive industry issues. As Director of Public Lands Policy, Anne has lobbied Congress and the Departments of Interior and Agriculture to adopt better land management practices, often based on local models the Wilderness Society has successfully developed. She has doggedly pursued the



Anne Merwin '06

Forest Service to perform its duties under a 2001 regulation which requires them to catalog the more than 400,000 miles of roads on national forests, determine which roads are needed, and eliminate those that are not. Since forest roads are one of the biggest threats to forest health, water quality and, in addition, facilitate illegal public land use, eliminating unneeded roads could protect public land resources and increase wilderness designations. However the process is slow – it is expected that identifying the roads will take five years and implementing a plan to eliminate unneeded roads will take decades. Fortunately, Anne has the patience and dedication to continue pressing for this overdue government action.

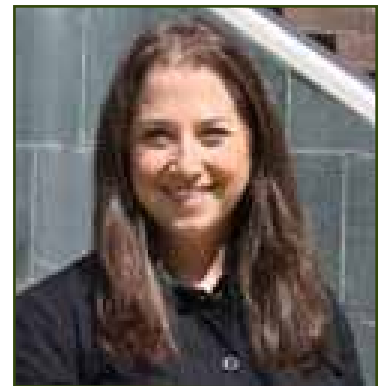
MINDY GOLDSTEIN '06 NAMED ACTING DIRECTOR OF ENVIRONMENTAL LAW CLINIC AT EMORY SCHOOL OF LAW

Mindy Goldstein '06 recently assumed the position of Acting Director of The Turner Environmental Law Clinic at Emory University School of Law after spending two years as a staff attorney for the clinic. Prior to her work at Emory, Mindy was an associate at Kilpatrick Townsend in their Real Estate practice group where she worked on commercial real estate and land use matters.

Though Mindy found work at Kilpatrick Townsend challenging and rewarding, she wanted to pursue a career in public interest environmental law. Through the Environmental Law Program's list serve, Mindy found out about the Turner Environmental Law Clinic fellowship, got the job, was then promoted to staff attorney, which led to her promotion as Acting Director– all in less than three years.

At the Turner Environmental Law Clinic, Mindy teaches and supervises nine law students per semester. The stu-

dents work on a variety of environmental litigation and policy matters, touching upon some of the most difficult and cutting-edge environmental issues of the day: energy and climate change, endangered species protection, water and coastal resource protection, natural resource allocation, land use, environmental justice, and sustainability. Mindy directs students in different advocacy and litigation projects from revising the City of Atlanta's zoning code to promoting urban agriculture to challenging the Department of



Mindy Goldstein '06

Energy's refusal to release documents related to its federal loan guarantee program.

Mindy and her clinic students have also challenged the proposed permitting of several nuclear power plants. In November 2010, clinic students argued before the Nuclear Regulatory Commission's Atomic Safety and Licensing Board, raising various objections and concerns over the proposed construction of two nuclear reactors at the Turkey Point facility near the Everglades in Homestead, Florida. "Watching the students argue and stand their ground against

a bunch of big firm lawyers was one of the most satisfying clinic experiences I have had. It really felt like David and Goliath," Mindy noted. Mindy's experience at the University of Maryland's Environmental Law Clinic has helped her in her current position: "The year I spent in the University of Maryland's Environmental Law Clinic was the most rewarding of my law school career. In the Clinic, I finally understood what it meant to be a lawyer. I'm excited to provide the same opportunity to my students."

EXPERIENTIAL LEARNING

WORKING IN NAMIBIA TO INCREASE ACCESS TO WATER

By Peter Hogge 3L

During the Spring 2011 semester, I participated in the law school's International and Comparative Law Clinic (ICLC), where I spent eight weeks living in Namibia, southern Africa. After a month in Baltimore of intense courses and training in human rights advocacy, international law, and clinic skills, I traveled with six other students and Professor Barbara Olshansky to Windhoek, the capital of Namibia, to live and work there for the next eight weeks. All of the students worked on two different human rights projects with clients and Clinic partners, including the Legal Assistance Centre of Namibia and the University of Namibia Faculty of Law.

One of the projects I worked on, The Right to Water Project, involved advocacy seeking to improve the rural poor's access to water. We worked with the Legal Assistance Centre, the nation's premier public interest litigation and advocacy NGO.

Water is a scarce resource in arid Namibia, and the limited amount of freshwater sources places inherent limitations on the growth of populated areas. The only permanent rivers to which Namibia has access are along borders shared with other countries – most Namibians obtain freshwater from groundwater. The racial inequities apparent in spheres of economic development are also present in the access people have to water. Settlements in rural Namibia, completely inhabited by black Namibians, have some of the worst access to water in the country. Water is distributed in these areas through water points scattered throughout the community, with tens, sometimes hundreds of people sharing the same water point. To obtain water, people carry containers several times a day to these water points and return home with the filled containers.



Peter Hogge 3L (standing) working with International and Comparative Law Clinic students in Namibia.

Additionally, this water is often not provided freely – people must purchase water credits to put on their water cards. The water cards are swiped at the standpipes, where credits are paid for an outflow of water. Payment of water can be quite a burden on the poor. Some people must decide between purchasing water and spending money on other essentials, like food or clothing. Even the purchased water must be rationed between water for consumption, bathing, washing of clothes, and cooking. Families that can only afford enough water for basic consumption cannot use water for bathing or washing clothes. Children are sometimes sent home from school for not bathing, even when there is no water at home to use. People who cannot afford water either obtain it through begging, their neighbors, or they do without.

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Namibia

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In order to help increase access to water, the ICLC conducted research, field work, and drafted analyses on how the Namibian government could formally acknowledge the right to access water in Namibia. Our analysis considered how the right to access water has been construed in international law and by recent decisions of courts in other countries, including the Constitutional Court of South Africa and the Supreme Court of India.

Namibia has one of the most progressive constitutions in the world, and establishes much broader protections of human rights and liberties than many other countries, including the United States. For example, their Constitution recognizes the right to education as a fundamental right. Another unique quality of the Namibian legal system is the reliance and invocation of international law as legal authority. Judicial opinions in Namibia frequently cite international agreements and decisions from other countries, and Namibian judges afford these sources a high degree of

persuasive authority. Article 144 of the Namibian Constitution formally recognizes the stature of international law decisions.

One of the lasting takeaways I will carry from Namibia concerns the disparity of opportunities and resources between different people in the world. Growing up in middle class America, I never had to worry about having enough water to meet my daily needs. When access to water is not a given, obtaining water becomes a family's primary concern which disrupts both children's education and adult productivity thereby exacerbating and solidifying existing inequalities. Coming into close contact with the economic and social inequities vividly present in Namibia motivates me to use my legal education to seek to remedy some of those disparities. For more information about the Right to Water project, see: <http://www.lac.org.na/news/pressreleases/pressr-09otavi.html>.

MY INTERNSHIP AT THE DEPARTMENT OF INTERIOR

By Megan Marzec 3L

This past summer I had the opportunity to work in the Office of the Secretary of the Department of the Interior. I worked for the Counselor to the Secretary on renewable energy policy issues. I had the pleasure of working with a group of extremely talented and motivated lawyers on a variety of high-priority energy policy issues. I participated in some small projects for the Solicitor's Office, but the majority of my summer was spent on policy work.

Going into the internship, I was a bit unsure of what to expect. I accepted the position because alternative energy is a specific area of interest of mine, but I was not certain how it would further my legal studies, as it was stressed that the position would not entail the duties of a typical law clerk. I quickly learned that while I would not spend the summer writing legal memoranda, my legal training was especially relevant and furthered my understanding of many basic policy issues concerning alternative energy.

Two things that I spent much of my summer on were the Land-Based Wind Energy Guidelines and the Renewable Energy Priority Projects. The Land-Based Wind Energy Guidelines are currently in draft form. They are an effort by the Department, specifically the Fish and Wildlife Service, to encourage responsible development of renewable energy. The Wind Energy Guidelines address potential negative ef-

fects of wind energy development on fish, wildlife, and their habitats. This is particularly important as it relates to the Renewable Energy Priority Projects.

Recently, the Bureau of Land Management (BLM) has announced its annual list of Renewable Energy Priority Projects. BLM screens proposed wind, solar and geothermal projects, and based on a variety of criteria, develops a priority list that emphasizes early consultation to achieve timely construction for federal grant eligibility. In 2011, the BLM gave priority status to 18 projects, which represent approximately 4,300 MW of power generation. These projects are an important part of the Administration's efforts to increase the amount of renewable energy, particularly on public lands.

In addition, the intern program at the Department of the Interior kept us interns busy with interesting activities. The Office of the Secretary has a large number of interns and many are from out of the area. We were lucky enough to take tours of the White House, the Capitol, and the National Monuments. My personal favorite was the ranger-led tour



Megan Marzec 3L

of all of the monuments in the D.C. area. We spent an entire day traveling around the District and getting a behind-the-scenes look at the major monuments. I would highly recommend an internship at the Department of the Interior

for those interested in land management, historic preservation, alternative energy development, natural resources law, and oil and gas development.

INTERNSHIP WITH THE WEST/RHODE RIVERKEEPER

By Andrew Kraus 2L

Over the summer, I worked as an intern with the West/Rhode (W/R) Riverkeeper in Shady Side, Maryland. The W/R Riverkeeper is a part of the Waterkeeper Alliance, Inc., a global network of advocacy groups promoting cleaner waterways through community outreach, scientific research, and policy and legal advocacy. Hundreds of member organizations (Keepers) of the Waterkeeper Alliance vary greatly in size and scope of work, but share a common goal: to protect the planet's diverse bodies of water.

Made up of two full time staffers and a dedicated army of volunteers, the W/R Riverkeeper aims to create a healthier Chesapeake Bay region by focusing on preventing the West and Rhode rivers from transporting large quantities of sediments, nutrients and pollutants into the Bay. The banks of these two large rivers are lined with homes, many with septic tanks, and farms which pose a significant threat to the Bay's health. Household septic tanks, when improperly maintained, leach bacteria and other nutrients into Bay waterways. Fertilizer runoff from farms compounds the problem of excessive nutrient loading into the Bay.

The bulk of my work was centered on determining how the State of Maryland and Anne Arundel County regulate the application of sewage sludge on farms. Sewage sludge is partially treated and applied onto farm fields as a fertilizer. This is a common, but controversial, practice in the Chesapeake region. Proponents assert that sewage sludge application is a cost-effective fertilizer and the practice eliminates sludge disposal in landfills. Sewage sludge is usually free to farmers and it saves local municipalities expensive landfill disposal fees. Opponents highlight the fact that the nutrient run off from the sludge is a primary cause of nutrient overloading which spawns algae blooms in the Bay. When these algae blooms die, bacteria begin to consume the dead algae along with large quantities of oxygen. The consumption of oxygen chokes out a diverse

array of aquatic life, such as oysters, crabs and rockfish, thereby creating dead zones, which now cover approximately a third of the Chesapeake Bay. Given this problem and the W/R Riverkeeper's goal of protecting the Bay's health, I was tasked to determine what regulations addressed sewage sludge application and state and local authority to determine best practices and enforcement strategies that would minimize harmful impacts on the Bay.

In addition to policy research, the W/R Riverkeeper also takes a hands-on approach to determining the health of area waterways. Once a week two teams of volunteers wake up with the sun to spend four hours on a boat taking water quality samples at dozens of sites in the West and Rhode Rivers. Those samples are then taken to a local community college for analysis. The W/R Riverkeeper publishes the analysis results, highlighting temperature, salinity, oxygen levels and bacteria loads.

One of the most rewarding aspects about working for a small non-profit organization is the exposure to a variety of experiences. My duties ranged from researching regulations that could be used to hold polluters accountable, to taking water samples on the Bay, to helping with the organization's fundraisers. Being a part of a small organization requires everyone to assume responsibility for innumerable tasks, big and small. Both employees and volunteers are given the responsibility of ensuring that the West and Rhode Rivers are maintained as a "fishable and swimmable" water source for generations to come. A responsibility I found most fulfilling.



Andrew Kraus 2L

ENVIRONMENTAL LAW PROGRAM ADDS THREE NEW ADJUNCT PROFESSORS FOR 2011-12

The Environmental Law Program has added three new Adjunct Professors for the 2011-12 school year: Jon Mueller, Neal Kemkar and Kristen Hite. These professors are leaders in their respective fields and bring a wealth of real-world experience as well as scholarly research to the law school. Jon, Neal, and Kristen exemplify the Environmental Law Program's tradition of blending academic rigor with practical problem-solving in training tomorrow's environmental law leaders.

This fall, **Jon Mueller**, Vice President of Litigation at the Chesapeake Bay Foundation (CBF), is teaching the Clean Water Act class. Jon heads the CBF's litigation team and was lead counsel in their lawsuit against the EPA for its failure to comply with the Chesapeake Bay provisions of the Clean Water Act. The litigation led to a landmark settlement which requires the EPA to develop Total Maximum Daily Loads for the entire Bay watershed and work with individual states in their development of Watershed Implementation Plans. Prior to his work at the CBF, Jon was a trial attorney and supervising attorney for the U.S. Department of Justice in their Environment and Natural Resources Division for 17 years and litigated numerous environmental matters. Jon was honored with several awards for his work at the Justice Department including: Attorney General's Special Achievement Awards (five times), the EPA Gold Medal in 2004, and a NOAA commendation.

This spring, **Neal Kemkar** will teach Natural Resources Law. Neal was recently appointed Deputy Associate Director for Energy and Climate Change for the White House Council on Environmental Quality after serving as Special Assistant to the Counselor of the Secretary of Interior. Prior to his work with the federal government, Neal practiced energy, environmental, and natural resources law in New York and Washington and served as a law clerk at the United States Court of Appeals for the Ninth Circuit. Neal has also authored numerous articles, including: "Environmental Peacemaking: Ending Conflict between India and Pakistan on the Siachen Glacier through the Creation of a Transboundary Peace Park;" "Corporate Responsibility and Environment: a Foreword;" and "A Guide to Natural Gas Exploration in New York State."

This spring, **Kristen Hite** will teach International Environmental Law, with a focus on sustainable development. Kristen is an attorney at the Climate Program of the Center for International Environmental Law (CIEL). At CIEL, Kristen has represented international organizations, including the United Nations Framework Convention on Climate Change Secretariat and the United Nations Development Program, in international treaty negotiations. She provides a range of analytic support and counsel for international organizations, indigenous leaders, nonprofit organizations, and climate treaty delegates. Prior to joining CIEL, Kristen worked at the Environmental Defense Fund to help craft laws and policies to channel international financing towards more sustainable development. From 2005-2007 she served as Assistant District Counsel for the Army Corps of Engineers in New Orleans, assisting with rebuilding efforts following Hurricane Katrina. Kristen is also a founding member of SustainUS and has been a spokesperson for international youth during UN negotiations on sustainable development.



Professor Jon Mueller



Professor Neal Kemkar



Professor Kristen Hite

FACULTY ACTIVITIES

ROBERT V. PERCIVAL

PUBLICATIONS

Environmental Law: Statutory and Case Supplement 2011-2012, Aspen Publishing (2011).

“Global Law and the Environment,” 86 *WASHINGTON LAW REVIEW* 579 (2011).

“Who’s in Charge? Does the President Have Directive Authority over Agency Regulatory Decisions?” 79 *FORDHAM L. REV.* 2487 (2011).

“China’s ‘Green Leap Forward’ Toward Global Environmental Leadership,” 12 *VERMONT JOURNAL ENVIRONMENTAL LAW* 633 (Spring 2011)

“Law, Society and the Environment,” in *Law, Society and History: Themes in the Legal Sociology and Legal History of Lawrence M. Friedman* (Robert W. Gordon & Morton J. Horowitz, eds., Cambridge University Press 2011).

“Resolving Conflicts Between Green Technology Transfer & Intellectual Property Law,” *American Bar Association Section of Environment, Energy and Resources, 14 Climate Change, Sustainable Development & Ecosystems Committee Newsletter* (April 2011) 18 (with Alan Miller).

“Environmental Law Goes Global: Taking Back Eden: Eight Environmental Cases that Changed the World,” 41 *ENVIRONMENTAL LAW REPORTER* 10194 (March 2011).

“Strategies for Promoting Green Energy Innovation, Deployment & Technology Transfer,” in *American Institute for Contemporary German Studies, Intellectual Property Rights and Green Technology Transfer: German and U.S. Perspectives*, Policy Report #45 at 7-59 (2010).

“La Responsabilidad por Daño Ambiental Global y la Evolución en las Relaciones entre el Derecho Público y Privado (Liability for Global Environmental Damage and the Evolution in the Relationship Between Public and Private Law),” in *Derecho Ambiental en Tiempos de Reformas (Environmental Law in Times of Reform)* 99 (V. Duran Medina, S. Montenegro Arriagada, Pilar Moraga

Sariego, D. Ramirez Sfeir & A. Lya Uriarte Rodriguez, eds. AbeledoPerrot Publishing (Chile) 2010).

PRESENTATIONS

“An Overview of U.S. Environmental Law, Creating Environmental Laws and Regulations: A Project for Vietnam,” International Leadership Program, University of Maryland School of Law, Baltimore, Maryland (August 23, 2011)

“Transboundary Water Management and the Emergence of Global Environmental Law,” 9th Colloquium of the IUCN Academy of Environmental Law, Mpekweni Beach Resort, Eastern Cape, South Africa (July 7, 2011)

“A Preview of the 10th Colloquium of the IUCN Academy of Environmental Law, Closing Plenary Session of the 9th Annual Colloquium of the IUCN Academy of Environmental Law,” Mpekweni Beach Resort, Eastern Cape, South Africa (July 7, 2011)

“A History of Environmental Law (June 13),” “U.S. Pollution Control Law: A Summary (June 14),” and “Protection of Natural Resources and Biodiversity (June 15),” Program on Legal Advocacy in Support of Environmental Protection, Study Visit of Chinese Environmental Professionals to the United States Sponsored by the National Committee on U.S.-China Relations, University of Maryland School of Law, Baltimore, Maryland (June 13-15, 2011)

“Legal and Policy Implications of the Obama Administration’s Effort to Regulate Greenhouse Gases,” Federalist Society Luncheon, U.S. Capitol, Washington, D.C. (May 25, 2011)

“Climate Change and the Future of Global Energy Policy in the Wake of World Tsunamis,” Ningbo University School of Law, Ningbo, China (May 16, 2011)

“Transnational Liability Litigation for Environmental Harm,” Shandong University School of Law, Jinan, China (May 13, 2011)

“Global Climate Change, Seminar on Critical Issues in Global Health,” University of Maryland School of Nursing, Baltimore, Maryland (May 4, 2011)

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“The Impact of Consent Decrees on Rulemaking by Federal Agencies,” American Bar Association, Section on Administrative Law and Regulatory Practice, 7th Annual National Institute of Administrative Law, Capital Hilton Hotel, Washington, D.C. (May 3, 2011)

“Global Environmental Law,” Environmental Science and Policy Program, University of Maryland, College Park, Maryland (April 19, 2011)

“The Evolution of the Rule of Law in China and India,” American Bar Association International Law Section, 2011 Spring Meeting, Washington, D.C. (April 7, 2011)

“The Judiciary and the Environment: What Comparative Law Can Teach Us About the Value of Environmental Tribunals,” International Symposium on Environmental Courts and Tribunals, Pace Law School, White Plains, New York (April 1, 2011)

“China’s New Environmental Tribunals, International Symposium on Environmental Courts and Tribunals,” Pace Law School, White Plains, New York (April 1, 2011)

“What the World Health Organization Can Do to Protect Global Public Health from Environmental Harm,” International Conference on Environmental and Occupational Determinants of Cancer: Interventions for Primary Prevention, World Health Organization, Laboral City of Culture, Gijón, Spain (March 18, 2011)

“China’s ‘Green Leap Forward’ Toward Global Environmental Leadership,” Conference on China’s Environmental Governance: Global Challenges and Comparative Solutions, Vermont Law School, South Royalton, Vermont (March 2, 2011)

“Global Law and the Environment,” Conference on Global Law and its Exceptions: Globalization, Legal Transplants, Local Reception and Resistance, University of Washington School of Law, Seattle, Washington (February 25, 2011)

“Free Market Environmentalism,” Federalist Society, University of Maryland Francis King Carey School of Law (February 7, 2011)

“Protection of U.S. Forest Resources: Lessons for Chinese Policymakers,” Hunan Province Forest and Park Management Study Mission, The Clarewood Institute of Maryland, Baltimore, Maryland (December 10, 2010)

“Doing Business in China: New Chemical Control Laws and Regulations,” Conference on Significant Legal Developments Affecting the Chemical Industry, Marvin Comisky Conference Center, Philadelphia, Pennsylvania (December 9, 2010)

“Leadership in Environmental Law – From Grassroots Citizen Activism to Corporate Boardrooms,” Rawlings Leadership Fellows Program, University of Maryland College Park, College Park, Maryland (December 8, 2010)

“The Transatlantic Climate and Energy Dialogue: The Case for a Petroleum Price Stabilization Tax & Energy Politics in the 112th U.S. Congress,” American Institute for Contemporary German Studies, Haus Huth, Berlin, Germany (December 6, 2010)

“The Challenge of International Environmental Law,” Environmental Science and Policy Program, University of Maryland College Park, College Park, Maryland (November 23, 2010)

“Establishing Liability for the BP Oil Spill: Ken Feinberg v. the Plaintiff’s Tort Bar,” American Constitution Society and Maryland Environmental Law Society, University of Maryland School of Law, Baltimore, Maryland (November 22, 2010)

“Global Perspectives on Clinical Legal Education,” Conference on Re-imagining International Clinical Law, University of Maryland Francis King Carey School of Law, Baltimore, Maryland (November 18, 2010)

“Who’s in Charge: Should the President Have Directive Authority Over Regulatory Decisions Entrusted by Law to Agency Heads?” Conference on Presidential Influence on Administrative Action, Fordham University Law School, New York City, New York (November 12, 2010)

“Liability for Environmental Harm and Emerging Global Environmental Law,” Environmental Law Distinguished Speaker Series, Widener University School of Law, Harrisburg, Pennsylvania (November 9, 2010)

“La Responsabilidad por Daño Ambiental Global y la Evolución en las Relaciones entre el Derecho Público y Privado (Liability for Environmental Damage and the Evolution in the Relationship Between Public and Private Law),” at the Conference on Environmental Law in Times of Reform, Fifth Conference on Environmental Law, University of Chile, Santiago, Chile (October 27, 2010)

“Liability for Transboundary Environmental Harm and Emerging Global Environmental Law,” NOAA Law of the Sea Convention Working Group, National Oceanic & Atmospheric Administration, Silver Spring, Maryland (October 12, 2010)

RENA I. STEINZOR

PUBLICATIONS

“Lessons from the North Sea: Should ‘Safety Cases’ Come to America?,” 38 *BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW* 417 (2011)

“Opening the Industry Playbook: Myths and Truths in the Debate over BPA Regulation,” Center for Progressive Reform White Paper no. 1107 (May 2011)

“Twelve Crucial Health, Safety, and Environmental Regulations: Will the Obama Administration Finish in Time?” Center for Progressive Reform White Paper no. 1106 (April 2011)

“Missing the Mark in the Chesapeake Bay: a Report Card for the Phase I Watershed Implementation Plans,” Center for Progressive Reform White Paper no. 1102 (January 25, 2011)

“From Ship to Shore: Reforming the National Contingency Plan to Improve Protections for Oil Spill Cleanup Workers,” Center for Progressive Reform White Paper no. 1006 (August 2010)

TESTIMONIES

“Evaluating the Science and Process behind Chemical Risk Assessment,” Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight (July 14, 2011)

“The American Energy Initiative Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011,” Committee on Energy & Commerce, Subcommittee on Energy & Power (April 7, 2011)

“Environmental Regulation, the Economy, and Jobs,” House of Representatives: Committee on Energy and Commerce, Subcommittee on Environment and Economics, Washington, D.C. (February 15, 2011)

SELECTED PRESENTATIONS

Guest Lecturer, “Regulatory Reform and the EPA,” University of Maryland College Park, Presentation to Class of Undergraduate Students enrolled in “Introduction to Environmental Law” Course (September 27, 2011)

Guest Lecturer, “Saving Science from Politics,” Georgetown University Medical School, Department of Microbiology, Presentation to Class of Masters in Science Students enrolled in Multidisciplinary Course titled “Biomedical Science Policy for Scientists,” Washington, DC (September 13, 2011)

Panelist, “EPA Ruling the World: the 800-pound Gorilla?” Federalist Society National Lawyers’ Convention, Washington, DC (November 20, 2010)

Panelist, “Lessons from the North Sea,” Conference on Learning from Disaster: Lessons for the Future from the Gulf of Mexico Environmental Affairs Law Review Symposium Boston College School of Law, Boston, Massachusetts (November 12, 2010)

Participant, with conservative John Baden, in a debate: “Why People Need Government,” Federalist Society, George Mason University, Arlington, VA (September 28, 2010)

Guest Lecturer, “Saving Science from Politics,” Georgetown University Medical School, Department of Microbiology, Presentation to Class of Masters in Science Students enrolled in Multidisciplinary Course, Washington, DC (September 14, 2010)

PRESS AND MEDIA

Breathing uneasily: Obama retreats on tightening smog standards, *The Baltimore Sun* Op-Ed (September 7, 2011)

Business as usual in the Gulf, *The Baltimore Sun* Op-Ed (April 20, 2011)

JANE F. BARRETT

PUBLICATIONS

“When Business Conduct Turns Violent: Bringing BP, Massey, and other Scofflaws to Justice,” 48 *AMERICAN CRIMINAL LAW REVIEW* (2011).

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Government Transparency

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PRESENTATIONS

"Holding Scofflaws Accountable for Violent Business Crimes," Environmental & Energy Law Policy Journal, University of Houston Law Center, Houston, Texas (February 18, 2011)

"The Clean Water Act and the Chesapeake Bay," Washington College, Chestertown, Maryland (October 22, 2010)

PRESS AND MEDIA

Laura Parker, "Will BP Execs Face Criminal Charges? Not Likely, Experts Say," *AOL News* (March 30, 2011)

Alex Frean, "BP Could be Charged with Manslaughter in US," *The Times of London* (March 30, 2011)

"BP Execs May Face U.S. Manslaughter Charges," with Ric Peterson on CJAD Montreal 800 AM (March 30, 2011)

"Manslaughter Charges Against BP? Golf Oil Spill, Explosion Follow-up," with MSNBC (March 29, 2011)

Justin Blum and Alison Fitzgerald, "BP Managers Said to Face U.S. Manslaughter Charges Review," *Bloomberg* (March 29, 2011)



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The year 2012 will mark the 40th anniversary of the Stockholm Conference on the Human Environment and the 20th anniversary of the Rio Earth Summit. But when world leaders gather for the “Rio+20” conference next June, they will face a markedly different climate than during their previous gatherings. Despite rising concern for the environment, efforts to advance global environmental governance are facing headwinds in the wake of the global financial crisis and the failure to reach consensus on a post-Kyoto response to climate change.

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For more information contact Environmental Law Program Coordinator Suzann Langrall at slangrall@law.umaryland.edu or visit www.law.umaryland.edu/iucnael2012



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