FLORIDA SHORE & BEACH PRESERVATION ASSOCIATION

2021 Seminar Series

# July 14, 2021 Webinar
# Climate Change –
# Emerging Government Responsibility and Liability

**1:00-1:05 pm** **Opening remarks**

**1:05-1:55 pm** **Panel 1: Statewide Mitigation and Adaptation Policies and Funding**

**Resilience Funding Opportunities**
**Presenter: Whitney Gray, Florida Department of Environmental Protection, Tallahassee, FL**

**Leveraging Federal Disaster Assistance to Build Back with Resilience**
**Presenter: Alyssa Hernandez, Florida Department of Economic Opportunity**

**1:55-2:05 pm** **Break**

**2:05-2:55 pm** **Panel 2: The Public Trust: Climate Change Case Studies**

**Carbon Pricing, the Social Cost of Carbon, and Missouri v. Biden**
**Presenter: Shi-Ling Hsu, FSU Law**

**Reynolds v. Florida**
**Presenter: Andrea Rodgers, Our Children's Trust**

**2:55-3:05 pm** **Break**

**3:05-3:55 pm** **Panel 3: Torts, Takings, and Sovereign Immunity in Florida**

**Bert J. Harris Act Private Property Claims**
**Presenter: Thomas Ruppert, University of Florida, Florida Sea Grant**

**Emerging Case Law on Government Liability**
**Presenter: Erin Deady, Erin L. Deady, P.A.**

**3:55-4:00 pm** **Closing remarks**

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2021 FSBPA Seminar Series

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## Meet the Speakers

**Whitney Gray – Florida Department of Environmental Protection**

Whitney Gray serves as the Florida Resilient Coastlines Program administrator in the Office of Resilience and Coastal Protection. Her bachelor's and master's degrees are from the University of Florida, where she studied zoology and systems ecology. She first worked on climate change vulnerability assessment and adaptation planning with the Southwest Florida Regional Planning Council. From 2012 to 2015, Whitney served as sea level rise coordinator for both the Florida Fish and Wildlife Conservation Commission and Florida Sea Grant, specializing in the effects of sea level rise on coastal ecosystems. She coordinated an internal climate change seminar series ("Florida Adapts") and served as a subject-matter expert on Species Action Plans during the Imperiled Species Management Planning process. Originally from Florida's Gulf Coast, Whitney has seen firsthand how sea level rise has changed the state - from critical erosion to "ghost forests." Her task now is to bring sea level rise resilience planning to the forefront of DEP activity for the long-term benefit of the people and ecosystems of Florida.

## Alyssa Hernandez, Florida Department of Economic Opportunity

Alyssa Hernandez is currently the Program Administrator leading the Mitigation team as part of the Office of Long-Term Resiliency within Florida's Department of Economic Opportunity. She has been with the program since its inception in 2019 and, together with her team, is responsible for managing more than $675 million in federal grant funding from the Department of Housing and Urban Development. To date, over 64% of these funds have been awarded to ensure Florida's communities are equipped with resources to recover from recent disasters and be better prepared to withstand future storms.

Alyssa earned a Bachelor's degree at DePaul University majoring in Geography and Public Policy before attending Florida State University to earn a Master's degree in Education Policy Evaluation. She is also an active member of the Tallahassee branch of the NAACP serving as Secretary, has enjoyed fostering over a dozen dogs within recent years.

## Shi-Ling Hsu, FSU Law

Professor Shi-Ling Hsu is an expert in the areas of environmental and natural resource law, climate change, law and economics, and property. He has published in a wide variety of legal journals and recently published a book, *The Case for a Carbon Tax: Getting Past our Hang-ups* to Effective Climate Policy (Island Press 2011). Prior to entering academia, Hsu was a senior attorney and economist for the Environmental Law Institute in Washington, D.C. He also practiced law in California, both as a deputy city attorney for the City and County of San Francisco and as an associate attorney with the firm of Fenwick & West in Palo Alto. He teaches Property and Interdisciplinary Perspectives on Climate Change. Professor Hsu has a Ph.D. in Agricultural and Resource Economics and a M.S. in Ecology from the University of California. He also earned a J.D. from Columbia Law School and a B.S. in Electrical Engineering from Columbia University.

## Andrea Rodgers, Our Children's Trust

Andrea is Senior Litigation Attorney at Our Children's Trust, where she serves as co-counsel on Juliana v. United States and as lead counsel on Aji P. v. State of Washington and Reynolds v. State of Florida. After graduating from the University of California, Santa Barbara in 1998 and Arizona State University School of Law in 2001, where she served as co-Executive Editor of Jurimetrics: The Journal of Law, Science and Technology, Andrea clerked for the Hon. John C. Gemmill on the Arizona Court of Appeals. She has served as an Honors Attorney for the U.S. Department of Transportation, In-House Legal Counsel for the Snoqualmie Indian Tribe, and Staff Attorney for the Western Environmental Law Center. Her law practice has focused on reducing pollution from industrial agricultural operations, protecting and enhancing instream flows for people and fish, and fighting climate change for young people and future generations.

## Thomas Ruppert – University of Florida, Florida Sea Grant

Thomas Ruppert, Esq., Coastal Planning Specialist at the Florida Sea Grant College Program, is an attorney developing legal and policy analysis for local governments on aspects of adaptive planning for sea-level rise and community resilience. Areas of expertise include local government financing of adaptation, flood insurance, property buyouts, Florida's coastal construction control line permitting, comprehensive planning, sea turtle habitat protection, statutory property protections, and U.S. constitutional property protections. Mr. Ruppert has authored and co-authored numerous legal articles in publications such as the Columbia Environmental Law Journal, The Environmental Law Reporter, and Florida Bar Journal. The co-authored article "Roads to Nowhere in Four States: State and Local Governments in the Atlantic Southeast Facing Sea-Level Rise" was selected as a top 4 environmental law article in 2019.

## Erin Deady – Erin L. Deady, P.A.

Erin Deady is a licensed attorney in Florida, a certified land planner by the American Institute of Certified Planners ("AICP") and a LEED AP. Her practice is primarily focused on public sector government representation but also includes numerous private sector and agricultural clients. Her practice includes environmental restoration initiatives, water, energy, climate, local government, administrative law and land use issues. Erin earned a J.D. from Nova Southeastern University, Shepard Board Law Center, a Master of Public Administration from the Florida Atlantic University, and a Bachelor of Science in Marine Science Affairs from the University of Miami. She is a frequent lecturer and author on climate change, energy, environmental restoration and public finance issues statewide and nationally. Ms. Deady previously served as Environmental Counsel to Audubon of Florida and has worked for the Village of Wellington, the Broward County Department of Planning and Environmental Protection and the SFWMD.