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**New Conference!**

# Wind Energy

**A Sustainable Source of Energy That Poses Challenges to the Environment**

**January 28-29, 2008 • Omni Hotel Downtown • Austin**

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## **Featuring Speakers From:**

Texas Commission on  
Environmental Quality

Texas General Land Office

Acciona Energy

Babcock & Brown

SWCA Environmental Consultants

Horizon Environmental Services

Bat Conservation International

John Milner Associates

University of Texas School of Law

U.S. Fish and Wildlife Service

... and some of the leading  
law firms in the nation!

Join our distinguished faculty to learn about environmental issues concerning wind energy, including impacts to avian species, cultural resources and visual impacts.

## **Did you know?**

Wind energy is a pollution-free, infinitely sustainable form of energy. It doesn't use fuel, it doesn't produce greenhouse gases, and it doesn't produce toxic or radioactive waste.

United States wind energy installations have exceeded 10,000 megawatts in generating capacity, and produce enough electricity on a typical day to power the equivalent of over 2.5 million homes.

There are several economic, environmental, and energy security benefits of wind power development.

One environmental benefit is a reduction in global warming pollution. Today's wind power is keeping 16 million tons of carbon dioxide, the leading greenhouse gas associated with global warming, out of the air every year. That's equivalent to the amount of carbon dioxide that would be absorbed by over 9,000 square miles of forest, an area about the size of Vermont.

America's wind resource potential is vast, and can theoretically produce more than twice the amount needed to meet the current United States electricity supply!

*Source: American Wind Energy Association*

## **Omni Hotel Downtown**

700 San Jacinto Boulevard  
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**Schedule and Instructor Bios Inside** 

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**Monday, January 28****Tuesday, January 29**

- 8:30 Registration and Continental Breakfast
- 9:00 **Welcome and Introduction**  
Overview of Day One  
**Steven W. Carothers, PhD, Program Co-Chair**  
SWCA Environmental Consultants, Austin, TX
- 9:15 **A Primer on Wind Energy**  
Technology, Economics, Transmission and Environmental Issues  
**Randy Etheridge, Senior Developer**  
Acciona Energy, Katy, TX
- 10:00 **Keynote Presentation**  
Wind Energy in Texas: From the General Land Office  
**Jerry Patterson, Commissioner**  
Texas General Land Office, Austin, TX
- 10:45 Morning Break
- 11:00 **Environmental Challenges Identified by the National Research Council Report**  
Perspective from a Regulatory Agency  
**Kathleen Harnett White, Former Chairman**  
Texas Commission on Environmental Quality, Austin, TX
- 11:45 **Site Selection and Acquisition**  
Plan for Project Success  
**Melinda E. Taylor, Esq., Director, Environmental Law Clinic**  
University of Texas School of Law, and  
Of Counsel, Smith, Robertson, Elliott, Glen, Klein & Bell, Austin, TX
- 12:30 Lunch Break
- 1:45 **State and Local Permitting Requirements**  
Renewable Portfolio Standards as Driving Demand  
**Andrew L. Spielman, Esq.**  
Hogan & Hartson, Denver, CO
- 2:30 **Project Financing**  
Environmental Considerations  
**M. Benjamin Cowan, Esq.**  
Locke Liddell & Sapp, Houston, TX
- 3:15 Afternoon Break
- 3:30 **National Historic Preservation Act and Section 106**  
Considerations in the Cultural Context  
**John F. Clark, Esq.**  
Holland & Hart, Washington, DC
- 4:15 **Cultural Resources Methods and Compliance for Wind Energy Projects**  
A Practical Application  
**Joel I. Klein, PhD, RPA, Associate Director**  
Cultural Resources Department  
John Milner Associates, Croton-on-Hudson, NY
- 5:00 **Coastal Projects and Environmental Issues**  
Case Study: The Gulf Wind Project  
**John Calaway, Managing Member**  
Babcock & Brown, Houston, TX
- 5:45 Adjourn

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**  
Overview of Day Two  
**Alan M. Glen Esq., Program Co-Chair**  
Smith, Robertson, Elliott, Glen, Klein & Bell, Austin, TX
- 9:15 **Special Considerations**  
Wind Development and the Migratory Bird Treaty Act  
**Albert M. Manville, II, PhD, Wildlife Biologist**  
Division of Migratory Bird Management  
U.S. Fish and Wildlife Service, Arlington, VA
- 10:00 Morning Break
- 10:15 **Bats**  
Risk Assessment and Avoidance  
**Edward B. Arnett, PhD, Conservation Scientist**  
Bat Conservation International, Austin, TX
- 11:00 **Threatened and Endangered Species**  
Permitting Options Under the Endangered Species Act  
**C. Lee Sherrod, Principal Consulting Biologist**  
Horizon Environmental Services, Austin, TX
- 11:45 Lunch Break
- 1:00 **Ethics**  
Considerations for Wind Development  
**George Humphrey, Esq., and**  
**Grace D. O'Malley, Esq.**  
Andrews Kurth, Houston, TX
- 2:00 Afternoon Break
- 2:15 **Reducing Environmental Impacts: Making Adaptive Management Work**  
A Panel Presentation  
**Cathryn Collis, Senior Consultant**  
SWCA Environmental Consultants, Salt Lake City, UT  
**Steven W. Carothers, PhD, Program Co-Chair**  
**Alan M. Glen, Esq., Program Co-Chair**
- 4:00 **Clean Water Act and Section 404 Considerations**  
Corps and SWPPP Permitting Issues for Wind Projects; How Corps Jurisdiction Triggers Other Permit Requirements  
**James O. Jones, Natural Resource Program Director**  
SWCA Environmental Consultants, Austin, TX
- 4:45 Evaluations and Adjourn

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These Dates!

**Conservation Easements**  
January 11, Seattle  
**Nevada Water Law SuperConference**  
January 14-15, Reno

**Eminent Domain SuperConference**  
January 31-February 1, Austin  
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February 11-12, Austin

**Negotiating Leases**  
February 11-12, Austin  
**Green Building**  
February 21-22, San Francisco

## Wind Energy

# meet your **instructors**

### Program Co-Chairs

**Steven W. Carothers** is the founder of his company. He is an aquatic and terrestrial biologist with over 30 years' experience in ecological research, environmental planning, ESA and NEPA compliance, and resource management.

**Alan M. Glen** practices environmental law, with an emphasis on endangered species and other natural resources. He has experience in advising wind energy developers on environmental compliance strategies involving endangered species, wetlands and cultural resources.

### Keynote Presenter

**Jerry Patterson** has dedicated his life to public service. He was a state senator for District 11 (Harris, Galveston and Brazoria counties), where his major legislative successes included passage of the historic concealed handgun law, a constitutional amendment allowing home equity lending, and the state coastal management plan.

### Faculty Members

**Edward B. Arnett** is a Conservation Scientist and Coordinator for the Bats and Wind Energy Cooperative with his organization. He has studied bats for the past 12 years, focusing primarily on habitat ecology and resource selection of forest bats.

**John Calaway** is the Chief Development Officer for his Australian-based company, which is one of the largest investors in wind energy power projects in the United States and around the world. Previously, he was the Chief Executive Officer of Superior Renewable Energy.

**John F. Clark** is a recognized national authority on the environmental and historic preservation regulation of communications and energy facilities.

**Cathryn Collis** is a Senior Consultant with over 20 years of experience in natural resource and sustainability planning and environmental mediation.

**M. Benjamin Cowan** is an environmental law attorney whose practice covers regulatory and compliance issues, civil and criminal enforcement defense, and real estate and corporate transactional matters.

**Randy Etheridge** is a senior developer for the largest developer, owner and operator of wind farms in the world, with 164 wind farms in nine countries representing over 4,500 megawatts of wind power installed or under construction.

**George Humphrey** is a transactional attorney whose practice focuses on U.S. and international project development and finance, corporate finance, joint ventures, and stock and asset acquisitions and divestitures.

**James O. Jones** has 30 years of experience in environmental management. He was a founding member of the Regulatory Program of the U.S. Army Corps of Engineers, Galveston District. His specialty is the management of controversial and difficult environmental projects.

**Joel I. Klein** is responsible for the management of his firm's offices in New York and New England. He has more than 30 years' experience in archeology and historic preservation compliance associated with the licensing and permitting of large-scale development projects.

**Albert M. Manville II** serves as the national lead on anthropocentric causes of bird mortality from structures and fishery impacts. He chairs the Communication Tower Working Group, a Service wind working group, a Service electric power line committee, and a waterbird bycatch working group.

**Grace D. O'Malley** is a transactional attorney in the Project Finance Group of her firm. She has worked on the construction and term financing for wind power plants, and on related project documents and takeouts.

**C. Lee Sherrod** specializes in endangered species, terrestrial and wetland ecology, and environmental assessments. He has 25 years' experience in these fields and has been qualified as an expert witness in federal court proceedings regarding wetlands and endangered species.

**Andrew L. Spielman** practices primarily in the areas of public lands and natural resources permitting. Prior to working in private practice, he served as a Presidential Management Fellow at the White House and at the U.S. EPA.

**Melinda E. Taylor** has a diverse environmental and land use practice, with extensive experience with implementation of the Endangered Species Act on private land, Clean Water Act regulatory issues, and implementation of the National Environmental Policy Act.

**Kathleen Hartnett White** was appointed as Commissioner to the Texas Commission on Environmental Quality by Governor Rick Perry in 2001, and was named Chairman in 2003.

**CLE INTERNATIONAL Program Attorney:**  
Michelle Messner, michelle@cle.com.

For information on becoming an Exhibitor or a Sponsor, please contact Barbara Hollingsworth, barbara@cle.com.

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Earn up to 12 Hours MCLE Credit  
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Permitting and the Renewable Energy Process

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**Keynote Presentation**  
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Land Office**

Jerry Patterson, Commissioner  
Texas General Land Office, Austin



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