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FOR MORE INFORMATION

Contact: Professor James R. May
302-477-2060, jrmay@widener.edu

PLANNING COMMITTEE

Professor James R. May (Chair); Todd Coomes,
Esq.; Hon. Susan Del Pesco; Stephanie Hansen,
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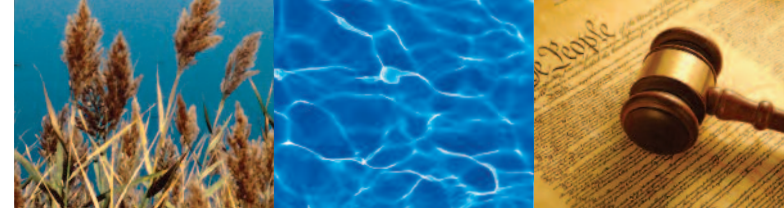


*Section does not take any position on the issues discussed at
the colloquium, nor does it endorse the views expressed by
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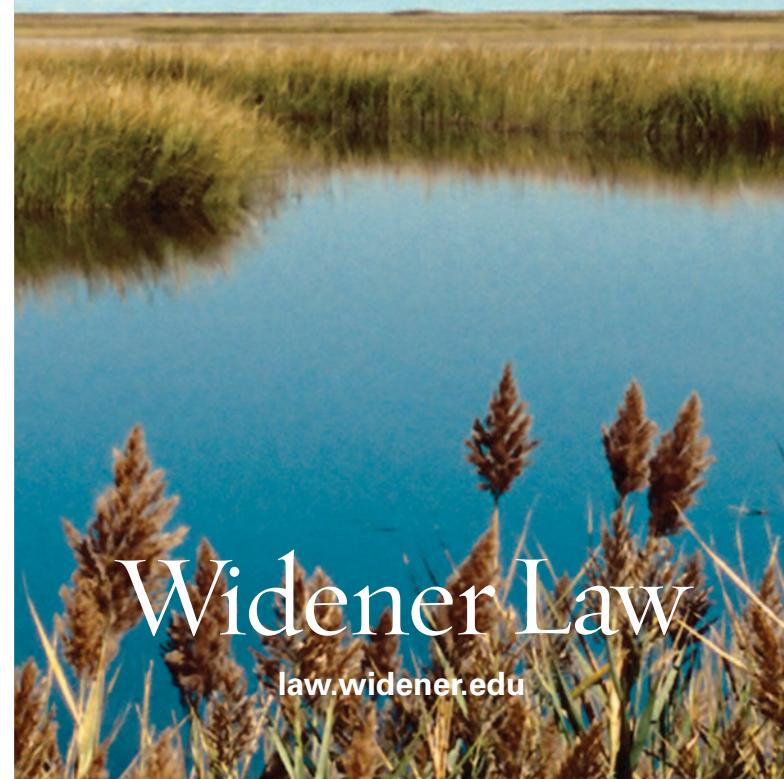


The Delaware Coastal Zone Act at 40: Past, Present, and Future

Friday, September 30, 2011
9 a.m. – 5 p.m.

Widener University
School of Law
Ruby R. Vale Moot Courtroom
Delaware Campus

5.5 CLE credits available for DE and PA



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ABOUT THE SYMPOSIUM

2011 marks the 40th Anniversary of what many believe to be the State of Delaware's most important law. In 1971, Delaware enacted the first comprehensive coastal land use law in the world aimed at curbing industrial uses of a coastal area, known as the "Coastal Zone Act." ("CZA"). The CZA forbids new heavy industry and bulk transfer facilities, regulates new heavy manufacturing uses, and is silent about commercial and residential development.

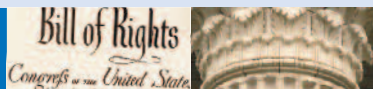
This program will examine the past, present, and future of the CZA. It aims to provide a neutral forum for a civil conversation about the CZA's opportunities and challenges over the next 40 years.

The CZA was a controversial law. It was heavily opposed by the industrial development community in general and Shell Oil and the Nixon Administration in particular. With the endorsement of then Governor Russell Peterson, it passed in the Delaware Legislature by narrow margins.

Forty years on, the CZA continues to be what might be the state's most celebrated and controversial law. Proponents of its success point to a coastline that looks much as it did 40 years ago, boasting a 100-mile stretch that lacks industrial development from Delaware City to the southern tip of the State. The coast's quality contributes to tourism, property values and quality of life. Industrial development interests, however, contend that the CZA is unnecessarily rigid and starves the state of business and employment opportunities and tax revenues. Either way, the CZA has served as a model to be examined across the country and the world.

Space is limited. Please register by September 23, 2011. Walk-ins are welcome, provided space is available.

Questions? Please contact Professor James R. May at 302-477-2060 or jrmay@widener.edu.



AGENDA

9:00 am—Welcome and Introduction

Marilyn P. Whittington, Executive Director, Delaware Humanities Forum; **James R. May**, Professor of Law and Co-Director of the Environmental Law Center

9:15–10:10 am—Introduction to the Delaware Coastal Zone and the Delaware Coastal Zone Act and Legal History of the CZA

Debbie M. Heaton, President, GreenWatch Institute; Sierra Club and **James R. May**

10:15–11:00 am—Practice and Procedure Under the CZA

Moderator: **Kenneth T. Kristl, Esq.**, Associate Professor of Law and Director, Environmental and Natural Resources Law Clinic, Widener University School of Law

Panel: **David S. Swayze, Esq.**, Parkowski, Guerke & Swayze, P.A.; **Robert F. Phillips, Esq.**, DE Department of Justice

11:00–11:15 am—Break

11:15 am–12:10 pm—Emerging Legal Issues

Moderator: **Todd Coomes, Esq.**, Richards, Layton and Finger, P.A.

Panel: **Kenneth T. Kristl, Lee Ann Walling**, Chief of Planning, DNREC, **Robert Whetzel, Esq.**, Richards, Layton and Finger, P.A.

12:15–1:25 pm—Lunch

Welcome—Linda L. Ammons, Associate Provost and Dean

Keynote Speaker

Hon. Michael Castle (introduced by Professor James R. May)

1:30–2:25 pm—Legislative and Regulatory Perspectives: Is It Time to Begin the Discussion?

Moderator: **Stephanie Hansen, Esq.**, Young Conaway Stargatt & Taylor, LLP — Panel: **Senator Karen Peterson**, Natural Resources and Environmental Control Committee, Delaware State Senate; **Representative Debra Heffernan**, Natural Resources Committee Co-Chair, Delaware House of Representatives; **Karl Kalbacher, PG.**, Director of Redevelopment, New Castle County; **David Small**, Deputy Secretary, DNREC

2:30–3:25 pm—Concurrent Breakout Sessions

Facilitators: **Ed O'Donnell**, University of Delaware (ret.); **Jeremy Firestone**, University of Delaware; **Richard Fleming**, DuPont (ret.); **Pamela Meitner, Esq.**, (ret., Du Pont Company); **Andrea Kreiner**, Principal, A. Kreiner Company; **Justin Smigelsky '12**; **Marilyn P. Whittington**

Film: *An Evolving Legacy: Delaware's Coastal Zone Act*

Facilitator: **Michael Oates**, 302 Stories, Inc., Mr. Oates is the program's writer and director.

3:30–3:45 pm—Break

3:45–4:00 pm—Breakout Reports

4:00–4:55 pm—Town Hall Meeting—Moderated discussion

Moderator: **Hon. Susan Del Pesco**, Superior Court of Delaware (ret.)

4:55–5:00 pm—Closing remarks and adjournment

The Delaware Coastal Zone Act at 40: Past, Present and Future

Friday, September 30, 2011

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