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Texas Coastal Law

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May 18-19, 2006 • The Tremont House • Galveston

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- University of Texas, Jackson School of Geosciences
 - Shiner Moseley & Associates
 - Texas A&M University
 - Texas General Land Office
- ... and some of the most knowledgeable and experienced coastal law practitioners in Texas!



The Tremont House

Nestled in the heart of Galveston Island's Strand Historic District is The Tremont House, an affordably elegant European-style hotel that begs your discovery. Sparkling like a precious stone amidst Galveston's famous collection of Victorian architecture, The Tremont House offers a delightful blend of 19th century charm, 21st century sophistication, with exemplary service and luxury that have made it a strong favorite among island visitors.

The hallmark of The Tremont House is the elegant and gracious hospitality which is apparent at every turn, from the sun-dappled, four-story atrium lobby with its imposing Toujouse Bar, to the handsome meeting facilities and elegant ballrooms. Even The Merchant Prince, a perfect

location for intimate dining, radiates warmth and richness, tempting you to linger awhile and savor the taste of Galveston's glorious past. And the Rooftop Terrace offers a relaxing retreat to watch the sunset and ships from around the world dock at Galveston's port.

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Sample the grace and heritage of a bygone era at The Tremont House in Galveston's historic district, 2300 Ship's Mechanic Row, Galveston, TX 77550. To reserve your space and get the best rate, please call Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.



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Conference Schedule and Speaker Biographies Inside



| Thursday, May 18 | Friday, May 19 |
|--|--|
| <p>8:30 Registration and Continental Breakfast</p> <p>9:00 Introduction and Welcome Overview of Day One Thomas J. Forestier, Esq., Program Co-Chair <i>Winstead Sechrest & Minick, Houston</i> Marc O. Knisely, Esq., Program Co-Chair <i>McGinnis Lochridge & Kilgore, Austin</i></p> | <p>8:30 Continental Breakfast</p> <p>9:00 Introduction Overview of Day Two Thomas J. Forestier, Esq., Program Co-Chair Marc O. Knisely, Esq., Program Co-Chair</p> |
| <p>9:15 Keynote Presentation Texas Coastal Issues and History Jerry Patterson, Commissioner <i>Texas General Land Office, Austin</i></p> | <p>9:15 Permitting Major Projects Case Studies Joe C. Moseley, Jr., PhD <i>Shiner Moseley & Associates, Corpus Christi</i></p> |
| <p>10:00 Morning Break</p> <p>10:15 Geological Survey of the Gulf Coast Following Hurricane Rita James C. Gibeaut, PhD, Bureau of Economic Geology <i>Jackson School of Geosciences, University of Texas, Austin</i></p> <p>11:00 Wind Energy Issues and the Role of the Texas General Land Office Wind Power on the Texas Gulf Coast as a Potentially Major Source of Energy Jorge A. Ramirez, Esq., Staff Attorney, and C. Louis Renaud, Deputy Commissioner Energy Resources <i>Texas General Land Office, Austin</i></p> | <p>10:00 Morning Break</p> <p>10:15 The Texas General Land Office Coastal Resources Program How the General Land Office Administers Programs from the Federal, State and Local Levels; Updates on the Latest Projects and Plans That Will Affect the Texas Coast Sam Webb Deputy Commissioner of Coastal Resources <i>Texas General Land Office, Austin</i></p> <p>11:00 Ethics: The Four "C's" of Client Care Problems In-House Counsel and Government Lawyers Face Jane G. Sarosdy, Esq., Staff Attorney Coastal & Public Lands <i>Legal Services Division</i> <i>Texas General Land Office, Austin</i></p> |
| <p>12:00 Q&A Panel <i>Members of the Faculty</i></p> <p>12:15 Lunch Break</p> <p>1:45 Shoreline Boundaries Legal Principles Shannon H. Ratliff, Esq. <i>The Ratliff Law Firm, Austin</i></p> | <p>12:00 Lunch Break</p> <p>1:30 Current Issues in the Law of Governmental Takings The Kelo Decision; Statutory Responses; Current Cases Michael V. Powell, Esq. <i>Locke Liddell & Sapp, Dallas</i></p> |
| <p>2:30 Addressing Hurricane Rita Texas Commission on Environmental Quality (TCEQ) Guidelines Mary Reagan, Esq. <i>McGinnis, Lochridge & Kilgore, Austin</i></p> | <p>2:15 Keynote Presentation: Where is My Beach House Going? The Upper Coast's Irreversible Eroding and the Legal Implications on Private Property Senator A. R. "Babe" Schwartz, Esq. (Retired) Of Counsel, Schwartz, Junell, Greenberg & Oathout, Houston</p> |
| <p>3:00 Afternoon Break</p> <p>3:15 The Coastal Coordination Act and the Texas Coastal Management Program Compliance and Rulemaking Issues Mary Reagan, Esq.</p> <p>3:45 Shoreline Boundaries Geological Principles Richard L. Watson, PhD, Consulting Geologist <i>Port Aransas</i></p> <p>4:30 Q&A Panel <i>Members of the Faculty</i></p> <p>4:45 Adjourn</p> | <p>3:15 Afternoon Break</p> <p>3:30 Locating Littoral Boundaries A Land Surveyor's Perspective Gary A. Jeffress, RPLS, PhD Professor of Geographic Information Science <i>Texas A&M University, Corpus Christi</i></p> <p>4:30 Evaluations and Adjourn</p> |

Program Co-Chairs

Thomas J. Forestier is a trial lawyer with extensive experience in coastal boundary litigation and land use disputes, including condemnation proceedings involving pipeline and other utility easements. He was co-counsel for the landowner in the *Kenedy Memorial Foundation v. Dewhurst* case. He practices complex commercial litigation, oil and gas law, and media law. *Texas Monthly* magazine recognized him as a Texas Super Lawyer for 2005.

Marc O. Knisely specializes in both appellate law and Texas coastal and river law, which includes matters such as coastal and river boundary disputes involving principles of littoral and riparian ownership, Open Beach Act questions, and obtaining permits or easements in publicly owned submerged land.

Keynote Speakers

Jerry Patterson was elected the 27th Commissioner of the General Land Office in November 2002, and has already pledged to seek re-election to the office in 2006. He served his country as a U.S. Marine for over 20 years and as a State Senator for six. As senator from District 11, 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.

A. R. "Babe" Schwartz has been a politician for nearly 60 years and is a retired State Senator. He served in the Texas House of Representatives from 1955 to 1959 and in the Texas Senate from 1960 to 1981. Mr. Schwartz has either authored or co-authored most of the legislation pertaining to the Texas Coast. He is the former chair of the Texas Coastal and Marine Council and is faculty member of the University of Houston Law Center.

James C. Gibeaut heads the Coastal Studies Group in the Bureau of Economic Geology at the University of Texas. He specializes in beach and tidal inlet morphodynamics and has over 15 years' experience in collecting hydrographic and sedimentologic data in coastal environments. He has published articles and reports concerning modeling and statistical analysis of beach and inlet dynamics.

Gary A. Jeffress has 15 years' experience with coastal littoral boundaries in Texas and is the Director of the Texas Coastal Ocean Observation Network. He has held teaching positions in the United States, Australia and Haiti. His research incorporates GIS and digital surveying applications.

Joe C. Moseley, Jr., provides consulting services on a wide range of projects including ports, waterfront developments, environmental restoration, shoreline management and transportation. His areas of expertise are in planning, feasibility studies, developing public and legislative support, and permitting. He has served in the Texas Governor's office as Executive Director of the Coastal and Marine Council and as Deputy General Manager of the Deepwater Port Authority.

Michael V. Powell practices in the areas of appellate law and litigation. His experience includes briefing and presenting oral arguments in the United States Courts of Appeals, the Texas Supreme Court, and the Texas Courts of Appeals. In addition, he has briefed and argued matters in Alabama, Delaware, and Louisiana Supreme Courts. He has extensive experience before federal and Texas trial courts.

Jorge A. Ramirez is responsible for developing, maintaining, and verifying a majority of the Texas General Land Office's contracts, including wind leases, water leases, commercial transactions, professional services contracts, consulting contracts, and other similar documents.

Shannon H. Ratliff has been practicing law for 40 years. He focuses on complex commercial litigation, oil and gas law, and has an extensive appellate practice. He has been listed in *The Best Lawyers in America* since 1991, and is a fellow in the American College of Trial Lawyers.

Mary Reagan represents clients before the Texas Commission on Environmental Quality (TCEQ) and the U.S. EPA. She focuses on environmental law and regulation permitting and enforcement matters. She was formerly the principal legal counsel to TCEQ's predecessor agency on enforcement and permitting matters.

C. Louis Renaud recently joined the Texas General Land Office. Before joining the Land Office, he was an independent petroleum landman for 29 years in Midland, Texas. He also served on the School Land Board as a Governor's appointee from April 1996 to October 2001.

Jane G. Sarosdy focuses on the legal aspects of implementing the Texas Open Beaches Act and the Dune Protection Act, the Texas Coastal Management Plan, the management of state-owned submerged lands, and other environmental and regulatory issues related to the Texas coast.

Richard L. Watson has more than 30 years of experience as a geologist. He specializes in marine and coastal geology, sedimentation, hydrodynamics of sediment transport, nearshore current systems, tidal hydrodynamics, and sea level rise. In 1993, he prepared a report on erosion at Surfside, Texas.

Sam Webb is the Chair of the Executive Committee of the Coastal Coordination Council. He was previously a management consultant for Perforex LP and was an attorney in corporate and oil and gas law. He currently serves as a Captain in the Texas Army National Guard's Judge Advocate General Corps.

conference **information**

Continuing Education Credit

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Real Estate: This course meets the requirements for 11 hours Mandatory Continuing Education (MCE) credit from the Texas Real Estate Commission.

For accreditation in other jurisdictions or disciplines, please contact Shauna Krazcek at (800) 873-7130 or shauna@cle.com.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Mallon at (800) 873-7130 or sarah@cle.com.

Registration

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Facing the Issues After Katrina and Rita

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Two Keynote Presentations!



**Jerry Patterson,
Commissioner**
Texas General Land Office,
on: "Texas Coastal Issues
and History"



**A. R. "Babe" Schwartz
Former Texas State Senator**
on: "Where Is My Beach House
Going? The Upper Coast's
Irreversible Eroding and the Legal
Implications on Private Property"



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