

## **Albert J. Slap, Esquire**

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### **Education**

B.A., University of Pennsylvania (1971)  
J.D., Villanova University School of Law (1974)



### **Biographical Sketch**

Mr. Slap received his Bachelor of Arts degree from the University of Pennsylvania (1971) and a Juris Doctor from the Villanova Law School (1974). From 1974-1979, Slap was Director of the Environmental Law Program, Public Interest Law Center of Philadelphia, where he brought the first Clean Water Act citizen suit against the City of Philadelphia and other major environmental cases, including *Susquehanna Valley Alliance v. Three Mile Island Nuclear Reactor*. The Philadelphia sewage case resulted in a \$650 million re-build of the City's aging sewer system, cessation of ocean dumping of sewage sludge into the Atlantic Ocean, and tens of thousands of new construction jobs. The *Three Mile Island* case prevented high-level radioactive waste from the nuclear accident from being discharged into the Susquehanna River.

From 1980-1984, Slap served as Deputy City Solicitor for Environment, City of Philadelphia, where he brought the first private Superfund action in the Country, *City of Philadelphia v. Stepan Chemical*. From 1985-1995, he practiced environmental law in several private law firms in Philadelphia. In 1995, Slap co-founded and served as Vice President and General Counsel of GeoSphere Systems, Inc., a software development and consulting firm specializing in emergency response and process safety management.

From 2000-2004, Slap was an Adjunct Professor of Law at the University of Cincinnati College of Law, where he taught Advanced Problems in Environmental Law and Pretrial Litigation and, was lead counsel in *Sierra Club v. Hamilton County*, 2007 U.S. App. LEXIS 24356 (6th Cir. 2007). That case resulted in a multi-billion dollar re-build of Cincinnati's aging sewer system, reduced pollution to the Ohio River, and tens of thousands of new construction jobs. From 2004-2008, Slap was Director of The Nature Conservancy's Colorado River Project ([www.nature.org/colorado](http://www.nature.org/colorado)). In 2005, Mr. Slap was again awarded an AV® Peer Review Rating by Martindale-Hubbell attesting to legal ability and professional ethics. In 2009, Slap served as a consultant to TNC's World Office in Arlington, VA.

In 2010, Mr. Slap was appointed General Counsel of Friends of the Everglades ([www.everglades.org](http://www.everglades.org)), wherein he directed FOE's environmental litigation. Federal litigation directed by Mr. Slap against the State of Florida and the US Environmental Protection Agency produced a historic \$880 million settlement to

expand the pollution filter marshes (STAs) north of Everglades National Park, which protect it from Everglades Agricultural Area (EAA) pollution. In 2012, Mr. Slap was appointed a Visiting Professor in Environmental Law at Florida International University (FIU) College of Law.

In 2012, Mr. Slap was also retained as lead counsel to Biscayne Bay Waterkeeper in a Clean Water Act citizen suit against Miami-Dade County's overflowing and polluting sewage system. This became the first case in the US where citizens sued their government to make major public infrastructure more climate ready by using the US Army Corps of Engineers Sea Level Rise Model. The case was successfully resolved with the County being legally obligated to adopt as the new basis of design of its three sewage treatment plants the design-year of 2075, three-feet of sea level rise and, a 22-foot storm surge.

In 2014, Mr. Slap founded and is the President and CEO of Coastal Risk Consulting, LLC ([www.coastalriskconsulting.com](http://www.coastalriskconsulting.com)). The mission of CRC is to help individuals, communities, businesses and governments get climate ready and storm safe in the US and around the world.

Mr. Slap is presently retired from the practice law in Ohio, Pennsylvania, New Jersey, and Florida. He is admitted to the Bars of the Supreme Court of the United States, the United States Courts of Appeal for the Third, Fifth and Sixth Circuits, the United States District Courts for the Eastern and Middle Districts of Pennsylvania, the District of New Jersey and the Southern District of Ohio.

In addition to numerous journal and magazine articles, Mr. Slap has authored two book chapters, "Citizen Suits in Pennsylvania" (Pennsylvania Environmental Law and Practice, Pennsylvania Bar Institute, 1999 Supp.) and "The Legal Aspects of Indoor Air and Health" (Hanley and Belfus, 1995). "Pennsylvania Environmental Law and Practice" won the Association for Continuing Legal Education's Best of 1999 Award for Outstanding Achievement in Publications. Some of his other publications include: "Generator Liability for Hazardous Wastes," 5 ALI/ABA Course Materials Journal, 95-106 (April, 1981); "Fallout from Three Mile Island: Direct Access to District Court," The National Law Journal, June 22, 1981, pp.28-29; Book Review, "NEPA Law and Litigation," Trial, September, 1985; "Punitive Damages in Toxic Torts," The Barrister, Spring, 1989; "The 'Chateaugay' Decision: Collision of Bankruptcy and Environmental Law," Toxic Law Reporter, Vol. 5, Nov. 4 (June, 1990); "Just Compensation for Wetlands Condemnation," Tri-State Real Estate Journal, May, 1991; "Are Forensic Experts and Endangered Species," Journal of Forensic Sciences, May, 1991; "Citizen Suits and Attorneys Fees in Pennsylvania," Pennsylvania Environmental Law and Practice, Pennsylvania Bar Institute, 1994 (1999, Supp.); "The Legal Aspects of Indoor Air and Health," Effects of the Indoor Environment on Health, Hanley and Belfus (1995); "Will States Go Scot-Free Under *Florida Seminole* Ruling?" Pennsylvania Law Weekly, April 22, 1996, p. 11; "Expert Systems in Emergency Response," Process Safety Symposium, Texas A&M University, 1999; "Use of Computerized Systems for Crisis Management and Incident Command," BASF International Fire Chiefs' Conference, Ludwigshafen, Germany, 1998; and, "Clean Water Act Citizen Suits Involving Urban Wet Weather Public Sewer Violations", ALI-ABA Clean Water Conference, November 6-7, 2003. Additionally, Mr. Slap was:

- Conference Co-Planner for the Ohio State Bar Association's Annual Environmental Law Symposium, April 29 to May 1, 2004.
- Principal author: "Roaring Fork Watershed, Measures of Conservation Success," The Nature Conservancy, 2007.
- Chapter Contributor: "Roaring Fork Watershed, State of the Watershed Report," Roaring Fork Conservancy, 2008 (<http://www.roaringfork.org/sitepages/pid272.php>).

- Presenter: “Moving to Climate Ready: The Public Policy Implications of Climate Science in Clean Water Act Litigation,” 14<sup>th</sup> Annual Water Information Summit, Florida International University, Oct. 23, 2013.
- Recipient, Marjory Stoneman Douglas, “Defender of the Everglades” Environmental Award, Friends of the Everglades, Earth Day, 2014.
- “Litigating Climate Readiness, Public Policy Implications of Using the Legal System to Make Critical Public Infrastructure Climate Ready.” Participant – Aspen Institute-Nicholas Water Forum, “Innovating for a Sustainable and Resilient Water Future,” May 28-31, 2014.
- “Using New Technologies to Accelerate Climate Adaptation,” Al Gore’s Climate Reality Miami, October 2015
- “Using New Technologies to Accelerate Climate Adaptation,” University of Pennsylvania, Alumni Weekend, May 2016.
- “Case Study Norfolk – Property-Specific Flood and Climate Risk Assessments,” America’s Renewable Energy Day, Snowmass, CO, August 2016
- “Getting to the Resilient Coastal Future,” CityAge Conference, Ft. Lauderdale, February 2016
- “Insurance Industry Needs Property-Specific Flood and Climate Impact Assessments,” Insurance Business America, Master Class, March 2017, Orlando, FL

### **Community Activities (Examples)**

Board Member - Friends of the Everglades – 2010 to 2016  
 The Nature Conservancy – Caribbean Advisory Council – 2010 to present  
 Roaring Fork Leadership – 2007-2008  
 Roaring Fork Watershed Plan – Organizing Committee (2007 – 2008)  
 Chapter Trustee, The Nature Conservancy, Pennsylvania (1986-1994)

### **Professional Memberships**

Pennsylvania Bar- 1974 (retired)  
 New Jersey Bar- 1985 (retired)  
 Ohio Bar- 2002 (retired)

### **Reported Cases (Examples)**

*Sierra Club, et al v. Hamilton County Bd. of Commissioners*, 2007 U.S. App. LEXIS 24356 (6th Cir. 2007); *Susquehanna Valley Alliance v. Three Mile Island Nuclear Reactor*, 619 F.2d 231 (3d Cir. 1980), *cert den*, 449 U.S. 1096 (1981); *Locust Lane v. Swatara Township Authority*, 636 F.Supp. 534 (M.D. PA 1986); *City of Philadelphia v. Stepan Chemical*, 544 F. Supp. 1135 (E.D.Pa. 1982); *Philadelphia v. Stepan Chemical, et al*, 1987 U.S. Dist. LEXIS 7058 (E.D. PA); *New Hanover Twp. and Paradise Watchdogs v. Comm. of PA and New Hanover Corp.*, 1996 Pa. Envirn LEXIS 37