California Water Law & Policy

Transforming California’s Water Picture: Administrative, Legal and Policy Changes and Challenges

California is facing some big issues right now. A new state administration means the restructuring of key agency personnel and policies; new proposals suggest fundamental changes to the manner in which water management and regulation are structured within the state; and lawsuits are challenging principles of law and policy long-thought as immutable. We’re covering all this and more on day one:

- The Past Year in California Water Law & Policy
- The View from, and of, Sacramento: What the New State Administration Means for California Water
- Suggestions for Structural Changes in California Water—Views from Outside the Water Management Community
- Let’s Make It a Federal Case—Challenges to Background Principles of California Water Law
- Groundwater and the Public Trust Doctrine—Does the SWRCB Have Authority to Regulate Groundwater?

At the same time, life goes on, and the practical aspects of water law in the state continue to be of import. Day two covers those relevant topics. And, for those wanting an introduction or refresher on water law basics, plan on attending the special “pre-session” on California’s Water Law Framework!

In addition to our distinguished Faculty of experts from our network of the state’s top law firms, you will gain practical insight from representatives from:

- Association of California Water Agencies
- California Legislative Analyst’s Office
- California Department of Justice
- Delta Stewardship Council
- Environmental Law Foundation
- Natural Resources Defense Council
- Ron Davis Advocacy
- The Shibatani Group, Inc.
- URS Corporation
- Westlands Water District

Join us for our annual Spring Conference, always in San Francisco!

Conference Co-Chairs:
Gala Argent, Ph.D.
Kevin O’Brien, Esq.
Gregory K. Wilkinson, Esq.

If you attend only one MCLE water law conference this year, make this the one!

REGISTER TODAY!
800-419-2741 or <register@argentco.com>
Monday, June 13

7:30  PRE-SESSION: California’s Water Law Framework
     •  Overview of California Water Law
       Antonio Rossmann, Esq., Rossmann & Moore, San Francisco

8:30  Registration and Continental Breakfast

9:00  Opening and Introductory Remarks
     •  Conference Overview with Critical Detail
       Co-Chairs: Gala Argent, Ph.D.; Gregory Wilkinson, Esq.

9:30  The Past Year in California Water Law and Policy
     Antonio Rossmann, Esq.

10:30 BREAK

10:45  The View from, and of, Sacramento: What the New State Administration Means for California Water
       •  Administrative and Legislative Agendas for the Coming Year
       Ron Davis, Principal, Ron Davis Advocacy, Sacramento
       •  The Water User’s Perspective
         Jason Peltier, Chief Deputy General Manager
         Westlands Water District, Fresno
       •  The Environmental Perspective
         Barry Nelson, Senior Policy Analyst, Natural Resources Defense Council, San Francisco

12:00 LUNCH BREAK

1:15  Let’s Make It a Federal Case—Challenges to Background Principles of California Water Law
       •  Recent Federal Court Cases: Klamath, Casitas, and Stockton East
         Jeanne Zolezzi, Esq., Herum | Crabtree, Stockton
       •  Area of Origin Protection: TCCA v. U.S.
         Steven P. Saxton, Esq., Downey Brand, Sacramento

2:15  Groundwater and the Public Trust Doctrine
       •  Does the SWRCB Have Authority to Regulate Groundwater?
         Roderick E. Walston, Esq., Best, Best & Krieger, Walnut Creek
       •  Water Rights, Property Rights and Groundwater: The Siskiyou County Case
         James Wheaton, President and Legal Director, Environmental Law Foundation, Oakland

3:15  BREAK

3:30  Suggestions for Structural Changes in California Water—Views from Outside the Water Management Community
       •  Liquid Assets: Improving Management of the State’s Groundwater Resources
         Anton Favorini-Csorba, Fiscal & Policy Analyst, Legislative Analyst’s Office, Sacramento
       •  Analysis of Recent Public Policy Institute of California Report
         David R.E. Aladjem, Esq., Downey Brand, Sacramento
       •  Insight from the Inside
         Timothy Quinn, Executive Director, Association of California Water Agencies, Sacramento

5:00  Adjourn to Networking Reception!

Tuesday, June 14

8:00  Continental Breakfast

9:00  Critical Overview of Day Two
     Co-Chairs: Gala Argent; Kevin O’Brien, Esq.

9:15  Water Districts, Fees and the Economy
       •  Prop 218, Prop 26 and Water District Charges and Assessments
         Jennifer Spaletta, Esq., Herum | Crabtree, Stockton
       •  Special Districts, Bankruptcy and the Bond Industry
         David Osias, Esq., Allen Matkins, San Diego

10:30 BREAK

10:45  Climate Change and Water Management—(It’s Not Going Away, Folks)
       •  A Shifting Climate: How Is It Affecting Water Rights and Entitlements?
         Robert Shibatani, CEO & Principal Hydrologist, The Shibatani Group, Sacramento
       •  CEQA, Water and Climate Change
         Kristen T. Castaños, Esq., Stoel Rives, Sacramento

12:00 LUNCH BREAK

1:15  San Francisco Bay/Sacramento-San Joaquin Delta Litigation and Developments
       •  The On-Going Battle over Delta Exports and Delta Species
         Gregory Wilkinson, Esq., Best, Best & Krieger, Riverside
       •  Endangered Species Act Biological Opinions
         Clifford T. Lee, Deputy Attorney General, California Department of Justice, San Francisco
       •  The Search for the Perfect BO – Where Will It End?
         Katherine Poole, Senior Attorney, Natural Resources Defense Council, San Francisco
       •  The Delta Stewardship Council and Delta Plan—What Difference Can They Make?
         Felicia Marcus, Member, Delta Stewardship Council, Sacramento

2:30 BREAK

2:45  Of Water, the ESA and Land Use: Issues and Updates from Around the State
       •  The San Ynez Reconsultation with NMFS
         Kevin O’Brien, Esq., Downey Brand, Sacramento
       •  The Santa Ana Sucker Reconsideration
         Lindsay Puckett, Esq., Best, Best & Krieger, Riverside
       •  The San Joaquin River Restoration Program
         Robert Sawyer, Esq., Best, Best & Krieger, Sacramento
       •  The State’s Proposed Wetlands Policy: The Fits and Starts of a New Regulatory Regime
         Scott B. Birkey, Esq., Cox, Castle & Nicholson, San Francisco

4:00  State and Federal Water Quality Issues under the CWA and SDWA
       •  Point-Source and Stormwater Permitting, Basin Plans and Constituents of Concern
         Jan Driscoll, Esq., Allen Matkins, San Diego
       •  The Technical and Financial Feasibility of Compliance with New Permitting Requirements
         Ed Othmer, PE, CPESC, CPSWQ, URS Corporation, La Jolla

4:45 Adjourn
PROGRAM CO-CHAIR:
- Gala Argent has served for 22 years as President of the legal publication firm Argent Communications Group, which produces monthly practice-oriented legal Reporters on water, land use, environmental and climate change law and policy. This is the 26th California Water Law & Policy conference she has co-chaired.
- Kevin O’Brien practices in the areas of environmental law, water law, litigation, natural resources law, water rights law and endangered species law. He has negotiated multi-million dollar deals to transfer water from one region of the state to another, has litigated major water rights cases in state and federal courts, and has choreographed the complex regulatory approval process for major new water supply projects.
- Gregory K. Wilkinson practices in the areas of water rights, water quality, endangered species and environmental impact reporting. He has successfully argued before the U.S. Supreme Court for the petitioner in Bennett v. Spear. He serves as counsel to the State Water Contractors, Friant Water Users Authority and the Metropolitan Water District of Southern California in various litigation matters.

FACULTY:
- David Aladjem practices water law rights and serves as counsel for public agencies in connection with water negotiations throughout California.
- Scott Birkey practices in connection with the preparation of environmental review documents pursuant to NEPA, CEQA, and Section 404 of the Clean Water Act, and advises clients regarding endangered species, wetlands and water rights law.
- Kristen Castaños practices in the areas of environmental, land use, water rights, water quality and natural resources law under CEQA, NEPA, the ESA and takings pursuant to the Fifth Amendment to the U.S. Constitution.
- Ron Davis represents public water agencies before the California Legislature and the State Administration. He has served as the State Legislative Director for the Association of California Water Agencies.
- Jan S. Driscoll practices environmental, land use and water rights law and represents companies and governmental entities in matters with environmental and/or water rights issues.
- Anton Favorini-Csorba advises the California Legislature on water issues and analyzes the budgets of California’s water-related departments.
- Clifford T. Lee he a member of the Hastings College of the Law adjunct faculty in addition to his work with the California Department of Justice in the Natural Resources Law Section.
- Felicia Marcus is the Western Director for the Natural Resources Defense Council and a Schwarzenegar Administration appointee to the Delta Stewardship Council.
- Barry Nelson is the Director of the California Vision Project for NRDC, where he works to protect rivers, lakes, estuaries and fisheries, and to promote water management practices that can meet human needs and adapt to the likely impacts of global warming.
- Scott Birch practices in connection with the preparation of environmental review documents pursuant to NEPA, CEQA, and Section 404 of the Clean Water Act, and advises clients regarding endangered species, wetlands and water rights law.

Faculty
California Water Law & Policy

Locaton and Lodging:
The site of the program is the Hotel Nikko, 222 Mason St., San Francisco, CA 94102. A block of rooms has been reserved at a special negotiated rate of $189. To register for your room at the discounted rate, call 415-394-1111, and ask for the “Argent California Water Law 2011” discount. Space is limited; so register by the May 23, 2011 cut-off date!

Tuition:
Conference tuition is $795. A discount of $100 is available for individuals from government agencies, public interest groups, or academia; for current subscribers to California Water Law & Policy Reporter; or for each attendee when two or more people from one firm or organization register together.

Tuition includes attendance, program materials, continental breakfasts, morning and afternoon refreshment breaks, and a three-month subscription to the California Water Law & Policy Reporter; (a $150 value).

Four Ways to Register:
Early registration is encouraged. To register: (1) Call 800-419-2741; (2) Mail the completed registration form on the reverse to: Argent Communications Group, PO Box 506, Auburn, CA 95604-0506; (3) Fax the completed form to 530-852-0360; or (4) email to <register@argentco.com>. Full payment or purchase order is due with registration.

MCLE Credit:
MCLE accreditation has been requested for this program. Pending MCLE accreditation approval by the State Bar of California for up to 13 hours.

Cancellation Policy:
Full refunds (less a $50 processing fee) will be made only if notice is received by June 6, 2011. Substitutions are encouraged. Argent Communications Group reserves the right to cancel any program and assumes no responsibility for personal loss.
REGISTRATION FORM

☐ Yes! Please register the following:

Name: ________________________________
Email: _______________________________
Name: ________________________________
Email: _______________________________
Name: ________________________________
Email: _______________________________

Firm/Agency: __________________________
Address: ________________________________
City: __________ St: _____ Zip: ________
Phone: _______________________________

TUITION:
☐ $795 per person, or
☐ $695 each for two or more from the same firm, or
☐ $695 government and nonprofit employees, or
☐ $595 each for two or more government and nonprofit employees

PAYMENT METHOD:
☐ Check enclosed. Payable to Argent Communications Group
☐ P.O. attached. OR
☐ Charge my: ☐ Visa ☐ MasterCard Exp Date: __________

Card #: ___________________________________________________
Signature (required): _________________________________________
Phone number (required): ________________________________

ARGENT COMMUNICATIONS GROUP
PO Box 506
Auburn, CA 95604

REGISTER TODAY!
800-419-2741
<register@argentco.com>