

Third Annual Conference!

September 12, 2016 • DoubleTree Suites • Santa Monica



Publications and MCLE Conference Programs
for the California Bar since 1989

California Land Use Law & Policy

Land development in California is back, but tensions and hurdles remain.

The California Environmental Quality Act and various planning and zoning laws keep land development practitioners aware and active. But add into the mix complicated water supply and air quality analyses—prompted by drought and climate change, required by state statutes and municipal ordinances, and as addressed and shaped by case precedent—and the balance between successful project development and serving community needs can be difficult.

Special projects such as transportation and alternative energy face their own unique challenges. Regulatory controls on density and the likelihood of school fee increases add layers of complexity to the situation. And in a state where real property is expensive, urban space is precious, and livable communities are something everybody desires, it's important for everyone to understand the strategies that work.

We understand these tough issues and have designed this year's California Land Use Law & Policy Conference to achieve just that. Find out how to navigate California's regulatory landscape from our faculty of top-tier, active experts in the real world of land use development. We have assembled an expert faculty of representatives of both development and our communities to offer their practical insights, and to share problem-solving strategies that allow for successful development and sustainable, livable communities.

No matter which side of the development process you are on, to navigate the hurdles to successful land development you need to be informed, up to date and agile. We have designed this conference for you...all of you. Whatever your role in the development process, this comprehensive, practice-oriented conference will flesh out what every land use practitioner needs—the crucial information in the most relevant areas.

Who should attend:

- Land Use and Environmental Attorneys
- City and County Planners
- Landowners and Developers
- City and County Counsel
- Engineering and Environmental Consultants
- City Council and County Board of Supervisors Members and Staff
- State and Local Agency Representatives
- Public Interest Group and Advocacy Personnel

Be ready, be prepared, be successful in your practice. If you attend only one California MCLE or AICP accredited land use conference this year, make it this one!



Scott Birkey, Esq.
Cox, Castle & Nicholson
San Francisco



Michelle Ouellette, Esq.
Best, Best & Krieger
Riverside

The only California Land Use Law & Policy conference produced by the California-based Publishers of the *California Land Use Law & Policy Reporter* and co-sponsored by many of the state's top law firms.



Conference Co-Sponsors:



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REGISTER TODAY!

800-419-2741

<register@argentco.com>

Monday, September 12

7:30 Registration and Continental Breakfast

8:30 Welcome Remarks with Critical Detail
Michelle Ouellette, Esq., Best, Best & Krieger, Riverside; Scott Birkey, Esq., Cox, Castle & Nicholson, San Francisco

8:45 Development in California: Is It Still Viable?
Prof. Shelley Saxer, Pepperdine School of Law, Malibu

9:15 The California Environmental Quality Act: Real World Hurdles and Solutions

• **Where Do We Stand on CEQA and Standing?**

Martin Stratte, Esq., Gresham Savage Nolan & Tilden, San Bernardino

• **The *CBIA v. BAAQMD* Decision: Lessons Learned**

Lisabeth Rothman, Esq., Briscoe, Ivester and Bazel, San Francisco

10:00 BREAK

10:15 CEQA and Climate Change: Air, Transportation and Renewable Energy Analyses Demystified

• **Analyzing Transportation Impacts under CEQA—Vehicle Miles Travelled or Level of Service?**

Ron Milam, AICP, PTP, Fehr & Peers, Roseville

• **The *Newhall Ranch* Decision: What Does It Mean for Your CEQA Greenhouse Gas Analyses?**

Michael Keinath, MSE, P.E., Ramboll Environ, San Francisco

• **CEQA and Sustainable Community Strategies—Making Sense of SB 375**

Charity Schiller, Esq., Best, Best & Krieger, Riverside

• **The New Renewable Energy Portfolio Standards and the Future of Renewable Energy Development**

Annie Mudge, Esq., Cox Castle & Nicholson, San Francisco

12:00 LUNCH (On Your Own)

1:15 Land Use Development in the Face of Water Scarcity

• **Successful Land Use Planning and the Sustainable Groundwater Management Act—The Developer's Perspective**

Paeter Garcia, Esq., Best, Best & Krieger, Los Angeles

• **Successful Land Use Planning and the Sustainable Groundwater Management Act—The Agency Perspective**

Susan Cola, Esq., Santa Monica City Attorney's Office, Santa Monica

2:00 The Initiative Process, Land Development and CEQA: A Panel Presentation

Moderator: Arthur Coon, Esq., Miller Starr Regalia, Walnut Creek

Ken Bley, Esq., Cox Castle & Nicholson, Los Angeles;

Barbara Liebold, Esq., Leibold, McClendon & Mann, Irvine;

Prof. Daniel Selmi, Loyola Law School, Los Angeles

3:15 BREAK

3:30 Emerging Issues for Development: Infill, Density Bonus and School Fees

• **From CEQA to Zoning: Strategies for Permitting Infill Development**

Brady McShane, Esq., Gresham Savage, Nolan & Tilden, Los Angeles

• **Affordability Requirements and the Supreme Court's Decision in *CBIA v. San Jose***

Anthony Francois, Esq., Pacific Legal Foundation, Sacramento;

David Lanferman, Esq., Rutan & Tucker, Palo Alto

• **School Fees—An Impediment to Development?**

Greg Powers, Esq., Jackson Tidus, Irvine

4:45 Q&A

5:00 Adjourn

CONFERENCE CHAIRS:

Scott Birkey is a land use and natural resources attorney in the firm's San Francisco office, where he practices in the areas of land use and natural resources, and handles land use entitlement, compliance and litigation matters.

Michelle Ouellette is a land use and natural resources attorney in the firm's Riverside office, where she practices in the areas of land use and natural resources and addresses project development, habitat conservation and environmental compliance.

CONFERENCE FACULTY:

Kenneth Bley is a land use attorney who represents real estate developers in all aspects of the planning, zoning, and environmental review process and all aspects of the land use entitlement process and in litigation.

Susan Cola is a Deputy City Attorney where she represents the City of Santa Monica on a variety of land use issues including public beach access, redevelopment, development projects, mixed-use development, density and transportation.

Arthur Coon is a land use and real property attorney who guides clients through California's complicated planning and development entitlement process expediting project permitting and related environmental review, and advises on land use diligence, initial entitlement strategy, project coordination and negotiation.

Anthony Francois is a senior staff attorney for a public interest organization, which pursues and protects the Constitutional right to own and use private real property.

Paeter Garcia is a natural resources law attorney whose practice areas include water rights, water supply planning, and water law and policy matters, surface and groundwater right issues, water transactions and conveyance, and groundwater management and storage.

Michael Kienath is a principal at a consulting firm and advises clients from various industries, including property developers and planning agencies on air emissions and conducts health risk assessments under federal, state and local regulations, including CEQA.

David Lanferman is a land use attorney whose practice emphasizes real estate development, land use approvals, and real estate-related litigation with a focus on CEQA and regulatory compliance, environmental mitigation, development impact fees, and appropriate conditions of approval.

Location and Lodging:

The site of the program is the DoubleTree Suites Santa Monica, 1707 Fourth Street, Santa Monica, CA, 90401. A block of rooms has been reserved at a special negotiated rate of \$229. To register for your room at the discounted rate, call 800-222-8733, and ask for the "California Land Use Conference" discount. Space is limited, so register by the August 11, 2016 cut-off date!

Tuition:

Conference tuition is \$645. A discount of \$100 is available for individuals from government agencies, public interest groups, or academia; for current subscribers to the *California Land Use 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 breakfast, morning and afternoon refreshment breaks, and a three-month electronic subscription to the *California Land Use Law & Policy Reporter* (a \$215 value).



Barbara Liebold, is a land use and municipal law attorney who represents city clients in connection with a wide variety of land use and zoning matters and represents redevelopment agencies in connection with all aspects of redevelopment plan adoption, amendment and implementation, and low and moderate income housing matters.

Brady R. McShane is a land use attorney who advises clients on political, regulatory and environmental issues involved in developing controversial projects including securing land use approvals, regulatory permits and environmental clearance from government agencies.

Ron Milam is a director at a planning firm where he focuses his practice on land use based transportation planning which includes CEQA analysis.

Anne Mudge is a land use attorney with more than 25 years experience in the areas of CEQA, NEPA, zoning and planning, wetlands and endangered species, water supply planning, subdivisions, annexation, coastal development, and the Williamson Act.

Gregory P. Powers is a land use attorney whose practice focuses on land use planning and development entitlements, environmental compliance and regulatory matters, and governmental affairs.

Lisabeth Rothman is an environmental and land use law attorney who represents public agencies, developers, energy companies and private entities with a focus on CEQA and land use entitlements.

Shelley Ross Saxer is Vice Dean and the Laure Sudreau-Rippe Endowed Professor of Law at a Southern California law school where she lectures on real property, land use, community property, remedies, environmental law, and water law.

Charity Schiller is a land use attorney guiding public and private clients through the maze of laws that apply to infrastructure and private land development including all aspects of CEQA, NEPA and related environmental laws.

Daniel Selmi is a professor of law and the Fritz B. Burns Chair in Real Property at a Southern California law school where he lectures on land use law, real property law, environmental law and appellate advocacy.

Martin Stratte is a land use attorney whose practice focuses on zoning, environmental and regulatory due diligence; the entitlement and approval of residential, industrial and big-box projects under the CEQA; municipal law and in CEQA litigation.

Four Ways to Register:

Early registration is encouraged. To register: (1) Mail the completed registration form on the reverse to: Argent Communications Group, PO Box 506, Auburn, CA 95604-0506; (2) Complete the registration form and fax to 530-852-0360 or (3) email to register@argentco.com; (4) Call 800-419-2741; or Go to the conference web page, argentco.com/2016CLUconference, and access online registration from there. Full payment or purchase order is due with registration.

MCLE and AICP Credit:

MCLE accreditation has been requested for this program. Pending MCLE accreditation approval by the State Bar of California for 6.5 hours. For planners, this program has been approved for AICP CM credits of 6.5 hours.

Cancellation Policy:

Full refunds (less a \$50 processing fee) will be made only if notice is received by August 30, 2016. Substitutions are encouraged. Argent Communications Group reserves the right to cancel any program and assumes no responsibility for personal loss.

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REGISTRATION FORM

Yes! Please register the following:

Name: _____

Email (required): _____

Name: _____

Email (required): _____

Name: _____

Email (required): _____

Firm/Agency: _____

Address: _____

City: _____ St: _____ Zip: _____

Phone: _____

TUITION:

- \$645 per person, or
 \$545 each for two or more from the same firm, or
 \$545 government and nonprofit employees, or
 \$445 each for two or more government and nonprofit employees
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Third Annual Conference!

California Land Use Law & Policy

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“California Land Use Law & Policy 2016: Strategizing for Successful Development in the Land of Overlapping Regulation”

This comprehensive, practice-oriented conference is a one-day journey fleshing out exactly what every land use practitioner needs—the *crucial information in the most relevant areas of the practice*. Topics include:

- The Viability of Development in California
- Where Do We Stand on CEQA and Standing?
- *CBIA v. BAAQMD*: CEQA, Existing Environmental Conditions and the Supreme Court’s Perspective
- Analyzing Transportation Impacts under CEQA
- The *Newhall Ranch* Decision: What Does It Mean for Your CEQA Greenhouse Gas Analysis?
- Sustainable Community Strategies—Implementing SB 375
- The New Renewable Energy Portfolio Standards and the Future of Renewable Energy Development
- Successful Land Use Planning and the Sustainable Groundwater Management Act—Developer and Agency Perspectives
- The Initiative Process, Land Development and CEQA: A Panel Presentation
- From CEQA to Zoning: Strategies for Permitting Infill Development
- Affordability Requirements and the California Supreme Court’s Decision in *CBIA v. City of San Jose*
- School Fee Increases—An Impediment to Development?

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