

34th Conference Program!

June 20-21, 2019 • Omni Hotel • San Francisco



Publications and MCLE Conference Programs
for the California Water Bar since 1989

California Water Law & Policy

Dear Colleague,

We are pleased to invite you to attend Argent Communications Group's 2019 annual California Water Law & Policy Conference.

California's water law and policy remain moving targets of ever-changing issues, and this year several topics have garnered our attention. Following years of low rainfall, this year California's snowpack is high, and reservoir water abundant. This brings up concerns about water rights and water-rights reporting; and how near- and far-term plans are addressing future water supply, drought and flood control issues.

The federal Clean Water Act and its jurisdictional reach has become quite uncertain, despite efforts by the U.S. Army Corps of Engineers to define the issue. And while the federal government tries to reign in the reach of the CWA, the State Water Resources Control Board is simultaneously moving to expand its reach into water quality regulation.

We're also covering other timely issues of growing concern: the critical implications of changes to managing the Colorado River; ongoing SGMA compliance issues for groundwater sustainability plans (GSPs) and the unique challenges involved with critically over-drafted water basins; San Francisco Bay/Sacramento-San Joaquin Delta water quality, habitat restoration, and the ever-changing WaterFix Project; whether or not to tax water in an effort to insure a clean water supply statewide; movement regarding the scope of the Public Trust Doctrine; and the unique challenges of a newly legal cannabis industry in the state facing water supply and quality issues.

Our conference is designed to hone in on the issues that will most impact your water-related practice and the governance of water in the state. As an attendee, you will gain practical knowledge on the legal, policy, and technical sides of the issues from our outstanding faculty from federal and state regulatory agencies, the academic community, water supply agencies, engineering consultants, and top water attorneys from throughout the state. Over the two days, you will also have invaluable networking opportunities with the faculty and your colleagues.

Be sure to register today for this informative conference and find out what impact these critical topics will have on each other—and how the potential outcomes will impact your practice, agency or organization in the future.

Sincerely,



Steven Anderson, Esq., Program Co-Chair
Best, Best & Krieger, Riverside



Meredith Nikkel, Esq., Program Co-Chair
Downey Brand, Sacramento

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



Conference Co-Sponsors:



REGISTER TODAY!

800-419-2741

<register@argentco.com>

THURSDAY, JUNE 20

7:30 Registration and Continental Breakfast

8:30 Introduction with Critical Detail (*Steven Anderson, Esq., Best, Best & Krieger, Riverside and Meredith Nikkel, Esq., Downey Brand, Sacramento*)

8:45 Overview of Developments in California Water Law (*Professor Buzz Thompson, Stanford Law School, Palo Alto*)

9:30 Climate Change and Water

- **Issues Affecting Water Supply, Storage and Flood Control, and Endangered Species** (*Michael Anderson, State Climatologist, California Department of Water Resources, Sacramento*)
- **Flood Control and Water Storage—Concerns and Movement on New Projects** (*Scott Shapiro, Esq., Downey Brand, Sacramento*)

10:30 BREAK

10:45 The Clean Water Act—Where Has the Ball Landed?

- **New Definitions, the Maui Decision, and Beyond** (*Andre Monette, Esq., Best, Best & Krieger, Washington D.C.*)
- **The State Water Resources Control Board Fills the Void** (*Serena Liu, Attorney, State Water Resources Control Board, Sacramento*)

11:45 Getting into the Weeds—SWRCB's April 2019 Cannabis Water Policy (*Jessica Diaz, Esq., Brownstein Hyatt Farber Schreck, Santa Barbara*)

12:15 LUNCH (on your own)

1:30 KEYNOTE PRESENTATION: Reclamation Water Policy and Developments, and Their Implications for the State (*Ernest Conant, Regional Director, Mid-Pacific Region, U.S. Bureau of Reclamation, Sacramento*)

2:15 California Environmental Quality Act Update: Yes, Water Practitioners Need to Know This (*Alex DeGood, Esq., Cox, Castle and Nicholson, Los Angeles*)

2:45 BREAK

3:00 The Public Trust Doctrine: Expanding or Contracting?

- **No Trust in Public Agencies: An Emerging Litigation Trend to Challenge Agency Decisions** (*Daniel O'Hanlon, Esq., Kronick, Moskovitz, Tiedemann & Girard, Sacramento*)
- **The Public Trust Doctrine and the State Water Resources Control Board** (*Nicole Kuenzi, Senior Staff Counsel, State Water Resources Control Board, Sacramento*)

4:00 Colorado River Update—Will the Law of the River Survive Drought and Growth?

- **How Is Arizona Facing Drought and Reduced Water Supply** (*Alexandra Arboleda, Esq., TLS Lawyers, Phoenix*)
- **California's Dependence on the Colorado River** (*Kevin Kelley, former General Manager, Imperial Irrigation District, El Centro*)

5:00 ADJOURN TO HOSTED RECEPTION

FRIDAY, JUNE 21

7:30 Registration and Continental Breakfast

8:30 Introduction with Critical Detail (*Steven Anderson, Esq. and Meredith Nikkel, Esq.*)

8:45 Money Matters

- **Safe Drinking Water Funding—Solving It Without a Water Tax** (*Cindy Tuck, Deputy Executive Director for Government Relations, Association of California Water Agencies, Sacramento*)
- **Federal Funding for Water Projects—Steadily Increasing in Volume and Availability** (*John Freshman, Senior Director of Governmental Affairs, Best, Best & Krieger, Washington D.C.*)
- **The Price of Water? Water and the NASDAQ** (*Derek Hoffman, Esq., Gresham | Savage, San Bernardino*)

10:00 Water Rights Reporting: Changes from Drought Created Requirements

- **The Knights of Data and the Quest to Decode Delta Water Rights** (*Julé Rizzardo, Assistant Deputy Director, Division of Water Rights, SWRCB, Sacramento*)
- **Technical Perspective on Water User Implementation** (*Marc Van Camp, Principal, MBK Engineers, Sacramento*)

10:45 BREAK

11:00 Plans, Agreements and Litigation on the Bay-Delta

- **Overview of Bay-Delta Actions** (*Meredith Nikkel, Esq., Downey Brand, Sacramento*)
- **Environmental Litigation on the COA Amendment, WaterFix No Harm Agreement and Bay-Delta Plan Actions** (*Stephan Volker, Esq., Law Offices of Stephan Volker, Berkeley*)
- **California's Perspective on Actions and the Future** (*Kristin Peer, Assistant General Counsel, California Resources Agency, Sacramento*)
- **The Voluntary Agreement Process and Bay-Delta Plan Litigation** (*Timothy O'Laughlin, Esq., O'Laughlin & Paris, Sacramento*)

12:15 LUNCH (on your own)

1:30 Delta Habitat Restoration in the Bay-Delta

- **DWR Projects: Successes and Lessons Learned** (*Catherine Cavanaugh, Staff Counsel, California Department of Water Resources, Sacramento*)
- **Reclamation Actions: Experiences from Federal Biological Opinions** (*Joshua Israel, Chief Bay-Delta Science Division, U.S. Bureau of Reclamation, Sacramento*)

2:30 BREAK

2:45 The Sustainable Groundwater Management Act Matures—Where Are We in the SGMA Process?

- **DWR's Review of Alternative Plans and Lessons for GSPs** (*Craig Altare, Supervising Engineering Geologist, California Department of Water Resources, Sacramento*)
- **Seeking Resolution in Critically Overdrafted Basins** (*Michele Staples, Esq. Jackson Tidus, Irvine*)
- **The Intersection of SGMA and the New Streamlined Adjudication Procedures: The Las Posas Basin Case Study** (*David R.E. Aladjem, Esq., Downey Brand, Sacramento; Wesley Miliband, Esq., Atkinson, Anderson, Loya, Ruud & Romo, Sacramento*)

4:15 Adjourn

Conference Co-Chairs:

Steven Anderson focuses on environmental, water and natural resources law, including practice under the Endangered Species Act, Clean Water Act, and state water quality and water rights laws.

Meredith Nikkel advises clients on water law issues in all aspects of water supply development and management and serves as special and general counsel to cities, counties, and special districts.

Program Keynote:

Ernest Conant is the Regional Director, Mid-Pacific Region, of the U.S. Bureau of Reclamation where he manages one of the nation's largest and most complex water systems. Previously, he served as senior partner of Young Wooldridge, LLP, where he negotiated major water agreements and lead water banking and other storage initiatives.

Conference Faculty:

David R.E. Aladjem represents water districts, cities, counties and private companies regarding water rights, water transfers, and the conjunctive use of surface water and groundwater.

Craig Altare is a hydrogeologist who advises the Department of Water Resources on sustainable groundwater management.

Michael Anderson, Ph.D., advises the Department of Water Resources on climate, climate change, and water supply patterns.

Alexandra Arboleda practices water rights and natural resources law representing clients in general stream adjudications, Colorado River, surface water, and groundwater issues.

Catherine Cavanaugh is Staff Counsel and works on a broad range of issues impacting statewide water management.

Alex DeGood advises developers, public agencies and elected officials on zoning, environmental compliance, and litigation under municipal and land use law.

Jessica Diaz represents clients in water rights litigation, water regulation compliance, public law issues, and land use issues.

John Freshman advises clients on legislative, regulatory and permit problems and strategies for overcoming those problems.

Derek Hoffman assists developers, farmers, water districts, water companies and business entities in water law and water rights, mining, real estate, business and eminent domain.

Joshua Israel, Ph.D. works in fish and water management interactions, conservation genetics of migratory fishes, and adaptive ecosystem management.

Kevin Kelley served as the General Manager of the largest irrigation district in the country until November 2018 when he announced his retirement.

Nicole Kuenzi counsels SWRCB members and staff on matters related to water rights, drought response, and groundwater.

Serena Liu is a State Water Resources Control Board attorney at the California Environmental Protection Agency.

Wesley Miliband practices in the area of water resources including securing and protecting water rights and water supplies, water transfers, and compliance for water infrastructure.

Andre Monette works with water districts, cities, counties, agricultural interests, and private entities on matters involving the Clean Water Act and its state law analogues.

Daniel O'Hanlon focuses on environmental law including litigation, counseling and permitting in the areas of water, contaminated property, endangered species, and wetlands.

Timothy O'Laughlin advises clients on water, land use, and the environment and has extensive experience as general counsel to public agencies.

Kristin Peer works to restore, protect and enhance the environment at the California Resources Agency.

Julé A. Rizzardo, PE, PH, administers water rights, considering water availability and flows needed to protect public trust resources.

Scott Shapiro advises clients through regulatory, contractual, financing and legislative challenges, with a special focus on massive flood protection improvement projects.

Michele Staples advises agricultural businesses, developers, and water suppliers on processing entitlements, environmental compliance, water rights, water quality, and endangered species issues.

Barton H. "Buzz" Thompson, Jr. is Professor of Natural Resources Law and the Director of the Woods Institute for the Environment.

Cindy Tuck leads and oversees ACWA's Government Relations Team, which includes the Federal and State Relations Departments.

Mark Van Camp, PE, heads the firm's water rights group, providing consultation on water rights, hydrology groundwater and project feasibility.

Stephan Volker practices environmental litigation, including water quality standards for the Bay-Delta ecosystem.

Location and Lodging:

The site of the program is the Omni San Francisco Hotel, 500 California St., San Francisco, CA 94104. A block of rooms has been reserved at a special negotiated rate of \$339. To register for your room at the discounted rate, [CLICK HERE](#), or call 1-888-444-6664, and ask for the "Argent Water Law Conference" discount. Space is limited, so register by the May 29, 2019 cut-off date!

Tuition:

Conference tuition is \$895. A discount of \$100 is available for individuals from government agencies, public interest groups, or academia, 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, a hosted reception, and a three-month subscription to the *California Water Law & Policy Reporter* (a \$220 value).



Five Ways to Register:

- Early registration is encouraged. To register:
- (1) Online for both the conference and hotel, [CLICK HERE](#);
 - (2) Mail the completed registration form on the reverse to: Argent Communications Group, PO Box 1135, Batavia, IL 60510-1135;
 - (3) Complete the registration form and fax to 530-852-0360;
 - (4) Email to <register@argentco.com>; or
 - (5) Call 800-419-2741. 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 May 29, 2019. 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:

- \$895 per person, or
 \$795 each for two or more from the same firm, or
 \$795 government and nonprofit employees, or
 \$695 each for two or more government and nonprofit employees
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34th Conference Program!

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June 20-21, 2019 • Omni Hotel • San Francisco

“California Water Law & Policy: Developments in Water Supply Regulation, Reporting, and Legislation”

WITH A KEYNOTE PRESENTATION BY:



Ernest Conant, Regional Director
Mid-Pacific Region
U.S. Bureau of Reclamation

WHAT ATTENDEES SAY ABOUT THIS CONFERENCE:

“This conference was terrific. I appreciated the breadth and depth of the presentations and will use the information going forward.”

—David Edwards, Deputy City Attorney
Los Angeles City Attorney’s Office
Department of Water and Power

“The conference formula is spot on and allows enough flexibility to adjust to current topics. One could attend this conference every year and walk away with new, relevant, and useful information.”

—Paul R. Boughman, Special Counsel, Water Law
Western Area Counsel Office, Camp Pendleton

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