

35th Annual Conference *Live Online!*
April 19 & 21, 2021



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 2021 annual California Water Law & Policy Conference, this year live online in a new virtual format.

California's water law and policy remain moving targets covering ever-changing issues. This year, many topics—long-standing and new—have garnered our attention. Drought has returned to California. January rain seemed promising but since then Mother Nature's bounty has largely subsided. This brings up several issues: Concerns about water rights, water-rights reporting; and planning for future water supply via more and better water storage. And since California's precipitation arrives in spurts, flood control planning and the anticipated effects of climate change remain top of mind.

The jurisdictional reach of the federal Clean Water Act, while narrowed under the last administration may now be re-defined by President Biden's team. And as the reach of the federal CWA is being debated, the State Water Resources Control Board continues its efforts at expanding its regulatory authority over waters of the state, via its wetlands and natural resources policies. Within the State Water Resources Control Board, the Administrative Hearings Office is now becoming an important venue for the resolution of water rights disputes.

We're also covering other timely issues of growing concern. Compliance with the Sustainable Groundwater Management Act in both planning and implementation remains high on the list for many water law practitioners. CEQA is ever-changing and water law practitioners need to stay abreast of case law interpretation of the act. Tribal water rights remain a growing area of on-the-ground water rights controversies and also now implicate water supply issues on non-tribal lands. The Water Quality Control Plan Update for the Delta has also experienced movement in the past year and voluntary agreements may speed up progress even more. Finally, the regulation of PFAS and other constituents in drinking water sources is becoming a hot-button issue for water agencies.

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 state regulatory agencies, the academic community, water supply agencies, consultants, and top water attorneys from throughout the state.

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>

MONDAY, APRIL 19

- 8:30 **Introduction with Critical Detail** (*Steven Anderson, Esq., Best, Best & Krieger, Riverside and Meredith Nikkel, Esq., Downey Brand, Sacramento*)
- 8:45 **California Water Law: The Challenges Ahead** (*Professor David Owen, UC Hastings College of Law, San Francisco*)
- 9:30 **Climate Change Issues Affecting Water Supply, Storage, Flood Control, and Endangered Species** (*Daniel Swain, PhD, Climate Scientist, Institute of the Environment and Sustainability, UCLA, Los Angeles*)
- 10:15 **BREAK**
- 10:30 **A New Federal Administration, A New Approach?** (*Lowry Crook, Esq. and Ana Schwab, Esq., Best, Best & Krieger, Washington, D.C.*)
- 11:15 **The Clean Water Act—Recent Law and Regulation of Note** (*Nicole Granquist, Esq., Downey Brand, Sacramento*)
- 11:45 **KEYNOTE ADDRESS: Building Water Law’s Profile in the California Legislature** (*Alf Brandt, General Counsel to the Assembly Speaker, California Assembly, Sacramento*)
- 12:15 **LUNCH**
- 1:15 **The Water/Land Use Connection Updates:**
 - **CEQA Update: Yes, Water Practitioners Need to Know This** (*Travis Brooks, Esq., Miller Starr Regalia, Walnut Creek*)
 - **Natural Resources and Wetlands Regulation in California** (*Clark Morrison, Esq. Cox Castle Nicholson, San Francisco*)
- 2:30 **The SWRCB Administrative Hearings Office: New Processes for Water-Rights Proceedings** (*Nicole Kuenzi, Hearing Officer, Administrative Hearings Office, SWRCB, Sacramento*)
- 3:15 **BREAK**
- 3:30 **Water District Consolidation: Pros and Cons**
 - **Water District Consolidation: The Central Valley Example** (*Laurel Firestone, Board Member, State Water Resources Control Board, Sacramento*)
 - **Consolidation as a Safe Drinking Water Solution** (*Cindy Tuck, Deputy Executive Director for Government Relations, ACWA, Sacramento*)
- 4:30 **The Pitfalls of Water Rights Reporting to the SWRCB** (*Jeanne Zollezzi, Esq., Herum | Crabtree | Suntag, Stockton*)
- 5:00 **Q&A**
- 5:15 **Adjourn to Virtual Networking Reception!**

WEDNESDAY, APRIL 21

- 8:30 **Introduction with Critical Detail** (*Steven Anderson, Esq. and Meredith Nikkel, Esq.*)
- 8:45 **Tribal Water Rights—A Lot Has Happened Since the *Agua Caliente* Decision**
 - **McGirt v. Oklahoma—Will the Supreme Court’s Decision Spill Over Into Water Rights?** (*Michelle Diffenderfer, Esq., Lewis Longman Walker, West Palm Beach, FL*)
 - **The Coachella Valley Example: Intersection between SGMA Winters Rights and Groundwater Regulation** (*Professor Barton H. “Buzz” Thompson, Stanford Law School, Palo Alto*)
- 9:45 **BREAK**
- 10:15 **Dams and Reservoirs: Which Is It—Too Little Water or Too Much?**
 - **More and Better Storage—The ‘Friendly’ Los Vaqueros Expansion** (*Marguerite Patil, Assistant General Manager of Policy and External Affairs, Contra Costa Water District, Concord*)
 - **Flood Control as a (Minor) Project Purpose** (*Scott Shapiro, Esq., Downey Brand, Sacramento*)
 - **Klamath Dams: Going, Going...?** (*Paul Simmons, Esq., Somach, Simmons & Dunn, Sacramento*)
- 11:30 **KEYNOTE ADDRESS: Reflections on a Life in Water** (*Robert B. Maddow, Esq., Bold, Polinsner, Maddow, Nelson & Judson, Walnut Creek*)
- 12:00 **LUNCH**
- 1:00 **SGMA Updates**
 - **Lessons Learned from GSPs for Critically Overdrafted Basins** (*Wendy Wang, Of Counsel, Best, Best & Krieger, Los Angeles*)
 - **Indian Wells Valley: A Case Study of Complex Groundwater Management and Adjudication Issues in the SGMA Era** (*Derek Hoffman, Esq., Gresham Savage, San Bernardino*)
 - **SGMA and Proposition 218: The East Kaweah GSA Litigation** (*Michele Staples, Esq., Jackson Tidus, Irvine*)
 - **Water Transfers and SGMA Compliance: How Can Both Coexist?** (*Wes Miliband, Esq., Atkinson, Andelson, Loya, Ruud & Romo, Sacramento*)
- 3:00 **BREAK**
- 3:15 **Delta Water Quality Control Update: Are Voluntary Agreements the Answer?**
 - **Voluntary Agreements: A Collaborative Approach to the Water Quality Control Plan** (*Stefanie Morris, Senior Deputy General Counsel, Metropolitan Water District of Southern California, Los Angeles*)
 - **Ridgetop to River Mouth Water Management: A New Way Forward** (*David Guy, President, Northern California Water Association, Sacramento*)
- 4:15 **PFAS in Drinking Water: Litigation Update** (*Deborah Quick, Esq., Morgan Lewis, San Francisco*)
- 4:45 **Q&A**
- 5:00 **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.

Conference Faculty:

Alf Brandt serves as general counsel to California Assembly Speaker Anthony Rendon.

Travis Brooks represents clients in all aspects of land use law including entitlements, transactional work, litigation and under the California Environmental Quality Act.

Lowry Crook represents clients on water infrastructure, the Clean Water Act, environmental review and permitting, ecosystem restoration, and disaster resilience and recovery issues.

Michelle Diffenderfer assists landowners, businesses and governments with local, state and federal, environmental, natural resource and land development legal requirements.

Laurel Firestone serves as a Board Member of the State Water Resources Control Board.

Nicole Granquist represents clients in the areas of water quality regulatory compliance, enforcement defense, and litigation.

David Guy advances economic interests that promote the conservation of California's special places and their precious water and land.

Derek Hoffman assists clients in matters encompassing water law and water rights, mining, real estate, business and eminent domain.

Nicole Kuenzi hears water rights disputes brought before the board and assists the State Water Resources Control Board in other hearings.

Robert Maddow has extensive experience in all phases of the legal work necessary to establish, govern, operate, and maintain a publicly owned water utility to supply municipal and industrial water.

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.

Stefanie Morris is Senior Deputy General Counsel at the Metropolitan Water District of Southern California.

Clark Morrison has over 30 years of experience representing a variety of clients in the land use permitting and development of large and complex development projects.

Dave Owen is a Professor at the University of California, Hastings Law School where he teaches courses in environmental, water, land use, energy, and administrative law.

Marguerite Patil is responsible for managing the progress of the Los Vaqueros Reservoir Expansion Phase 2 Project, as well as associated policy and legislative efforts.

Deborah Quick represents clients seeking land-use entitlements, compliance with environmental statutes like CEQA and NEPA and in defending litigation entitlements that have been granted.

Ana Schwab develops and identifies legislative priorities in both Congress and the federal agencies.

Scott Shapiro represents clients on projects in California and throughout the West involving the Federal Emergency Management Agency and the U.S. Army Corps of Engineers, with a special focus on massive flood protection improvement projects.

Paul Simmons represents clients in California and in other states on water rights and environmental laws impacting water resources, and represents clients in the Klamath River Basin.

Michele Staples advises clients on processing entitlements, subdivision mapping, environmental compliance, water rights, water quality, and endangered species issues.

Daniel Swain is a climate scientist who studies the dynamics and impacts of the Earth's changing climate system.

Barton H. "Buzz" Thompson, Jr. is the Director of the Woods Institute for the Environment at Stanford, and represents clients in the areas of water law, property law and environmental matters.

Cindy Tuck leads and oversees ACWA's Government Relations Team, which includes the Federal Relations Department, State Relations Department and a special projects manager.

Wendy Wang works with clients on matters involving water law, SGMA, the ESA, CERCLA, RCRA, Proposition 218, Air Quality Management District rules and regulations, and public works projects.

Jeanne Zolezzii represents public clients in the acquisition and confirmation of water rights and handles state and federal litigation against the SWRCB and the U.S. Bureau of Reclamation..

Schedule and Details:

Until we can convene again in person, we have moved to a virtual format that includes the quality program and seasoned faculty you have come to expect from Argent Communications Group—with a break in between the days for convenience and a virtual networking reception at the end of day one.

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, complete formatted program materials, virtual conference instructions, recordings of the live sessions, and a three-month subscription to the *California Water Law & Policy Reporter* (a \$245 value).



Four Ways to Register:

Early registration is encouraged. To register:

- (1) To register online, [CLICK HERE](#);
- (2) Mail the completed registration form on the reverse to: Argent Communications Group, PO Box 1135, Batavia, IL 60510-1135;
- (3) Email to <register@argentco.com>; or
- (4) 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 given seven days in advance. 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: _____

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Name: _____

Email (required): _____

Name: _____

Email (required): _____

Firm/Agency: _____

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TUITION:

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 \$795 each for two or more from the same firm, or
 \$795 government and nonprofit employees, or
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California Water Law & Policy

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“California Water Rights, Policy, Regulation, and the Future under the New Administration”

WITH KEYNOTE PRESENTATIONS BY:



Alf Brandt, General Counsel to the Assembly Speaker, California Assembly



Robert B. Maddow, Esq. Bold, Polisner, Maddow, Nelson & Judson

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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