



Raising the Bar of Continuing Legal Education

## ACCREDITATION

### Alaska CLE:

6.25 General Credits

### Who Should Attend:

- Attorneys
- Developers
- Land Use Professionals
- Government Officials
- Gas, Oil and Mining Representatives
- Tribal Members
- Anyone Interested in or Affected by the Changing Rules and Regulations Involved in Permitting in Alaska

4th Annual

# Permitting Strategies

JANUARY 15, 2010 ♦ HOTEL CAPTAIN COOK ♦ ANCHORAGE, AK

## *Why You Should Attend:*

*Successful project development in Alaska requires a thorough knowledge of state and federal permitting requirements. Please plan to join us as we examine up-to-the-minute rules, regulations, and legislation, as well as plans for permitting best-practices.*

*Our knowledgeable and experienced faculty – including leading practitioners from government, industry, and the environmental community – will provide insight on a variety of issues critical to successful project development.*

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- ⑤ MAIL: PO Box 523, Vashon, WA 98070

**CONFERENCE  
SCHEDULE  
INSIDE**





**9:00 Introduction and Overview**

**Eric B. Fjelstad**, *Program Co-Chair*  
*Perkins Coie LLP*

**Jeffrey W. Leppo**, *Program Co-Chair*  
*Stoel Rives LLP, Seattle, WA*

**9:10 Alaska Permitting Strategies Update**

NEPA, ESA; Clean Water Act; Marine Mammal Protection Act; Outer Continental Shelf Lands Act

**Jeffrey W. Leppo**  
*Stoel Rives LLP*

**Peter Van Tuyn**  
*Besseney & Van Tuyn LLC*

**10:30 Break**

**10:45 Climate Change Legislation and Regulation, and the Effect on Permitting**

Cumulative Environmental Impacts; Climate Change: The Effects of Climate Change on ESA Issues, Carbon and Greenhouse Gas Emissions, and State and Federal Regulatory Changes

**Tom Lindley**  
*Perkins Coie LLP*

**Rebecca Noblin**  
*Center for Biological Diversity*

**12:00 Lunch (on your own)**

**1:00 Repercussions of a New Administration**

Federal / National Initiatives; Compliance and Enforcement Perspective

**Edward Kowalski**, *Dir., Compliance/Enforcement*  
*U.S. Environmental Protection Agency,*  
*Region 10, Seattle, WA*

**Ryan P. Steen**  
*Stoel Rives LLP, Seattle, WA*

**2:30 Break**

**2:45 Strategies for Permitting Large Oil and Mining Projects ~ A Panel Discussion**

Large Project Permitting Process for Oil and Gas; Health Impact Assessments (HIAs); NPDES Primacy; Kensington Supreme Court Update; Permitting Timeframes; Interactions with Regulators and Stakeholders; NEPA and Permitting Pitfalls; Emerging Developments in Large Project Permitting

**Eric B. Fjelstad**, *Moderator*

**Marilyn Crockett**, *Executive Director*  
*Alaska Oil and Gas Association*

**Edmund J. Fogels**, *Director*  
*Alaska Dept. of Natural Resources*

**Ruth Hamilton Heese**, *Sr. Asst. AG*  
*State of Alaska, Dept. of Law*

**4:30 Questions and Answers**

**Members of the Faculty**

**4:45 Adjourn**

**UPCOMING SEMINAR SCHEDULE:**

The Mighty Columbia  
*October 29, 2009 ~ Seattle, WA*

6th Annual NW Private Equity  
*October 30, 2009 ~ Seattle, WA*

Carbon Credits  
*November 12, 2009 ~ Portland, OR*

CLE Bootcamp  
*December 8 & 9, 2009 ~ Seattle, WA*

Northwest Gaming Law Summit  
*January 7-8, 2010 ~ Seattle, WA*

17th Annual Endangered Species Act  
*January 28-29, 2010 ~ Seattle, WA*



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# THE SEMINAR GROUP ~ FACULTY

## Permitting Strategies in Alaska

**Eric B. Fjelstad**, Program Co-Chair, a partner in the Environment and Natural Resources Group at Perkins Coie LLP, leads the firm's Alaska ENR practice. His practice focuses on project development, NEPA, and permitting of mining, oil and gas, forestry, and heavy infrastructure projects; contaminated sites and decommissioning of industrial projects, compliance counseling, due diligence, Alaska Native corporations, OSHA proceedings, governmental investigations and litigation. He is listed in *Chambers USA*, "America's Leading Environment & Natural Resources Lawyers," 2003 – 2007, and in *The Best Lawyers in America*.

**Jeffrey W. Leppo**, Program Co-Chair, serves as managing partner at the Seattle office of Stoel Rives LLP and is a member of the Resources, Development and Environment Practice Group. His practice is focused on environmental, wildlife and natural resources law, and related complex litigation, for oil and gas exploration and development, commercial fisheries, pipeline operators and energy producers, public ports, timber interests, mining interests, private landowners and real estate developers. He has been named one of Washington's "Super Lawyers" by *Washington Law & Politics* and was included in *Chambers USA's* "America's Leading Lawyers for Business".

**Marilyn Crockett**, Executive Director of the Alaska Oil and Gas Association (AOGA), joined AOGA in 1970. AOGA is a private nonprofit trade association whose 17-member companies account for the majority of oil and gas exploration, development production, transportation, refining and marketing activities in Alaska. Their mission is to foster the long-term viability of the oil and gas industry in Alaska.

**Edmund J. Fogels** is Director of the Alaska Department of Natural Resources, Office of Project Management and Permitting. His office is responsible for coordinating all State agencies permitting activities for large mining projects throughout Alaska. He has worked for the Department of Natural Resources for the past 20 years, including having headed the State's homesteading program.

**Ruth Hamilton Heese** is a Senior Assistant Attorney General for

the State of Alaska, Department of Law. She has been practicing law for more than 16 years, primarily in Alaska on matters involving environmental and natural resources law. She works mainly on permitting and enforcement issues relating to mining operations, cruise ship operations and contaminated sites.

**Edward Kowalski** is the Director of the Environmental Protection Agency's Office of Compliance and Enforcement for Region 10 in Seattle, Washington. His office is responsible for coordinating EPA's enforcement and compliance efforts in Alaska, Washington, Oregon and Idaho. Prior to that, he headed Region 10's legal Office of Regional Counsel, where he served in a number of positions since 1989.

**Rebecca Noblin** is a staff attorney with the Center for Biological Diversity, where she focuses on protecting marine species from oil and gas development and global warming. Before joining the Center, she worked under a fellowship from Harvard, which she used to fight Arctic oil and gas development as part of Pacific Environment's Alaska program.

**Tom Lindley** is a partner with Perkins Coie LLP and chair of the firm's Environment and Natural Resource practice. He has over 25 years experience assisting clients on air, water, and hazardous waste and solid waste permits; water quality and rights; endangered species; enforcement defense; litigation and trials; site investigations/remediation; audits and due diligence; investing potential criminal matters; and strategic counseling.

**Ryan P. Steen**, an attorney in the Resources, Development and Environment practice group at Stoel Rives LLP in Seattle, focuses on environmental, natural resources, wildlife and water law, and assists clients with permitting and counseling matters.

**Peter Van Tuyn** is a partner with Besseney & Van Tuyn LLC, where his work involves comprehensive consultation and representation with conservation, Alaska Native, community groups, citizens and others regarding the full breadth of natural resources issues in Alaska. He is also an adjunct law professor at Vermont Law School.

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**Registration:** Please mail or email your registration as soon as possible since enrollment is limited. You may also register with a credit card via phone, fax or online. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852, or fax to (866) 435-3444, or email: [registrar@TheSeminarGroup.net](mailto:registrar@TheSeminarGroup.net)

**Tuition:** The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. Full Tuition: \$495 per person; Special Government rate: \$395 per person; Tribal Member rate: \$395 per person; New Associate/Paralegal rate: \$360 per person. Student rate: \$297. Make checks payable to: THE SEMINAR GROUP.

**Save When Two or More Register:** Save \$25 each off of the Full Tuition fee only when two or more register from the same organization at the same time. Multiple discounts do not apply and this discount does not apply to the Live Webcast.

**Course Accreditation:** THE SEMINAR GROUP is an Approved Provider of the Alaska Bar Association; which has approved this course for 6.25 general CLE credits. For information or accreditation in other states, please call THE SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

**Substitution/Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation charge, if we receive your cancellation by **Friday, January 8th, 2010**. No refunds will be given after this date. For more information regarding administrative policies such as complaint and refund, please contact our office at (206) 463-4400.

**Course Materials:** Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$100 which includes shipping and handling.

**Homestudy Package:** Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$505. This package has been approved by the Alaska Bar Association for 6.25 general self-study credits and may qualify for self-study credit in other states.

**Seminar Location:** The seminar will be held at the Hotel Captain Cook, 939 W. 5th Avenue, Anchorage, Alaska, (907) 276-6000. Please call the hotel directly for directions/questions.



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10.PERAK

**Permitting Strategies in Alaska**  
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I cannot attend. Please send me:  Course Materials Only  
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4th Annual

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