Seminar Overview

For our 28th year, we continue the tradition of gathering the most active, diverse, and experienced Oregon water law experts to address the issues of the day.

Our program will provide an update on recent water-related legislative and administrative developments, along with discussions of the key issues driving water policy—the intersection of climate change and water supply, the legalization of cannabis, the changing demands for stored water, and the need to improve dam safety. Practitioners from a wide array of viewpoints will address complex water supply and management challenges in several of Oregon’s watersheds, including the Willamette, Grand Ronde, Deschutes, and Klamath basins. Developments involving the Clean Water Act’s definition of “Waters of the U.S.” and the application of Section 401 will be addressed, along with other recent decisions involving water distribution, water access, and storage water permits. Developments involving the Federal Columbia River Power System and the Hells Canyon Complex in the Snake Basin will also be discussed. We will also provide an overview of federal reserved water rights, reflect on Tribal water rights from the perspective of a practitioner with four decades of experience, and cover ethical issues.

Meta Loftsgaarden of the Oregon Watershed Enhancement Board will be our keynote speaker this year. We hope you will join us for this excellent program that includes a sponsored lunch & reception on the first day.
1:15 Recent Water Contested Case and Litigation Matters
East Valley Water District storage permit application; Westland Irrigation District water delivery practices; Oswego Lake access

David E. Filippi
Stoel Rives LLP
Janet E. Neuman
Tonkon Torp LLP
Brian J. Posewitz, Staff Attorney
WaterWatch of Oregon

2:15 Takings of Water and Water Rights
Klamath takings appeal involving 2001 water shut-off; new 2019 Klamath takings complaints

Steven L. Shropshire
Jordan Ramis PC
Paul S. Simmons
Somach Simmons & Dunn

3:00 Break

3:15 Waters of the U.S. Update
Recent court decisions; new proposed rules

Richard M. Glick
Davis Wright Tremaine LLP

3:45 Practical Skills and Lessons Learned
Permit extensions; transfers; consent to injury; mitigation proposals

Elizabeth E. Howard
Schwabe Williamson & Wyatt PC

4:15 Basin Updates

- Grande Ronde Basin
  Anton A. Chiono, Water Transactions Specialist
  Confederated Tribes of the Umatilla Indian Reservation

- Deschutes Basin
  Kate Fitzpatrick, Program Director
  Deschutes River Conservancy

5:00 Adjourn and Reception ~ Sponsored by:
8:00 Introduction and Overview – Day Two
Richard M. Glick, Program Co-Chair
Davis Wright Tremaine LLP

8:10 Cannabis Impact on Water Laws
Federal enforcement; efficiency maximization and implications for other crops; developments in other states
Olivier Jamin
Davis Wright Tremaine LLP
Stephen J. Odell, Asst. U.S. Attorney
District of Oregon, U.S. Department of Justice

9:10 Clean Water Act Section 401 Update
DRC v. PGE; Hoopa Valley Tribe v. FERC; Trump executive order
Beth S. Ginsberg
Stoel Rives LLP

9:45 Break

10:00 Willamette Basin Update
U.S. Army Corps of Engineers projects; Willamette Basin water allocations; algae problems
Gail Greenman, Director of National Affairs
Oregon Farm Bureau
Jason Pulley, Utilities Planning Coordinator
City of Salem Public Works
Adam Sussman, Principal Water Resources Consultant
GSI Water Solutions, Inc.

11:15 Special Presentation: Oregon’s 100 Year Water Vision
Meta Loftsgaarden, Executive Director
Oregon Watershed Enhancement Board

11:45 Midday Break

1:00 Hydropower and Fish
Hells Canyon Complex settlement; Federal Columbia River Power System updates
Brett Dumas, Environmental Affairs Director
Idaho Power Company
Ritchie Graves, Chief
Columbia River Hydropower Branch, NOAA Fisheries

2:00 What’s Happening in California?
Sustainable Groundwater Management Act update; SWRCB vs. Environmental Law Foundation; Sacramento Delta update
Jennifer L. Harder, Associate Professor
McGeorge School of Law, University of the Pacific

2:30 Break

2:45 Tribal Water Law
Reflections on a 40-year career as Tribal Attorney and Professor
Howard G. Arnett
Karnopp Petersen LLP

3:30 Ethical Considerations
Technology and the law
Calon N. Russell
Holland & Knight LLP

4:30 Adjourn
David E. Filippi, Program Co-Chair, is a member of Stoel Rives LLP. He practices in the areas of natural resources, environmental and land use law, concentrating on water rights & quality, fish and wildlife law, and permitting.

Richard M. Glick, Program Co-Chair, practices water and environmental law at Davis Wright Tremaine LLP. For the past 34 years he has advised and represented farms, irrigation districts and municipal water utilities in Oregon.

Howard G. Arnett is Of Counsel at Karnopp Petersen LLP. He practices in Federal Indian law, on matters involving treaty rights, tribal sovereignty, tribal law development, government-to-government relations, and gaming.

Thomas M. Byler is Director of the Oregon Water Resources Department. He previously served as Executive Director of the Oregon Watershed Enhancement Board. Before OWEB, he worked as a Natural Resources Policy Advisor.

Anton A. Chiono, is the Water Transactions Specialist for the Confederated Tribes of the Umatilla Indian Reservation. His work focuses on market-based approaches to the conservation and restoration of river ecosystems & fisheries.

Brett Dumas is the Director of Environmental Affairs for Idaho Power Company. He has been instrumental in the efforts to relicense their three dams in Hells Canyon that straddle the Idaho-Oregon border.

Kate Fitzpatrick is the Program Director for the Deschutes River Conservancy. She has 15 years’ experience developing and implementing collaborative strategies to restore water to Deschutes Basin rivers and streams.

Beth S. Ginsberg is a partner with Stoel Rives LLP. For more than thirty years, she has litigated natural resource, wildlife and environmental cases and counseled clients on the complexities of regulatory compliance and permitting issues.

Ritchie Graves has served as Chief of the Columbia Hydropower Branch within NOAA Fisheries’ West Coast Region since 2006. He is responsible for staff working on mainstem Snake and Columbia River hydropower issues.

Gail Greenman is the Director of National Affairs for the Oregon Farm Bureau, a grassroots, nonprofit, nonpartisan organization representing the interests of family farmers and ranchers in the public and policymaking arenas.

Jennifer L. Harder is an associate professor at University of the Pacific, McGeorge School of Law, where she teaches courses in water, environmental & administrative law. She was previously a partner at Downey Brand LLP.

Elizabeth E. Howard is a shareholder at Schwabe Williamson & Wyatt PC and heads its Real Estate, Land Use and Environmental Law Department. Her practice focuses on water rights, wetlands, water quality and agricultural law.

Olivier Jamin is an attorney at Davis Wright Tremaine LLP. His work includes advising clients on federal and state environmental compliance issues, as well as regulatory issues in the food and beverages industry.

Meta Loftsgaarden, Special Presenter, serves as Executive Director for the Oregon Watershed Enhancement Board. She is also currently serving as Governor Brown’s lead for Oregon’s 100-Year Water Vision.
Kirk B. Maag co-leads the Agribusiness, Food, and Beverage Team at Stoel Rives LLP. He advises on water rights, real property transactions, Endangered Species Act issues, and regulations governing solid & hazardous wastes.

Janet E. Neuman is Senior Counsel in Tonkon Torp LLP’s Water Law and Environmental & Natural Resources practice groups. She represents clients in water and natural-resource-related matters, including obtaining/protecting water rights.

Stephen J. Odell is an Assistant Attorney for the U.S. Department of Justice’s District of Oregon with more than two decades of experience litigating cases involving energy, environmental, and natural resources law.

Brian J. Posewitz is a staff attorney at WaterWatch of Oregon. He is a former WaterWatch board member & while in private practice he handled a variety of water-related cases for WaterWatch and private clients.

Representative Karin A. Power represents District 41 in the Oregon State Legislature. She has years of environmental law experience, advocating for cleaner water and air, and protecting Oregon’s environmental heritage.

Jason Pulley is a Utilities Planning Coordinator for the City of Salem Public Works, Planning & Development Division. He also serves as Vice Chair of the League of Oregon Cities Water/Wastewater Policy Committee.

Representative Jeff Reardon represents District 48 in the Oregon State Legislature. He co-chairs the Ways and Means Natural Resources Sub-Committee, is Vice-Chair of the Water Committee, and sits on the Natural Resources Committee.

Calon N. Russell is an attorney with Holland & Knight LLP, who advises lawyers and law firms on legal ethics and professional responsibility matters. His practice includes state bar disciplinary defense and risk management.

Tracy Rutten currently serves as an Intergovernmental Relations Associate for the League of Oregon Cities, advocating on water supply/quality, energy, environmental issues, solid waste, recycling and public contracting.

Evan S. Sheffels is Senior Policy Advisor to the Director of the WA State Dept. of Agriculture. He previously served as associate director of government relations for the Washington Farm Bureau and as Special Asst. to the Director of Water Policy at Ecology.

Steven L. Shropshire is a shareholder at Jordan Ramis PC with over 20 years’ experience in natural resources & environmental law. He focuses on water rights, state/federal water policy, water quality issues, and the ESA.

Paul S. Simmons is an attorney and shareholder in the law firm of Somach Simmons & Dunn in Sacramento, California. He represents Klamath Project contractors in the ongoing Klamath River adjudication.

April Snell is the Executive Director of the Oregon Water Resources Congress, a nonprofit association representing irrigation districts, water control districts, drainage districts, and other agricultural water suppliers.

Adam Sussman is a Principal Water Resources Consultant for GSI Water Solutions, Inc. He specializes in water rights and water management, and is an expert in state water rights process, policy, and procedures.
Oregon Water Law

Credits

OR CLE
This course has been approved by the Oregon State Bar for 13.5 general CLE credits. This includes 0.75 general CLE credits for the optional session. Note that if you do not attend the optional session you will earn 12.75 general CLE credits.

WA MCLE
This course has been approved for 12.5 hours of law and legal credit and 1.0 hours of ethics CLE credit by the Washington MCLE board. This includes 0.75 hours of law and legal CLE credit for the optional session. Note that if you do not attend the optional session you will earn 11.75 hours of law and legal credit and 1.0 hours of ethics CLE credit. Self-Study credit will be available, specific credit amount to be determined.

The Seminar Group is an accredited sponsor with the Washington State Bar

ID CLE
This course is approved the Idaho State Bar for 12.5 general and 1.0 ethics CLE credits. This includes 0.75 general CLE credits for the optional session. Note that if you do not attend the optional session you will earn 11.75 general and 1.0 ethics CLE credits. Self Study is available for the On Demand. For other homestudy products you can self apply for self study credits.

OESAC
This course has been approved by the OESAC for 1.3 total CEUs including 1.1 drinking water CEUs. This includes 0.1 CEUs including 0.1 drinking water CEUs for the optional session. Note that if you do not attend the optional session you will earn 1.2 CEUs including 1.0 drinking water CEUs. Credits for recorded courses not available.

APA
This course has been approved by the American Planning Association for 13.75 CM credits, including 4.5 Law CM credits. This includes 0.75 CM credits for the optional session. Note that if you do not attend the optional session you will earn 13.0 CM credits, including 4.5 Law CM credits. Credits for recorded courses not available.

OR Well Contractors
This course has been approved by the Oregon Water Resources Department Well Construction & Compliance Section for 6.5 CEC’s for well constructors. This includes 0.5 CEC’s for the optional session. Note that if you do not attend the optional session you will earn 6.0 CEC’s. Credits for recorded courses not available.

Location

World Trade Center
121 SW Salmon St
Two World Trade Center Building
Portland, OR 97204

Phone: 503-464-8688

The Seminar is located in the Auditorium Room. Please call the venue for directions/questions.

SLEEPING ROOMS
Guest rooms are available at a Special Rate at Stay Pineapple, The Hotel Rose Downtown Portland, 50 SW Morrison Street, Portland, Oregon. Please call 503-221-0711 to reserve and use the code “CORP”. You can also make a reservation online by going to the following page: http://www.staypineapple.com/hotel-rose-portland-or?utm_source=google-my-business&utm_medium=organic&utm_campaign=GMB&utm_term=hhr

PARKING
There is a parking garage right below the WTC building off of Taylor Street.

Fees

Live Seminar:
Attorney $729.00
Government / Tribal / Non-Profit $579.00
Other Professionals $579.00
Student / Professor $429.00
Day One $500.29
Day Two $410.96

Pre Order On Demand:
All Sessions $729.00
Single Session $99.00

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All Sessions $779.00

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All Sessions $229.00

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All Sessions $259.00

Go to our website to register:
www.TheSeminarGroup.net or call our office at 800-574-4852 or 206-463-4400. You can also contact us at info@theseminarigroup.net or by mail to The Seminar Group, P.O. Box 523, Vashon, WA 90870.

CANCELLATION POLICY: We will refund your tuition, less a $50 cancellation charge, if we receive your cancellation by 11/8/19. No refunds will be given after this date. Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for payment.

Register at
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