

2021 Environmental and Natural Resources Law: Year in Review

Cosponsored by the Environmental & Natural Resources Section

Register at www.osbar.org/seminars (search for ENV21)



Thursday, October 14, 2021

8:30 a.m.–4:30 p.m. PDT

LIVE WEBCAST

CLE credits: 5.5 General and 1 Ethics

MCLE ID#: 82669

Register now at www.osbar.org/seminars
(search for ENV21)

Receive updates essential to your practice in this year's environmental law review. Learn about the impacts of climate change on Oregon utilities and vulnerable communities. Delve into the first 10 months of the Biden EPA including accomplishments, challenges, and practical impacts on the Pacific Northwest. Explore Klamath water basin litigation and tribal law and natural resources. Participate in a conversation with Congressman Earl Blumenauer on the future of the Columbia-Snake River basin.

Environmental & Natural Resources Section members save \$80 off registration rates.

Special thanks to the Environmental & Natural Resources Section for subsidizing a portion of the registration fee for Environmental & Natural Resources Section members and for providing complimentary registration for law students.



LIVE WEBCAST REGISTRATION

\$0	Law students*
\$30	ONLD Environmental & Natural Resources Section member
\$110	ONLD member
\$80	Environmental & Natural Resources Section member
\$160	OSB member
\$175	Non-OSB member

Includes online access to the recorded seminar for 60 days after the event. Electronic materials are included with your registration.

*Law students, 50-Year and Active Pro Bono OSB members, and Oregon judges and their lawyer staff — please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the seminar.



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- 8:30 Introductory Remarks**
Caylin Barter, *ENR Section Chair-Elect, CLE Chair, Wild Salmon Center, Portland, OR*
Maura Fahey, *ENR Section Chair, Crag Law Center, Portland, OR*
- 8:35 Transition**
- 8:40 Brownfield and Superfund Site Redevelopment**
 - Recent brownfield redevelopment projects in Oregon
 - Managing environmental risk and liability associated with redevelopment of contaminated properties**Cheyenne Chapman**, *Oregon Department of Environmental Quality, Portland, OR*
Seth Otto, *Maul Foster & Alongi, Portland, OR*
Ted Wall, *Maul Foster & Alongi, Portland, OR*
Kat West, *Skeo Solutions, Portland, OR*
- 9:40 Transition**
- 9:45 Climate Change and Clean Electricity in Oregon: HB 2021, Wildfires, and Impacts on Oregon Utilities and Vulnerable Communities**
 - Challenges and opportunities associated with implementation of Oregon's new clean electricity standards
 - Differing perspectives from the agency side, utilities, and vulnerable communities focusing on a problem that impacts all Oregonians**Angela Crowley-Koch**, *Oregon Solar and Storage Industries Association, Portland, OR*
Riley Peck, *PacifiCorp, Portland, OR*
Allie Rosenbluth, *Rogue Climate, Medford OR*
Richard Whitman, *Oregon Department of Environmental Quality, Portland, OR*
- 10:45 Break**
- 10:55 The First 10 Months of the Biden EPA: Accomplishments, Challenges, and Practical Impacts on the Pacific Northwest**
 - Key actions to date under the Biden EPA
 - Implementation challenges and impacts on practitioners in the Pacific Northwest**William Funk**, *Lewis & Clark Law School, Portland, OR*
Andrew Hawley, *Western Environmental Law Center, Seattle, WA*
L. John Iani, *Perkins Coie, Seattle, WA*
- 11:55 Transition**
- Noon Keynote: A Conversation with Congressman Earl Blumenauer on the Future of the Columbia-Snake River Basin**
Following a short video, Congressman Blumenauer will speak about his efforts to address the unsustainable cycle of conflicts over salmon and energy in the Columbia-Snake River Basin, in light of a recent proposal released by Congressman Mike Simpson. Bring your questions for a lively Q & A!
Congressman Earl Blumenauer, *US House of Representatives, 3rd Congressional District of Oregon, Portland, OR*
- 12:40 Lunch**
- 1:10 Tribal Law and Natural Resources: Recent Developments in Tribal Treaty Rights Implementation and Sovereignty Issues**
 - Legal issues associated with in lieu and treaty access fishing sites along the Columbia River
 - The recent Ninth Circuit decision in *Deschutes River Alliance v. Portland General Electric Company* concerning tribal sovereignty in environmental litigation
 - Other timely issues at the intersection of tribal and natural resources law

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Howard Arnett, *Karnopp Petersen LLP, Bend, OR*

Robert “Bobby” Brunoe, *General Manager for the Branch of Natural Resources, Confederated Tribes of Warm Springs, Warm Springs, OR*

Robert Lothrop, *Columbia River Inter-Tribal Fish Commission, Portland, OR*

Stephanie Lynch, *Office of the Solicitor, US Department of Interior, Portland, OR*

2:10 Transition

2:15 Klamath Water: More Complex Than Ever?

- A look-back at the legal complexities involved with the construction and operation of Link River Dam, which turns 100 this year
- The “ESA re-assessment” and its demise: current ambiguities about the regulatory framework for Project operations
- Summary of active litigation in the Basin

Moss Driscoll, *US Bureau of Reclamation, Klamath Falls, OR*

Paul Simmons, *Somach Simmons & Dunn, Sacramento, CA*

Jay Weiner, *Rosette LLP, Chandler, AZ*

3:15 Break

3:25 Recent Developments in Ethics Law

Professor Lininger will discuss various ethical matters of interest to practitioners in the area of environmental law, and will address both the ABA Model Rules of Professional Conduct and the Oregon Rules of Professional Conduct.

Tom Lininger, *University of Oregon School of Law, Eugene, OR*

4:25 Closing Remarks

4:30 Adjourn

Planning Committee

Caylin Barter, *Wild Salmon Center, Portland, OR*

Olivier Jamin, *Davis Wright Tremaine LLP, Portland, OR*

Laura Kerr, *Stoel Rives LLP, Portland, OR*

John Mellgren, *Western Environmental Law Center, Eugene, OR*

Cassie Roberts, *Perkins Coie LLP, Portland, OR*

Avalyn Taylor, *Pearl Legal Group, Portland, OR*



CLE
Seminars

Upcoming Seminars

September 22

Indian Law Series: Federal and State Policy Highlights: Fee-to-Trust Under the Biden Administration and Oregon’s Full Faith and Credit Bill
(IND21-1)

October 1

The Art of Elder Law: A Broad Brushstroke Overview
(ELDB21)

October 6

Indian Law Series: Tribes and the Cannabis Industry
(IND21-2)

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