



**THE STATE BAR OF CALIFORNIA  
ENVIRONMENTAL LAW SECTION**

**Qualifies for 12 Hours MCLE Credit  
of which 1 Hour Applies to Prevention, Detection &  
Treatment of Substance Abuse or Mental Illness**

# **2013 ENVIRONMENTAL LAW CONFERENCE AT YOSEMITE®**

**October 24–27, 2013 | Tenaya Lodge at Yosemite**

**September 3  
Scholarship Deadline**

**September 23  
Hotel Reservation Deadline**

**October 17  
Registration Deadline**

**Environmental Law Conference at Yosemite® <http://environmental.calbar.ca.gov>**



# THE STATE BAR OF CALIFORNIA ENVIRONMENTAL LAW SECTION 2013 ENVIRONMENTAL LAW CONFERENCE AT YOSEMITE®

## Conference Planning Committee

Matthew D. Vespa, Co-chair  
Sierra Club, San Francisco

Howard "Chip" Wilkins, Co-chair  
Remy Moose Manley LLP, Sacramento

## Executive Committee Members on Planning Committee

Christopher H. Calfee, Sacramento  
Amy E. Gaylord, San Francisco  
Angela T. Howe, San Clemente  
Gideon Kracov, Los Angeles  
Marc D. Luesebrink, Seattle  
Thomas J. McHenry, Los Angeles  
Roger Moore, Berkeley  
Suma Peesapati, San Francisco  
Robert "Perl" Perlmutter, San Francisco  
Janill L. Richards, Oakland  
Robert M. Sawyer, Sacramento  
Danielle R. Teeters, Sacramento

Additional and generous help from  
Environmental Law Section advisors

The Environmental Law Conference at Yosemite is nationally recognized as the largest and most prestigious gathering in California of leaders in environmental, land use, and natural resources law. We hope you will join us and many of our nation's top environmental officials, lawyers, and other professionals in the spectacular setting of Yosemite – for our 22<sup>nd</sup> year!

## Conference Green Initiatives

*As an organization of environmental professionals, the Environmental Law Section of the State Bar will strive to conserve natural resources and to support their sustainable use. Each year we strive to reduce the Yosemite Conference's carbon footprint. Help us in these efforts by forming carpools or driving in an energy efficient vehicle when you travel to Yosemite. Don't forget to sign the State Bar Eco Pledge, and review the Model Law Office Sustainability Guidelines and share these with your colleagues.*

## Conference Program Materials and Merchandise

At the Conference registrants will receive a USB storage device with an electronic version of all program materials complements of **West, a Thomson Reuters business**. Before the Conference attendees will also receive a link with information on how to peruse and download the program materials from the Internet. It may be helpful to review a program's reference material before the class, so please take a moment to check the materials for classes you plan to attend. This website is not available to the public, and access is given only to Conference registrants. Late-breaking supplemental materials not available before the Conference will be added to this site at a later date. This year attendees receive a signature tote bag sponsored by **GIBSON DUNN**, and coffee mug sponsored by **Gatzke Dillon & Ballance LLP**. Conference products are available while supplies last. A limited quantity of commemorative conference t-shirts will be available for purchase this year. Pre-order your t-shirt on the registration form.

## MCLE

The State Bar of California and The Environmental Law Section are State Bar of California approved MCLE Providers.

## Scholarships

The Environmental Law Section of the State Bar of California is pleased to offer five (5) Michael H. Remy Scholarships which include tuition, transportation, room and board, courtesy of **Remy Moose Manley LLP**, and at least 20 tuition scholarships. The Scholarship Application with detailed filing information can be found on our website at [www.calbar.ca.gov/environmental](http://www.calbar.ca.gov/environmental). See page 13 for general scholarship information.

*The Environmental Law Conference at Yosemite® is proud to be named an ABA Section of Environment, Energy and Resources State or Local Program of the Year*

Topics, speakers, and schedules  
are subject to change.

## THURSDAY

**Thursday, October 24 | 4:00 pm-7:00 pm**  
Registration Hours

**Thursday, October 24 | 5:00 pm-7:00 pm**  
Environmental Law Section Executive Committee Meeting

**Thursday, October 24 | 6:00 pm-7:30 pm**  
22<sup>nd</sup> Annual Conference Opening Night Reception  
(Complimentary/RSVP requested)

Join us at this year's opening night reception. Reception sponsored by Burke Williams & Sorensen LLP, Kronick Moscovitz Tiedemann & Girard, and Skadden, Arps, Slate, Meagher & Flom LLP.

## FRIDAY

**Friday, October 25 | 7:15 am-12:15 pm**  
Registration and MCLE Sign-In  
(Sign in for MCLE Credit Once Daily)

**Friday, October 25 | 7:30-8:00 am**  
Continental Breakfast (Complimentary/RSVP requested)  
Sponsored by Alston & Bird LLP and Farella Braun + Martel LLP.

**Friday, October 25 | 8:00-9:00 am | 1 Hour Credit**  
Session 1: Friday Morning Plenary Session  
Welcome by Robert "Perl" Perlmutter, 2012-2013 Chair, Environmental Law Section. Introductions by Matthew D. Vespa, Sierra Club, San Francisco. Keynote remarks by John Chiang, California State Controller, Los Angeles.



John Chiang

First elected in November 2006 to serve as California's Chief Fiscal Officer, Controller John Chiang was elected to a second term in November 2010. Upon taking office, he took immediate action to weed out waste, fraud and abuse of public funds and make the State's finances more transparent and accountable to the public. John also has acted to protect our environment and our economy at the same time. He has joined with institutional investors managing \$4 trillion in assets to call on federal

lawmakers to enact a national standard to address global warming. As State Lands Commission member, he has opposed new offshore oil leases and is committed to preserving the State's 1,100 miles of coastline. As Controller, John successfully pushed the State's affordable housing tax credit agency to consider LEED and other environmental design standards when awarding competitive points. The son of immigrant parents, John graduated with honors from the University of South Florida with a degree in Finance. He received his law degree from the Georgetown University Law Center. John and his wife, Terry Chi, live in Torrance, California.

# PROGRAM SCHEDULE

**Friday, October 25 | 9:15-10:45 am | 1.5 Hours MCLE**  
Session 2: High Speed Rail on Track? The Latest on the Proposed System and Its Implementation

California plans to begin construction of the country's first high speed rail system in the San Joaquin Valley, which is ultimately intended to connect to Los Angeles and San Francisco and beyond. Proponents hope the system will encourage compact land development around the stations and reduce traffic, airport congestion, and greenhouse gas pollution by providing electrified mass transportation. However, many Californians are concerned that increasing costs will exceed benefits, and some San Joaquin Valley residents further worry that high speed rail will lead to more auto-oriented, single-family bedroom communities and exacerbate development on prime farmland. Meanwhile, opponents have filed lawsuits to halt construction and change the proposed route. This panel will discuss the state of high speed rail implementation in California and efforts to manage its land use and agricultural impacts.

#### Moderator

Ethan Elkind, U.C. Berkeley/U.C.L.A. Schools of Law, Berkeley

#### Panelists

Ken Alex, Senior Advisor to Governor Jerry Brown, Sacramento

Holly A. King, Wasco-Shafter Agricultural Group, Wasco

Hon. Quentin L. Kopp (Ret.), Past Chairman, California High Speed Rail Authority, San Francisco

**Friday, October 25 | 9:15-10:45 am | 1.5 Hours MCLE**  
Session 3: Rising Tides and the California Coast: Will Santa Monica Be the Next Jersey Shore?

Studies indicate that under current sea-level rise projections, a wide range of California's critical infrastructure – such as schools, roads, ports, hospitals, emergency facilities, airports and energy facilities – will be at increased risk of flooding and storm surges. These risks will affect private development and many of our recreational resources and coastal ecosystems as well. Low-income and minority communities are particularly vulnerable to flood risk in coastal counties, creating potential equity issues. What is being done at the state and local level to prepare and adapt to the new realities facing our coastline? What are the implications of a rising tide line for private property and the public trust? How can we reconcile the need to develop and protect coastal dependent resources while balancing long-term coastal sustainability? How can today's environmental laws address these new challenges? Hear from a panel of distinguished experts on state and local efforts to adapt to this new reality.

#### Moderator

Sean Hecht, U.C.L.A. School of Law, Los Angeles

#### Panelists

Brian Holland, ICLEI, San Diego

Charles Lester, California Coastal Commission, San Francisco

Kheay Loke, Wilson Meany, San Francisco



**Friday, October 25 | 9:15-10:45 am | 1.5 Hours MCLE**

**Session 4: CEQA Update: A Perennial Favorite**

Panelists will discuss in detail key CEQA cases from the past year, summarize recent case law, and provide an update on recent legislative developments.

Moderator

Osha Meserve, Soluri Meserve, Sacramento

Panelists

Ellison Folk, Shute, Mihaly & Weinberger LLP, San Francisco  
Charity B. Schiller, Best, Best & Krieger LLP, Riverside  
Ryan R. Waterman, Stoel Rives LLP, San Diego

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**Friday, October 25 | 9:15-10:45 am | 1.5 Hours MCLE**

**Session 5: Getting to Closure: The Need for a Paradigm Shift at Complex Groundwater Contaminated Sites**

Many groundwater contaminated sites in California cannot achieve cleanup goals such as water quality objectives because they are impacted with recalcitrant toxic chemicals, or they are mired in litigation involving recalcitrant responsible parties causing cleanup delays for years, possibly decades. This panel will explore what the remediation industry has learned about the behavior of these chemicals and ways to manage them, and will also explore the regulatory and legal aspects of developing decision-making frameworks to achieve site closure and final agreements at contaminated sites. Case studies will be used to illustrate the varying magnitude and nature of groundwater contamination.

Moderator

Danielle Teeters, Kronick Moskovitz Tiedemann & Girard, Sacramento

Panelists

James L. Meeder, Allen Matkins, San Francisco  
Reed Sato, California Department of Toxic Substance Control, Sacramento  
Alborz Wozniak, Veritas Environmental Consulting Inc., Pleasant Hill



**Friday, October 25 | 11:00-12:30 pm | 1.5 Hours MCLE**

**Session 6: Dire Gyre: Is the Problem of Ocean Plastics Pollution Insoluble?**

An estimated 6.4 million tons of trash and litter enter the world's oceans each year. The majority of marine debris is plastic and accumulates in swirling ocean currents creating what has been described as a "plastic soup." Marine debris results in the deaths of countless marine animals through entanglement and ingestion and threatens coastal tourism. California's coastal cities and counties spend \$420 million each year to remove litter and debris from their shores. This panel will explore the existing laws and regulations designed to curtail the flow of trash into our oceans as well as the opportunities and controversies over proposed solutions. It will discuss recent efforts at the California Legislature to more meaningfully address marine debris and the work of governmental agencies at the local, state, regional, and international levels to tackle this complex global issue.

Moderator

Angela T. Howe, Surfrider Foundation, San Clemente

Panelists

Leila Monroe, Natural Resources Defense Council, San Francisco  
Steven Moore, State Water Resources Control Board, Sausalito  
Saskia Van Gendt, Method Products, Inc, San Francisco

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**Friday, October 25 | 11:00 am-12:30 pm | 1.5 Hours MCLE**

**Session 7: Beyond 2020: How Will California Meet Its 2050 Greenhouse Gas Reduction Goals?**

California's landmark climate change law, AB 32, requires the state to reduce its greenhouse gas pollution to 1990 levels by 2020. But these reductions are just the beginning. Scientists and policymakers recognize that far greater emissions reductions are needed to limit the severity of climate impacts. Consistent with these projections, former California Governor Arnold Schwarzenegger signed an Executive Order establishing an additional target for California to reduce greenhouse gas pollution to 80% below 1990 levels by 2050. What does this low-carbon future look like and is California currently positioning itself to realize it? Has the State's approach to reaching its 2020 goals been consistent with its 2050 goals or undercut them? How will the needed changes beyond 2020 impact businesses and other regulated entities? Finally, can California achieve its long-term climate goals without complementary policies at the federal and international levels?

Moderator

Cara Horowitz, U.C.L.A. School of Law, Los Angeles

Panelists

Jane C. S. Long, California Council on Science and Technology, Sacramento  
Ryan McCarthy, California Air Resources Board, Sacramento  
F. Noel Perry, Next 10, San Francisco



**Friday, October 25 | 11:00 am-12:30 pm | 1.5 Hours MCLE**  
**Session 8: Whatever Happened to the Monterey Amendment?**

The State Water Project (SWP) provides all or part of the water supply to the vast majority of Californians, yet the problems it has faced -- and continues to face -- in delivering that water are not widely understood. In 1995 the Department of Water Resources and 27 of the 29 SWP Contractors agreed to significant changes to the standard SWP Water Supply Contract, believing that they had effectively solved problems that had been troubling the SWP for its first 35 years, including allocation of shortages between agricultural and urban users, water transfers, and operation of a large groundwater storage bank in Kern County. A major lawsuit brought by a group of environmental organizations against the Monterey Amendment at the time of its approval was settled. So why are others, including at least two water districts, litigating it again, 18 years later? The panel will explore the history of the SWP, the challenges created by its not being built out as originally planned, the tension between agricultural and urban water users, concerns about urban growth being approved on the basis of what some critics describe as "paper water," and the legal and economic ramifications of a private agricultural water company being part of the joint powers authority that owns and operates the vital Kern Water Bank.

Moderator

Robert M. Sawyer, Remy Moose Manley LLP, Sacramento

Panelists

Roger B. Moore, Rossmann and Moore, LLP, Berkeley  
Steven M. Torigiani, Young Wooldridge, Bakersfield  
Deborah A. Wordham, The Nature Conservancy, Sacramento

**Friday, October 25 | 11:00 am-12:30 pm | 1.5 Hours MCLE**  
**Session 9: Are General Plans Up to the Task?**

For nearly a century, California law has required local governments to develop long range plans governing land use. Recent statutory changes have added planning requirements addressing, among other things, air quality, fire hazards, and multimodal transportation. Increasingly, general plans are expected to also address changes in California's environmental regulatory regimes related to climate change, infill development and agricultural resources protection. However, due to funding and other constraints, general plans are frequently out-of-date and may be amended piecemeal in response to development applications. Moreover, cities' and counties' general plans within a region may have competing goals, and thereby frustrate cohesive planning. Given these realities, can general plans really live up to our heightened expectations? This panel will feature representatives of local governments that are currently negotiating these issues and will offer insights into the promise and reality of long range planning.

Moderator

Christopher H. Calfee, Office of Planning & Research, Sacramento

Panelists

Keith Bergthold, City of Fresno, Fresno  
Heidi Tschudin, Tschudin Consulting Group, Sacramento  
Al Zelinka, City of Riverside, Riverside

**Friday, October 25 | 1:00 pm-6:00 pm (times vary)**  
**No MCLE Credit**

**Friday Afternoon Activities led by Environmental Law Section Members**

Register on-site ONLY. Space is limited.

Conference attendees and their guests may choose to participate in offsite activities planned and led by Environmental Law Section members. Sign-up sheets will be located at the Executive Committee table in the registration foyer. All participants will be required to sign a liability release form.

The following activities are planned for 2013. **Geology Hike:** Geologist Dawn Zemo will lead a tour explaining the forces that shaped the landscape of Yosemite National Park and visiting points of interest along the Glacier Point Road, including Glacier Point and the Fissures at Taft Point. **Mountain Bike Ride:** An intermediate level 20 mile mountain bike ride on dirt roads from the Tenaya Lodge to Fresno Dome and back. **Hikes:** Hikes in Yosemite National Park or the Sierra National Forest. Distance and difficulty varies.

**Friday Evening on Your Own**

Enjoy time with your family, friends and colleagues.



# SATURDAY

**Saturday, October 26 | 7:15-12:15 pm**

Registration and MCLE Sign-In (Sign in for MCLE Credit Once Daily)

**Saturday, October 26 | 7:30-8:00 am**

Continental Breakfast (Complimentary/RSVP requested)

Sponsored by Best Best & Krieger LLP, and Gresham Savage Nolan & Tilden, PC, and Hunsacker Goodstein PC.

**Saturday, October 26 | 8:00-9:00 am | 1 Hour MCLE**

**Session 10: Saturday Morning Plenary Session**

Welcome and introduction by **Amy E. Gaylord**, Pillsbury Winthrop Shaw Pittman LLP, San Francisco. Keynote remarks by **John Cruden**, President, Environmental Law Institute, Washington DC.



John C. Cruden

John C. Cruden is the fourth President of the Environmental Law Institute (ELI). He joins ELI from the U.S. Department of Justice, where he served as the Deputy Assistant Attorney General, Environment and Natural Resources Division, a position he had held since 1995. Cruden is a graduate of the United States Military Academy, University of

Santa Clara, and University of Virginia, and is a member of the bars of the District of Columbia and California, a number of federal courts, and the U.S. Supreme Court. At the Department of Justice, Mr. Cruden supervised all federal civil environmental litigation involving agencies of the United States, and oversaw the Environmental Enforcement Section and Environmental Defense Section. He has personally litigated and led settlement negotiations in numerous environmental cases, many with reported decisions. John Cruden has on three occasions received the Presidential Rank Award from three different Presidents. He has also received the Department of Justice's Muskie-Chaffee Award, the Federal Bar Association's Younger Award, and the American Bar Association's Mary C. Lawton Award for Outstanding Government Service. John is a swim coach for the Special Olympics and a past recipient of Fairfax County's Volunteer of the Year award for his work with mentally handicapped children. He is married and has two children.

**Saturday, October 26 | 9:15-10:45 am | 1.5 Hours MCLE**

**Session 11: The San Joaquin Valley: Testing the Limits of the Clean Air Act**

The San Joaquin Valley, a key source of California's agricultural bounty, persistently suffers from some of the worst air quality in the nation. Known for its extremes, this air basin has become a battleground between environmental and environmental justice advocates on the one hand, and developers and agricultural interests on the other. These opposing forces have fueled some groundbreaking Clean Air Act disputes that have national implications in the areas of ozone and particulate matter regulation. Do these disputes affirm the Clean Air Act's approach to attaining national air quality standards or are the Act's extreme nonattainment provisions too extreme? What does the air quality situation mean for the future of agriculture, energy, transportation and development in the State?

Moderator

**Deborah Halberstadt**, California Attorney General's Office, Oakland

Panelists

**Paul Cort**, Earthjustice, San Francisco

**David Farabee**, Pillsbury Winthrop Shaw Pittman LLP, San Francisco

**Jeanhee Hong**, U.S. Environmental Protection Agency, San Francisco

**Saturday, October 26 | 9:15-10:45 am | 1.5 Hours MCLE**

**Session 12: Siting of Large Scale Renewables: Lessons Learned, Progress Made, and Future Challenges**

The siting of large scale renewable projects has often resulted in tensions, conflicts, and even some bruising battles. Striking the balance between reducing greenhouse gas pollution and avoiding impacts to California's protected wildlife, productive agricultural land, and fragile desert ecosystems is no easy task. Has the State made meaningful progress in reconciling these competing interests? This panel will discuss the latest in joint state and federal planning efforts to streamline siting approvals and coordinate transmission planning and mitigation opportunities. Emphasis will be on both practical guidance to navigate the project approval process and the continued and emerging challenges California faces with renewable siting as it seeks to decarbonize its energy supply.

Moderator

**Thomas J.P. McHenry**, Gibson Dunn & Crutcher, Los Angeles

Panelists

**Lisa Belenky**, Center for Biological Diversity, San Francisco

**Steven M. Ingram**, California Department of Fish & Wildlife, Sacramento

**Anne E. Mudge**, Cox Castle & Nicholson LLP, San Francisco



**Saturday, October 26 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 13: CEQA's Evolution: The Long View**

In 1970, the California Environmental Quality Act was just a legal concept, untested in its application and unknown in its effects. It wasn't even clear what types of "projects" would fall under its purview. In the four decades since its enactment, CEQA has been in a near constant state of change, driven largely by two forces. One is the impact of appellate decisions that have interpreted the scope of the statute in broad and encompassing terms. The other involves bursts of Legislative "reform," responding as new environmental problems move to the fore, political climates change, and the state's economy ebbs and flows. Looking back, do these changes constitute mere flux, or legal evolution? This panel of distinguished CEQA experts will place current reform discussions in historical context, reflect on why changes to date have not quelled the call for further reform, and discuss what is needed to make CEQA work as intended.

Moderator

Janill Richards, California Attorney General's Office, Oakland

Panelists

E. Clement Shute, Jr., Shute, Mihaly & Weinberger LLP, San Francisco  
Kip Lipper, Office of California Senate Pro Tempore Darrell Steinberg, Sacramento

James G. Moose, Remy Moose Manley LLP, Sacramento

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**Saturday, October 26 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 14: CERCLA's Mid-Life Crisis: How Best To Navigate Cost Recovery Actions –The Good, The Bad, and The Expensive**

Has CERCLA reached a mid-life crisis? Is this cumbersome statutory scheme still a viable and cost-efficient way to resolve cost recovery actions? What have we learned about the changing landscape of Superfund litigation which has led some litigants to look to other alternatives to resolve their cost recovery actions? Our panel of experienced private practitioner and government attorneys will discuss what's still viable about Superfund and what's in need of repair. The panel will address how to best identify potentially responsible parties and bring them into court, what legal theories other than CERCLA and court venues other than federal court that should be considered, whether the concept of compliance with the NCP is still viable and how best to achieve it, how and to what extent EPA's role has or should be changed in enforcing and managing smaller cleanups, the role of insurance in helping to resolve litigation, the role private mediation can play in helping to reach settlement, and tips to successfully negotiate a consent decree with the government and other private parties.

Moderator

Gary A. Meyer, Parker, Milliken, Clark, O'Hara & Samuelian, Los Angeles

Panelists

Jeffrey D. Dintzer, GIBSON DUNN, Los Angeles  
Michael R. Leslie, Caldwell Leslie & Proctor, PC, Los Angeles  
Marie M. Rongone, U.S. Environmental Protection Agency, Region 9, San Francisco

**Saturday, October 26 | 11:00 am-12:30 pm | 1.5 Hours MCLE**

**Session 15: If You Worked Here, You'd Be Home by Now: SB 375 and the San Joaquin Valley**

According to the Department of Finance the population of the San Joaquin Valley will nearly double by the middle of the century, adding 3 million new Californians, increasing from just over 3 million today to approximately 6 million. By 2060, Fresno, Kern, and San Joaquin Counties' populations will each break the one million mark. The decisions the Valley makes today – about infrastructure, investment in public transit, development patterns, preservation of farmland, and the need for improved public health and environmental justice – will determine the quality of life of its residents for decades to come. The Valley's eight Councils of Government are in the process of developing their Sustainable Communities Strategies (SCSs), as required by SB 375, to put development on a more sustainable path. This panel will discuss the Valley's unique challenges, and its unique opportunities in developing SCSs.

Moderator

Juan Carlos Cancino, California Rural Legal Assistance, Inc., San Francisco

Panelists

Andrew Chesley, San Joaquin Council of Governments, Stockton  
Curt Johansen, Council of Infill Builders; Sustainable Community Partners, LLC, Petaluma  
Elizabeth Jonasson, Coalition for Clean Air, Fresno

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**Saturday, October 26 | 11:00 am-12:30 pm | 1.5 Hours MCLE**

**Session 16: Stepping on the Gas? Understanding the Process and Future of Natural Gas Power Plant Development in California**

California may be on the cusp of developing a number of new natural gas-fired power plants to generate electricity for the state's residents. This potential development is driven by the looming retirement of older coastal power plants, the unplanned shutdown of Southern California's nuclear power plant, and the need to balance the increasing deployment of variable renewable energy from sun and wind. Yet many environmentalists are wary of additional fossil fuel commitments and instead favor low-carbon alternatives. This panel will explore the various considerations that determine whether a power plant gets built, describe the authority and roles of state and local agencies in power plant approvals, and suggest tools for effective advocacy.

Moderator

Peter V. Allen, California Public Utilities Commission, San Francisco

Panelists

Barbara B. Baird, South Coast Air Quality Management District, Diamond Bar  
Shana D.G. Lazerow, Communities for a Better Environment, Oakland  
Kevin J. Poloncarz, Paul Hastings LLP, San Francisco



**Saturday, October 26 | 11:00 am-12:30 pm |  
1.5 Hours MCLE**

**Session 17: Key Environmental Law Developments in the U.S. Supreme Court, Ninth Circuit Court of Appeals & California Supreme Court**

Join a panel of Supreme Court, environmental law and appellate practice experts for this fast-paced and comprehensive survey of the cases every California environmental lawyer needs to know about. This panel will review major decisions from the U.S. Supreme Court, U.S. Court of Appeals for the Ninth Circuit and the California Supreme Court over the past year, along with key pending cases before those appellate courts. This past year, the U.S. Supreme Court focused especially on the Clean Water Act, property rights and the Fifth Amendment's Takings Clause, while the Ninth Circuit continued its tradition of generating a large number of nationally-important natural resources law decisions.

Moderator

Prof. Richard M. Frank, U.C. Davis School of Law, Davis

Panelists

Prof. John D. Leshy, U.C. Hastings College of the Law, San Francisco  
Prof. Lesley K. McAllister, University of San Diego School of Law, San Diego

**Saturday, October 26 | 11:00 am-12:30 pm |  
1.5 Hours MCLE**

**Session 18: The View from Sacramento: Legislators' Perspectives**

They say the only constant is change, and that's certainly true of the California Legislature for the 2013-2014 Session. The triple-whammy of redistricting, top two primaries and new 14-year term limits in either house has led to a bumper crop of 38 brand new members in the 80-member Assembly and 2/3rds democratic majorities in both houses. Meanwhile, Proposition 30 eased the state's ability to balance the budget, the economy is limping back, and the resignation of Senator Michael Rubio shifted the debate on CEQA reform. How did all of that dynamism translate into major legislative efforts this year? What can we expect in the year to come? Hear from key legislators on the state of affairs in Sacramento.

Moderator

Gary Lucks, Environmental Resources Management, Walnut Creek

Panelists

Hon. Kevin De León, Senator, Sacramento  
Hon. Hannah Beth Jackson, Senator, Sacramento  
Hon. Darrell Steinberg, Senate President Pro Tempore, Sacramento

**Saturday, October 26 | 1:00 pm-5:00 pm |  
No MCLE Credit**

**Saturday Afternoon Outdoor Presentations**

Register on-site ONLY. Space is limited.

Sign up for outdoor presentations. Some presentations may involve a short hike, and some programs may not be appropriate for children. Registration is on-site only, and all presentations have limited space. Descriptions and signup sheets are available at the Executive Committee table in the registration foyer. All participants will be required to sign a liability release form. The following presentations are planned for 2013. Advance sign-ups not taken.

**Fire and Forest Management.** The Sierra Nevada Adaptive Management Project seeks to determine how different forest vegetation management practices, including varying intensities of thinning, affect wildfire risk, wildlife, forest health and water. The study features experimental plots in two areas, one in the Tahoe National Forest and the other in the Sierra National Forest near Sugar Pine, just south of Fish Camp. This program will visit some of the experimental plots near Sugar Pine, and provide information about the effects of fire suppression, measures to restore forest health, and how impacts on fire risk, wildlife and water resources can be evaluated. Moderator: Sarah Sawyer, USDA Forest Service, Pacific Southwest Region. Speaker: Prof. Scott Stephens, University of California, Berkeley.

**Yosemite National Park Expansion.** Legislation has been introduced in Congress for a Yosemite National Park boundary line adjustment adding 2.5 square miles to the park. The proposal adds lands on the park's west boundary, near Chinquapin, that were part of the original 1864 Yosemite Grant. Learn about the history of the area, actions taken to acquire the property and hold it for transfer to the park, and issues concerning management of the property and the proposed transfer to federal ownership. Moderator: Michael Hingerty. Speaker: Laurie Wayburn, Pacific Forest Trust.

**Merced River Plan.** In January 2013, the National Park Service released the Merced Wild and Scenic River Draft Comprehensive Management Plan and Environmental Impact Statement, with a timeline calling for adoption later in 2013. The plan was developed to protect and enhance the values for which the river was designated while providing access for park visitors. The draft Environmental Impact Statement examines a range of future visitor experiences by varying the combination of facilities, services and user capacities included in each alternative. The release comes after extensive litigation, including Ninth Circuit opinions on two previous versions of the plan. Learn about the planning process and the issues involved, and view some of the areas that will be affected by the plan. Moderator: Andy Sawyer, California State Water Resources Control Board. Speaker: Kathleen S. Morse, Yosemite National Park.

## Saturday, October 26 | 6:30 pm-7:00 pm

Saturday Evening Reception (Complimentary/RSVP requested)

Join us in the lobby for a pre-dinner gathering sponsored by Brownstein Hyatt Farber Schreck, LLP.

## Saturday, October 26 | 7:00 pm-9:00 pm

Saturday Night Dinner Program

Ticketed Event \$58 Adult and \$38 Child (3-11 years of age)

Welcome and introductions by Howard "Chip" Wilkins, Remy Moose Manley LLP, Sacramento. Keynote remarks by Mark Kitchell, Director and Filmmaker, San Francisco.

Sponsored by Allen Matkins Leck Gamble Mallory & Natsis LLP, AMEC, Barg Coffin Lewis & Trapp, LLP, Pillsbury Winthrop Shaw Pittman LLP and Treadwell + Rollo | A Langan Company. Wine generously hosted by Honig Vineyard & Winery and Fitzgerald Abbott & Beardsley LLP. Dinner gift sponsored by Rossmann and Moore, LLP.



Mark Kitchell

Mark Kitchell is an Oscar-nominated and award-winning filmmaker. Mark will discuss his recently released movie *A FIERCE GREEN FIRE: The Battle for a Living Planet*, which is the first big-picture exploration of the environmental movement – grassroots and global activism spanning fifty years from conservation to climate change. Directed and written by Mark, the movie is narrated

by Robert Redford, Meryl Streep, Ashley Judd, Van Jones and Isabel Allende. The film premiered at Sundance Film Festival in 2012, and has won acclaim at dozens of festivals around the world. Mark is best known for his documentary *Berkeley in the Sixties*, an Academy Award®-nominated movie that has become one of the defining documentaries about the protest movements of the 60's.

## Saturday, October 26 | 9:00 pm-11:00 pm

Saturday Night Dessert Party (Complimentary/RSVP Requested)

End the night with tricks and treats at the annual Yosemite Conference Dessert Party. Dessert, dancing and more! Sponsored by Cox, Castle & Nicholson, LLP.

## SUNDAY

### Sunday, October 27 | 7:15 am-12:15 pm

Registration and MCLE Sign-In (Sign in for MCLE Credit Once Daily)

### Sunday, October 27 | 7:30-8:00 am

Continental Breakfast (Complimentary/RSVP requested)

### Sunday, October 27 | 8:00-9:00 am | 1 Hour MCLE

#### Session 19: Sunday Morning Plenary Session

Welcome and closing by Alexander "Sandy" Crockett, 2013-2014 Chair, Environmental Law Section. Introductions by Suma Peesapati, Earthjustice, San Francisco. Keynote remarks by Carla Peterman, Commissioner, California Public Utilities Commission.



Carla Peterman

Carla Peterman was appointed to the California Public Utilities Commission by Governor Jerry Brown in January 2011. Commissioner Peterman is the lead commissioner on renewable energy and transportation. Ms. Peterman has conducted research at the University of California Energy Institute at Haas since 2006 and the Lawrence Berkeley National Laboratory from 2008 to 2010.

She was an environmental business analyst with community development non-profit Isles from 2004 to 2005 and was an associate focused on energy financing in the investment banking division of Lehman Brothers from 2002 to 2004. Ms. Peterman will complete her doctoral studies this year in Energy and Resources at the University of California Berkeley. Her research focuses on solar photovoltaic markets, policy, and financial incentives. Peterman holds a B.A. in history from Howard University and an M.S. in environmental change and management and an M.B.A. from Oxford University, where she was a Rhodes Scholar.



**Sunday, October 27 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 20: California's Next Gold Rush Or a Fool's Paradise? The Fracking Fight Continues**

With technologies enabling extraction of significant amounts of oil and gas previously locked in the Monterey Shale, the battle over fracking in California has reached a fever pitch. While industry asserts that fracking is safe, creates needed jobs and contributes to energy independence, environmentalists claim impacts are grossly understated and that the resulting air, water, and greenhouse gas pollution far outweighs any benefits. This past year has seen a flurry of activity on fracking, from new litigation to proposed legislative and regulatory initiatives, to agency shake-ups. With industrial, environmental, legislative, and regulatory agency perspectives, this panel will explore the latest developments in fracking and its implications for the future of oil and gas development in California.

Moderator

**Marilee Hanson**, California Department of Toxic Substances Control, Sacramento

Panelists

**Katharine Moore**, Senate Committee on Natural Resources and Water, Sacramento

**Mark Nechodom**, California Department of Conservation, Sacramento

**Suzanne Noble**, Western States Petroleum Association, Sacramento

**Guzan Torgun**, Earthjustice, San Francisco

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**Sunday, October 27 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 21: Wastewater Discharges in the Bay-Delta: A New Front in California's Water Wars?**

On December 4, 2012, the State Water Resources Control Board ordered the Sacramento Regional County Sanitation District to comply with stringent new wastewater treatment levels for its discharges into the Sacramento River that may require a \$2 billion treatment plant upgrade to implement. With major water exports to the Central Valley and Southern California occurring downstream of the District's outfall, participants in the proceeding clashed repeatedly over whether the measures were overboard or simply overdue. Speakers representing three diverse viewpoints—regulator, discharger and export water users—will highlight key legal and policy issues as they present their perspectives on the application of the federal Clean Water Act and state Porter-Cologne Water Quality Control Act to the project and the role of this decision in the overall Delta debate.

Moderator

**Tina Cannon Leahy**, Assembly Water, Parks and Wildlife Committee, Sacramento

Panelists:

**Theresa A. Dunham**, Somach Simmons & Dunn, Sacramento

**Michael Lauffer**, State Water Resources Control Board, Sacramento

**Eric N. Robinson**, Kronick Moskowitz Tiedemann & Girard, Sacramento

**Sunday, October 27 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 22: Emerging Challenges Associated with Public Information in the Electronic Age**

The proliferation of digital information and electronic communications has created significant legal, logistical, and financial challenges for government agencies in relation to their obligations to retain and disclose electronic information under public records and environmental laws at the federal and state level. This panel will address the intersection of FOIA, CPRA, CEQA, and NEPA, as well as federal and state discovery laws. What are the government's obligations to retain, search for, and produce digital information under these laws? Do NEPA and CEQA require disclosure of documents that are generally exempt from disclosure under public records laws? What is the scope of the exemptions? What, if any, fees can the government charge for assembling and copying this information? This panel will discuss recent case law addressing these issues and significant remaining areas of uncertainty.

Moderator

**Richard T. Drury, Lozeau | Drury LLP, Oakland**

Panelists

**Marsha A. Burch**, Law Offices of Marsha A. Burch, Grass Valley

**Katherine J. Hart**, Abbott and Kinderman LLP, Sacramento

**M. Katherine Jensen**, Rutan & Tucker LLP, Costa Mesa

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**Sunday, October 27 | 9:15-10:45 am | 1.5 Hours MCLE**  
**Session 23: Doing the Deal: What You Need to Know When Buying or Selling Contaminated Properties**

This panel will address transactions involving contaminated properties, with an eye for overcoming commonplace hurdles to completing the deal. Panelists represent buyers, sellers and agencies regularly involved in such transactions and will address the issue from all sides. From pre-acquisition due diligence to developing a plan for further site investigation post-sale, the panel will walk you through how to handle issues which regularly arise involving impacted properties. The panel will also address key elements of the structure of the deal itself, including issues such as what disclosures may need to be made and by and to whom, all appropriate inquiries, representations and warranties, environmental indemnities, environmental insurance, prospective purchaser agreements, covenants not to sue, and how all of the above may impact the purchase price, the timeframes, and related matters necessary for successfully closing the deal.

Moderator

**Amy E. Gaylord**, Pillsbury Winthrop Shaw Pittman LLP, San Francisco

Panelists

**Barbara Cook**, Department of Toxic Substances Control, Berkeley

**Neal H. Holdridge**, Trammell Crow Company, Newport Beach

**Deborah K. Tellier**, Farella Braun + Martel, LLP, San Francisco



**Sunday, October 27 | 11:00 am-12:30 pm |  
1.5 Hours MCLE**

**Session 24: The Endangered Species Act at 40: A Look Back and Ahead**

This year marks the 40th anniversary of the federal Endangered Species Act, one of the most powerful and controversial of the nation's environmental laws. How well—or poorly—has the ESA met the ambitious objectives Congress articulated four decades ago when it enacted this landmark legislation? What kinds of changes are necessary to keep the ESA relevant and effective in the 21st century? A diverse panel of experts will explore these and other timely questions.

Moderator

Prof. John Leshy, Hastings College of Law, San Francisco

Panelists

Charlton “Chuck” Bonham, California Department of Fish & Wildlife, Sacramento

Damien M. Schiff, Pacific Legal Foundation, Sacramento

Kassie Siegel, Center for Biological Diversity, Joshua Tree

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**Sunday, October 27 | 11:00 am-12:30 pm |  
1.5 Hours MCLE of which 1 Hour Applies to  
Prevention, Detection & Treatment of Substance  
Abuse or Mental Illness**

**Session 25: Substance Abuse: The Potential Personal, Interpersonal and Environmental Cost of Wine and Marijuana**

Wine is a multi-billion dollar industry in California. Taxes on medical marijuana dispensaries provide revenue to state and local governments. While there are economic, medical and social benefits associated with the wine and medical marijuana industries, there can also be an environmental and human cost. This panel will first discuss the environmental and criminal laws implicated by improper production of wine and marijuana and enforcement efforts. The panel will next discuss the potential personal and professional impacts of wine and marijuana consumption. When does recreational use become substance abuse? What are steps and resources for prevention? Featuring a Napa County deputy district attorney and the chair of UC Merced's Department of Psychological Sciences, this panel will discuss the human and environmental impacts of wine and marijuana production and consumption.

Moderator

Nancy Finch, Department of Water Resources, Sacramento

Panelists

Catherine Borsetto, District Attorney's Office, Napa

Jeffrey Gilger, U.C. Merced, Merced

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**Sunday, October 27 | 11:00 am-12:30 pm |  
1.5 Hours MCLE**

**Session 26: Roundtable Discussion: CEQA Guidelines for the 21st Century?**

*Limited to 60 attendees.*

The Brown Administration has committed to a comprehensive update of the CEQA Guidelines. As administrative regulations, the Guidelines are bounded by the statute and case law; however, given that they have

not been comprehensively updated since the late 1990s, much work remains to be done. In addition to straightforward technical updates, some potential areas of focus include: updating Appendix F (energy analysis) and Appendix G (environmental checklist), incorporating environmental standards into environmental analysis, improving transportation analysis, administrative process, including scoping, preparing draft documents, and noticing, context specific analysis (i.e., urban vs. rural), addressing consistency with regional plans, addressing hazards, improving cumulative analysis, and clarifying deferred mitigation. The Governor's Office of Planning and Research wants to hear from practitioners who regularly work with the existing Guidelines, and learn from their experience about the most important potential improvements. This roundtable will be a facilitated discussion designed to elicit concrete suggestions from seasoned practitioners.

Discussion Leaders

Curtis E. Alling, Ascent Environmental, Inc., Sacramento

Susan Brandt-Hawley, Brandt-Hawley Law Group, Glen Ellen

Christine A. Sproul, Office of the Attorney General (Ret.), Sacramento

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**Sunday, October 27 | 11:00 am-12:30 pm |  
1.5 Hours MCLE**

**Session 27: California's Cap and Trade Program: Current Status, Likely Future, and Issues to Watch**

Over the past year, much of the attention on California's climate effort has focused on the state's cap and trade program, launched in 2012 by the California Air Resources Board. While the program appears to have functioned relatively well so far, the Air Resources Board is expected to expand it in ways that could introduce uncertainty, such as linking to other jurisdictions and/or approving additional protocols for offset credits. In addition, with the update to the AB 32 Scoping Plan, the Air Resources Board will chart the course for the next five years and post-2020, including potential modifications to the cap and trade program. Through a series of Q&A's, this panel will evaluate the performance of cap and trade in its first year, offer thoughts on how it will evolve, give a status update on the plan to spend auction revenues, and provide suggestions on whether and how the Air Resources Board should make adjustments to ensure that the program continues to operate smoothly and achieves the intended greenhouse gas emissions reductions. Given the likelihood that EPA will soon propose major new standards for new and existing GHG sources, the panel also will consider the potential relationship between the AB 32 program and EPA's emerging GHG program.

Moderator

Marc D. Luesebrink, The Boeing Company, Seattle, WA

Panelists

Edie Chang, California Air Resources Board, Sacramento

Alex Jackson, Natural Resources Defense Council, San Francisco

Robert A. Wyman, Latham & Watkins LLP, Los Angeles

# Hotel Reservation Form

October 24-27, 2013, Tenaya Lodge at Yosemite  
2013 Environmental Law Conference at Yosemite®

HOTEL RESERVATION DEADLINE  
**SEPTEMBER 23, 2013**

HOTEL RESERVATIONS PROCEDURE: Please confirm early as rooms will sell out.

TELEPHONE RESERVATIONS ARE NOT ACCEPTED.

1. To make your hotel reservation please complete the registration form below and send with one night's deposit (check or credit card) via Mail to Tenaya Lodge, P.O. Box 159, Fish Camp, CA 93623 or Fax Attn: Candi – 559-683-0249. (Telephone reservations will not be accepted.)
2. Deposits: Each room reservation must be prepaid by a credit card or check in the amount of the first night's room and tax. The room rate will be \$193 plus occupancy tax per night. Deposit will be required at time of booking.
3. Check-in time is 3:00 pm and check-out time is 11:00 am.
4. Cancellation Policy: Reservations must be cancelled 7 days prior to arrival to receive a full refund. Cancellation within the 7-day period will result in forfeiture of your deposit.
5. All reductions to a guest's stay must be received 48 hours or more prior to arrival. If a reduction is made within 48 hours of arrival, the guest will be required to pay for the original length of stay.
6. "No shows" will be charged the contracted nightly rate for each night the reserved room is not occupied by the individual, up to and including the entire length of stay.
7. Early departures and/or late arrival will be charged the contracted nightly rate for each night the reserved room is not occupied by the individual, up to and including the entire length of stay.

Complete the information on this form and send to the Tenaya Lodge by fax or mail. Online reservations accepted. Telephone reservations not accepted. **DO NOT MAIL THIS FORM TO THE STATE BAR.**

## GUEST INFORMATION:

Name: \_\_\_\_\_

Sharing With: \_\_\_\_\_

Number of Persons in Room: \_\_\_\_\_ Date of Arrival: \_\_\_\_\_

(To avoid duplicate reservations, if sharing a room only one should complete form)

Date of Departure: \_\_\_\_\_

Firm/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

## TYPE OF ACCOMMODATIONS:

(i.e. King, Double, etc. All are on request only.)

## SPECIAL NEEDS:

(i.e. wheelchair accessible, pet friendly room, outdoor access for smoking, etc.)

## DEPOSIT:

I authorize the Tenaya Lodge to use my credit card for my hotel reservation.

American Express  Diners Club  Discover  MasterCard  VISA

Account Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Cardholder's Name: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

If you have not received a confirmation letter within 1 week, please call the Tenaya Lodge at 559-683-6555.



To book online go to  
[www.tenayalodge.com](http://www.tenayalodge.com)  
and enter the  
**Group Code: 3002TF**

FOR ONLINE RESERVATIONS ONLY



## Alternate Accommodations Near the Conference Location

The Environmental Law Conference at Yosemite® will be held at the Tenaya Lodge, located in the town of Fish Camp, two miles outside the southern entrance to Yosemite National Park. Although it will be more convenient to stay at the host facility, some attendees may choose to stay elsewhere. Following is a list of alternative accommodations located near the entrance. Keep in mind that Bass Lake and Oakhurst are approximately fourteen miles away.

Fish Camp	
Karen's Bed & Breakfast	(559) 683-4550
Narrow Gauge Inn	(559) 683-7720
Bass Lake	
Pines Resort and Chalets	(559) 642-3121
Oakhurst	
Oakhurst Lodge	(559) 683-4417
Shilo Inn	(559) 683-3555
Yosemite Gateway, Best Western	(559) 683-2378
Yosemite National Park	
National Park Camping	(800) 436-7275
The Redwoods Cottages	(209) 375-6666
Wawona Lodge	(801) 559-5000
Yosemite West Condominiums	(800) 640-9099
Martin Lovely, Vacation Rentals inside Yosemite Park	(209) 375-6554

## 2013 REGISTRATION INFORMATION

### Conference Registration—deadline

**October 17, 2013** The Environmental Law Conference at Yosemite® is a popular event that sells out in advance. Conference registration fees are \$525 for Section members, \$395 for Section members employed by governmental or non-profit agencies, and \$600 for non-section members. The fee includes educational programs, USB drive, three (3) continental breakfasts and two (2) receptions. Registration is limited and will be on a first-come first-served basis. File the Program Registration Form and Course Selector as soon as possible, but not later than October 17, 2013. Mail: Program Registrations, The State Bar of California, 180 Howard Street, San Francisco CA 94105-1639, Fax: (415) 538-2368. Register Online: <http://environmental.calbar.ca.gov>.

**Guests** Non-attorney spouse or guest attendance is complimentary. Spouses and guests who are attorneys must complete a separate registration form and pay the appropriate fee.

### Cancellations—deadline Oct. 17, 2013

A refund (less a non-refundable fee of \$50) will be made for all registration and/or ticket cancellations received in writing by October 17, 2013. Refunds will not be made for cancellations after Oct. 17, 2013.

### Special Assistance/Information

Please call (415) 538-2468.

**Registration Information** Please call Program Registrations at (415) 538-2508.

### Hotel Reservations—deadline

**September 23, 2013.** Each registrant is responsible for his or her own hotel reservations. A limited number of rooms have been reserved at the Tenaya Lodge at Yosemite at the rate of \$193 single/double occupancy per night plus 11% tax. For reservations, please complete the hotel form on the previous page. Reservations are made directly with the hotel by mail, fax or online. **Telephone reservations are not accepted.** Online reservations can be made at [www.tenayalodge.com](http://www.tenayalodge.com) with code 3002TF.

**Kids Kamp** The Tenaya Lodge at Yosemite will offer Kids Kamp. Activities include arts and crafts, games, and outdoor play under the supervision of qualified counselors. Reservations required 72 hours in advance. Contact the Guest Experience Center at (800) 635-5807 to make reservations. Be sure to alert staff to special education or dietary needs. Kids Kamp is available on Friday, Saturday and Sunday, from 8:00 AM to 1:30 PM. Children's party and activities via Kids Kamp will be held Saturday from 6:00 PM to 10:00 PM.

**Outdoor Activities in Yosemite** There are a number of activities that the Tenaya Lodge can coordinate for the entire family. For questions or to book activities, contact the Tenaya Lodge Concierge Department at 888-514-2167, [www.tenayalodge.com](http://www.tenayalodge.com). Note: there is a 24-hour cancellation policy on all activities.

## SCHOLARSHIP INFORMATION



Application Available Online (only)

The State Bar Environmental Law Section is pleased to offer the Michael H. Remy Scholarship

In his nearly thirty years of private practice, Michael Remy represented a wide variety of public and private clients as well as nonprofit organizations. Remy assisted large corporations and small entrepreneurs alike in various permitting and environmental matters throughout the state. Many counties, cities, and special districts relied on Remy's counsel in the processing, environmental review, and litigation of large and small projects. Some of his most notable environmental accomplishments were: heading the successful political and legal efforts to shut down the Rancho Seco Nuclear Power Plant; and representing the Sierra Club and William Hewlett against the conversion of Shirley Canyon to a commercial ski run by the Squaw Valley Ski

Corporation. In 1990, the Environmental Council of Sacramento named Remy "Environmentalist of the Year." Remy was widely admired and loved by his colleagues, friends and family, who regarded him as a man of extraordinary intelligence, personal integrity, kindness, and generosity. Remy's warm presence is sorely missed by everyone at Remy Moose Manley, LLP, but even in his absence, his memory continues to provide guidance and inspiration.

This scholarship, sponsored by Remy Moose Manley, LLP in memory of former Environmental Law Section member and advisor, Michael H. Remy, includes tuition, travel and room for the 2013 Environmental Law Conference at Yosemite®. There are up to five (5) scholarships of this type available, which is designed primarily, though not exclusively, for law students.

### Tuition-Only Scholarships

The Environmental Law Section plans to offer at least 20 tuition-only scholarships to attend the 2013 Environmental Law Conference at Yosemite®.

### Scholarship Criteria

The Scholarship Committee will review all applications received by the deadline of September 3, 2013. Scholarships will be awarded based on the following considerations: Financial Need; Environmental Law Interest (for Students); Environmental Law Practice (for practitioners and other environmental law professionals); and Environmental Law Section Membership & Support (for practitioners and other environmental law professionals).

To apply for a scholarship, complete the Scholarship Application found online at <http://environmental.calbar.ca.gov> and return with a resume. In order for your application to be considered, it must be received by the State Bar not later than 5:00 p.m. on September 3, 2013. Email to [EnviroYosemite@calbar.ca.gov](mailto:EnviroYosemite@calbar.ca.gov) OR mail to Environmental Law Section State Bar of California

**October 24-27, 2013, Tenaya Lodge at Yosemite  
2013 Environmental Law Conference at Yosemite®**

Pre-Registration Deadline: Received by October 17, 2013

**3 Ways to Register!**

(Please keep a copy of your forms)

1. Online: Register online at <http://environmental.calbar.ca.gov>
2. Fax: Complete the Registration and Course Selector forms and fax to: Program Registrations at (415) 538-2368. Credit card payments only. Do not mail original form if faxing.
3. Mail: Complete the Registration and Course Selector forms and mail to Program Registrations, The State Bar of California, 180 Howard Street, San Francisco, CA 94105

Note: One registrant per form. Photocopies may be used.

Bar Number: \_\_\_\_\_  
 First/Last Name: \_\_\_\_\_  
 Firm: \_\_\_\_\_  
 Firm Address: \_\_\_\_\_  
 City, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
 E-mail Address:\* \_\_\_\_\_

\* Required for email confirmation

Check here if you do not want your information released.

Non-Attorney Spouse/Guest(s) Name:  
 \_\_\_\_\_

**Registration Fees:**

- Environmental Law Section Members \$525
- Environmental Law Section Members employed by Government or Non-Profit Agencies \$395
- Non Environmental Law Section Members\* \$600  
 (\*\$75 of the non-member registration fee will be credited to 2014 Section membership dues.)

**Ticketed Events:**

- Thursday, October 24, 2013
- [28] Thursday Welcome Reception # Attending \_\_\_\_ FREE
- Friday, October 25, 2013
- [29] Continental Breakfast # Attending \_\_\_\_ FREE

**For Registration Information  
Call (415) 538-2508**

**Saturday, October 26, 2013**

- [30] Continental Breakfast # Attending \_\_\_\_ FREE
- [31] Saturday Pre-Dinner Reception # Attending \_\_\_\_ FREE
- [32] Saturday Banquet (Adults) \_\_\_\_ @ \$58 each = \_\_\_\_
- [33] Saturday Banquet (Children) \_\_\_\_ @ \$38 each = \_\_\_\_

Please Select Entree Choice:

- [34] Beef       [35] Fish       [36] Vegetarian
- [37] Dessert Reception # Attending \_\_\_\_ FREE

**Sunday, October 27, 2013**

- [38] Continental Breakfast # Attending \_\_\_\_ FREE

Commemorative T-Shirt (while supplies last) :

- [39] Adult 2XLarge \$18 ea       [40] Adult XLarge \$18 ea
- [41] Adult Large \$18 ea       [42] Adult Med \$18 ea
- [43] Child Large \$15 ea       [44] Child Med \$15 ea
- [45] Child Small \$15 ea

Registration Total = \_\_\_\_\_  
 Ticketed Events = \_\_\_\_\_

**TOTAL AMOUNT ENCLOSED  
OR TO BE CHARGED**

\$ \_\_\_\_\_

Payment Method:

Registration fees may be paid by check, VISA or MasterCard. No other credit cards will be accepted. Make checks payable to The State Bar of California.

- VISA       MasterCard

Account Number: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_  
 Cardholder's Name: \_\_\_\_\_  
 Cardholder's Signature: \_\_\_\_\_

## October 24-27, 2013, Tenaya Lodge at Yosemite 2013 Environmental Law Conference at Yosemite®

Listed below are the MCLE sessions for the 2013 Conference. Pre-registration to ensure a seat. Keep this form with your Program Registration.

### Keep a copy for your records.

Name: \_\_\_\_\_

Bar #: \_\_\_\_\_

## FRIDAY OCTOBER 25, 2013

8:00 am-9:00 am | 1 Hour MCLE Credit

- Session 1 Friday Morning Plenary Session

9:15 am-10:45 am | 1.5 Hours MCLE Credit

- Session 2 High Speed Rail on Track? The Latest on the Proposed System and Its Implementation
- Session 3 Rising Tides and the California Coast: Will Santa Monica Be the Next Jersey Shore?
- Session 4 CEQA Update: A Perennial Favorite
- Session 5 Getting to Closure: The Need for a Paradigm Shift at Complex Groundwater Contaminated Sites

11:00 am-12:30 pm | 1.5 Hours MCLE Credit

- Session 6 Dire Gyre: Is the Problem of Ocean Plastics Pollution Insoluble?
- Session 7 Beyond 2020: How Will California Meet its 2050 Greenhouse Gas Reduction Goals?
- Session 8 Whatever Happened to the Monterey Amendment?
- Session 9 Are General Plans Up to the Task?

## SATURDAY OCTOBER 26, 2013

8:00 am-9:00 am | 1 Hour MCLE Credit

- Session 10 Saturday Morning Plenary Session

9:15 am-10:45 am | 1.5 Hours MCLE Credit

- Session 11 The San Joaquin Valley: Testing the Limits of the Clean Air Act
- Session 12 Siting of Large Scale Renewables: Lessons Learned, Progress Made, and Future Challenges

- Session 13 CEQA's Evolution: The Long View
- Session 14 CERCLA's Mid-Life Crisis: How Best To Navigate Cost Recovery Actions

11:00 am-12:30 pm | 1.5 Hours MCLE Credit

- Session 15 If You Worked Here, You'd Be Home by Now: SB 375 and the San Joaquin Valley
- Session 16 Understanding the Process and Future of Natural Gas Power Plant Development in California
- Session 17 Key Environmental Law Developments in the US and California Supreme, and Ninth Circuit Courts
- Session 18 The View from Sacramento: Legislators' Perspectives

## SUNDAY OCTOBER 27, 2013

8:00 am-9:00 am | 1 Hour MCLE Credit

- Session 19 Sunday Morning Plenary Session

9:15 am-10:45 am | 1.5 Hours MCLE Credit

- Session 20 California's Next Gold Rush Or a Fool's Paradise? The Fracking Fight Continues
- Session 21 Wastewater Discharges in the Bay-Delta: A New Front in California's Water Wars?
- Session 22 Emerging Challenges Associated with Public Information in the Electronic Age
- Session 23 Doing the Deal: What You Need to Know When Buying or Selling Contaminated Properties

11:00 am-12:30 pm | 1.5 Hours MCLE Credit

- Session 24 The Endangered Species Act at 40: A Look Back and Ahead
- Session 25 Substance Abuse: Personal, Interpersonal and Environmental Cost of Wine and Marijuana
- Session 26 Roundtable Discussion: CEQA Guidelines for the 21st Century? *Limited to 60 attendees.*
- Session 27 California's Cap and Trade Program: Current Status, Likely Future, and Issues to Watch

**The State Bar of California**  
**The Environmental Law Section**  
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**2013 ENVIRONMENTAL LAW**  
**CONFERENCE AT YOSEMITE®**

The Environmental Law Section thanks and acknowledges the generosity of the 2013 Conference sponsors.

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