

Preparing for Climate Change – *New Regulations and New Litigation*



FEBRUARY 11,
2015

LE MÉRIDIEN
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ACCREDITATION

CA CLE

6.25 Credits

Engineers

May Qualify

TOPICS COVERED

Business
Energy
Environment
Finance
Government
Green Practices
Insurance
Land Use
Litigation
Tax
Water

WHO SHOULD ATTEND

Attorneys
Legal Staff
Climatologists & Scientists
Engineers
State and Municipal
Officials
Tribal Members
Utility Managers

Why You Should Attend:

"Our business and courtroom climates are changing. Whether you agree with the scientists or not, climate-related regulations and litigation are both here and fast increasing. This one-day practical course covers, for this region, mapping and insurance changes; then our exceptionally experienced lawyers, regulators, and accountants address how best to prepare your and your client's businesses or communities for these new costs, charges, regulations, and litigation."

Available Via:



Live
Webcast

Program Chair:



Tom Lindley
Perkins Coie LLP



www.TheSeminarGroup.net

5 EASY WAYS TO REGISTER

- 1 ONLINE: www.TheSeminarGroup.net
- 2 FAX: 866-435-3444
- 3 EMAIL: info@TheSeminarGroup.net
- 4 PHONE: 206-463-4400 / 800-574-4852
- 5 MAIL: PO Box 523, Vashon, WA 98070

9:00 Introduction and Overview

Tom Lindley, *Program Chair*
Perkins Coie LLP; Portland, OR

9:05 Climate Change and Our Coasts - The Quantifiable Impacts and Insurance Considerations of Global Warming

Where We Expect Our Coastal and River Systems to Change; Flood Risk Changes; Building Community Resilience to Floods and Sea Level Rise; Storm Surge Changes; Subsequent Infrastructure Changes; Subsequent Policy Changes; Role of the Insurance Industry; Changes to the Frequency and Severity of Insured Losses; Impact of Government Subsidized Insurance for Uninsurable Perils; Availability of Commercial Insurance; Pollution Exclusions

Brian M. Benn, *Principal*
Environmental Risk & Financial Solutions

Will "Trav" Travis, *Retired Executive Director*
San Francisco Bay Conservation and Development Commission

10:00 Federal, State and Local Responses - From Efforts to Slow Change to New Regulations

Carbon Emissions Reductions; Statutory and Regulatory Modifications; Infrastructure Maintenance and Costs; Planned New Projects and Potential Disruptions; FEMA, the National Flood Insurance Program, and Floodplain Mapping; Changes in Irrigation, Grazing and Agricultural; Mitigation Strategies; Land Use & Zoning Changes; Bay Delta; BCDC's Climate Policies

Ashley Conrad-Saydah, *Deputy Secretary for Climate Policy*
California Environmental Protection Agency

Professor Tim Eichenberg
Vermont Law School; South Royalton, VT

11:15 Break**11:30 Environmental Impact Statements/ Environmental Impact Assessments - Incorporating Climate Change and CO2e into Required Documents; CEQA Considerations**

How Climate Issues Must be Addressed in Nearly Every Submission

Ella Foley Gannon
Bingham McCutchen LLP
Anne E. "Annie" Mudge
Cox Castle & Nicholson LLP

12:30 Midday Break**1:45 Adapting to Changing Water Supplies**

Permitting Growth in times of Drought; Impacts of Changing Water Levels; Water Rights Transfers; Water for Municipalities; Water for Agriculture; Water for Utilities; Water System: How it Works from a State Wide Perspective; Drought: What People are Doing to Deal with it; Water Bond; Impacts on Development

Joseph P. Byrne, *Chair*
California Water Commission; Best Best & Krieger LLP; Los Angeles, CA
Michael Carlin, *Deputy General Manager & COO*
San Francisco Public Utilities Commission

2:45 New Case Law and Impending Litigation

Federal, State and Local Cases and Litigation - The End of Nuisance Lawsuits; Coming Cases Involving NEPA, SEPA; & CEQA; the Impacts of Climate Change on Enforcement and Citizen Suits Involving Endangered Species, Clean Air, Clean Water, ; Land Use and Coastal Planning; Coal, Oil and Natural Gas Exports; Utility Transmission Lines and Almost Every Other Development Proposal; Climate Litigation Over Your SEC and Accounting Filings and Reports; Delta Smelt; Delta Water

Brian S. Haughton

Barg Coffin Lewis & Trapp LLP

Kassie Siegel, *Senior Counsel and Director*

Center for Biological Diversity's Climate Law Institute; Joshua Tree, CA

Laura Godfrey Zagar

Perkins Coie LLP; San Diego, CA

3:45 Break**4:00 What Are We Going to Do About the Law?**

Our Laws Assume a Fixed Baseline that can be Improved Upon, and that Assumption is No Longer Valid: Climate Change and Global Warming Are Going to Change the Way We Must Write and Interpret our Law; Discussion of the Law, and Changing Interpretations of the Law, with the Science of Climate; Policy Actions that the US Government is Taking and Could Be Taking to Enhance Resilience and Reduce Vulnerabilities

Tom Lindley

Perkins Coie LLP; Portland, OR

Kassie Siegel, *Senior Counsel and Director*

Center for Biological Diversity's Climate Law Institute; Joshua Tree, CA

5:00 Adjourn

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Upcoming Seminar Schedule***California Gaming Law Summit***

January 15 & 16, 2015 - Los Angeles, CA

California Land Use Law & Planning Update

January 20 & 21, 2015 - Santa Monica, CA

22nd Annual Endangered Species Act

January 22 & 23, 2015 - Seattle, WA & Live Webcast

9th Annual Best Practices in Winery Operations: Risks and Rewards

March 19 & 20, 2015 - Napa, CA



Tom Lindley, Program Chair, is a partner with Perkins Coie LLP and the Chair of its national Environment, Energy & Resources Practice. He has over 30 years' experience assisting clients with project development and environmental matters.

Brian M. Benn is Principal and Co-Founder of Environmental Risk & Financial Solutions. For over 20 years, he has specialized in environmental risk management and insurance, including risk evaluations, insurance underwriting, policy development and claims support.



Joseph P. Byrne is Chair of the California Water Commission and Of Counsel with Best Best & Krieger LLP. He is a member of the firm's Environmental Law & Natural Resources, Special Districts, Municipal and Business Services practice groups.

Michael Carlin was appointed as the Deputy General Manager and Chief Operating Officer of San Francisco Public Utilities Commission in 2009. In that role, he supervises the agency's efforts in capital planning, emergency response and asset management.



Ashley Conrad-Saydah was appointed by Governor Edmund G. Brown Jr. in April 2012 to serve as Deputy Secretary for Climate Policy at the California Environmental Protection Agency. She works with the public and agencies to efficiently implement California's ambitious climate policies in the natural and built environments.

Professor Tim Eichenberg is an environmental lawyer and consultant, and teaches Ocean and Coastal Law at the Vermont Law School. As former Chief Counsel of the San Francisco Bay Conservation and Development Commission, he helped develop the nation's first comprehensive policies and regulations on climate change.



Ella Foley Gannon is a member of Bingham McCutchen LLP's Executive Executive Board and is chair of the firm's Environmental, Land Use and Natural Resources practice group. She focuses her practice on federal and state environmental laws, natural resource permitting, and land use entitlements.

Brian S. Haughton, a founding partner of Barg Coffin Lewis & Trapp LLP, is an environmental lawyer with decades of experience in compliance counseling, permitting, due diligence, brownfield cleanup and redevelopment, judicial litigation and administrative proceedings.



Anne E. "Annie" Mudge, partner at Cox Castle Nicholson LLP, has more than 25 years' experience in the areas of CEQA, NEPA, zoning and planning, and laws related to wetlands and endangered species, water supply planning, subdivisions, annexation, coastal development, and Williamson Act.

Kassie Siegel is senior counsel and director of the Center for Biological Diversity's Climate Law Institute. She develops and implements campaigns for the reduction of greenhouse gas pollution and the protection of wildlife threatened by global warming.



Will "Trav" Travis is a consultant, writer, teacher and speaker on sea level rise adaptation planning. He served as the executive director of the San Francisco Bay Conservation and Development Commission from 1985 to 2011. In 2012 he served as a senior advisor to the Bay Area Joint Policy Committee.

Laura Godfrey Zagar is a partner at Perkins Coie LLP in the Environment, Energy & Resources practice, and regularly manages multijurisdictional, complex energy and infrastructure projects as well as complex environmental litigation.



Conference Information

Course Accreditation

THE SEMINAR GROUP is a State Bar of California approved MCLE provider; therefore, this course is approved for 6.25 general CLE credits. Engineers may qualify for continuing education hours through the American Institute of Constructors or the Construction Management Association of America. 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 **Thursday, February 5, 2015**. 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.*

Seminar Location

The seminar will be held at the Le Méridien San Francisco, 333 Battery Street, San Francisco, California, (415) 296-2900. Please call the hotel for directions/questions.

Preparing for Climate Change – *New Regulations and New Litigation*
February 11, 2015 • Le Méridien San Francisco • San Francisco, CA

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