



THE ENVIRONMENTAL LAW SECTION
OF THE STATE BAR OF CALIFORNIA
PRESENTS

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Private Enforcement of Environmental Law: Prosecuting and Defending Citizens' Suits

FRIDAY, JUNE 28, 2013

Elihu Harris State Building
1515 Clay Street, Oakland

REGISTRATION
8:00 a.m.

PROGRAM
9:00 a.m. – 5:00 p.m.

Register Online at www.calbar.ca.gov/enviro

SCHEDULE OF EVENTS

8:00 a.m. – 9:00 a.m.

Registration

9:00 a.m. – 9:15 a.m.

Welcome by Co-Chairs

Angela Howe, Legal Director, Surfrider Foundation, San Clemente

Janill L. Richards, Environment Section, Cal. Attorney General's Office, Oakland

9:15 a.m. – 10:30 a.m.

Soup to Nuts: Practical Advice for Prosecuting State and Federal Citizen Suits

This panel will survey the common pre-filing and filing requirements for citizen suits under a variety of key state and federal environmental laws, defenses, attorneys' fees, and litigation "traps" that can snare the unwary plaintiff or petitioner. Panelists will discuss recent case law developments, common challenges to filing, standing requirements, administrative record issues, and attorneys' fees.

Moderator: Deborah A. Sivas, Stanford Law School

Panelists: Wendy Park, Earthjustice
Gerald F. George, Davis Wright Tremaine LLP
Ellison Folk, Shute, Mihaly & Weinberger LLP

10:30 a.m. – 10:45 a.m.

Break

10:45 a.m. – 12:00 p.m.

CEQA Sea-Change: Legal Developments Affecting Climate Change Mitigation and Adaption

Over the past several years, petitioners under the California Environmental Quality Act (CEQA) have successfully used the law to require a closer look at alternatives and mitigation that can reduce greenhouse gas pollution and the risk of dangerous climate change. Recent case law, however, has delivered setbacks related to climate adaption, apparently restricting the ability to consider future conditions related to climate change, such as sea level rise and flooding. This panel will explore the power and the limits of CEQA as a tool to address climate change mitigation and adaptation.

Moderator: Chris Calfee, Governor's Office of Planning and Research

Speakers: Kevin Bundy, Center for Biological Diversity
Richard Drury, Lozeau | Drury LLP
Amanda J. Monchamp, Holland & Knight

12:00 p.m. – 1:00 p.m.

Lunch (provided)

1:00 p.m. – 1:30 p.m.

Keynote Speaker: Matt Rodriguez, Secretary, Cal/EPA

The Important Role of Citizen Enforcement in Protecting California's Environment

1:30 p.m. – 3:00 p.m.

Advancing Environmental Justice Through Private Enforcement: A Survey

This panel will explore the range of laws and legal tools used to advance environmental justice – often defined as the fair distribution of environmental benefits and burdens. Statutes discussed will include the California Environmental Quality Act, the National Environmental Policy Act, Title IV, Government Code section 11135, SB 375 (the Sustainable Communities Strategy law), Business and Professions Code section 17200, and Proposition 65.

Moderator: Alan Ramo, Golden Gate University, School of Law

Speakers: Shana Lazerow, Communities for a Better Environment
Juan Carlos Cancino, California Rural Legal Assistance, Inc.
Arsenio Mataka, Cal/EPA

3:00 p.m. – 3:15 p.m.

Break

3:15 p.m. – 4:45 p.m.

Government Information and Citizen Enforcement in the Digital Age: What to Get and How to Get It

State and federal agencies have an abundance of information about demographics, natural resources, pollution, and geographic and environmental conditions. Historically, this information has been held in a variety of locations, in different formats, with varying levels of public accessibility. Learn what evidence and data are out there, what government agencies are doing to make information more useful and accessible to the public, particularly through the use of Geographic Information Systems (GIS), and how you can get your hands on useful information efficiently and at no or low cost.

Moderator: Damon Nagami, Natural Resource Defense Council

Speakers: John Faust, Office of Environmental Health Hazard Assessment
Scott Gregory, California Technology Agency
Lily Lee, U.S. EPA, Region 9

4:45 p.m.

Conclusion and Wrap Up

REGISTRATION INFORMATION

Pre-Registration Deadline: The deadline to pre-register is June 21, 2013.

On-line Registration: Register online at www.calbar.ca.gov/enviro. Online registration closes after **June 21, 2013**.

Mail: Mail to Program Registration, State Bar of California, 180 Howard Street, San Francisco, CA 94105.

Fax: Fax to (415) 538-2368. Credit card payment is required.

Cancellations & Refunds: Requests must be received in writing by June 21, 2013. A \$25 processing fee will be charged. No refunds after June 21, 2013.

On-site Registration: On-site registration is subject to availability. Call to confirm space availability.

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

Questions: For registration information call (415) 538-2508. For information regarding the program call (415) 538-2582

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REGISTRATION FORM

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

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

(Required for email confirmation)

Your name and address may be disclosed Check here if you do not want your information released.

REGISTRATION FEES (DUE BY JUNE 21, 2013)

- \$125** Environmental Law Section Members
- \$200** Non-Section Members
(Includes enrollment in the Environmental Law Section for 2013)
- \$50** Government/Non-Profit Attorney
- \$25** Students

AMOUNT ENCLOSED OR TO BE CHARGED \$ _____

PAYMENT METHOD

- A check payable to State Bar Environmental Law Section is enclosed.
- Charge my credit card.

CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I authorize the State Bar of California to charge my program registration to my VISA/MasterCard account. (No other credit card will be accepted.)

Account Number: _____

(VISA or MasterCard only)

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Cardholder's Signature: _____

Deadline: In order to pre-register, your form and check, payable to the State Bar of California, or credit card information, must be received by June 21, 2013.

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