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New Location!

Endangered Species Act

Infrastructure Projects and California's Future

December 11-12, 2008 • Radisson • Sacramento

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Featuring Speakers From:

- California Department of Fish and Game
- California Department of Transportation
- California Department of Water Resources
- California Office of the Attorney General
- Contra Costa Water District
- Defenders of Wildlife
- ICF Jones & Stokes
- Metropolitan Water District of Southern California
- Resources Law Group
- Sierra Club
- The Nature Conservancy
- U.S. Army Corps of Engineers
- U.S. Department of the Interior Solicitor's Office
- U.S. Fish and Wildlife Service
- Westlands Water District
- Wildlands

... and some of the top law firms in Northern California!

Dear Colleague:

The timing has never been better for an ESA Conference with a focus on infrastructure projects—and this Conference promises to deliver with topics that were carefully crafted *just for you*.

In 2006, California voters approved \$42 billion in bonds for transportation and other infrastructure projects—most of which remains unspent. The Sacramento area is second only to New Orleans for the highest risk of a catastrophic flood. And thanks to California's ongoing drought, water supply issues are heating up.

How will the Endangered Species Act, the nation's most powerful environmental law, affect California's ability to improve its infrastructure? This Conference, with its focus on developing and managing a wide range of infrastructure projects, is a must-attend ESA event for any interested in California's infrastructure.

We look forward to meeting you there.

Sincerely,



J. Christopher Beale, Esq.
Program Co-Chair
Resources Law Group, Sacramento



Kenneth M. Bogdan, Esq.
Environmental Counsel, Program Co-Chair
ICF Jones & Stokes, Sacramento

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Schedule and Instructor Bios Inside

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Thursday, December 11

Friday, December 12

8:30 Registration and Continental Breakfast

9:00 **Welcome and Introduction**
 Overview of Day One
J. Christopher Beale, Esq., Program Co-Chair
 Resources Law Group, Sacramento

9:15 **ESA and CESA Overview**
 Understanding the Basics
John Mattox, Esq., Senior Staff Counsel
 California Department of Fish and Game, Sacramento
Adam Kear, Esq., Senior Deputy General Counsel
 Metropolitan Water District of Southern California, Los Angeles

10:15 Morning Break

10:30 **New Developments**
 Recent Changes in Law and Policy
Clark Morrison, Esq.
 Cox, Castle and Nicholson, Sacramento
Tara L. Mueller, Esq., Deputy Attorney General Land Law Section
 California Office of the Attorney General, Oakland

11:30 **Developing and Managing Water Supply Projects**
 A Panel Presentation
Andrew Hitchings, Esq.
 Somach, Simmons & Dunn, Sacramento
Gerald E. Johns, Deputy Director
 California Department of Water Resources, Sacramento
Jason Peltier, Chief Deputy General Manager
 Westlands Water District, Fresno
Moderator: Gregory Gartrell, PhD, PE
Assistant General Manager
 Contra Costa Water District, Concord

1:00 Lunch Break

2:15 **Developing and Managing Energy Projects**
 A Panel Presentation
Peter H. Weiner, Esq.
 Paul, Hastings, Janofsky & Walker, San Francisco
Carl Zichella, Regional Staff Director for California, Nevada and Hawaii
 Sierra Club, Sacramento

3:45 Afternoon Break

4:00 **Developing and Managing Transportation Projects**
 Guidelines for Successful Projects
R. Gregg Albright, Deputy Director Planning and Model Programs
 California Department of Transportation, Sacramento

5:00 Q&A Panel
 Members of the Faculty

5:15 Adjourn

8:30 Continental Breakfast

9:00 **Welcome Back**
 Overview of Day Two
Kenneth M. Bogdan, Esq., Environmental Counsel Program Co-Chair
 ICF Jones & Stokes, Sacramento

9:15 **Overview of Approaches for ESA and CESA Compliance**
 Understanding the Alternatives
Kenneth M. Bogdan, Esq., Environmental Counsel Program Co-Chair

10:00 Morning Break

10:15 **New Ideas in Compensatory Mitigation**
 A Panel Presentation
Elizabeth O'Donoghue, Director of External Affairs
 The Nature Conservancy, San Francisco
Kevin Hunting, Deputy Director Conservation Planning and Water Resources Division
 California Department of Fish and Game, Sacramento
Jane Hicks, Regulatory Division Chief
 U.S. Army Corps of Engineers, San Francisco
Wayne White, Director of Business Development
 Wildlands, Rocklin

11:30 **Habitat Conservation Planning for Infrastructure Projects**
 When It Makes Sense and How to Make It Work
Robert D. Thornton, Esq.
 Nossaman, Irvine

Michelle Ouellette, Esq.
 Best, Best & Krieger, Riverside
David Zippin, Principal, Senior Ecologist
 ICF Jones & Stokes, Sacramento
Kim Delfino, California Program Director
 Defenders of Wildlife, Sacramento

12:45 Lunch Break

2:00 **Section 7 Consultations for Infrastructure Projects**
 Practice Tips
Cay Goude, Assistant Field Supervisor Endangered Species Program
 U.S. Fish and Wildlife Service, Sacramento
Kaylee Allen, Assistant Regional Solicitor
 U.S. Department of the Interior Solicitor's Office, Sacramento

3:15 Afternoon Break

3:30 **Ethics**
 ESA Enforcement: Conflicts of Interest, Duty of Confidentiality, and Liability Issues
Matthew Rodriguez, Esq. Chief Assistant Attorney General
 California Office of the Attorney General, Oakland
Robert J. Uram, Esq.
 Sheppard, Mullin, Richter & Hampton, San Francisco

4:30 Q&A Panel
 Members of the Faculty

4:45 Evaluations and Adjourn

Endangered Species Act

meet your **instructors**

Program Co-Chairs

J. Christopher Beale works on complex natural resource management issues, including the integration of natural resources management and economic development.

Kenneth M. Bogdan is environmental counsel with his company, a consulting firm specializing in environmental planning and natural resource management.

Faculty Members

R. Gregg Albright has over 31 years of experience with planning, project delivery, project management, local programs, community involvement and administration.

Kaylee Allen is an Assistant Regional Solicitor with the U.S. Department of the Interior, Pacific Southwest Region.

Kim Delfino oversees the work of her organization's California program team in protecting and restoring California's imperiled wildlife and habitats.

Gregory Gartrell manages the Water Resources Department, including the permitting for six major projects.

Cay Goude is the Assistant Field Supervisor over the Endangered Species Program within the Sacramento Fish and Wildlife Office of the Fish and Wildlife Service.

Jane Hicks is the Regulatory Division Chief with the San Francisco District of the U.S. Army Corps of Engineers.

Andrew Hitchings emphasizes water law and related natural resources law, with a particular focus on water marketing and recycled water reuse projects.

Kevin Hunting is responsible for the Department's regulatory and planning, conservation incentive, and water resources planning and assessment programs.

Gerald E. Johns has over 33 years of experience dealing with issues related to water rights, water supply and water quality in California.

Adam Kear is counsel for one of the largest water districts in California.

John Mattox focuses on CEQA, CESA, the NCCPA, and other natural resource issues for the Department.

Clark Morrison has over 20 years' experience in the permitting and development of complex projects throughout California and the West.

Tara L. Mueller represents several state agencies in natural resources and land use litigation, investigations and client advice matters.

Elizabeth O'Donoghue oversees the California chapter's engagements with government and stakeholders at the federal, state and local levels.

Michelle Ouellette represents municipal, district and private clients in environmental issues.

Jason Peltier was previously Principal Deputy Assistant Secretary for Water and Science with the U.S. Department of the Interior.

Matthew Rodriguez has worked in the Attorney General's Office since 1987, where he has represented a variety of state agencies in litigation.

Robert D. Thornton has practiced environmental law for 28 years and specializes in NEPA compliance for large infrastructure projects.

Robert J. Uram has over 30 years' experience in working on natural resource issues. He is a nationally recognized expert on Clean Water Act and ESA issues.

Peter H. Weiner represents traditional and renewable energy companies, property owners, developers, and other businesses, in environmental and energy regulatory matters, litigation and legislation.

Wayne White spent 31 years with the U.S. Fish and Wildlife Service. As the Chief of the Endangered Species Program and a Field Supervisor in Region 1 of USFWS, he developed ESA policy in early years of implementing the Act.

Carl Zichella leads his organization's work to protect western coastal and wild areas and to advance renewable, clean energy resources.

David Zippin has extensive experience in endangered species compliance, conservation planning, environmental impact analysis, and CEQA/NEPA compliance.

Tell us what you want!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on other topics? Contact **CLE INTERNATIONAL** Program Attorney: Alli Gerkman, alli@cle.com.

Reach your target audience!

Would you like the opportunity to exhibit at or sponsor this or other **CLE INTERNATIONAL** conferences, and get your name out to their many prospective and actual attendees? Contact Barbara Hollingsworth, Barbara@cle.com.

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New Location!

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Earn up to 12 Hours MCLE Credit
Including One Hour of Ethics
Earn up to 12 Hours AICP/CM Credit



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Swift Fox

New Location!

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Basic Considerations and Advanced Concepts

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Ornithostaphylos Oppositifolia
Baja California Birdbush

ESA and CESA Overview
New Developments: Recent Changes in Law and Policy
Developing and Managing Water Supply Projects
Developing and Managing Energy Projects
Developing and Managing Transportation Projects
Overview of Approaches for ESA and CESA Compliance
New Ideas in Compensatory Mitigation
Habitat Conservation Planning for Infrastructure Projects
Section 7 Consultations for Infrastructure Projects

