

Agenda

Development of Water Laws: Quantity, Quality and Usage *K. Moore*

Development of the common law of water rights
Statutory and regulatory limits on the exercise of water rights
Federal, state and local regulators
Development of the law on water quality preservation
Comprehensive water planning

Complying with Water Quality Laws and Regulations *L. Kerr*

An overview of the Clean Water Act

- Federal program
 - Point source pollution
 - NPDES permitting program
 - Permit components
 - Removal-fill permitting program
 - Non-point source pollution
- State program
 - State CWA authorization

Recent Clean Water Act developments you should know about

Understanding Oregon Groundwater Rights *S. Liljefelt*

Ownership of groundwater
Regulation of groundwater rights
Obtaining groundwater rights
Application and permitting process
Current issues in groundwater rights

Understanding Riparian and Water Rights *A. St. Clair*

History and development of riparian property rights
Determining land boundaries near the water line
Determining access rights to surface waters
Complying with regulations restricting access to and use of riparian lands and surface water
An example: in-water construction of a dock

Water Utility Regulation *I. Sanger*

Types of water utilities
Water utility rate proceedings
Jurisdiction / Abandonment proceedings
Water utility mergers and acquisitions
Regulation of allocated utility service territories
Current issues in utility regulation

S. Moser
B. Hellebuyck

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Water Laws and Regulations
Portland, OR - Thursday, June 7, 2018

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Learning Objectives

You'll be able to:

Define the statutory and regulatory limits on the exercise of water rights.
Receive an overview of the Clean Water Act, including recent developments.
Explore ownership and regulation of groundwater rights.
Comply with regulations restricting access to and use of riparian lands and surface water.
Discuss current issues in water utility regulation.



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Understand the development of Oregon's water laws

Learn how to comply with water quality laws and regulations

Examine issues related to groundwater ownership and rights

Learn about riparian and surface water rights

Consider current issues in water utility regulation

Continuing Education Credits

Attorneys
6.25 Oregon CLE Hours
6.25 Washington CLE Hours

Professional Engineers
6.0 PDHs

Geologists
Non-Credit Continuing Ed.



Faculty

Kate L. Moore is an attorney with Dunn Carney LLP. Ms. Moore's practice focuses on natural resource and environmental law. The primary focus of her practice is in water law, in both transactional matters and litigation. In addition, she advises clients on matters regarding environmental compliance, environmental liabilities in property transactions, environmental cleanup and cost recovery, natural resource damages, wetlands, and public land permits and licenses. Ms. Moore has represented a broad range of clients including farmers, ranchers, ditch companies, commercial land owners, and homeowners associations. She also leads Dunn Carney's Sustainability Team and is a LEED Green Associate. Ms. Moore is also a regular contributor to Dunn Carney's Natural Resources Updates.

Laura Kerr, an Environmental Attorney with Stoen Rives LLP, helps clients solve complex challenges arising under federal and state environmental laws. She regularly advises on compliance issues, navigates permitting processes, manages environmental risks in transactions and resolves environmental disputes and enforcement actions. Her background includes working with issues connected to such statutes as the Clean Water Act (CWA); Clean Air Act (CAA); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); Toxic Substances Control Act (TSCA); Emergency Planning & Community Right-to-Know Act (EPCRA) and analogous state laws. She previously worked with the U.S. Fish and Wildlife Service and for a natural resources nonprofit organization that partnered with the U.S. Forest Service and the U.S. Geological Survey at Mount St. Helens. As part of her pro bono practice, she helped to establish the Center of Excellence for immigration representation in Oregon, and she earned a 2017 Pro Bono Champion Award from the nonprofit organization.

Seminar Information

Doubletree Hotel Portland 1000 N.E. Multnomah Street Portland, OR 97232 (503) 281-6111	Registration 8:00 - 8:30 am Morning Session 8:30 am - 12:30 pm Lunch (On your own) 12:30 - 1:30 pm Afternoon Session 1:30 - 4:15 pm
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Sarah R. Liljefelt is a partner and the managing attorney at Schroeder Law Offices' Portland, Oregon, office. She joined Schroeder Law Offices in 2009, and graduated from Lewis & Clark Law School with an Environmental & Natural Resources certificate. Ms. Liljefelt focuses her practice on water rights review, evaluation, due diligence, permitting, transfers, cancellation, water-related real property issues, real property disputes, public records, meetings, and contracting compliance, administrative contested cases, and state and federal civil litigation. She is licensed to practice law in Oregon, California, and Utah. She volunteers as a new lawyer mentor for the Oregon State Bar, as well as serving on the Environmental & Natural Resources Section's executive committee. Ms. Liljefelt paddles on the Oregon Women Lawyers' competitive dragon boat team.

Anzie St. Clair is an attorney at Larkins Vacura Kayser LLP, having recently transitioned to private practice from her role as in-house counsel at the Port of Portland. Her practice includes regulatory compliance, defense, cost recovery, and remediation under state and federal environmental laws such as the Clean Water Act (CWA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or "Superfund"). She also advises clients on real estate transactions and disputes, land use, and civil litigation, as well as public records law. While at the Port, Ms. St. Clair's work centered on the many aspects of Portland's Harbor, including riparian property boundaries and in-water and nearshore construction projects.

Irion A. Sanger's legal and consulting practice at Sanger Law PC focuses on energy, administrative, and public utility law. He represents energy trade associations, municipalities, electric cooperatives, irrigation districts, end-use industrial and commercial consumers, investor owned natural gas and water utilities, and

renewable and cogeneration electricity producers. Mr. Sanger advises hydro, biomass, geothermal, wind, solar, cogeneration, and other electricity generators on a wide variety of transactional matters, including negotiating power purchase agreements, interconnection agreements, wholesale power sales, resource development and sales, and other matters. Mr. Sanger represents clients in energy and utility matters before state and federal courts, state public utility commissions, the Federal Energy Regulatory Commission, and the Bonneville Power Administration. Mr. Sanger is also an adjunct instructor at Lewis and Clark Law School, and in Portland Community College's Paralegal Program.

Bruce Hellebuyck is the program manager for the Retail Telecom & Water Regulation group at the Oregon Public Utility Commission (OPUC). His group deals with issues surrounding the regulation of water utilities by the OPUC including service regulation of approximately 40 water utilities and rate and service regulation of another approximately forty utilities. Mr. Hellebuyck also served on the Board of Commissioners for the West Slope Water District, west of Portland. He is currently a member of the State of Oregon's Drinking Water Advisory Committee (DWAC) which was created to advise and assist Oregon Drinking Water Services on policies related to the protection, safety, and regulation of public drinking water in Oregon.

Sommer Moser is an assistant attorney general with the Oregon Department of Justice, General Counsel Division, Business Activities Section, where she has extensive experience working with the Oregon Public Utility Commission. She is a graduate of the University of Texas at Austin and the University of Oregon School of Law.

Webinar Series

Foundations in Cold Regions

- **Introduction to Cold Regions Foundations**
Thurs., May 17, 2018, 11:00 AM - 12:30 PM CDT
- **Shallow Foundation Design in Cold Regions**
Thurs., May 17, 2018, 1:00 - 2:30 PM CDT
- **Deep Foundation Design in Cold Regions**
Fri., May 18, 2018, 11:00 AM - 12:30 PM CDT
- **Foundation Construction in Cold Regions**
Fri., May 18, 2018, 1:00 - 2:00 PM CDT

Soil Engineering

- **Introduction to Soil Engineering**
Wed., May 30, 2018, 11:00 AM - 12:30 PM CDT
- **Design of Excavation Support Systems**
Wed., May 30, 2018, 1:00 - 2:30 PM CDT
- **Slope Repair Techniques**
Thurs., May 31, 2018, 11:00 AM - 12:30 PM CDT
- **Practical Approaches to Foundations and Retaining Structures**
Thurs., May 31, 2018, 1:00 - 2:30 PM CDT

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Registration

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