

Agenda

Complying with Water Quality Laws and Regulations

L. Smith

- Development of water quality law in California
 - Common law
 - Porter Cologne Act
 - Federal Clean Water Act , RCRA, Safe Drinking Water Act
- Overlap of federal and state law
- State Water Resources Control Board and regional water quality control boards
- Waste discharge requirements/general orders
 - Irrigated lands program
 - Dairy/heifer general order
- State board policies
 - Non-degradation policy
 - Sources of drinking water policy
- Basin plans
 - Current developments with basin amendments
 - C.V. Salts
- Enforcement
 - State Water Board enforcement policy
 - Procedures
 - Clean up and abatement orders
 - Administrative civil liability complaints
 - Hearings before the boards
 - Appeals
 - Recent developments
- Storm water regulations
- Public water supplies and wells
 - Current issues - TCP
- Proposition 65

Understanding California Groundwater Rights

R. Masuda

- The groundwater regulatory landscape post-SGMA – Overview, issues, and perspectives
- Sustainable Groundwater Management Act versus your groundwater rights
- Types of groundwater rights
- Groundwater rights priorities
- How groundwater rights are determined; documenting what you pump
- Groundwater credits for using surface water in-lieu of pumping groundwater

Understanding California Surface Water Rights

S. Bivins/A. Williams

- Ownership of surface water
- Regulation of surface water rights
- Obtaining surface water rights
- Application and permitting process
- Amending surface water rights
- Current issues in surface water rights

The Physical Waterscape - Management and Planning

P. Hubbard

- Surface water resources
- Groundwater resources
- Flood and water supply management
- Regulators and stakeholders
- Technical developments and challenges
- Effects of climate change on management strategies

Regional Water Issues Update and Current Issues with the Clean Water Act

S. Warner

- California watersheds
- Regional initiatives

Ethical Issues in California Water Law

J. Buckman

- Overview of California's new rules of professional conduct on conflicts, multi-party representation, and screening
- Ethical issues for lawyers when the firm serves as general counsel
- Ethical issues for lawyers in water transactions
- Ethical issues for water litigators

Water Laws and Regulations

Rancho Cordova, CA - Wednesday, January 16, 2019



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Learning Objectives

You'll be able to:

- Understand** regulations relating to stormwater and public water wells.
- Identify** statutory and regulatory limits on the exercise of groundwater and surface water rights.
- Review** the effects of climate change on water management strategies.
- Discuss** regional water initiatives.
- Comply** with California's new rules of professional conduct.



Water Laws and Regulations

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- Comply** with water quality laws and regulations
- Review** California groundwater and surface water access and usage rights
- Examine** issues related to watershed planning and management
- Identify** current issues with the Clean Water Act and regional water issues
- Explore** State Water Board policies and enforcement procedures
- Discuss** emerging ethical issues in water law

Continuing Education Credits

- California Attorneys**
6.5 CLE Hours (1.0 Ethics Hour)
- Geologists**
Non-Credit Continuing Ed.
- Professional Engineers**
6.5 Continuing Ed. Hours
- Floodplain Managers**
6.5 ASFPM CECs



Faculty

Lee N. Smith *Coleman & Horowitz, LLP, Fresno*
Mr. Smith is a partner in the litigation department of the Coleman & Horowitz’s Fresno and Sacramento offices, and is heading the firm’s Environmental Department, where he provides representation to clients in the areas of environmental law compliance and litigation, the California Environmental Quality Act (CEQA), land use, Proposition 65, and water law and litigation in the Central Valley. His experience includes air quality and hazardous materials compliance, food safety, and water quality at both the federal and state levels. Mr. Smith has handled cases involving the EPA, Cal-EPA, the Central Valley Regional Water Quality Control Board, CalRecycle, the San Joaquin Unified Air Pollution Control District and other environmental agencies. He has also been involved in federal litigation involving the Clean Water Act (CWA), the Clean Air Act (CAA), the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), and the Resource Conservation and Recovery Act (RCRA) as well as state court litigation concerning pesticide contamination, CEQA and Proposition 65.

Roger K. Masuda *Griffith & Masuda, PLC, Turlock*
Mr. Masuda has 40 years of California water and public law experience. After graduating from UCLA with a degree in Political Science and from UC Davis Law School, he served four years as an Army JAG attorney. Griffith & Masuda is general counsel to six water agencies and special counsel to two water agencies located in seven counties (Butte, Calaveras, Merced, Monterey, San Joaquin, Stanislaus, and Tuolumne). The firm is also general counsel to two electric generation joint powers agencies and to a mosquito abatement district. The firm advises clients on implementing the 2014 Sustainable Groundwater Management Act, including the formation and funding of groundwater sustainability agencies. Mr. Masuda farmed almonds and raisins in Merced County, conjunctively using surface water and groundwater.

Samuel E. Bivins *Downey Brand LLP, Sacramento*
Mr. Bivins represents private and public agency clients in a broad range of matters, including Endangered Species Act litigation, groundwater rights litigation, CEQA litigation, and other matters in which water supply issues are implicated. He also advises clients regarding riparian rights, Proposition 218, the Sustainable Groundwater Management Act, and cultural resources issues implicating Native American tribal concerns.

Anne Williams, P.E. *MBK Engineers, Sacramento*
Ms. Williams is a registered civil engineer in the State of California. She has five years of experience in the area of water resources engineering, working in the Water Rights Group at MBK Engineers. She specializes in research, analysis, documentation, and accounting of water supply and use. Ms. Williams is also involved with preparation of water management plans, Bay-Delta activities, water supply forecasting, water transfers, and preparation of expert witness testimony. She has gained extensive knowledge of the Sacramento River system through preparation of the Sacramento River Settlement Contractor’s Regional Water Management Plan, assisting the U.S. Bureau of Reclamation with drought operations, and conducting various field visits

Seminar Information

Sacramento Marriott Rancho Cordova	Registration	Lunch (On your own)
11211 Point East Drive	8:00 - 8:30 am	12:00 - 1:00 pm
Rancho Cordova, CA 95742	Morning Session	Afternoon Session
(916) 638-1100	8:30 am - 12:00 pm	1:00 - 4:30 pm

Tuition
\$279 for individual registration
\$259 for three or more registrations.

Each registration includes a complimentary continental breakfast and printed seminar manual.
Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

How to Register
Visit us online at www.halfmoonseminars.org
• Mail-in or fax the attached form to 715-835-6066
• Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

to measure groundwater levels and certify measurement equipment. Ms. Williams holds a BS degree in Agricultural and Biological Engineering from the University of Illinois, Urbana-Champaign.

Patrick Hubbard, PG, CEG *Aqueous Pathfinding, Inc, Oakland*
Mr. Hubbard is a principal with Aqueous Pathfinding, Inc. and a consulting principal to Langan. He has 30 years of professional experience performing and managing environmental projects, particularly related to water supply and water supply wells. Mr. Hubbard has worked closely with regulatory agencies and attorneys, evaluated well operations and contaminant impacts, calculated contaminant transport and fate to water supply wells and streams, evaluated potential impacts relative to water supply reservoirs, and directed aquifer analysis and field testing. He also provides expert witness testimony and litigation support. Clients include water districts; local governments; law firms; and the semiconductor, steel, petrochemical, and transportation industries.

Scott D. Warner *Ramboll Environ, Emeryville*
Mr. Warner, a principal with Ramboll Environ, has 30 years of consulting experience in hydrogeology and water resources development, design/assessment of groundwater remediation strategies, and natural resources planning. He has provided litigation support and expert witness services for cases involving hydro-geochemistry, groundwater remediation and remediation cost recovery, and he has completed projects in North and South America, Asia, Australia and Europe. Mr. Warner has authored or co-authored more than 50 publications on water resources, climate impacts, groundwater remediation, hydraulics and geochemistry for both peer-reviewed journals and conference proceedings. He has provided course instruction on groundwater resources and remediation to university and regulatory audiences, and was a co-editor of an Oxford University Press book on environmental site characterization and remediation. Mr. Warner earned an MS degree in Geology from Indiana University, and a BS degree in Engineering Geology from UCLA and is involved with advanced research at the University of Newcastle, Australia. He is a registered professional geologist, certified hydrogeologist and certified engineering geologist in California.

Jennifer Buckman *Bartkiewicz, Kronick and Shanahan, Sacramento*
Ms. Buckman has more than 20 years of experience representing public agencies and private clients on water and land use issues involving the federal and state Endangered Species Acts, federal reclamation and other water supply laws, and the California Environmental Quality Act and the National Environmental Policy Act. She also has extensive administrative law experience and has negotiated complex matters with regulatory agencies such as the United States Bureau of Reclamation, State Water Resources Control Board, U.S. Fish and Wildlife Service, Department of Fish and Wildlife and the Department of Conservation. Before joining Bartkiewicz, Kronick and Shanahan, Ms. Buckman served as the in-house general counsel for Friant Water Authority, a joint powers agency that delivers water to over one million acres of highly-productive irrigated farm land on the east side of the southern San Joaquin Valley. Prior to joining Friant, she was in private practice for 16 years, where she represented clients in matters concerning a host of environmental and public law issues.

Continuing Education Credit Information

This seminar is open to the public It is open to the public and offers 6.5 CLE hours, including 1.0 ethics hour, to California attorneys. HalfMoon Education is an approved CLE provider in California (Provider No. 8370).

This course offers a 6.5 hour continuing education opportunity to California professional engineers, geologists, and floodplain managers. Continuing education is not required for license maintenance or renewal in California. Those seeking continuing education credit in other states will be able to apply the hours earned at this event, in most cases. Refer to specific state rules to determine eligibility.

The Association of State Floodplain Managers has approved this course for 6.5 CECs for certified floodplain managers.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Can’t Attend? Order the Manual and the Audio from the Live Seminar as a Self-Study Package!
An audio recording of this seminar is available for \$289. Allow four weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

Water Laws and Regulations

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How to Register		Registrant Information Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip _____ Occupation: _____ Email: _____ Phone: _____ Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____ Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred. () I need special accommodations. Please contact me.
Online: www.halfmoonseminars.org		
Phone: 715-835-5900		
Fax: 715-835-6066	Code:	
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Complete the entire form. Attach duplicates if necessary.		

Tuition

- () **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.
- () **I am not attending.** Please send me the self study package for **\$289.00**.
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(Please allow four weeks from seminar date for delivery)

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