

Featuring Speakers From:

- Anchor QEA LLC
- Farallon Consulting LLC
- Foster Pepper PLLC
- Law Offices of Charles M. Tebbutt
- Marten Law PLLC
- Puget Soundkeeper Alliance
- Stoel Rives LLP
- Tupper Mack Wells PLLC
- US Environmental Protection Agency, Region 10
- Van Ness Feldman LLP
- Washington Department of Ecology
- Washington State Attorney General's Office
- Washington Water Science Center, USGS

The 16th Annual Comprehensive Conference on

Clean Water and Stormwater

Cutting edge developments in water quality litigation, enforcement, and compliance

Live Webcast Available!

April 18 & 19, 2016

Seattle, Washington

Courtyard Seattle Downtown / Pioneer Square

Credits: WA 10.00 CLE (incl. 1 ethics) (call about others)
Quick when/where: 8:30 a.m., 612 Second Avenue

Clean Water and Stormwater Conference

April 18 & 19, 2016 | Seattle, Washington
Courtyard Seattle Downtown / Pioneer Square



800 Fifth Avenue, Suite 101 | Seattle, WA 98104
206.567.4490 | fax 206.567.5058 | www.lawseminars.com

16CLWA WS

Yes! Please register me:

Name: _____

Email: _____

What type of credits do you need? _____

For which state(s)? _____

Register my colleague:

Name: _____

Email: _____

What type of credits do you need? _____

For which state(s)? _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

If you cannot attend, check boxes to order:

- Homestudy Course with DVD Course Materials only

To complete your registration, please send a check
or complete the credit card information below:

(Fax to 206-567-5058 or register online at www.lawseminars.com)

No.: _____ Exp. Date: _____

Card Holder's Signature: _____



8:00 Registration Opens

8:30 Introduction & Overview

Jeff B. Kray, Esq., Program Co-Chair
Marten Law PLLC ~ Seattle, WA

Lori Terry Gregory, Esq., Program Co-Chair
Foster Pepper PLLC ~ Seattle, WA

8:45 Clean Water Policy and Enforcement Priorities at the Primary Administrative Agencies

Federal level

Daniel Opalski, Director, Environmental Cleanup
US EPA, Region 10 ~ Portland, OR

State level

Kelly D. Susewind, P.E., P.G., Special Assistant to the Director
Washington Department of Ecology ~ Olympia, WA

10:15 Break

10:30 Superfund Cleanup as it Affects Water Quality and How Water Quality Drives Cleanups

Data collection science: lessons from cleanups for national pollutant discharge elimination system (NPDES) permitting where there is a need for upstream cleanup to prevent runoff from re-contaminating the site

Kathleen E. Conn, Ph.D., Water Quality Specialist
Washington Water Science Center, USGS ~ Tacoma, WA

Data collection science: interactions between sediment, water quality, and recontamination

Teresa C. Michelsen, Ph.D., Senior Environmental Scientist
Farallon Consulting LLC ~ Issaquah, WA

Regulatory perspective on the scope and nature of appropriate data collection

Ivy Anderson, Esq., Assistant Attorney General
Washington State Attorney General's Office ~ Olympia, WA

Legal perspective on how water quality drives hazardous waste cleanups

Thomas A. Newlon, Esq.
Stoel Rives LLP ~ Seattle, WA

12:15 Lunch (on your own)

1:30 Superfund Cleanup: Case Studies of the Duwamish River and Foss Waterway

Lower Duwamish cleanup

Peter D. Jewett, Principal Engineering Geologist
Farallon Consulting LLC ~ Issaquah, WA

Foss Waterway cleanup

Todd M. Thornburg, Ph.D., Senior Program Manager
Anchor QEA LLC ~ Portland, OR

3:00 Break

3:15 Federal Jurisdiction Over Waters and Wetlands as the Story of the Year for Water Quality

What we know about the controversy associated with the rule-making itself and what happened behind the scenes; update on the appeals

Jeff B. Kray, Esq., Program Co-Chair

Endre Szalay, Esq., Assistant Regional Counsel
US EPA, Region 10 ~ Seattle, WA

Brent Carson, Esq.
Van Ness Feldman LLP ~ Seattle, WA

5:00 Adjourn Day One



About the Conference



What previous attendees have said:

"High profile controversial issues made for a very interesting and relevant CLE - good work!"

"You chose 4 major issues and had stimulating speakers. Thank you."

"This was the best CLE - power-packed - well planned, interesting, on-point speakers with mix of policy and practical. Thank you!"

Water quality and stormwater present some of the most interesting and complex issues in the Pacific Northwest. This year's Conference features exceptional speakers who will provide important updates on water quality policy, regulation, compliance, and enforcement.

Region 10 EPA and the Washington State Department of Ecology will bring you up to date on their water quality policies and enforcement priorities for 2016. Because water quality and stormwater runoff are increasingly key factors in hazardous waste cleanups, our panel of experts will share lessons learned, key legal issues, and technical challenges associated with cleanups in the urban environment.

In an update on the rulemaking to define "Waters of the United States," speakers representing a variety of perspectives will discuss the controversy associated with the rulemaking itself, what happens behind the scenes, and provide an update on the litigation associated with the rulemaking. Learn about why federal jurisdiction over waters and wetlands will probably be the story of the year for water quality.

A panel of diverse stakeholders will discuss new developments, appeals, and key issues associated with Stormwater General Permits. With agricultural practices coming under increased scrutiny, you will learn about recent agricultural litigation and its implications for the environmental and regulated community, as well as hear about other water quality developments in the agricultural sector. Finally, an important hour of ethics will look at ethical issues in clean water cases.

This is an important year to attend the Clean Water and Stormwater Conference. We hope to see you there.

~ Program Co-Chairs: **Jeff B. Kray, Esq., Marten Law PLLC**
and **Lori Terry Gregory, Esq., Foster Pepper PLLC**



8:30 Introduction & Overview

Jeff B. Kray, Esq., Program Co-Chair

Lori Terry Gregory, Esq., Program Co-Chair

8:45 General Permits: Stakeholder Perspectives about New Developments, Appeals, and Key Issues

Construction Stormwater General Permit and Appeals; Industrial Stormwater General Permit Issues

James A. Tupper, Jr., Esq. Tupper Mack Wells PLLC ~ Seattle, WA

Ronald L. Lavigne, Jr., Esq., Senior Counsel, Ecology Washington State Attorney General's Office ~ Olympia, WA

Katelyn Kinn, Esq., Staff Attorney Puget Soundkeeper Alliance ~ Seattle, WA

10:15 Break

10:30 Agriculture in the Pacific Northwest: Key water quality issues, litigation update, and policy perspectives

Update on CAFO/agricultural litigation and implications for the environmental and regulated community; discussion of the CAFO Permit and other agricultural regulation

Lori Terry Gregory, Esq., Program Co-Chair

Charlie Tebbutt, Esq. Law Offices of Charles M. Tebbutt ~ Eugene, OR

11:30 Ethical Issues in Clean Water Cases

Special issues for multi-party administrative proceedings that may go up on appeal

Ken Lederman, Esq. Foster Pepper PLLC ~ Seattle, WA

Alexandra Gilliland, Esq. Foster Pepper PLLC ~ Seattle, WA

12:30 Evaluation and Adjourn

Related Seminars:

Land Use Planning in California	April 27, 2016	Los Angeles, CA
Environmental Due Diligence	May 16, 2016	Seattle, WA
Tribes and CEQA/NEPA	June 20-21, 2016	Cabazon, CA
Water Law	July 18-19, 2016	Seattle, WA
Proving Landslide Claims	August 8, 2016	Seattle, WA

Webcast Replays:

Model Toxics Control Act (MTCA)	September 24, 2015	Seattle, WA
SEPA & NEPA	January 15, 2016	Seattle, WA
Natural Resource Damages	March 10-11, 2016	Washington, DC

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 206-567-4490
Fax the registration form to us at: 206-567-5058
Email us at: registrar@lawseminars.com
Online: www.lawseminars.com
Mail the registration form on the front page.
Walk-ins are welcome, subject to space availability.
Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for in person or webcast attendance for this program is \$795 with a group rate of \$595 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$530. For students, people in their job for less than a year, and public interest NGO's, our rate is \$397.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International. Financial aid is available to those who qualify. Contact our office for more information.

Substitution & Cancellation: You may substitute another person

at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Tuesday, April 12, 2016. After that time, we will credit your tuition toward attendance at another program or the purchase of a webcast or audio replay.

Seminar Location: The conference will be held at the Courtyard Seattle Downtown / Pioneer Square at 612 Second Avenue in Seattle, WA 98104. Call the hotel directly at (206) 625-1111 for reservations at the special negotiated rate of \$149 and mention that you are attending a Law Seminars International conference.

Rooms are on a first come, first served basis.

Continuing Education Credits: Live credits: This program qualifies for 10.00 WA CLE (incl. 1 ethics) credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

Time Shift Your Content: Webcast and audio replays, with printed or electronic course materials, are available for \$805. The course materials alone are available for \$100. Replays will be available within two weeks after the seminar or from the date we receive payment.

Faculty: Clean Water and Stormwater Conference

Jeff B. Kray, Program Co-Chair and partner at Marten Law PLLC, focuses his practice on water quality, water resources, and environmental litigation, including Clean Water Act permitting, regulatory compliance and CERCLA site remediation. He advises clients on water quality permit compliance and defense, stormwater pollution prevention, and transferral of water rights.

Lori Terry Gregory, Program Co-Chair and partner at Foster Pepper PLLC, leads the firm's Environmental Practice. She focuses on water quality and resources, environmental law, transportation and infrastructure permitting, facility siting, and environmental litigation. Her clients include industrial facilities, manufacturers, agribusiness, retailers, developers and local governments. She is recognized by *Chambers USA* and *Best Lawyers*.

Ivy Anderson, Assistant Attorney General, Washington State Attorney General's Office, negotiates and enforces consent decrees and agreed orders on cleanup of hazardous substance sites under the Model Toxics Control Act. She is lead attorney for the Department of Ecology's Toxic Cleanup Program and the Pollution Liability Insurance Agency.

Brent Carson, partner, Van Ness Feldman LLP, focuses his practice on land use and environmental entitlements, including comprehensive plan amendments, development agreements, wetlands and in-water construction permits, endangered species consultation, mitigation banks, SEPA/NEPA compliance, and environmental enforcement actions.

Kathleen E. Conn, Ph.D., is the Water Quality Specialist for the Washington Water Science Center, US Geological Survey. Her current research focuses on the environmental occurrence and fate of organic contaminants, and includes monitoring sediment-bound toxic chemicals transported by the Green/Duwamish Rivers to the Lower Duwamish Superfund site.

Alexandra Gilliland, Foster Pepper PLLC, is a member of the firm's Real Estate, Environmental, and Litigation & Dispute Resolution practices. She provides counseling and litigation support for real estate and development clients with environmental issues.

Peter D. Jewett, founding member of Farallon Consulting LLC, is a licensed Geologist and Engineering Geologist. He advises clients on managing complex site investigations and implementing cleanup actions, including the Lower Duwamish Waterway Superfund Site.

Katelyn Kinn, Staff Attorney for the Puget Soundkeepers Alliance, manages Soundkeeper's Clean Water Act Enforcement Program.

Ronald L. Lavigne is Senior Counsel in the Ecology Division of the Washington State Attorney General's Office, and lead attorney for Department of Ecology's Water Quality Program.

Ken Lederman, member, Foster Pepper PLLC, is a member of the Real Estate and Environmental Practice Groups, and provides counseling and litigation support on environmental issues in real estate transactions and property redevelopment. He is a SuperLawyer.

Teresa C. Michelsen, Ph.D., is Senior Environmental Scientist at Farallon Consulting LLC. Her specialties are sediment and tissue quality guidelines, dredged material management, and large scale regulatory programs for aquatic environments. She has provided technical assistance and oversight for investigations and cleanups in several states and British Columbia.

Thomas A. Newlon, partner at Stoel Rives LLP, focuses on issues related to contaminated sediments, aquatic cleanup, and acquisition and redevelopment of brownfields properties. He is experienced in the administrative processes of federal and state cleanup programs. Previously Senior Counsel at the Port of Seattle, he is recognized by *Chambers USA* and *Best Lawyers*.

Daniel Opalski is Director, Environmental Cleanup, US Environmental Protection Agency, Region 10.

Kelly D. Susewind, P.E., P.G., is Special Assistant to the Director, Washington Department of Ecology. Previously he served as Water Quality Program Manager for the Department of Ecology.

Endre Szalay, Assistant Regional Counsel, US Environmental Protection Agency, Region 10, represents the EPA in Clean Water Act enforcement actions and provides counsel to EPA program clients on Clean Water Act issues. He is EPA Region 10's lead attorney for Clean Water Act Section 404 and the Waters of the United States.

Charlie Tebbutt, Law Office of Charles M. Tebbutt, directs an office of environmental lawyers counseling communities, Tribes, unions and individuals on industrial pollution and chemical injury. Recent cases include BP and Transocean for the Gulf of Mexico oil spill disaster, large Concentrated Animal Feeding Operations (CAFOs), and improper EPA actions.

Todd M. Thornburg, Ph.D., is a licensed Hydrogeologist and Senior Project Manager with Anchor QEA. His areas of expertise include source control, sediment recontamination, stormwater management, and water and sediment quality modeling. He has served municipal, port, and industrial clients on state and federal cleanup actions and waterfront redevelopment.

James A. Tupper, Jr., Tupper Mack Wells PLLC, is one of the top rated environmental litigation attorneys in Seattle. His practice focuses on water quality, water resources, and shoreline development. He represents business associations and local governments in resolving disputes involving water quality regulation and legislation. He is a SuperLawyer.

April 18 & 19, 2016
Seattle, Washington

Courtyard Seattle Downtown / Pioneer Square

612 Second Avenue
(206) 625-1111

Who Should Attend:

Attorneys; government officials; real estate professionals; environmental professionals, landowners, industry executives and planners

Our Co-Chairs:



Jeff B. Kray, Esq.
Marten Law PLLC



Lori Terry Gregory, Esq.
Foster Pepper PLLC

To Register:

Mail
800 Fifth Ave., Suite 101
Seattle, WA 98104

Phone
(206) 567-4490

Fax
(206) 567-5058

Email
registrar@lawseminars.com

Online
www.lawseminars.com

©2016 Law Seminars International