

## **30<sup>th</sup> Annual Oregon Water Law Conference**

November 4 & 5, 2021 ~ Portland, OR

For our 30th year, we continue the tradition of gathering the most active, diverse, and experienced Oregon water law experts to address the issues of the day.

Our program will provide an update on recent water-related legislative and administrative developments, along with discussions of the key issues driving water policy. Practitioners from a wide array of viewpoints will address complex water supply and management challenges in several of Oregon's watersheds, along with other recent decisions involving water distribution, water access, storage permits, and hydropower licensing.

We hope you will join us for this excellent program.

### **Thursday, November 4, 2021**

#### **8:30 Introduction and Overview – Day One**

**David E. Filippi**, Program Co-Chair  
*Stoel Rives LLP*

#### **8:40 Environmental Justice and Equality**

**Justin Green**, Administrator  
*Water Quality Division, Oregon Department of Environmental Quality*

#### **9:20 Legislative and Administrative Updates**

Storage water rights transfers; OWRD budget; groundwater studies, and other updates

**Mary Anne Cooper**, VP of Public Policy  
*Oregon Farm Bureau*

**Tracy Rainey**, Senior Policy Advisor  
*Clean Water Services*

**Racquel R. Rancier**, Sr. Policy Coordinator  
*Oregon Water Resources Department*

#### **10:30 Break**

#### **10:45 Umatilla Updates**

- Regional Water Supply Infrastructure
- Water Planning for Cities, Industry and Agriculture

**J.R. Cook**, Director  
*Northeast Oregon Water Association*  
**Owen McMurtrey**, Water Resource Consultant  
*GSI Water Solutions, Inc.*  
**Peter D. Mohr**  
*Attorney at Law*  
**Byron D. Smith, ICMA-CM**, City Manager  
*City of Hermiston, Oregon*

12:15 *Midday Break*

1:30 **Klamath and Rogue Basin Updates**

- Drought; ESA litigation; adjudication; groundwater; dams

**Richard S. Deitchman**  
*Somach Simmons & Dunn*  
**Steven L. Shropshire**  
*Jordan Ramis PC*  
**Jay Weiner**  
*Rosette LLP*

2:45 *Break*

3:00 **Willamette River Updates**

- Reallocation; pending litigation; ESA compliance; water supply planning

**Niki J. Iverson**, Water Director  
*City of Hillsboro, Oregon*  
**Brian J. Posewitz**, Staff Attorney  
*WaterWatch of Oregon*  
**Elizabeth "Lizzy" Potter**, Staff Attorney  
*Advocates for the West*

4:00 **Deschutes River Updates**

- Habitat conservation plan; Crooked River updates; drought

**David E. Filippi**  
*Stoel Rives LLP*  
**Kate Fitzpatrick**, Executive Director  
*Deschutes River Conservancy*  
**Merissa Moeller**  
*Stoel Rives LLP*

5:00 *Adjourn*

Friday, November 5, 2021

**9:00 Introduction and Overview – Day Two**

**Richard M. Glick, Program Co-Chair**  
*Davis Wright Tremaine LLP*

**9:05 Special Presentation – Impact of Water Shortages on Hydroelectric Power**

Managing a hydropower-based utility in a time of climate change, declining flows and ever increasing competition for scarce water supplies

**Lisa A. Grow, President & CEO**  
*IDACORP, Inc. / Idaho Power*

**9:45 Practical Water Skills**

- Water sharing agreements
- Water pricing

**Olivier Jamin**  
*Davis Wright Tremaine LLP*

**Robert L. Annear, PhD, PE, Sr. Principal Engineer**  
*Geosyntec Consultants, Inc.*

**10:45 Break**

**11:00 Climate Change**

Hydro and “uncommon dialogue”; legislation, dams, conduit, pumped storage; Washington Cap & Trade Bill; drought; regulatory reform

**Shannon Ames, Executive Director**  
*Low Impact Hydropower Institute*

**Derek D. Green**  
*Davis Wright Tremaine LLP*

**Richard Roos-Collins**  
*Water and Power Law Group PC*

**Charles R. “Chuck” Sensiba**  
*Troutman Pepper Hamilton Sanders LLP*

**12:15 Midday Break**

**1:30 Special Presentation – 30 Years of Water Law**

The more things change, the more they stay the same - Managing 21st century water problems with a 19th century construct

**Richard M. Glick**  
*Davis Wright Tremaine LLP*

**2:15 Fish Passage Task Force**

Temperature and mixing zones; hydro rights; rulemaking; storage rights; instream passage

**Greg D. Apke**, Fish Passage Coordinator  
*Oregon Department of Fish and Wildlife*

**3:00** *Break*

**3:15** **Ocean Renewable Energy**

OSU's wave energy test facility (PacWave); planning for offshore wind; permitting

**Cherise M. Gaffney**  
*Stoel Rives LLP*

**4:00** **Ethical Considerations**

Representing clients who cross the line

**Paul S. Simmons**, Executive Director  
*Somach Simmons & Dunn*

**5:00** *Adjourn*

**Richard M. Glick**, Program Co-Chair, practices water and environmental law at Davis Wright Tremaine LLP. He is a founder of the National Water Law Forum and first president of the American College of Environmental Lawyers.

**David E. Filippi**, Program Co-Chair, is a member of Stoel Rives LLP. He practices in the areas of natural resources, environmental and land use law, concentrating on water rights/quality, fish & wildlife law, and project facility permitting.

**Shannon Ames** is Executive Director for the Low Impact Hydropower Institute. She is responsible for strategic direction, oversight of administrative responsibilities, and continued success of the Institute and its Certification Program.

**Robert Annear, PhD, PE**, is a Senior Principal Environmental Engineer with Geosyntec Consultants. He has more than 20 years of experience focused on the development and calibration of hydrodynamic and water quality models.

**Greg D. Apke** serves as Fish Passage Coordinator for the Oregon Department of Fish and Wildlife. He advises the Oregon Department of Fish and Wildlife and the Fish and Wildlife Commission on matters related to fish passage.

**J.R. Cook** is the founder and director of Northeast Oregon Water Association. He has served as Umatilla Basin Water Commission Executive Director, City Manager of the City of Umatilla, and Assistant Planner for Umatilla County.

**Mary Anne Cooper** is Vice President of Public Policy at the Oregon Farm Bureau. She works with state & federal agencies on water quality/supply, removal-fill, ESA, NEPA, Clean Water Act, floodplain regulation, land use & acquisition.

**Richard S. Deitchman (“Rich”)** is a shareholder with Somach Simmons & Dunn. He is licensed in Oregon and California and focuses his practice on water rights and natural resources, including litigation in state and federal courts.

**Kate Fitzpatrick** assumed the Executive Director position at Deschutes River Conservancy in 2021 after 16 years of experience at the organization managing and directing programs to collaboratively restore streamflow in the basin.

**Cherise M. Gaffney** is a partner with Stoel Rives LLP in the firm’s Environment, Land Use and Natural Resources practice group. She advises clients on federal natural resources law in complex permitting and compliance matters.

**Derek D. Green** is an energy and litigation attorney with Davis Wright Tremaine LLP. He represents clients in the renewable energy, manufacturing, and financial sectors on regulatory compliance and commercial disputes.

**Justin Green** is the Water Quality Division Administrator for the Oregon Department of Environmental Quality. His focus has been on ensuring statewide quality & consistency and modernizing the Department’s electronic tools.

**Lisa A. Grow** is the President and Chief Executive Officer of IDACORP, Inc. and Idaho Power. She is a leader in her field and involved in a number of industry groups, currently or previously serving on various committees and boards.

**Niki J. Iverson** is the Water Director for the City of Hillsboro, where she manages the City of Hillsboro's Water Department. She manages several Divisions that oversee the water supply, water delivery, and utility operations.

**Olivier Jamin**, an attorney at Davis Wright Tremaine LLP, provides legal advice to clients on environmental, energy, land use, and litigation matters. He makes sense of complex regulatory and legal processes for his clients.

**Owen McMurtrey** is a Project Water Resources Consultant for GSI Water Solutions, Inc., specializing in water rights & resource planning. He works with clients to project water demand and understand constraints on water availability.

**Merissa A. Moeller** is an attorney at Stoel Rives LLP. She advises clients on water resources, natural resources, and land use matters, applying her experience representing landowners, developers, businesses and local governments.

**Peter D. Mohr** is an attorney who focuses on environmental & natural resources law. He represents clients in a variety of federal & state permitting compliance matters, primarily involving the federal Clean Water Act and the ESA.

**Brian J. Posewitz** is a staff attorney at WaterWatch of Oregon. He has been an attorney in Oregon since 1991. While previously in private practice, he handled a variety of water-related cases for WaterWatch and private clients.

**Elizabeth "Lizzy" Potter** is a Staff Attorney with Advocates for the West. She focuses on protecting national conservation areas, reducing the harmful impacts of federal dam operations, and challenging oil and gas decisions.

**Tracy Rainey** serves as Senior Policy Analyst for Clean Water Services. CWS is the water resources management utility for over 600,000 residents in Washington County, and small portions of Multnomah and Clackamas Counties.

**Racquel R. Rancier** is the Senior Policy Coordinator for the Oregon Water Resources Department. Previously, she worked at the Oregon State Legislature, providing nonpartisan policy analysis for the natural resources committees.

**Richard Roos-Collins** is the Director of Legal Services at the Natural Heritage Institute. He represents both public agencies and non-profit organizations in natural resources policy, energy, hazardous waste, and air quality laws.

**Charles R. "Chuck" Sensiba** is a partner at Troutman Pepper Hamilton Sanders LLP. He is one of few attorneys whose practice focuses exclusively on licensing, relicensing, regulatory, and policy issues affecting the hydropower industry.

**Steven L. Shropshire** is a shareholder at Jordan Ramis PC with over 20 years of experience in natural resources and environmental law. He focuses on water rights, state and federal water policy, water quality issues, and the ESA.

**Paul S. Simmons** is an attorney with Somach Simmons & Dunn. He has represented clients in regulatory matters & litigation in connection with water rights, the ESA, state & federal water quality laws, and other environmental matters.

**Byron D. Smith, ICMA-CM**, serves as City Manager for the City of Hermiston. He improves operations and promotes economic development, focusing on planning & zoning, annexation, information technology, and budgeting.

**Jay Weiner** is Of Counsel to Rosette LLP. He has expertise in the area of federal Indian water law, has worked on multiple Indian water rights settlements, and has represented clients in adjudications and water-related proceedings.