



CALIFORNIA WETLANDS

Implications of Changing Policy

April 16-17, 2015 • Hotel Nikko • San Francisco



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Dear Colleague:

Wetlands issues present complex legal and biological challenges, while regulations and policy changes continue to evolve. You need the insight and knowledge for your project to succeed.

When you attend this Conference, you will interact with an outstanding group of nationally-recognized experts who will give you the tools to effectively navigate this ever-changing arena.

You will hear in-depth discussion on these hot topics:

- **Wetlands Overview**
- **Section 7 and Conservation Strategies**
- **Coastal Wetlands**
- **NEPA and Corps Permits**
- **Alternative Energy and Wetlands**
- **Mitigation Banking**
- **Permitting**
- **Reconciling Fish, Farms and Fowl on a Managed Floodway**
- **Vernal Pools in California: Ecological and Regulatory Considerations**
- **The Mitigation Ratio Checklist**
- **California Rapid Assessment Method**
- **Challenges Managing a National Regulatory Program**
- **The Proposed Rule Defining Waters of the US**

Whether you are a private practitioner, government representative, engineer, developer, planner, environmental professional or in any way involved with or affected by wetlands issues, this is the one Conference you won't want to miss.

We look forward to seeing you in April.

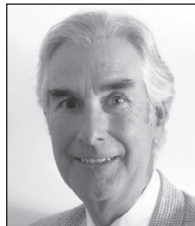
Sincerely,

Keith Garner



S. Keith Garner, Esq.
Program Co-Chair
Sheppard Mullin Richter & Hampton
San Francisco

Michael N. Josselyn



Michael N. Josselyn, PhD, PWS
Program Co-Chair
Principal, Senior Wetland Ecologist
WRA Environmental Consultants
San Rafael

Thursday, April 16

- 8:00 Registration and Continental Breakfast
- 8:30 **Introduction and Welcome**
Overview of Day One
S. Keith Garner, Esq., Program Co-Chair
Sheppard Mullin Richter & Hampton, San Francisco
Michael N. Josselyn, PhD, PWS, Program Co-Chair
Principal, Senior Wetland Ecologist
WRA Environmental Consultants, San Rafael
- 8:45 **Wetlands Overview**
A Primer
S. Keith Garner, Esq., Program Co-Chair
- 9:30 **Keynote Presentation**
Challenges Managing a National Regulatory Program—
How USACE Deals with Significant Variability in Ecoregions,
Aquatic Resources, and State Regulatory Approaches
Charles R. “Chip” Smith
Assistant for Environment, Tribal & Regulatory Affairs
Office of the Assistant Secretary of the Army, US Army Corps of
Engineers, Washington, DC
- 10:30 Networking Break
- 10:45 **Section 7 and Conservation Strategies**
Lessons from the Trenches
Ella Foley Gannon, Esq.
Bingham McCutchen, San Francisco
- 11:30 **The Mitigation Ratio Checklist**
New Rules, New Considerations
Thomas J. Cavanaugh, Administrative Appeal Review Officer
US Army Corps of Engineers, South Pacific Division, San Francisco
- 12:15 **Exchange of Ideas**
Conference Attendees and Faculty Members
- 12:30 Lunch Break
- 1:45 **Reconciling Fish, Farms and Fowl**
On a Managed Floodway
Jacob Katz
Regional Manager & Director of Steelhead & Salmon Initiative
California Trout, Windsor
- 2:45 **California Rapid Assessment Method**
Applications and Real Life Examples
Sarah Pearce, Geomorphologist
San Francisco Estuary Institute, Richmond
- 3:30 Networking Break
- 3:45 **NEPA and Corps Permits**
Policy and Practice
Barbara J. Schussman, Esq.
Perkins Coie, San Francisco
- 4:30 **Alternative Energy and Wetlands**
Issues for a Greener World
Jennifer L. Hernandez, Esq.
Holland & Knight, San Francisco
- 5:15 **Exchange of Ideas**
Conference Attendees and Faculty Members
- 5:30 Adjourn

Friday, April 17

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome Back**
Recap of Day One and Overview of Day Two
S. Keith Garner, Esq., Program Co-Chair
Michael N. Josselyn, PhD, PWS, Program Co-Chair
- 8:45 **Mitigation Banking**
What’s Trending Now
Justin Derby, MESM
Real Estate & Mitigation Specialist
WRA Environmental Consultants, San Rafael
- 9:30 **Vernal Pools in California: Ecological and
Regulatory Considerations**
Discussion and Audience Interchange
S. Keith Garner, Esq., Program Co-Chair
Michael N. Josselyn, PhD, PWS, Program Co-Chair
**Charles R. “Chip” Smith, Assistant for
Environment, Tribal & Regulatory Affairs**
- 10:45 Networking Break
- 11:00 **Ethical Considerations**
Compliance
Karen Getman, Esq.
Remcho, Johansen & Purcell, San Leandro
- 12:00 Lunch Break
- 1:30 **The Proposed Rule Defining
Waters of the US**
Status Update Focusing on What the Changes Would Likely Mean
for the Regulated Community in California
Michael N. Josselyn, PhD, PWS, Program Co-Chair
- 2:15 Networking Break
- 2:30 **Coastal Wetlands**
Planning for the Future
Stanley W. Lampport, Esq.
Cox, Castle & Nicholson, Los Angeles
- 3:15 **Permitting**
Section 404 and Nationwide Permits
James Rusk, Esq.
Sheppard Mullin Richter & Hampton, San Francisco
- 4:15 **Exchange of Ideas**
Conference Attendees and Faculty Members
- 4:30 Evaluations and Adjourn

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PROGRAM ATTORNEY: Sherri Aikin, sherri@cle.com

PROGRAM CO-CHAIRS

Michael N. Josselyn is a co-founder and former President of WRA. Mr. Josselyn formed the company to incorporate the best scientific information on the environment to assist clients with environmental compliance and to assure successful implementation of habitat protection and restoration actions. His work has focused on environmental permitting and habitat restoration, large scale conservation planning, and expert testimony. Mr. Josselyn has consulted internationally on wetland ecology and restoration. He has authored or edited several books and more than 50 articles on wetland ecology and mitigation published in national and international scientific journals. He was a Professor of Biology at San Francisco State University for 22 years and was the Director of the University's Romberg Tiburon Center for Environmental Studies. He was trained as a US aquanaut in the NOAA "Man-in-the Sea" program and participated in five underwater missions.

S. Keith Garner focuses on state and federal environmental laws, land use planning and entitlement procedures, and natural resources permitting issues for large residential, commercial and mixed use communities and energy generation and transmission projects, including wind and solar facilities. He provides legal and strategic planning advice to clients at every stage of the complex development process, including due diligence for land acquisition, project planning and permitting, regulatory compliance, and land use litigation. Mr. Garner handles a wide range of state and federal regulatory matters, including endangered species, wetlands, water quality and land use issues, initiatives and referendums, environmental review under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), Williamson Act contracts, and State Lands issues. He frequently manages the interdisciplinary teams needed to address the regulatory requirements and permit conditions.

KEYNOTE PRESENTER

Charles R. "Chip" Smith, Assistant for Environment, Tribal & Regulatory Affairs
Office of the Assistant Secretary of the Army
US Army Corps of Engineers, Washington, DC

FACULTY

Thomas J. Cavanaugh
Administrative Appeal Review Officer
US Army Corps of Engineers, South Pacific
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San Francisco Estuary Institute, Richmond

James Rusk, Esq.
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San Francisco

Barbara J. Schussman, Esq.
Perkins Coie, San Francisco

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All-New Program, All Points of View

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Keynote Presentation

Challenges Managing a National Regulatory Program – How USACE Deals with Significant Variability in Ecoregions, Aquatic Resources, and State Regulatory Approaches



Charles R. "Chip" Smith, Assistant for Environment, Tribal & Regulatory Affairs
Office of the Assistant Secretary of the Army
US Army Corps of Engineers, Washington, DC

Charles R. "Chip" Smith has policy oversight responsibility for Army Civil Works activities in the areas of regulatory, environmental restoration and protection, Indian Affairs, historic preservation and

water resource planning. He is also responsible for executive leadership, policy development, strategic planning and dispute resolution for the Army Civil Works Regulatory Program.

Featuring Experts From:

- US Army Corps of Engineers
- California Trout
- WRA Environmental Consultants
- San Francisco Estuary Institute
- ...and Top Law Firms!

"I would recommend this conference to others, thank you for keeping us informed! It was a great opportunity to pick the great minds of those local and national experts!!"

– Tricia Wotipka, Senior Project Manager/Biologist
Dudek, Encinitas, CA

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