



**30TH ANNUAL
PUBLIC INTEREST ENVIRONMENTAL
LAW CONFERENCE**

Image Credit: Chelsea Ray



Land Air Water

updated 2/20/2012



**Friends of
Land Air Water**

WELCOME!

Welcome to the Public Interest Environmental Law Conference (PIELC), the premier annual gathering for environmentalists in the world! Now in its 30th year, the conference unites activists, attorneys, students, scientists, and community members to share their expertise and insights. With keynote addresses, workshops, films, celebrations, and over 100 panels, PIELC is world-renowned for its energy, innovation, and inspiration. In 2011, PIELC received the Program of the Year Award from the American Bar Association Section of Environment, Energy, and Resources.

NEW FRONTIER: THE POLITICAL CROSSROADS OF OUR ENVIRONMENTAL FUTURE

We are currently at a critical juncture in environmental activism where the shifting legal and political landscape requires advocates to adapt — and quickly. Panels will focus on the past, present, and future of environmental advocacy and activism. Attendees will gain an understanding of where we have been, insight into the current challenges we face, and inspiration to shape the future.

WIFI GUEST ACCOUNT LOGIN INSTRUCTIONS

- 1) Connect to the “UO Guest” wireless network (do not connect to the “UOwireless” network). How you achieve this will depend on your particular Operating System and wireless driver.
- 2) Open a web browser window and load any web page. You will automatically be redirected to the “UOnet Guest Authentication” page (<https://uoguest.uoregon.edu>).
- 3) In the left hand side of the UOnet Guest Authentication page, enter the username (your email address) and password provided to you with your registration materials. If you do not see the header “UOnet Guest Authentication” on this webpage, you are on the wrong wireless network (see #1 above).
- 4) Enter identifying information and change your password when prompted. This will be your password for the rest of the weekend. You will need it every time you re-connect to the network. If you have issues with your login or password, please stop by the wireless table and speak with a volunteer or leave your name at the table and we will address your issues as soon as possible.

Please Note

WiFi login information is given to conference pre-registrants in their registration packet. Please stop by the wireless table if you would like to request wireless access during the conference and did not pre-register for it. Alternatively, you can use an ethernet cable to access the internet through a number of wired ports in classrooms and common areas.

Reducing the Conference’s Carbon Footprint

Want to help make this year’s conference as close to carbon neutral as possible? Land Air Water is teaming up with the Bonneville Environmental Foundation (BEF): 100% of your Carbon Offset donations go toward the purchase of carbon offsets that fund the development of renewable energy sources such as solar power and wind farms.

BEF is a national nonprofit organization founded in Portland, Oregon in 1998. It prides itself in its role in developing the carbon offset market. Additional information is available at: www.b-e-f.org.

You can offset the emissions associated with your travel to this year’s PIELC by:

- Calculate your donations based on air miles, car miles, and nights spent at a hotel using our online carbon offset calculation:
-<http://www.pielc.org/pages/carboncalc.html>
- Donate the calculated amount in the area designated on the registration page:
-http://www.pielc.org/pages/register_active.html
- Open the registration window by clicking the link at the top. The area to donate for carbon offsets is at the bottom. Donations may be made in increments of \$5, \$10, and \$25. We encourage you to round up!

Remember, 100% of your donation goes to the folks at BEF!
Questions? Please contact Matthew Hodges at MHodges@uoregon.edu

Questions? Stop by the info desk, flag down a PIELC volunteer, or check the website (www.pielc.org) if you have any questions or need additional information.

Check the website after the conference for panel and keynote recordings!

PIELC AT A GLANCE

THURSDAY	FRIDAY	SATURDAY	SUNDAY
2:00 p.m. Registration Opens	8:00 a.m. Registration Opens	8:00 a.m. Registration Opens	9:00 a.m. Registration Opens
3:45 p.m. Panels	9:00 a.m. Panels	8:15 a.m. Ethics CLE Workshop	9:00 a.m. Panels
6:00 p.m. Keynote Addresses -Barbara and Ken Brower -Richard Heinberg	10:30 a.m. Panels	9:00 a.m. Panels	10:30 a.m. Panels
Note: All Thursday events take place in the EMU.	12:30 p.m. Keynote Addresses -Lisa Heinzerling -Lucia Xiloj	10:30 a.m. Panels	12:15 p.m. Closing Keynote Presentation -Craig Rosebraugh's <i>Greedy Lying Bastards</i>
	2:30 p.m. Panels	12:00 p.m. "Raging Gran-nies"	Note: All Sunday events take place in the law school.
	4:00 p.m. Panels	12:30 p.m. Keynote Addresses -Tyrone Hayes -Zygmunt Plater	
	5:30 p.m. Keynote Addresses -Atmospheric Trust Litigation Plaintiffs -Climbing PoeTree	2:00 p.m. Spencer Butte Hike	
	7:45 p.m. Doors Open: PIELC Celebration	2:30 p.m. Panels	
	8:00 p.m. Music Begins: Featuring Moon Mountain Ramblers	4:00 p.m. Panels	
		5:30 p.m. Indigenous Peoples' Reception	
		6:00 p.m. UO Alumni Reception	
		6:00 p.m. Student Reception	

Complimentary Appetizers Will be Served Prior to the Keynotes in the EMU Gumwood Room

KEYNOTE BIOGRAPHIES

Atmospheric Trust Litigation Plaintiffs

Kelly Matheson is an attorney, filmmaker, and human rights advocate who oversees WITNESS' work in North America. WITNESS is an international human rights organization that uses the power of video and storytelling to open the eyes of the world to human rights abuses. At WITNESS, Kelly worked to launch the first Video Advocacy Institute. She then turned her attention to the human rights issues in the United States co-producing and co-directing films about abuse and neglect of older Americans, the commercial sexual exploitation of children, and climate justice. As an attorney, she worked as a Law Fellow in Tanzania researching citizens' rights to bring suit against their governments when governments broke their own laws. She also spent a year as a Fulbright Researcher in Congo, where she collaborated with a video-centered outreach project to determine the effectiveness of video to change health and conservation practices.

Alec Loorz is a 17-year-old climate change activist. He founded Kids vs. Global Warming when he was 12 years old after watching Al Gore's documentary *An Inconvenient Truth*. Feeling the weight of the global crisis and a sense that he could make a difference, Alec felt compelled to tell other kids about the problems facing the world. His message is rooted in hope, encouraging kids to speak up and let their voices be heard. Alec creates presentations specifically for youth, full of videos, animation, easy-to-understand science, and compelling motivation for kids K-college ages. He gave over 30 global warming presentations before being invited by Al Gore to be formally trained with the Climate Project in October of 2008. He is now their youngest U.S. trained presenter.

Nelson Kanuk is a 17-year-old native Alaskan from the village of Kipnuk. The oldest of five children, Nelson wants to share his story about how climate change is affecting his part of the world. Winters are coming late and ice sheets and permafrost are melting, causing land erosion – Nelson's family has lost eight feet of land in the past year, and have another 40 feet before the bank of the river reaches their home. He is asking the Alaska government for help in fighting climate change, because his family's livelihood is at risk.

John Thiebes is a 23-year-old, first generation farmer in North Central Montana, an area known as the golden triangle. Montana has raised, educated, protected, and provided him with his most basic of rights, one of which he is currently fighting for Montana to recognize. John is finishing up his last year at Montana State University and upon graduation will pursue a life in sustain-

able agriculture. He wants to create an agricultural system that is ecologically regenerative and less dependent on fossil fuels.

Climbing PoeTree

Climbing PoeTree is the combined force of two boundary-breaking soul-sisters who have sharpened their art as a tool for popular education, community organizing, and personal transformation. With roots in Haiti and Colombia, Alixa and Naima reside in Brooklyn and track footprints across the country and globe on a mission to make a better future visible, immediate, and irresistible. "Soul-stirring" and "heart-opening", the poetry Alixa and Naima deliver challenges its listeners to remember their humanity, dissolves apathy with hope, exposes injustice, and helps heal our inner trauma so that we may begin to cope with the issues facing our communities.

Alixa and Naima's performance explores diverse themes, including healing from state and personal violence, environmental justice, civil rights, spirituality, global politics, and woman's empowerment. Through a tapestry of spoken-word poetry, video projection, and movement choreography, their most recent work *Hurricane Season* connects the issues that surfaced in the aftermath of Hurricane Katrina to the unnatural disasters disenfranchised communities are experiencing nationwide and worldwide on a daily basis.

The Brower Family

David Brower was a preeminent environmental activist and the founder of many environmental organizations, including the Sierra Club Foundation, the John Muir Institute for Environmental Studies, Friends of the Earth, and the League of Conservation Voters. He is considered by many to be the father of modern environmentalism, championing dam busting, wilderness protection, and political activism, David's work inspires current environmentalists to always work for a cleaner future. This year, the conference celebrates the 100th anniversary of David's birth.

Barbara Brower is a Professor of Geography at Portland State University and is the daughter of David Brower. Her research interests include wildland resource conservation and policy, and the environmental movement. She is passionately committed to preserving her father's legacy through her involvement with the Glen Canyon Institute.

Ken Brower is the oldest son of David Brower. His earliest memories are of following his father down various trails in the wild country of the American West. He is a regular contributor to the *Atlantic Monthly*, *Audubon*, *Smithson-*

ian, and other journals and publications. He is the co-author of a half-dozen books, most recently *Freeing Keiko: The Journey of a Killer Whale from 'Free Willy' to the Wild*.

Dr. Tyrone Hayes

Dr. Tyrone B. Hayes is a biologist, herpetologist, and a Professor in the Department of Integrative Biology at the University of California, Berkeley. His research focuses on the role of steroid hormones in amphibian development, and he conducts both laboratory and field studies in the United States and Africa. Tyrone's childhood fascination with science led him to earn an undergraduate degree in organismic and evolutionary biology from Harvard University, and a Ph.D. in integrative biology from the University of California, Berkeley.

Tyrone's primary research focuses on the role of environmental factors on growth and development in amphibians. Tyrone's research has revealed that the widely used herbicide atrazine chemically castrates and feminizes exposed male amphibians at levels deemed safe by the U.S. EPA. According to Tyrone, the preponderance of the evidence shows that atrazine is indeed a risk to other wildlife, as well as humans.

In addition to scientific interests, exposure to atrazine also raises issues of environmental justice. Citizens in lower socio-economic strata—and, in particular, ethnic minorities—are less likely to have information about the effects of pesticides, more likely to live in areas where they are exposed to pesticides, and are less likely to have access to appropriate health care. Tyrone's findings reveal a crucial new link between conservation and health.

Richard Heinberg

Richard Heinberg is the Senior Fellow-in-Residence at the Post Carbon Institute in Santa Rosa, California. Author of ten books, including *The Party's Over*, *Peak Everything*, and *The End of Growth*, Richard is widely regarded as one of the world's most effective communicators of the urgent need to transfer away from fossil fuels.

Richard is best known as a leading educator in *Peak Oil* and the resulting devastating impact it will have on our economic, food, and transportation systems. Richard's expertise is far ranging, however, and covers critical issues including the current economic crisis, food and agriculture, community resilience, and global climate change.

Richard's latest book, *The End of Growth: Adapting to Our New Economic Reality*, makes a compelling argument that the global economy has

KEYNOTE BIOGRAPHIES

reached a fateful, fundamental turning point. It describes what policymakers, communities, and families can do to build a new economy that operates within Earth's budget of energy and resources. It posits that we can thrive during the transition if we set goals that promote human and environmental well-being, rather than continuing to pursue the now-unattainable prize of ever-expanding GDP.

Richard has presented in dozens of countries and across the United States. He has been featured in many documentaries, including *End of Suburbia* and the film *11th Hour*, and is a recipient of the M. King Hubbert Award for Excellence in Energy Education.

Professor Lisa Heinzerling

Lisa Heinzerling is a Professor of Law at Georgetown University. Her specialties include environmental and natural resources law, administrative law, the economics of regulation, and food and drug law. She has a strong record as a committed public servant. Lisa served as Senior Climate Policy Counsel to the Administrator of the EPA, the Associate Administrator of EPA's Office of Policy, and as a member of President Obama's EPA transition team.

Lisa has been a visiting professor at Harvard Law School, Vermont Law School, and Yale Law School. She lectures frequently on environmental law and other topics both in the U.S. and around the world. She has published several books, including a leading casebook (with Zygmunt Plater and others) on environmental law. Lisa has also continued to litigate cases in environmental law while teaching at Georgetown University. Most prominently, she served as lead author of the winning briefs in *Massachusetts v. EPA*, in which the Supreme Court held that the Clean Air Act gives EPA the authority to regulate greenhouse gases. A 2009 survey of over 400 environmental lawyers and law professors ranked this case as the most significant case in all of environmental law.

Professor Zygmunt Plater

Zygmunt Plater is a law professor at Boston College Law School, specializing in environmental, property, land use, and administrative law. Over the past thirty years, he has been a seminal advocate for environmental protection and land use regulation, most notably serving as petitioner and lead counsel in the extended Tennessee Valley Authority's Tellico Dam litigation. In that role, he advocated for the endangered snail darter, farmers, Cherokee Indians, and environmentalists in the Supreme Court of the United States.

As a result of his additional experience

as chairman of the State of Alaska Oil Spill Commission's Legal Task Force after the Exxon Valdez wreck, Zyg was ideally positioned to consult on responses to the BP Deepwater Horizon oil spill.

Zyg has taught on numerous law faculties and has consulted on legal issues around the world, including in Ethiopia, where he redrafted the laws protecting parks and refuges, assisted in publication of the Consolidated Laws of Ethiopia, and helped organize the first United Nations Conference on Individual Rights in Africa. Land Air Water honored Professor Plater with the David Brower Lifetime Achievement Award in 2004.

Craig Rosebraugh

Craig Rosebraugh is a prominent political filmmaker, writer, and activist from the Pacific Northwest who focuses his attention on social, political, and environmental justice issues. He was integral to the creation of such organizations as the Liberation Collective, the Animal Liberation Front, the Earth Liberation Front, the Coalition to End Primate Experimentation, and Responsible Education and Media. He has suffered broken bones, been arrested, and been the target of investigations, all because of his political activism. However, Craig continues to organize and speak out about the social, political, and environmental injustice he sees in the world.

Most recently, Craig has given his attention to filmmaking, addressing the BP oil calamity in the gulf in his new documentary *Greedy Lying Bastards*. In his film, Craig examines the interwoven political and economic web of lax environmental policy, lobbying, and profiteering, and how the oil industry directly works to more closely weave this web. Craig untangles this story by interviewing those directly affected by climate change, as well as through investigative journalism, and soliciting opinions from experts.

Craig continues to speak out on important issues, both through the media and in political channels. He has testified in Congress against improper policy, been interviewed by major news outlets like ABC News and NPR.

Lucia Xiloj

Lucia Xiloj, a K'iche' Maya attorney, is a human rights advocate with the Rigoberta Menchú Tum Foundation in Guatemala. The foundation publicizes the challenges facing native Guatemalans and promotes indigenous peoples' rights around the world.

Lucia is a zealous advocate for the indigenous peoples of Guatemala. With specialties in constitutional and criminal

law, Lucia's most recent work is focused on challenging the mining rights granted to multinational entities without consideration for indigenous peoples' rights. Lucia also worked on other issues affecting indigenous peoples' rights. Working with Guatemalan municipalities, Lucia helped ensure healthy and clean water for locals by helping develop better pollution containment and environmentally friendly waste treatment practices. She has also worked on the issue of transitional justice, specifically based on the prosecution of cases in the armed conflict as a contribution in combating impunity in Guatemala.

All keynote speeches will occur in the EMU Ballroom, except the Sunday closing keynote, which will occur in Knight Law 175.

THURSDAY, MARCH 1

3:45 – 5:00 P.M. • PANELS

Outlawed and Under Fire: Using the Courts to Protect America's Last Wild Bison (Organizer: Darrell Geist) (EMU Fir Room)

The Yellowstone bison is the last genetically intact and wild free-roaming population in America. When these bison migrate into Montana, they wander into the cross hairs of the law, which outlaws the return of this keystone species. Panelists will discuss the legal and campaign strategy being used to protect this iconic species and the ecosystem on which it depends in Yellowstone. Particular emphasis will be placed on four ongoing lawsuits being litigated in state and federal courts.

Panelists: Darrell Geist, Habitat Coordinator, Buffalo Field Campaign; Mike Mease, Co-Founder, Buffalo Field Campaign; Summer Nelson, Attorney, Western Watersheds Project; Rebecca K. Smith, Attorney, Public Interest Defense Center, P.C.

Using CZARA Lawsuits to Force Changes in Oregon Forest Practices and a Novel Form of Clean Water Act TMDL (Organizer: Nina Bell) (EMU Metolius Room)

Recent litigation used the Coastal Zone Act Reauthorization Amendments (CZARA) to threaten Oregon with federal funding cuts, forcing the Department of Environmental Quality to use a novel CWA approach to override the highly inadequate forest practices developed by the Oregon Department of Forestry (ODF). This approach uses a new type of CWA Total Maximum Daily Loads to circumvent a lack of non-point source regulation. A concurrent process is underway by ODF to address CWA violations.

Panelists: Nina Bell, Executive Director, Northwest Environmental Advocates; Mary Scurlock, M. Scurlock & Associates

Superfund Remediation As If It Mattered (Organizer: Michael Weinerman) (EMU Gumwood Room)

Negotiations among regulators, polluters, and stakeholders about Superfund remediation alternatives typically focus on a single economic question: What will remediation cost polluters? If polluters have gone bankrupt or have insufficient financial resources, then the question becomes: How will local, state, or federal entities pay, and who will bear the costs? Whoever bears the costs, the costs are paid over what economists call the short-run. Panel members will discuss the role of economic information in remediation decisions, and the economic consequences in the short- and long-run of remediation alternatives for workers, employers, and regional economies. Using cost-benefit analysis, panelists will discuss the economic implications of remediation decisions.

Panelists: Dr. Bryce Ward, Senior Economist, ECONorthwest; Ed MacMullen, Senior Economist, ECONorthwest

Plastic Bag Ban Legislation and Strategies (Organizer: Debra Higbee-Sudyka) (EMU Oak Room)

Last year, a bill was introduced in the Oregon Legislature to ban single-use checkout plastic bags (SB 536). Despite public support, it did not make it out of committee, and so is now up to the cities throughout Oregon to pass local ordinances. Portland has already passed a ban, and other cities are working on it. Many countries have instituted tough new rules to curb the use of plastic bags. This panel will explore plastic bag ban legislation, strategies, opportunities to combat industry influence, and how to meet this environmental challenge.

Panelists: Debra Higbee-Sudyka, Vice Chair, Mary's Peak Group, Sierra Club; Dave Mathews, Preservation Associate, Environment Oregon; Charlie Plybon, Oregon Field Manager, Surfrider Foundation; Daniel C. Snyder, Associate Attorney, Law Offices of Charles M. Tebbutt, P.C.

The Future of Forest Service Travel Management (Organizer: Sarah Peters) (EMU Walnut Room)

After more than seven years, most National Forests have completed the first round of travel management planning to protect forests from unrestricted motorized cross-country travel and over-sized road and motorized trail systems. Now forests are beginning Phase II - which often includes site-specific trail projects that expand motorized recreation, and sometimes includes road reclamation. This panel will update attendees on Forest Service travel management plans and projects, including information on which forests have yet to make a decision, where and how appeals were successful (or not), and ongoing litigation. Panelists will also discuss the onslaught of second generation travel management projects and how to push for a reduction in on-the-ground motorized trail and road mileage during this process.

Panelists: Sarah Peters, Staff Attorney, Wildlands CPR; Vera Smith, Director, National Forest Action Center, The Wilderness Society; Cyndi Tuell, Southwest Conservation Advocate, Center for Biological Diversity

Planning for Climate Change (Organizer: Courtney Johnson) (EMU Maple Room)

How can local governments plan for and adapt to climate change in their communities? Beyond reducing carbon emissions, how can we prepare for the unknowns of climate change? Efforts are underway across the country to tackle this issue, including in Oregon.

Panelists: Philip Johnson, Executive Director, Oregon Shores Conservation Coalition; Courtney Johnson, Staff Attorney, Crag Law Center; Brook Meakins, Attorney

6:00 – 8:00 P.M. • KEYNOTE SPEAKERS (EMU Ballroom)

Barbara and Ken Brower & Richard Heinberg

FRIDAY, MARCH 2

9:00 A.M.-4:00 P.M. • ENR CENTER OPEN HOUSE

Stop by the Bowerman Center for Environmental and Natural Resources (ENR) Law to find out what is happening in the ENR Program and meet the faculty and staff.

9:00 – 10:15 A.M. • PANELS

Legal Strategies for Fighting Coal Mines in the West (Organizer: Katie Strong) (EMU Walnut Room)

The panel will discuss the pros and cons of various legal strategies used to fight coal mines in the Western United States. Panelists will share their perspectives on the Unsuitable Lands Petition process, the permitting process, and lawsuits against mine operators brought under citizen suit provisions, among others. Panelists will relate their own experience with these processes and lawsuits, providing valuable insight and practical knowledge.

Panelists: Brian Litmans, Senior Staff Attorney, Trustees for Alaska; Katie Strong, Staff Attorney, Trustees for Alaska; Jack Tuholske, Private Public Interest Environmental Attorney and Visiting Professor, University of Montana and University of Vermont Law Schools

Collaborative Decision-Making in Environmental Conflicts (Organizer: Elizabeth Spaulding) (EMU Ben Linder Room)

Alternative dispute resolution and collaborative decision-making processes are increasingly relied upon to solve a variety of environmental and natural resource conflicts around the West. This panel will compare the benefits and shortcomings of these newer processes to those of more traditional legal approaches. This panel will also discuss the training available for this emerging field, highlighting the Conflict and Dispute Resolution Masters programs at the University of Oregon School of Law and Portland State University.

Panelists: Lauren Beene, Program Coordinator, Oregon Solutions; Rick Poulin, Owner, SCOPE Law Firm PLLC; Elizabeth Spaulding, Public Policy Facilitator, Ruckelhaus Institute at the University of Wyoming; Megan Vinett, Associate, Kearns & West

A New Age for Forest Planning: Our National Forests Under the Obama 2012 Planning Rule (Organizer: Vera Smith) (EMU Oak Room)

The new forest planning rule is hot off the presses! Just finalized, the new rule replaces the 1982 rule that has guided land management planning in our national forests and grasslands since the passage of the National Forest Management Act. What are the merits and the pitfalls of the new rule? How can activists use the new rule to effectively protect forests, especially in the face of climate change? Will this rule survive legal challenge? Come join us as we explore these questions.

Panelists: Kristen Boyles, Staff Attorney, Earthjustice; Anne Merwin, Forest Program Director, The Wilderness Society; Pete Nelson, Defenders of Wildlife, Forests Lands Director; Vera Smith, Policy and Government Affairs, The Wilderness Society; Randi Spivk, Vice President of Government Affairs, GEOS

Grazing Round-Up: Livestock Litigation (Organizer: Greta Anderson) (EMU Maple Room)

This panel will focus on major legal efforts that relate to livestock grazing in the West, with particular emphasis on litigation relating to Resource Management Plans. Western Watersheds Project and Advocates for the West have numerous cases (one covering 30 million acres) on BLM lands and national monuments that reflect a vision for changing livestock management. Panelists will give highlights and updates about these cases and discuss general issues with grazing litigation, including rule changes, policy considerations, and administrative venues for advocacy.

Panelists: Laurie Rule, Senior Attorney, Advocates for the West; Katie Fite, Biodiversity Director, Western Watersheds Project; Brian Ertz, Media Director, Western Watersheds Project

Protecting the Lake Baikal Watershed in Mongolia and Russia (Organizer: Maggie Keenan) (EMU Metolius Room)

The Lake Baikal watershed is a critical ecosystem shared by Mongolia and Russia. The lake itself is a geologically unique rift in the earth's crust that holds one fifth of the earth's supply of fresh water - more water than all five American Great Lakes combined! More than 300 streams and rivers feed the lake, which is home to 1,500 species - two thirds of them endemic. Mining, hydroelectric dams, oil and gas pipelines, and climate change in Mongolia and Russia endanger this critical watershed. Panelists will discuss the collaborative effort to protect the Lake Baikal watershed on both sides of the border.

Panelists: Glenn Miller, Mining Expert, Director of Graduate Program in Environmental Sciences and Health at the University of

Nevada at Reno; Erdenechimeg Dashdorj, Attorney, Centre for Human Rights and Development (CHRD) based in Ulaanbaatar, Mongolia; Elena Chernobrovkina, Buryat Regional Organization for Lake Baikal based in Ulan-Ude, Russia

Environmental Advocacy in a Post-Citizens United World (Organizer: Elizabeth Brown) (EMU Fir Room)

The effects of the Supreme Court's decision in *Citizens United v. Federal Election Commission* continue to reverberate throughout our political system. The rise of Super PACs in the 2012 election is one of the most striking manifestations of those effects, but it is far from the only one. This panel will discuss the implications of *Citizens United* and related court decisions and FEC actions for the funding of political activities by corporations, non-profits, and political committees, as well as the impact of these changes on environmental advocacy, where the playing field has now tilted dramatically in favor of corporate interests.

Panelists: Scott Nelson, Public Citizen Attorney and Co-Counsel for *Citizens United Supreme Court Argument*; Tyson Slocum, Director, Public Citizen Energy Program

What is the Value of Critical Habitat? (Organizer: Kalyani Robbins) (EMU Gumwood Room)

This panel examines the federal interpretation of the meaning of "destroy or adversely modify Critical Habitat" (CH), ratified by the Ninth Circuit in its *Butte Environmental Council* decision. As interpreted, the Services can compare the amount of CH being adversely impacted by a proposed action against the total designated CH, and use that comparison to make the call for whether the proposed action violates section 7. Ironically, under this interpretation, if the Services designate a large CH area, it makes it easier for the Services to write BiOps finding no destruction or adverse modification. Panelists will review some long-term issues with the Services' approach and the effects of the current interpretation.

Panelists: Brendan Cummings, Senior Counsel, Center for Biological Diversity; Kalyani Robbins, Associate Professor, University of Akron School of Law; Daniel J. Rohlf, Professor of Law, Lewis and Clark Law School and Of Counsel, Pacific Environmental Advocacy Center

Economic Development Based on Ocean Monitoring (Organizer: Susan Allen) (EMU Alsea Room)

Sustainable economic development can support a greener economy. Ocean monitoring can be a key factor in creating this development. Panelists will discuss various strategies and ideas for this type of development, as well as the challenges faced.

Panelists: Susan Allen, Out Ocean; Leesa Cobb, Executive Director, Port Orford Ocean Resource Team; Bob Rees, Charter Fisherman; Dr. Biran Tissot, Professor, Washington State University - Vancouver

Discounting Future Costs and Benefits of Natural Resource Policy (Organizer: Michael Weinerman) (EMU Rogue Room)

Decisions about how much society should spend to mitigate negative pollutive outcomes inevitably include the debate about the appropriate discount rate to apply to future costs and benefits. Economic analyses of alleviating the effects of global climate change, protecting future in-stream flows, and remediating Superfund sites all involve weighing future benefits against short-term costs. Panelists will discuss the alternative views on appropriate discount rates for projects that affect natural resources and the economic implications of the competing theories on discounting for decisions made today.

Panelists: Dr. Mark Buckley, Senior Economist, ECONorthwest; Tom Souhlas, Economist, ECONorthwest

Wolf Litigation: The Next Ten Years **(Organizers: Joe Bushyhead & Molly Fales)** **(Many Nations Longhouse)**

The panel will attempt to forecast the litigation and debates around wolves as they travel into a growing number of physical and political landscapes. When is litigation an effective tool? When is litigation detrimental? From a scientific perspective, what do wolves need to succeed in the Western United States? The panel will include the perspectives of a new litigator, a journalist, and an ecologist, and will discuss the most effective and appropriate ways to ensure the success of reintroduced wolf populations.

Panelists: Cristina Eisenberg, Post-Doctoral Fellow, Oregon State University, Research Director, High Lonesome Ranch, Author, The Wolf's Tooth: Keystone Predators, Trophic Cascades, and Biodiversity; Hal Herring, Journalist and Contributing Editor, Field and Stream Magazine, Writer, High Country News; Rob Klavins, Wildlands & Wildlife Advocate, Oregon Wild

10:30 – 11:45 A.M. • PANELS **Theories and Tools for Protecting the Environment** **Under Western Water Law Doctrine**

(Organizer: Janette Brimmer) (EMU Metolius Room)

Western water law and the doctrine of prior appropriation have many built-in mechanisms and requirements that can result in significant environmental damage. However, there are also many federal and state water laws that organizations can use to protect the environment. Groups are using these laws to combat bad projects and protect water resources. Panelists will discuss state water laws that can protect water resources, challenges to state refusals to recognize in-stream flow rights, and provide an overview of litigation surrounding new pipelines for additional water withdrawals from the Colorado River basin.

Panelists: McCrystie Adams, Attorney, Earthjustice; Janette Brimmer, Attorney, Earthjustice; Valerie Brown, Senior Staff Attorney, Trustees for Alaska

Preventing Construction of New Nuclear Power Plants **(Organizer: Wally Taylor) (EMU Walnut Room)**

Electric utilities see a future without coal and not enough natural gas to fill the void. The utility companies are pushing vigorously to build new nuclear plants. Nuclear power is not clean, cheap, or safe. Dependence on nuclear power impedes the development of clean and renewable energy. This panel will address the issues surrounding nuclear power, how to fight legislation shifting the risk of new nuclear plants to the ratepayers, and how to challenge state permits and federal licensing.

Panelists: Peter Bradford, Adjunct Professor, Institute for Energy and the Environment, Vermont Law School; Dr. Mark Cooper, Senior Research Fellow for Economic Analysis, Institute for Energy and the Environment, Vermont Law School; Bob Eye, Partner, Kauffman & Eye; Wally Taylor, Attorney, Sierra Club

Environmental Justice and Indigenous Peoples' Rights: **Reducing Carbon Emissions Using Blue Carbon and REDD** **(Organizer: Diane Henkels)** **(Many Nations Longhouse)**

This panel will discuss how forests and oceans, long regarded as sources for carbon emissions reduction through carbon sequestration, are also important traditional resources for people living near them. This competition causes controversy within the communities near oceans and forests. The panelists will focus on the cases of Madagascar and the Congo Basin and will discuss the use of blue carbon and reduced emissions through decreased degradation and deforestation (REDD). It will weave

in Access to Justice and the Rio 20 conference to be held in Rio de Janeiro in June 2012. The UN Declaration for the Rights of Indigenous Peoples has been confirmed by all participant countries, including the U.S., but its potential is yet to be tapped.

Panelists: Ethel Branch, Attorney, Indian Resource Law Center, Member of the Navajo Nation; Michael Brown, Satya Development International; Dr. Lalaina Rakotoson, Team Leader, Development and Environmental Law Center, Madagascar

Representing Activists: A Guide for Lawyers *Part one of a two part series with "Navigating the Criminal Courts: A Guide for Activists."* **(Organizer: Ben Rosenfeld)** **(EMU Rogue Room)**

This is a skills share for lawyers who represent activists. Political activists want to be represented in a politically sensitive manner. Topics include joint defense, protecting the client's activist community, and embracing the politics of the case. Attorneys and activists alike are encouraged to attend.

Panelists: Lauren Regan, Attorney and Executive Director, Civil Liberties Defense Center; Ben Rosenfeld, Attorney and Board Member, Civil Liberties Defense Center

Open Ocean Aquaculture and Sustainability **(Organizer: Nicole Rinke) (EMU Maple Room)**

This year, NOAA released its Aquaculture policy, the Gulf of Mexico Fishery Management Council released a fishery management plan for aquaculture, Congress introduced the National Sustainable Offshore Aquaculture Act to create a comprehensive regulatory scheme for aquaculture in the open ocean, and NOAA/NMFS permitted the first finfish operation in open waters. However, serious questions exist as to whether industry can be developed sustainably. Panelists will provide an overview of the recent developments and the current laws that govern open ocean aquaculture and explore whether the industry could be developed as a sustainable food supply.

Panelists: Erica Boyce, Student, Harvard Law School; Read Porter, Senior Attorney, Environmental Law Institute; Nicole Rinke, Clinical Instructor/Staff Attorney, Harvard Law School Emmett Environmental Law and Policy Clinic

Endangered Species Act as a Pesticide Reform Tool **(Organizer: Josh Vincent) (EMU Oak Room)**

This panel will discuss legal strategies for holding government agencies and corporations accountable for pesticide contamination using the ESA. Several recent and ongoing cases will be used to illustrate these strategies.

Panelists: Aimee Code, Clean Water Program Director, NCAP; Collette Adkins Giese, Attorney, Center for Biological Diversity; Amanda Goodin, Attorney, Earthjustice; Jason Rylander, Attorney, Defenders of Wildlife

Protecting Mongolia, Russia, and Haiti from Mine Pollution **(Organizer: Maggie Keenan)** **(EMU Ben Linder Room)**

The rising price of minerals brings with it increased pressure on countries to open their doors to international mining operations. Learn about threats to communities and ecosystems in Russia, Mongolia, and Haiti, and what community-based organizations are doing to address these threats.

Panelists: Glenn Miller, Mining Expert; Director, Graduate Program in Environmental Sciences and Health at the University of Nevada at Reno; Bazarasad Nanjindorj, Contract Attorney, Centre for Human Rights and Development (CHRD) based in Ulaanbaatar, Mongolia; Sergey Shaphaev, Buryat Regional Organization for Lake Baikal based in Ulan-Ude, Russia; Roles Theard, Attorney, l'Association Haitienne de

Protecting BLM-Managed Wilderness Under the Obama Administration: One Step Forward, Two Steps Back? (Organizer: Steve Bloch) (EMU Alsea Room)

Conservationists had high hopes that after taking office, the Obama administration would quickly repeal an unlawful 2003 settlement agreement between then-Interior Secretary Gale Norton and Utah Governor Mike Leavitt that purported to do away with the BLM's ability to designate new Wilderness Study Areas (WSAs). This did not happen. Instead, the administration has lurched from policy to policy in a maddening attempt to "do the right thing" without explicitly reclaiming BLM's longstanding authority under FLPMA to formally establish WSAs. This panel will review the Norton-Leavitt settlement and the litigation it spawned, discuss the Obama administration's failure to act quickly and rescind the settlement, outline the largely abandoned Wild Lands policy, and provide an overview of current efforts and opportunities to protect wilderness values on BLM lands.

Panelists: Steve Bloch, Attorney, Southern Utah Wilderness Alliance; Nada Culver, Director and Senior Counsel, The Wilderness Society; David Garbett, Attorney, Southern Utah Wilderness Alliance

The National Ocean Policy (Organizer: Sarah Winter Whelan) (EMU Fir Room)

Healthy oceans provide food, jobs, and recreation. Our oceans and coasts are facing increasing demands and threats requiring coordinated and collaborative attention. The National Ocean Policy, established by President Obama in July 2010, aims to improve the way we manage our oceans by bringing federal and state agencies, ocean users, scientists, and community leaders together to focus attention on the most serious issues that affect the oceans, coasts, and Great Lakes. The National Ocean Policy is a landmark action which has long been recommended by leading ocean experts, including two different national commissions. Panelists will discuss how the Policy will bring together decision-makers and stakeholders to help better protect our oceans and coasts for generations to come.

Panelists: Jenna Borberg, Marine Program Specialist, Oregon Sea Grant; Leesa Cobb, Executive Director, Port Orford Ocean Resource Team; Paul Klarin, Marine Program Coordinator, Coastal Division, Oregon Department of Land Conservation and Development; Sarah Winter Whelan, Director, Regional Marine Conservation Project, American Littoral Society

Moving Toward a Low Carbon Economy (Organizer: Rex Burkholder) (EMU Umpqua Room)

There are many reasons for businesses to support decreasing dependence on fossil fuels: saving money; making money by selling new technologies; avoiding costly swings in supply and price. In the United States, the politics of climate change has thwarted such efforts. Find out what's happening in Europe and within progressive companies in the Northwest United States and what more we can do moving forward.

Panelists: Rex Burkholder, Councilor, Portland Metro; Ann Gravatt, Director, Climate Solutions; Justin Zeulner, Director of Sustainability and Planning, Rose Quarter/Portland Trail Blazers

12:30 – 2:15 P.M. • KEYNOTE SPEAKERS (EMU Ballroom)

(Featuring the Corvallis Raging Grannies)

Lisa Heinzerling & Lucia Xiloj

2:30 – 3:45 P.M. • PANELS

Clean Air Act Update: Year In Review (Organizer: Dave Bender) (LAW 184)

A recap of the major Clean Air Act court and agency decisions of 2011, as well as a discussion of what to expect moving forward in 2012.

Panelists: Dave Bender, Attorney, McGillivray Westerberg & Bender, LLC; Paul Cort, Staff Attorney, Earthjustice; Adriano Martinez, Staff Attorney, Natural Resources Defenses Council

Climate Camouflage for Logging (Organizer: Doug Bevington) (EMU Oak Room)

This panel will address the January 2012 report by the Environment Now Foundation on Climate Camouflage for Logging. New projects are increasingly promoted under the pretext of addressing climate change - including carbon credits given for clearcutting, forest biomass removal for energy production, and landscape-wide thinning projects claiming to prevent megafires. This misuse of legitimate concerns about climate concerns to justify increased logging is called climate camouflage. The panelists are contributors to the new report that addresses the dominant forms of climate camouflage in the forest sector.

Panelists: Doug Bevington, Forest Program Director, Environment Now; Dr. Mary Booth, Director, Partnership for Policy Integrity; Dr. Chad Hanson, Executive Director, John Muir Project; Brian Nowiki, California Climate Policy Director, Center for Biological Diversity

Uranium Mining and Milling: Environmental Effects and Protection (Organizer: Jeff Parsons) (EMU Ben Linder Room)

The promoters of the so-called "nuclear renaissance" are busily promoting new uranium mining and milling across the country - from the Four Corners to Virginia. This panel will discuss the current efforts to ensure protection of special places and water quality from new mining development, while cleaning up the legacy of past mining.

Panelists: Geoff Fettus, Senior Project Attorney, Natural Resources Defense Council; Taylor McKinnon, Public Lands Campaign Director, Center for Biological Diversity; Travis Stills, Managing Attorney, Energy & Conservation Law

Film Screening: Ocean Frontiers (Organizer/Presenter: Nastassja Pace, Outreach Director, Green Fire Productions) (LAW 110)

Ocean Frontiers takes us on an inspiring voyage to seaports and watersheds across the country - from the busy shipping lanes of Boston Harbor to an obscure little fishing community in the Pacific Northwest; from America's coral reef playground in the Florida Keys to the nation's premier seafood nursery in the Mississippi Delta. Through the film, we see an intermingling of unlikely allies: industrial shippers and whale biologists, pig farmers and wetland ecologists, sport fishers and reef snorkelers, and many more - all of them embarking on a new course of cooperation in defense of the seas that sustain us.

Panel discussion on Oregon's Territorial Sea Planning Process to follow.

Listing of Species Under the Endangered Species Act (Organizer: Noah Greenwald) (LAW 242)

The panel will discuss major developments in efforts to list species as threatened or endangered under the U.S. Endangered Species Act. Panelists will highlight a major settlement reached between the Center of Biological Diversity and the Fish and Wildlife Service - which resulted in listing decisions for 757 species - as well as recent major legal victories and possible policy measures forthcoming from the Obama administration.

Panelists: Tierra Curry, Conservation Biologist, Center for Biological Diversity; Noah Greenwald, Endangered Species Program Director, Center for Biological Diversity; Jason Rylander, Staff Attorney, Defenders of Wildlife

Environmental Law and New Frontiers in Cooperative Federalism (Organizer: Kalyani Robbins) (LAW 141)

A critical question for environmental policies is: Who decides? Federal pollution control statutes, like the Clean Air Act and Clean Water Act, recognize the value of multi-level governance by dividing – and sharing – power between federal and state governments. The first panelist will share his experiences implementing the CAA and CWA at the state level, and the remaining panelists will address the value of taking a cooperative federalist approach to address two ongoing environmental challenges: climate change adaptation and wildlife conservation.

Panelists: Gregory K. Aldrich, Interim Water Quality Division Administrator, Oregon Department of Environmental Quality; Alice Kaswan, Professor, University of San Francisco; Kalyani Robbins, Associate Professor, University of Akron School of Law

National Atmospheric Trust Litigation: A Macro Approach in Addressing the Climate Crisis (Organizer: Meg Ward) (LAW 175)

Youth around the country have filed twelve lawsuits and forty petitions for rulemaking under the Public Trust Doctrine to compel immediate CO2 emissions reductions and science-based Climate Recovery Plans. Attorneys for the youth will provide an update on the legal efforts and discuss the law and science supporting the litigation, as well as the jurisdictional defenses raised by government and fossil-fuel industry intervenors.

Panelists: Tom Beers, Attorney, Beers Law Offices; Brad De Noble, Attorney, De Noble Law Offices; Julia Olson, Executive Director, Our Children's Trust; Tanya Sanerib, Staff Attorney, Crag Law Center

Dams and Salmon: Conflict Between Renewable Energy, Fishing, and Wilderness in the Northwest (Organizer: Rachael Lipinski) (EMU Fir Room)

Dams and hydropower are often touted as potential sources of renewable energy, but also have enormous impacts on river ecosystems. This panel will address the conflict that results when interests of sustainable energy, fishermen, and wilderness all meet in the same stream, and what potential there is for both common ground and defining priorities.

Panelists: Steve Hawley, Author, Recovering a Lost River: Removing Dams, Rewilding Salmon, and Revitalizing Communities; Glen Spain, Northwest Regional Director, Pacific Coast Federation of Fishermen's Associations; Nicole Cordan, Policy & Legal Director, Save Our Wild Salmon

Foot and Pedal: The Relationship Between Oregon's Land Use Laws and Bicycle and Pedestrian Transportation Planning (Organizer: Jason Nelson-Elting) (EMU Walnut Room)

Panelists will discuss the importance of creating robust systems of bicycle and pedestrian networks in our cities, and how Oregon's land use laws help local governments create those systems. They will also identify changes that could be made to current laws in order to make bicycle and pedestrian transportation planning easier. Finally, they will explore the difficulties that economic realities can cause, despite perfect planning.

Panelists: Shane MacRhodes, Program Manager, Safe Routes to School – Eugene School District 4J; Emily Jerome, Deputy City Attorney, City of Eugene; Reed Dunbar, Associate Transportation Planner, City of Eugene Public Works; Mia Nelson, Willamette Valley Advocate, 1000 Friends of Oregon

Blowin' in the Wind: Questions About Wind Power (Organizer: PIELC) (LAW 243)

Wind turbines sweep an area almost an acre in size as they extract energy from the wind to meet our growing demand for renewable energy. As wind power expands nationwide, concerns are being expressed about the potential impacts of wind turbines on public health, wildlife, and the environment. Panelists will discuss these concerns and address how wind developers, government regulators, landowners, and conservation groups are mitigating impacts through avian protection plans, setback requirements, siting restrictions, and other measures. Also learn about opportunities for the public to participate in these mitigation efforts.

Panelists: Alan Mitchell, Attorney, Fredrikson & Byron, P.A.; Shruti Suresh, Attorney, Meyer Glitzenstein & Crystal

Local Climate Action: Policy Impacts and Opportunities for Implementation (Organizer: Stacy Vynne) (EMU Maple Room)

In September 2010, Eugene's City Council approved the Community Climate and Energy Action Plan. With engagement of over 500 residents, 75 topic specialist, and an advisory team of 11 members, the City was also recognized for an ICLEI Sustainability Award in Outreach Innovation. But what has happened in terms of implementation since Council approval? This panel will showcase studies on how the climate action plan is being integrated into existing work-around transportation, hazards mitigation, and land use planning. In addition, case studies on how the plan is being implemented at the regional level around public health adaptation and resilience collaboration will also be discussed. Panelists will present implications for local, state, and national policy, as well as lessons that can be transferred to other communities.

Panelists: Matt McRae, Energy Analyst, City of Eugene; Joshua Skov, Principal, Good Company and City of Eugene Sustainability Commission Chair; Stacy Vynne, Program Director of Adaptation, The Resource Innovation Group and Eugene Sustainability Commissioner; Kurt Yeiter, Transportation Systems Manager, City of Eugene

Exporting Coal from the West Coast: What you Need to Know and How You Can Help Prevent It (Organizer: Jan Hasselman) (LAW 282)

As coal use in the United States declines, coal companies are rushing to open new ports in Washington and Oregon to ship cheap Powder River basin coal to Asia. This panel of attorneys and organizers will highlight the work of the newly formed Power Past Coal coalition in organizing to block new coal export terminals, which will pollute Northwest communities, encumber our rail system, and incentivize coal-fired power in Asia. Political, legal, and grassroots strategies will be discussed.

Panelists: Jan Hasselman, Attorney, Earthjustice; Beth Doglio, Campaign Manager, Climate Solutions; Brianna Fairbanks, Attorney, Sierra Club; Bethany Cotton, Field Organizer, Greenpeace

Keystone XL Pipeline: Drawing a Line in the Sand (Organizer: Jim Murphy) (Many Nations Longhouse)

This panel will look at the efforts to defeat the Keystone XL pipeline. The panel will give an overview of what tar sands are and why their development is so destructive, the laws regulating international oil pipelines, the legal efforts that led to the successful denial of the pipeline, and the current storm of efforts in Congress to resurrect it. The panel will also discuss what the industry is doing to find alternate ways to move tar sands to U.S. refineries, and on-going efforts to fight these proposals.

Panelists: Amy Atwood, Senior Attorney, Center for Biological Diversity; Doug Hayes, Associate Attorney, Sierra Club; Jim Murphy,

Senior Counsel, National Wildlife Federation; Anthony Swift, International Program, Natural Resources Defense Council

Regulating Air Pollution from Factory Farms (Organizer: Tarah Heinzen) (LAW 281)

Over the past year, EPA and citizens have taken significant and unprecedented action to address air pollution from Concentrated Animal Feeding Operations (CAFOs). Factory farms emit toxic ammonia, hydrogen sulfide, and volatile organic compounds, harming health and quality of life in rural communities across the U.S. However, CAFOs have largely escaped meaningful regulation of their air pollution. This panel will discuss upcoming rulemaking to restore basic right-to-know emissions reporting of CAFO pollutants, the findings of EPA's recent study of CAFO air emissions, upcoming rules to establish methods for calculating this air pollution, and pending citizen petitions to achieve additional Clean Air Act protections.

Panelists: Hannah Connor, Staff Attorney, Humane Society of the U.S.; Tarah Heinzen, Attorney, Environmental Integrity Project; Brent Newell, General Counsel, Center on Race, Poverty & the Environment; Helen Reddout, President, Community Association for Restoration of the Environment

Challenging Bank Underwriting of Dirty Energy (Organizer: Amanda Starbuck) (EMU Rogue Room)

The panel will explore the 'web of control' that banks are trying to exert: from checking accounts and corporate sponsorship to lobbying Congress and underwriting the coal industry. It will look at the ways that we can use these avenues of influence to take back power and challenge the banking industry to stop funding dirty energy and start financing the future: clean, renewable energy projects. This workshop will be part presentation, part interactive exercise, and part sharing of experiences. We'll look at the experiences for campaigns to get the biggest U.S. banks to end their financing of mountaintop removal coal mining.

Panelists: Amanda Starbuck, Energy & Finance Program Director, Rainforest Action Network; Kerul Dyer, Communications Manager, Rainforest Action Network

Climate Change, Rising Seas, and Threatened Communities (Organizer: Brook Meakins) (LAW 142)

This panel will address the threats facing island and coastal communities as a result of climate impacts. Panelists will discuss the international policy responses to climate-induced displacement and relocation, as well as the experiences of affected peoples and communities in the Arctic, Pacific Northwest, and Pacific Islands from a community perspective.

Panelists: Alyssa Johl, Project Attorney, Center for International Environmental Law; Brook Meakins, Private Litigator

4:00 – 5:15 P.M. • PANELS

Wires In the Air: Transmission Lines in Policy and Practice (Organizer: Carol Overland) (LAW 243)

Transmission lines are planned across the United States, some that will facilitate the electrical market and some that claim to support renewable energy development. Panelists will discuss critical reviews of transmission projects and policy, issues in challenging powerlines, economic and environmental considerations, and transmission's role in setting energy policy.

Panelists: Roger Hamilton, Senior Advisor - The Resource Innovation Group, Former Oregon Public Utilities Commissioner; James J. Killean, Attorney, Ireland Stapleton Pryor & Pascoe; Carol Overland, Attorney, Legalectric

Oregon's Territorial Sea Planning Process (Organizer: Gus Gates) (LAW 110)

The State of Oregon, with assistance from citizens, stakeholders, and relevant organizations, is in the process of amending its Territorial Sea Plan (TSP). The TSP is the state's official plan for managing the resources and activities that take place in the state-owned waters called the territorial sea. The TSP is being amended because wave energy companies have submitted preliminary permit applications to FERC to develop energy production facilities off the coast. Panelists will discuss the controversies and environmental concerns they faced in helping craft a new chapter in the TSP, as well as how they are using individual compromises and group cooperation to find suitable locations which minimize user conflict and impacts to sensitive marine habitat and coastal communities.

Panelists: Robin Hartmann, Ocean Program Director, Oregon Shores Conservation Coalition; Jason Busch, Executive Director, Oregon Wave Energy Trust; Laura Anderson, Program Director, FISHCRED; Gus Gates, Oregon Policy Manager, Surfrider Foundation.

Crafting Viable Sub-National Forest Management Standards in a Time of Urbanization and Climate Change (Organizers: Blake Hudson & Lance Long) (Many Nations Longhouse)

The U.S. Forest Service recently released a report detailing the projected impacts that population growth, urbanization, climate change, timber markets, and invasive species will have on southeastern U.S. forests over the next fifty years, finding that these factors may reduce forest cover by as much as 13 percent of total forestland in the south. Forest destruction is currently responsible for 20 percent of yearly carbon emissions worldwide, more than the global transportation sector. Additionally, forests are the most significant terrestrial carbon sink. This panel will highlight the needed legal and policy responses to tackle forest loss due to urbanization and the need to preserve and increase forest coverage to combat climate change.

Panelists: Blake Hudson, Associate Professor of Law, Stetson University College of Law; Jeff Kline, Research Forester, Pacific Northwest Research Station, US Forest Service; Lance Long, Associate Professor of Legal Skills, Stetson University College of Law; Neelam Poudyal, Assistant Professor, University of Georgia, Warnell School of Forestry and Natural Resources

Legal Strategies to Resist Tar Sands Pipeline and Tanker Expansion in North America (Organizer: Josh Paterson) (LAW 141)

Stopping tar sands pipelines and tankers from threatening groundwater, rivers, and coastlines is an international legal fight. In Canada and the U.S., epic public battles are being fought against the expansion of tar sands infrastructure. In the Pacific Northwest, two different pipeline and tanker projects are proposed to turn the pristine Great Bear Rainforest and the coasts into tar sands supertanker export corridors, placing the marine and land environment and human populations at risk of major oil spills. Canada's government vows to push these through despite intense indigenous and popular opposition. Meanwhile, the U.S. heartland is fighting a pipeline to protect its land and groundwater. Indigenous nations and the general public are joining together as never before to protect their coast and their water and to stop the environmental impacts of the tar sands.

Panelists: Josh Paterson, Staff Lawyer, West Coast Environmental Law; Eric Swanson, No Tanker Director, Dogwood Initiative; Anthony Swift, Attorney, International Program, Natural Resources Defense Council

Energy Law & Policy in the Rockies: Year in Review II (Organizer: Mike Chiropolos) (LAW142)

Oil and gas is increasingly front and center in the energy and environmental debate as climate activists seek to replace coal with cleaner sources of power. In its second year, the panel will survey new laws, state and federal rules, court and administrative opinions, and other legal and policy trends. Panelists will focus on oil and gas with mention of the Interior Department's efforts to build a New Energy Frontier. Fracking, transition fuel, and public lands protection will be discussed.

Panelists: Mike Chiropolos, Chief Counsel, Lands Program, Western Resource Advocates; Gloria Flora, Director, Sustainable Obtainable Solutions; Erik Schlenker Goodrich, Attorney & Climate & Energy Program Director, Western Environmental Law Center

The Wilderness Act Hits Middle Age (Organizer: Pete Frost) (LAW 282)

In 2012, the Wilderness Act will be 48 years old. This panel will summarize four decades of federal court decisions interpreting the Act, including recent new and pending Ninth Circuit rulings that will dictate how millions of acres of wilderness may be managed.

Panelists: Pete Frost, Attorney, Western Environmental Law Center; Howie Wolk, Co-Founder, Earth First!

Taking the Long View When Allocating Water Resources (Organizer: Michael Weinerman) (EMU Oak Room)

Water scarcity is becoming a fact of life in many parts of the West and Southwest. The available water resources cannot satisfy the myriad competing demands that occur over space and time. Panelists will discuss the legal and economic implications of including the costs and benefits of public trust and other future uses when allocating water resources. The discussion will include the importance of identifying the relevant stakeholders, their location and distribution, current and future water demands, and how these factors can influence the analytical results and implications for decision-makers and stakeholders.

Panelists: Dr. Mark Buckley, Senior Economist, ECONorthwest; Dr. Bryce Ward, Senior Economist, ECONorthwest; Mary Wood, Professor, University of Oregon School of Law, Philip H. Knight Professor of Law and Faculty Director for the Environmental and Natural Resources Law Program

Getting Toxins Out of Our Fish: How One Step Made History in 2011, and How Other States Can Follow Suit (Organizer: Lauren Goldberg) (EMU Rogue Room)

In 2011, Oregon adopted the most protective Clean Water Act toxic water quality standards in the nation in order to protect human health. Many people across the U.S. - particularly tribal members, subsistence fishermen, and minorities - are not protected by current water quality standards. On this panel, veterans of Oregon's rulemaking process will share their perspectives on the science, moral questions, and legal challenges surrounding the adoption and implementation of protective toxins standards. Panelists intend to share the Oregon experience in order to inspire advocates in other states to push for similar changes.

Panelists: Diane Barton, Water Quality Specialist, Columbia River Intertribal Fish Comm.; Nina Bell, Exec. Director, Northwest Env'tl. Advocates; Lauren Goldberg, Staff Attorney, Columbia Riverkeeper; Peter Ruffier, Director of Regulatory Affairs, Clean Water Services

Preparing for Climate Change and Energy Uncertainty with Relocalized Economies

(Organized By: Doug Black)(LAW 175)

This panel will attempt to answer the question: How can communities effectively implement community-based solutions to support security, local stability, and social cohesion? Policymakers and governments struggle with the growing reality of unsustainable high energy costs and emerging impacts of climate change. Cheap fossil fuel has been the foundation of our economy for the past century. Energy-related directives from state and local agencies are ambitious, but have thus far been unable to drive the scale of changes necessary. Panelists will discuss some of the emerging solutions, as well as frank discussion about political, legal, and cultural barriers to achieving revolutionary change.

Panelists: Richard Heinberg, Senior Fellow, Post Carbon Institute; Matt McRea, Climate and Energy Analyst, City of Eugene, Oregon; Jan Spencer, Suburban Permaculture, Eugene, Oregon; John Kaufmann, Pacific Northwest National Laboratory, Portland Peak Oil Task Force, 2007

Losing Our Right to Appeal: The Implications of the Section 428 Rider on Public Lands Management (Organizer: Brenna Bell) (LAW 242)

Another Congressional Rider just changed the landscape for appealing projects on Forest Service-managed lands. What are the implications of Section 428, and what can the environmental community do to protect the public's right to impact decisions concerning management of our public lands? As these are still open questions, we invite you to come to the panel and contribute to the conversation.

Panelists: Susan Jane Brown, Environmental Attorney, Western Environmental Law Center; Denise Boggs, Executive Director, Conservation Congress; Matt Kenna, Public Interest Environmental Law and Of Counsel, Western Environmental Law Center; Kevin Mueller, Program Director, Utah Environmental Congress

Wolf Restoration: Ecological and Legal Issues (Organizer: George Wuerthner) (LAW 281)

The panel will present an overview of the ecological value of wolves and other predators, as well as current legal challenges to restoring predators like the wolf across the West.

Panelists: Rob Klavins, Wildlands and Wildlife Advocate, Oregon Wild; Sean Helle, Attorney, EarthJustice; George Wuerthner, Ecological Projects Director, Foundation for Deep Ecology

To Sing the Discovery Electronic: E-Discovery - Practical Elements and Proactive Aspects for Lawyers, Clients, and NGOs (Organizer: Michael Nixon) (LAW 184)

The prospects, protocols, challenges, and costs of electronic data management and e-discovery can seem mysterious, troublesome, or daunting. This panel will feature presentations and discussion intended to familiarize everyone with the basics and more, focusing on: document retention and document destruction policies for organizations, and legal hold procedures; information exchanges and conferrals, the sometimes mysterious milieu of metadata, and associated ethics issues; cost-shifting; and specific cases dealing with preservation and "proportionality," including pitfalls, sanctions, and evolving issues.

Panelists: Elleleanor H. Chin, Davis Wright Tremaine LLP; Scott Jerger, Field Jerger LLP; Kevin Lynch, Clinical Fellow, Environmental Law Clinic, Univ. of Denver Sturm College of Law; Michael V. Nixon, Lawyer, Portland, OR

FRIDAY, MARCH 2

Media Training 101: Think Like a Journalist (Organizer: Camilla Mortensen)(EMU Metolius Room)

You were “on message,” but the reporter didn’t use those quotes. You had a protest, but the media didn’t show. You have a huge story, but you can’t get the local paper to bite. Reporters from daily papers, magazines, and national radio will talk about what it takes to get a story, what makes a good press release, and how to give a good quote. Get a behind-the-scenes look at what makes the media tick, so your story gets heard.

Panelists: Matt Jenkins, Contributing Editor, High Country News and Freelance Journalist; Camilla Mortensen, Environment Reporter, Eugene Weekly; Jessica Robinson, Correspondent, Northwest News Network; Bennett Hall, Special Projects Editor, Corvallis Gazette-Times

Harnessing the Power of Law Students (Organizer: Jill Witkowski) (EMU Ben Linder Room)

The panel will discuss effectively using law students as environmental advocates through law-school based clinics or in-house programs at environmental organizations. It will talk about why clinics are so effective and highlight huge victories, talk about the drawbacks of using law students, and discuss how to create an effective program for using law students.

Panelists: Michael Harris, Assistant Professor & Director of the Environmental Law Clinic, University of Denver Sturm College of Law; Zyg Plater, Professor, Boston College Law School; Jill Witkowski, Legal Clinic Director, San Diego Coastkeeper

The Burning Issues with Biomass and Biofuels (Organizer: Mike Ewall) (EMU Fir Room)

So-called “biomass” incineration and biofuels masquerade as clean, renewable energy sources, but are false solutions, harming communities and the environment. Issues addressed by the panel will include climate pollution, toxic feedstocks, biotech crops, polluting incinerators and refineries, excessive use of fossil fuel inputs, water and soil depletion, damage to forests, and proliferation of factory farms, among others. Biomass and biofuels are not necessary and do more harm than good. Come with any questions, and learn how you can protect communities from these dangerous false solutions.

Panelists: Samantha Chirillo, Communications Specialist, ForestryRestoration.org; Mike Ewall, Esq., Founder & Director, Energy Justice Network; Toby Thaler, Esq., Natural Resource Law and Policy

5:30 – 7:30 P.M. • KEYNOTE SPEAKERS (EMU Ballroom)

Atmospheric Trust Litigation Plaintiffs & Climbing PoeTree

SATURDAY, MARCH 3

Ethics Workshop (8:00 a.m. - 10:15) (Organizer: Daniel Gregor) (LAW 175)

This panel will present an overview of ethical issues faced by public interest attorneys through a discussion of current ethical rules in various states, with an emphasis on Oregon’s ethical rules. Topics will include working with whistleblowers, confidentiality, fee agreements, and attorney-client relationships, among others. Ethics credits pre-approved in Oregon; check for other state reporting requirements.

Coffee and pastries will be provided, please bring a reusable mug for coffee if you are able.

Panelists: Ralph Bloemers, Co-Executive Director & Staff Attorney, Crag Law Center; Jonathan Evans, Staff Attorney, Center for Biological Diversity; Daniel Gregor, Attorney, Law Office of Daniel Gregor

9:00 – 10:15 • PANELS

Our Adaptation to Sustainability (Organizer: Vernon Huffman) (LAW 110)

This panel will answer the question: what can I do right now to create a sustainable lifestyle? The changes that are needed are overwhelming, and people struggle to cross the boundary into more sustainable practices. Panelists will offer their insights on adopting a sustainable lifestyle in the modern world.

Panelists: Michele Darr, 2007 Catalysts of Hope Cross-Country Bicycle Journey for Peace and Sustainability; Vernon Huffman, Founding Member, Bike4Peace and Corvallis Bicycle Collective; Cynthia McKinney, Bike4Peace 2010 Sag Support and Occasional Rider, 6-time Congresswoman from Georgia, and 2008 Green Party nominee for President; Ron Toppi, Founder, Bike4Peace, and 3-time Cross-Country Bicyclist

The Redfish Rocks Marine Reserve: Successes and Challenges in Marine Protection Area Implementation (Organizer: Pete Stauffer) (LAW 242)

This panel will discuss the recent implementation of the Redfish Rocks Marine Reserve, one of two pilot sites in Oregon’s marine reserve program. Panelists will discuss both successes and challenges, and share recommendations for future Marine Protected Area (MPA) designations expected to move forward in Oregon’s Territorial Sea.

Panelists: Leesa Cobb, Executive Director, Port Orford Ocean Resource Team; Aaron Longton, Fisherman, Port Orford Sustainable Seafood; Anna Pakenham, Oregon Department of Fish and Wildlife; Pete Stauffer, Ocean Ecosystem Program Manager, Surfrider Foundation

Population and the Environmental Movement (Organizer: Amy Harwood) (LAW 141)

In the past year, the world population grew to seven billion people. Although this was recognized around the globe as a significant benchmark, environmental groups have been largely absent from the conversation regarding how to slow growth while making sure people everywhere have the ability to make decisions on childbearing. Human population growth (coupled with unsustainable consumption patterns) is a driving factor in a long list of global environmental crises, including climate change, habitat loss, species extinction, water shortages, and depletion of natural resources. Addressing the issue by ensuring access to voluntary family planning, empowering women, and improving education can have positive ramifications for women, communities, animal species, and our planet. This panel will discuss the importance and strategic relevance of bringing population back into our work, as well as recognizing the depth of the issue and its connection to social justice and the struggle for reproductive rights.

Panelists: Amy Harwood, Human Overpopulation Campaign Coordinator, Center for Biological Diversity; Lisa Hymas, Senior Editor, Grist.org; Kim Lovell, National Conservation Organizer, Global Population and Environment Program, Sierra Club; Laurie Mazur, Director, Population Justice Project and Editor of A Pivotal Movement: Population, Justice & The Environmental Challenge

The Future of Western Oregon BLM Lands (Organizer: Chandra LeGue) (LAW 282)

Western Oregon’s BLM forest lands have a complicated history, and contain forests that provide wildlife habitat, recreation opportunities, clean water, and other valuable resources. The panel will focus on the legal and political history of these lands, from the O&C Act to the Northwest Forest Plan, as well as current proposals to tie logging of these lands to county funding. Panelists will discuss alternatives to past and present policy and

FRIDAY, MARCH 2 - SATURDAY, MARCH 3

management, including county funding and forest and watershed restoration.

Panelists: Francis Eatherington, Conservation Director, Cascadia Wildlands; Doug Heiken, Conservation & Restoration Coordinator, Oregon Wild; Andy Kerr, The Larch Company; Joseph Vaile, Campaign Director, Klamath-Siskiyou Wildlands Center

Economic Growth, the Environment, and Sustainability (Organizer: Michael Weinerman) (EMU Fir Room)

How can we have economic growth and support the environment? Panel participants will discuss the challenges inherent in addressing this question. Issues for discussion include: the differing interpretations of the economic aspects of sustainability; the factors that influence economic growth in the short- and long-run; the role that physical, human, social, and natural capital play in a region's economic growth; the extent to which a region's natural capital can provide a comparative advantage in the same way as physical capital (infrastructure, for example); and the concept of economic scarcity of natural capital and its effects on a region's economic growth.

Panelists: Dr. Bryce Ward, Senior Economist, ECONorthwest; Sarah Reich, Policy Analyst, ECONorthwest

Tribal Land Acquisition: Struggles and Success (Organizer: Robin Meacher) (Many Nations Longhouse)

American Indian tribes throughout the West have struggled to reacquire sacred and culturally significant lands for generations. This panel will explore the means and strategies that multiple tribes, from Idaho to California, have been using in their pursuits. It will discuss the disparities and similarities between the challenges faced by Federally Recognized Tribes and those experienced by tribes without Federal Recognition.

Panelists: Louise Dixey, Representative of Shoshone-Bannock Tribe; Hawk Rosales, Executive Director, InterTribal Sinkiyone Wilderness Council; Edwin W. Wilson, Mountain Maidu Legal Counsel

Call to Action for Energy Democracy (Organizer: Janine Blaeloch) (EMU Ben Linder Room)

Solar on rooftops, not on public lands! Panelists are co-founders of Solar Done Right, a coalition calling for a drastic change in U.S. renewable energy policy. Janine Blaeloch will discuss the Administration's promotion of industrial-scale solar developments on public land. Chris Clarke will speak about the extreme impacts these projects have on desert ecosystems, while Bill Powers will describe the superior alternative of point-of-use, distributed generation in the built environment.

Panelists: Janine Blaeloch, Director, Western Lands Project; Chris Clarke, Founder, Desert Biodiversity; Bill Powers, Principal, Powers Engineering

The Constitutional Right to a Healthy Environment (Organizer: David Boyd) (LAW 142)

More than 100 countries now recognize the constitutional right to a healthy environment. Does this make a tangible difference for environmental legislation? Does it make a difference for jurisprudence? And most importantly, does it make a difference in terms of environmental protection?

Panelists: Jim May, Widener University School of Law; Lynda Collins, University of Ottawa Law School; Dr. David R. Boyd, Simon Fraser University

Crater Lake: A Wilderness at Risk (Organizer: Erik Fernandez) (EMU Walnut Room)

Panelists will discuss how logging plans, off-road vehicles, snowmobiles, and helicopter tours threaten Crater Lake and its wildlife corridors. They will argue that Oregon's only National Park deserves better, and highlight the ways in which activists can get involved to protect the Crater Lake Wilderness.

Panelists: Erik Fernandez, Wilderness Coordinator, Oregon Wild; Sarah Hig-

ginbotham, State Director, Environment Oregon; Randy Rasmussen, Executive Director, Umpqua Watershed

Ceremony as Human Right: The U.N. Declaration on the Rights of Indigenous Peoples (Organizer: Joe Bushyhead) (LAW 184)

In 2010, President Obama received plaudits from Indian Country for endorsing the United Nations Declaration on the Rights of Indigenous Peoples (DRIP), a watershed document asserting their rights to preserve their ways of life. But little has improved for indigenous peoples throughout the Americas. The panel will discuss the role of international forums such as the Inter-American Commission on Human Rights in improving law on a national and regional level. It will also discuss how the U.N. DRIP must be implemented to drastically overhaul federal Indian law if indigenous cultures are to survive.

Panelists: Lucia Xiloj, Rigoberta Menchú Tum Foundation; Caleen Sisk, Spiritual Leader and Chief of the Winnemem Wintu Tribe

Realizing NEPA's (or Other Environmental Review) Potential to Protect Human Health: Challenges and Possibilities (Organizer: Doug Carstens) (LAW 241)

Panelists will present case studies which can help identify potential gaps in current practice related to responsibilities to identify and analyze health impacts. We will address the organizational, technical, and political challenges to adequate health analysis, present strategies to ensure adequate analysis, and attempt to identify ways to improve environmental review practice and the field generally.

Panelists: Doug Carstens, Partner, Chatten-Brown & Carstens; Rajiv Bhatia, Director, Occupational and Environmental Health, San Francisco Department of Health

10:30 – 11:45 A.M. • PANELS

Public Trust and Atmospheric Trust Litigation (Organizer: Jack Tuholske) (LAW 175)

This panel will explore the theoretical and practical underpinnings of the Public Trust Doctrine in the context of atmospheric trust litigation. Panelists will also discuss pending cases in state courts that are using these theories in the context of climate change.

Panelists: John Davidson, Instructor of Political Science, University of Oregon; John R. Mellgren, Project Attorney, Western Environmental Law Center; Jack Tuholske, Private Public Interest Environmental Attorney and Visiting Professor, University of Montana and University of Vermont Law Schools; Mary Wood, Professor, University of Oregon School of Law, Philip H. Knight Professor of Law and Faculty Director for the Environmental and Natural Resources Law Program

Oil, Gas, and Minerals: Impacts of Resource Development on Alaskan Indigenous Communities (Organizer: Carl Wassilie) (LAW 281)

This panel provides an Alaskan indigenous perspective on human and cultural impacts from industrial mining, oil, and gas activities; experts will provide opinions on oil spills and marine mammals. Climate change in Alaska is opening massive industrial development plans in delicate Arctic ecosystems for transnational companies to access mineral, oil, and gas resources. Indigenous communities are on the front lines of rapidly changing environments and massive industrial development. Alaska, Cook Inlet is regulatory testing zone for NEPA, MMPA, ESA, CAA, and CWA, as well as home to many indigenous communities.

Panelists: Walter Parker, Former Chairman, Alaska Oil Spill Commission, Prince William Sound Regional Citizen's Advisory Council; Ole Lake, Traditional Knowledge Consultant, Yup'ik Nation, Alaska Native Family Systems; Nikos Pastos, Environmental Sociologist, Center

for Water Advocacy; Carl Wassilie, Yup'iaq Biologist, Alaska's Big Village Network; Rick Steiner, Marine Mammal Expert and Conservation and Sustainability Consultant, Oasis Earth

Stopping Polluters with Local Ordinances (Organizer: Mike Ewall) LAW 243)

At least half of states allow local governments to pass air or waste laws stricter than state and federal law. Making use of these rights can offer grassroots groups a cheap and effective way to stop proposed polluting industries and to clean up or close existing ones, without going through the costly (and often unsuccessful) path of state regulatory appeals. Learn what is possible in your state and how we can collaborate to draft ordinances to establish strict new environmental policy from the ground up.

Panelists: Mike Ewall, Esq., Founder & Director, Energy Justice Network; Toby Thaler, Esq., Natural Resource Law and Policy, Seattle

The "Spotted Owl" of Post-Fire Habitat: Federal ESA Petition to List the Black-backed Woodpecker as Threatened (Organizer: Dr. Chad Hanson) (LAW 282)

The Black-backed Woodpecker is a rare forest bird that depends upon large areas in which generally most or all trees have recently been killed by fire (or beetles) within dense, old forest, and have not been subjected to "salvage" logging. Data indicates that genetically distinct populations exist in Oregon and California, where this species may be as rare or rarer than the Spotted Owl, and in the Black Hills of South Dakota. Relatively little suitable Black-backed Woodpecker habitat is in protected areas, and there are no protections for this species outside of the protected areas. Without listing under the Endangered Species Act, these populations face a significant threat of extinction.

Panelists: Karen Coulter, Blue Mountain Biodiversity Project; Dr. Chad Hanson, Executive Director, John Muir Project; Dr. Dennis Odion, Southern Oregon University

Injunctive Relief in ESA Cases Post-Monsanto (Organizer: Marc Fink) (LAW 141)

Following the Supreme Court's recent *Winter v. NRDC* and *Monsanto v. Geertson Seed Farms* decisions, plaintiffs seeking an effective remedy for violations of the Endangered Species Act have faced new challenges. The Department of Justice has been aggressively arguing that these Supreme Court cases changed the standard for obtaining injunctive relief under the ESA, including the level of harm plaintiffs must demonstrate. Panelists will explore recent ESA cases and discuss how the courts have addressed this critically important issue in light of the *Winter* and *Monsanto* decisions.

Panelists: Marc Fink, Senior Attorney, Center for Biological Diversity; Daniel J. Rohlf, Professor of Law, Lewis and Clark Law School and Of Counsel, Pacific Environmental Advocacy Center; Sarah Uhlemann, Staff Attorney, Center for Biological Diversity

Regulation of Natural Resources at the Local Level (Organizers: Sam Whalen & Dan Milz) (LAW 142)

How can smaller governing bodies such as municipalities and counties effectively manage natural resources when those resources expand beyond their jurisdictions? This panel will discuss the difficulties in planning for resources management across jurisdictions, and possible solutions for improving environmental quality at the local level.

Panelists: Pete Sorenson, Lane County Commissioner; Eve Montanaro, Director, Middle Fork Willamette Watershed Council; Nick Cady, Legal Director, Cascadia Wildlands; Sue Lurie, Faculty Research Associate, Oregon State University

California's Marine Protected Area Process: Stakeholder Perspectives (Organizer: Samantha Murray) (LAW 241)

In 1999, California adopted the Marine Life Protection Act (MLPA), which directs the state of California to redesign its system of marine protected areas (MPAs) to increase its coherence and effectiveness as a network. In 2004, the MLPA Initiative launched an intensive multi-year MPA planning process to implement the MLPA and create the nation's first statewide network of MPAs. The process, structured to be science-based and stakeholder-driven, has been successfully designed and implemented for three-quarters of California's coastline, with the most recent MPAs implemented January 1, 2012. All said, the statewide MPA network should be completed at the end of 2012 and will protect roughly 18% of California's state waters—a significant achievement. This panel will explore fishing, conservation and tribal perspectives on the lessons that can be learned from California's MPA process.

Panelists: Brandi Easter, Recreational Diver, Arcata; John Mellor, Experienced Commercial Fisherman, San Francisco; Samantha Murray, Senior Program Manager, Ocean Conservancy; Hawk Rosales, Executive Director, InterTribal Sinkiyone Wilderness Council

The Mt. Ashland Ski Area Expansion: Does New Analysis of an Unchanged Decision Remedy Violations of Forest Law? (Organizer: Jay Lininger) (EMU Walnut Room)

The Ninth Circuit Court of Appeals enjoined expansion of the Mt. Ashland Ski Area in southern Oregon based on violations of the National Forest Management Act and the National Environmental Policy Act in *Oregon Wild v. Goodman*. The U.S. Forest Service recently renewed the 20-year fight over expansion with a supplemental environmental impact statement intended to remedy violations related to aquatic conservation and endangered species on the eastern flank of the Siskiyou Crest, a world-renowned epicenter of biological diversity and the source of municipal water for the City of Ashland. This panel will cover successful site-specific forest litigation and agency behavior that may remedy violations, using a new analysis of a previous decision, in order to approve development.

Panelists: Tom Dimitre, Chair, Rogue Group Sierra Club; Jay Lininger, Ecologist, Center for Biological Diversity; Eric Navickas, Former Ashland City Councilor

Environmental Impacts of Bottled Water (Organizer: Michael Weinerman) (EMU Oak Room)

Industry efforts to establish bottled spring water plants typically face heavy resistance from localities and environmentalists, although they are often touted for providing jobs. Notably, Nestle has recently attempted to tap a spring in the Columbia Gorge for a bottled water plant, which has sparked fierce debate about the extent of environmental impacts, especially for a fish hatchery dependent on the spring's waters. This is a recurring theme, as similar plants have been attempted in other small communities, notably the picturesque former milltown of McCloud, California at the foot of Mt. Shasta, where Nestle eventually withdrew its proposal. Panelists will discuss the extent of costs and benefits from the proposed plant and from similar projects, and actions consumers are taking in light of the concerns.

Panelists: Caienne Bierwirth, Climate Justice League; Julia DeGraw, Northwest Organizer, Food & Water Watch; Kristin Lee, Senior Economic Policy Analyst, ECONorthwest; Brittany Quale, Climate Justice League

The Future of Aquaculture: The Role of Legal Challenges in Shaping the Finfish Farming Industry (Organizer: Catherine Kilduff) (EMU Metolius Room)

Oversight of aquaculture has been piecemeal and lenient, considering its potential for serious environmental impacts. Fish farming can deplete wild fisheries, spread disease, and alter ocean ecosystems. In addition to numerous known adverse environmental impacts of finfish factory farming, the FDA is poised to approve the first genetically engineered fish, a salmon, which raises additional potential impacts and oversight questions. In 2011, NOAA released a new policy which seeks to encourage future aquaculture projects. Is aquaculture able to feed people while protecting the environment? With more aquaculture projects in the pipeline, this panel will seek to explore this question by discussing legal actions relating to aquaculture and their role in keeping coastal activities sustainable.

Panelists: Zach Corrigan, Senior Staff Attorney, Food & Water Watch, Inc.; Michael Harris, Assistant Professor, University of Denver Sturm College of Law; George Kimbrell, Senior Attorney, Center for Food Safety

Failure of Government to Protect People, Fish, and Wildlife from Mining Impacts in the Klamath-Siskiyou Region (Organizer: Richard Nawa) (Many Nations Longhouse)

Record gold prices, a temporary suction dredge moratorium in California, and domestic demand for cheap river rock have contributed to an increase of damaging mining activity to high quality salmon habitat in southwest Oregon. Suction dredge mining degrades salmon spawning beds. Riparian forests are destroyed to make way for illegal mining pits. Miners caught conducting flagrant mining violations have made a mockery of the courts. We will discuss a variety of citizen oversight strategies to minimize or stop mining impacts, including mineral withdrawals, litigation, and legislation.

Panelists: Richard Nawa, Staff Ecologist, Klamath-Siskiyou Wildlands Center; Lesley Adams, Program Director, Rogue Riverkeeper; Steve Rouse, President, Rogue Advocates; Ralph Bloemeres, Co-Executive Director and Staff Attorney, Crag Law Center; Andrew Orahoske, Conservation Director, Environmental Protection Information Center

Utility Regulation and the Fight Against Coal (Organizer: Sarah Jackson) (EMU Maple Room)

Coal-fired power plants in the United States are responsible for roughly one tenth of the world's carbon dioxide emissions. These plants are owned and operated by regulated monopoly utilities that have a financial motivation to continue operating their existing plants, even when continued operation is uneconomical. This panel will address the basics of utility regulation, the motivations of utilities, the role of resource planning in utility decision-making, the key assumptions that drive coal power economics, and the implications for the electric power system. The panelists have experience with the economic, technical, legal, and policy aspects of utility planning and coal, bringing a national perspective to the issue as well as specific experience in utility cases in Oregon and throughout the United States.

Panelists: Bruce Biewald, CEO, Synapse Energy Economics; Holly Bressett, Attorney, Sierra Club; Bob Jenks, CEO, Citizens' Utility Board of Oregon

Plantation Thinning on Public Lands: It's Not A Clear-Cut Issue (Organizer: Olivia Schmidt) (EMU Rogue Room)

A hotly contested issue in public lands advocacy is the practice of plantation thinning. With a long history of forest defense in

Oregon to halt old growth clear-cuts, the new era of plantation thinning presents a nuanced problem for forest defenders: Is thinning an acceptable form of logging to restore healthy forests on public lands or is it the continuation of a history of public lands management for private gain at the expense of delicate ecosystems? This panel will present both sides of the issue with voices from forest defenders who actively oppose the practice of commercial thinning, a scientist studying the impact of thinning in riparian areas, and public land advocates who oppose old growth logging but support plantation thinning for restoration.

Panelists: Brenna Bell, NEPA Coordinator and Staff Attorney, Bark; Chris Frissell, Director of Science and Conservation, Pacific Rivers Council; Doug Heiken, Conservation and Restoration Coordinator, Oregon Wild

Fallout from the Blowout: Legal Repercussions from the BP Gulf of Mexico Calamity (Organizer: Zyg Plater) (LAW 184)

If the Exxon Valdez litigation is any indication, the legal repercussions of the BP Deepwater Horizon blowout will probably drag on for another ten years or more! The presenters in this panel will survey the broad current range of legal responses to the BP disaster, including unheralded attempts to rectify deep impacts upon the coastal communities, and will apply trenchant comparative lessons and non-lessons from the Exxon Valdez spill as guidance for the future.

Panelists: Dr. Riki Ott, Marine Toxicologist, Author, and Former Commercial Fisher; Zyg Plater, Professor, Boston College Law School; Marc Poirer, Professor, Seton Hall Law

The Sage-Grouse that Ate the West - Unless the West Eats it First! (Organizer: Mark Salvo) (EMU Alsea Room)

The BLM has announced a west-wide planning effort to improve sage-grouse management on more than fifty million acres of public lands. Why has the agency initiated this process? How might it affect public land use? What are the opportunities and pitfalls in this planning process, which the agency has stated will set management for activities from vegetation management to roads and recreation to oil and gas and renewable energy development? Panelists will discuss both the ongoing initiative and their experience and research on protecting the sage-grouse within the agency's vision of "multiple use."

Panelists: Nada Culver, Director and Senior Counsel, BLM Action Center, The Wilderness Society; Mark Salvo, Director, Sagebrush Sea Campaign, WildEarth Guardians; Andy Kerr, Czar, The Larch Company; Bob Sallinger, Conservation Director, Audubon Portland

The 2012 Project: A Year of Opportunity for Women Environmentalists - Don't Get Mad, Get Elected (Organizer: Dale Schroedel) (LAW 110)

The U.S. has a poor track record of electing women. Currently, women are more than half the population, yet hold only 17% of Congressional seats, 23% of state legislative seats, and six of fifty governorships. This underrepresentation has a profound impact on policymaking. The 2012 Project, a national, nonpartisan campaign of the Center for American Women and Politics at Rutgers University, aims to increase the number of women in Congress and state legislatures by taking advantage of the once-in-a-decade opportunities of 2012. Our presenters will highlight the difference it makes to have women setting the agenda and making decisions about public policy, what it takes to be a candidate, and why it's important for more women environmentalists to throw their hats in the ring in 2012.

Panelists: Mary Hughes, co-founder of The 2012 Project, Hughes and

Company; Cynthia Wooten, former Oregon State Legislator; Kitty Piercy, Mayor of Eugene

Activists Debate: With Five Years Until Irreversible Climate Change and No End in Sight, What Can Work in Time?

**(Organizer: Premadasi Amada & Max Wilbert)
(EMU Ben Linder Room)**

The International Energy Agency warns that climate change becomes irreversible by 2017. With conservative scientists obscuring the issue with extreme rhetoric and little action from the environmental community, what - if anything - can be done in the next five years to change the world's course? These panelists will hold nothing back, discussing and debating their views about what we can do to be effective in the time we have. When most activists are talking about Carbon Tax legislation and the importance of electing Obama in response to the IEA report, these panelists will speak frankly about what strategies they think we can use to stop the destruction in time.

Panelists: Maria Allwine, Activist & Community Organizer; Tarak Kauff, Activist & Writer, War Crimes Times; Panagiotis Evangelos Tsolkas, Editor & Activist, EFi Journal Collective; Ash Sanders, Activist & Writer, Move to Amend Utah; Aric McBay, Activist & Writer, Deep Green Resistance; Noah Hochman, Activist, Rising Tide

Leveraging the Endangered Species Act and Other Protections for Oregon's Coastal State Forests (Organizer: Josh Laughlin) (LAW 242)

Panelists will discuss the ongoing threats to the Elliott, Tillamook and Clatsop State Forests in the Oregon Coast Range. While aggressively clearcut by the State of Oregon year after year, these forests still provide essential older rainforest habitat for a host of species teetering on the brink of extinction, like the marbled murrelet, northern spotted owl, and Oregon Coast coho salmon. As populations of imperiled species continue to plummet, the cut ramps up. Learn about efforts to preserve diversity on these forests, including the recently filed 60-day Notice of Intent to sue the State of Oregon sent by a coalition of conservation groups concerned about the State's violations of the "take" prohibition of the ESA pertaining to the threatened marbled murrelet.

Panelists: Josh Laughlin, Campaign Director, Cascadia Wildlands; Noah Greenwald, Endangered Species Program Director, Center for Biological Diversity; Tanya Sanerib, Staff Attorney, Crag Law Center

12:30 – 2:10 P.M. • KEYNOTE SPEAKERS (EMU Ballroom)

Dr. Tyrone Hayes & Professor Zygmunt Plater

2:00 – 5:00 P.M. • SPENCER'S BUTTE HIKE

A van for the hike will be leaving at 2:00 p.m. from the West entrance to the law school. The hike will be guided by Forester Roy Keene who will give an interpretive tour of the Spencer's Butte area. Ask PIELC volunteers for more information.

2:30 – 3:45 P.M. • PANELS

A Guide to Using the Freedom of Information Act and State Public Records Laws

**(Organizer: Dave Bahr & Colette Adkins Giese)
(LAW 142)**

A guide for citizens, attorneys, and organizations on how to use the Freedom of Information Act (FOIA) and state public records laws. This panel will address how to obtain fee waivers, how agencies seek to circumvent disclosure (and ways to counter these efforts), how to appeal and litigate FOIA claims, and how to use these laws to change agency behavior. Sample FOIA

requests and materials will be presented, along with examples of how agencies try to keep embarrassing disclosures secret.

Panelists: Dave Bahr, Attorney, Bahr Law Offices, P.C.; Gerry Pollet, J.D., Executive Director, Heart of America Northwest; Daniel J. Stotter, Attorney, Stotter & Associates, LLC

Fighting the Offshore Oil Onslaught (Organizer: Rebecca Noblin) (LAW 282)

After the blowout and massive oil spill in the Gulf of Mexico in 2010, the Obama Administration vowed to make offshore drilling safer. Instead, risky drilling has moved forward in the Gulf, and there are plans to rush into Arctic drilling this summer. Environmental and Native groups are working to beat back the drilling onslaught. This panel explores recent developments and future actions in the fight against offshore drilling.

Panelists: Tanya Sanerib, Staff Attorney, Crag Law Center; Deirdre McDonnell, Senior Attorney, Center for Biological Diversity; Rebecca Noblin, Alaska Director, Center for Biological Diversity

Global Warming Litigation (Organizer: Brent Newell) (LAW 110)

This panel will give an overview of efforts to use public nuisance to remedy the damage caused by global warming and efforts to limit greenhouse gas emissions using atmospheric trust and Clean Air Act litigation.

Panelists: Brendan Cummings, Senior Counsel, Center for Biological Diversity; Brent Newell, General Counsel, Center on Race, Poverty & the Environment; Julia Olson, Executive Director, Our Children's Trust

The Klamath Basin Settlement: Why it Exists, How it Works, and Next Steps (Organizer: Glen H. Spain) (EMU Ben Linder Room)

In February of 2010, the two landmark Klamath Basin Settlement Agreements were signed by two Governors, two counties, two federal Cabinet Secretaries, three American Indian Tribes, commercial and recreational fishing groups, multiple irrigation districts and water user groups, and several national conservation groups. The settlement was intended to: 1) Put the Upper Klamath Basin on a more sustainable and more certain water-use basis for farmers; 2) Replenish water levels to help recover the Klamath Basin's valuable salmon runs; 3) Expedite a final decision on the removal of four older hydropower dams currently blocking the river, in what would be the largest dam removal project in history; and 4) End decades of Klamath Basin conflict and litigation. Come talk with and meet representatives of some of the more than 40 major stakeholder groups who were a party to the landmark settlement and find out how the Klamath Basin Settlement works - and how it will benefit the wildlife of the Klamath Basin and the region's economy.

Panelists: Greg Addington, Klamath Water Users Association; Tim Hemstreet, PacifiCorp Energy Company; Glen H. Spain, Pacific Coast Federation of Fishermen's Associations; Erica Terence, Klamath Riverkeeper; Bud Ullman, The Klamath Tribes of Oregon

Shoreline Management in a Changing Climate (Organizer: Niki Pace) (EMU Walnut Room)

As more people move to coastal areas, coastal managers, scientists, and policy makers are faced with increasingly new challenges. This panel will provide an overview of shoreline management strategies to address coastal erosion and regulatory challenges, with consideration of climate change impacts. The panel will begin with an overview of coastal erosion response techniques, an ecological perspective of shoreline management, and suggested alternative responses. The second speaker will introduce a new, innovative shore development assessment and

rating program (Green Shores) intended to enable and incentivize green development on shorelines. Finally, a panelist will discuss the legal issues raised by shoreline management strategies in the era of sea level rise, with emphasis on the intersection of the Public Trust Doctrine and private property rights. The panel will conclude with a dialogue of potential solutions and open for questions and discussion of these topics.

Panelists: Jim Brennan, Marine Habitat Specialist, Washington Sea Grant; Brian Emmett, Vice President, Archipelago Marine Research Ltd.; Niki L. Pace, Mississippi-Alabama Sea Grant

Navigating the Criminal Courts: A Guide for Activists *Part two of a two part series with "Representing Activists: A Guide for Lawyers (Organizer: Ben Rosenfeld)* **(EMU Rogue Room)**

A "know your rights" training inside the criminal court system. The focus will be on demystifying court processes, understanding your rights, and educating your lawyer about how to provide you with politically-sensitive representation. Activists and attorneys alike are encouraged to attend.

Panelists: Ben Rosenfeld, Attorney and Board Member, Civil Liberties Defense Center; Lauren Regan, Attorney and Executive Director, Civil Liberties Defense Center

Stormwater Citizen Suits (Organizer: Zachary K. Griefen) **(LAW 141)**

The EPA Multi-Sector General Permit for industrial stormwater discharges (and state equivalents in delegated states) is required for, but frequently not obtained by, industrial facilities that discharge pollutants to waters of the U.S. Citizen suits can force these facilities to clean up their act, come into compliance with the Clean Water Act, and pay the attorney fees of the organization that brings the claim. Panelists will discuss best practices for this kind of litigation, as well as the successes and failures of this approach.

Panelists: Daniel Cooper, Partner, Lawyers for Clean Water Inc.; Zachary K. Griefen, Environmental Enforcement Litigator, Conservation Law Foundation; Richard A. Smith, Managing Attorney, Smith & Lowney, PLLC

The Future of BLM's National Landscape Conservation System (Organizer: Phil Hanceford) **(EMU Oak Room)**

Panelists will discuss the current outlook for America's newest system of public lands conservation. Established by Secretarial Order in 2000 and codified by Congress in 2009, the National Landscape Conservation System is comprised of approximately 27 million acres of public lands managed for conservation by the BLM. This includes BLM national monuments, national conservation areas, wilderness areas, wilderness study areas, wild and scenic rivers, and national historic and scenic trails. The mission of the System is to conserve, protect, and restore these nationally significant landscapes. Panelists will present a brief history of the system and the BLM's new 15-year strategy, as well as current litigation. Panelists will provide a general assessment of how the BLM is fulfilling its conservation mission generally and present ideas for improving the status quo.

Panelists: Nada Culver, Senior Director, Agency Policy and Planning, The Wilderness Society; Phil Hanceford, Associate Attorney, The Wilderness Society; Dave Willis, Chair, Soda Mountain Wilderness Council

Gasland to Gastoria: From 'Fracking' to Liquefaction, the New Story of LNG Development in Oregon (Organizer: Olivia Schmidt) (EMU Maple Room)

For the past seven years, the fossil fuel industry has fought

against impacted community groups and environmental interests to develop infrastructure to import foreign natural gas as Liquefied Natural Gas (LNG) through the Oregon Coast. Last year, LNG companies pulled a classic bait-and-switch in Oregon by announcing plans to reconfigure their proposals to export domestic natural gas through the same proposed ports. These new LNG proposals carry all the same environmental and public safety threats while ramping up the drivers for hydraulic fracturing, or 'fracking', across the U.S. This panel will discuss the history of LNG proposals in Oregon, the environmental and economic impacts of exporting domestic LNG to foreign markets, and the connection of Oregon LNG proposals with unconventional domestic natural gas production in the U.S. (the topic of the popular documentary Gasland).

Panelists: Susan Jane Brown, Staff Attorney, Western Environmental Law Center; Olivia Schmidt, Program Director, Bark; Dan Serres, Conservation Director, Columbia Riverkeeper; Monica Vaughan, Grassroots Organizer, Klamath-Siskiyou Wildlands Center

Clean Water Act Section 404: Year-in-Review (Organizer: Jim Murphy) (LAW 184)

Section 404 of the Clean Water Act, which regulates the discharge of dredged and fill material into waters, is an important tool in keeping aquatic ecosystems healthy. But it is also under attack from industry. This panel will look at key recent legal developments concerning Section 404, including possible rule-making to clarify what waters are protected under the CWA, regulation of mining waste discharged into waters, the EPA's use of its veto authority to stop controversial and destructive projects approved by the U.S. Army Corps of Engineers, regulation of shore armoring in the face of sea-level rise, and troubling arguments the Corps is pushing in courts that would allow it to ram through destructive water-related projects without proper EPA, state, or citizen review.

Panelists: Jay Austin, Senior Attorney, Environmental Law Institute; Jane Davenport, Senior Attorney, Delaware Riverkeeper Network; Jim Murphy, Senior Counsel, National Wildlife Federation; Tom Waldo, Attorney, Earthjustice

Weeding the World: The Destructive War on Invasive Species (Organizer: Jim Olmsted & Brian Sproul) **(LAW 242)**

This panel will address the perverse consequences of the automatic treatment for all non-native species as dangerous or otherwise unwanted "invasive alien species" and engaging in extreme measures to eradicate them. In so doing, the panel will examine fundamental questions such as: What is native and what is non-native in natural environments? What is a natural environment? What are the social, scientific, and philosophical biases in determining the answers to these questions? The panel will conclude by highlighting the urgency with which such questions must be answered, as accelerating climate change will (in multiple ways) increase the number of non-native species in virtually all ecosystems - as will the rapidly increasing globalized trade and travel markets.

Panelists: Matthew K. Chew, Assistant Research Professor, Arizona State University Center for Biology & Sciences; James L. Olmsted, Professor, University of Oregon School of Law; Sydney Ross Singer, Director, Good Shepherd Foundation; Brian Sproul, Esq., LLM Candidate, University of Oregon School of Law

Toxics on Trial: Legal Legacies in Pesticide Reform (Organizer: Josh Vincent) (LAW 241)

By examining pivotal environmental cases that placed limitations on how pesticides are used on public lands in the North-

west, this panel will discuss the advantages and disadvantages of environmental litigation surrounding pesticide use.

Panelists: *Kim Leval, Executive Director, NCAP; Norma Grier, Past Executive Director, NCAP; Mary O'Brien, Scientist and Author, NCAP Alumni; Ruth Shearer, Consultant in Toxicology and Author, NCAP; Larry Sokol, Attorney, Sokol & Foster, P.C.; Carol Van Strum, Author, NCAP Alumni*

When \$@%! Hits The Fan: Dispersal of CAFO Pollutants (Organizer: Eli Holmes) (EMU Fir Room)

Recently the public gained important tools to fight Concentrated Animal Feeding Operations (CAFOs), but the next battle is around the corner. Washington just issued a tremendous Clean Water Act victory over a CAFO, and the Johns Hopkins School of Public Health scientifically linked CAFOs to air contamination. The next round of the CAFO bout is likely to focus on the dispersal and transport of pathogens from CAFOs. This panel will discuss current exciting developments and examine what legal tools can be explored to protect communities.

Panelists: *Charlie Tebbutt, Attorney, Law Offices of Charles M. Tebbutt, P.C.; Helen Reddout, President, Community Association for Restoration of the Environment; Elisabeth Holmes, Staff Attorney; Center for Food Safety*

Involuntary Toxics Exposures (Organizer: Lisa Arkin) (EMU Metolius Room)

The panel will discuss the constitutionality of the Right to Forest Act and the shortcomings of the current notification system for pesticide applications. How do community members raise awareness and raise legal challenges about aerial sprays which are considered, and should be considered, an "ultrahazardous" activity by the Oregon Supreme Court. The panel will discuss advocacy strategies and efforts to ban forestry pesticide sprays through a number of effective actions: 1) Human Rights Assessments; 2) Legal challenges including Constitutional Challenges and Nuisance/Trespass; 3) Water quality monitoring; 4) Biological testing; 5) Grassroots actions; 6) Collaborative projects with state and federal agencies.

Panelists: *Lisa Arkin, Beyond Toxics; Tom Kerns, Environmental and Human Rights Advisory; Dan Snyder, Attorney; David Force, Attorney*

4:00 – 5:15 P.M. • PANELS

Rhetoric, Narrative, and Environmental Advocacy (Organizer: Michael Burger) (EMU Oak Room)

This panel will explore the presence and role of social constructions of nature in environmental law. Examining the use of environmental narrative and rhetoric as a legal strategy demonstrates the ways in which law depends upon and interacts with the social meanings and values that we place on nature. By illuminating these elements of theory and practice, we also hope to inspire discussion about how environmental advocates can effectively draw on social constructions to frame debates and craft arguments.

Panelists: *Michael Burger, Associate Professor, Roger Williams University School of Law; Keith Hirokawa, Associate Professor, Albany Law School; Shannon Roesler, Associate Professor, Oklahoma City University School of Law*

Saving the Endangered Species Act (Organizer: Marty Berghoffen) (LAW 243)

What you can do to protect and utilize America's preeminent environmental protection statute - the Endangered Species Act.

Panelists: *Tierra Curry, Conservation Biologist, Center for Biological Diversity; Kristen Boyles, Staff Attorney, Earthjustice; Elly Pepper, Legislative Advocate, Natural Resources Defense Council; Mark Salvo,*

Sagebrush Sea Campaign Director, WildEarth Guardians

Fighting Fire with Fire: Combating Unconventional Shale Gas Development (Organizer: Guy Alsentzer) (LAW 141)

There are various legal avenues, such as rulemakings, comments, and challenges, that public interest environmental advocates are using to slow (or halt) unsafe, inappropriate, or illegal industrial development of shale gas resources. This panel will explain the environmental impacts of shale gas development on land, air, and water. Panelists will also address the tools they have used to prevent development of these resources, such as the CAA, FERC, NEPA, and interactions with water commissions.

Panelists: *Guy Alsentzer, Staff Attorney, Lower Susquehanna Riverkeeper; Jane Davenport, Senior Attorney, Delaware Riverkeeper Network; Bridget Lee, Associate Attorney, Earthjustice; Laura Beaton, Associate Attorney, Earthjustice; Brian Segee, Staff Attorney, Environmental Defense Center.*

Environmental Justice: Pathways for Progress (Organizer: Cliff Villa) (LAW 282)

This panel presentation, featuring two representatives from EPA Region 10 in Seattle and two representatives from Beyond Toxics in Eugene, will discuss pathways for making on-the-ground progress on environmental justice issues in local communities. The panel discussion will include EPA authorities and programs for supporting environmental justice initiatives, plus a community perspective and case study of environmental justice concerns and projects in West Eugene and surrounding areas.

Panelists: *Lisa Arkin, Executive Director, Beyond Toxics; Alison Guzman, Outreach Coordinator, Beyond Toxics; Dr. Sheryl Stohs, Environmental Justice Community Liaison, U.S. EPA Region 10; Cliff Villa, Adjunct Professor, Seattle University School of Law and Assistant Regional Counsel, U.S. EPA Region 10*

Son of Fee Demo: Litigation under the Federal Lands Recreation Enhancement Act (Organized By: Matt Kenna) (LAW 241)

The Forest Service and BLM continue to charge user fees to enjoy undeveloped federal land under the Federal Lands Recreation Enhancement Act, which replaced the now-defunct Fee Demo program. Panelists will discuss legal efforts to stop this practice and the reasons why it is important to do so.

Panelists: *Mary Ellen Barilotti, Attorney; Matt Kenna, Public Interest Environmental Law and Of Counsel, Western Environmental Law Center; Scott Silver, Executive Director, Wild Wilderness*

Water and the Forest Service (Organizer: Josh Hicks) (LAW 242)

For the past few years, the Forest Service has been developing a series of interrelated efforts to protect and enhance water quality on the national forests. Panelists will discuss several of these new initiatives, including the Watershed Condition Framework and Forests to Faucets. The Panel will also talk about citizen-driven efforts to build on these new agency initiatives (like the Healthy Headwaters Project). The panel will include cutting-edge case studies about how to engage with the agency to address water quality concerns, such as municipal water supplies or road management concerns. With 66 million Americans dependent on national forests for their water supplies, now is the time to learn about new opportunities to protect and restore water resources on the national forests.

Panelists: *Mike Anderson, The Wilderness Society; Bethanie Walder, Executive Director, Wildlands CPR; Anne Zimmerman, U.S. Forest*

SATURDAY, MARCH 3 - SUNDAY, MARCH 4

Service

Fire Alarm: Confronting Destructive Firefighting Actions in the Heat of the "Battle"

(Organizer: Timothy Ingalsbee, Ph.D)(EMU Fir Room)

When a wildfire ignites, it trumps everything: land management plans, environmental laws and regulations, and agency standards and guidelines. These can all get tossed aside in the rush to "fight" fire. Conservationists face extreme challenges confronting destructive firefighting actions in the face of media hype and hysteria, panicked residents, and opportunistic politicians. This panel of current and former firefighters will discuss a variety of controversial fire issues that routinely challenge conservationists, and provide tips on how to protect wildlands from firefighting damage.

Panelists: Michael Beasley, Deputy Fire Chief, U.S. Forest Service—Six Rivers National Forest; Rich Fairbanks, Owner-Operator, Fairbanks Forest Mgmt., L.L.C.; Timothy Ingalsbee, Ph.D., Executive Director, Firefighters United for Safety, Ethics, and Ecology; Tom Ribe, Board Member, Firefighters United for Safety, Ethics, and Ecology

Enforcement Tools to Clean Up Coal Ash and Waste Coal Dumps (Organizer: Ken Rumelt) (LAW 184)

This panel will discuss the use of the Surface Mining Control and Reclamation Act, the Clean Water Act, and the Resource Conservation and Recovery Act as tools for enforcement at coal ash and waste coal dumpsites.

Panelists: Dan Galpern, Attorney, Western Environmental Law Center; Ken Rumelt, Fellow and Staff Attorney, Environmental and Natural Resources Law Clinic, Vermont Law School; Charlie Tebbutt, Law Offices of Charles M. Tebbutt, P.C.

Restoring Celilo Falls (Organizer: Vincent Mulier) (EMU Walnut Room)

Celilo Falls, on the mid-Columbia River, is a place of great ecological, cultural, economic, and historical significance. Since 1957, the Falls have been buried under the reservoir created by The Dalles Dam. Inundation of the Falls is an ongoing social and environmental injustice. Celilo Falls Restoration Fund is committed to raising public awareness of the ecological and economic values of the Falls and the cultural benefits to be gained by restoring them. Our society's legal and moral obligation to restore the Falls will be discussed from an indigenous point of view as well as a Euro-American point of view.

Panelists: Joseph DuPris, Lakota-Cheyenne River Sioux, Co-Author of *The Si'lailo Way*; Kathleen Hill, Klamath/Modoc/Paiute, Co-Author of *The Si'lailo Way*; Vincent Mulier, Professor, Philosophy Department, Portland State University; Ted Strong, Yakama Chief Judge, Yakama Nation and Former Executive Director, Columbia River Inter-Tribal Fish Commission

Offshore Renewable Energy (Organizer: Emily Jeffers) (LAW 110)

With coastal states supporting 81% of the U.S. population, demand for energy is high in the coastal zone. Can offshore renewable energy provide a consistent source of power, maintain a healthy marine environment, and reduce our greenhouse gas emissions? This panel will discuss opportunities and constraints for offshore renewable energy development, impacts to the environment, the regulatory and permitting process, and the use of marine spatial planning in siting projects.

Panelists: Jason Busch, Executive Director, Oregon Wave Energy Trust; Chad Marriott, Attorney, Stoel Rives LLP; Erin Prahler, Early Career Policy Fellow, Center for Ocean Solutions; Pete Stauffer, Ocean Ecosystem Program Manager, Surfrider Foundation

California Energy: Moving Past Reliance on Fossil Fuel Facilities (Organizer: Deborah Behles) (LAW 142)

California has the most aggressive renewable energy requirements in the nation, yet utilities are still constructing many new natural gas facilities. This panel will discuss the reasons the utilities are proposing these facilities, lessons learned about how to slow their development, and why other resources, such as distributed renewable energy provide a better alternative.

Panelists: Deborah Behles, Associate Professor and Staff Attorney, Golden Gate University School of Law, Environmental Law and Justice Clinic; Shana Lazerow, Staff Attorney, Communities for a Better Environment; Bill Powers, Energy Engineer, Powers Engineering

What Actually Happened in Durban? A Report from the Front Lines (Organizer: Geoffrey Evans)(LAW 243)

What did climate change negotiators achieve at the Durban climate change negotiations this past December? Has the Kyoto Protocol been extended for a second commitment period? What happened on agriculture, given the heightened interest for the African COP? What is the Green Climate Fund? Do we really have to wait until 2020 to have a treaty that binds major emitters? Learn the answers to these questions and more. The panelists all attended the negotiations in Durban, some representing governments and others representing NGO coalitions. They will provide an assessment of the Durban outcome and suggest strategies for breaking the deadlock among the United States, China, and other countries unwilling to make serious commitments to reduce greenhouse gas emissions.

Panelists: Fred Heutte, Chair, Global Warming & Energy Committee, Sierra Club; Amelia Linn, Legal Extern, Republic of Palau Office of Environmental Response and Coordination; Geoff Evans, Animal Agriculture & Climate Change Specialist, Humane Society Internationalcon

5:30 - 8:00 INDIGENOUS PEOPLES' RECEPTION (Many Nations Longhouse)

The Native peoples at the University of Oregon welcome all indigenous conference attendees and their allies to this reception. A light meal will be served. **Co-sponsors:** The Native American Law Student Association, The Native American Student Union, and ENR's Native Environmental Sovereignty Project.

6:00 - 9:00 P.M. PAUL PERSONS STUDENT RECEPTION (Law School Student Lounge)

We invite all youthful activists and students from any school to attend this reception for organic, vegetarian hors d'oeuvres and a great opportunity to network with peers.

6:00 - 8:00 ALUMNI RECEPTION (Lewis Lounge, Knight Law Fourth Floor)

All University of Oregon School of Law alumni and current students are welcome to attend a reception in the Lewis Lounge. Take the elevator by the north entrance.

SUNDAY, MARCH 4

9:00 – 10:15 A.M. • PANELS

The Disparate Impacts of Diesel Pollution (Organizer: David Pettit) (LAW 141)

Diesel pollution from freight movement has a disparate and dangerous impact on working class communities of color. Unfortunately, this environmental hazard is largely unregulated. This panel will discuss the reasons for the disparate impact on these communities, as well as new theories that are emerging

under RCRA and the Clean Air Act to make diesel polluters clean up their act.

Panelists: Craig Johnson, Professor, Lewis & Clark Law School and Clinic Director, Pacific Environmental Advocacy Center; Angelo Logan, Co-Executive Director, East Yard Communities for Environmental Justice; David Pettit, Senior Attorney, Natural Resources Defense Council

Water Rights 9-1-1: The Role of Community Activists in Promoting Water Sustainability

(Organizer: Rachael Osborn) (LAW 142)

Water throughout the Pacific Northwest is over-appropriated: stream flows and aquifers are depleted, salmon species are endangered, and water quality is compromised. Complex as Western water law may be, people (especially small farmers) can have a positive impact in promoting sustainable water use. This panel will provide case studies from the cutting edge of water reform.

Panelists: Melissa Bates, Aqua Permanente; Randy Jones, Five Corners Family Farmers; Rachael Osborn, Center for Environmental Law and Policy; Nancy Soriano, Friends of Tunk Valley

Fishing, Dams, and Drilling: Using the Marine Mammal Protection Act to Address Increasing Threats to Marine Mammals (Organizer: Kristen Monsell) (LAW 175)

In increasingly busy waters, marine mammals face a plethora of threats from a variety of sources including fisheries, dams, and oil and gas development. This panel will discuss how the Marine Mammal Protection Act (MMPA) can be used as a tool to combat these threats, and the issues that arise in such advocacy, including MMPA permitting in commercial fishing, the intersection between the MMPA and the ESA, and the challenges of getting to the MMPA's "negligible impact" standard.

Panelists: Kristen Monsell, Attorney, The Humane Society of the United States; Sierra Weaver, Senior Attorney, Defenders of Wildlife; Rebecca Noblin, Alaska Director and Staff Attorney, Center for Biological Diversity

Collaborative Groups: A Step In The Right Direction or Two Steps Back? (Organizer: Olivia Schmidt) (LAW 110)

Collaborative Groups are responsible for making recommendations to federal agencies regarding public lands management, specifically on project planning (timber sales, for example). This process has become increasingly contentious with the environmental community, as it is often seen as a substitute for public involvement. Meanwhile, with a changing landscape for timber revenue dispersal within public lands and surrounding communities, collaborative groups are increasingly enticing as a money-maker for funding "restoration" on public lands. But at what cost? How do collaborative groups interface with the requirement for public involvement in decisions on public land, and to what extent are federal agencies honoring or manipulating the intent of these groups? This panel will include proponents and opponents of the collaborative group process, exposing the complex issues and debate surrounding the effectiveness and purpose of these groups.

Panelists: Alex Brown, Executive Director, Bark; Susan Jane Brown, Staff Attorney, Western Environmental Law Center; Nick Goulette, Executive Director, The Watershed Center; Matthew Koehler, Executive Director, Wild West Institute

Wolves in Oregon (Organizer: Nick Cady) (LAW 184)

This panel will focus exclusively on the experience of protect-

ing wolves in Oregon. The panelists will discuss the listing history of wolves in Oregon, the plan for reimplementation of the species, and the progress of ongoing litigation around the process. Learn about the experiences of representatives from a variety of groups fighting for wolves and the entities arrayed against them. Practitioners can take the lessons learned from these panelists and apply them to wolf reintroduction plans in other states.

Panelists: Noah Greenwald, Endangered Species Program Director, Center for Biological Diversity; Tim Ream, Staff Attorney, Center for Biological Diversity; Rob Klavins, Wildlands and Wildlife Advocate, Oregon Wild

10:30 – 11:45 A.M. • PANELS

Federal Loans and Public Interest Ideals (Organizer: John Bonine) (LAW 184)

Panelists will help participants understand the public service loan forgiveness elements of the College Cost Reduction and Access Act, and its provisions for manageable loan payments through Income Based Repayment. In addition, panelists will discuss the practicalities of establishing tax-exempt nonprofits through which to pursue public interest careers and the realities of loan repayment and forgiveness for attorneys working in private-public interest law firms. If time permits, panelists will discuss various law school, state bar, and federal loan repayment assistance programs.

Panelists: John Meyer, Staff Attorney, Cottonwood Environmental Law Center; Daniel C. Snyder, Associate Attorney, Law Offices of Charles M. Tebbutt, P.C.; Jane Steckbeck, Associate Director for Public Service Initiatives, University of Oregon School of Law

Transforming Suburbia (Organizer: Jan Spencer) (LAW 141)

Half of all Americans live in suburbia. Given the trends in resources, politics, culture, economics, the environment and global relations, suburbia is in urgent need of transformation. What can we do to retrofit suburbia? What are the social, physical, and spiritual assets to work with that are already available? This panel will take a look at a variety of approaches already showing results for transforming suburbia - such as property conversion, collaborations with mainstream entities like neighborhood programs, emergency preparedness, and social activation tools (such as place-making and work parties), along with creative hands-on programs that include young people and nearby neighbors. Finally, panelists will discuss the multiple benefits to be gained by transforming suburbia.

Panelists: Ravi Logan, Director, PROUT Institute, Program Director, Dharmalaya Center and Author, PROUT: A New Paradigm of Development; Mike Simpson, Writer; Jan Spencer, Local Sustainable Development Practitioner

Campaign Finance Reform in Oregon: Reducing Special Interest Influence in Elections (Organizer: Andrew Narus) (LAW 175)

Currently, Oregon places no limits on how much money an individual or entity can contribute to a state campaign. It is one of a few states without any limits. For those interested in public interest issues, reforming the way we finance elections should be a priority. Please join us as we discuss the reasons for reforming Oregon's campaign finance system, the constitutional implications of regulating campaign contributions, and the methods other states have used to finance campaigns.

Panelists: Jefferson Smith, State Representative (D-Portland), Candidate for Mayor of Portland; John Davidson, Instructor of Political Science, University of Oregon; Janice Thompson, Executive Director,

Common Cause Oregon

Aviation, NEPA, and Environmental Impacts (Organizer: Sean T. Malone) (LAW 142)

The Panel will discuss the environmental impacts of aviation activity in Oregon and throughout the United States, as well as the current state of NEPA litigation in the context of aviation projects and actions. The panel will focus on *Barnes v. U.S. Dep't of Transportation*, a recent Aviation/NEPA case from the Ninth Circuit Court of Appeals, and its implications for future NEPA litigation.

Panelists: *Sean T. Malone, Attorney; Miki Barnes, Executive Director, Oregon Aviation Watch*

12:15 – 2:45 P.M. • KEYNOTE PRESENTATION (LAW 175)

Advance Film Screening: *Greedy Lying Bastards*
(Directed by: Craig Rosebraugh)

Panel discussion and Q&A to follow screening.

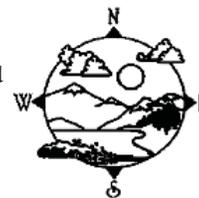
Presenters: *Craig Rosebraugh, Director; Rick Steiner, Marine Mammal Expert and Conservation and Sustainability Consultant, Oasis Earth*

CONFERENCE SPONSORS

Land Air Water (LAW) is the world's oldest environmental law student society. Student members from the University of Oregon School of Law organize the Public Interest Environmental Law Conference on a wholly volunteer basis. The conference is the premier annual gathering for environmentalists worldwide and is distinguished as the oldest and largest of its kind. Now in its 30th year, PIELC unites thousands of activists, attorneys, students, scientists, and community members from over 50 countries around the globe to share their ideas, experience, and expertise. LAW members also sponsor speakers and events at the university, organize volunteer activities, and publish the Western Environmental Law Update (WELU), an annual newsletter on developments in environmental law.



Friends of Land Air Water (FLAW) is a 501(c)(3) nonprofit organization founded by LAW members in 1993. The board of directors includes alumni and students of the University of Oregon School of Law. Its primary interest is the annual PIELC. FLAW also provides a summer stipend program for University of Oregon School of Law students working in unpaid positions in environmental law. To learn more, visit <http://pielc.org/pages/flaw.html>



Special thanks to Land Air Water members for organizing this year's conference:

Zach Baker	Kyler Danielson	Kevin Hetherington	Ericka Meanor	Andrew Welle
Nate Bellinger	Josh Eastman	Andy Hill	Amy Norris	Alek Wipperman*
Seth Bichler	Lee Ewing	Matthew Hodges	Bob O'Halloran, Jr.*	Brandi Veltri
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Katie Cummings*	Brian Hennes			

* Conference Co-Director

Land Air Water would like to thank the following organizations and individuals for their generous support and assistance:

All Panel Organizers	Bob Chandler	Tom Lininger	UO Law ENR Center
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John Bonine and Svitlana	Jennifer Gleason	Andrew Orahoske	Mary Wood
Kravchenko	Jane Gordon	Sarah Peters	Jess Yates
Tom Bowerman	Richard Hildreth	Doug Quirke	
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Campus Recycling	JELL	UO Bookstore & Court Café	
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Land Air Water would like to thank the following businesses for their generosity:

Broadway Inn	Ninkasi Brewing Company
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Eugene Pedicab	University Inn & Suites
Eugene Weekly	Valley River Inn
Holy Cow	Cafe Yumm
Hilton Hotel and Conference Center	Tactics [#]

[#] Tactics was omitted from the original brochure. We apologize for the oversight and thank them for their generous support.

***Check out the Court Cafe located in the Knight Law School for snack options including vegan and vegetarian soups and salads, open 7:30 a.m. - 6:00 p.m. Friday & Saturday, and 7:30 a.m. - 1:00 p.m. Sunday.**

DISCLAIMER

LAW strives to provide a broad spectrum of opinions and asks attendees to respect the various viewpoints you will encounter at PIELC. Listen. Question. Engage. Debate. But always do so with respect. The statements and opinions at PIELC belong solely to the individual speakers, and do not represent the position of the University of Oregon, Land Air Water, or Friends of Land Air Water. LAW requests that attendees respect the facilities, volunteers, and presenters that make PIELC possible.

GUIDELINES FOR CROSS-CULTURAL COMMUNICATION

A large number of people from different cultures, countries, and communities will attend this conference. For some, this may be the first time they interact with such a diverse group of people. Cultural differences involve different protocols and procedures for communication, and ignorance of these differences may lead to misunderstandings. All conference attendees should approach others with respect and make an honest effort to observe and understand different modes of communication. While it is impossible to synthesize a single protocol for interacting with all Peoples, please be mindful of the following guidelines:

In general, try to show respect at all times, especially to elders in the group. Act as you would in front of your own leaders, spiritual people, and role models.

Always ask before photographing or recording someone.

Prayer is very important, and there are many ways people pray. If someone seems to be deeply focused, it is best to be patient and respectful. Please wait for his or her attention.

Be respectful of silence.

Do not speak of indigenous cultures in the past tense. There are many thriving indigenous Peoples among us today.

Many non-Western cultures do not practice the “firm business handshake,” and some cultures may feel that it is impolite to stare directly into someone’s eyes. Try to follow the social cues of those with whom you are interacting.

Do not exclude people; treat everyone as your relatives.

Some speakers may choose to open a talk with a prayer or song. It is a sign of respect to stand at these times and not to take pictures.

Do not walk between or interrupt people who are speaking. If you would like to join the conversation, wait for them to give you their attention.

RECORDING POLICY

Land Air Water is committed to making as much of PIELC available online as possible. Select panels and keynote presentations will be posted on our website following the conference. For further information regarding acquiring a recording, visit: www.pielc.org.

Attendees may record keynote presentations with their own equipment. For EMU Ballroom sessions, LAW will provide a media feed box in the designated media area. Media will be given preference for feed access, with remaining feeds available on a first-come, first-served basis. A limited number of available XLR outputs can be individually switched at the output to provide a microphone or line level signal. Limited AC power will be available. Anyone connecting equipment to these outputs must supply all cords and adapters necessary for a successful connection. In-house technical staff will verify the presence of a clean, correctly modulated signal at each of the feed box’s outputs. The user is responsible for maintaining the signal quality beyond that point. Unless specific exceptions are cleared through LAW staff in advance, no additional microphones or other devices are permitted on or in the vicinity of the ballroom stage and lectern. If you need additional technical information, please contact UO Event Services at (541) 346-6000.

All participants in audio or video recording acknowledge and respect the copyrights and exclusive ownership of the performances by the presenters. All taping must be for personal use only, which may include trading. Recordings may be traded only for an equivalent amount of similar media. All recordings made at the Public Interest Environmental Law Conference are strictly for educational use only and shall not be distributed for financial gain of any kind. Unauthorized sale, duplication, and/or distribution are strictly forbidden. We reserve the right to withdraw our sanction of non-commercial recording on a case-by-case basis or as we deem necessary. No waiver of any copyright or trademark right is intended.

ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES

LAW is an equal opportunity group committed to cultural diversity and compliance with the Americans with Disabilities Act. This publication will be made available in accessible formats upon request. For special accommodations, please contact the LAW office at 541-346-3828.

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