

Program Co-Chairs



Daniel P. Brunton, Esq.
Latham & Watkins



Josh Chatten-Brown, Esq.
Chatten-Brown & Carstens

A Timely and Important Seminar

CEQA and the NEPA Re-Write

Impacts on project review and pursuit of substantive policy goals; practical tips for local officials and CEQA/NEPA practitioners



May 29, 2020
San Diego, California

Latham & Watkins Conference Center

(If social distancing policies are still in effect, we will do an interactive Zoom webcast or change the date of the program. Stay well!)

Quick when/where: 9:00 a.m., 12670 High Bluff Drive
Credits: 6.25 CA MCLE | 6.00 AICP | 6.0 ABCEP (call about others)

CEQA and the NEPA Re-Write Seminar

May 29, 2020 | San Diego, California
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Register my colleague:

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What type of credits do you need? _____

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If you cannot attend in person, check boxes to order:

- Audio Replay Video Replay Course Materials



- 8:30 Registration Opens
- 9:00 Introduction & Overview
 - Daniel P. Brunton, Esq., *Program Co-Chair***
Latham & Watkins ~ San Diego, CA
 - Josh Chatten-Brown, Esq., *Program Co-Chair***
Chatten-Brown & Carstens ~ San Diego, CA
- 9:15 The NEPA Re-Write and Other Federal Developments
 - Exemptions and expedited review provisions including special treatment for large projects; potential impacts on other projects; interplay with substantive Clean Air Act and Clean Water Act changes such as the WOTUS definition; court challenges
 - Nicole Buffa, Esq.**
Latham & Watkins ~ Costa Mesa, CA
 - Lisa T. Belenky, Esq., *Senior Attorney***
Center for Biological Diversity ~ Oakland, CA
- 10:30 Break
- 10:45 Recent CEQA Developments and the Interplay with NEPA
 - Substantive provisions: Update on key California Court cases; implementation of 2018 OPR CEQA Guidelines; provisions designed to facilitate California’s response to climate change and the homeless crisis; prospects for legislative changes
 - Christopher Luke Stiles, Esq.**
Remy Moose Manley ~ Sacramento, CA
 - Daniel P. Brunton, Esq., *Program Co-Chair***
 - Josh Chatten-Brown, Esq., *Program Co-Chair***
- 12:00 Lunch (on your own)



- 1:15 Water Infrastructure Projects
 - The interplay among the Sustainable Groundwater Management Act (SGMA), regulatory structure for water utilities, and NEPA/CEQA review: The resulting legal, technical, and environmental justice issues
 - Scott A. Morris, Esq.**
Kronick Moskovitz Tiedemann & Girard ~ Sacramento, CA
- 2:00 Climate Change and Cumulative Impacts Analysis: Energy Infrastructure Projects
 - Renewable resource developer perspective on the impact of recent federal and state policy development on project development strategies
 - Jeffrey B. Durocher, Esq., *Attorney***
Avangrid Renewables ~ Portland, OR
- 2:45 Break
- 3:00 Climate Change and Cumulative Impacts Analysis (cont’d): Transportation Infrastructure Projects
 - Perspectives on the most effective transportation planning approaches for meeting California’s greenhouse gas emission goals for the transportation sector
 - Nicole Elise Capretz, *Founder & Executive Director***
Climate Action Campaign ~ San Diego, CA
 - Christopher S. Burt, Esq., *Deputy General Counsel***
Port of San Diego ~ San Diego, CA
 - Heidi K. Vonblum, Esq.**
Environmental Policy Program Manager
City of San Diego ~ San Diego, CA
- 4:30 CEQA Practice Tips for Building an Adequate Record
 - Record development and avoiding “sudden death”: Navigating record preparation in a post Golden Door Properties LLC v. Superior Court world
 - Everett Delano, III, Esq.**
DeLano & DeLano ~ Escondido, CA
- 5:00 Evaluations & Adjourn



About the Seminar



What previous attendees have said:

- “Panelists represented a good range of fields and interests. Well moderated session.”
- “I really appreciate the diversity of perspectives on the panels!”
- “Overall great group of speakers.”
- “Good timing, questions. Will return next year.”

This intensive seminar focuses on the potential impact of the Trump Administration's NEPA rewrite on environmental review for projects in California. The re-write is likely to be the most significant change in the history of NEPA. We'll take a detailed look at the proposed changes and their interplay with CEQA from a variety of viewpoints.

You'll also hear about recent substantive and procedural CEQA changes as California continues to pursue its environmental policy goals in the face of a federal rollback.

A key part of the NEPA rewrite is streamlining for infrastructure projects. We'll address the interplay between environmental review and the Sustainable Groundwater Management Act (SGMA), and with the regulatory structure for water utilities. Another key change involves analysis of cumulative impacts and we'll explore the implications for energy project development strategies. California is in the midst of a transition from Level of Service (LOS) to Vehicle Miles Traveled for transportation planning and you'll hear from a panel of experts on the implications of the rewrite on both planning and infrastructure project review.

This will be an interactive program so that you can contribute your own ideas and have your specific questions answered. We hope you will join us for what promises to be a very lively discussion!

~ Program Co-Chairs: Daniel P. Brunton, Esq. of Latham & Watkins and Josh Chatten-Brown, Esq. of Chatten-Brown & Carstens



Daniel P. Brunton, *Program Co-Chair*, is Of Counsel to Latham & Watkins. Daniel Brunton focuses his practice on environmental law, with an emphasis on helping developers obtain entitlements for large or controversial projects and defending those entitlements in court.



Josh Chatten-Brown, *Program Co-Chair*, is a land use and environmental law attorney with Chatten-Brown & Carstens. He represents local governments and environmental interests in NEPA and CEQA matters.



Lisa T. Belenky is a Senior Attorney at the Center for Biological Diversity. She works on protecting rare and endangered species and their habitats under state and federal law.



Nicole Buffa is Of Counsel to Latham & Watkins. She rejoined Latham after serving eight years in the Obama Administration, most recently as Deputy Chief of Staff at the United States Department of the Interior.



Christopher S. Burt is Deputy General Counsel for the Port of San Diego.



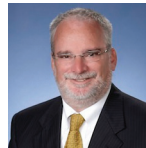
Nicole Elise Capretz is Founder & Executive Director for the Climate Action Campaign. She was the primary author of the City of San Diego's groundbreaking, legally binding 100% clean energy Climate Action Plan adopted in late 2015.



Everett Delano, III, DeLano & DeLano, specializes in land use and environmental law, including matters under the California Environmental Quality Act, Clean Air Act, Clean Water Act, and Endangered Species Act.



Jeffrey B. Durocher is an Attorney at Avangrid Renewables working on wind, solar and other energy projects. He specializes in environmental compliance, wildlife matters (habitat protection, state and federal regulation of endangered species, migratory birds, and other species), governmental regulation and approvals.



Scott A. Morris is the managing shareholder for Kronick Moskowitz Tiedemann & Girard. He focuses on natural resources, land use, and water law, representing both public and private clients.



Christopher Luke Stiles is a partner at Remy Moose Manley. His practice focuses on land use and environmental law, with emphasis on CEQA, the State Planning and Zoning Law, the NEPA, the federal Endangered Species Act, the California Endangered Species Act, air and water quality, natural resources, wetlands, and related matters.



Heidi K. Vonblum is the Environmental Policy Program Manager in the City of San Diego's Planning Department. She previously served as a Deputy City Attorney in the Land Use Advisory and Litigation Units in the San Diego City Attorney's Office.

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Substitution & Cancellation:
You may substitute another person at

any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, May 22, 2020. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Location: The seminar will be held at the Latham & Watkins Conference Center at 12670 High Bluff Drive in San Diego, CA 92130. Lodging is available at a number of nearby hotels. Our thanks to Latham & Watkins for graciously hosting this event.

Continuing Education Credits:
Live credits: Law Seminars International is a State Bar of

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Time Shift Your Content: Audio podcasts and video replays, with course materials, are available for download or on a flash drive at the same price as live attendance. The course materials alone are available for \$50. Replays will be available within five business days after the program or from the date we receive payment.

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You Will Learn About:

- *The NEPA Re-Write and other federal developments*
- *Recent CEQA substantive and procedural developments*
- *Water infrastructure projects and the interplay between environmental review and SGMA*
- *Climate change and cumulative impacts analysis for energy and transportation projects*
- *Navigating record preparation in a post Golden Door Properties LLC v. Superior Court world*

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