



A Timely New Virtual Seminar on
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*

July 29, 2020 | Virtual Via Zoom Broadcast

Agenda

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 & Minter ~ 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 Moskowitz 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

Elizabeth Klebaner, Esq.
Nossaman ~ Los Angeles, CA

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

Is the Record Complete: The Role of Retention requirements and the Common Interest Doctrine

Kevin Patrick Sullivan, Esq.
Gatzke Dillon & Balance ~ Carlsbad, CA

Taiga Takahashi, Esq.
Latham & Watkins ~ San Diego, CA

5:00 Evaluations & Adjourn

Who Will Benefit from This Program

Attorneys, land use planners, real estate and environmental professionals, consultants, landowners, and governmental regulatory officials

A Word from Our Co-Chairs

This intensive virtual 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!

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

Registration & Other Conference Information

Tuition: Regular tuition for this program is \$695 with a group rate of \$625 each for two or more registrants from the same firm. For government employees and Tribal Members, we offer a special rate of \$520. For students, people in their job for less than a year, and public interest NGO's, our rate is \$347.50. All rates include admission to all program sessions and course materials. Make checks payable to Law Seminars International.

As an added bonus, you'll receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

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

Continuing Education Credit: Live credits: Law Seminars International is a State Bar of California approved MCLE provider. This program qualifies for 6.25 California MCLE, 6.0 AICP planner, and 6.0 ABCEP environmental professional credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

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 \$75. Replays will be available within five business days after the program or from the date we receive payment.

Faculty

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.

Elizabeth Klebaner is a partner at Nossaman. She advises public agency and corporate clients on a variety of complex land use and environmental matters.

Scott A. Morris is the managing shareholder for Kronick Moskovitz 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.

Kevin Patrick Sullivan is a partner at Gatzke Dillon & Balance. He has served as the Assistant General Counsel for the Ontario International Airport, and has been a (contract) Assistant City Attorney of the City of San Marcos. He also has acted as outside counsel to the San Diego International Airport, City of San Jose, City of San Diego, San Diego Centre City Development Corporation, County of Imperial, City of Chula Vista, City of Indio, and City of El Centro.

Taiga Takahashi, Latham & Watkins, provides legal counsel regarding administrative law and regulatory compliance issues.

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.