The Fourth Annual Comprehensive Seminar on

Tribal Natural Resource Damage Assessments

Best strategies and tactics for conducting Tribal NRD Assessments

December 10, 2018
Seattle, Washington
Crowne Plaza Hotel - Seattle Downtown

Credits: 6.50 WA CLE | 6.50 ABCEP maintenance hours (call about others)
Quick when/where: 8:30 a.m., 1113 Sixth Avenue

Live webcast and replays available!

Who Should Attend:
Tribal, in-house and private attorneys, consultants, corporate managers, governmental representatives, and others who are involved in Tribal natural resource damage assessments

Featuring Speakers From:
- Cardno, Inc.
- Industrial Economics, Incorporated
- Law Offices of Thomas Zeilman
- National Oceanic and Atmospheric Administration
- Native Law PLLC
- Nez Perce Tribe
- Schwabe Williamson & Wyatt
- SLR International
- Wilmer Cutler Pickering Hale and Dorr

Register me:
Name: ____________________________________________
Email: ____________________________________________
What type of credits do you need? ______________________________
For which state(s)? ______________________________________

If you cannot attend in person, check boxes to order:
- Live Homestudy
- Webcast
- Course Materials
- Homestudy Manual

Register my colleague:
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Email: ____________________________________________
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For which state(s)? ______________________________________

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If you cannot attend in person, check boxes to order:
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- Webcast
- Course Materials

800 Fifth Avenue, Suite 101 | Seattle, WA 98104 | www.lawseminars.com
Monday, December 10, 2018

8:00 Registration Opens

8:30 Introduction & Overview

Jack Bell, Program Co-Chair, ERWM Director
Nez Perce Tribe ~ Lapwai, ID

Connie Sue M. Martin, Esq., Program Co-Chair
Schwabe Williamson & Wyatt ~ Seattle, WA

8:45 Tribal and Federal Trustee Relationships

How relationships are different under the Trump Administration; tips for adapting your strategy for dealing with the federal agencies

Rachel Jacobson, Esq.
Wilmer Cutler Pickering Hale and Dorr ~ Washington, DC

Consultations: Tips for educating new agency staff about what is needed to build trust and work effectively with Tribal governments

Diana R. Bob, Esq.
Native Law PLLC ~ Seattle, WA

9:45 Case Law Update

Lessons from cases decided in 2017 and in 2018

Connie Sue M. Martin, Esq., Program Co-Chair

10:30 Break

10:45 PFOAs, PFOSs, PFCs and Other Emerging Persistent Contaminants in Water Supplies

The science: The chemicals, sources, transport, and fate of the contaminants in surface water and groundwater; why they are “persistent”

Brent Brelje, Principal Engineer
SLR International ~ Portland, OR

Update on the 3M Scotchgard settlement: Legal perspective on the interplay between clean water, drinking water supply, and hazardous waste law; implications for NRD assessments

Ryen Godwin, Esq.
Schwabe Williamson & Wyatt ~ Seattle, WA

An NRD Trustee’s point of view on the challenge of getting up to speed on the law and science for new categories of contaminants

Craig R. O’Connor, Esq.,
Special Counsel for Natural Resources
National Oceanic and Atmospheric Administration ~ Seattle, WA

12:15 Lunch (on your own)

1:30 Negotiated Technical Solutions in NRDA

Tools to help Tribes develop bargaining power: Identifying what will most inform the negotiation including baseline, cultural practices, and the specific components of ecosystem services; dealing with situations where it is not feasible to conduct a study

Jack Bell, Program Co-Chair, Moderator

Troy Baker, Regional Resource Coordinator
National Oceanic and Atmospheric Administration ~ Seattle, WA

Ann Shellenbarger Jones, Ph.D., Principal
Industrial Economics, Incorporated ~ Cambridge, CA

3:00 Break

3:15 Integrating Economic Analysis into Negotiated Settlements

Current best practices for quantifying damages

Robert E. Unsworth, Principal
Industrial Economics, Incorporated ~ Cambridge, MA

PRP perspective

Theodore Tomasi, Ph.D.,
Vice President and Director of National Practices
Cardno, Inc. ~ Newark, DE

4:30 TNRDA Scope Issues: Case Study of Portland Harbor

The critical issue of how big the box should be: In this case, just Portland Harbor or also the Lower Columbia?

Thomas A. Zeilman, Esq.
Law Offices of Thomas Zeilman ~ Yakima, WA

5:00 Evaluations and Adjourn

Tribal Natural Resource Damage (NRD) assessment and restoration remains one of the most fascinating, and still underdeveloped areas of environmental law. Changes in policy, priorities, and funding under the new administration have impacted sites where Tribes work with federal trustee partners. Attendees will receive tips for adapting your strategy in engaging with federal agencies and educating new agency staff in light of those changes. You will gain tools for developing bargaining power in negotiating technical solutions in NRD and assessment, and learn best practices for quantifying damages. You will discuss the legal and technical implications of emerging persistent contaminants in water supplies. Finally, you will receive an update on cases decided since the 2017 seminar, and wrap up with a discussion of the scope of Tribal NRD and assessment through the lens of the Portland Harbor site.

This fourth annual seminar focusing exclusively on Tribal NRD will allow you to learn from lawyers, policy makers, and technical experts who are involved in Tribal NRD sites and the cutting-edge cases that are driving the development of Tribal NRD law. Participate in our discussions, interact with the faculty in question and answer sessions after each presentation and at breaks--and enjoy the truly extraordinary city that is Seattle.

~ Program Co-Chairs: Jack Bell, of Nez Perce Tribe and Connie Sue M. Martin, Esq. of Schwabe Williamson & Wyatt

L A W S E M I N A R S I N T E R N A T I O N A L

What previous attendees have said:

“Great presentations w/ great material. I appreciate the interaction w/ the audience.”

“I really appreciated the diversity of content and fresh topics (and fresh faces!). From a non-legal perspective, it was refreshing to not have 10 presentations just outlining legal decisions and case law.”

Easy Ways to Register

Online: www.lawseminars.com
Phone: (206) 567-4490

Tribal NRD Assessments Seminar

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Monday, December 10, 2018

**Tribal NRD Assessments Seminar**

**Jack Bell, Program Co-Chair**, is Director of Environmental Restoration and Waste Management (ERWM) for the Nez Perce Tribe. The ERWM program includes the Tribe’s participation in the Hanford NRDA.

**Connie Sue M. Martin, Program Co-Chair**, is a Shareholder at Schwabe Williamson & Wyatt. She helps Indian tribes, ports, companies of all sizes, and individuals address environmental contamination and restore injured natural resources.

**Troy Baker** is Regional Resource Coordinator at the National Oceanic and Atmospheric Administration. He currently serves as NOAA’s primary representative to the Hanford Trustee Council and addresses oil spill preparedness activities within the agency.

**Diana R. Bob** is the founder of Native Law PLLC. She previously served as in-house counsel for the Lummi Nation.

**Brent Brelje**, Principal Engineer at SLR International, is a water treatment engineer. He has been designing, installing, and operating ground-water treatment systems since 1985.

**Ryen Godwin** is a shareholder at Schwabe Williamson & Wyatt where he has extensive experience in Clean Water Act litigation. He has counseled clients in a variety of industries, including distribution, development, petroleum, public and private construction, logging, utility services, and the commercial fishing industry.

**Rachel Jacobson**, Special Counsel at Wilmer Cutler Pickering Hale and Dorr, joined the firm following more than two decades in the federal government, where she handled some of the largest environmental cases in US history and held senior positions at the US Department of Justice (DOJ), Department of the Interior (DOI) and Department of Defense (DOD).

**Craig R. O’Connor** is the recent former Section Chief and current Special Counsel for the Natural Resources Section of the National Oceanic and Atmospheric Administration.

**Ann Shellenbarger Jones, Ph.D.**, is a Principal at Industrial Economics, Incorporated. She manages assessments of ecological systems and worked with Tribal trustees at the St. Louis River NRD case.

**Theodore Tomasi, Ph.D.**, is Vice President and Director of National Practices at Cardno, Inc. He manages the company’s natural resources sector.

**Robert E. Unsworth** is a Principal at Industrial Economics, Incorporated. He focuses on applied natural resource and environmental economics.

**Thomas A. Zeilman**, Law Offices of Thomas Zeilman, has represented the Yakama Nation for over eighteen years, both as an in-house attorney and in private practice. He has been a past Chair of both the Portland Harbor and Hanford Natural Resource Trustee Councils, and has represented the Yakama Nation in many other federal and state-led remediation sites throughout the Columbia Basin.

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**Registration & Other Seminar Information**

**Tuition**: Regular tuition for in-person or webcast attendance for this program is $695 with a group rate of $625 each for two or more registrants from the same firm. For Tribal members and government employees, 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 seminar sessions, food and beverages at breaks, and all course materials. Materials will be available for download and review a few days before the seminar. Make checks payable to Law Seminars International. 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 Tuesday, December 4, 2018. After that time, we will credit your tuition toward attendance at another program or the purchase of a webcast or audio replay.

**Seminar Location**: The seminar will be held at the Crowne Plaza Hotel - Seattle Downtown at 1113 Sixth Avenue in Seattle, WA 98101. Call the hotel before November 9th at (877) 410-2551 for reservations at the special negotiated rate of $189.00 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

**Continuing Education Credits**: Live credits: This program qualifies for 6.50 WA MCLE credits and 6.50 Academy of Board Certified Environmental Professionals Credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

**Time Shift Your Content**: Webcast and audio replays, with course materials, are available at the same price as live attendance. The course materials alone are available for $100. Replays will be available within three business days after the seminar or from the date we receive payment.

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**Other Programs**

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<td>September 10-11, 2018</td>
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<td>Natural Resource Damages</td>
<td>August 9-10, 2018</td>
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<td>Tribal Water in the Pacific</td>
<td>July 19-20, 2018</td>
<td>Seattle, WA</td>
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More at [www.lawseminars.com](http://www.lawseminars.com)
You Will Learn About:

- Strategic approaches to Tribal/Federal trustee relationships
- Tips for more effective consultations
- Emerging Persistent Contaminants in water supplies
- Tools for negotiating technical solutions in NRDA
- Tips for integrating economic analysis into negotiated settlements
- Portland Harbor and TNRDA scope issues
- Case law developments important to Tribal NRDA

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General Webcast Info

- High quality audio & video
- View slide decks like you were in the room
- Works on any platform, any device

Live Webcasts

- Participate from anywhere
- Includes the ability to ask questions
- Qualifies for live credits in most states

Video Replays

- Allow you to time-shift your content
- The streaming version has navigation tools and search capabilities that allow you to quickly find the portions most important to you
- The Vodcast option allows you to make effective use of in-flight plane time

Audio Podcasts

- Perfect for making more effective use of the time you spend commuting

To Register:

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800 Fifth Ave., Suite 101
Seattle, WA 98104

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(206) 567-5058

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