

# Cultivating Corridors for the People

## 25th Annual Public Interest Environmental Law Conference



Thursday, March 1 – Sunday, March 4, 2007

Welcome to the **Public Interest Environmental Law Conference** (PIELC), the premier annual gathering for environmentalists in the world! Now in its 25th 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. Please note:

- **Registration** will be held in the lobby of the University of Oregon School of Law, located on the corner of 15th Avenue and Agate Street.
- **Keynote addresses** will be held in the Erb Memorial Union (EMU) Ballroom on campus, with the exception of the **closing addresses**, which will be held in room 175 at the law school.
- **Opening keynote update:** If you registered for PIELC prior to February 15th, you may pick up a ticket for the opening keynote at the registration table between 2:00 and 6:00 P.M. on Thursday. Any remaining, unclaimed tickets will be disbursed on a first-come, first-served basis at the EMU Ballroom at 6:15 P.M. Once these tickets are gone, overflow seating will be available in additional rooms where both speeches may be viewed in real time.
- **Seating** at all other **keynotes** will be allocated on a first-come, first-served basis.
- Space for **meals** and the **Ethics Workshop** is limited. Please pre-purchase tickets for meals and the workshop at the registration table in the law school lobby.

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## Keynote Biographies

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**Dinah Bear** is General Counsel of the Council on Environmental Quality (CEQ) in the Executive Office of the President. Ms. Bear joined CEQ as Deputy General Counsel in 1981 and was appointed General Counsel in 1983. She is an expert on the National Environmental Policy Act (NEPA) and has chaired both the Standing Committee on Environmental Law of the American Bar Association and the Steering Committee of the Environment, Energy, and Natural Resources Division of the District of Columbia Bar. She has received the Distinguished Service Award from the Sierra Club and the Chairman's Award from the Natural Resources Council of America.

**Reverend Marta Benavides** was born and raised in El Salvador and has devoted her entire life to inspiring a culture of peace in her country and the world. She actively participated in peace processes to stop armed conflict in El Salvador in the 1980s even as a series of threats to her life forced her to leave the country. She returned in 1992 and has since created the "Ecological House," a demonstration project featuring a water purification system using sunlight and recycled bottles, a medicinal herb garden, and a low-maintenance butterfly garden. In addition to her work at home, Reverend Benavides is the International Vice President of the Women's International League for Peace and Freedom and follows UN and UNESCO processes as part of the Women's Caucus, Sustainability Caucus, Peace Caucus, and Values Caucus. In 2005, she was nominated as one of 1000 Peace Women for the Nobel Peace Prize.

**Lonnie Dupre and Eric Larsen** made history on July 1, 2006 by becoming the first people in the world to travel to the North Pole in the summer. One of the primary objectives of their historical journey was to create awareness of global warming. Since returning from their voyage, the two explorers have given talks around the world to continue to educate

the public about climate change. Mr. Dupre has traveled over 13,500 miles throughout the high Arctic regions of northeastern Russia, Lapland, Alaska, Canada, and Greenland. In 1992, he led a 3,059-mile, 185-day trek across the Canadian Arctic, the first west-to-east crossing of the Northwest Passage via dog sled and ski. Mr. Larsen has traveled extensively throughout Alaska and the Canadian Arctic. In 2002, he completed a 700-mile dog sled expedition in the Canadian Subarctic that focused on the culture and land of the Oji-Cree Peoples of northern Ontario.

**Anne Kajir** is Chief Executive Officer of the Environmental Law Centre in Port Moresby, Papua New Guinea and is lead attorney in a Supreme Court case aimed at stopping foreign timber companies' illegal deforestation of the largest remaining intact block of tropical forest in the Asian Pacific region. She has found evidence of widespread government corruption allowing these companies to act as a law unto themselves, ignoring the terms of government-issued timber permits and terrorizing local communities—at gunpoint in some cases—into signing over their land rights. In 1997, her first year of practice, Ms. Kajir successfully defended a precedent-setting appeal in the Supreme Court of Papua New Guinea, which forced the logging industry to pay damages to indigenous land owners. In 2006, she received the Goldman Environmental Prize for her outstanding work.

**Robert F. Kennedy, Jr.** serves as Senior Attorney for the Natural Resources Defense Council, Chief Prosecuting Attorney for Hudson Riverkeeper, and President of Waterkeeper Alliance. He is also a Clinical Professor and Supervising Attorney at Pace University School of Law's Environmental Litigation Clinic and is co-host of Ring of Fire on Air America Radio. Mr. Kennedy has worked on environmental issues across the Americas and has assisted several indigenous tribes in Latin America and Canada in

successfully negotiating treaties protecting traditional homelands. The New York City watershed agreement, which he negotiated on behalf of environmentalists and New York City watershed consumers, is regarded as an international model in stakeholder consensus negotiations and sustainable development. Mr. Kennedy was named one of *Time* magazine's "Heroes for the Planet" for his success helping Riverkeeper lead the fight to restore the Hudson River. The group's achievement helped spawn more than 150 Waterkeeper organizations across the globe.

**Winona LaDuke** lives and works on the White Earth reservation in northern Minnesota and is a parent to five children. She is a two-time United States Vice Presidential Candidate and the author of five books. She currently serves as Program Director of Honor the Earth, a Native American foundation working primarily on environmental and energy policy issues. Through this work, she is involved in national renewable energy strategies for the new millennium. Ms. LaDuke also serves as the Founding Director of White Earth Land Recovery Project, the largest reservation-based nonprofit organization in the state of Minnesota. She has received numerous honors including the Thomas Merton Award, the Ann Bancroft Award, and the Global Green Award.

**Zygmunt Plater** is a professor of law at Boston College. He brought the snail darter, a fish threatened by dam construction in Tennessee, to the nation's attention. He was instrumental in spearheading the ESA litigation that closed the Tellico Dam and established the ESA as an important tool for protecting biological diversity. Professor Plater worked as chair of the State of Alaska's Oil Spill Commission legal research task force responding to the Exxon-Valdez disaster, has been a legal consultant in many environmental law cases, has authored many law review articles, and is lead author

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## Keynote Biographies

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of the widely-adopted environmental law coursebook, *Environmental Law and Policy: Nature, Law, and Society*. He was awarded the 2005 David Brower Lifetime Achievement Award at the 23rd annual PIELC.

**Jerome Ringo** is President of the Apollo Alliance and Chairman of the Board of the National Wildlife Federation. After volunteering to assist evacuees from New Orleans in the wake of Hurricane Katrina, he became an evacuee himself when Hurricane Rita struck Lake Charles, LA. These experiences thrust Mr. Ringo forward as a national conservation spokesman on an array of issues including highlighting global warming's influence on hurricanes, reforming national water policies to put the public interest first, and restoring degraded wetlands of coastal Louisiana and other habitats vital to wildlife. Much of his work focuses on building coalitions among farmers, business, labor, faith, and conservation groups in an effort to forge a new energy future that will both create jobs and reduce America's dependence on fossil fuels and foreign oil. Mr. Ringo has been cited as "the most interesting environmental leader in the United States right now," by *The Nation*, and as one of *Ebony* magazine's most influential African-Americans in 2006.

**Dr. Vandana Shiva** is an International Councillor of Slow Food, physicist, ecologist, author, and courageous activist who is equally at ease working with peasants in rural India and teaching in universities worldwide. Her work seamlessly intertwines issues of social and environmental justice. She has successfully challenged the biopiracy of Neem, Basmati, and Wheat; exposed the social, economic and ecological costs of corporate led globalization; and dramatically shifted perceptions of third world women. Dr. Shiva is the founder of several organizations, including the Research Foundation for Science, Technology and Ecology, an organization dedicated

to independent research into today's most significant ecological and social issues; Navdanya, a national movement to protect the diversity and integrity of living resources, especially native seed, the promotion of organic farming, and fair trade; and Diverse Women for Diversity, an international movement of women working on food, agriculture, patents, and biotechnology. Among Dr. Shiva's many awards are the Alternative Nobel Prize (Right Livelihood Award, 1993), Order of the Golden Ark, Global 500 Award of UN, and Earth Day International Award.

**Sheila Watt-Cloutier** is the former Chair of the Inuit Circumpolar Council (ICC), the Inuit organization that represents internationally the 155,000 Inuit of Canada, Greenland, Alaska, and Chukotka in the Far East of the Federation of Russia. Defending the rights of Inuit has been at the forefront of Ms. Watt-Cloutier's mandate since her election as President of ICC Canada in 1995 and reelection in 1998. She was instrumental as a spokesperson for a coalition of northern Indigenous Peoples in the global negotiations that led to the 2001 Stockholm Convention banning the generation and use of persistent organic pollutants (POPs) that contaminate the arctic food web. Ms. Watt-Cloutier also contributed significantly to *Silatunirmut: The Pathway to Wisdom*, the 1992 report of the review of educational programming in Nunavik. In addition, she co-wrote, produced, and co-directed the acclaimed youth awareness video *Capturing Spirit: The Inuit Journey*. Ms. Watt-Cloutier has received numerous awards for her work including the 2004 Aboriginal Achievement Award for Environment, the Order of Canada, and most recently, a nomination for the Nobel Peace Prize along with Al Gore.

**Craig E. Williams** is a decorated Vietnam War veteran who successfully convinced the Pentagon to stop plans to incinerate stockpiles of chemical weapons stored in multiple locations around the United States. He started his campaign in 1985 after learning that one of nine weapons stockpiles to be burned was at an Army depot in his community. Worried that incineration would put local citizens and their environment at risk, he built a nationwide grassroots coalition, the Chemical Weapons Working Group (CWWG), to demand safe disposal solutions and openness within the Pentagon's program. Today, Mr. Williams continues working with CWWG member groups and citizens in Oregon, Utah, Alabama, and Arkansas, where incinerators currently are destroying chemical weapons. He was awarded the Goldman Environmental Prize in 2006 for his efforts.

**Mary C. Wood** is the Philip H. Knight Professor of Law and Morse Center for Law and Politics Resident Scholar (2006-07) at the University of Oregon School of Law. She is the founding director of the school's Environmental and Natural Resources Law Program and has published extensively on the Indian trust doctrine, treaty rights, and environmental issues facing native nations. She is co-author of a textbook in natural resources law (West, 2006) in which she presents a full framework of federal, tribal, state, and individual ownership. Professor Wood is currently working on an article applying public trust theory to global warming, seeking to hold the federal government accountable as a sovereign co-tenant trustee of the global atmosphere. She is also working on a book entitled, *Nature's Trust: A Legal Paradigm for Protecting Land and Natural Resources for Future Generations*.

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## Schedule of Keynote Addresses\*

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### THURSDAY, MARCH 1

*Evening Addresses 7:00 - 9:00 P.M.*

**VANDANA SHIVA  
ROBERT F. KENNEDY, JR.**

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### FRIDAY, MARCH 2

*Lunch Addresses 12:15 - 2:00 P.M.*

**ANNE KAJIR  
CRAIG E. WILLIAMS**

*Evening Addresses 7:00 - 9:00 P.M.*

**SHEILA WATT-CLOUTIER  
LONNIE DUPRE & ERIC LARSEN**

### SATURDAY, MARCH 3

*Lunch Addresses 12:15 - 2:00 P.M.*

**ZYGMUNT PLATER  
DINAH BEAR**

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*Evening Addresses 7:00 - 9:00 P.M.*

**REV. MARTA BENAVIDES  
JEROME RINGO**

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### SUNDAY, MARCH 4

*Closing Addresses 12:15 - 2:00 P.M.*

**WINONA LADUKE  
MARY C. WOOD**

*\*All keynote addresses will be located in the EMU Ballroom except Sunday's Closing Addresses, which will be located in Law 175. Information about recording keynote speeches is on the back cover.*

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## Meal Schedule

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### LUNCHES

FRIDAY, MARCH 2 – 12:00 - 2:00 P.M.

Minestrone soup, baked herb polenta, chickpea and tomato salad, fruit salad, vegan cookies.  
Price: \$11

SATURDAY, MARCH 3 – 12:00 - 2:00 P.M.

Pasta toss with vegan noodles, vegan marinara sauce and creamy pesto sauce, green salad, bread, and vegan cookies.  
Price: \$11

### DINNERS

FRIDAY, MARCH 2 – 5:30 - 7:00 P.M.

Tofu fajita bar with vegan black beans, rice, guacamole, salsa, vegan brownies, and churros.  
Price: \$16

SATURDAY, MARCH 3 – 5:30 - 7:00 P.M.

Thai noodle buffet with fresh vegetables and tofu. Apple crisp for dessert.  
Price: \$16

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All meals are vegan. Meals will be served in the Oak Room (EMU), across from the Ballroom, with seating provided in the Gumwood Room during the speeches. Dinners will end just before the evening keynote speakers begin.

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Table seating is limited, but food is welcome in the regular seating area as well. Tickets are available at registration.

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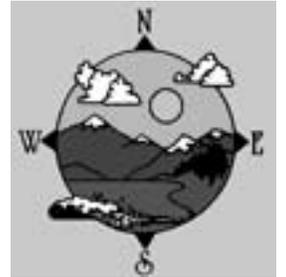
*This year's PIELC art (on the cover) was created by Diane French ([www.dfrenchart.com](http://www.dfrenchart.com)). A silent auction for the piece will be held throughout the weekend. Stop by the registration table to view and bid!*

# Conference Sponsors

**Land Air Water** (L.A.W.) 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 25th year, PIELC unites more than 3,000 activists, attorneys, students, scientists, and community members from over 50 countries around the globe to share their ideas, experience, and expertise. L.A.W. members also sponsor speakers and events at the university, organize volunteer activities, and publish the Western Environmental Law Update, an annual newsletter providing insight on developments in environmental law.



**Friends of Land Air Water** (F.L.A.W.) is a 501(c)(3) non-profit organization founded by L.A.W. 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 Public Interest Environmental Law Conference. F.L.A.W. also provides a summer stipend program for University of Oregon School of Law students working in unpaid positions in environmental law.



## Thursday, March 1

### STAR SYSTEM KEY FOR PANELS

- PANEL IS NON-LEGAL
  - \* PANEL TOUCHES ON LEGAL ISSUES
  - \*\* SIGNIFICANT PORTION OF PANEL CENTERED ON LEGAL CONCEPTS
  - \*\*\* VERY LEGAL, FOR PRACTITIONERS
- Look for stars after panel titles and locations. -

**REGISTRATION: 2:00 – 6:00 P.M.** (UO Law Steps)

### SPECIAL EVENT (ART RECEPTION)

**4:00 – 6:00 P.M.** (EMU Adelle McMillan gallery)

#### **Creative Students & Artists in Eugene: New Visions for a Healthy Planet**

This exhibit focuses on reuse and resourcefulness as a widespread trend in contemporary artwork and sustainable education. MECCA, Eugene's Materials Exchange Center for Community Arts, facilitates recycled art making for local artists, teachers, and families, and believes that artists are necessary to serve as visionaries who can temper our reality with idealism. Artwork in this exhibit reflects local artists' visions of a healthy environmental future or impressions of the environmental challenge. Space for the March Exhibit is provided by the University's Cultural Forum. Exhibit planned, organized and coordinated by Sterling Israel, graduate student in Arts Administration.

### AFTERNOON PANELS • 3:45 – 5:00 P.M.

#### **Dams Around the World** (Fir EMU) \*\*

Advocates from Chile, India, and Mexico will talk about the impact of dams on local communities.

Fernando Dougnac, President, *Fiscalía del Medio Ambiente*

Ritwick Dutta, Attorney, *India*

Raquel Gutierrez Najera, Executive Director, *Instituto de Derecho Ambiental*

Vandana Shiva, Physicist, *Ecologist & Activist*

#### **Judges, Judicial Nominees & Environment** (Walnut EMU)\*

This panel will discuss the current state of the Supreme Court and federal judiciary as a whole, how the jurisprudence of these courts impacts the environment, and what you can do to ensure that judges who are hostile to the environmental are not confirmed to the bench.

David Bookbinder, Senior Attorney, *Sierra Club*

Marguerite McConihe, Legal & Policy Counsel, *Community Rights Council*

Annamarie Slikker, Legislative Associate, *Earthjustice*

Marya Torrez, Dorot Judicial Selection Project Fellow, *Alliance for Justice*

#### **Wildlife & Energy Development** (Metolius-Owyhee EMU) \*\*

This panel will explore the recent developments in science and law regarding the impacts of energy development on wildlife in the Intermountain West. It will review some of the legal requirements regarding wildlife and energy development and will summarize recent case law and key administrative decisions over the past year. It will also explore recent legislative efforts to increase protections for wildlife.

Melinda Harm Benson, Attorney, *Ruckelshaus Institute and Haub School of Natural Resources, University of Wyoming*

Mike Chirapolos, Lands Program Director, *Western Resource Advocates*

Lisa Dardy McGee, Director, *National Parks & Forests Programs, Wyoming Outdoor Council*

#### **Forest Biomass: Potential Benefits & Risks**

(Aalsea-Coquille EMU) \*\*

Currently, state and federal governments are proposing the use of biomass as an alternative energy source to fossil fuels. Proponents argue that forest biomass is clean and can help support local economies. Opponents counter that the use of biomass will lead to increased demand for timber extraction.

Scott Aycock, Program Administrator, *Central Oregon Intergovernmental Council*

Marcia Patton-Mallory, Biomass & Bioenergy Coordinator, *U.S. Forest Service*

Scott Silver, Executive Director & Co-Founder, *Wild Wilderness*

Jim Walls, Director, *Lake County Resources*

Shannon Wilson, Forester & Co-Director, *Cascadia's Ecosystem Advocates*

### KEYNOTE ADDRESSES

**7:00 – 9:00 P.M.** (EMU Ballroom)

**Vandana Shiva**

**Robert F. Kennedy, Jr.**

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**REGISTRATION: 8:00 A.M. – 6:00 P.M. (UO Law Steps)**

**ENR CENTER OPEN HOUSE**

**9:00 A.M. – 4:00 P.M. (Law 225)**

Stop by the Bowerman Center for Environmental and Natural Resources Law to meet the staff and faculty of the University of Oregon's ENR program, to find out what is happening in the ENR Program, or to touch base about resources available for students and the community through the ENR program.

**SPECIAL EVENT (FILM)**

**9:00 – 10:30 A.M. (EMU Fir Room)**

**Source to Sea**

On July 1, 2003 Christopher Swain became the first person to swim the entire 1,243-mile length of the Columbia River in the Pacific Northwest. His swim brought stories about the river's disrupted ecosystems and displaced peoples to over 20,000 North American school-children and to a worldwide media audience of over one billion people.

**MORNING WORKSHOP • 9:00 – 11:00 A.M.**

**Creating Frontlash: Tapping the Law & Local Values to Create Momentum for Environmental Solutions (Gerlinger) \*\***

If a legal strategy clearly taps into broad public values, if there is local demand for our case, and if we use litigation to promote practical solutions, we can create "frontlash" in the form of positive momentum for our larger cause. This panel will explore how to use the tactic of litigation most effectively, focusing on the importance of integrating litigation into an overall campaign strategy. The panel will include extensive media training and should be equally useful to activists and lawyers alike.

- Aaron Isherwood, Senior Staff Attorney, Sierra Club
- Eric Antebi, National Press Secretary, Sierra Club
- Amy Bricker, Attorney, Shute, Mihaly & Weinberger LLP

**EARLY MORNING PANELS • 9:00 – 10:15 A.M.**

**Earth On Fire: Int'l Responses to Global Warming (Law 241) \***

This panel addresses the legal responses to global warming on the international, regional, and national levels. Topics include the Kyoto Protocol, impacts and adaptation in the Yukon, implementation of international treaties, and use of innovative national litigation to help solve the problem.

- Don Anton, Visiting Professor, University of Alabama School of Law & Senior Lecturer in Law, Australian National University
- Maryana Bulhakova, Attorney, Environment-People-Law
- Svitlana Kravchenko, Professor, University of Oregon School of Law & Vice-Chair, Compliance Committee of Aarhus Convention
- John Streicker, Manager, C-CLARN North, Northern Climate Exchange, Northern Research Institute, Yukon College

**Conservation Easements & Land Preservation In the Age of Global Warming (Metolius-Owyhee EMU) \***

This panel will create a dialogue between scientists studying global climate change and attorneys drafting conservation easements for land trusts. The goal of the panel will be to develop practical, on-the-ground suggestions for how land trusts and environmental organizations might best fight the effects of climate change.

- Patrick J. Bartlein, Professor of Geography, University of Oregon
- James L. Olmsted, Conservation Easement Attorney, Conservation & Preservation Counsel
- Bitty Roy, Professor of Biology, University of Oregon

**Climate Change in Alaska: Coming to Your Town Soon? (Law 141) \***

Four UO Law graduates and veteran Alaska conservationists will examine the current effects of global warming in Alaska and present several strategies that conservation and other organizations are pursuing to confront climate change within the state and beyond.

- Patrick Lavin, Attorney, National Wildlife Federation
- Stacey Marz, Attorney
- Chris Rose, Executive Director, Renewable Energy Alaska Project
- Bob Shavelson, Executive Director, Cook Inletkeeper

**Health Impacts of Transboundary Pollution on Subsistence Users (Longhouse) \*\***

562 American Indian and Alaska Native communities within the U.S. face transboundary problems including air and water pollution from neighboring state and local municipality sources as well as emissions from other countries. This panel will explore government-to-government issues, federal involvement and processes, and problems that subsistence users disproportionately suffer.

- Dr. James Berner, Director of Community Health Services, Alaska Native Tribal Health Consortium
- Rich McAllister, Regional Judicial Officer, EPA Region 10
- Katie Krueger, Environmental Attorney, Quileute Nation

**Public Lands Omnibus (Maple EMU) \***

This panel will discuss the lively debate among conservationists over "omnibus" public lands legislation. Some have deep concerns about both the immediate and long-term implications of such legislation. Others believe that "omnibus" bills should be judged individually based upon the competing interests of those who negotiated the bill and the politics driving those negotiations.

- Janine Blaeloch, Director, Western Lands Project
- Tim Brown Ph.D., Research Assoc. Center of the American West, Univ. of CO-Boulder
- Andy Kerr, Senior Counsel, Oregon Wild

**Constitutionalizing the Environment**

(Alsea-Coquille EMU) \*\*\*

This panel will discuss the Montana Constitution's environmental protection provisions, arguably the most stringent constitutional environmental laws in the nation. Panelists will focus on the wide-ranging application of the "right to a clean and healthful environment" in water quality, wildlife private contract disputes, and land use planning.

- Sarah K. McMillan, Attorney
- Jack R. Tuholske, Attorney, Tuholske Law Office PC

## Effective Use of Expert Witnesses in Environmental Cases

(Law 282) \*\*\*

This panel will present information about using experts in various types of environmental litigation, including expert testimony submitted in writing as part of administrative environmental permit proceedings and at trial. Discussion will center on real life experiences that demonstrate how to identify and prepare expert witnesses in order to maximize their effectiveness.

*William C. Carpenter, Jr., Attorney*

*Tom Lippe, Public Interest Env'tl Atty., Law Offices of Thomas N. Lippe APC*

*Jonathan S. Sheffiz, Economics Consultant, JSheffiz Consulting*

## Protecting Instream Flows & Aquatic Habitat

(Walnut EMU) \*\*

This panel will discuss the ongoing "Tri-State Water Wars" litigation among Georgia, Alabama, Florida, and the Army Corps of Engineers; negotiating in-stream flow rights for Idaho's wild and scenic rivers, and the impacts of FERC licensing on instream flows and water-dependent threatened and endangered species.

*Adell Amos, Env'tl & Nat. Resources Program Dir., Assoc. Prof. UO School of Law*

*Lisa T. Belenky, Staff Attorney, Center for Biological Diversity*

*Bill Eddie, Contract Attorney, Advocates for the West*

*Larry Sanders, Clinical Instructor & Staff Attorney, Turner Env'l Law Clinic, Emory University School of Law*

## National Forest Roadless Areas: Litigation & Policy

Updates (Law 142) \*\*

This panel will discuss the recent northern California court decision reinstating the Roadless Area Conservation Rule and explore the current status of roadless area legislation and policy issues. It will also review the latest developments from Wyoming, where only days before, a court will be holding a hearing on a requested nationwide injunction against the Roadless Area Conservation Rule.

*Mike Anderson, Senior Policy Advisor, The Wilderness Society*

*Jim Angell, Managing Attorney, Earthjustice*

*David Leith, Attorney in Charge, Special Litigation Unit, Oregon Atty. General's Office*

## Oil & Gas Leasing in the West's Wildlands (Law 242) \*\*

Recent federal court decisions in Utah and Oregon have put the brakes on oil and gas leasing and grazing rangeland projects in wilderness quality lands across the west. This panel will discuss these decisions, their implications, and how citizen groups can use them to protect special places from development.

*Stephen Bloch, Staff Attorney, Southern Utah Wilderness Alliance*

*Sharon Buccino, Land Director & Senior Attorney, Natural Resources Defense Council*

*Peter "Mac" Lacy, Staff Attorney, Oregon Natural Desert Association*

*Robert Randall, Staff Attorney, Western Resource Advocates*

## Reclaiming Our Public Trust (Law 243) \*\*

The Public Trust Doctrine requires states to protect certain shared resources for public use by all, including future generations. This panel will explore how this doctrine can be used to reinforce sustainability, protect traditional Native uses, and encourage collaboration among tribal Peoples, environmentalists, and businesses.

*Mark Franco, Headman, Winnemem Wintu Tribe*

*James Paul, Attorney, Hawaii's Thousand Friends*

*Caleen Sisk-Franco, Tribal Chair, Winnemem Wintu Tribe*

*Michael Warburton, Executive Dir., Public Trust Alliance*

## SPECIAL EVENT (FILM)

10:30 – 11:45 A.M. (EMU Maple Room)

### Waterbuster

Presented by Paul Van DeVelder, *Waterbuster* tells the story of how the Missouri River died when the Pick Sloan Plan was approved in the Flood Control Act of 1944. It also explains what happened and is happening to the communities, tribal civilizations, and societies that once depended on its resources for survival.

## LATE MORNING PANELS • 10:30 – 11:45 A.M.

### APA Trivia! (Alea-Coquille EMU) \*\*\*

Have you or your client been the victim of an arbitrary or capricious agency action? Step right up and test your knowledge. High Street gift certificates will be awarded to the top lawyer and non-lawyer!

*Marty Bergoffen, Attorney*

*Judi Brawer, Attorney*

*Matt Kenna, Staff Attorney, Western Environmental Law Center*

### Fields of Poison (Metolius-Owyhee EMU) \*

Farmworkers and their families face a number of challenges, including illnesses and injuries from pesticides in the fields where they work. This panel will explore the legal options available to migrant farmworkers and current/developing issues around pesticide use on farms.

*Keith Cunningham-Parmeter, Assistant Professor, Willamette University, College of Law*

*Valentin Sanchez, Indigenous Farmworker Project Community Outreach Educator, Oregon Law Center*

*Santiago Ventura, Indigenous Farmworker Project Community Outreach Educator, Oregon Law Center*

### Wolf Conservation in Oregon (Longhouse) \*

Gray wolves once roamed most of Oregon, but a deliberate eradication effort led to their extirpation by the 1940s. Sixty years later, wolves are poised to reestablish in Oregon. This panel will share the latest details from state biologists and explore the cultural, political, legal, and managerial aspects of wolf recovery. Particular attention will focus on the recent federal proposal to delist gray wolves from the ESA in the Northern Rockies and parts of the Pacific Northwest.

*Charlie Bruce, Threatened & Endangered Species Coordinator, Oregon Dept. of Fish & Wildlife*

*Ken Hall, Fish & Wildlife Comm'n, Confed. Tribes of the Umatilla Indian Reservation*

*Amaroq Weiss, Western Species Conservation Director, Defenders of Wildlife*

### Global Warming & Biodiversity (Law 141) \*

Global warming is currently impacting biodiversity worldwide. Panelists will focus on imperiled species and their local climates, especially polar bears and marine ecosystems. Panelists will also discuss use of the Endangered Species Act listing process to combat climate change and reduce carbon emissions.

*Rich Fairbanks, Forest Fire Prog. Assoc., The Wilderness Society*

*Kassie Siegel, Climate, Air & Energy Director, Center for Biological Diversity*

*Miyoko Sakashita, Staff Attorney, Center for Biological Diversity*

**Litigating Attorneys' Fees Under the Equal Access to Justice Act**  
(Law 142) \*\*\*

The panel will highlight the experiences of public interest attorneys who have successfully obtained attorneys' fees, costs, and other expenses for their clients under the Equal Access to Justice Act.

Dave Bahr, Attorney, Western Environmental Law Center

Marianne Dugan, Attorney, Marianne Dugan PC

Pete Frost, Attorney, Western Environmental Law Center

**Thinning to Reduce Forest Fires: Sound Science or Another Excuse to Log?** (Law 241) \*

How can science help the public and policy makers focus limited resources on legitimate fire risk reduction projects without harming forest ecosystems? How effective are fuels-focused treatments likely to be in restoring forest ecosystems? What are potential negative consequences of fuels-focused logging? Panelists will address these questions and more.

John Bailey, Associate Professor, Dept. of Forest Resources, Oregon State University

Jon Rhodes, Hydrologist, Planeto Azul Hydrology Consultants

Richard Waring, Professor Emeritus of Forest Science, Oregon State University

**Legal Strategies to Fight Negative Effects of Genetic Engineering** (Law 242) \*\*

Two of the world's leading litigators on genetic engineering will discuss how they are using class action suits, NEPA, and legislation to protect farmers, consumers, and our environment from the hazards of genetic engineering. Learn how class litigation in the GE seed/crop context is being used to protect and advance farmers' interests. Hear about recent litigation, including a GE Alfalfa suit, legislative strategies, and more.

Adam Levitt, Partner, Wolf Haldenstein Adler Freeman & Herz LLC

Will Rostow, Senior Attorney, The Center for Food Safety

**Field Burning: Tools to Stop the Annual Assault on Public Health** (Law 243) \*\*

Smoke from grass seed and cereal residue field burning harm tens of thousands of people in Oregon, Washington, and Idaho annually. That smoke is loaded with PM 2.5, which aggravates a host of cardiovascular and respiratory diseases among vulnerable sectors. This panel presents legislative and litigation tools to terminate this annual public health crisis.

Dan Galpern, Staff Attorney, Western Environmental Law Center

Patti Gora, Executive Director, Safe Air for Everyone

Representative Paul Holvey, Oregon House District 8

Karen Lindholdt, Attorney, Safe Air for Everyone

David Monk, President of the Board, Oregon Toxics Alliance

**Rails to Trails: Cultivating Corridors for the People** (Law 282)\*

In a literal application of the theme of this year's PIELC, this panel will describe broadly the full process for converting old railroad right-of-ways into new recreational trails. The panel will address issues including possible right-of-way contamination, the legal process for "railbanking," and fundamentals of trail management. Case studies of successful rail-trail projects in Idaho and Oregon will also be presented.

Richard Meyers, City Manager, Cottage Grove, OR

Cliff Villa, Assistant Regional Counsel, U.S. EPA Region 10

**Protecting Gunnison & Greater Sage Grouse Under the ESA** (Walnut EMU) \*\*\*

The Bush Administration and industry have dubbed sage grouse the "Spotted Owl of the Desert," fearing the impact that protecting sage grouse species under the ESA would have upon commercial activities on public lands. This panel will present multi-year campaigns to protect sage grouse species and distinct population segments under the ESA.

Amy Atwood, Attorney, Western Environmental Law Center

Mark Salvo, Director, Sagebrush Sea Campaign

Todd Tucci, Attorney, Advocates for the West

**LUNCH KEYNOTE ADDRESSES**

(EMU Ballroom)

12:15 – 1:00 P.M. • Anne Kajir

1:15 – 2:00 P.M. • Craig E. Williams

**SPECIAL EVENT (SLIDESHOW)**

2:00 – 3:00 P.M. (EMU Maple Room)

**The Climate Crisis: the Science, Impacts & Solutions**

Based on Al Gore's slideshow featured in the movie *An Inconvenient Truth*, this slideshow explains provides a detailed look into global warming. Presented by Kassie Siegel, Climate, Air, and Energy Program Director for the Center for Biological Diversity.

**EARLY AFTERNOON PANELS • 2:15 – 3:30 P.M.**

**Protecting Water Resources with Conservation**

**Easements** (Walnut EMU) \*

This panel will discuss cutting-edge efforts to preserve and protect water quality and water life by applying methods traditionally used for land preservation, such as conservation easements. The program will have a historical element as panelists describe the formation of the first water trust in the nation, the Oregon Water Trust. The panel will also examine the water quality trading credit program being implemented by the Oregon DEQ.

Sonja Biorn-Hansen, Environmental Engineer, Oregon DEQ

Joe Moll, Executive Director, McKenzie River Trust

Fritz Paulus, Executive Director, Oregon Water Trust

**Playing Offense in the Environmental Movement**

(Metolius-Owyhee EMU) •

Merely taking a reactive approach to conservation prevents putting any proactive measures into place to protect our remaining 5% of native forests. The environmental movement must concentrate on communicating a strong and simple message to the public while enacting honest, long-term legislative solutions BEFORE more of our precious forests are placed on the chopping block.

Karen Coulter, Activist

David Dilworth, Executive Director, Ihope.org

Chris Genovali, Executive Director, Raincoast Conservation Society

Tim Hermach, President & Founder, Native Forest Council

Karyn Strickler, Managing Director, Fifty Plus One

## **Protecting the Rio Grande: Communities Respond to Los Alamos' Legacy** (Longhouse) \*

Learn how a broad coalition of river conservation and nuclear watchdog groups, farmers, irrigators, community activists, and tribal members have learned to put aside their differences and come together to protect the Rio Grande from over sixty years of toxic contamination.

Joni Arends, Executive Director, Concerned Citizens for Nuclear Safety

Matthew Bishop, Staff Attorney, Western Environmental Law Center

Marian Naranjo, Executive Director, Honor Our Pueblo Existence

Harold Trujillo, New Mexico Acequia Association

## **Relief Under the APA: What You Can Get or Fail to Get Even if You Win** (Law 110) \*\*\*

These litigators will focus on strategies to ensure that clients actually get meaningful injunctive relief after they prevail on the merits and discuss the DOJ's and private parties' defenses and strategies to prevent such relief.

Pete Frost, Attorney, Western Environmental Law Center

Neil Levine, Attorney, Earthjustice

Stephanie Parent, Attorney, Pacific Environmental Advocacy Center

## **Public Participation in the Superfund Process** (Law 142) \*

According to the EPA, approximately 65 million Americans live within three miles of a designated Superfund site. Perhaps twice as many citizens live near other contaminated sites that could also be cleaned up under Superfund authority. This panel will provide a broad overview of the Superfund program and help citizens understand their role and rights in the process of site investigation and cleanup.

Craig Christian, Senior Associate, Environmental International Limited

Karen Selim, Concerned Parent, Former Resident of Contaminated Site

Judy Smith, Community Involvement Coordinator, U.S. EPA Region 10

Cliff Villa, Assistant Regional Counsel, U.S. EPA Region 10

## **Motorized Recreation & Travel Management in our National Forests** (Gerlinger) \*

Panelists will talk about the new USFS travel management regulation that has the potential, if implemented in a thoughtful and rigorous way, to address unmanaged motorized recreation, one of Chief Bosworth's four big threats to our national forests. Learn why this rule is important and what legal tools may force rigorous implementation.

Dave Bahr, Staff Attorney, Western Environmental Law Center

Jim Furnish, Former Deputy Chief, U.S. Forest Service

Vera Smith, The Wilderness Society

Keith Wagner, Attorney, Law Office of J. William Yeates

## **ESA Section 7: Current Issues** (Law 184) \*\*\*

This panel will examine current issues arising under ESA § 7, which prohibits agency actions from jeopardizing listed species or adversely modifying their critical habitat. Panelists will focus on the following issues: Are nondiscretionary agency actions subject to § 7? What have the cases (9th Cir.) said about § 7 in the context of past agency action? How should jeopardy be assessed when a species is already on a path toward extinction?

Jan Hasselman, Attorney, Earthjustice

Steve Mashuda, Attorney, Earthjustice

Laurie Rule, Attorney, Advocates for the West

## **Townhall Meeting: Oregon's Renewable Portfolio Standard** (Law 175) \*

The Oregon Legislature and Governor Kulongoski are making renewable energy a top priority for this legislative session—setting a goal of increasing Oregon's renewable energy to 25% of our total energy supply by the year 2025. Join panelists for a discussion of the importance of passing a renewable portfolio standard and how this goal will boost the economy and reduce our dependence on dirty and increasingly unstable fossil fuels.

Senator Brad Avakian, Senate Chair, Environment Natural Resources Committee

Peter Cogswell, Energy Policy Advisor to Governor Kulongoski

## **Categorical Exclusions: The End of Public Participation in Our Forests** (Law 241) \*\*

This panel will examine the U.S. Forest Service's authority to categorically exclude (CE) a variety of its management decisions from NEPA review and explore the agency's abuse of that authority in the grazing, logging, and oil and gas contexts. Panelists will explain how national trends in CE implementation, coupled with the new rule to allow CEs of forest plans, may leave the public without a voice on millions of acres of national forest land.

Alex Brown, Executive Director, Bark

Melissa Hailey, Staff Attorney & Grazing Reform Program Director, Forest Guardians

Mike Leaby, Staff Attorney, Defenders of Wildlife

Bobby McEnaney, Public Land Advocate, Natural Resources Defense Council

Jonathan Oppenheimer, Conservation Associate, Idaho Conservation League

## **Offshore Drilling in Alaska and the Russian Far East** (Law 141) \*

Panelists will examine the environmental disaster of Russia's Sakhalin Island, the world's largest integrated offshore oil and gas project. They will also discuss the Bush Administration's aggressive new plan to open Alaska's Bristol Bay, the nation's richest fishing grounds, and the U.S. Arctic seas to drilling. Discussion will include impacts to communities, whales and other marine mammals, birds, fisheries, and subsistence lifestyles.

Norm Anderson, Aleut, Commercial Fisherman & Subsistence User from Naknek, AK

Dmitry Lisitsyn, Director, Sakhalin Environment Watch

Whit Sheard, Alaska Program Director, Pacific Environment

## **R.S. 2477: Roads to Ruin** (Law 242) \*\*

National parks, forests, and BLM lands are threatened by plans to bulldoze thousands of miles of roads. The tool of destruction is R.S. 2477, an obscure, repealed Civil War-era law that some argue permits jeep and animal trails to be claimed as "highways" that counties can control. This panel will discuss recent legal rulings and Bush Administration and Congressional action. It will also provide practical advice to attorneys and advocates responding to this threat.

Kristen Brengel, Policy Analyst, The Wilderness Society

Heidi McIntosh, Conservation Director, Southern Utah Wilderness Alliance

Ms. Joro Walker, Director, Utah Office, Western Resource Advocates

Ted Zukoski, Staff Attorney, Earthjustice

**Beyond Wilderness: A Community Vision for Northeast Washington** (Law 282) \*

Five years ago, conservationists and the local timber industry were at opposite sides of a debate over logging in national forests. Today, they are working together through the Northeast Washington Forestry Coalition to break the deadlock over public forest management practices. This panel will explore a five-year collaborative effort for the Colville National Forest involving sustainable forestry, restoration priorities, and new wilderness.

*Tim Coleman, Wilderness Campaign Director, Conservation Northwest*

*Mike Petersen, Executive Director, Lands Council*

*Russ Vaagen, Vaagen Brothers Lumber Company*

**SPECIAL EVENT (FILM)**

**3:30 – 5:00 P.M.** (EMU Fir Room)

**Total Denial: Doe vs. Unocal**

Total Denial is the story of a historic lawsuit: fifteen villagers from the jungles of Burma bringing suits in U.S. courts against a giant oil corporation for human-rights abuses. After ten years of fierce legal battles, they obtain impossible victory.

**AFTERNOON WORKSHOP • 3:45 – 5:45 P.M.**

**The Revolution Will Not Be Motorized** (Gerlinger) \*\*

Learn how to effectively engage in and influence the Travel Management Planning process currently under way on our national forests. This workshop will discuss the prioritization of areas for which to fight, issues associated with developing community-based alternatives, potential legal strategies to employ, and approaches to building a broad base of support.

*Aaron Clark, Recreation Campaign Director, Southern Rockies Conservation Alliance*

*Chris Kassar, Wildlife Biologist, Center for Biological Diversity*

*Jason Kieby, Communications Coordinator, Wildlands CPR*

*Erik Schlenker-Goodrich, Attorney, Western Environmental Law Center*

**LATE AFTERNOON PANELS • 3:45 – 5:00 P.M.**

**Concentrated Animal Feeding Operations (CAFOs): Law & Litigation Update** (Law 110) \*\*

This panel will provide an update on litigation and other attempts to bring Concentrated Animal Feeding Operations into compliance with the Clean Water Act, Clean Air Act, CERCLA, RCRA, and relevant state environmental statutes.

*Bill Eddie, Contract Attorney, Advocates for the West*

*William J. Gerlach, Staff Attorney, Waterkeeper Alliance*

*Dan Galpern, Staff Attorney, Western Environmental Law Center*

*Brent Newell, Staff Attorney, Center on Race, Poverty & the Environment*

**Electronic Discovery Rules: Impact on Environmental Cases & Clients** (Law 142) \*\*\*

This panel will explore the pitfalls and opportunities created by the newly revised FRCP's regarding electronic discovery. It will discuss areas left unresolved by the new rules, preservation of electronic evidence, and the intent of the Rules Committee in the amendments. Panelists will also examine hypothetical discovery requests and responses.

*The Honorable Thomas Coffin, U.S. Magistrate Judge, U.S. Dis. Ct. for the Dis. of Oregon*

*Katherine Heekin, The Heekin Law Firm*

*Anton Litchfield, Consultant, Bridge City Legal*

**Emerging Issues in Conservation Easement Law & Practice** (Alsea-Coquille EMU) \*\*

This panel will address a broad range of issues relating to land trusts and the use of conservation easements in preserving natural lands. In addition to discussing the acquisition of protection-worthy lands, the panel will explain how to "grow" a land trust and will cover technical, legal aspects of conservation easement drafting. The panel will conclude with a discussion of the overarching principle of a "Nature's Trust" in which the present generation is the trustee of natural resources for all future generations.

*Becky Hardesty, Private Real Estate Attorney*

*Glenn Lamb, Executive Director, Columbia Land Trust*

*Mary C. Wood, Professor, University of Oregon School of Law*

**Using Common Law Theories to Address Statutory Environmental Violations** (Walnut EMU) \*\*\*

This litigation-focused panel will discuss creatively using tort, negligence, nuisance, trespass, and other common law theories to address statutory environmental law violations where an agency refuses to use its enforcement powers or where none expressly exist.

*Karl Anuta, Attorney, Sokol & Anuta PC*

*Leigh Haynie, Attorney*

*Aaron Isherwood, Senior Staff Attorney, Sierra Club*

*Jim Wheaton, Executive Director, Environmental Law Foundation*

**Punishing Activism: SLAPP Suits & Criminal Consequences** (Law 141) \*\*

This panel will discuss the abusive ways in which activists are punished for speaking out or taking action on issues of public concern. These abuses by corporations and the government include SLAPP suits (strategic lawsuits against public participation), the criminalization of animal rights advocacy, corporate harassment of activists, and new laws making environmental activism "domestic terrorism." This panel will discuss how to prevent, respond to, and win such conflicts without sacrificing your principles.

*Sean McAllister, Executive Director, SLAPP Resource Center*

*Karen Pickett, Director, Bay Area Coalition for Headwaters*

*Lauren Regan, Executive Director, Civil Liberties Defense Center*

*Kim Starr, Activist, Earth First!*

**Community Environmental Health Monitoring: A Global Success Story** (Law 184) \*

Since the invention of the "Bucket Brigade" by Erin Brockovitch, Ed Masry, and Denny Larson in 1995, more than fifty communities around the world have used this expanding strategy. From the low-tech, five-gallon plastic bucket to the high-tech, real time ultraviolet beam CEREX, more people are armed with more new weapons in the war against environmental injustice every day.

*Ruth Breech, Southeast Ohio Program Director, Ohio Citizen Action*

*Suzie Canales, Founding Director, Citizens for Environmental Justice*

*Hilton Kelley, Founding Director, Community In-Power & Development Association*

*Denny Larson, Director, Global Community Monitor*

**Dealing with Implications of Rapanos v. U.S.:  
Uncertainty & Waters At-Risk** (Law 175) \*\*

This panel will discuss the implications of the Supreme Court's Clean Water Act decision in *Rapanos v. U.S.*, a fractured ruling that cast confusion over the question of what waters the CWA protects. The panel will analyze what the ruling means for CWA protections and other environmental laws, what waters are at risk, what is occurring on the ground, and how litigators and the environmental community should respond.

*Jay Austin*, Senior Attorney, Environmental Law Institute  
*Kim Diana Connolly*, Associate Professor, University of South Carolina School of Law  
*Blan Holman*, Senior Attorney, Southern Environmental Law Center  
*Jim Murphy*, Wetlands & Water Resources Counsel, National Wildlife Federation

**The Heat is On: Firefighters Confront Global Warming & Wildfires** (Metolius-Owyhee EMU) •

Global warming is fueling conflagration wildfires that are overwhelming suppression forces. Panelists will discuss the effects of global warming on forest ecosystems and fire processes in North America. Speakers will propose various solutions to prepare human and biological communities for future dramatic changes in fuels, fire behavior, and fire effects.

*Michael Beasley*, Fire Use Manager, National Park Service  
*Rich Fairbanks*, Former Fire Planner, U.S. Forest Service  
*Timothy Ingalsbee*, Executive Director, Firefighters United for Safety, Ethics & Ecology  
*Mary Kwart*, Regional Fuels Specialist, U.S. Fish and Wildlife Service

**Environmental Justice & Water** (Law 243) \*

Water issues of the west are increasingly becoming social justice issues as corporations, municipalities, and agriculture look to poor and tribal communities as dumping grounds for pollution. Come find out about the struggles of native Peoples and other impacted communities to preserve their cultures and local environments in the face of this exploitation. Tools will be provided to help communities fight for clean water.

*Debbie Davis*, Legislative Analyst, Environmental Justice Coalition  
*Tracy Egoscue*, Director, Santa Monica Baykeeper  
*Ron Reed*, Cultural Biologist, Karuk Tribe  
*Caleen Sisk-Franco*, Tribal Chair, Winnemem Wintu Tribe

**Retraining Smokey Bear** (Law 241) •

Every summer, the fire-industrial complex led by the U.S. Forest Service spends hundreds of millions of dollars in a futile attempt to put out forest fires. Fire, for the most part, is good for forests. The federal fire program is not. The timber industry is exploiting the public's ignorance about wildfire (fueled by Smokey Bear's propaganda) to convince the public that the forest must be logged to save it from burning.

*Andy Kerr*, Senior Counsel, Oregon Wild  
*Randi Spivak*, Executive Director, American Lands Alliance  
*George Wuerthner*, Projects Director, Foundation for Deep Ecology

**Marine Aquaculture: The Rise of Ocean Feedlots** (Law 282) \*  
Worldwide declines in wild fisheries and growing human demand for fish protein suggest that aquaculture will continue its global expansion. Unfortunately, ocean fish farming promises an extension of destructive feedlot-style industrial agriculture into wild ocean environments. This panel will review these issues, examine existing and emerging legal frameworks, and highlight the diverse coalition working to protect oceans from unrestrained aquaculture development.

*Shiva Polefka*, Marine Conservation Analyst, Environmental Defense Center  
*Mitchell Shapson*, Policy & Litigation Analyst, Institute for Fisheries Resources

**PAUL PERSONS STUDENT RECEPTION**

**5:00 – 7:00 P.M.** (1236 Kincaid St.)

We encourage all youthful activists and students from any school to attend this reception for dinner and the opportunity to network with your peers. It is just off the west side of campus on the corner of 13th Ave. and Kincaid (next to Rennie's Landing).

**INDIGENOUS PEOPLES RECEPTION**

**5:30 – 7:00 P.M.** (Many Nations Longhouse)

The Native peoples at the University of Oregon wish to welcome all indigenous conference attendees to this reception. All indigenous attendees and their allies are encouraged to attend. Dinner will be served. *Co-Sponsored by NALSA, the Native American Law Student Association and the Morse Center for Law and Politics.*

**EVENING KEYNOTE ADDRESSES**

**7:00 – 9:00 P.M.** (EMU Ballroom)

**Sheila Watt-Cloutier**  
**Lonnie Dupre and Eric Larsen**

**PIELC CELEBRATION!**

**9:00 P.M. – 12:00 A.M.** (Agate Hall)

Socialize with your fellow conference attendees at PIELC's party on Friday night! This year's party promises to be a great event with music provided by the **EVERYONE ORCHESTRA**. **ROGUE BREWING** is providing beer for the event, and there will also be refreshments provided by various local businesses. The party will take place at Agate Hall, just down the street from the law school. It starts at 9:00 P.M. and admission is \$10 at the door. We hope to see you there!

**STAR SYSTEM KEY FOR PANELS**

- PANEL IS NON-LEGAL
- \* PANEL TOUCHES ON LEGAL ISSUES
- \*\* SIGNIFICANT PORTION OF PANEL CENTERED ON LEGAL CONCEPTS
- \*\*\* VERY LEGAL, FOR PRACTITIONERS

- Look for stars after panel titles and locations. -

**REGISTRATION: 8:00 A.M. – 6:00 P.M. (UO Law Steps)**

## **MORNING WORKSHOP • 8:15 – 10:15 A.M.**

### **Ethics, Professional Responsibility & Environmental Law (Gerlinger) \*\*\***

This workshop will cover recent developments, decisions, and rule changes in the field of professional responsibility. Particular attention will be devoted to issues that arise in the practice of public interest environmental law.

*Lisa T. Belenky, Staff Attorney, Center for Biological Diversity*

*Larry Sanders, Clinical Instructor & Staff Attorney, Turner Environmental Law Clinic, Emory University School of Law*

### **SPECIAL EVENT (FILM)**

**9:00 – 10:30 A.M. (EMU Walnut Room)**

#### **Caribou People**

Presented by Brett Cole, *Caribou People* presents the latest on the effort to protect the Arctic National Wildlife Refuge in order to protect the Porcupine Caribou herd that feeds the Gwich'in and Inupiat. The film is full of spectacular wildlife footage.

## **EARLY MORNING PANELS • 9:00 – 10:15 A.M.**

### **Indigenous Peoples: At the Intersection of Human Rights & Environmental Law (Longhouse) \*\***

Indigenous peoples are caught in the middle between human rights law and environmental law. This panel will explore the intersection of the three and provide real life examples of how practitioners are fighting for the rights of indigenous peoples and the environment.

*Dario Rodriguez Duch, Attorney, University of Buenos Aires*

*Maurice Odhiambo Makoloo, Attorney, Institute for Law & Environmental Governance*

*Martin Wagner, Managing Attorney, International Program, Earthjustice*

### **Building Resilient Communities: Linking Water, Forests & Climate Change (Law 141) \***

Grassroots groups and local governments often lack the necessary information to effectively address climate change. One issue that needs their attention is the nexus between forest management and the protection of water resources. This panel will explore how sustainable forestry is helping local governments take immediate action.

*Nancy Gilliam, Director, Model Forest Policy Program*

*Jim Lopez, Deputy Chief of Staff to Executive Ron Sims, King County, WA*

*Brian Paddock, Attorney, Paddock & Mastin*

*Clinton E. Trammel, Forest Manager, Pioneer Forest*

### **America's Wild Horses: Both Sides of the Debate (Law 243) \***

In 1971, Congress passed the Wild Horses and Burros Act to ban the inhumane treatment of wild horses and put safeguards into place so they could not be sold for slaughter. In 2004, that law was gutted by a rider that removed protection for all wild horses over the age of ten or those that had been offered unsuccessfully for adoption three times. This panel will discuss how the BLM, the agency in charge of managing horses, must balance interests of ranchers, horse advocates, and environmentalists.

*Jasmine Minbashian, Communications Director, Conservation Northwest*

*Camilla Mortensen, Northwest Wild Horse Project*

*Susan Pohlman, President, Whispering Winds Equine Rescue*

*George Wuerthner, Advisory Counsel, Oregon Natural Desert Association*

### **Interrupting Government-Developer Schemes (Law 142) \***

Government agencies sometimes collude with developers, resource extractors, and polluters. This panel will discuss why these schemes exist and explain how to recognize, publicize, and stop these shenanigans.

*David Dilworth, Executive Director, Helping Our Peninsula's Environment*

*Tim Hermach, Native Forest Council*

*Karyn Strickler, Managing Director, Fifty Plus One*

### **Direct Action Is Fun! (Law 184) \***

Panelists will describe ways people are subverting the mainstream, doing the right thing, and having fun in the process!

*Ms. Shawn Furst, Volunteer Program Coordinator, Free Geek*

*Reverend Phil Sano, Gonzo Bike Advocate*

*Stu Sugarman, Co-Chair Litigation Committee, Portland National Lawyers Guild*

*Bonnie Tinker, Former Director, Love Makes a Family*

### **Hurricane Katrina: Exposing Human Rights Violations & Environmental Racism (Law 175) \***

This panel will discuss how flawed U.S. environmental protection policies violate human rights and perpetuate the injustice of communities of color living in toxic environments. It will also illustrate how these policies exacerbated the disastrous consequences of Katrina and will present a human rights framework for hurricane recovery.

*Reverend Lois Dejean, Director, Gert Town Revival Initiative*

*Dorothy Felix, Vice President, Mossville Environmental Action Now*

*Monique Harden, Co-Director & Attorney, Advocates for Env'l Human Rights*

*Nathalie Walker, Co-Director & Attorney, Advocates for Env'l Human Rights*

### **Genetically Engineered Creeping Bentgrass: A Growing Menace (Law 241) \***

In 2001, a field trial of GE creeping bentgrass was planted in central Oregon despite the risk of pollen drift destroying the state's thriving grass seed industry. Today, scientific studies show that dire predictions of environmentalists and farmers are coming true. Come find out why this joint venture between Scott's Lawn Care and Monsanto Corporation must be stopped, what legal work is being done, and how you can help.

*Lori Ann Burd, Activist/Organizer, Northwest Resistance Against GE*

*David Fortney, Activist/Organizer, Northwest Resistance Against GE*

*Kevin Zelig Golden, Staff Attorney, The Center for Food Safety*

*Stacy Polkowski, Graduate Student, Oregon State University*

### **Ecosystem-Based Ocean Governance (Law 242) \***

Declining fish stocks, habitat destruction, and widespread pollution are among the serious symptoms indicating that our oceans are in trouble. The root of these problems lies in fragmentation of agency responsibilities as well as spatial and temporal mismatches between ecosystems and governing institutions. This panel discusses ecosystem-based ocean management with an emphasis on how Oregon is addressing the need for place-based approaches to ocean governance.

*Jessica S. Hamilton, Natural Resource Policy Advisor to Oregon Governor Kulongoski*

*Gail Osherenko, Research Scientist (Law & Policy), Marine Science Institute, UCSB*

*Carolyn Waldron, Director, Oregon Ocean*

## **Suburban Renewal & Community Cohesion** (Law 282) \*

How can we best use suburbia's physical and social assets? What are the challenges and benefits of property conversion--making the best use of on-site resources? What are the challenges and benefits of building neighborhood cohesion--the capacity of working with neighbors? Panelists will share their experiences and visions.

*Teresa Damron*, Member, River Road Neighbors Network

*Jeneffer Harper*, Member, 40th Street Community

*Jan Spencer*, Director, Suburban Renewal

## **Exercising Caution: Applying the Precautionary Principle in the U.S.** (Law 110) \*\*

This panel will discuss the precautionary principle and present ways to integrate this internationally endorsed concept into U.S. environmental law and policy. Panelists will discuss applications of the principle in endangered species, public lands, and toxics arenas in order to create a paradigm shift where policies err on the side of conservation in the face of scientific uncertainty.

*Elizabeth Crowe*, Program Director, Kentucky Environmental Foundation

*Mary H. O'Brien, Ph.D.*, Utah Forest Project Manager, Grand Canyon Trust

*Nicole J. Rosmarino, Ph.D.*, Conservation Director, Forest Guardians

## **SPECIAL EVENT (FILM)**

**10:30 – 11:30 A.M.** (EMU Fir Room)

### **Exposing The Truth**

The Native Forest Council presents *Exposing The Truth*, a 40-minute film combining aerial and satellite photography and computer graphics to explain the plight of America's public forests in stark, incredible detail. From gripping video of forest mismanagement to a jaw-dropping look at roads in America, this film will leave you wishing for a simpler world and inspire you to change the plight of our national forests and other public lands.

## **LATE MORNING PANELS • 10:30 – 11:45 A.M.**

### **ESA Year in Review** (Law 110) \*\*\*

Seasoned ESA litigators will discuss significant Endangered Species Act jurisprudence of 2006.

*Judi Brawer*, Attorney

*Brendan Cummings*, Staff Attorney, Center for Biological Diversity

*Matt Kenna*, Staff Attorney, Western Environmental Law Center

### **Principle 10: Access to Information, Participation & Justice Around the World** (Metolius-Owyhee EMU) \*

Transparency, inclusiveness, and accountability are essential elements of good environmental governance. Because Principle 10 of the Rio Declaration recognizes these rights, civil society organizations, governments, and international organizations are making attempts to implement it. Panelists will address some of these efforts undertaken by The Access Initiative, the Partnership for Principle 10, and the Aarhus Convention.

*Lalanath de Silva*, Director, Access Initiative & Partnership for Principle 10, World Resources Institute

*Windu Kisworo*, Former Staff Attorney, Indonesian Center for Environmental Law

*Svitlana Kravchenko*, Professor, University of Oregon Law School and Vice-Chair, Compliance Committee of Aarhus Convention

*Collins Odote*, Attorney, Institute for Law & Environmental Governance

## **Growing Healthy Urban Communities Through Healthy Gardens** (Law 142) •

As gardeners and farmers in Eugene reduce their collective carbon footprint, they also build a true connection with the earth and with their neighborhoods. In this panel, local gardening organizers, educators, and city farmers will discuss the benefits of growing food within Eugene city limits.

*Sharon Blick*, Executive Director, School Garden Project of Lane County

*Sarah Cantril*, Executive Director, Huerto de la Familia

*Charles Hunt*, Bee Keeper, Clear Hills Honey Farm

*Katharine Hunt*, Bee Keeper, Clear Hills Honey Farm

*Matt McRae*, Stream Team/Community Garden Coord., Eugene Parks & Open Space

## **Fish Passage Center: When Science, Treaty Tribes & Fish Interests Impact Hydropower** (Law 241) \*\*

The Ninth Circuit recently held the Bonneville Power Administration's attempt to eliminate the Fish Passage Center to be unlawful. This panel will discuss the Center's history and relationship to tribes and fish agencies, explain why an Idaho senator could not defund the Center through congressional report language, and delve into the future of fish in the Columbia as well as the federal appropriations process.

*Howard G. Arnett*, Attorney, Karnopp Petersen LLC

*Michelle De Hart*, Manager, Fish Passage Center

*Stephanie Parent*, Managing Attorney, Pacific Environmental Advocacy Center

## **Quest for Best Practices in Russia & the Misadventure of Sakhalin II** (Walnut EMU) \*

The largest oil and gas project of all time is located on Sakhalin Island, a remote island off the Russian coast. Campaigners working on the Shell Oil project, Sakhalin II, will talk about their unprecedented success through partnering with government agencies.

*Irina Bogdan*, Board President, Ecodal

*Dmitry Lisitsyn*, Board President, Sakhalin Environment Watch

*Dave Martin*, Russian Far East Program Director, Wild Salmon Center

*Doug Norlen*, Director of Responsible Finance Campaign, Pacific Environment

## **Tribal Strategies to Combat Climate Change** (Longhouse) \*\*

This panel will examine various ways in which climate change impacts tribal communities and will outline possible legal and policy-based responses. Discussion will include the effects of climate change on water settlement negotiations, federal trust obligations, treaty protected rights to usual and accustomed fishing sites, and food harvests in designated subsistence areas.

*Dr. James Berner*, Director of Community Health Services, Alaska Native Tribal Health Consortium

*Elizabeth Kronk*, Assistant Professor, University of Montana School of Law

*Terry Williams*, Fish & Natural Resource Commissioner, Tulalip Tribes

*Jim Woods*, Tribal Air Quality Specialist, Makah Nation

### **Klamath Chinook: Perils & Promises (Law 141) \***

Declining fall-run Chinook salmon in the Klamath River prompted sharp cutbacks in West Coast fishing last summer. Remnant spring-run Chinook, once the tribal mainstay, hover near extinction. Nonetheless, significant developments in science, law, and politics suggest Chinook recovery may be possible if changes happen soon. Panelists will provide diverse perspectives on the recovery effort.

Mike Becker, *Commercial Fisherman*

Andy Kerr, *Senior Counsel, Oregon Wild*

Ron Reed, *Cultural Biologist, Karuk Tribe*

Amy Sprowles, Ph.D., *Geneticist, Professor, Humboldt State University*

### **A New Day: Legislative Opportunities & Threats in the 110th Congress (Alsea-Coquille EMU) \***

Last November's election ushered in a dramatic shift in the leadership of both the House and Senate as Democrats swept into power. This panel will discuss opportunities for pro-active legislation and oversight of current environmental laws and policies in the 110th Congress. It will also highlight the continued need for a diversity of voices to move new legislation forward.

Greg Dotson, *Chief Env't Counsel, House Oversight and Gov't Reform Comm.*

Caitlin Hills, *National Forest Program Director, American Lands Alliance*

Mike Leahy, *Staff Attorney, Defenders of Wildlife*

Franz A. Matzner, *Forests & Public Land Program, Natural Resources Defense Council*

### **Citizen Tools for Enforcing NPDES Permits (Law 242) \*\***

National Pollutant Discharge Elimination System (NPDES) permits provide one of the most compelling legal hooks for Clean Water Act citizen enforcement. Panelists will discuss tools and strategies for developing cases, possible legal hurdles and pitfalls, recent developments in CWA case law, and background information on numerous enforcement case studies.

Daniel Cooper, *Attorney, Lawyers for Clean Water*

Allison LaPlante, *Staff Attorney, Pacific Environmental Advocacy Center*

Mark Riskedahl, *Executive Director, Northwest Environmental Defense Center*

### **AB 32: California Global Warming Solutions Act (Law 175) \*\***

In 2006, California adopted historic legislation that mandates reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. This panel will discuss the types of GHG that AB 32 regulates, the GHG emission inventory in California, the act's legislative history, implementation by the Air Resources Board, and related environmental justice issues.

Karen Douglas, *Director, California Climate Initiative, Environmental Defense*

John Shears, *Research Coordinator, Center on Energy Efficiency & Renewable Technology*

Jane Williams, *Executive Director, California Communities Against Toxics*

### **Current Issues in Biotechnology (Law 243) •**

Why are major dairy companies banning Bovine Growth Hormone from their milk? Are food crops genetically engineered to produce medicine going to be grown in Oregon? What are the risks of food irradiation? Why did the USDA rubber stamp its approval on GE Rice after it contaminated our food supply and cost farmers millions of dollars? Panelists will discuss these issues and more.

Mark DesMarets, *Co-Founder, Northwest Resistance Against Genetic Engineering*

Kevin Zelig Golden, *Staff Attorney, The Center for Food Safety*

Adam Levitt, *Partner, Wolf Haldenstein Adler Freeman & Herz LLC*

Rick North, *Campaign for Safe Food Program, OR Physicians for Social Responsibility*

Will Rostov, *Senior Attorney, The Center for Food Safety*

Dr. Lisa Weasel, *Assistant Professor, Department of Biology, Portland State University*

### **Legal Implications of Exempt Wells in Oregon & Washington (Law 282) \*\*\***

In Oregon and Washington, the cumulative impacts of groundwater wells exempt from obtaining a water right continue to go unchecked. In this session, panelists will discuss the law of groundwater and exempt wells in both states, leading cases interpreting the laws, and practical implications for new land development and instream flows.

Adell Amos, *Env't & Nat. Resources Program Dir., Assoc. Prof. UO School of Law*

Brian Faller, *Assistant Attorney General, Washington*

Amy Trainer, *Staff Attorney, Friends of the San Juans*

### **Collaboration & Env't Conflict Resolution (Law 184) \***

Participation in collaborative processes and consensus building can be rewarding and fruitful, but it can also be resource-intensive and unproductive. This panel will discuss the value of environmental conflict resolution (ECR) and collaborative problem solving, including when these tactics work best and when they are least appropriate. Panelists will talk about specific case experiences (both positive and negative), ECR's use within the NEPA process, and recent national policy promoting ECR.

Janine Blaeloch, *Director, Western Lands Project*

Ms. Kirk Emerson, *Director, U.S. Institute for Environmental Conflict Resolution*

Mary H. O'Brien, Ph.D., *Utah Forest Project Manager, Grand Canyon Trust*

Rosemary O'Leary, *Distinguished Professor, Maxwell School, Syracuse University*

### **LUNCH KEYNOTE ADDRESSES**

#### **(EMU Ballroom)**

**12:15 – 1:00 P.M. • Zygmunt Plater**

**1:15 – 2:00 P.M. • Dinah Bear**

### **SPECIAL EVENT (LECTURE AND HIKE)**

**Lecture: 1:00 – 1:45 P.M. (EMU Maple)**

**Hike: 2:00 – 5:00 P.M. (Registration Table)**

Hike up Spencer Butte

### **SPECIAL EVENT (FILM)**

**1:00 P.M. (Jordan Schnitzer Museum of Art, UO)**

#### **Gregory Bateson: That Reminds Me of a Story**

Nora Bateson will present and screen portions of her upcoming documentary about her father, Gregory Bateson. His legacy as a voice in the early development of the ecology movement took hold in the late 1960s and 1970s in California and expanded into a global force.

### **MID-AFTERNOON WORKSHOP • 2:15 – 4:15 P.M.**

#### **Obtaining Records Using FOIA & State Public Record Laws (Gerlinger) \*\***

This workshop will provide a practical overview of how to make public record requests to state and federal agencies, outline the types of records which are available and exempt from public disclosure, describe how to seek public interest fee waivers for agency records, set forth procedures for filing administrative appeals, and explain litigating agency decisions denying access to public records.

Daniel Stotter, *Attorney, Irving & Stotter LLP*

**EARLY AFTERNOON PANELS • 2:15 – 3:30 P.M.**

**Effectiveness of Environmental Law & Activism in Poor Countries** (Walnut EMU) \*\*

Advocates from El Salvador, Haiti, and the Philippines will discuss problems they see in fostering activism and enforcing environmental laws in poor countries.

*Raul Barbarona*, Attorney, Environmental Legal Assistance Center

*Ipat Lura*, Attorney, Philippines

*Reverend Marta Benavides*, Peace Activist

*Jean Andre Victor*, Attorney, Haiti

**Upholding NEPA: Democracy in Action** (Law 175) \*

In the last Congress, the National Environmental Policy Act (NEPA) faced threats from former Chairman Pombo's Task Force and legislation such as the Walden Logging Bill. While direct weakening of the statute is unlikely this year, proposals are still being made to "streamline" NEPA for certain types of projects. This panel will talk about bills passed by the last Congress that affect NEPA compliance, opportunities in the 110th Congress to support and strengthen NEPA, and potential threats to undermine this vital legal tool.

*Dinah Bear*, General Counsel, Council on Environmental Quality

*Niel Lawrence*, Senior Attorney, Natural Resources Defense Council

*Bob Dreher*, Vice President for Land Conservation, Defenders of Wildlife

**Campaign Against Coal-Fired Plants: What Strategies Are Worth Pursuing?** (Metolius-Owyhee EMU) \*\*

Over 140 new coal-fired power plants are proposed for the U.S. If even 100 are built, the carbon dioxide reductions implemented by the Kyoto Protocol will be wiped out by the U.S. alone. Is there hope for stopping some of these plants? Panelists will discuss current strategies being used throughout the U.S. to fight them.

*Brad Bartlett*, Managing Attorney, Energy Minerals Law Center

*Kathleen G. Henry*, President, Great Rivers Environmental Law Center

*Robert Ukeiley*, Attorney, Law Office of Robert Ukeiley

**Challenging the Animal Enterprise Terrorism Act** (Alsea-Coquille EMU) \*\*

The Animal Enterprise Protection Act was recently amended to become the Animal Enterprise Terrorism Act (AETA) in order to extend extra legal protection to industries exploiting nonhuman animals and to restrict activism on behalf of nonhumans. Attorneys on the panel will provide a historical overview of the legislation, challenge its constitutionality, provide context on defending activists under AETA, and discuss legal avenues for reform.

*Shannon Keith*, Attorney, President, Animal Rescue, Media & Education

*Lauren Regan*, Executive Director, Civil Liberties Defense Center

*Odette Wilkens*, Executive Director, Equal Justice Alliance

**Sacred Estates & Sacred Sites** (Longhouse) \*

This panel will discuss indigenous sacred estates held in the land and distinguish sacred sites. Panelists will focus on the belief system embraced therein and will explain the effects of management and ethical tradeoffs on sacred estates and sites in America and Canada.

*Calvin Hecocta*, Natural Man

*Roger Jackson, Sr.*, Quileute Elder, Member, National Indian Education School Board

*Christian Penn, Sr.*, Quileute Elder, Rep., Northwest Tribal Fisheries Commission

*Anita Rojas*, Midwife

*Robert Sam*, Chief, Songeese Band, B.C.

**Survey of U.S. Global Warming Litigation** (Law 110) \*\*\*

This panel will discuss the status of recent climate change litigation taking place in state and federal courts in response to inadequate government and corporate action.

*Brendan Cummings*, Staff Atty. & Marine Biodiversity Prog. Dir., Center for Biological Diversity

*Danielle Fugere*, Global Warming Campaign Director, Bluewater Network

*Linda Krop*, Staff Attorney, Center for Biological Diversity

**Rewilding the Klamath: Undamming the Klamath & Bringing the Salmon Home** (Law 141) \*

The struggle to save Klamath River salmon is a hot national issue with massive fish kills, water wars, and fishing closures causing declarations of disaster. A campaign led by tribes, fishermen, and environmental groups to take down dams on the Klamath River aims to solve the crisis. Panelists will discuss how this campaign holds corporate giant PacifiCorp accountable for devastating salmon runs and how to get involved.

*Scott Boley*, Oregon Salmon Commission, Commercial Salmon Fisherman

*Regina Chichizola*, Director, Klamath Riverkeeper

*Ron Reed*, Cultural Biologist, Karuk Tribe

*Craig Tucker*, Klamath Campaign Coordinator, Karuk Tribe

**Pushing the Envelope of the Clean Water Act** (Law 241) \*\*

This panel is for the practitioner, activist, or student who is familiar with basic concepts of the Clean Water Act and its application, especially NPDES permits, that want to know how to aggressively use the CWA to protect water quality and public lands. Panelists will discuss litigation and issues regarding discharges of pollutants to impaired waters, antidegradation, and CWA's application to federal public land activities.

*Janette Brimmer*, Legal Director, Minnesota Center for Environmental Advocacy

*Roger Flynn*, Director & Managing Attorney, Western Mining Action Project

*Rick Smith*, Attorney, Smith & Lowney PLLC

*Jack Tuholske*, Attorney, Tuholske Law Office

**Roadless Protection: Organizing the New West** (Law 184) \*

When the Bush Administration repealed the Roadless Area Conservation Rule and replaced it with a state-by-state petition process, they never envisioned an outpouring of support from the west—but that's exactly what they got. Panelists will discuss how diverse groups have built a groundswell of support, capitalized on changing views towards land management in western states, and dramatically shifted the terms of debate.

*Bryan Bird*, Forest Program Director, Forest Guardians

*Matthew Jacobson*, Deputy Director, Heritage Forests Campaign, National Env'l Trust

*Suzanne O'Neill*, Colorado Wildlife Federation

*Jonathan Oppenheimer*, Conservation Associate, Idaho Conservation League

*Joel Webster*, Teddy Roosevelt Conservation Partnership

**Abandoned Hardrock Mines in the West: Problems, Responses, Solutions** (Law 243) \*\*

Who's going to clean up when the party's over? The panel will describe the environmental harms literally flowing from hundreds of thousands of mines left abandoned after their profit-making potential was exploited and expended. We will then address current legal options to force clean up as well as the potential to enhance response tools through legislative action.

*Dave Bahr*, Staff Attorney, Western Environmental Law Center

*Ann Maest, Ph.D.*, Stratus Consulting, Inc.

*Jeffrey C. Parsons*, Senior Attorney, Western Mining Action Project

*Velma Smith*, Senior Policy Advisor, National Environmental Trust

**Habitat vs. Clearcuts: Logging Threatened Salamander**

**Habitat** (Law 142) \*\*

Less than a year after a new species of salamander was identified in a small, mountainous area of northern California, state agencies illegally removed it from the state's endangered species list in order to facilitate logging. The U.S. Fish & Wildlife Service also refused to list the newly discovered Scott Bar salamander and the related Siskiyou Mountains salamander under the ESA. Panelists will discuss salamander biology and recent successful legal efforts to protect these rare species.

*Noah Greenwald, Conservation Biologist, Center for Biological Diversity*

*Erin Madden, Attorney*

*Joseph Vaile, Conservation Director, Klamath-Siskiyou Wildlands Center*

**Destructive Lifecycle of Liquefied Natural Gas** (Law 282) \*

Currently, there is an industry push to import foreign Liquefied Natural Gas (LNG) into the western U.S. for the first time. LNG leads to human rights and environmental abuses in developing countries. If imported into Oregon, LNG facilities would pollute communities, destroy salmon habitat and forests, and generate an enormous volume of greenhouse gas emissions. This panel will explore the lifecycle impacts of LNG imports and prepare activists to fight back.

*Rory Cox, California Program Director, Pacific Environment*

*Dmitry Lisitsyn, Director, Sakhalin Environment Watch*

*Jody McCaffree, Executive Director, Citizens Against LNG*

*Ryan Sudbury, Staff Attorney, Nez Perce Tribe*

**SPECIAL EVENT (FILM)**

**3:00 – 5:00 P.M.** (EMU Fir Room)

**The 3rd Trustee: Native Alaska & The Big Spill**

Presented by Bill Rodgers, Michael Robinson-Dorn, and Michael Harris. Renowned Indian Country activist Billy Frank, Jr. hosts this first feature length, high-definition (HDTV) film to document the Native Alaskan vil-lages still reeling from the 1989 Exxon Valdez oil spill. The film culls the voices of elders and young tribal members, providing powerful testimony to impacts the spill has had on a subsistence culture thousands of years old. It's a story that's taken seventeen years to tell. Produced, directed, and edited by ten-time Emmy Award winning film-maker Michel Harris, and featuring renowned law professor Bill Rodgers of the University Washington School of Law.

**SPECIAL EVENT (ART PANEL)**

**3:30 P.M.** (Jordan Schnitzer Museum of Art, UO)

**Regenerative Scapes**

How can recognizing deep connections across disciplines help build a bridge to nurture future generations? Celebrating the connections between creative solutions in art, science, and community, this is a collaboration between Dianne Brause, Co-Founder, Lost Valley Educational Center; Stuart Cowan, General Partner, Autopoiesis Sustainable Urbanism; Paula Noel, Department of Philosophy, Portland State University; Pramod Parajuli, Portland International Initiative for Leadership, Ecology, Culture and Learning, Graduate School of Education, Portland State University.

**AFTERNOON WORKSHOP • 3:45 – 5:45 P.M.**

**Toxic Tort Cases & Punitive Damages in a Regulatory World** (Law 175) \*\*

This workshop will focus on jury trials involving toxic tort claims against chemical and petroleum manufacturers, with an emphasis on obtaining punitive damages and responding to defense attempts to use regulatory agencies and standards as a shield against tort liability. Panelists recently won a four-month jury trial, including a punitive damage award of \$175 million, on behalf of the City of Modesto and against the manufacturers of perchloroethylene (PCE), a chemical used for dry cleaning.

*Mike Axline, Partner, Miller, Axline & Sawyer*

*Duane Miller, Partner, Miller, Axline & Sawyer*

**LATE AFTERNOON PANELS • 3:45 – 5:00 P.M.**

**Future Management of Western Oregon's Forested BLM Lands** (Walnut EMU) \*

The Bureau of Land Management is revising its plans that direct management of 2.5 million acres of forested public lands in western Oregon. These lands are subject to multiple laws, contain old-growth forests and endangered species, and are important to many local and national constituencies. This panel will explore the history and ecological significance of these lands and discuss the BLM's planning process.

*Lesley Adams, Outreach Coordinator, Klamath-Siskiyou Wildlands Center*

*Andy Kerr, Senior Counsel, Oregon Wild*

*Jon Lange, Ph.D., Prof. of Communications, Southern Oregon University*

*Dick Prather, BLM Project Manager, Western Oregon Plan Revisions*

**New Alliances: Strategies to Reduce the Risk of Global Warming** (Metolius-Owyhee EMU) \*

After finally emerging from a state of denial, the U.S. is on the verge of creating a meaningful global warming policy. From passage of the California Global Warming Solutions Act in 2006 to the reception of *An Inconvenient Truth*, recognition of the risks posed by climate change has entered the mainstream. This panel will discuss how to best mobilize diverse interests to take advantage of the momentum we have gained.

*Eban Goodstein, Prof. Lewis & Clark College & Project Dir., Focus the Nation*

*Daniel Ibara, Executive Director, Center for Environmental Economic Development*

*Steve Mital, Sustainability Coordinator, University of Oregon*

**How Environmentalists Can Influence Electoral Politics in 2008** (Law 110) \*

Jerry McNerney's stunning victory over Richard Pombo, former Chairman of the House Natural Resources Committee, made national headlines last November. Because Pombo lorded control over the country's natural resource laws, environmentalists organized and funded an unprecedented and entirely grassroots-driven campaign to defeat Pombo. Come meet the activists who planned and carried out the winning get-out-the-vote and election protection operations and learn how to replicate this success nationwide in 2008.

*Jack P. Dougherty, Election Protection Coordinator, McNerney for Congress*

*Gloria D. Smith, Attorney, Adams Broadwell Joseph & Cardozo*

*Peter Leroe-Muñoz, Media Spokesman & Field Organizer, Defenders of Wildlife*

**Russian Hot Spots: Siberia & the Far East** (Law 141) \*

Russian activists from Siberia and the Far East will speak about primary threats to their bioregions, including oil and gas projects such as Shell's Sakhalin II project and the Siberia-Pacific Pipeline. Respectively, these projects are the world's largest integrated oil and gas project and the world's longest oil pipeline of all time.

*Sergei Bereznyuk, Director, Phoenix Fund*

*Irina Bogdan, Board President, Ecodal*

*Dmitry Lisitsyn, Board President, Sakhalin Environment Watch*

*Marina Rikhvanova, Co-Chair, Baikal Environmental Wave*

**International Trade & Environment** (Law 282) \*\*

Free trade heavily impacts the environment in developing countries where environmental law enforcement is often lax. Is it really possible to increase economic growth while leveling the environmental playing field? This panel will focus on broad and specific environment and trade-associated issues such as: CITES, wildlife trafficking, U.S. environmental agreements, and capacity building in the CAFTA-DR countries.

*Kris Genovese, Associate International Counsel, Defenders of Wildlife*

*Rachel Kastenber, Foreign Affairs Officer, Office of Env'l Policy, Dept. of State*

*Chris Wold, Professor, Lewis & Clark Law School*

**Wild & Scenic Rivers Act** (Law 184) \*

The federal Wild and Scenic Rivers Act provides the highest level of protection for our most outstanding free-flowing rivers across the country. Or does it? Panelists will discuss the history of wild and scenic protections in Oregon, opportunities for lasting river protection in the northwest through new wild and scenic river designations, and strategies for advocating and litigating for better agency wild river management.

*David Bayles, Director, Pacific Rivers Council*

*Pete Frost, Attorney, Western Environmental Law Center*

*David Moryc, Associate Director, Northwest Regional Office, American Rivers*

**Making Friends with the Clean Air Act** (Law 243) \*\*

The Clean Air Act can serve as a powerful tool to protect environmental and public health. Panelists will discuss strategies citizens and states use to protect communities, wilderness areas, and national parks from air pollution. Topics include: regional haze, the Bush Administration's attempts to gut Title V monitoring requirements, State Implementation Plan development and enforcement, and Class I airshed protection efforts.

*Allison LaPlante, Staff Attorney, Pacific Environmental Advocacy Center*

*Carrie La Seur, Executive Director, Plains Justice*

*Brent Newell, Staff Attorney, Center on Race, Poverty & the Environment*

*Karla Raettig, Attorney, Environmental Integrity Project*

**Mining Proposals & Reform: The Northwest**

**Perspective** (Law 242) \*

This panel will discuss a copper mine proposal near Mount St. Helens, successful litigation related to suction dredge and placer mining in northeast Oregon that resulted in significant legal precedent related to the CWA, and the opportunity for reform of the 1872 Mining Law in the new Congress.

*Brett Brownscombe, Conservation Director, Oregon Trout*

*Ryan Hunter, Program Director, Gifford Pinchot Task Force*

*Lauren Pagel Nason, Policy Director, Earthworks/Mineral Policy Center*

**Political Interference & the ESA: Campaign to Restore Sound Science** (Law 241) \*\*

This panel will highlight recent examples of decisionmaking by the U.S. Fish & Wildlife Service (USFWS) involving "politicized science," including interference in ESA listing decisions by Interior Deputy Assistant Secretary Julie MacDonald, the ESA listing bottleneck, and USFWS's flawed policies on species genetics and jeopardy.

*Noah Greenwald, Conservation Biologist, Center for Biological Diversity*

*Nicole Rosmarino, Ph.D., Conservation Director, Forest Guardians*

*Mark Salvo, Director, Sagebrush Sea Campaign*

*Jacob Smith, Executive Director, Center for Native Ecosystems*

**Grazing Litigation to Protect Trout Habitat** (Longhouse) \*\*

Livestock grazing within the John Day and Upper Malheur river basins on the Malheur National Forest has caused widespread, chronic damage to habitat for native steelhead and bull trout. This panel will discuss conservationists' most recent legal efforts to hold the USFS accountable for its grazing actions and will describe how plaintiffs collected sufficient riparian data to rebut the agency's unsupported decisions.

*Stephanie Parent, Managing Attorney, Pacific Environmental Advocacy Center*

*Jonathan J. Rhodes, Hydrologist, Planeto Azul Hydrology*

*Kristin Ruether, Staff Attorney, Oregon Natural Desert Association*

**New Wave Energy Opportunities Off the Oregon Coast**

(Law 142) \*

Wave energy is rapidly emerging as a viable alternative energy source along the west coast. What does the technology look like? What are the environmental and economic implications? What potential legal issues are involved? Why is the Oregon coast so well-suited for wave energy development? Panelists will address these questions and more.

*Dr. Ted K.A. Brekken, Ph.D., Assistant Prof. in Energy Systems, Oregon State University*

*Tommy Brooks, Student, University of Oregon School of Law*

*Dina Dubson, Student, University of Oregon School of Law*

*Justin Klure, Senior Policy Analyst, Oregon Department of Energy*

*Tony Schacher, Senior Systems Engineer, Central Lincoln Public Utility District*

**SPECIAL EVENT (FILM)**

**5:00 – 5:30 P.M.** (EMU Walnut)

**The Bureau of Land Management: Stewards for the Future or Servants of Big Timber?**

This film educates the public on the BLM's outrageous land use practices; documents mounting opposition by citizens, conservation groups, elected officials, and federal courts; and provides an action plan to stop the BLM from destroying our nation's last stands of ancient forests.

**UO ALUMNI RECEPTION**

**5:00 – 7:00 P.M.** (Lewis Lounge, 4th Floor)

All UO School of Law alumae are welcome to attend a reception in the Lewis Lounge. Take the elevator by the north entrance.

**EVENING KEYNOTE ADDRESSES**

**7:00 – 9:00 P.M.** (EMU Ballroom)

**Rev. Marta Benavides**

**Jerome Ringo**

**REGISTRATION: 9:00 – 11:00 A.M.** (UO Law Steps)

**EARLY MORNING PANELS • 9:00 – 10:15 A.M.**

**Measure 37: Big Pictures & Underlying Issues** (Law 110) \*\*

This panel addresses the roots of Measure 37—the sources of public dissatisfaction with community land use planning. Are there lessons that environmentalists need to learn from property rights advocates? Are there lessons that environmentalists need to communicate more clearly? Panelists consider Oregon's land use planning process from perspectives of neighborhood, state, planet and intergenerational community.

*Tom Bowerman, 1000 Friends of Oregon and Founder, McKenzie River Trust*

*Jim Just, Executive Director, Goal One Coalition*

*Floyd Prozanski, Oregon State Senator, Co-Chair Joint Committee on Land Use Fairness*

*Lauri Segel, Community Planner, Goal One Coalition*

**How to Stop Liquefied Natural Gas Projects** (Law 142) \*\*

There are over forty proposals to build new liquefied natural gas (LNG) import terminals around the U.S. and Mexico. These projects pose significant harm to air and water quality, wildlife, cultural resources, and public safety. Panelists will discuss various forums and procedures that apply to on- and off-shore LNG proposals and the many environmental laws that can be used to stop such projects.

*Scott Jerger, Attorney, Field Jerger LLP*

*Linda Krop, Chief Counsel, Environmental Defense Center*

*Fernando Ochoa, General Director, Defensa Ambiental Del Noroeste*

**Transnational Corporations & Human Rights** (Law 175) \*\*

Lawyers from the Czech Republic, Jamaica, Indonesia, and Peru will talk about issues such as U.S. corporations seeking permits to mine in Jamaica and disposing of mine tailings in Buyat Bay in Indonesia.

*Danielle Andrade, Legal Director, Jamaica Environment Trust*

*Alberto Barandiaran Gomez, Co-Founder & President, Derecho, Ambiente y Recursos Naturales*

*Jiri Nezhyba, Attorney, Ekologiky Pravní Servis*

*Windu Kisworo, Attorney, Indonesian Center for Environmental Law*

**SPECIAL EVENTS (EXCURSIONS)**

**10:00 A.M. – 12:30 P.M.** (Registration Table)

**Cascades Raptor Center**, a non-profit nature center and wildlife hospital located in southeast Eugene. Tour is mainly self-guided, with many viewing opportunities accompanied by signage along the way.

**10:00 A.M. – 12:00 P.M.** (Registration Table)

**Northwest Forest Tree Walk.** Visit unique Pacific forest trees on the UO campus. Led by Roy Keene, activist and forester.

**LATE MORNING PANELS • 10:30 – 11:45 A.M.**

**Access to Justice: Worldwide Perspectives** (Law 175) \*\*

Environmental groups and individuals are restricted in using the court system (access to justice) by two types of doctrines. One doctrine states that they do not have “standing to sue.” The other one requires them to pay large amounts of money if they lose. Panelists will discuss ways of overcoming these barriers based on experiences in several countries.

*John Bonine, Professor, University of Oregon School of Law & Co-Founder, Environmental Law Alliance Worldwide*

*Tamar Gannot, Staff Attorney, Israel Union for Environmental Defense*

*Eva Kovacechova, Attorney, Via Luris*

*Joost Rutteman, Environmental Lawyer, Netherlands*

**Measure 37: Working with the Law** (Law 110) \*\*\*

This panel will familiarize lawyers and activists with the mechanics of Measure 37 litigation, including claims and related land use applications, timelines, challenges to valuation methodology, and proper use of M37's health, safety, nuisance, and federal regs exceptions. Panelists will review transferability of development rights and discuss the relevance of Oregon's constitutional prohibition of hereditary privileges.

*John Davidson, Visiting Assistant Prof., Political Science Dept., University of Oregon*

*Anne Davies, Land Use Attorney*

*Pam Hardy, Staff Attorney, Central Oregon Land Watch*

*Bryce Ward, Economist*

**Nuclear Northwest Issues 2007** (Law 141) \*\*

This panel will touch on many aspects of the Nuclear Northwest Update 2007, including legal issues of Hanford as a continuing nuclear repository under the Bush Administration's Nuclear Energy program, ongoing litigation with nuclear downwinders, depleted uranium and our troops, and the Dept. of Energy and Nuclear Complex 2030.

*Rick Gold, Director, NukeInfo.org*

*Gerald Pollet, Executive Director, Heart of America Northwest*

*Gordon Sturrock, Member, Veterans for Peace*

**Future of American Forests: Confrontation or Consensus**

(Law 142) \*\*

Confrontation between activists and land management agencies has long been the model for dealing with contentious forest management issues. What are the legal realities of working toward management consensus through collaboration? Do the risks for conservationists participating in collaboration outweigh the benefits of changing the way agencies and activists communicate?

*Mike Anderson, Forest Policy Analyst, The Wilderness Society*

*Gary Macfarlane, Forest Watch Director, Friends of the Clearwater*

*Emily Platt, Executive Director, Gifford Pinchot Task Force*

*Mary Zuschlag, Natural Resources Staff Officer, Siuslaw National Forest*

**Know Your Clients: Representing Activists** (Law 184) \*

Too often, activists are defendants in criminal prosecutions, plaintiffs in civil rights and police misconduct actions, or subpoenaed to testify in grand jury investigations. This discussion will be presented by both lawyers and activists, and is aimed at developing lawyers' understanding of their activist clients and the unique issues arising in their cases.

*Jim Flynn, Activist & Litigant*

*Lauren Regan, Executive Director, Civil Liberties Defense Center*

*Ben Rosenfeld, Attorney, National Lawyers Guild*

*Verbena, Activist & Litigant*

**CLOSING ADDRESSES**

**12:15 – 2:00 P.M. (Law 175)**

**Winona LaDuke**

**Mary C. Wood**

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# Conference Co-Sponsors

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Land Air Water would like to extend a special thank you to the **Native American Law Students Association** (NALSA) for co-sponsoring all of the panels taking place in the University's Many Nations Longhouse, located right behind the Knight Law Center. NALSA is open to anyone interested in the education and/or reform of legal issues involving Native Americans and other Indigenous Peoples.

In addition, L.A.W. would like to thank the following PIELC co-sponsors: **Journal of Environmental Law and Litigation** (JELL), **Associated Students of the University of Oregon** (ASUO), **Environmental and Natural Resources Law** (ENR) Program, **Environmental Studies Program** of University of Oregon, **Each One, Teach One** of Chico State University, **Public Interest Public Service** (PIPS), **Minority Law Students Association** (MLSA), **Sperling Foundation**, **Morse Center for Law and Politics**, **Latino/a Law Student Association** (LALSA), and **Asian Pacific Law Students Association** (APALSA), **Women's Law Forum** (WLF), **College Democrats**, **Institute for Sustainable Environment**.

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## DISCLAIMER

L.A.W. strives to provide a broad spectrum of opinions and asks attendees to respect the various viewpoints you will encounter at PIELC. The statements and opinions at PIELC belong solely to individual speakers, and do not represent the position of the University of Oregon, L.A.W. or Friends of Land Air Water. L.A.W. requests that attendees respect the facilities, volunteers, and presenters that make PIELC possible.

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

Aaron Bals	Dina Dubson	Andrew Hallman	Greg Kelly	Shanon Rahimi
Judson Brehmer	Tyler Elliot	Pete Henkle	Genevieve LeBlanc	Greg Shabram
Betsy Bridge	Kelly Fahl	Stefanie Herrington	Geoff Manley	Christina Stephenson
Jermaine Brown	Erin Fair	Amy Hicksted	Luke McConnell	Paul Tassin
Val Chermok	Steffanie Foster	Juna Hickner	Ryan McCauley	Brianna Tindall
Jil Clearman	Amanda Freeman	Jen Holderman	Mark McLaughlin	Jamie Valentine
Christina Davis	Sam Gaugush	Alyssa Johl	Ben Miller	Elle Weaver
Justin Denham	Jeff Gent	Bob Kaiser	Tom Moseman	Dawn Winalski
Morgan Dethman	Jolene Goodnight	Becki Kammerling	Kevin Parks	Zach Welcker
Moss Driscoll		Josh Kellerman	John Partesotti	

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

Adell Amos	E-LAW U.S.A.	Law School Faculty	Sarah Peters
Alice Marr	EMU Technical Services	Margie Paris	Sterling Israel
All Past & Future CCDs	Everyone Orchestra	Mark Stemen	Susan Kelly Mitchell
All Those Who Hosted	Friends of Land Air Water	Marianne Dugan	Svitlana Kravchenko
Speakers in Their Homes	Gordon W. Bettles	Matt Butler	UO Catering
ASUO	Heather Brinton	Merv Loya	UO Scheduling
Bill Carpenter	Hillary Renick	Michele Grable	UO Printing
Bob Chandler	JELL	Mike Axline	UO Bookstore & Court Cafe
Bob Shavelson	Jen Gleason	NALSA	UO Student Volunteers
Campus Recycling	Jess Yates	Nicole Nelson	UO Law ENR Center
Chico State Students	Jill Forcier	Paul Persons	UO Law Tech Services
Dan Kruse	Jim Horstrup	Rachel Smith	Western Env't'l Law Center
Dennis Bishop	John Bonine	Rob Schwartz	Wilburforce Foundation
Diane French	Jonathan Manton	Robin Vogel-Smith	Zack Mazer
Doug Quirk	Law Center	Rock the Earth	

## Land Air Water would like to thank the following businesses for their generosity:

Ambassador Travel	High Country News	Peace Rose Graphics
Cafe Mam	Holy Cow	Premier Travel
Capella Market	Laughing Planet	Printwear of Oregon
Cosmic Pizza	Living Tree Paper	Rogue Brewery
CostCo	NetCorps	Secret Garden Bed and Breakfast
Eugene City Brewing		Sundance Natural Foods

## 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.

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## RECORDING POLICY

Recordings of select panels (audio) and keynote presentations (audio and video) are available to the public for purchase as soon as possible. Land Air Water is experimenting with internet publication possibilities, and select panels and keynote presentations may eventually be available online. For further information regarding acquiring a recording, visit: [www.pielc.org](http://www.pielc.org).

Attendees may record keynote presentations with their own equipment. For EMU Ballroom sessions, L.A.W. 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 L.A.W. 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) 346-3087.

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.

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## ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES

L.A.W. 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 L.A.W. office at 346-3828. Sign language interpreters will be present at all keynote speeches.

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