

26th Annual
PUBLIC INTEREST ENVIRONMENTAL LAW CONFERENCE
Compelling a Climate of Change



March 6 - 9, 2008

University of Oregon Law School
Eugene, Oregon



www.pielc.org



Welcome

Welcome to the Public Interest Environmental Law Conference (PIELC), the premier annual gathering for environmentalists in the world! Now in its 26th 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.

Compelling a Climate of Change

2008 represents not only a critical juncture in the political arena of the U.S., but also in the social, ecological, and environmental climates in every community throughout the world. The need for motivation, organization, and mobilization of citizens across the globe to curb climate change has never been greater. With PIELC 2008, we hope to do our part by spreading the message and strengthening the cause, encouraging attorneys and activists, and all concerned citizens around the globe, to come together, sound the sirens, and seek solutions to a crisis that threatens us all. We compel YOU! to be a part of the solution to climate change – to be part of our climate of change.

Reducing the Conference Carbon Footprint

The Conference is taking a number of steps to reduce its carbon footprint this year, but to be really effective we need your help. Online registration for the conference provides an opportunity for each registrant to calculate their travel carbon footprint and to pay to offset those emissions. The money collected will be used to finance the installation of small-operator wind power capacity through NativeEnergy. If you haven't yet taken responsibility for your Conference travel carbon emissions, please join the many conference participants who have by updating your registration at www.pielc.org. You can also make a donation to purchase wind energy to power university facilities during PIELC from the Eugene Water & Electric Board at the registration table.

We are also offering two new ways to reduce paper use this year. Nearly all of this year's tabling groups are linked to our website at www.pielc.org. Instead of stocking up on flyers and brochures, consider logging on to tablers' websites for their latest information. Even easier, sign-up sheets at each table allow you to request tabling information by email.

Conference meal planners have worked extra hard this year to ensure that most foods served are locally-grown and organic, thereby greatly reducing emissions from that sector. The University of Oregon Law School has completed installation of energy efficient lighting, and motion-sensor off-switches will soon be installed in all classrooms. Finally, we are again striving for 100% recycling or composting of all possible conference wastes. Thank you for joining together to make the Conference a success in this critical endeavor.

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.
- Seating at keynotes will be allocated on a first-come, first-served basis.
- Please check the addendum for any changes or additions.
- 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.

We hope you enjoy your PIELC!

Keynote Biographies

Edith Brown Weiss

Edith Brown Weiss is the Francis Cabell Brown Professor of International Law at Georgetown University Law Center. From 2003 to 2007, she served as Chairperson of the Independent Inspection Panel of the World Bank, which responds to complaints from poor affected people. She has served as President of the American Society of International Law (ASIL) and as Associate General Counsel for the U.S. Environmental Protection Agency. She has received the Elizabeth Haub prize from the Free University of Brussels and the IUCN, the ABA Award to an individual for distinguished achievements in Environmental Law and Policy, and the ASIL Certificate of Merit for the most outstanding piece of scholarship in international law in the previous year.

David Cobb

David Cobb was the Green Party nominee for President of the United States in 2004. He served as the General Counsel for the Green Party until declaring his candidacy in 2003. His entire legal career is dedicated to challenging illegitimate corporate power and to creating democracy. He is a volunteer member of the Democracy Unlimited of Humboldt County Steering Committee, serves on the Sierra Club's national Corporate Accountability Committee, is a Fellow for Liberty Tree: Foundation for the Democratic Revolution, and is a co-founder of the Green Institute.

Carrie Dann

Carrie Dann is a Western Shoshone grandmother and hero to many, standing for her ancestral lands against government and industry actions that damage them. Indigenous people live in harmony with natural surroundings, respecting all forms of life. Now the waters are no longer clear and cool, and outrageous pollution is destroying all forms of water life. When the waters go, we are next. Carrie Dann leads Western Shoshone and other indigenous people to resist the destruction, pollution, and forgetting of the land, based on the Creator's Law for the environment, not on the economic law that puts market interests as priority over the life of the land.

Dave Foreman

Dave Foreman has worked as a wilderness conservationist since 1971. He is now the Executive Director and Senior Fellow of The Rewilding Institute, a conservation "think tank" advancing ideas of continental

conservation. He was a member of the national Board of Directors of the Sierra Club from 1995 to 1997 and is a founder of the New Mexico Wilderness Alliance. He speaks widely on conservation issues. His new book, *Rewilding North America*, was published in 2004.

Cynthia McKinney

Cynthia McKinney is the 2008 Green Party nominee for President of the United States. She served in the U.S. House of Representatives from 1993-2003, and again from 2005-2007, representing Georgia's 11th and 4th Districts. She has been a Commissioner in The Citizens' Commission on 9-11, and has been a vocal, outspoken advocate for the victims of Hurricane Katrina. She has supported the immediate withdrawal of U.S. troops in Iraq, and has also introduced articles of impeachment against George W. Bush in 2006 at the end of her Congressional term. She left the Democratic Party in 2007 and joined the Green Party.

James Milkey

James Milkey is the Assistant Attorney General, and Chief of the Environmental Protection Division (EPD) of the Massachusetts Office of the Attorney General. In that capacity, he directs the environmental litigation involving the Commonwealth and its agencies. He argued, and served as Counsel of Record in, *Massachusetts v. EPA*, the U.S. Supreme Court's landmark case addressing EPA's refusal to regulate greenhouse gas emissions under the federal Clean Air Act. For his work on this case and other matters, he was named one of ten "Lawyers of the Year" by Lawyers USA, was co-recipient of the Eighth Annual American Bar Association Award for Distinguished Achievement in Environmental Law and Policy, and was honored by the Environmental League of Massachusetts as Public Servant of the Year - 2006.

Sophia Rabliauskas

A leader of her Poplar River First Nation in the boreal region of Manitoba, Sophia Rabliauskas has for the past eight years worked with her people to secure interim protection of their two million acres of undisturbed forest land (three times the size of Rhode Island). In 2004, Rabliauskas along with several other community members led Poplar River in the development of a comprehensive land protection and management plan for their territory—a precedent-setting accomplishment among

First Nations in the boreal. Rabliauskas's and Poplar River's current efforts are focused on securing permanent protection of their land from the Manitoba government.

William H. Rodgers, Jr.

Professor Rodgers began teaching at the University of Washington (UW) School of Law in 1967, spent seven years at Georgetown University Law School, and returned to UW in 1979. Professor Rodgers specializes in natural resource law and is recognized as a founder of the environmental legal field. He is actively involved in UW's Environmental Law and Litigation course, as well as the Berman Environmental Law Clinic. He has produced the first volume of his two-volume treatise entitled *Environmental Law in Indian Country* and co-authored the recently published *The Si'lailo Way: Salmon, Indians and Law on the Columbia River*. In addition, he has been actively involved in the Exxon Valdez "reopener." In 1999, Professor Rodgers was selected as the first UW Stimson Bullitt Professor of Environmental Law and is currently serving his second five-year appointment.

Jane Williams

Jane Williams is the Executive Director of California Communities Against Toxics (CCAT). A network of 70 local environmental justice groups in California, CCAT works to protect communities from industrial pollutants. Jane carries on the tradition of her mother, Norma "Stormy" Gail Williams, working to protect the health of people and the environment as a common cause. Her mother, Norma, launched a campaign seeking to identify toxins causing a brain cancer cluster among children in Rosamond, California. Eleven children had contracted a similar type of brain cancer in Rosamond; they all died. This tragedy propelled Jane Williams to work toward protecting human life by safeguarding the environment. She has organized dozens of communities to successfully fight the building of facilities that would pollute their environment, such as incinerators, landfills, nuclear waste dumps, and industrial plants. Jane has served on a number of federal and state advisory committees, was instrumental in helping pass the AB32 Global Warming Solutions Act in California, and is currently co-chair of AB32's Environmental Justice Advisory Committee.

Schedule of Keynote Addresses*

THURSDAY, MARCH 6

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

**WILLIAM RODGERS, JR.
CARRIE DANN**

FRIDAY, MARCH 7

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

**EDITH BROWN WEISS
JAMES MILKEY**

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

**DAVID COBB
CYNTHIA MCKINNEY**

SATURDAY, MARCH 8

Lunch Address 12:00 - 2:15 P.M.

SOPHIA RABLIAUSKAS

Evening Address 7:00 - 9:00 P.M.

JANE WILLIAMS

SUNDAY, MARCH 9

Closing Address 12:15 - 2:00 P.M.

DAVE FOREMAN

**All keynote addresses are held in the EMU Ballroom. Information about recording keynote speeches is on the back cover.*

Meal Schedule

Lunches

Friday, March 7 – 12:00 – 2:00 P.M.

Vegan Jambalaya, Carrot Ginger Soup, Fruit Salad,
Chickpea & Tomato Salad, Vegan Sheetcake
Price: \$13

Saturday, March 8 – 12:00 – 2:00 P.M.

Baked Potato Bar with assorted toppings including
Steamed Broccoli and Vegan Chili,
Corn Bread Muffins, Assorted Cookies
Price: \$11

Dinners

Friday, March 7 – 5:30 – 7:00 P.M.

Vegetarian Stir Fry with Steamed Rice, Vegetarian Spring
Rolls, Vegan Asian Slaw, Citrus Salad, Fortune Cookies,
Coconut Pudding, Vegan Brownies
Price: \$17

Saturday, March 8 – 5:30 – 7:00 P.M.

Thai Noodle Bar: Noodles in Peanut Sauce with
Vegetables, Tofu Skewers, Green Salad,
Rolls & Butter, Apple Crisp
Price: \$16

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.

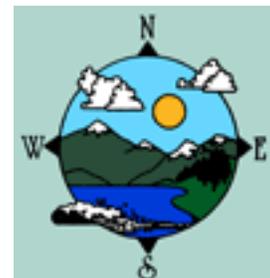
Table seating is limited, but food is welcome in the regular seating area as well. Tickets are available at registration.

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 26th 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. To learn more, visit <http://pielc.org/pages/flaw.html>



Thursday, March 6

REGISTRATION 2:00 – 6:00 P.M.

SPECIAL EVENT (PHOTOGRAPHY EXHIBIT)

At the Edge of the Ice Age: Alaska's Lost Coast and Copper River Country

3:45 - 5:00 P.M. (Fir EMU)

A stunning presentation of photography by Brett Cole from Cascadia's remote, wildest corner. See glaciers recede, rainforest take hold, and hear about cutting-edge conservation work in the Last Frontier. Wild Copper River Salmon provided.

Gabe Scott, Cascadia Wildlands Project

AFTERNOON PANELS • 3:45 – 5:00 P.M.

Forests & Climate Change: Myths and Realities

(Walnut EMU)

The global carbon cycle creates significant feedbacks between earth's climate and forests. Forests are both affected by climate and significantly influence the climate. Panelists will explain the connections between forests, carbon, & climate; explore policy options for carbon sequestration in forests and for conserving forests in the face of climate change; and dispel some of the myths that surround these issues.

Doug Heiken, Oregon Wild

Matt Thompson, Oregon State University

Bettina von Hagen, EcoTrust

Public Trust: Tapping the Potential of the Common Law Trust (Ben Linder EMU)

This panel will provide some background on the historic public trust doctrine but will focus primarily on ways that this common law doctrine is being tapped to protect public trust resources in new ways. The public trust doctrine can be used to protect our common interests in the atmosphere, wildlife, and isolated wetlands.

Michael Blumm, Lewis and Clark Law School

Jack Tubolske, Vermont Law School

Mary Wood, University of Oregon School of Law

Andrew Gage, West Coast Environmental Law

Creating Sustainable Food Systems for Institutions:

New Tools and Perspectives (Metolius-Owyhee EMU)

Universities spend hundreds of millions of dollars on food annually. Most contracts are awarded to a handful of large distributors who source food cheaply from all over the world. The adverse environmental effects are significant. Some campuses, eager to improve their environmental performance, are beginning to source food from local and organic farms. This new trend reduces the carbon associated with food while supporting sustainable agriculture. This panel explores the opportunities, challenges, and benefits of developing sustainable food systems for large institutions.

Roberta Anderson, Food Alliance

David Lively, Organically Grown Company

Kelly Hoell, Good Company

Tom Driscoll, University of Oregon Food Services

Community Based Fishery Management in Oregon

(Alsea-Coquille EMU)

The fishing community of Port Orford on Oregon's south coast wants to preserve a traditional near shore day boat fishery while protecting the Orford Reef and other features of the coast that contribute to healthy marine habitat. Frustrated by failed attempts to engage in conventional fishery management systems, the community asked SeaGrant Legal Foundation to explore whether the law affords them any potential to create a stewardship area in which they could co-manage with state and federal authorities.

Leesa Cobb, Port Orford Ocean Resources Team

Cheryl Coon, Ocean Policy Consultant

Eugene C. Bricklemeyer, Aquatic Resources Conservation Group

Ed Backus, EcoTrust

Pete Stauffer, Surfrider

KEYNOTE ADDRESSES (EMU Ballroom)

7:00 – 9:00 P.M.

William Rogers, Jr.

Carrie Dann

REGISTRATION 8:00 A.M. – 6:00 P.M.

ENR CENTER OPEN HOUSE

9:00 A.M. – 4:00 P.M. (Law 225)

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

MORNING WORKSHOPS

9:00 – 11:45 A.M. (Ben Linder EMU)

Reconnecting with Each Other and the Earth:

Exercises for Environmental Lawyers and Activists

As the industrial growth society unravels, working to protect the environment brings up strong emotions. By exploring these emotions and our connections with the earth and with each other, we can find unexpected courage and power. Join us in exercises adapted from eco-philosopher Joanna Macy's "Work that Reconnects." These exercises help us reframe our pain for the world and create a new paradigm for personal and environmental change.

Kate Gessert

Lynne Fessenden

9:00 – 11:00 A.M. (Gerlinger)

Talking Law: Communications Strategies for Environmental Litigators

Several years ago, Resource Media identified a surge of news stories with the headline, "Environmentalists Sue," appearing across the country. At the same time, our partners in the field related that they were concerned about media coverage of environmental litigation. These stories often portrayed environmentalists as the bad guys, and the frame was undermining their ability to work with communities, and the government. We conducted in-depth research and analysis to see if we could identify new practices to address the problem. Designed to train environmental litigators and advocates to win in the court of public opinion as well as the court of law, this workshop will include our framing analysis, case studies and a discussion of opportunities to improve the framing and media coverage of environmental lawsuits.

Greg Costello, Western Environmental Law Center

Scott Miller, Resource Media

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

Combining Litigation and Grassroots Organizing in the Fight Against Mountaintop Removal Mining (Law 184)

Mountaintop removal mining describes the devastating practice in which mining companies blow up the tops of mountains to reach coal seams beneath and then dump the waste into nearby valleys and streams. This practice is destroying our mountains, and tearing communities apart. This panel presents an opportunity to learn directly from affected community members about how the mining is hurting their families and the mountains they love, and how environmental groups are working to support those communities in their struggle using litigation, grassroots organizing, and the media.

Aaron Isherwood, Sierra Club

Bill Price, Sierra Club

Alice McKeown, Sierra Club

Teri Blanton, Kentuckians for the Commonwealth

Profiling Intrusions on Community Action Groups, Activists and Citizens (Longhouse)

The panel discussion concerns observed patterns and methods used to characterize, disenfranchise, manipulate plausible guilt scenarios, and criminalize people who demonstrate revulsion against injustice, repetitious acts of despotism and violations of liberty. Pervasive institutional espionage, RFID & laser branding, secular thought policing, media filtering-speech encoded sophistry, and enforcing group consensus as government will be addressed.

William Blair, Infraspect, Environmental Science & Community

Rachel Barton-Russell, Infraspect, Environmental Science & Community

Darrel Cicilani, Bitter Brush Ranch Wilderness

David Marina

CWA Litigation in a Post-Rapanos World (Law 110)

The 2006 Supreme Court decision Rapanos v. United States and subsequent 2007 agency guidance have created confusion over what waters the Clean Water Act now protects. Far from just a wetlands case, Rapanos has implications for all CWA litigation as citizen suits and enforcement actions are being stymied by Rapanos concerns even in strong flowing perennial streams. This panel will explain the implications of Rapanos for CWA litigation and discuss how litigators can build a CWA suit that can survive a Rapanos challenge.

Jim Murphy, National Wildlife Federation

Kim Connolly, University of South Carolina Law School

Charlie Tebbutt, Western Environmental Law Center

A More Sustainable Farm Bill in 2008? (Law 141)

Congress has been busy writing a new Farm Bill. As the premier piece of federal agricultural legislation that largely determines how our food is grown, produced, and ultimately consumed, the Farm Bill has serious implications for public health and the environment. Focusing on the 2007-2008 Farm Bill reauthorization process, panelists will provide an overview of what's at stake in the Farm Bill, efforts to move it in a more sustainable direction, and the results of these efforts.

Zachariah Baker, Organic Farming Research Fdn., Sustainable Agriculture Coalition

Aimee Witteman, Agriculture Coalition

Water, Conflict, and Global Warming (Law 142)

This panel will focus on the potential for conflict and cooperation in different river basins, including the Aral Sea basin in Central Asia and the Chattahoochee River in the southeastern United States. In particular, this panel will look at climate change, its impact on water sector, and the mitigation and adaptation measures needed.

Aaron Wolf, Oregon State University

Dinara Ziganshina, Scientific Information Center of Interstate Commission for Water Coordination in Central Asia

Gil Rogers, Southern Environmental Law Center

Wilderness Law, Policy, and Updates (Law 242)

This panel focuses on the recent federal court cases that interpret the Wilderness Act, and what they mean for wilderness throughout the country; efforts to protect wilderness study areas and to designate new wilderness; and updates on legislation and wilderness policies adopted by the Bush Administration.

Pete Frost, Western Environmental Law Center

Steve Bloch, Southern Utah Wilderness Alliance

George Nickas, Wilderness Watch

Show Me the Money: Economic Analysis and Critical Habitat Designation (Law 241)

This panel will take a detailed look at the way economic analyses are used in ESA critical habitat determinations to exclude key areas of habitat from protection under Section 4(b)(2). We will provide background on the legal structure and recent cases but will focus primarily on looking at the types of economic analyses that the FWS and NMFS have relied on in the recent past and are issuing currently. We will also discuss how the agencies are expanding the 4(b)(2) exclusions to cover other “costs.”

Andrew Hawley, Defenders of Wildlife

Ernie Niemi, ECONorthwest

John Buse, Center for Biological Diversity

Lisa Belenky, Center for Biological Diversity

The Legacy Roads Remediation Initiative and What it Means for the USFS (Law 243)

The Washington Watershed Restoration Initiative was successful in helping to get \$39 million in funding in the FY 2008 Omnibus Appropriations Bills. These funds are dedicated to repairing water quality problems and wildlife habitat damage in our national forests caused by logging roads. This is the first step in a multi-year effort that needs to be broadened from Washington to other states. Panelists will discuss their efforts and how others can get involved.

Sue Gunn, Wildlands CPR

Chris Frissell, Pacific Rivers Council

Bonnie Phillips, Olympic Forest Coalition

Alex P. Brown, BARK

Establishing Marine Reserves to Sustain Oregon's Coastal Legacy (Fir EMU)

A consideration of issues related to the creation of marine reserves off the Oregon coast. A growing body of scientific data show that marine reserves can help restore depleted fisheries and ensure a healthy ocean legacy for future generations. Marine reserves achieve these results by using an ecosystem approach to ocean health rather than focusing on individual species.

Mark Hixon, Oregon State University

Sen. Brad Avakian, Oregon, Senate Comm. on Environment and Natural Resources

Sue Allen, Pew Environment Group, Our Ocean

Industrial Hemp: A Fiber Alternative to Trees (Metolius-Owyhee EMU)

Industrial hemp has been a very popular panel at past conferences. There is great interest in hemp fiber, which is often confused with marijuana, as a substitute for traditional fiber sources (wood). By March 2008, we will likely know the results of litigation in the U.S. District Court for North Dakota to overturn the federal government's ban on the cultivation of industrial hemp.

Andy Kerr, North American Industrial Hemp Council

Sen. Floyd Prozanski, Oregon

Carolyn Moran, Living Tree Paper Company

Perspectives on Collaboration: What Have We Learned? How Can We Do it Better? (Alsea-Coquille EMU)

This panel will feature three diverse cases of collaborative problem solving/environmental conflict resolution — a forest management case, a local transportation planning case, and an urban noise encroachment case. The panelists will present their own perspectives

on these cases and what they have learned about collaborative processes in general. The moderator will introduce some basic principles for collaboration, and the panelists will discuss if and how they were embodied in the three cases. A discussion format will engage the audience in sharing their own experiences.

Kirk Emerson, Institute for Environmental Conflict Resolution

Jack Roberts, Lane Metro Partnership

Tim Lillebo, Eastern Oregon Wildlands

Emily Platt, The Gifford Pinchot Task Force

Climate Change + Environmental Justice = Climate Justice (Law 175)

Climate change poses an environmental justice problem with respect to both emissions and impacts/adaptation; those who most benefit from our carbon economy suffer fewer of climate change's impacts, and those least able to adapt are most impacted physically. This panel will explore the human and regulatory dimensions of climate injustice.

Maxine Burkett, University of Colorado School of Law

Hari Osofsky, University of Oregon School of Law

Rafael Aguilera, Verde Group

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

Culvert Case: Implications for the Future (Longhouse)

More than thirty years after U.S. v. Washington was filed in federal court, the recent momentous decision found that Washington State must repair culverts which hamper Tribes' treaty right to fish. This decision presents many questions as the State and Tribes commence negotiating next steps. Will this case lead to future claims as the Tribes attempt to enforce their treaty rights? This panel examines historical and future implications of this important case.

Mary Wood, University of Oregon School of Law

Tim Weaver, Yakama Nation Counsel

Energy Development Above All Else: An Update from the Front Lines in the Intermountain West (Law 141)

In the waning days of the Bush Administration, energy development and approval of broad-scale NEPA analyses has reached a frantic pace. Programmatic EISs for transmission corridors across the west and oil shale and tar sands development in CO, WY, and UT are due to be finalized this coming summer, as are land use plans that will set priorities for BLM land management across the west for years to come. The panel will discuss these issues and other trends in energy development legislation.

Steve Bloch, Southern Utah Wilderness Alliance

Nada Culver, The Wilderness Society

David Garbett, Southern Utah Wilderness Alliance

Bob Randall, Colorado Dept. of Natural Resources

Global Warming Policy: Global to Local/Local to Global (Fir EMU)

The roles for voluntary measures, compulsory regulation, taxes, and emission markets as part of Global Warming Solutions will be discussed at seven levels ranging from individual/household through state, national and international/global.

Daniel M. Ibara, Center for Environmental Economic Development

Andrea Tuttle, Natural Resource Consultant

Jim Hight, Climate Change Business Journal

Follow the Yellowcake Road: Updates on the Uranium Mining and Milling Boom (Law 142)

The past year has brought a new wave of litigation, administrative actions, and legislative efforts to address the uranium boom in Indian Country, on federal public lands, and near residential areas in the Intermountain West and Southwest. Many indigenous nations, including the Navajo, have successfully banned uranium development. However, the United States promotes yellowcake production. An overview of efforts will be provided as well as the basis for a complete ban.

Travis Stills, Energy Minerals Law Center

Paul Robinson, Southwest Research and Information Center

Eric Jantz, New Mexico Environmental Law Center

Shannon Anderson, Powder River Basin Resource Council

Jeffrey C. Parsons, Western Mining Action Project

Natural Capital: Preparing for Adaptation to Global Warming (Law 184)

This panel will provide a description of the concepts behind the valuation of ecosystem services, the policies that determine the value of ecosystem services, and the methods for layering ecosystem services to help create additional values within marketplaces. This panel uses a case study approach to demonstrate current valuation, or the societal default, barriers to layering services, and the science necessary to reach a new value model and postulate an approach creating a “new model” for valuation.

Betony Jones, Sierra Business Council

Rebecca Sham, The Nature Conservancy

Steve Frisch, Sierra Business Council

James Olmsted, Conservation and Preservation Counsel

Building a Sustainable Future: Payments for Ecosystem Services (Alsea-Coquille EMU)

The tendency of our conservation programs and environmental laws to focus primarily on specific impacts and individual species and habitats has resulted in scattered and poorly coordinated mitigation, restoration, and conservation projects that are ecologically ineffective. Paying for ecosystem services, such as carbon sequestration, habitat, and cool water, has the potential to reverse this trend. This panel will give an overview of ecosystem services, highlight the failure of current approaches, and describe the overall vision for shifting our current systems.

Kevin Halsey, Parametric

Aaron Courtney, Stoel Rives

Gina LaRocco, Defenders of Wildlife

Environmental Crimes in the New Millennium (Law 241)

The Justice Department and the EPA continue to emphasize criminal enforcement of the environmental laws, even as news reports claim that prosecution rates have dropped in the Bush Administration. This panel will assess the current state of the environmental crimes program, whether criminal prosecution of individuals and corporations promote broader compliance, and the role of criminal enforcement in addressing the broader environmental issues facing our nation and the world, including the global climate change crisis.

Eileen Sobeck, Environment and Natural Resources Division, U.S. Department of Justice

Dwight Holton, U.S. Attorney's Office, District of Oregon

David Z. Nevin, Nevin, Benjamin, McKay & Bartlett

Susan F. Mandiberg, Lewis & Clark Law School

Demanding Cleaner Air: Tactics to Obtain and Enforce Effective State Implementation Plans (Law 242)

States must develop State Implementation Plans to meet the Clean Air Act's health-based National Ambient Air Quality Standards. This panel will discuss why SIPs are becoming increasingly important across the United States, how activists and attorneys can plan and implement a campaign to compel states to adopt meaningful plans to clean up air pollution, and how to enforce those plans in court to make states keep their promises.

Daniela Simunovic, Center on Race, Poverty & the Environment

Brent Newell, Center on Race, Poverty & the Environment

Alvin Valeriano, International Sustainable Systems Research Center

Paul Cort, Earthjustice

Leading Issues in Forest Service and BLM Travel

Management Planning (Law 243)

Panelists will discuss the major issues in the USFS and BLM travel management process, which is in varying stages of completion throughout the country. The decisions being made right now will determine where quality wildlife habitat and quiet recreation opportunities will still exist on our public lands. Topics will include the protection of water quality, endangered species, and proposed wilderness and inventoried roadless areas.

Karl Forsgaard, Washington Forest Law Center

Erik Schlenker-Goodrich, Western Environmental Law Center

Randy Rasmussen, American Hiking Society

Cyndi Tuell, Center for Biological Diversity

National Forest Issues and Litigation: A Nationwide Perspective (Metolius-Owyhee EMU)

The panelists will discuss current, nation-wide litigation as well as Congressional and other related issues from Washington, D.C. concerning our National Forests. The discussion will include an update regarding the ongoing court cases challenging the National Forest Management Act regulations, and a case involving the Forest Service's use of chemical fire retardant on National Forests. The discussion will also address current efforts underway in our nation's capital to either increase or decrease protections on National Forests, including proposed legislation.

Mark Fink, Center for Biological Diversity

Susan Jane Brown, Natural Resource Counsel, Rep. DeFazio

KEYNOTE ADDRESSES (EMU Ballroom)

12:15 – 1:00 P.M. Edith Brown Weiss

1:15 – 2:00 P.M. James Milkey

SPECIAL EVENT (PHOTOGRAPHY EXHIBIT)

2:15 – 3:30 P.M. (Fir EMU)

Earth Under Fire

Gary Braasch started photographing climate science in 1999. His odyssey took him to 22 nations and resulted in the book *Earth Under Fire: How Global Warming is Changing the World* in 2007. His perspective begins with glaciers and polar bears, then expands to effect on oceans, disabled ecosystem services, changes directly challenging urban areas, shifts in geopolitics, and other big picture aspects of rapid climate change. Braasch's photographs and experiences aid understanding the deeper implications—and progress toward the energy and emissions shift needed around the world.

AFTERNOON WORKSHOP • 2:15 – 4:15 P.M.

2010: Green Dreams and Black Ink (Gerlinger)

What environmental measures do you want to see on the 2010 ballot?
An open brainstorm and networking opportunity.
John Flanery, Moderator

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

Indigenous Sacred Estates – Protecting the Climate at Home (Longhouse)

As indigenous lands, waters and resources become corporatized, individual and family connections to ancestral lands continue to be disrupted and lost, along with the complex, unique memories and stewardship abilities they embody. This panel addresses the value and protection of the sacred estate.

Carrie Dann, Western Shoshone Defense Project
Calvin Hecocta, “Natural Man”
Roger Jackson, Sr., Quillente Elder
Renee Smokey, Wa-Pai-Shone Young Elder, Indigenous Justice Advocate
Benny Mills, Wasboe Tribal Court

Land Use, Energy Depletion, and Climate Change:

Opportunities for Action (Law 110)

This panel will explore the intrinsic connections between land use, energy depletion, and climate change, with a particular emphasis on the opportunities for making more sustainable land use decisions. Focus will be given to innovative trends in land use planning policy, rural land use and local agrifood systems, urban land use and sustainable cities, and various European approaches.

Jim Just, Goal One Coalition
J. Brush, Tryon Life Community Farm
Tom Livey, Organically Grown Company
Tom Bowerman, Policy Interactive

Solving the Energy Crisis: Are We Making the Right Policy Decisions? (Law 141)

Faced with the need to increase the amount of electricity generated by renewable energies, governments must choose from a range of policy options. Renewable Energy Feed-In Tariff (FIT) laws have proven to be the most effective in increasing the use of renewables in the electricity sector. FITs oblige energy companies to buy renewable energy from producers, and set the price for renewable energy at a level that ensures a return in investment, thereby creating a strong economic incentive for investing in renewables.

Dan Bristow, World Future Council
John Farrell, Institute For Local Self Reliance
Jen Gleason, Environmental Law Alliance Worldwide (ELAW)

Pacific Northwest Old Growth Protection and Forest Restoration Legislation (Law 282)

A changing Congress and a new President means that chances have never been better to make it illegal to cut down old trees on federal public lands and to direct federal forest agencies to restore degraded forests. Can the Pacific Northwest conservation community reposition itself from an almost exclusively defensive posture to go on the offense?

Andy Kerr, The Larch Company
Randi Spivak, American Lands
Rick Brown, Defenders of Wildlife
Chandra LeGue, Oregon Wild

Bends in the River: New Developments in Clean Water Act Policy and Litigation (Law 184)

Panelists will discuss important recent Clean Water Act litigation. A number of important federal and state court decisions have opened promising new ways to protect waters under the Act. Topics include protecting impaired waters, the duty to meet water quality standards, and antidegradation requirements, among others.

Roger Flynn, Western Mining Action Project
Janette Brimmer, Minnesota Center for Environmental Advocacy
Jack Tubolske, Vermont Law School

Tribal Wilderness Land and Conservation Easements (Law 142)

Panelists will share their perspectives on protecting Sinkyone’s coastal redwood rainforest and establishing America’s first InterTribal Wilderness area, held by a consortium of ten federally recognized California Indian tribes. The land is permanently protected by conservation easements that preserve important cultural and ecological values. Panelists will discuss the process they used for protecting the land including litigation, community activism, formation of the InterTribal Sinkyone Wilderness Council, and Sinkyone’s conservation easements – the first such easements ever to be negotiated with Indian tribes.

Priscilla Hunter, InterTribal Sinkyone Wilderness Council
Sharon E. Duggan
Laurie Wayburn, Pacific Forest Trust
Eric Goldsmith, Sanctuary Forest

Western Oregon Plan Revision (Law 175)

The Western Oregon Plan Revision (WOPR) affects over two million acres of public forest lands in Oregon and is the largest and perhaps most controversial planning process undertaken by the Bureau of Land Management in recent years. Panelists represent very different sides of this controversy, and will provide a unique and valuable opportunity for a multisided discussion about the WOPR, its pros and cons, and the application of the O&C Lands Act in light of the Supreme Court’s recent decision in National Association of Homebuilders.

Peter Sorensen, Lane County Commissioner
Sue Kupillas, Allied Solutions by Kupillas, LLC
Dong Heiken, Oregon Wild

Scorched Earth: Firefighters Confront Global Warming in the Age of Megafires (Law 241)

Wildland firefighters from Alaska to California discuss new fire management policies, strategies, and tactics designed to simultaneously protect communities and restore ecosystems threatened by global warming-fueled megafires. Learn how citizen activists can watchdog agencies to prevent harmful firefighting impacts and promote beneficial fire effects by advocating for safe, ethical, ecological fire management.

Timothy Ingalsbee, Firefighters United for Safety, Ethics, and Ecology
Michael Beasley, National Park Service
Mary Kwart, U.S. Fish & Wildlife Service (retired)
Jay Lininger, Cascadia Wildlands Project

Discarding the Definition of Solid Waste (Law 242)

In 2001, EPA issued a rule allowing hazardous wastes containing arsenic, lead, mercury, and other toxic substances to be applied directly to the land as “fertilizers.” Two years later, the D.C. Circuit upheld the rule in Safe Food and Fertilizer v. EPA. Emboldened by the court’s decision, EPA recently proposed another rule that would allow for nearly

unlimited “recycling” of hazardous wastes into other substances. This panel will discuss how EPA’s hazardous waste recycling rules conflict with the statutory requirements of the Resource Conservation and Recovery Act (RCRA), how the D.C. Circuit erred in its holding, and how citizens can prevent hazardous waste recycling from happening in their states.

Patricia Anne Martin, Safe Food and Fertilizer

Melissa Powers, Pacific Environmental Advocacy Center

Managing the Floodwaters: Innovations in Stormwater and Wastewater Treatment (Law 243)

This dynamic panel brings national and regional experts together to discuss city efforts focused on enhancing the level of treatment provided to peak storm flows and wastewater treatment advances. New developments in collection system management, testing, monitoring, and reporting will be discussed. The panel will also address challenges facing clean water agencies, such as controlling sewer overflows and reducing stormwater pollutants as well as the ways in which municipalities are changing their operations to increase water stewardship and to green the urban infrastructure.

Alexandra Dapolito Dunn, Pace Law School

Janet Gillaspie, Oregon Association of Clean Water Agencies

Peter Ruffier, City of Eugene Wastewater Division

Charles Logue, Clean Water Services, Hillsboro, OR

Christopher M. Westhoff, Public Works, City of Los Angeles

Questioning Tomorrow: The Green Anarchy Movement

(Ben Linder EMU)

Today’s crisis is pervasive and deepening, accelerating its impact on all of life in our biosphere. Many are now beginning to question the nature and validity of modernity/mass society/techno-culture. Maybe it’s the problem, not the solution. What is driving it all forward to a non-future seems to go even deeper than capitalism. We must face truly stark times and begin, together, to question all the givens and move toward solutions that undo what some very basic institutions are delivering.

John Zerzan, Green Anarchy

Appropriate Recreation on Our Public Lands: What’s the Right Amount and When is Enough Enough?

(Metolius-Owyhee EMU)

The National Park Service is the only federal agency to really attempt to address this question comprehensively, and unfortunately they never finished the analysis process. The avoidance of this controversial topic puts all federal land management agencies behind the eight ball when doing any type of travel or overall management planning.

Mark Menlove, Winter Wildlands Alliance

George Wuertbner, Center for Deep Ecology, Center for Biological Diversity

Vera Smith, The Wilderness Society

Fact-Finding and Discovery in Environmental Litigation (Alsea-Coquille EMU)

This panel will discuss fact-finding for civil, environmental litigation and general principles to work effectively with state agencies during discovery, and will provide an overview of discovery in environmental litigation and then focus on federal assertion of legal privileges.

Martha Webling, Attorney General’s Office, Washington

Joshua Osborne-Klein, Earthjustice

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

ESA Section 9 Actions Against State Agencies

Roundtable (Law 110)

ESA Section 9 actions against state agencies involve a number of legal and evidentiary issues which are unique within ESA practice and may be unfamiliar to environmental law practitioners. This roundtable will discuss these issues, highlighting traps to be avoided and reviewing recent relevant legal developments. The panel will use cases filed against state agencies of Massachusetts, Washington, and California as a springboard for an open discussion of the interesting issues and strategies particular to this practice.

Adam Keats, Center for Biological Diversity

Andrew Wetzler, Natural Resources Defense Council

Paul Kampmeier, Washington Forest Law Center

Richard Max Strahan, Whale Safe USA

Community Environmental Monitoring Advances and the Global Movement of Bucket Brigades (Law 141)

Globally there has been a recent dramatic growth of community-based monitoring as an organizing tool for making industries into “Good Neighbor.” These efforts have also increased government accountability to impacted communities that are often ignored. The panel will discuss: how the method builds effect campaigns and community capacity; the advancement of improved easy to use real time air monitoring and comprehensive pollution investigations; and how community “bucket brigades” have inspired the advancement of improved real time air monitoring and comprehensive pollution investigations.

Ruth Breech, Global Community Monitor

Donald Gamiles, Argos Scientific, Inc.

Denny Larson, Global Community Monitor

Water Conservation Transactions and Programs (Law 142)

Conservation water trusts and other organizations in the west coast have developed mechanisms (e.g. permanent acquisitions, leases, investments in efficiency and other incentive-based approaches) to assist landowners who wish to restore flows to existing habitat. Panelists will describe their experiences with such organizations, the successes and failures of particular projects, and what the future holds for conservation water trust programs.

David Pilz, Oregon Water Trust

Molly Whitney, Columbia Basin Water Transactions Program

Bulldozing the Backcountry (Law 243)

Like a vampire rising from the dead, the 19th Century right-of-way loophole known as R.S. 2477 continues to haunt management of public lands. Counties, off-roaders, and industries across the West have seized on this law, meant to be a shield to protect investment in public highways, as a sword to undo wildlands protection by claiming every cow track, foot path, and jeep trail is a “public highway” controlled by local governments, and not federal land managers. This panel will address legal developments in the 9th and 10th Circuits concerning who can claim such routes, if and how conservationists can participate in R.S. 2477 litigation, how conservationists can take the offensive against renegade counties pushing highway claims, and what the Bush Administration and Congress are up to on the issue.

George Torgun, Earthjustice

Kristen Brengel, The Wilderness Society

Nada Culver, The Wilderness Society

Responding to Government Sponsored Terrorism: the Animal Enterprise Terrorism Act and the Homegrown Terrorism Prevention Act (Law 184)

Hear two lawyers and a journalist tell their war stories from the front-lines fighting oppressive government regulation of our speech, actions, and even thought! Yes, the thought police are upon us. Come learn how these laws affects us, how to maintain a critical edge while avoiding prosecution, and plot strategies for changing our world for the better.

Lauren Regan, Civil Liberties Defense Center

Will Potter, GreenIsTheNewRed.com, Freelance Journalist

Ben Rosenfeld, Attorney

Building a Better Atmosphere: Legislative & Agency Responses to Global Warming (Law 175)

This panel will address recent efforts of Oregon legislature to address the mounting concerns and crises caused by global warming, including a presentation on the use of trust principles to measure government's response to global warming.

Sen. Brad Avakian, Oregon, Senate Comm. on Environment and Natural Resources

Rep. Jackie Dingsfelder, Oregon, House Comm. on Energy and the Environment

Mary Wood, University of Oregon School of Law

James Olmsted, Conservation and Preservation Counsel

Teddy Roosevelt Rides Again (Metolius-Owyhee EMU)

Hunters and anglers are on the forefront of protecting federal public lands from the massive energy boom that has emerged as the leading threat to wildlife habitat and backcountry recreation in the Rocky Mountain States. What legal and legislative strategies are succeeding? What's on tap for the future? Can vegan environmentalists and backcountry-loving sportsmen be friends? Why does this alliance scare the wits out of the NRA and GOP? Can this coalition make habitat protection a bi-partisan issue in the Rockies? What can we learn from Indian Country?

Sarah Tucker, Trout Unlimited

Mike Chiropoulos, Western Resource Advocates

Floyd Phillips, Eastern Shoshone Tribe, Wind River Reservation

Bill Dvorak, Colorado Wildlife

Air Pollution from Ships: Legal Strategies for a Global Problem (Law 242)

Commercial shipping is a vast, global, heavy industry, underpinning international trade, and growing by some estimates at more than 10% annually. Despite causing profound adverse impacts to port communities, regional air basins, and the global climate, the shipping industry remains a globally significant polluter facing minimal emissions controls. This panel features air pollution experts on the front lines of legal and regulatory action to reduce the diverse and broadly harmful effects from our growing reliance on shipborne transport.

Adrian Martinez, NRDC

Sarah Burt, Earthjustice

Terry Dressler, Santa Barbara County (CA) APCD

Sagebrush Sea Conservation and Restoration Act (Law 282)

Habitat loss and degradation, climate change, and the probable listing of greater sagegrouse under the Endangered Species Act have motivated conservationists, resource users, and federal, state and local government to propose a variety of federal legislation to protect and restore the sagebrush steppe. Conservationists present their program

for sagebrush conservation and restoration in the Sagebrush Sea Conservation and Restoration Act.

Andy Kerr, The Larch Company

Mary O'Brien, Southern Utah Forests Project, Grand Canyon Trust

Mark Salvo, Sagebrush Sea Campaign, Forest Guardians

Ripeness in Facial Rule Challenges and Site-Specific Actions (Law 241)

The government often tries to avoid review of its decisions and regulations by arguing the doctrine of ripeness. The Supreme Court will consider the issue this year in *Summers v. Earth Island Institute*. Come discuss legal strategies and theories to avoid this trap.

Matt Kenna, Western Environmental Law Center

Erin Madden, Attorney

Laurie Rule, Advocates for the West

Student Involvement in Environmental Activism

(Alsea-Coquille EMU)

Chico State and Butte Community College have quickly become a center of sustainable activity and innovation on the West Coast. Between them, a dozen student groups now host over 100 sustainability-related events annually, both on and off-campus. This session will focus on their efforts to create a sustainable community of student activists that continues to grow over time, and will do so in the context of an annual trip that students organize to PIELC. Student reception to follow.

Mark Stemen, CSU, Chico; Max Kee, The Cause; Kate Taft and Roxane Coryell, Each One, Teach One of Northern California; Francine Stuepnagel, GRUB; Dresden Holden, Environmental Action and Resource Center; Deanna Dottai, AS Sustainability; Amelia Gulling, Green Campus; Brionne Saseen, Representing Butte Community College

PAUL PERSONS STUDENT RECEPTION

5:00 – 7:00 P.M. (Wesley Center, 1236 Kincaid St.)

This reception is named in memory of Paul Persons, a noted environmental attorney, and beloved law professor at CSU, Chico. We encourage all youthful activists and students from any school to attend this reception for a vegetarian, organic dinner and the opportunity to network with your peers. It is located on the west side of campus (next to Rennie's Landing). Many thanks to Misha Dunlap, Chico State students, and Mark Stemen for making this possible. *Sponsors: the College of Behavioral and Social Sciences, CSU, Chico, and Each One, Teach One of Northern California.*

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. Light meal will be served. *Co-Sponsors: the Native American Law Student Association (NALSA), the Native American Student Union (NASU) and ENR's Native Environmental Sovereignty Project.*

KEYNOTE ADDRESSES (EMU Ballroom)

7:00 – 9:00 P.M.

David Cobb

Cynthia McKinney

PIELC CELEBRATION!

9:30 P.M. – 12:00 A.M. (Agate Hall, 18th and Agate)

Music provided by Matt Butler's S.E.E. (small ensemble experiments). Local microbreweries are providing beer for the event, and there will be refreshments! 21 and over only, \$10.

REGISTRATION 8:00 A.M. – 4:00 P.M.

MORNING WORKSHOPS

Ethics, Professional Responsibility & Environmental Law

8:15 – 10:15 A.M. (Gerlinger)

This workshop will address ethical issues and duties faced by lawyers representing environmental groups and government environmental agencies. Through the presentations and discussion, the workshop may help members of each group to understand their own ethical duties, as well as the duties of others, to the potential benefit of all. Specific topics may include fee arrangements, enforcement discretion, and “WHO is the CLIENT?”

Cliff Villa, EPA Region 10, Seattle University School of Law
Larry Sanders, Emory University School of Law

Alliance Building: Cross Cultural Organizing

9:00 – 11:00 A.M. (Law 281)

This interactive workshop is designed for those who wish to become better allies when organizing cross-culturally. With the level of environmental racism and injustice that exists today there is a need for diversity and cross-cultural competency when organizing. Through a native lens strategies for organizing cross-culturally will be shared. An environmental justice issue from a tribal community will also be presented. Through alliance building we strengthen our ability to collaborate and establish meaningful relationships with other activists, advocates, professionals and educators who represent the “choir.”

Michelle “Shelly” Vendiola, Community Alliance and Peacemaking Project

SPECIAL EVENT (FILM SERIES)

9:00 – 11:45 A.M. and 2:15 – 5:00 P.M. (Ben Linder EMU)

These films show contemporary indigenous peoples and their communities struggling to maintain distinct identities, basic human rights, and the rights of future generations. The fundamental nexus between indigenous peoples, place, and the environmental landscape has well been documented, and these films explore current efforts of tribal peoples to remain on their homelands. We hope these films will facilitate positive discussion, raise awareness of indigenous issues, and encourage the attendees to consider holistic principles when making land management decisions.

Presented by the Native American Law Students Association (NALSA)

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

Offshore Oil Exploration, Inupiat Eskimos and Environmental Justice (Longhouse)

The US Government has greatly increased the rate and scope of offshore oil development in the Arctic Ocean. Recently, the North Slope Borough and the Alaska Eskimo Whaling Commission challenged an exploration plan submitted by Royal Dutch Shell that would have located two large drilling platforms in the middle of the traditional subsistence hunting grounds of the Inupiat Eskimos. This panel will discuss the impacts of oil exploration, and legal challenges.

Christopher Winter, Crag Law Center
Gordon Brower, North Slope Borough
Layla Hughes, North Slope Borough

Biofuels: Critiquing the Craze (Law 175)

Biofuel production is at an all time high as governments rush to find solutions to climate change and energy insecurity. However, as the impacts associated with biofuel production become more well known, such as deforestation, human rights abuses, and the increasing threat of famine, many are

questioning just how “green” these alternatives really are. Panelists will discuss unintended consequences of large-scale biofuel, or rather agro-fuel production, while highlighting sustainable efforts taking place at the local level.

Leila Salazar-Lopez, Rainforest Action Network
Naomi Kim, California Environmental Rights Alliance

Practicing Public Interest Law in Private Practice

(Law 282)

It is possible to practice public interest environmental law as a private attorney. Attorneys at different stages of their careers, doing different kinds of environmental work, in different places, will discuss what they do, how they are compensated, how they avoid bankruptcy, and what pitfalls they try to avoid.

Mark Dugan, Dugan Law Offices
Carolyn Smith Pravlik, Terris, Pravlik & Millian, LLP
Scott Jerger, Field Jerger LLP
Marianne Dugan, Attorney

Putting Dole Foods on Trial: DBCP and Banana Plantations (Law 184)

This panel will address the recent jury trial in Los Angeles against Dole Foods, Inc. and the Dow Chemical Company on behalf of Nicaraguan banana plantation workers sterilized by the nematocide DBCP. The jury found for the workers and awarded an average of \$1 million per worker, including punitive damages.

Duane Miller, Miller, Axline & Sawyer
Daniel Boone, Miller, Axline & Sawyer
Mechu Lu, Environmental Law Alliance Worldwide (ELAW)

Federal Legislation: Public Lands Issues in the 110th Congress (Law 110)

This panel will discuss current congressional action on public lands issues, including energy legislation, climate change legislation, and legislation impacting National Forests. Panelists will share their perspectives on the legislative process and how political realities affect environmental legislation. While Congress is currently in the hands of Democrats, traditionally more friendly to conservation causes, panelists will identify obstacles to putting forth conservation based legislation.

Meghan Conklin, Legislative Staff, Subcommittee on National Parks, Forests and Public Lands, House Committee on Natural Resources
Franz A. Matzner, Natural Resources Defense Council
Caitlin Love Hills, American Lands Alliance

Severe Fire in Forests: A New Paradigm (Law 141)

While most conservation activists now recognize the value of low severity forest fires, high severity fires are often still treated as a catastrophe to be stopped. However, the latest scientific research is finding that the “snag forests” resulting from severe fires are among the most biodiverse of all forest ecosystems. This panel will explore the emerging new paradigm on severe fire and its implications for forest protection policies and litigation.

Chad Hanson, John Muir Project
Dennis Odion, Southern Oregon University

Tragedy of the Commons Revisited (Law 142)

Tragedy of the Commons, a metaphor popularized by Garrett Hardin in 1968, explored the tension between the rights of individuals and the common good. In an era of increasing pressures on natural resources and a practical certainty of widespread suffering from climate

crisis, tragedy of the commons takes on new meaning. This panel will not reiterate the details of the crisis but rather explore the linkage between democratic processes involving communications, elections and public policy.

Tom Bowerman, PolicyInteractive

Peter Sorensen, Lane County Commissioner

Steve D. Bella, Center for State Innovation

Challenges to Sustainable Aquaculture (Law 241)

The aquaculture industry's burgeoning development presents myriad threats to sustainability on local and global levels. Panel will address scientific evidence regarding these impacts, with particular attention to salmon farming in B.C. and regulatory developments including federal offshore aquaculture legislation, organic standards for farmed fish, and the development of sustainable aquaculture ecolabels.

Read Porter, Environmental Law Institute

Michael Price, Raincoast Conservation Foundation

Shauna MacKinnon, Living Oceans Society

Mitchell Shapson, Institute for Fisheries Resources

Know Your Political Clients: Particular Issues in

Representing Activists (Law 242)

As the government continues to criminalize dissent, activists are turning to lawyers in greater numbers. This panel addresses issues which routinely arise in activist representation, in order to foster communication, trust, and security among lawyers and their political clients. Topics include: embracing the politics of the case; maintaining cohesion and solidarity among co-defendants and other members of the community; and secure communications in the Orwellian age of warrantless surveillance.

Ben Rosenfeld, Attorney

Lauren Regan, Civil Liberties Defense Center

CEQA Update (Law 243)

This panel will discuss important recent developments under CEQA that are important for public interest practitioners including recent development regarding CEQA's substantive mandate; when a governmental action is a "project" for purposes of CEQA; CEQA's application to climate change; the standard for an adequate discussion of water supply and alternatives; and when supplemental environmental review is required.

Jan Chatten-Brown, Chatten-Brown & Carstens

Dong Carstens, Chatten-Brown & Carstens

Keith G. Wagner, Kenyon Yeates LLP

Jonathan Evans, Center for Biological Diversity

Public Citizens and "Barefoot Lawyering": The Future of Environmental Protection? (Metolius-Owyhee EMU)

Currently adopted principles of governance favor enforcement of protective laws by assigned government agencies with limited opportunities for citizen enforcement through private litigation. This scheme has failed to stop ongoing and even spectacular environmental destruction. "Barefoot Lawyers" are currently protecting the environment where government and private lawyers don't go especially in Third World countries. The concept of the generic non-lawyer Public Citizen, as a government authorized agent protecting the Public Interest, will be reviewed with open discussion by the audience.

Richard Max Strahan, Whale Safe USA

Leon Shabott, Working Man and Pro Se Litigator

Lawyering for Environmental Justice and Social Change (Alsea-Coquille EMU)

Low income communities of color in urban centers suffer the impacts from all of society's pollution. An environmental lawyer's job in assisting

these traditionally disempowered communities in their fights for social change presents special challenges. Challenges include trends that feed the continuing disparity between environmental "haves" and "have nots" such as administrative decisions that enforce cumulative impacts of individually minor sources, and pollution trading schemes. They also include the problem of ensuring that it is the community's voice, not the lawyer's that speaks in fora where lawyers are the anticipated speaker. The panel will discuss both traditional environmental laws and the place of a lawyer in helping a community to self-advocate.

Shana Lazeron, Communities for a Better Environment

Marybelle Nzegwu, Center for Race, Poverty and the Environment

Tim Grabel, Natural Resources Defense Council, Environmental Justice Program

SPECIAL EVENT (PRESENTATION)

10:30 – 11:45 A.M. (Fir EMU)

Polar Bear Survival Tour

See the very latest, very startling findings of an ice-free Arctic Ocean as early as 2012, the death of thousands of walrus, impacts on native peoples, and the horrific global implications in the 2008 Polar Bear Survival Tour. With a stepped up urgency, the tour shows how we can solve the climate crisis, and possibly save the polar bear and how we must all become citizen activists until it is achieved.

Chad Kistner, www.arcticrefuge.org

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

The Long Simmering Conflict Between the Indians and Enviros: The Makah Whaling Controversy and Other

Flashpoints (Longhouse)

The Makah people have been hunting whales for unknown generations; only recently have their harvest practices come under scrutiny. Living cultures that continue subsistence often come into conflict with Environmentalists that imagine a pristine, untouched wilderness that has never existed. This panel discusses the balance and boundaries of our common future.

Matthew Fletcher, MSU College of Law

Ezekiel Fletcher, Honigman, Miller, Schwartz and Cohn, LLP

Trent Crable, Morisset, Schlosser, Jozwiak & McGaw

LNG, Energy Corridors, and Corporate Politics: Legal Strategies for Resisting New Fossil Fuels (Law 110)

Liquefied natural gas (LNG) projects are proposed across the U.S. as a part of broad efforts to increase fossil fuel infrastructure in the west. The environmental impacts of these projects, as well as contributing to global warming and human rights abuses, have generated resistance across the nation. This panel explores the legal implications of LNG in the context of new federal energy siting regulations and the West-Wide Energy Corridor proposal, and discusses legal strategies to halt LNG projects.

Linda Krop, Environmental Defense Center

Nada Culver, The Wilderness Society, BLM Action Center

Brett Vanden Huevel, Columbia Riverkeeper

Brenna Bell, Willamette Riverkeeper

Making Good Administrative Records Through Public Comment Periods (Law 243)

Too often groups can't present the evidence they want in lawsuits against government agencies because they did not present it during the public comment period. Learn what you need to present to agencies to make good administrative records.

Matt Kenna, Western Environmental Law Center

Erin Ganahl, Angel Law

Pam Hardy, Attorney

Rene Voss, John Muir Project

The Real Climate Debate: Cap & Trade or Carbon Fee

(Law 175)

As governments grapple with how to address global warming, agencies, industry, and some environmental groups are eager to embrace a cap&trade program, while a growing number of economists and other environmental groups support a carbon tax or fee. This panel will discuss the appropriateness of market-based mechanisms to achieve greenhouse gas reductions, and experiences from other pollution trading programs, including the EU's carbon trading scheme.

Sam Napolitano, Clean Air Markets Division - EPA

Jane Williams, California Communities Against Toxics

Sylvester Johnson, Nationwide Initiative in support of a Federal Carbon Tax

The Endangered Species Crisis and the Exotic Animal Industry

(Law 141)

Global commercialization of wild animals is an enormous industry and can result in extreme animal cruelty and serious population declines. Law enforcement officials have declared that illegal wildlife trade is second only to the illegal drug trade in terms of profitability. This vast underground industry exists in the trafficking in rare species – animals that the nation's zoos no longer need or want, animals that have been confined to laboratories, animals that have mysteriously disappeared from the nation's theme parks, and animals that are worth more dead than alive.

Alan Green, The Center For Public Integrity

Adam Roberts, Born Free USA united with Animal Protection Institute; Species Survival Network

Reducing Our Carbon Footprint Through Urban Gardening

(Law 142)

Urban farming and gardening benefits communities aesthetically, but also can contribute to lowering your carbon footprint. This panel will address school gardens, community gardening, for-profit urban farming, and urban farms as sustenance for families.

Sarah Cantril, Huerto de la Familia

Chuck Hunt, University of Oregon Professor of Sociology, Urban Beekeeper

Josiah Sheehan, City of Eugene Community Gardens

Human Health Assessment in NEPA: Duty, Vision, and Collaboration

(Law 241)

This panel will discuss the relevance of human health assessment within NEPA. Panelists will discuss the history of NEPA as it relates to human health then describe current efforts by 1st nation communities as well as by federal agencies and others to strengthen sociocultural and human health assessment within the NEPA/EIA process. Tools and mitigation measures to address potential health impacts raise questions for many; this panel will discuss potential avenues to appropriately address human health through NEPA.

Dinah Bear, Humane Borders

Aaron Wernham, Alaska Inter-Tribal Council

Sarah Heaton, Center for Disease Control and Prevention

Got Manure? Keeping the Crap

(Metolius-Owyhee EMU)

Dairies have transformed communities throughout the nation, especially in the West. This panel will discuss the activities that are underway to bring about a comprehensive solution to this problem, and how you can help.

Charlie Tebbutt, Western Environmental Law Center

Jamie Saul, Midwest Environmental Advocates

NAFTA's Assault on Sacred Lands and the

Environment

(Law 242)

The North American Free Trade Agreement (NAFTA) is being used by foreign multinationals to override federal and state environmental and cultural resource protection laws. The panelists will discuss this disturbing trend and focus on one particularly egregious case – the use of NAFTA by a Canadian gold mining company to destroy the sacred lands of the Quechan Indian Tribe in California.

Courtney Ann Coyle, Quechan Indian Nation

Roger Flynn, Western Mining Action Project

Jordan Kahn, NYU School of Law

Environmental Dispute Resolution Techniques: When and How They Work, and How You Can Apply Them

(Alose-Coquille EMU)

As the complexity of environmental disputes continues to rise, the use of alternative dispute resolution techniques continues to be applied to reach the finish line. This panel will explore the use of mediation and facilitation techniques in environmental permitting, litigation, and facility siting. This real world panel features one of the State's top environmental mediators and national experts in environmental conflict resolution. This panel will highlight the experiences various parties have had with dispute resolution processes.

Alexandra Dapolito Dunn, Pace Law School

Donna Silverberg, DC Consulting, Portland

Richard Roos-Collins, Natural Heritage Institute, San Francisco

Tim Hicks, Graduate Program in Conflict and Dispute Resolution, University of Oregon

Clearcutting the Climate

(Law 184)

It is estimated that deforestation causes a quarter of human caused carbon emissions, the second largest cause of climate change after fossil fuels. Native forests store large amounts of carbon that are released when trees and soil are disturbed. Logging also disrupts the hydrologic cycle, altering rainfall patterns. Forests also face increased threats from converting trees to biofuels and burning them to generate electricity.

Mark Robinowitz, www.forestclimate.org

Samantha Chirillo, Cascadia's Ecosystem Advocates

Shannon Wilson, Cascadia's Ecosystem Advocates

Tim Hermach, Native Forest Council

Ecofeminism: What it is and Why it Matters

(Law 282)

How do society's views of women and nature reinforce the exploitation of both? In this panel, we will explore the nature and importance of ecofeminism, both as a philosophy and as a practical movement. Panelists will discuss how the insights of ecofeminism can not only challenge interlinking forms of oppression but also enrich the environmental movement as a whole.

Marti Kheel, Graduate Theological Union, Berkeley, California

Chaone Mallory, Villanova University, Pennsylvania

Erin Evans, San Francisco State University

WALK AGAINST W.O.P.R.

(Amphitheater EMU)

Walk against the Western Oregon Plan Revisions will begin outside in the EMU at high noon. Speakers will begin at 11:30.

The Rally will end outside of the new Federal building downtown Eugene where there will be more speakers. Please come and join the fight to preserve our natural beauties.

Saturday, March 8

KEYNOTE ADDRESS (EMU Ballroom)

12:15 – 1:00 P.M.

Sophia Rabliauskas

SPECIAL EVENT (EXCURSION):

Climb the Butte

1:30 – 1:50 P.M. Lecture

Ecology of Eugene's premier forest park. (Law 225)

2:00 – 5:00 P.M Hike

Van supplied. Wear sturdy shoes, warm socks, and coat. Volcano views and big tree hugging. Moderately strenuous. *Led by Roy Keene, forester, activist, winner of Wilderness Society Environmental Hero Award.*

SPECIAL EVENT (PRESENTATION)

2:15 – 3:30 P.M. (Longhouse)

Where the Buffalo Roam: The Buffalo Field Campaign

America's last genetically intact population of wild bison live in and around Yellowstone National Park. When they enter the State of Montana is when the slaughter begins. For the last 11 years, BFC has been on the frontlines of this tragedy, video-taping, protesting, and showing the world what Bison go through. Includes videos, question and answers session on what is happening, and how we are trying to change this wrong into a right.

Mike Mease, Buffalo Field Campaign

AFTERNOON WORKSHOPS • 2:15 – 4:15 P.M.

Campus Climate Neutral Workshop (EMU Walnut)

It seems every important social movement gathers its initial momentum on college campuses. The pressing task of making our society carbon-free will be no different. The National Association of Environmental Law Societies and L.A.W. offer this workshop to engage students to make their campuses (and eventually their offices) carbon-neutral. Panelists will discuss current greenhouse gas litigation, climate-neutral efforts at the University of Oregon, and efforts by the attorneys of the Western Environmental Law Center to reduce carbon emissions from their offices. A roundtable discussion to discuss and develop ideas for other areas will follow presentations.

Dan Galpern, Western Environmental Law Center

Samantha Chirillo, University of Oregon Sustainability Coalition

Hillary Johnson, Western Environmental Law Center

Bob Doppelt, UO Climate Leadership Initiative

Online Advocacy: How to Build Power and Raise Money (Fir EMU)

Online advocacy is not just about sending mass emails to Congress. It's about growing and strengthening your support base, fundraising and integrating online and offline tactics to influence decision makers. This workshop offers practical advice to organizations who want to begin, or ramp up, their online presence. The workshop will provide visual examples of how groups of all sizes are finding success using online communication.

Jeanette Russell, Democracy in Action

Sean Stevens, Oregon Wild

I am Collaboration (And so can YOU!) (Gerlinger)

This workshop focuses on how environmental advocates can make collaborations work: how to initiate useful collaborations; engage the

partners that should be there; insure collaborations are truly collaborative; support collaborations so they don't go south; and even try to fix collaborations that are going south.

Mary O'Brien, Southern Utah Forests Project, Grand Canyon Trust

Kirk Emerson, Institute of Environmental Conflict Resolution

Joan Calcagno, Institute of Environmental Conflict Resolution

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

Native Environmental Justice (Law 141)

Environmental justice is the confluence of social and environmental movements, which address the inequitable environmental burden placed upon the poor and communities of color. Environmental justice struggles in Native communities have unique characteristics. Speakers on this panel will discuss: hot spots of environmental racism and energy exploitation on reservations, efforts to bring back traditional management and burning on ancestral land, and cultural, social, spiritual, and environmental justice issues related to the uranium mining legacy on the Spokane Indian Reservation.

Ron Reed, Karuk Tribe

Deb Abrahamson (Spokane, Navaho, Coeur d'Alene), SHAWL Society

Jihan Gearon (Dine'), Indigenous Environmental Network

Exxon Valdez Legacy: A Case of Justice Denied & Opportunities to Restore Justice into the Legal System (Law 110)

This panel will provide an overview of the Exxon Valdez case before the U.S. Supreme Court, where those most vulnerable were denied justice. The panel will also address ways to restore justice in the legal system.

Robert Stoll, Stoll Berne Lokting and Sbalachter

Riki Ott, Oiled Region of Alaska Foundation

Dune Lankard, EYAK Preservation Council

Nuclear Resurgence: Global Climate Change and Nuclear Power (Law 175)

The nuclear energy industry in the United States is in the midst of resurgence, with as many as 15 applications for new reactor licenses expected by the Nuclear Regulatory Commission in 2008. This newfound interest in nuclear power is fueled, in part, by large government subsidies and the public concern over greenhouse gas emissions from coal-fired power plants. This panel will first debunk the myth that nuclear power is a viable technology for dealing with greenhouse gas emissions and global climate change. Then, panelists will discuss the trials and tribulations of working with the Nuclear Regulatory Commission licensing process and ongoing efforts to challenge the "nuclear renaissance."

Paul Gunter, Beyond Nuclear

Larry Sanders, Emory University School of Law

Geoff Fettus, Natural Resources Defense Council

Rochelle Becker, Alliance for Nuclear Responsibility

To Thin or Not to Thin (Law 184)

Controversy over forest thinning on public lands, particularly in older forest stands prone to fire disturbance, often centers on scientific uncertainty and balancing risks to public values, including ecological resilience, watershed function and endangered species recovery. The panel offers diverse perspectives and science-based arguments regarding the merits of active management in fire-adapted forests of the Pacific Northwest. It is timely because of the pending legislation in Congress and the ongoing litigation in the U.S. District Court for the District of Oregon.

George Wuertner, Center for Deep Ecology, Center for Biological Diversity

Christine Frisbee, Ranger, Deschutes National Forest

Dominick DellaSala, National Center for Conservation, Science, and Policy

Amy Waltz, The Nature Conservancy

Bambi on the Run: Motorized Abuse of Wildlife

(Law 242)

Motorized access into natural areas is a significant problem for wildlife. This panel will examine the wide-ranging impacts to imperiled wildlife and efforts to protect species from motorized abuse. Panelists will discuss the threats posed by off-road vehicles on the West Coast, snowmobiles in the Northern Rockies and swamp buggies in the Everglades.

Andrew Oraboske, Center for Biological Diversity

Sarah Peters, Wildlands CPR

Laurie Rule, Advocates for the West

Protecting National Parks and Wilderness Areas from

Coal-Fired Power Plant Emissions (Law 241)

Throughout the country there are nearly 100 active proposals to build new coal-fired power plants. Many of these plants are within the protected airsheds of our National Parks and Wilderness Areas. Fortunately the Clean Air Act gives special protection to these “Class I” areas, and the law can be leveraged to stop or at least improve these proposals. This panel will feature experts from the National Park Service, attorneys and activists who will share their knowledge of Class I legal authority and its use in grassroots advocacy in the context of new coal plant permitting.

Stephanie Kodish, National Parks Conservation Association

Don Shepherd, National Park Service

Bart Melton, National Parks Conservation Association

Mark Trebeck, Dakota Resource Council

Clean Water Act Year in Review (Law 142)

This panel will survey and discuss important and interesting case law and other developments concerning the Clean Water Act over the past year (and some).

Richard A. Smith, Smith and Lowney, PLLC

Janette Brimmer, Minnesota Center for Environmental Advocacy

Melissa Powers, Pacific Environmental Advocacy Center, Lewis and Clark Law School

William Carpenter, Attorney

Lake Baikal 2008: Challenges and Opportunities for Siberia’s Sacred Sea (Alsea-Coquille EMU)

Lake Baikal is the largest, deepest, and oldest freshwater lake on Earth. Located in the south of Siberia, the “Galapagos of Russia” is home to astonishing biodiversity, but this unique watershed faces environmental challenges commensurate with its size. Panelists will discuss current threats to the Baikal region, including pollution from mining, oil and gas pipelines, environmental crimes and commercial development. Further, local grassroots action and international partnerships will be examined.

Elena Agarkova, Institute of Current World Affairs

Jordan Kahn, NYU School of Law

Jennifer Smith, Taboe-Baikal Institute

Human Rights, Environment, and Corporate Accountability (Law 282)

The panel will discuss the responsibilities of transnational corporations (TNCs) and related business enterprises from human rights and environmental perspectives. It is widely recognized that TNCs have increased their power in the last decades and current trends demonstrate that globalization processes provide more opportunities for TNCs to maximize their profits to the prejudice of human rights and environment. The panel will focus on different instruments available at international and national level to hold TNC’s accountable as well as on the need in strengthening and ensuring implementation of norms on business responsibilities with regard to human rights and environment.

Svitlana Kravchenko, University of Oregon School of Law

John Bonine, University of Oregon School of Law

Water Rights as Public Rights: Prior Appropriation as if People Mattered (Metolius-Owyhee EMU)

Most Western states recognize that water resources are public resources that must be managed for the benefit of all. Many of these states specifically require that decisions to allocate water resources be carried out in a manner that protects the public interest. In practice, however, states often award water rights without even considering the public interest. This panel examines the water laws and policies in the Western states in this context.

Mark Squillace, University of Colorado School of Law

Janet Neumann, Lewis and Clark Law School

Adell Amos, University of Oregon School of Law

Land Use Law as a (Paying) Career to Protect the Environment (Law 243)

There are usually more attorneys who want to protect the environment for a living than traditional environmental law jobs. Yet, there is a crying need for attorneys who will do land use cases, and paying clients. This panel will help show how to make a paying practice out of land use cases, and how to focus those cases on protecting the environment.

John Karpinski, Attorney

David S. Mann, Gendler & Mann, LLP

Jan Wilson, Goal One Coalition

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

Tribes as Trustees: The Emerging Role in the Global Conservation Trust Movement (Longhouse)

How private property tools represent an innovative way for Tribes to reclaim their Environmental Trustee Role over Ancestral Lands.

Dune Lankard, Eyak Preservation Council

Hawk Rosales, InterTribal Sinkyone Wilderness Council

Mary Wood, University of Oregon School of Law

Climate Change and Land Use: Addressing Climate Change at the Local Level (Law 110)

Local land use development patterns, including those that result in sprawling communities and increased transportation, shape energy use and contribute to the production of greenhouse gas emissions. This panel will discuss litigation and other actions taken to reduce greenhouse gas emissions and energy use at the local level.

Cliff Rechtschaffen, California Dept. of Justice

Matt Vespa, Center for Biological Diversity

Judi Brawer, Attorney

Direct Action is Fun! (Law 141)

Direct action IS fun! More fun! This panel describes some of the ways people are subverting the mainstream, bucking the system, doing the right thing, and having more fun doing it!

Stu Sugarman, Portland National Lawyers Guild

Rev. Phil Sano, Gonzo Bike Advocate

Peg Morton, Civil Resister/Insurgent

Bonnie Tinker, Ex-Director, Love Makes a Family

Livestock’s Long Shadow: The Environmental Consequences of Eating Meat (Law 142)

Livestock activities contribute an estimated 18% to total man-made greenhouse gas emissions. This is more than all forms of transportation combined. For the agriculture sector alone, livestock constitute nearly 80% of all worldwide emissions, including 9% of global CO2 emissions, 35 to 40% of global methane emissions, 65% of global nitrous oxide

emissions, and 64% of global ammonia emissions. Through simple dietary changes, the vast legacy of this environmental damage can be greatly reduced.

Gidon Esbel, Bard College, Geophysicist, Author

George Wuertbner, Center for Deep Ecology, Center for Biological Diversity

Challenging Big Coal: Tackling Coal Mines from Alaska to the Atlantic (Law 184)

This panel will address the environmental impacts of coal mining from a regional perspective (Alaska, Western U.S. and Eastern U.S.). These impacts include addressing the mining industry's impact on Alaska's watersheds, wildlife, fisheries, subsistence and public health, and to reform the inadequacies of Alaska mining laws, the impacts of coal mining to indigenous communities of the American Southwest, and the impacts of mountain-top removal in the Eastern U.S.

Brad Bartlett, Energy Minerals Law Center

Vanessa Salinas, Alaskans for Responsible Mining

Aaron Isberwood, Sierra Club

Dailan J. Long, Dine' C.A.R.E.

Environmental Law Clinics: Views From the Inside (Law 241)

There are over thirty active environmental law clinics around the nation, some of which have existed for decades. These clinics often have very different structures and approaches, but share the same dual mission: simultaneously educating law students and serving environmental causes in various legal proceedings. This panel will bring together professors and lawyers from various clinics to discuss approaches, successes, and challenges of running an environmental law clinic.

Kim Diana Connolly, University of South Carolina Law School

Michael J. Robinson-Dorn, University of Washington School of Law

Ryke Longest, Duke University School of Law

Calvin Sanborn, University of Victoria

Heidi Grovitz Robertson, Cleveland-Marshall College of Law

Larry Sanders, Emory University School of Law

Connecting People Working Toward a Sustainable Future (Law 243)

In order to solve the pressing issues facing our world, we must work together. We need to take a whole-system approach to the challenges our communities face by providing solutions that inspire environmental stewardship, social progress and economic stability. In order to create change we need to have an informed community that understands the challenges we face and solutions available to make our world a sustainable place to live.

Stefanie Spear, EarthWatch Ohio

Tim Hermach, Native Forest Council

Mark Spellun, PLENTY

Hide and CEQA: Inadequate Disclosure (Law 282)

Documentation prepared under the California Environmental Quality Act (CEQA) for large development projects often fail to adequately disclose contaminated soil and groundwater conditions. As a result we have found, upon the review of dozens of Draft Environmental Impact Reports (DEIRs) and Negative Declarations that construction workers, industrial workers, and future residents face uncertain health risks from exposure to hazardous waste. We will present three case studies where inadequate disclosure of major environmental issues has posed risks for construction workers and future residents and propose a better process whereby state regulatory agencies are consistently notified of proposed projects and are

funded to conduct adequate reviews.

Matt Hagemann, Soil/Air/Water Protection

Gloria D. Smith, Adams Broadwell Joseph and Cardozo

Lenny Siegel, Center for Public Environmental Oversight

Brownfields Revitalization, Gentrification, and Equitable Development (Metolius-Owyhee EMU)

While efforts have been underway over the past ten years to revitalize America's 600,000 former industrial and manufacturing sites, known as brownfields, concerns have been raised that brownfields programs aimed at providing economic, social and environmental benefits to historically disenfranchised, low-income, and minority urban communities may actually exacerbate gentrification and the displacement of local residents. This panel examines ways in which brownfields redevelopment can be made more socially equitable and sustainable by integrating equitable redevelopment principles.

Jenn Bildersee, Portland Brownfield Program

Jerry Orlando, PBS Engineering and Environmental

Robert Young, University of Oregon

Vanishing Laws and Rising Walls (Law 175)

Did you know that Congress has given the Secretary of the Dept. of Homeland Security the power to waive all laws for construction of roads and barriers on the Southern border? The constitutionality of the broadest waiver of law in U.S. history was recently upheld by a federal district court. This panel will explore legal ramifications of this measure and its effects in ecologically rich areas like San Pedro River corridor and national wildlife refuges in the Rio Grande Valley.

Dinah Bear, Humane Borders

Brian Segge, Defenders of Wildlife

Scott Nichols, Sierra Club, No Border Wall

Litigating Post-Fire Logging (Alsea-Coquille EMU)

Post-fire logging continues to be an epicenter of controversy among scientists, academics, foresters, environmentalists, and the timber industry. This panel of front-line environmental attorneys will review recent developments in post-fire logging caselaw, and will discuss effective strategies in challenging post-fire logging projects as well as on-going challenges.

Susan Jane Brown, Office of Rep. Defazio, Natural Resources Counsel

Thomas Woodbury, Forest Defense

Ralph Bloemers, Crag Law Center

LL.M. RECEPTION

4:30 – 5:30 P.M. (Law 225)

All LL.M. graduates and LL.M. students are cordially invited to a reception hosted by the UO LL.M. program in Environmental and Natural Resource Law. An LL.M. is an advanced law specialization degree. Anyone interested in learning more about the UO LL.M. program is also welcome.

UO ALUMNI RECEPTION

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

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

KEYNOTE ADDRESS (EMU Ballroom)

7:00 – 9:00 P.M.

Jane Williams

REGISTRATION 9:00 – 11:00 A.M.

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

CAFO Grief: Using Tax Grieving Procedures to Protest CAFOs (Law 142)

Through the massive amounts of methane and nitrous oxide they emit, CAFOs are a significant contributor to global warming – in addition to the numerous other environmental, social, and economic impacts they have. This panel will provide guidance on an innovative tool in the fight against them: property tax protesting by those who live near the factory farms. Then, as communities are forced to compensate for lost tax revenues, it will become more and more difficult for CAFOs to find homes in those, or any, communities.

Laura Krebsbach, WPF Consulting
Laura Murphy, Vermont Law School
Kara Harbert, Great Plains Environmental Law Center
Helen Reddout, CARE

Grassroots Resistance to Liquefied Natural Gas (LNG) (Law 175)

LNG is experiencing explosive federal and corporate support across the U.S., with corresponding grassroots resistance. Impacts of LNG include damage to indigenous peoples from gas exploration, exacerbating global warming, and threats to endangered species habitat. LNG projects are being hard fought by a regional grassroots coalition, as well as international human rights and environmental advocates. This panel presents an overview of the LNG issues and discusses the efforts in Oregon, California, Mexico, and beyond.

Francis Eatherington, Umpqua Watersheds
Brett Foster, Columbia Riverkeeper
Jody McCaffree, Citizens Against LNG
Rory Cox, Pacific Environment
Monica Vaughn, Cascadia Rising Tide

The Forgotten Costs of Oil Industry in Alaska

(Law 110)

Unsustainable fossil fuel extraction has impacted the human and ecological health of Alaska. Panelists will share their experiences of fighting against powerful oil interests and inadequate U.S. energy policies in order to protect their subsistence way of life and the integrity of Alaska's ecosystems.

Dune Lankard, NATIVE Conservancy Land Trust
Faith Gemmill, REDOIL Network
Gabe Scott, Cascadia Wildlands Project

SPECIAL EVENTS (EXCURSIONS)

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

Cascades Raptor Center, a non-profit nature center and wildlife hospital in SE Eugene. View over 60 non-releasable birds of 33 native species. See a program on raptors with birds out on the glove; then finish with a self-guided tour. Vans provided, \$3.00 donation suggested.

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, forester, activist, winner of Wilderness Society Environmental Hero Award.

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

Natural Born Killers: The Government's War on Top Carnivores (Law 141)

Every year, government agencies go on a killing spree, slaughtering millions of animals at taxpayer expense. These agencies employ a variety of barbaric techniques to exterminate coyotes, bears, cougars, wolves, and other carnivores. Animals are shot, poisoned, gassed, burned alive, caught in leg hold traps and neck snares, pursued by hounds and aircraft, and lured to bait stations where they are shot. Panelists will focus on these predator "control" programs and discuss their campaigns to end these gruesome practices. The panel also features a coalition of ranchers and farmers working to protect carnivores.

Mike Moss, Ranchers for Rural Responsibility
Wendy Keefover-Ring, Carnivore Protection Program
Brian Vincent, Big Wildlife

After Winning in Court: Compliance with Judicial Orders in Environmental Cases in South Asia (Law 184)

While judiciaries in South Asia are generally sound and well respected, an emerging trend threatens to impair their functioning and erode their respect: the alarming tendency of parties to judicial proceedings to ignore court orders; and the failure of responsible authorities to enforce such orders. Public interest lawyers will discuss the causes of the problems, and the solutions they are invoking to realize the environmental ideals of the world's most active judiciary.

Iqbal Kabir, Bangladesh Environmental Lawyers Association
Anil Raj, Legal Initiative for Forest and Environment, India
P.B. Krishnan, High Court Advocate, Kerala, India
Himalie Perera, Public Interest Law Foundation (Sri Lanka)
Mabwish Moazzam, Quaid-e-Azam Law College, Lahore, Pakistan

Triple Crisis: Climate Change, Peak Oil, Resource Depletion (Law 175)

In 2007, "Triple Crisis," an international conference held in Washington, D.C. brought together experts about peak oil, the climate crisis, and resource depletion for a ground breaking effort to examine the interconnections between these issues. This panel will include a summary of the "Triple Crisis" conference, examine how increasing competition for global resources fueled by awareness of depletion is worsening environmental problems, and outline ways ecology movements could holistically address these connections.

Mark Robinowitz, oilempire.us
Clay Grantham, University of Oregon
Jan Spencer, suburbanpermaculture.org
Monica Vaughn, Cascadia Rising Tide

CLOSING KEYNOTE ADDRESS (EMU Ballroom)

12:15 – 2:00 P.M.

Dave Foreman

Conference Co-Sponsors

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. L.A.W. would also to thank the **College of Behavioral and Social Sciences**, CSU, Chico, and **Each One, Teach One** of Northern California for their sponsorship of the student reception, and **ENR's Native Environmental Sovereignty Project** for co-sponsorship of the Longhouse reception.

In addition, L.A.W. would like to thank the following PIELC co-sponsors: **Associated Students of the University of Oregon (ASUO)**, **Environmental and Natural Resources Law (ENR) Program**, **Journal of Environmental Law and Litigation (JELL)**, **Latino/a Law Student Association (LALSA)**, **Student Animal Legal Defense Fund (SALDF)**, and **Women's Law Forum (WLF)**.

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. Listen. Question. Engage. Debate. But *always* do so with respect. The statements and opinions at PIELC belong solely to the individual speakers, and do not represent the position of the University of Oregon, Land Air Water, or Friends of Land Air Water. L.A.W. requests that attendees respect the facilities, volunteers, and presenters that make PIELC possible.

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

Aaron Bals	Matt Doden	Jasmine Hites	Tom Moseman	Rob Senh
Ali Barker	Andy Engel	Jenny Holderman	Kevin Parks	Greg Shabram
Cadence Barkhurst	Kelly Fahl	Jordan Huppert	Lisa Ponder-Roehrich	Christina Stephenson
Rachel Black-Maier	Erin Farris	Teresa Jacobs	Chris Potter	Drew Stillman
Abigail Blodgett	Steffanie Foster	Alyssa Johl	Jeremy Pyle	Alison Torbitt
Janet Borth	Amanda Freeman	Autumn Johnson	Tim Ream	Brian Walker
Sarah Bradenburg	Sam Gaugush	Josh Kellerman	Erin Roach	Elle Weaver
Betsy Bridge	Jeff Gent	Geoff Manley	Naomi Rowden	Zach Welcker
Val Chermok	Jolene Goodnight	Maureen McGee	Virginia Ryan	Dawn Winalski
Jil Clearman	Amy Hicksted	Mark McLaughlin	Casey Sanders	Megan Yarnell
	Bradley P. Hill			

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

All Panel Organizers	Bob Chandler	Law School Faculty	Mark Stemen
All Past & Future CCDs	Chico State Students	Merv Loya	Ben Stoller
All Those Who Hosted	Marianne Dugan	Alice Marr	UO Bookstore & Court Cafe
Attendees in Their Homes	ELAW	Zack Mazer	UO Catering
Adell Amos	EMU Technical Services	Andy Meakins	UO Law ENR Center
ASUO	Everyone Orchestra	NALSA	UO Law Tech Services
Mike Axline	Jill Forcier	Nicole Nelson	UO Printing
Gordon W. Bettles	Friends of Land Air Water	Hari Osofsky	UO Scheduling
Dennis Bishop	Jen Gleason	Margie Paris	UO Student Volunteers
John Bonine	Jim Horstrup	Doug Quirk	Western Env't'l Law Center
Heather Brinton	JELL	Hillary Renick	Wilburforce Foundation
Matt Butler	Roy Keene	S.E.E. (small ensemble experiments)	Mary Wood and
Campus Recycling	Svitlana Kravchenko	Emily Shack	Jess Yates
Bill Carpenter	Dan Kruse		

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

Cafe Mam	Holy Cow	Premier Travel
Cascades Raptor Center	Living Tree Paper	Printwear of Oregon
High Country News	NetCorps	Secret Garden Bed and Breakfast

GUIDELINES FOR CROSS-CULTURAL COMMUNICATION

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

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

Always ask before photographing or recording someone.

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

Be respectful of silence.

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

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

Do not exclude people; treat everyone as your relatives.

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

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

RECORDING POLICY

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.

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.

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 541-346-3828. Sign language interpreters will be present at all keynote speeches.

Thank you for participating in the 26th Annual Public Interest Environmental Law Conference!



Special thanks to Living Tree Paper Company (www.livingtreepaper.com) for donating this Déjà Vu™ Matte paper (10% non-wood fiber, 40% post-consumer waste and 50% FSC-certified wood pulp).

