

## Ocean Use, Development and Permitting | Seattle, WA

Thursday &amp; Friday • May 22 &amp; 23, 2008

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| <p><b>8:00</b> Registration and Continental Breakfast</p> <p><b>8:30</b> Introduction and Overview<br/><b>Karen M. Hansen, Esq.</b>, <i>Program Co-Chair</i><br/>Beveridge &amp; Diamond PC ~ Washington, DC</p> <p><b>8:45</b> Special Opening Address: The Evolution of, and Best Direction for Ocean Governance in the United States<br/>Current proposals and recent changes in national ocean governance, including an update on activities following release of the Pew Oceans Commission and the U.S. Commission on Ocean Policy reports, and likely changes in federal ocean law and policy.<br/><b>Gerhard Kuska, Ph.D.</b>, <i>Director of Ocean and Coastal Policy</i> (inv)<br/>Committee on Ocean Policy ~ Washington, DC</p> <p><b>9:15</b> Putting the Pieces Together: The Legal Structure for Ocean Law: Statutory and Treaty Provisions<br/>Overview of the myriad of laws that constitute ocean law; background on the U.S. and Pew Ocean commission Reports that form the framework for today's legal trends and emerging issues<br/><b>Laura B. Fandino, Esq., Ph.D.</b>, <i>Program Co-chair</i><br/>Marten Law Group PLLC ~ Seattle, WA</p> <p><b>10:00</b> Break</p> <p><b>10:15</b> Putting the Pieces Together: Lessons from Recent Cases; a Walk Through the Permitting Process<br/>Recent case law on ocean use and development, and the implications<br/><b>^Name (Chairs)</b><br/><b>^Firm ~ ^Location</b><br/>Case study on the permitting process: Shoreline Management Act, Coast Zone Management Act, Clean Water Act, and Endangered Species Act; ocean disposal issues involved with deepening the Columbia River shipping channel<br/><b>Eric Laschever, Esq.</b>, <i>Program Co-Chair</i><br/>Stoel Rives LLP ~ Seattle, WA</p> <p><b>11:30</b> Climate Change Impacts in Coastal Zones<br/>Ocean acidification and its impact on ocean life; existing legal tools for addressing it.<br/><b>^Name (Eric)</b><br/><b>^Firm ~ ^Location</b></p> | <p><b>12:15</b> Lunch (on your own)</p> <p><b>1:30</b> Commercial Uses of Ocean Surfaces: Regulatory and Business Perspectives on Lessons Learned from a Century of Use<br/>What current activities are giving rise to challenges? What are the impacts on salmon recovery and other sensitive issues in the Pacific Northwest?<br/><b>James Walpole, Esq.</b><br/><b>^Firm ~ Alexandria, VA</b><br/><b>L. John Iani, Esq.</b><br/>Van Ness Feldman ~ Seattle, WA</p> <p><b>2:45</b> Break</p> <p><b>3:00</b> New Twists for Coastal Energy: Layering Renewables on a Regulatory Structure for Oil and Gas<br/>Regulatory and technical perspectives on locating, permitting, and siting offshore ocean renewable energy projects; the status and prognosis for the new MMS rules implementing the Energy Policy Act of 2005; FERC's expedited permitting for tidal energy<br/><b>Peter Schaumberg, Esq.</b> (inv)<br/>Beveridge &amp; Diamond ~ Washington, DC<br/><b>Walter Cruickshank, Ph.D.</b>, <i>Deputy Director</i> (inv)<br/>US Dept of the Interior, Minerals Management Service ~ Washington, DC<br/><b>Burton Hamner</b>, <i>Founder and Owner</i> (inv)<br/>Puget Sound Tidal Power LLC ~ Seattle, WA<br/><b>Michael P. O'Connell, Esq.</b> (inv)<br/>Stoel Rives LLP ~ Seattle, WA</p> <p><b>5:00</b> Reception<br/>Sponsored by Beveridge &amp; Diamond PC and Marten Law Group PLLC and Stoel Rives LLP</p> |
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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

**Laura B. Fandino, Esq., Ph.D.**, Program Co-Chair  
Marten Law Group PLLC ~ Seattle, WA  
**Eric Laschever, Esq.**, Program Co-Chair  
Stoel Rives LLP ~ Seattle, WA

8:45 Special Address: A Puget Sound Regional Perspective on Ocean Governance

^Topic detail

**William Ruckelshaus, Esq.**, Chair, Puget Sound Partnership  
(inv)  
The Puget Sound Partnership ~ Olympia, WA

9:15 Marine Resource Protection

Marine Sanctuaries; Endangered Species Act and Marine Mammal Protection Act Issues

**William W. Stelle, Esq.** (inv)  
Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA

Recent efforts to list ocean waters as impaired under the Clean Water Act; evolving regulatory and policy frameworks

**Michael Finkelstein, Executive Director** (inv)  
Center for Biological Diversity ~ Tucson, AZ

10:30 Break

10:45 Pollution in the Ocean and Coastal Areas: Oil, Ballast Water, and Wastewater Discharges

Federal and state regulations including Washington's regulations for ballast water management; EPA's rulemaking following the 9th Circuit's decision in Northwest Environmental Advocates v. EPA and the pending appeal; other discharge issues

**Cynthia Squires, Esq.**, General Counsel (inv)  
National Marine Manufacturers Association ~ Washington, DC

Practical aspects of complying with the regulations: What is working well and what is not

**Name (Eric)** (inv)  
Holland America ~ Seattle, WA

12:00 Lunch (on your own)

1:15 New Regional Initiatives

West coast regional management initiatives: A response to the Ocean Commission and PEW reports; lessons from the California Ocean Protection Council; priorities of the West Coast Governor's Initiative; watershed-based management in Puget Sound

**Kathleen Drew, Esq.**, Executive Policy Officer (inv)  
Office of the Governor ~ Olympia, WA

Green Ports: Moving towards a full suite of environmental controls for air, water, and noise pollution to lessen the overall footprint of a port in urban areas while handling bigger and deeper ships

**Stephanie Jones** (inv)  
Port of Seattle ~ Seattle, WA

2:45 Break

3:00 Emerging Technologies and Uses

Update on Ecosystem Based Management (EBM) as a regulatory tool: the coupling between land use, watershed processes, and coastal riverine, estuarine, and marine ecosystems; the application of EBM under existing regulations; whether it's gaining traction

**Kathryn Mengerink, Esq., Ph.D.**, Director of Oceans Program (inv)  
Environmental Law Institute ~ Washington, DC

Oceans as carbon sinks: technological update on ocean iron fertilization for carbon sequestration; legal and practical challenges to be overcome before implementation

**Dan Whaley, Esq.**, Founder and CEO (inv)  
Climos ~ San Francisco, CA

4:00 Evaluations and Adjourn