

2025 Environmental and Land Use Law Section Midyear Conference



ORIGINAL PROGRAM DATE

May 8 - 9, 2025

AVAILABLE MEDIA TYPES

Video & Audio MP3

*Presented in partnership with the WSBA
Environmental and Land Use Law Section*

REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live webcast on May 8 - 9, 2025, in Union, WA. If you attended the live seminar or webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three-year reporting period.

DESCRIPTION

Join us on-demand for the Environmental and Land Use Midyear. Hear from practitioners from around the state speaking on crucial topics such as: legislative and federal case updates, Indian water rights, the CCA, the SEP fund, land issues in eastern Washington, exactions, ISGP and derelict vessels, and environmental justice.

AGENDA

1 2025 Legislative Update

What happened in the Washington State Legislature in 2025? There were numerous environmental and land use policy bills. What passed? What failed?

Jacob Lipson - Washington House of Representatives, Olympia, WA

Kellen Wright - Office of Program Research, Olympia, WA

2 From Policy to Practice: Environmental Changes Under Trump

Join Beveridge & Diamond Seattle Office Managing Principal and former EPA Region 10 Counsel Allyn Stern and Associate Katherine O'Keefe for a presentation exploring the key figures and priorities shaping environmental policies under the Trump administration. This session provides an overview of the administration's approach to environmental regulation and deregulatory efforts, enforcement, and litigation. Topics will include leadership and early appointments, key policy shifts and priorities, and anticipated impacts on environmental enforcement.

Katy O'Keefe - Beveridge & Diamond PC, Seattle, WA

Allyn Stern - Beveridge & Diamond PC, Seattle, WA

3 I-2117 and I-2066 - What Happened and What's Next

Following the 2024 election cycle, Ken Lederman will discuss what led to the initiatives, what the results tell us, and what we can expect going forward on potential legislation and initiatives impacting land use and environmental matters.

Kenneth Lederman - McCullough Hill PLLC, Seattle, WA

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4 Emerging Land Use Issues Impacting Eastern Washington

This session discusses developments in short-term rental regulations with a special focus on Chelan County's restrictions, the Washington Growth Management Act, and navigating development of lands historically zoned agricultural.

Kolby Cameron - Jeffers, Danielson, Sonn & Aylward, P.S., Wenatchee, WA

Jacqueline O'Keefe - Jeffers, Danielson, Sonn & Aylward, P.S., Wenatchee, WA

5 Current Port District Issues

Hear about recent ISGP Litigation on behalf of Washington's Port Districts, the status of appeals to the U.S. Supreme Court, and how Washington Port Districts are tackling the environmental impacts of derelict vessels in their harbors. Understand the Derelict Vessel Removal Program and how it interacts with the AGOs and the Pollution Control Hearing Board.

Sara B. Frase - CSD Attorneys at Law, Bellingham, WA

Troy Wood - Washington State Department of Natural Resources (DNR), Olympia, WA

6 What's the Deal with Exactions Exactly?

What if the government conditions a land use permit in a way that costs developers money? Can they claim that the condition effects an "exaction" that doesn't meet the nexus and rough proportionality requirements of Nollan and Dolan? Review the basics of exactions law, explore defenses to exactions claims and tips for litigating them, and discuss how this constitutional law interacts with statutory limitations on local power to condition land use permits.

Roger Wynne - Seattle City Attorney's Office, Seattle, WA

7 Environmental Justice (EJ) in 2025: The Push to Advance the EJ Agenda at the State Level

This presentation will give an update on Washington's HEAL Act implementation and other EJ efforts in our state. The presentation will also walk through the considerations for and performance of an EJ Assessment from a technical and legal perspective.

Allyson Bazan - Hillis Clark Martin & Peterson P.S., Seattle, WA

Jessica Glenn - Maul Foster & Alongi, Inc., Portland, OR

8 Dip Your Toe into the Water

This session will explain Federal Indian reserved water rights in context of State-Based water rights, discuss current water issues in Washington State including the Nooksack Adjudication and Federal postures about water in the Western States.

Diana Bob - Native Law PLLC, Bellingham, WA

9 Keeping It All Ethical - Working with Government Agencies, Local Governments, and Tribes

When client work requires working with an agency (whether federal, state, local, or tribal) what ethical considerations should you be aware of? We will be examining RPCs 1.7, 1.8, 1.9, 1.10, 4.2 and 4.3, as well as Advisory Opinion No. 202201, 201803 and 1274, and requirements for government employees in RCW 42.52.

Ivy Anderson - Office of the Attorney General, Olympia, WA

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10 **Approaches to Stretching the Application of Environmental Justice in Normative Legal Practice**

Understand how we've used the principles of environmental justice to raise challenges in forums typically not considered vehicles for change. We will discuss important policy and regulatory trends, as well as dockets to keep an eye on. Second, the federal pesticide registration regime determines whether you will be exposed to toxic chemicals in your food. We will dive into one class of pesticides and explain how the EPA's treatment of uncertainty has both met and fallen short of what the operative statutes require.

Noelia Gravotta – Earthjustice, Seattle, WA

Noorulanne Jan – Earthjustice, Seattle, WA

11 **Clean Energy Siting in Washington**

A discussion of the hurdles and opportunities associated with siting clean energy projects in Washington, including a walkthrough of Ecology's Coordinated Permitting Process for Clean Energy Projects.

Dylan Stonecipher – Washington State Attorney General's Office, Olympia, WA