

# Agenda

<b>Development of Water Laws: Quantity, Quality and Usage</b> Development of water rights Statutory and regulatory limits on the exercise of water rights Federal, state and local regulators Development of the law on water quality preservation Comprehensive water planning	<i>C. Garside</i>
<b>Current Issues with the Clean Water Act</b> <i>Maui vs. Hawaii Wildlife Fund</i> <ul style="list-style-type: none"><li>• Summary of the Maui decision</li><li>• Litigation regarding the functional equivalence test</li><li>• Litigation regarding WOTUS rule</li></ul> Trends in CWA citizen suit litigation	<i>E. Henry M. Smith</i>
<b>Understanding Louisiana Groundwater Rights</b> Ownership of groundwater Regulation of groundwater rights Obtaining groundwater rights Application and permitting process Current issues in groundwater rights	<i>B. Jones</i>
<b>Understanding Louisiana Surface Water Rights</b> Ownership of surface water Regulation of surface water rights Obtaining surface water rights Application and permitting process Amending surface water rights Current issues in surface water rights	<i>A. Wilson</i>
<b>Update on PFAS and Other Contaminants in Water</b> Types of water contaminants and their effects Identifying water contaminants Solving problems caused by contaminated water	<i>A. Kanner</i>
<b>Wetlands Permitting</b> Wetlands delineations CWA permits and coastal use permits Other Federal/state/local government concerns Compensatory mitigation	<i>S. Varnado</i>

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## Louisiana Water Laws and Regulations

Live, Interactive Webinar - Thursday, April 29, 2021



HalfMoon Education Inc.  
PO Box 278  
Altoona, WI 54720-0278

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## Learning Objectives

### You'll be able to:

**Understand** the development of Louisiana's laws on water quality preservation.

**Examine** current issues with the Clean Water Act, including the functional equivalence test and the WOTUS rule.

**Discuss** ownership and regulation of groundwater.

**Learn** about obtaining rights to surface waters.

**Explore** types of water contaminants, including PFAS.

**Examine** Clean Water Act and Coastal Use permits for wetlands.



# HalfMoon Education Online Learning Louisiana Water Laws and Regulations

Live, Interactive Webinar - Thursday, April 29, 2021



**Review** the development of water quality laws

**Discuss** current issues with the Clean Water Act, including the *Maui vs. Hawaii Wildlife Fund* decision

**Understand** Louisiana groundwater rights

**Review** the regulation of surface water rights

**Explore** PFAS and other contaminants in water

**Examine** wetland permitting and compensatory wetland mitigation

### Continuing Education Credits

#### Attorneys

Louisiana CLE Pending  
6.0 Texas CLE Hours

#### Professional Engineers & Geologists

6.0 PDHs



# Faculty

**Clay Garside** is a partner at Walter Wiygul & Garside. He runs the firm's New Orleans office and litigates an active docket of property damage, personal injury, maritime, environmental, and public law cases. During the past few years, his practice has centered on representing clients in the massive BP/Deepwater Horizon case. He also sits as a board member of the Environmental Section of the Louisiana State Bar Association. Mr. Garside graduated *magna cum laude* from Tulane Law School in 2005.

**Elise M. Henry** is an associate in Jones Walker LLP's Litigation Practice Group, where she focuses on environmental regulatory compliance and litigation. Ms. Henry assist clients in a variety of industries, including chemical and manufacturing, with environmental and related legal challenges. She has experience working with companies and governmental agencies to find practical solutions to enforcement and compliance issues.

**Meghan E. Smith** is the co-leader of Jones Walker LLP's Environmental Litigation Practice Group and a member of the Energy, Environmental & Natural Resources and Construction Industry Teams. She focuses her practice on environmental/toxic tort, construction and energy litigation and arbitration, as well as regulatory compliance. In her environmental practice, Ms. Smith has extensive experience representing oil and gas, chemical, and manufacturing companies in regulatory compliance matters (both onshore and offshore), investigations, and litigation involving salt domes, mineral rights, drinking water, industrial accidents, environmental contamination claims, coastal erosion claims, and latent exposure claims.

**Beaux Jones** is general counsel at the Water Institute of the Gulf. He has extensive experience in the government, non-profit, and private sectors, and an extensive knowledge of coastal and environmental law. Prior to joining the Institute, Mr. Jones served as the environmental section chief for the Louisiana Department of Justice. He most recently worked as an environmental and coastal lawyer for the law firm Baldwin Haspel Burke & Mayer in New Orleans. He has worked on several high-profile cases related to the Gulf Coast and Louisiana, including working on the BP spill litigation team with the Louisiana Attorney General. Mr. Jones is vice chair of the Louisiana State Bar Association-Environmental Section and is vice chair for the Coalition to Restore Coastal Louisiana.

**Andrew C. Wilson** is a partner at Milling Benson Woodward LLP. He serves as both lead trial counsel and appellate counsel in all stages of federal and state civil litigation as well as in administrative proceedings before state and federal agencies. His experience includes litigation related to personal injuries, major disasters, ship collisions, insurance coverage and, oilfield and environmental remediation matters. His most significant achievement to date involves the outright dismissal of a class action and several other related suits seeking billions of dollars in alleged damages to oyster leases in Louisiana resulting from coastal restoration projects. Mr. Wilson has also served as a consultant to the State on coastal restoration issues and is an External Advisory Board member for the LSU Coastal Sustainability Studio.

**Allan Kanner** of Kanner & Whiteley, L.L.C. has a national environmental and natural resource damage practice. He represented New Jersey in its largest natural resource damages case, which led to the state's largest settlement for natural resource damages. In addition, Mr. Kanner was lead counsel for Louisiana in the Deepwater Horizon oil spill litigation, in which Louisiana received approximately \$8 billion in natural resource damages and economic losses. He represents New Jersey in several natural resource damages cases, New Mexico in a case against the United States Air Force related to PFAS contamination at bases in the state, Vermont for PFAS contamination generally throughout the state, and the Conservation Law Foundation in a series of climate change cases against polluters in New England. Many of his cases have become leading precedents or have led to legislative and regulatory changes to better protect the public and the environment.

**Spencer D. Varnado**, an ecologist and wetlands scientist at Geosyntec Consultants, has over 14 years of professional experience in the areas of environmental compliance, permitting, and biological investigations. His areas of expertise include environmental and biological assessments, surveys and mapping; jurisdictional wetland delineations and determinations; regulatory permitting and compliance monitoring with various state and federal agencies; wetland mitigation plan development and implementation; and wetland value assessments. Mr. Varnado has experience working in a diverse range of ecological settings. His typical projects include linear pipeline and electrical transmission construction and maintenance, residential and commercial developments, sand and gravel mining, petrochemical facility compliance, due diligence, and habitat restoration projects.

# Webinar Information

Log into Webinar 8:00 - 8:30 am CDT	Break 11:45 am - 12:45 pm CDT
Morning Session 8:30 - 11:45 am CDT	Afternoon Session 12:45 - 4:00 pm CDT

## Tuition

**\$289** for individual registration  
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**Included with your registration:** PDF seminar manual.

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## Continuing Education Credit Information

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HalfMoon Education has applied to the Louisiana CLE Committee for course approval for attorneys, which is pending. Visit [www.halfmoonseminars.org](http://www.halfmoonseminars.org) for updated credit information.

This course offers up to 6.0 PDHs for Louisiana geologists. Course are not subject to preapprovals.

This course is approved for 6.0 CLE for Texas attorneys

Completion certificates will be awarded to participants who complete this event, respond to prompts and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

# Registration

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