

August 7, 2024

NATURAL RESOURCES, ENERGY & ENVIRONMENTAL LAW SECTION

2024 Annual Report

The Natural Resources, Energy & Environmental Law Section (“Section”) submits its annual section report for 2024 to the State Bar of Montana Board of Trustees as follows:

Activity this year:

Annual CLE: The Section has traditionally held an annual CLE in April of each year and decided to move the date to September 27th, 2024. The Section also decided to move the CLE from Helena to the University of Montana School of Law to encourage more attendance and participation. A copy of the CLE schedule is attached.

Annual Meeting: A general meeting of the Section will be held during lunch at the September 27 CLE. A new slate of Officers and Council members will be elected.

Sincerely,

/s/ John Meyer
JOHN MEYER

Chair

Cc: Lara Guercio (Vice-Chair)

NREEL CLE at University of Montana, Missoula (September 27, 2024)

Registration: 8:30 (Coffee and Bagels for Registrants)

Panel 1: Energy Updates (9-9:50 am)

Panel moderator: Lucas Hamilton

Panelists will discuss efforts and obstacles to forming a regional energy market in the West.

Panelists: Diego Rivas (NW Energy Coalition)

Shannon Heim (NorthWestern Energy)

Nik Stoffel (Holland & Hart)

Panel 2: Federal/State Litigation Updates (10-10:50 am)

Panel moderator: Aubrey Bertram

Panelists will provide updates of state and federal natural resources decisions.

Panelists: Michelle Bryan (UM School of Law) (Tenative)

Justice Laurie McKinnon (MT Sup. Co.) (Tenative)

Panel 3: Clean Water Act: SCOTUS, WOTUS & Maui (11-11:50 am)

Panel moderator: Randy Snyder

Panelists will talk about how the SCOTUS redefined Waters of the United States in *Sackett*, how SCOTUS created the functional equivalence of a direct discharge test in *Maui*, and its application in Big Sky Clean Water Act litigation.

Panelists: Lara Guercio (Crowley Fleck)

John Meyer (Cottonwood Environmental Law Center)

LUNCH – Included with registration costs (vegetarian and carnivore options) (12-1:15 pm)

Annual NREEL Section Meeting

Panel 4: Constitutional Litigation Updates (1:30-2:20 pm)

Panel moderator: Melissa Hornbein

Panelists will discuss recent Montana constitutional cases and potential implications.

Panelists: Jenny Harbine (EarthJustice)

Barbara Chilcott (Western Environmental Law Center)

Panel 5: Joint Tribal/Fed. Management of Public Lands (2:30-3:20 pm)

Panel moderator: Aubrey Bertram

Panelists will discuss

Panelists: Professor Kekek Stark (UM School of Law)

John Harrison (Confederated Salish Kootenai Tribe)

Brian Upton (Confederated Salish Kootenai Tribe)

Panel 6: Ethics in a time of AI (3:30-4:20 pm)

Panel Moderator: Lucas Hamilton

Ethics in a time of Artificial Intelligence

Panelist: Professor Kevin Fraiser (St. Thomas University School of Law)