

BRENDA JAHNS SOUTHWICK

EDUCATION

- J.D. With Honors, Boalt Hall School of Law; Associate Editor, California Law Review; Advisor, Appellate Advocacy Course; University of California, Berkeley, California, 1979
- B.A. Public Policy Sciences, with Honors; Alice M. Baldwin Scholar; Duke University, Durham, North Carolina, 1976

LICENSES

California State Bar Number 133087
New Mexico State Bar Number 4018

PROFESSIONAL EXPERIENCE

Present: Water counsel for the California Farm Bureau Federation, the largest agricultural organization in California with more than 75,000 members. As an attorney in the Department of Environmental Advocacy, assumes an aggressive role at all levels of government to protect the water rights of farmers and their communities. Work emphasizes actions to prevent the premature and unlawful conversion of viable farmland to non-farm uses, including litigation and administrative proceedings to protect water rights accruing to farmland.

1996-1999: Appointed to the Attorney General's Executive Program as Deputy Attorney General, Legislative Affairs, California Department of Justice (DOJ). Developed legislative solutions to address the Attorney General's policy agenda on issues of statewide importance that affect DOJ or its client agencies. Areas of emphasis included environmental litigation (e.g., Proposition 65, state versus federal jurisdiction over water rights claims), gambling regulation (private clubs and Indian tribes), civil and administrative procedures.

1995: In-house counsel to the Central Valley Project Authority, a group of local government entities which currently operate and maintain the main pumping and conveyance facilities of the Federal Central Valley Project. This group of federal urban and agricultural water contractors was formed to effectuate transfer of this project to the member agencies. Organized this effort, developed strategies for implementation, drafted legislation and position papers, coordinated work of various consultants and collaborated with legal counsel for each member agency.

1992-1995: Member of Sacramento, California, office of Nossaman, Guthner, Knox & Elliott. Legal areas of emphasis included water rights, environmental issues, contracts, government relations and administrative practice and procedures. Experience included representation of numerous public and private clients before a variety of state and federal agencies regarding rulemakings, compliance counseling and negotiations in matters such as contracts for sale or transfer of water resources, affirmation of water rights in property development, addressing threatened and endangered species listing and recovery matters in resources development, analysis of recycling and reuse parameters for contaminated groundwater, and water resources-related litigation. Legal background includes appearances before the State of California Office of Administrative Law, the Air Resources Board, the Hazardous Waste Appeals Board, the Department of Health Services, the Regional Water Quality Control Boards (San Francisco and

Central Valley Regions), the State Water Resources Control Board, the Federal Environmental Protection Agency, and the Federal District Courts.

1990-1992: Member of the Public Agency/Resources Department at Kronick, Moskovitz, Tiedemann & Girard, Sacramento, California. Completed water rights analysis of water available for property development; assisted in planning and implementation of water rights transfers; participated in State Water Resources Control Board Bay-Delta water quality hearings on salinity and temperature control; worked on water-related litigation matters and Endangered Species Act administrative processes.

1988-1990: Member of Environmental and Business Groups at Landels, Ripley & Diamond, San Francisco, California. Assisted in compliance counseling, legislative advocacy and administrative agency representation concerning local, state and federal regulations and laws, including water rights and water quality, toxic waste disposal and cleanup, air quality and public health risk disclosures. Experiences included coordinating environmental due diligence in real estate transactions, Subchapter 15 closure requirements analysis, air quality standards evaluations, hazard communications requirements counseling, and implementation of ballot initiatives (Propositions 65, 103, 73 and 68). Work required familiarity with the California Administrative Procedure Act, Porter-Cologne Water Quality Control Act, Clean Air Act, Resource Conservation and Recovery Act, Superfund and related laws in the California Health and Safety Code, banking and insurance laws.

1983-1988: Special Projects Officer, Bureau of Reclamation, Mid-Pacific Region, U.S. Department of the Interior, Sacramento, California. As Special Assistant to the Regional Director, primary projects included work as chief negotiator for Wheeling/Purchase/Exchange Agreement with State of California and policy representative and co-counsel for Bureau in D-1485 water quality hearings. Made policy decisions and oversaw implementation of programs to accomplish policy goals. Directed and advised regional and Washington, D.C., Bureau offices, Office of the Secretary, and Solicitor's Office in planning and implementing negotiation and litigation strategies and legislative initiatives. Was chief negotiator, completed agreements and drafted legislation for three key California and Nevada water resource development initiatives: Coordinated Operation Agreement, Suisun Marsh Preservation Agreement and Pyramid Lake/Truckee-Carson River Basin Settlement. Helped to facilitate the more efficient and cost effective sharing of power, storage and conveyance capacity between the two largest water projects in the State of California, which together serve about two-thirds of the State's inhabitants with water for multiple purposes.

1980-1983: Attorney and Legal Advisor in the Water and Power Branch, Division of Energy and Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. Work involved changes in rate-setting methodologies for water marketing, review of Colorado River states water rights and flow augmentation issues, water and power contracting, and litigation preparation for presentations before various federal courts, including the U.S. Supreme Court.

1979-1980: Member of Solicitor's Honors Program, U.S. Department of the Interior, Washington, D.C. Served as an attorney advisor in each of the five divisions of the Solicitor's Office in order to prepare for a permanent position in the division of my choice. The program was a management recruitment and training vehicle for top law school graduates.

Pre-1979: Legal internships at Holland & Hart, Denver, Colorado, and DNA Peoples' Legal Services, Window Rock, Arizona. Interviewed clients and researched a variety of environmental, consumer, Indian rights and litigation issues.

PUBLICATIONS/EXTRAPROFESSIONAL EXPERIENCE

Member of Editorial Board, American Bar Association, Section of Natural Resources, Energy and Environmental Law (1985 to 1994); Assistant Editor, "Water Law," "Environmental Permitting," "Administrative Law and Practice," "Wetlands Primer," "Endangered Species Act" issues and Lead Editor, "Hard Times" and "Water Law Practice in the 1990s" issues of **Natural Resources and Environment** magazine; Vice Chair, Water Resources Committee, American Bar Association Section on Natural Resources, Energy and Environmental Law; Fellow, Class XXII, California Agricultural Leadership Program; Member, Advisory Board, University of California Agricultural Issues Center (1993-Present); Chair, California Leadership Colusa County Task Force, Sister Communities Program; Treasurer of the Carmichael Water District (1992-1994); Eastern District Lawyer Delegate to Ninth Circuit Judicial Conference (1994-1997); Secretary, State Reclamation Board (1994-Present); Member of Soroptimist International of Metropolitan Sacramento.

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