JENNIFER L. HARDER

University of the Pacific, McGeorge School of Law, 3200 Fifth Avenue, Sacramento, CA 95817
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EDUCATION

UC Davis School of Law, JD 1998
- Editor-in-Chief, Environs, 1997-1998
- Co-Founder/Editor-in-Chief, Journal of Juvenile Law & Policy, 1997-1998
- Editor, UC Davis Law Review, 1997-1998
- Lecturer/TA, Environmental Law, UC Davis, 1997-98
- Michael Remy Environmental Law Scholarship, 1997
- Instructor, UC Davis Street Law, 1996-1997
- Co-Chair, Environmental Law Society, 1996-1997

UC Davis, BA in Political Science 1993
- Editor-in-Chief, Endangered Species Law & Policy, 1991-92
- Author, *Environmental Mediation: The Promise and the Challenge*, 19 Environs 29 (UC Davis School of Law) (first place in undergraduate writing competition)

COURSES CURRENTLY TEACHING

Administrative Law, Environmental Practice, Statutes & Regulations, Water Resources Law
Directed Research for JD, LLM, JSD

LEGAL PUBLICATIONS

Pending Publication

Pending 2021, Co-Author, Brian Gray, Jennifer Harder, and Karrigan Bork, *Implementing Ecosystem-Based Managemen*t, Duke Environmental Law & Policy Forum

Pending 2020, Co-Author, Tom Hicks & Jennifer Harder, *A Layperson's Guide to Water Rights* (Water Education Foundation)

Books, Conference Proceedings, Web-Based Publications

June 2020, Co-Author, Weber, Harder, and Bearden, *Cases & Materials on Water Law* (West Publishing) (with Greg Weber & Bennett Bearden)

December 2019, *Harmonic Convergence or Cognitive Dissonance? California's Groundwater Law & The Public Trust Doctrine*, Rocky Mountain Mineral Law Foundation Annual Institute, ISBN 978-1-943497-31-7 (symposium)

December 2019, Co-Author, *A Path Forward for California's Freshwater Ecosystems*, Public Policy Institute of California (web publication) (with Jeff Mount et al.)

November 2017, *Introduction: Symposium: The Human Right To Water: Turning Principles Into Action*, 50 McGeorge Law Review 1-11 (symposium)

June 2016, *Unlimited Rights in a Water Scarce World? Quantification of Dormant Rights to Groundwater*, Texas Tech Law Review (symposium)

May 2015, *Water Neutral Programs in California*, McGeorge Law Review, McGeorge School of Law (symposium)

Cited Publications

2018, Excerpt from *Demand Offsets: Water Neutral Development in California*, 46 McGeorge Law Review 103 (2014) *published in* Legal Control of Water Resources: Cases and Materials, 6th Edition, Barton H. Thompson, Jr., John D. Leshy, Robert H. Abrams, Sandra B. Zellmer

CLERKSHIPS & PROFESSIONAL EXPERIENCE

Downey Brand LLP
Attorney and Partner, Water Group — October 1999–October 2008

Alaska Supreme Court
Law Clerk, Justice Alexander O. Bryner — August 1998–August 1999

California Department of Water Resources
Law Clerk, Office of the Chief Counsel — June 1997–December 1997

ACADEMIC/TEACHING EXPERIENCE

Full-Time Faculty Positions

University of the Pacific, McGeorge School of Law — 2018-present
Associate Professor of Lawyering Skills
Co-Director, Water & Environmental Law Concentration
Faculty Director for Online Learning
Hether C. McFarlane Teaching Innovation Award

University of the Pacific, McGeorge School of Law — 2015-2018
Assistant Professor of Lawyering Skills

Adjunct & Lecturer Positions

UC Davis School of Law
Adjunct Professor, Water Resources Law — 2009–2015
Lecturer, International Law Program — 2003–05, 2011–14
Lecturer, U.S. Legal Writing, International Law Program — 2003-05, 2011
Adjunct Professor, Legal Writing, J.D. Program — 2001–2002

University of the Pacific, McGeorge School of Law
Adjunct, Water & Environmental Practice A & B — 2013-2015
Adjunct, Waste Not: The Law of Water Use Efficiency — 2012

University of California Los Angeles Extension
Lecturer, Environmental Law & Institutions 2012–2015
Lecturer, Water Rights & Sustainability 2010–2015

Seminar Instructor

2005-2011, University of California Los Angeles Extension, Environmental Compliance for Water Projects

2004-2010, University of California Davis Extension, Environmental Compliance for Water Projects

INVITED TALKS & CONFERENCE PARTICIPATION

Upcoming

Invited Speaker, California's Constitutional Water Policy, Anne Schneider Memorial Lecture Series (rescheduled due to COVID) (tentative 2021)

Invited Speaker, National Judicial Council (July 2021).

Invited Speaker, CivicSpark Water Fellows, Local Government Commission (December 2020)

Invited Presenter, AALS, State and Local Government Laws and Environmental Sustainability, *California's Sustainable Groundwater Management Act: Exploring Innovative Approaches to Empowering Disadvantaged Communities* (January 2021)

Invited Presenter, Water Law Works-In-Progress: *Domestic Preference & The Human Right to Water*, University of Utah, SJ Quinney School of Law (November 2020)

Completed

Speaker and Panelist, Ecosystem-Based Management, California Water Law Symposium (San Francisco, February 2020)

Speaker, Water Rights 101, Water Education Foundation: Water 101 (McGeorge, February 2020)

Moderator and Organizer, Mark Arax: The Dreamt Land: California Water Wars in a Time of Climate Change (McGeorge, February 2020)

Speaker, Oregon Water Law Annual Conference, Seminar Group (Portland, Oregon, November 2019)

Moderator, Wade Crowfoot, California Secretary for Natural Resources, Tchobanoglous Water Lecture Series (McGeorge, November 2019)

Speaker and Panelist, Water 101, Levi Schwartz Inn of Court (Davis, October 2019)

Speaker and Panelist, Harmonic Convergence or Cognitive Dissonance: The Public Trust Doctrine and California's Groundwater Law, Rocky Mountain Mineral Law Foundation Annual Institute (Monterey, July 2019)

Speaker, Water Education Foundation: Water 101 (McGeorge, February 2019)

Moderator, SGMA-Driven Solutions, H20 Women in Water (Santa Barbara, November 2018)

Speaker, American Bar Association 36th Annual Water Law Conference, Hot Topics in Water Law (Orlando, FL, April 2018)

Moderator, Tchobanoglous Water Lecture Series. Ensuring Safe & Affordable Drinking Water for All: Implementing the Human Right to Water through Small Water System Assistance (McGeorge, April 2018)

Speaker, Water Education Foundation: Water 101 (McGeorge, February 2018)

Speaker, University of the Pacific Law Review Symposium, The Human Right to Water: Turning Principles into Action (McGeorge November 2017)

Speaker, Executive Training, Capital Center for Law & Policy, Water Rights in Groundwater (October 2017)

Moderator, Tchobanoglous Water Lecture Spring 2017: Recycled Water As Drinking Water (April 2017)

Moderator, McGeorge Water Law Symposium 2017: State Water Resources Control Board Turns 50: Integration of Water Quality & Quantity in the Golden State (March 2017)

Moderator, Environmental Panel, McGeorge Law Review Symposium (Cannabis & Water/Environment) (March 2017)

Speaker, Local Government Commission Annual Conference (Water Neutral Programs) (March 2017)

Speaker, Water Education Foundation Executive Briefing (Water Neutral Programs) (March 2017)

Moderator, American Bar Association 35th Annual Water Law Conference (Public Trust Doctrine) (March 2017)

Speaker, Water 101: California Water 101, Water Education Foundation (February 2017)

Speaker, Groundwater Banking, Tchobanoglous Water Lecture Series, Stockton. (November 2016)

Moderator, all-water-female Delta Water Quality Control Plan panel at Environmental Law Section of the California State Bar, Annual Environmental Law Conference at Yosemite. (October 2016)

Speaker, The Federal Role in CA Water, California Eastern District Judges Conference (Yosemite) (October 2016)

Moderator, Delta Water Quality Control Plan, Environmental Law Conference at Yosemite (October 2016)

Keynote Speaker, "To The Fullest Extent of Which They Are Capable: The California Constitution and Water in the 21st Century, California Water Law, Policy & Regulation: Coping with the Challenges of

Unpredictable Supply," 31st Annual California Water Law & Policy Conference, Argent Communications, San Francisco (June 2016)

Panelist, "When You Drink From the Spring, Remember the Well: Municipal Drinking Water & Drought, Association of Women in Water, Energy & The Environment," Sacramento (June 2016)

Water Education Foundation, Water 101 Seminar: The Basics and Beyond, "California Water Law 101," (February 2016)

Panelist, Texas Water Law Symposium, Texas Tech University School of Law, Agriculture and Water, "Untying the Gordian Knot of Land-Based Rights in a Water-Scarce World," Lubbock, Texas (February 2016)

Panelist, Municipal Law Institute, Ensuring Integrity in the 21st Century: Water & Public Works in Our Arid State, "Water Neutral Programs in California," (February 2016)

Panelist, Environmental Law Conference at Yosemite, "Nuts About Water," (October 2015)

Speaker, Water Education Foundation, Water 101 Seminar: The Basics and Beyond, "California Water Law 101," (February 2015)

State of California, Legislative Staff Briefing, "California Water Law 101," October 2014

U.S. Army Corps of Engineers (Sacramento), "California Water Law 101," June 2014

Panelist, "Water Neutral Programs in California," Symposium: Growing, Growing, Gone: Innovative Ideas in Resource Management, *Pacific Law Review*, Pacific McGeorge School of Law, April 2014

Association of Environmental Professionals, "Show Me The Water: California Water Law 101," June 2013

California Water Law Symposium, "California Water Law 101," January 2013

California State University, Sacramento, "California Water Law 101 (for Undergraduates)," 2011-2013

Association of California Water Agencies, "Reasonable Use in the 21st Century," December 2012

UC Davis and UC Los Angeles Extension, "Environmental Compliance for Water Projects," 2003-2010

Northern California Water Association and Downey Brand Ethics Training for Local Agency Officials, "AB 1234: Laws Related To Personal Financial Gain by Public Servants," Yuba City and Sacramento, 2006

Association of Environmental Professionals Conference, "Update on Endangered Species Act, National Environmental Policy Act & Clean Water Act," 2005

California Association of County Planning Commissioners, Central District Spring Conference, "Water Availability and Land Use Planning: SB 610, SB 221, Urban Water Management Plans and the California Environmental Quality Act," 2005

CLE International California Water Law & Policy Conference, "Defending Fish and Game Section 5937 Enforcement Actions," 2005

CLE International Southern California Water Law & Policy Conference, "Guiding Your Water Project Through the Regulatory Rapids," 2004

CLE International California Water Law & Policy Conference, "Working with the State and Regional Water Boards," 2004

CLE International Southern California Water Law & Policy Conference, "Developments in Federal Species Protection and Water Supplies" and "Current Issues in ESA Reform: The Promise of Best Available Science," 2003

PROFESSIONAL SERVICE

Current

Planning and Conservation League Water Rights Project	2020-present
Water Advisory Committee, Berkeley Law, Wheeler Center Climate Change Project	2020-present
Water Policy Research Network, Public Policy Institute of California	2019-present
Editor-in-Chief, Environmental Law News	2019-present
Executive Committee, Environmental Law Section, California Lawyers Association	2018-present
Co-Founder & Judge, California Water Law Writing Prize	2016-present
Steering Committee, Anne J. Schneider Memorial Foundation	2014-present
Faculty Advisor, California Water Law Symposium	2012–present

Completed

Reviewer, A Layperson's Guide to Water Rights Law, Water Education Foundation (invited to co-author in 2020)	2017, 2020
Technical Advisory Committee, Wheeler Water Center, Berkeley Law	2017-2018
Editor/Volunteer, 916 Ink, Sacramento Youth Publishing Project	2011–2012
President/Vice President/Director, Diogenes Youth & Family Services	2003–2008
Editor, California Water Law & Policy Reporter	2003–2008
California Water Leaders, Class of 2003, Water Education Foundation	2003
Volunteer, Anchorage Youth Court	1998–1999

CURRENT CAMPUS SERVICE

Co-Director, Water & Environmental Law Concentration (with Rachael Salcido)

Faculty Director for Online Learning (designed and received accreditation for online graduate law program, continuing management of academic side of program, provide training in online teaching and learning for faculty colleagues)

Faculty Advisory Committee, present (elected by faculty colleagues)

Graduate Studies Committee, present

SELECTED LEGAL WORK

Published opinions: *Turlock lrrigation District v. Zanker* (2006) 140 Cal.App.4th 1047 and *Nacimiento Regional Water Management Committee v. Monterey County Water Resources Agency* (2004) 122 Cal.App.4th 961

General counsel for county water district, flood control district, and mutual water company

Lead counsel for cities, counties, special water districts, mutual water companies, ranches, vineyards, power companies, and individuals on water right applications, petitions and other proceedings at State Water Resources Control Board

Lead counsel in surface and groundwater water rights controversies and environmental litigation in state and federal courts

Expert counsel for development of environmental impact reports and other environmental compliance documents (California Environmental Quality Act, National Environmental Policy Act, Endangered Species Act, Fish and Game Code) for complex water projects, commercial and industrial facilities, flood control projects and residential housing projects.

Expert counsel to special districts and other water suppliers on financing issues including water rates, impact fees, regulatory fees and special assessments; litigated water finance issues including Proposition 218 and the Mitigation Fee Act

Expert counsel on public agency law such as the Brown Act (open meetings), Political Reform Act (conflicts of interest), Public Records Act (sunshine laws) and administrative records

Expert counsel on State Water Project and Central Valley Project contract, water allocation, and environmental compliance issues

Expert counsel on public agency water planning including Urban Water Management Plans, General Plans, water supply assessments and verifications, water use efficiency, and water conservation planning

ATTORNEY PUBLICATIONS

May 2006, Co-Author, *The Robie Decision and The Future of California Water Law*, California Water Law and Policy Reporter

November 2005, Co-Author, *Ball, Strike or Balk? Public Accountability and Judicial Restraint Re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings,* California Water Law and Policy Reporter

December 2004, *Guiding Your Water Project Through the Regulatory Rapids: Working with Resource Agencies,* California Water Law and Policy Reporter

March 2004, *The Writing on the Wall: The Applicability of Proposition 218 to Charges for Water Service after Richmond v. Shasta Community Services District*, California Water Law and Policy Reporter

November 2002, *Between a Rock and a Hard Place. Conflicts Between Water Recycling and the Law of Water Rights,* California Water Law and Policy Reporter, November 2002