



## First Annual Western Agricultural & Environmental Law Conference

### *Speaker Biographies*

**Elaine R. Albrich** teams with clients to offer practical, strategic solutions for navigating and resolving complex situations involving use of land, impacts to natural resources and resource lands, discretionary permits and licenses, and other government-imposed hurdles. Her practice focuses on the energy and alcohol beverage industries as well as traditional real estate development and rural economic development opportunities. She regularly represent clients in hearings and proceedings before city and county governing bodies, hearings officers, the Land Use Board of Appeals, the Oregon Energy Facility Siting Council, the Oregon Liquor Control Commission, and the Oregon Court of Appeals.

**Marissa Bocci** is a partner in the K&L Gates' Seattle office. She works on a range of transactional matters, including purchase and sale agreements, joint venture arrangements, and leasing. Her practice focuses on hotel and resort properties, commercial real estate assets, agriculture and agribusiness matters, and natural resource investment activities. In the agriculture sector, Marisa has specific experience in matters relating to agribusiness investments. She handles transactions across the country involving the purchase, sale, leasing and financing of farmland, often on behalf of family office, pension fund, investment management, and private equity clients. Further, she advises clients on operational issues specific to the food packing and processing industry, including supply chain, labor, and AgTech matters. In addition, she also advises clients on agribusiness-related M&A transactions. Marisa regularly speaks and writes on agribusiness topics. Marisa works on wind, solar, mineral, and timber portfolio matters for her institutional investor clients. Some of these activities are in conjunction with other agribusiness operations; others are standalone natural resource investments. She advises on water infrastructure projects, water rights dispositions and acquisitions (including trust arrangements), and private water share or water utility district arrangements. Of special interest, Ms. Bocci often advises clients on their Bureau of Reclamation water arrangements. Marisa works closely with natural resource investor clients on their sustainability initiatives and ESG-guided operational policies.

**Bart Botta** is a director in the Fennemore Law Irvine office who works in its Agribusiness Law Practice Group. He is involved in all aspects of proceedings arising under the PACA and the California Food and Agricultural Code. Bart maintains relationships with long-term produce companies, and works closely with members of Western Growers in handling matters from PACA trust enforcement, federal and appellate court litigation, marketing agreements and general agricultural law, business transactions, commercial litigation, California Department of Food and Agriculture and USDA administrative proceedings. Bart previously served as the Co-Chair of the Agribusiness Committee of the State Bar of California's Business Law Section. He has been the attorney on several published appellate judicial case decisions interpreting issues under the PACA, and also has a published law review article on the PACA.

**Karen Budd-Falen** has returned to the Budd-Falen Law Offices after her two-year appointment in the Trump Administration, Department of the Interior, as the Deputy Solicitor for Wildlife and Parks. As Deputy Solicitor, Karen was the lead attorney in revising the regulations implementing Endangered Species Act, including the regulations recognizing the rights of local governments to protect the economic stability and customs and cultures of their constituents. She was also heavily involved in drafting regulations giving landowners the rights of appeal of wetland maps on the National Wildlife Refuge System lands. Karen also served as Interior's representative on the task force that revised the regulations implementing the National Environmental Policy Act. Karen's first stint in Washington D.C. was for three years in the Reagan Administration, U.S. Department of the Interior, as a Special Assistant to the Assistant Secretary for Land and Minerals Management. She later

served as a law clerk to the Assistant Solicitor for Water and Power. As an owner of Budd-Falen Law Offices, Karen has assisted local governments in asserting their rights of consistent review, cooperation and coordination in federal agency decisions; private property owners in protecting their Constitutionally guaranteed property rights, other multiple users in supporting grazing and multiple-use on federal/public lands; and exposing radical environmental groups' abuse of the legal system and the attorney fee-shifting statutes.

**Sophia Castillo** teams helps companies throughout the supply chain (importers, manufacturers, distributors, and retailers) comply with the warning and labeling mandates of Proposition 65 for chemicals in products and when necessary, defends them in plaintiff claims. In addition, she provides guidance on California's regulations regarding toxics in packaging, including PFAS and other emerging contaminants. She also assists clients with audits of existing products for regulatory compliance.

In her environmental law and litigation practice, Sophie defends scientific environmental law and toxic tort cases in litigation and regulatory proceedings. She was a key member of a Downey Brand team that advocated for a client in a multi-year natural resources damages assessment (NRDA), and currently, she litigates complex, multi-party CERCLA/contaminated property cases. She has expertise in CERCLA, natural resource damages claims, natural resource damage assessments, oil spill response, the Oil Pollution Act, and Clean Water Act matters. Sophie also defends toxic tort matters involving chemicals in foods, beverages, consumer products, and pharmaceuticals. She litigates matters involving chemical exposure claims, and frequently works with experts in toxicology, chemical regulation, food safety, and epidemiology.

**James Eklund** leads the Water & Natural Resources practice where he is a strong advocate for smart water infrastructure and a recognized authority on water management in the American West. James works with sovereign governments, multi-state authorities, state agencies, and private interests to deliver critical water infrastructure projects and to design policy regarding water law, natural resources, infrastructure, and environmental protection. James served as Colorado's lead negotiator and signatory on the Colorado River Drought Contingency Plan and as Director of the Colorado Water Conservation Board where he built a reputation as a leader in negotiation and diplomacy. He is recognized for bringing together numerous stakeholders with opposing goals to collaboratively craft binding solutions to common problems. James was the architect of Colorado's Water Plan, the largest civic engagement process in state history, and served as legal counsel to Colorado's Governor. James teaches at the University of Colorado Denver, School of Public Affairs, and the University of Denver.

**Katie Naessens** serves as a vice president for Torrey Advisory Group, where she advises clients on a wide range of legislative and regulatory issues impacting the food and agriculture sector. Katie joined the firm from the U.S. Senate Committee on Agriculture, Nutrition, and Forestry where she was senior professional staff under the leadership of Chairwoman Debbie Stabenow. For nearly a decade, Katie advised Senator Stabenow on a range of policy issues including agricultural research, organics, specialty crops, credit, beginning and historically underserved farmers, local food systems, urban agriculture, food safety, rural development, and nutrition. Her legislative achievements include passage of the 2018 and 2014 Farm Bills, several COVID-19 pandemic assistance packages, and the American Rescue Plan Act of 2021. Her work included committee oversight of food and agriculture programs implemented at the U.S. Department of Agriculture, Farm Credit Administration, as well as the Food Safety Modernization Act at the Food and Drug Administration. Prior to joining the Committee, she held a political appointment in the Obama Administration at the U.S. Department of Agriculture where she worked for the undersecretaries in both the Marketing and Regulatory Programs and Food Safety mission areas, in the White House Liaison Office, and in the Office of the Secretary.

**Dennis Nuxoll** serves Western Growers in Washington, D.C. as the vice president of federal government affairs. Nuxoll has more than 15 years of experience as an attorney, Congressional staffer and agricultural

lobbyist. Immediately prior to joining Western Growers, Nuxoll was the Senior Director of Federal Policy for the American Farmland Trust, an organization that works on agriculture, environmental and rural development issues. In addition to his post at the American Farmland Trust, Nuxoll previously served as a legislative assistant to U.S. Sen. Max Baucus marshalling the Senator's agricultural as well as agricultural trade issues. As an attorney with Stewart and Stewart Law Offices in Washington, D.C., among the clients he represented were agricultural interests ranging from cattle to wheat to tomatoes to flowers.

**Nathanael R. Rulis** is a partner at Kemp Jones, LLP and represents clients in a broad array of complex commercial litigation matters. In state and federal courts alike, Nate has led clients all the way through verdict at trial in varying types of business, cannabis, real estate, and commercial contract litigation matters. He has also represented various clients on appeals before the Nevada Supreme Court and the Ninth Circuit Court of Appeals. In addition to his litigation practice, Nate also represents clients in the cannabis industry in administrative proceedings before the Nevada Cannabis Compliance Board. Nate earned his Bachelor of Arts degree in History, with a minor in Religion, from Pepperdine University, graduating cum laude. He then moved to Las Vegas and obtained his Juris Doctorate from the William S. Boyd School of Law. After graduating from law school, Nate served as a law clerk for the Honorable Kenneth C. Cory in the Eighth Judicial District Court. During his time as an attorney, Nate successfully completed the Georgetown University eDiscovery Training Academy.

**Randy Russell** was born and raised in Virginia. He has served in a number of agricultural policy positions, both inside and outside of government, including Chief of Staff for Secretary of Agriculture John R. Block, Deputy Assistant Secretary for Economics at the U.S. Department of Agriculture, Vice President for Agriculture and Trade Policy at the National Council of Farmer Cooperatives, Director of Government Relations for The Pillsbury Company, and the 1981 Farm Bill Coordinator for USDA. Randy also served on the Senate Agriculture Committee staff for former Senator Rudy Boschwitz (R-MN). Randy attended George Mason University where he did both his undergraduate studies in Public Administration and graduate studies in Economics. Randy currently serves as Chairman of the Board and is on the Executive Committee for the World Food Program USA, which raises awareness and funding to fight hunger around the world. The World Food Program was recently awarded the Nobel Peace Prize for its work addressing global hunger. He has also been actively involved in the Big Brothers/Big Sisters Program in Northern Virginia. He was a Big Brother for ten years and was named President, Vice President and Treasurer of the Northern Virginia Council of Big Brothers/Big Sisters and served on the Board of Big Brothers/Big Sisters of the National Capital Area. Randy is also on the Board of Governors of the Bryce Harlow Foundation, encouraging the highest standards for professional lobbying and government affairs, and has and continues to serve as a mentor for fellowship recipients interested in going into advocacy.

**Rebeca Smith** provides thoughtful, careful guidance to both public agencies and private sector clients on water rights, groundwater management issues, and environmental compliance, among other topics. Rebecca counsels both public and private sector clients on water rights, water supply, land use and development, and environmental compliance under state and federal law. She provides sophisticated, client-centric advice on water rights, groundwater management, and CEQA/NEPA compliance. She provides cutting-edge expertise in groundwater law, and devotes significant time in her practice helping clients to understand their emerging issues, obligations, and opportunities under the Sustainable Groundwater Management Act. Rebecca is well-versed in administrative procedure, and counsels clients through the permitting and appeals processes at the State Water Resources Control Board, through local agency appeals, and before federal agencies including the Bureau of Land Management and the Bureau of Reclamation. Rebecca is active both in the firm's Water Law practice and in its well-reputed Food and Ag practice. Because of joint involvement in these complementary practice areas, Rebecca lends a special understanding of food production and agricultural legal issues to her water law practice.

**Robert Soran** is known for his expertise in compliance with federal, state, and local environmental laws and regulations. When issues go beyond compliance counseling, clients seek Bob's skills and representation in environmental enforcement defense, environmental litigation, and administrative proceedings. Bob's clients include Fortune 500 corporations, governmental agencies, private corporations, landowners and individuals. Regardless of the type of client, Bob's singular focus is on achieving the client's ultimate goals and objectives in the most effective means possible. He takes great satisfaction in successfully representing his clients' interests. Bob served as Chair of Downey Brand's environmental law practice management group from 2005 through 2010, and as a member of the firm's Executive Committee from 2010-2013.

**Dale Stern** assists clients with understanding the increasingly burdensome regulatory environment in which food companies must operate in California. Dale skillfully guides clients through the process of obtaining permits and licenses required to engage in the production, processing, marketing and retail sales of food and related products in California. Food and agricultural producers and processors rely on Dale to represent and protect their interests in legislative and regulatory settings, and in supporting or opposing ballot initiatives in California. He drafts legislation and regulations and regularly appears on behalf of clients before the California Departments of Food and Agriculture, Pesticide Regulation, Toxic Substances and various other state and federal agencies, during rulemaking, disciplinary, mediation, arbitration and legislative proceedings. Dale is known for his ability to work with all three branches of government to provide cost effective solutions on behalf of clients.

**Therese Ure Stix** has been with Schroeder Law Offices on both a full time and part time basis since 1993. In 2012, Therese became a shareholder in Schroeder Law Offices, P.C. Therese focuses her practice in areas including: agriculture, municipal, and irrigation district water use permitting, extensions, perfection, transfers, compliance, and protection; vested claim and historical water use research and adjudication; groundwater interference and connection; water use in designated, critical and limited areas; special patron rights and responsibilities; public lands (easements/right-of-way, permitting uses, grazing); agribusiness and business incorporation and formalities; litigation. She is a member of the Nevada State Bar, the Federal District Court of Nevada, the Oregon State Bar, the Federal District Court of Oregon, and the Ninth Circuit Court of Appeals. Therese is the Co-Chairperson of the Nevada State Bar's Environmental and Natural Resource Section, and previously held the position of Secretary/Treasurer.