

Gail L. Achterman

Director, Institute for Natural Resources
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M.S., Natural Resources Policy Management, University of Michigan, 1975.

J.D., Cum Laude, University of Michigan, 1974.

A.B., Economics with Honors, Stanford University, 1971.

Research interests: Application of science to public policy making, community-based collaborative natural resource management methods, public land law and policy, water law and policy. Current research projects include:

- Development of “fast track” water futures planning for rural communities
- Streamlining of permitting and environmental impact analysis for infrastructure development and public land management
- Use of systematic evidence-based review methodology to natural resource management

Recent Publications:

Achterman, Gail L. and Julia Doermann, “Oregon Coast Coho Restoration and the Endangered Species Act,” Stanford University Forum on *Endangered Species Act and Federalism: Effective Species Conservation Through Greater State Commitment*, Palo Alto, California February 25-27, 2005

Achterman, Gail L. and Renee Davis-Born, Irene Rolston, Lisa Gaines, “Oregon Coastal Community Water Supply Assessment,” Oregon Sea Grant Report, June 2005

Achterman, Gail L. and Campbell, Michael R., “The Continuing Evolution of the Clean Water Act and its Implications for Natural Resources Development,” 43 *Rocky Mt. Min. L. Inst.* Ch.8 (1997)

Instruction: BRE 407/507/607 Oregon Water Policy and Law Seminar

Career History:

2000-2003 Executive Director, Deschutes Resources Conservancy Bend, Oregon

Successfully developed proposal and negotiated carbon dioxide purchase agreement with the Climate Trust for a riparian reforestation project. Developed business plan, obtained funding and launched the Deschutes Water Exchange to facilitate water transactions to improve in stream flows in the Deschutes Basin and generates revenue to support stream flow restoration. Organized local watershed group coalition to prepare Northwest Power Planning Council sub-basin plan for the Deschutes Basin.

1991–2000 Partner, Stoel Rives LLP Portland, Oregon

Expanded and developed natural resource and environmental law practice throughout the Pacific Intermountain West with particular emphasis on water and endangered species issues. Lead legal counsel on major cases involving the Endangered Species Act, the Clean water Act and state water rights, including matters in the Klamath Basin, the Columbia Basin and the Rogue Basin. Advised client on development of major federal forest land exchange project aimed at habitat restoration. Primary outside legal counsel on reform of state Energy Facility Siting Act and implementing regulations, 1993 Legislative Assembly. Primary outside legal counsel on reform of water rights permitting process, 1993 Legislative Assembly. Primary outside legal counsel on legislation implementing Ballot Measure 66, 1999 Legislative Assembly.

1987–1991 Assistant to the Governor for Natural Resources, Governor's Office Salem, Oregon

Responsible for statewide interagency natural resource, environmental and energy policy development and implementation. Developed interagency legislative priorities and worked with Legislature for passage, including major reform of the Oregon Forest Practices Act, innovative Groundwater Protection Act, creation and funding for Oregon Youth Conservation Corps, legislation creating the independent Parks and Recreation Department and legislation creating the Governor's Watershed Enhancement Board. Led Oregon Forest Planning Team developing Oregon alternatives for the forest plans on all 13 national forests in Oregon. Chaired interagency state-federal panel reviewing and approving Deschutes River Management Plan, 1990-91. Chaired Interagency Hazards Communications Council developing statewide hazardous materials reporting and response program. Led state participation in federal legislation designating Wild and Scenic Rivers in Oregon in 1990. Chair, Ocean Resource Task Force (developed first ocean resource management plan for area seaward from ordinary high tide on Oregon Coast). Chair, Strategic Water Management Group (prepared integrated interagency legislative and budget program for 1989 Legislature).

1978–1987 Associate and Partner, Stoel, Rives, Boley, Fraser & Wyse Portland, Oregon

Developed specialized legal practice in natural resources and environmental law with focus on public land law, natural resource acquisition and development and large project permitting. Lead legal counsel negotiating joint venture agreements and acquisitions for major mining companies throughout the western United States. Lead legal counsel for development of the Mist Gas Field, Oregon's only producing gas field. Advised

Association of O&C Counties on development of forest plans for all BLM lands in Oregon. Advised largest cattle ranch in Oregon on all federal land grazing permit and management issues.

1975-1978 Attorney Advisor and Special Assistant to the Solicitor, U.S. Department of the Interior Washington, D. C.

Lead attorney on implementation of Federal Land Policy and Management Act (BLM Organic Act). Lead attorney drafting and implementing Teton Dam Disaster Assistance Act.

Selected Publications:

Achterman, Gail L., "An Evaluation of State Energy Facility Siting Acts," in *Resources Development Environmental; Land Management and Permitting* (1996 Rocky Mountain Mineral Law Foundation)

Achterman, Gail L. and Mostow, Peter D., "Senate Bill 674: Increasing the Flow Rate of Oregon's Water Rights Permitting Process," 32 *Willamette L.J.* 187 (1996)

Holmes, William H. and Achterman, Gail L., "Bureau of Reclamation Contract Renewal and Administration: When is a Contract Not a Contract?" 41 *Rocky Mt. Min. L. Inst.* Ch. 23 (1995)

Achterman, Gail L., "Implementing Plastics Recycling Mandates," 9 *Natural Resources & Environment* 13 (American Bar Association, Fall 1994)

Achterman, Gail L. "Reflections on Owls, Salmon, and Suckers: Current Developments under the Endangered Species Act, 38 *Rocky Mt. Min. L. Inst.* (1992)

Achterman, Gail L., Johnson, K. Norman, Stevens, Susan K., "NFMA and FLPMA: Fifteen Years of Planning," In *Public Land Law* (1992 Rocky Mountain Mineral Law Foundation)

Achterman, Gail L., "Strategies for Minimizing Hazardous Wastes in Oregon," 18 *Environmental L.J.* 901 (1988)

Achterman, Gail L., Resource Stewardship: Approaches to Policymaking and Conflict Resolution" in Northwest Forestry in Transition-The 1987 Starker Lectures, Oregon State University College of Forestry, 1987

Varnum, John E. and Achterman, Gail L., "Toxic Waste Liability: A Risk in Acquisitions," 8 *National Law Journal* 15 (October 82, 1985)

Achterman, Gail L., "Rights-of-Way Under Title V of FLPMA," *Rights of Access and Surface Use*, Paper No. 7 (Rocky Mt. Min. L. Fdn. 1984).

Achterman, Gail L., "Cost Recovery by Federal Land Management Agencies: Fees for Benefits Received or Unlawful Tax?" 26 *Rocky Mt. Min. L. Inst.* 313 (1980)