

## **WATER AND POWER LAW GROUP PC**

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### **JOHN C. BEZDEK**

#### **BAR**

Louisiana (1995)  
District of Columbia (2017)

#### **EDUCATION**

LL.M., George Washington University (1997)  
J.D., *Magna Cum Laude*, Southern University School of Law (1995)  
B.G.S., Louisiana State University (1989)

#### **EMPLOYMENT**

##### **Water and Power Law Group**

**Shareholder (2018 – Present)** – Shareholder of national law firm focusing on solving otherwise intractable problems in the areas of water resources, water rights, habitat restoration, tribal water rights, and endangered species compliance. Highly experienced in the resolution of complex disputes involving natural resources whose advice and counsel is often sought by senior government officials, regulatory agencies, members of Congress, and representatives from tribal, state and local governments. Is an expert in Reclamation law and policy and the development, approval, construction, and management of large-scale water resources and habitat restoration projects. Selected current engagements include: special counsel for water for authority in California with over 1 million acres of land in production; counsel to resolve water rights for two Indian Tribes in the southwestern United States; providing legal counsel and project management expertise on a bi-national desalination project.

##### **Dentons US LLP**

**Counsel (2016 – 2018)** – Member of Public Policy and Regulation, Native American Law and Policy, and Energy practice groups at the world’s largest law firm. Advise and counsel clients on natural resources and legislative/administrative processes. Specific accomplishments include: developed successful argument used in administrative litigation over interpretation of water rights; successfully obtained establishment of first Indian water rights negotiation team under current Administration; successfully obtained Administration approval to replace tribal lands that are perpetually flooded by operations of a Corps of Engineers lock and dam.

## **United States Department of the Interior (1997 – 2016)**

**Counselor to the Deputy Secretary (2014 – 2016)** – Responsible for counseling the Secretary and Deputy Secretary on matters pertaining to the administration of natural resources and tribal rights. Represent the Department on issues before the Administration, Congress, and state and local governments. Specific focus on addressing impacts of drought in California, integrated operations of state and federal water projects, development and implementation of the California WaterFix (formerly the Bay Delta Conservation Plan), legislative approval and implementation of Klamath Settlement Agreements, and oversight and direction for Land Buy-Back Program for Indian Tribes.

**Assistant Solicitor for Water and Power, Supervisory Attorney (2008 – 2014)** – Managed and directed all significant legal issues arising from the administration and operations of the Bureau of Reclamation programs and projects. Reviewed and approved positions on significant litigation and development of new water resources programs. Advised and counseled cabinet and sub-cabinet officials, members of Congress, and state/local officials on matters pertaining to water resources development and administration. Directed and managed up to eight staff attorneys.

**Senior Advisor to the Chief of Staff (2010 – 2014)** – In addition to duties as Assistant Solicitor, directed and coordinated Administration's efforts on implementation of settlement agreements in the Klamath Basin, the largest dam removal and restoration effort ever proposed in the country. Responsible for administration of myriad issues including tribal fishing rights, regulation of public utilities, construction and planning of a significant civil works project, development and oversight of public science process, and stakeholder outreach.

**Deputy Director, Secretary's Indian Water Rights Office (2004 – 2008)** – Managed and directed efforts of 19 inter-agency and inter-disciplinary negotiating teams on large-scale, multi-party water rights negotiations as trustee for Indian Tribes in the western United States. Negotiated with tribal, state and local officials and members of Congress on the development of settlement agreements and implementing legislation.

**Attorney/Advisor, Branch of Water and Power (1997 – 2008)** – Advised and counseled senior officials on administration and operation of water resources development projects. Litigated and provided litigation support in both administrative and judicial forums. Drafted legal opinions, legal instruments, and legislation. Represented the Department in administrative proceedings.

## **PROFESSIONAL AWARDS AND RECOGNITION**

**John W Keys III Award for Building Partnerships and Strengthening Relationships** – Awarded by the senior managers of the Bureau of Reclamation in recognition of actions that build partnerships and strengthen relationships engaged in water resources issues.

**Solicitor's Excellence Award** – Awarded by the Solicitor for leadership in settling the water rights for the Black Canyon of the Gunnison National Park.

**NOAA General Counsel Award of Recognition** – Awarded by NOAA General Counsel for creative problem solving in protecting west coast salmon stocks while strengthening stakeholder relationships.

**Commendation by Senator Feinstein** – For resolution of complex water supply and environmental restoration problems in California and Oregon.

**Klamath Water Users Distinguished Service Award** – In recognition of efforts in reaching resolution of water disputes in the Klamath Basin.

**Deputy Secretary's Award of Recognition** – Presented to John for his outstanding contributions in developing a rule for off-stream storage of Colorado River water in the Lower Basin States of Arizona, California, and Nevada.

### **SELECTED PROFESSIONAL ACCOMPLISHMENTS**

**California drought legislation** – John has been the lead negotiator for the Interior Department and the Obama administration on various congressional proposals to address the impacts of drought in California and elsewhere in the western US, working directly with members of Congress in both the Senate and House, the California Governor's Office and other stakeholders.

**Klamath Settlement Agreements** – The Klamath Basin has been home to one of the most intractable water rights disputes in the nation's history. John led Interior Department and Obama administration efforts that resulted in four landmark agreements—the Klamath Basin Restoration Agreement, the Upper Klamath Basin Comprehensive Agreement, the Klamath Hydroelectric Settlement Agreement and the Klamath Power and Facilities Agreement—that collectively resolve issues over tribal water and fishing rights while also maintaining the long-term stability of irrigated agriculture in the basin by firming water supplies and power costs. More than 40 parties were involved in these agreements, including Bureau of Reclamation project contractors, 400 private ranches, four county governments, two state governments and nongovernmental organizations. The Klamath Hydroelectric Settlement Agreement established a path forward for removal of four privately owned dams that, when complete, will comprise the largest dam removal and river restoration project ever undertaken in the history of the United States.

**California WaterFix** – Working directly with the state of California and various other stakeholders, John negotiated a path forward on Endangered Species Act compliance for the construction and operation of a major water conveyance facility that, once constructed, will be a vital component for securing California's water future.

**Navajo Nation-San Juan Settlement** – John was the lead departmental negotiator in developing the water rights settlement for the Navajo Nation on the San Juan River in New Mexico, which included substantial public works features. At the time of enactment, this was the largest and most expensive water settlement in the history of the department.

**Colorado Ute water rights Settlement** – John negotiated the water rights settlement between the Colorado Ute Tribes and entities in New Mexico and Colorado, including what was at the time an authorization for the first major civil works/dam and reservoir project undertaken by the Bureau of Reclamation in more than a generation. John also negotiated all the construction contracts and obtained all the required regulatory approvals associated with implementation of the settlement.

**Water rights for Black Canyon of the Gunnison National Park** – John lead a multi-agency effort that reached a settlement over the water rights for the Black Canyon of the Gunnison National Park in a case that was more than 40 years old. This involved resolving conflicts over

federal reserved rights, endangered species needs, hydropower development, maintaining existing uses of water and securing future uses to accommodate population growth in Colorado.

**Texas v. New Mexico** – This original jurisdiction case in the US Supreme Court, and the related Lower Rio Grande Adjudication, is over who controls the waters of the Rio Grande. John was a managing attorney in the development of the United States' litigation in the Supreme Court and in determining the nature and extent of claims filed by the United States to the waters of the Lower Rio Grande in New Mexico that were upheld in court.

**California 4.4 Plan and Salton Sea Restoration** – John was the lead government attorney developing the environmental compliance approach to support the development of the California 4.4 Plan. John was also the lead government attorney working on Salton Sea issues during the Clinton and Bush Administrations.

**Trinity River Restoration Program** – Lead Attorney representing the Bureau of Reclamation in the development of the Trinity River Restoration Program, which is designed to restore the salmon runs on the Trinity River of Northern California by reshaping the river channel. Helped develop governance structure for implementation of science program.

### **SELECTED PRESENTATIONS**

Speaker, "How the Law Shapes River Restoration Efforts," University of New Mexico School of Law, Utton Center, River Restoration Conference, September 2011

Panel discussion on Klamath settlement agreements, Environmental Law Conference at Yosemite, 2010

Speaker, "Settling the Klamath - Basin Restoration by Agreement," Association of California Water Agencies, Monterrey, CA, 2010

Speaker, "Maintaining Rights of Way when Changing from Agricultural to Urban Uses," Washington State Water Resources Association Annual Convention, December 2008

Speaker, "How to Resolve Disputes over Water Rights," Virginia Water Resources Center, Virginia Tech University, April 2018

Speaker, "How to Negotiate Tribal Water Rights," National Water Resources Association August 2018

Speaker, "How to Make Your Indian Water Settlement Work," Arizona Water Rights Conference, 2017