



HARTY Conflict Consulting & Mediation

J. Michael Harty is an independent practitioner doing business as *Harty Conflict Consulting & Mediation (HCCM)*, located in Davis, California. He has over 14 years of direct experience in the field of conflict management and resolution, and before that nine years as a practicing lawyer.

Harty has direct experience with water rights and water quality, ocean, mining, ecosystem restoration, and endangered species issues. He has worked on multiple projects where the interests of Native American tribes were significant. He also has experience with hazardous waste cleanup and toxic exposure issues, and with public education, employment, local government, business, and other public policy disputes. He is comfortable working in a litigated case environment as well as prior to the initiation of legal action.

Harty holds a J.D. *cum laude* from Georgetown University Law Center in Washington, DC and a B.A. *cum laude* from Kenyon College in Gambier, Ohio. He also attended Waseda University in Tokyo, Japan, and Grenoble University in Grenoble, France. Harty received his training in environmental and public policy mediation from CDR Associates, in mediation from the American Arbitration Association, and in facilitation from Interaction Associates. He previously worked for *CDR Associates* in Boulder, CO from 1995-2004, and for the *Center for Collaborative Policy/Sacramento State*, from 2004-2006.

Harty practiced law for approximately nine years in a variety of settings, including O'Melveny & Myers (NYC), The Hannon Law Firm (Denver), and the Natural Resources Defense Council (NYC). He represented a wide range of clients in diverse litigation matters that included hazardous waste, water quality, environmental insurance coverage at NPL sites (representing CIGNA), endangered species, securities, and complex financial and contract issues (clients included Bankers Trust and Citibank). He is familiar with a wide range of federal environmental statutes including the Clean Water Act, Clean Air Act, NEPA, and Endangered Species Act as a result of his legal and mediation experience. He also is familiar with some state environmental statutes, particularly those in California.

Harty has extensive experience assessing, convening, designing and facilitating/mediating large and complex public and organizational disputes. These include large-scale collaborative planning efforts, public policy dialogues, matters in litigation, regulatory negotiations, and site-specific disputes. He also consults on strategic issues related to conflict management and decision making. Harty also has served as an outside evaluator of a complex and controversial public policy development process in California.

The following are examples of HCCM projects. Please contact HCCM directly to discuss any of these projects, or to learn about other projects not listed here.

- **Lake Coeur d'Alene Lake Management Assessment and Mediation**
- **Klamath River Basin Assessment and Mediation, U.S. District Court, Oregon**
- **El Dorado County, CA Land Use Situation Assessment**
- ***U.S. v. Abousleman* Water Rights Settlement Negotiations**
- ***U.S. v. Abeyta* Water Rights Settlement Negotiations**
- ***Kansas v. Nebraska and Colorado*, No. 126 Original Settlement Negotiations**
- **Alpine County (CA) Winter Recreation Dialog**
- **Mokelumne River (CA) Forum**
- **Hunter Reservoir (CO) Mediation**
- **Lessons Learned from California's Marine Life Management Act**
- **Lessons Learned from California's Marine Life Protection Act (MLPA) Initiative: Central Coast Pilot Project, North Central Coast Study Region**
- **Using Socioeconomic Information in the Design of Marine Protected Areas: Report to CA Fish and Game Commission**

Sample Presentations

"Blue Ribbon Decision Making in California," organizer and moderator for a panel presentation at U.S. Institute for Environmental Conflict Resolution national conference in Tucson, AZ May 20-22, 2008.

"Lessons Learned from the California Marine Life Protection Act Initiative: An Outside Perspective," panelist at *California and the World Ocean Conference* in Long Beach, CA, September 18-20, 2006.

“Surveying Our Values and Assessing Our Neutrality,” organizer and moderator for panel presentation at U.S. Institute for Environmental Conflict Resolution 2005 national conference in Tucson, AZ, May 2005.

“Challenges of Creating Collaborative Institutions,” organizer and moderator for panel presentation at ECR 2005 national conference in Tucson, AZ, May 2005.

“Alternative Dispute Resolution in Environmental Litigation,” panel presentation for the California Environmental Trial Academy, sponsored by the California Bar Association, May 2005.

“Keep the Water Flowing: Strategies for Mediation of Water Disputes,” panel presentation on Indian water rights settlements and other water conflicts for ABA Section on Alternative Dispute Resolution, April 2005.

“Use of ADR In Complex Environmental Cases,” panel presentation at California Bar Association Yosemite Conference on Environmental Law, 2004

“I’m Right, You’re Wrong, Let’s Settle: A Perspective on Values and Collaboration in Water Conflicts,” panel presentation at American Bar Association, Section of Environment, Energy, and Natural Resources, *2004 Water Law Conference*. Same paper presented at University of Nebraska College of Law, UNL Institute of Agriculture and Natural Resources & UNL Water Center, *First Annual Water Law, Policy and Science Conference: Finding Solutions to Multi-jurisdictional Water Conflicts*, March 2004.

“Polarization and Conflict Over Water in the Klamath River Basin,” panel presentation at the U.S. Institute for Environmental Conflict Resolution Conference, May 2002.

“Partnering, Power, and Change: The Implications of Historic Western Water Relationships for Developing New Partnerships.” Colorado Water Workshop Plenary Session, Gunnison, CO. July 1997.

Bar Admission

Colorado (no longer active), New York (no longer active)