

Clifford (Cliff) Lee, one of California's most knowledgable and respected water law experts, died suddenly late last month. His passing leaves a tremendous void in the field of California water law and policy.

After earning his undergraduate degree from U.C. Berkeley, Cliff attended law school at U.C. Davis and quickly became entranced by water law. Upon receiving his law degree in 1976 and passing the California Bar, Cliff's first legal job was serving as a staff attorney with then-California Governor Jerry Brown's Commission to Review California Water Rights Law. (Faced with a protracted drought in the mid-1970's, Governor Brown appointed a distinguished group of water law experts to develop and recommend a series of reforms to California's antiquated water rights system that would make it more responsive to modern conditions.) The Commission, ably aided by its staff, developed a series of thoughtful reform proposals that–at least in the 1970's–wound up being widely ignored by state policymakers.

But that experience only deepened Cliff Lee's passion for water law and policy. His next job was as a Deputy Attorney General with the California Department of Justice's Natural Resources Law Section,. There he quickly emerged as the Department's lead attorney on water law and related issues. For over 40 years, Cliff most ably represented the State of California in critically-important water litigation in both state and federal courts. His principal clients were the California Department of Water Resources, the Department of Fish and Wildlife and–especially–the State Water Resources Control Board, the agency responsible for administering California's water rights system.

Of equal importance as his mastery of water law litigation in the courtroom was Cliff's ability to provide consistently wise counsel to his client agencies. He was also a master at the negotiating table, often brokering important water law settlements following lengthy and arduous negotiations.

In all of these roles, Cliff earned the respect of the entire California water law community–opposing attorneys, water districts, state agency officials and judges alike. Cliff's quiet but incisive and persuasive views, along with his rock-solid integrity, made him a legend in California water law and policy circles over four decades.

In addition to his busy water law practice, Cliff somehow found time to serve as an adjunct professor at U.C. Hastings College of the Law. There he taught water law–and shared his passion for water law and policy with hundreds of law students–for almost 20 years.

In recognition of his distinguished career of public service, the California Lawyers Association's Environmental Law Section awarded Cliff Lee its annual Lifetime Achievement Award in 2020.

Cliff retired from the California Department of Justice in 2019, but he didn't slow down. Instead, he continued to write and publish articles on water issues. Beginning in 2021, Cliff volunteered to collaborate with a small group of fellow water wonks (myself included) on yet another attempt to reform California's water rights laws. This time, in the face of an even more serious and extended state drought than the one in the 1970's, that reform effort gained considerably more political traction. Based in part on Cliff's astute reform proposals and testimony before the California Legislature, several of those proposals were enacted by the Legislature and signed into law by Governor Gavin Newsom.

Right up until his passing last month, Cliff was busy working on drafting and refining additional water law reform proposals. The working group of which he was a critical part has pledged to pursue those reforms in the 2023 California legislative session. So Cliff's legacy in water law and policy continues to grow even after his untimely death.

Unfailingly modest, self-effacing, thoughtful and eloquent, Cliff Lee was one of California's most widely respected water law attorneys and thought leaders. He leaves behind an abiding legal legacy. California water law and policy are much the

poorer for Cliff’s passing.