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- Mayer Brown LLP
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## Who Should Attend:

Attorneys, legal advisors, environmental professionals, developers and government representatives

An Advanced One-Day Workshop on

# NEPA and Practical Project Development Issues

Practical tips and techniques to navigate the ever-changing NEPA landscape

June 10, 2008

Chicago, Illinois

The Gleacher Center

Credits: IL CLE 7 (call about others)

Quick when/where: 8:30 a.m., 450 North Cityfront Plaza Drive

## NEPA Workshop

June 10, 2008 | Chicago, Illinois  
The Gleacher Center

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**8:00 Registration and Continental Breakfast**

**8:30 Introduction and Overview**  
**Kathryn Kusske Floyd, Esq., Program Co-Chair**  
 Mayer Brown LLP ~ Washington, DC  
**Jeffrey C. Fort, Esq., Program Co-Chair**  
 Sonnenschein Nath & Rosenthal LLP ~ Chicago, IL

**8:45 Fundamentals of NEPA**  
 Are you subject to it and what do you do? How do you deal with it? Making your record; preliminary meetings  
**Timothy J. Hagerty, Esq.**  
 Frost Brown Todd LLC ~ Louisville, KY

**9:15 NEPA: Making It Work and Dealing with Climate Change**  
 How to make the NEPA process work; guidance from the principal draftsman of the federal government's NEPA regulations; new developments including climate change and projects on Indian Lands  
**Nicholas C. Yost, Esq.**  
 Sonnenschein Nath & Rosenthal LLP ~ San Francisco, CA

**10:00 Break**

**10:15 Transportation and NEPA**  
 New rail corridor around Chicago; ports; issues for airports; the role of private equity and partnerships in financing projects  
**Kathryn Kusske Floyd, Esq., Program Co-Chair, Moderator**  
**Kevin M. Sheys, Esq.**  
 Kirkpatrick & Lockhart Preston Gates Ellis LLP  
 Washington, DC  
**James Pass, Managing Director**  
**Aaron Barman, Director, Infrastructure Finance**  
 RBC Capital Markets Corporation ~ Chicago, IL

**11:30 Cumulative Impacts**  
 Defining and analyzing: How to deal with problems; challenges in NEPA documents; defining the scope of the analysis for proponents or agency, given its jurisdiction; designing the project to get the right results; review of cumulative impacts case law  
**Michael D. Smith, Ph.D., Senior Environmental Specialist**  
 ICF International, Inc. ~ Fairfax, VA

**12:15 Lunch (on your own)**

**1:30 Alternative Dispute Resolution in Environmental and Climate Change Dispute Settings**  
 Use of mediation and other ADR techniques in disputes involving businesses, private citizens and government agencies  
**R. Wayne Thorpe, Esq.**  
 JAMS ~ Atlanta, GA

**2:15 NEPA Recent Litigation Cases**  
**Horst Greczmiel, Associate Director for NEPA Oversight**  
 Council on Environmental Quality ~ Washington, DC

**3:00 Break**

**3:15 Army Corps and Wetlands**  
 Trying to understand the Supreme Court Rapanos decision; practical wetlands  
**Susan E. Brice, Esq.**  
 Mayer Brown LLP ~ Chicago, IL  
**John H. Morton, P.E., Senior Vice President**  
 HDR, Inc. ~ Omaha, NE

**4:45 EIS in Development**  
 Endangered species; wind farms and alternative energy projects; energy facilities siting; new renewables standards in Wisconsin, Illinois and Michigan  
**Jeffrey C. Fort, Esq., Program Co-Chair**

**5:30 Evaluations and Adjourn**



## About the Workshop

### LAW SEMINARS INTERNATIONAL

#### Advanced Workshops

offer busy practitioners intensive up-to-date information in a one-day program.

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*This advanced workshop will cover a broad range of NEPA compliance issues and other laws and regulations affecting project developments in the Midwest. The program will focus on the origins of NEPA, the use of alternative dispute resolution techniques in environmental conflicts, and a review of state and local requirements that affect projects in the public-private sectors.*

*Highly experienced practitioners and developers will share practical tips and techniques to navigate the ever-changing NEPA, legal, business and political landscape.*

*~ Program Co-Chairs: Kathryn Kusske Floyd, Esq. and Jeffrey C. Fort, Esq.*



**Kathryn Kusske Floyd**, *Program Co-Chair*, partner at Mayer Brown LLP, was lead environmental and regulatory counsel on transportation infrastructure projects, including rail, port, airport and highway. They have involved securing necessary federal, state and local permits and approvals, and implementing NEPA compliance.

**Jeffrey C. Fort**, *Program Co-Chair*, partner at Sonnenschein Nath & Rosenthal LLP, focuses on environmental law and co-directs the Climate Change practice. His practice includes permitting and siting of renewable fuel and energy projects, and the development and transactions relating to carbon offset and renewable energy credits.

**Aaron Barman** is Director of Infrastructure Finance at RBC Capital Markets Corporation.

**Susan E. Brice**, partner at Mayer Brown LLP, focuses on environmental litigation and compliance. She represents clients in environmental, toxic tort, and product liability litigation, including claims involving the Clean Water Act, Clean Air Act, CERCLA and RCRA.

**Horst Greczmiel** is Associate Director for NEPA Oversight at the Council on Environmental Quality.

**Timothy J. Hagerty**, member at Frost Brown Todd LLC, counsels on environmental compliance, liability and litigation issues arising under federal, state, and local laws, emphasizing natural resources law. He assists clients in obtaining wetlands and wastewater discharge permits, and assists public and private clients in complying with NEPA.

**John H. Morton**, Senior Vice President at HDR, Inc., specializes in environmental and regulatory issues related to civil engineering structures. His work spans the design, permitting and approval of structures including gravity dams, navigation facilities, highway systems, railroads, pipelines and fiber optic cables.

**James Pass** is Managing Director at RBC Capital Markets Corporation.

**Kevin M. Sheys**, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, focuses on railroad and public transit regulatory law, mergers, acquisitions and infrastructure projects. He represents freight and commuter railroads, public transit systems, railroad and transit equipment manufacturers, suppliers, service companies and state, municipal and special purpose transportation agencies.

**Michael D. Smith, Ph.D.**, Senior Environmental Specialist at ICF International Inc., manages and provides technical guidance for large, complex and controversial NEPA projects. He handles the cumulative impacts analyses for a number of projects, including the Rail Corridor for the Yucca Mountain High-Level Nuclear Waste Repository in Nevada and for one of the longest natural gas pipelines ever proposed in the U.S.

**R. Wayne Thorpe**, Director of the JAMS Atlanta office, has acted as mediator, arbitrator, or other neutral in environmental, toxic tort, construction runoff and land use cases. Previously, he was a litigation partner in a large Atlanta firm.

**Nicholas C. Yost**, partner at Sonnenschein Nath & Rosenthal LLP, focuses on counseling, document review, administrative proceedings and litigation under NEPA and its state analogues including CEQA. Previously, he was General Counsel of the President's Council on Environmental Quality.



## Registration & Other Workshop Information

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Fax the registration form to us at: 206-567-5058

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Web site: www.lawseminars.com

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

**Tuition:** Regular tuition for this program is \$595 with a group rate of \$520 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$445. For students and people in their job for less than a year, our rate is \$297.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

**Substitution & Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we

receive your cancellation by 5:00 p.m. on Wednesday, June 4, 2008. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

**Seminar Location:** The workshop will be held at the The Gleacher Center at 450 North Cityfront Plaza Drive in Chicago, IL 60611; (312) 464-8787. Check The Gleacher Center website, Area Attractions, for a list of area hotels at <http://www.gleachercenter.com>

**Continuing Education Credits:** This program qualifies for 7 Illinois CLE. Upon request, we will apply for CLE credits in other states and other types of credits.

**If You Cannot Attend:** Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$605. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).



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### You Will Learn About:

- Fundamentals of NEPA
- How to make the NEPA process work and dealing with climate change
- Transportation and NEPA
- Cumulative impacts
- ADR in environmental disputes
- Recent litigation cases
- Army Corps and wetlands
- EIS in development

### Watch for our telebriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for telebriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

[kate@lawseminars.com](mailto:kate@lawseminars.com)

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### Upcoming Related Seminars:

Condominium & Mixed-Use Development	April 25, 2008	Chicago, IL
Climate Change and Land Use	May 5 & 6, 2008	Tarrytown, NY
Shoreline Development	May 9, 2008	Miami, FL
Idaho Water Law	May 15 & 16, 2008	Coeur d'Alene, ID
Site Remediation in New Jersey	May 30, 2008	Trenton, NJ
Development Agreement, Easements and CCRs	June 6, 2008	Chicago, IL
Construction Law	July 10 & 11, 2008	Chicago, IL

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