



Featuring Speakers From:

- Bricklin Newman Dold, LLP
- Cascadia Law Group PLLC
- City of Mountlake Terrace
- ESA Adolfson
- Foster Pepper PLLC
- King County Executive Office
- McCullough Hill, PS
- Owen L. Schmidt LLC
- Washington State Department of Ecology
- Washington State Office of the Attorney General
- Weinman Consulting, LLC

Who Should Attend:

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

An Advanced One-Day Workshop on

SEPA & NEPA

The latest on the compliance process from developing proposals through judicial review

Featuring Jay J. Manning, Director, Department of Ecology

January 16, 2008

Seattle, Washington

Red Lion Hotel

Credits: WA CLE 7 (call about others)

Quick when/where: 8:30 a.m., 1415 Fifth Avenue

SEPA & NEPA Workshop

January 16, 2008 | Seattle, Washington
Red Lion Hotel

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08 SEPAWA WS



8:00 Registration and Continental Breakfast

8:30 Introduction and Overview
Rodney L. Brown, Jr., Esq., Program Co-Chair
 Cascadia Law Group PLLC ~ Seattle, WA
Richard L. Settle, Esq., Program Co-Chair
 Foster Pepper PLLC ~ Seattle, WA

8:45 SEPA/NEPA Case Law Update
 SEPA
Richard L. Settle, Esq., Program Co-Chair
 NEPA
Owen L. Schmidt, Esq.
 Owen L. Schmidt LLC ~ Portland, OR

9:45 SEPA and the Consolidated Permit Appeal Process, Administrative Appeals and Judicial Review
 Local issues (Brightwater); general requirement for consolidation
Jennifer Dold, Esq.
 Bricklin Newman Dold, LLP ~ Seattle, WA

10:15 Break

10:30 SEPA Administrative and Statutory Categorical Exemptions, Defining the Proposal and Cumulative Impacts
 SEPA/GMA integration; infill development; cumulative impacts
John C. McCullough, Esq.
 McCullough Hill, PS ~ Seattle, WA
 Urban/Forest interface
Cheryl Nielson, Esq., Assistant Attorney General
 Washington State Office of the Attorney General ~ Olympia, WA

11:30 SEPA/NEPA and Climate Change
 New policy initiatives at the state and local levels
Jay J. Manning, Esq., Director
 Washington State Department of Ecology ~ Olympia, WA
Jim Lopez, Esq., Deputy Chief of Staff
 King County Executive Office ~ Seattle, WA

12:30 Lunch (on your own)

1:45 Writing the Perfect Cumulative Impacts Analysis Under SEPA and NEPA
 A six-part model for those who write or review EAs and EISs, combining science and the law
Owen L. Schmidt, Esq.
 Owen L. Schmidt LLC ~ Portland, OR

2:30 Designing SEPA/NEPA Compliance for Major Projects
 Defining the action; joint SEPA/NEPA review; phased reviews; single process; regulatory reform (RCW 43.21C.240 and planned actions)
Lloyd Skinner, AICP, Northwest Regional Director
 ESA Adolphson ~ Seattle, WA
 What to do when you know litigation is coming
J. Tayloe Washburn, Esq.
 Foster Pepper PLLC ~ Seattle, WA

3:30 Break

3:45 EIS Design and Preparation
 The roles of the legal advisor, environmental consultant and responsible official; the use of existing analyses; phased review; EIS supplementation and addenda; the comment process; regulatory reform; and SEPA/NEPA integration
G. Richard Hill, Esq.
 McCullough Hill, PS ~ Seattle, WA
Richard Weinman, Esq.
 Weinman Consulting, LLC ~ Mercer Island, WA

4:45 SEPA and GMA Integration
 For the comprehensive plan update, planned actions and unique clauses within the GMA
Shane Hope, AICP, Planning and Development Director
 City of Mountlake Terrace ~ Mountlake Terrace, WA

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 workshop will cover the entire range of the SEPA/NEPA compliance processes, from developing proposals and alternatives through judicial review, for both project and non-project actions. The program will be oriented to proposals large and small, addressing exemption determinations, mitigated DNSs, FONSI and EISs, and will include perspectives of government agencies, proponents and opponents.

In recognition of the interdisciplinary nature of SEPA/NEPA compliance teams, the respective roles of lawyers, environmental professionals and governmental officials will be a pervasive theme, as will similarities and differences between SEPA, NEPA, GMA and joint compliance processes.

~ Program Co-Chairs: Rodney L. Brown, Jr., Esq. and Richard L. Settle, Esq.



Rodney L. Brown, Jr., Program Co-Chair, founder of Cascadia Law Group PLLC, specializes in environmental law. He worked on most of the region's Superfund cleanups, the permitting of major industrial and municipal facilities and the development of large-scale Brownfields properties. He was principal author of Washington's Superfund Law and the Model Toxics Control Act, and was listed in *Best Lawyers in America*.

Richard L. Settle, Program Co-Chair, of counsel at Foster Pepper PLLC, practices land use and environmental law, including SEPA/NEPA law and litigation. He is Professor of Law Emeritus in land use, environmental property and tort law at Seattle University School of Law and author of *The Washington State Environmental Policy Act, A Legal and Policy Analysis*.

Jennifer Dold, partner at Bricklin Newman Dold, LLP, represents individuals, municipalities, environmental and neighborhood groups in land use and environmental cases. She has addressed various SEPA issues before local jurisdictions, the Shorelines Hearings Board, the Pollution Control Hearings Board and the Growth Management Hearings Board in Washington.

G. Richard Hill, founding principal of McCullough Hill, PS, practices land use, zoning and growth management law. He was listed in *Best Lawyers in America*, *Chambers USA* and *Washington Law & Politics*' "Top 100 Lawyers".

Shane Hope, Planning and Development Director for the City of Mountlake Terrace, led completion of a planned action environmental statement that combined SEPA and GMA analysis for Mountlake Terrace's Town Center. Previously she was Managing Director for Washington State's Growth Management Program.

Jim Lopez, Deputy Chief of Staff in the King County Executive Office of Ron Sims, leads the Executive's global warming team.

Jay J. Manning is Director of the Washington State Department of Ecology. Previously in private practice, he focused on water resources, water quality, ESA issues, Brownfields redevelopment and environmental cleanup. He was Chief Counsel for the Washington State Department of Ecology and President of the Washington Environmental Council.

John C. McCullough, partner at McCullough Hill, PS, focuses on land use and real estate financing and development. He was listed in *Best Lawyers in America*, *Chambers USA* and is a *Washington Law & Politics*' "Superlawyer" and "Top 40 Environmental Lawyer".

Cheryl Nielson, Assistant Attorney General in the Natural Resources Division of the Washington State Office of the Attorney General, specializes in cases involving the state's regulation of timber harvesting and other forest practices, as well as state trust lands and real property matters. She is a Solicitor General Appellate Advisor.

Owen L. Schmidt is an environmental consultant and principal of Owen L. Schmidt LLC. Previously he was a Senior Counsel with the United States Department of Agriculture's Office of the General Counsel in Portland, Oregon and a Special Assistant United States Attorney in the District of Oregon.

Lloyd Skinner, Northwest Regional Director at ESA Adolphson, is a senior planner managing environmental compliance for site development projects. He negotiates environmental and land use permits for transportation, water, wastewater and other infrastructure projects.

J. Tayloe Washburn, member at Foster Pepper PLLC, focuses on developing and managing entitlement strategies on large and complex, public and private projects, litigation, environmental and land use practice. He is listed in *Best Lawyers in America* and *Washington Law & Politics*' "Top 100 Lawyers" and "Super Lawyer", and has an AV rating by Martindale-Hubbell.

Richard Weinman, of Weinman Consulting, LLC, is an attorney and planner who focuses on GMA issues, comprehensive/sub-area plans and development regulations, project permitting, SEPA/NEPA compliance and preparation of environmental documents for programmatic actions and development projects.



Registration & Other Workshop Information

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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

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, January 9, 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 Red Lion Hotel at 1415 Fifth Avenue in Seattle, WA 98101. Call the hotel directly at (206) 971-8000 for reservations. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 7 WA CLE credits. 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:

- Case law updates
- The consolidated permit appeal process
- Administrative and statutory categorical exemptions
- SEPA/NEPA and climate change
- Cumulative impacts analysis
- Designing SEPA/NEPA compliance for major projects
- EIS design and preparation
- SEPA and GMA integration

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

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Upcoming Related Seminars:

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Development Agreements, Easements and CCRs	February 15, 2008	Phoenix, AZ
Development Agreements, Easements and CCRs	February 22, 2008	Portland, OR
SEPA & NEPA	March 7, 2008	Phoenix, AZ
Water Law	April 10 & 11, 2008	Seattle, WA
Climate Change Regulation & Policy	April 10 & 11, 2008	Washington, DC
Land Use in Washington	April 14 & 15, 2008	Seattle, WA

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