

First Annual

"Little NEPA" Conference

State-Level Environmental Impact Assessment

"Integrity is your destiny it is the light that guides your way."

- Plato -

Date: May 30, 2005

Time: 9:00 a.m. - 5:00 p.m.

Place: Hyatt Regency Cambridge

Cambridge, Massachusetts



Section of Environment, Energy, and Resources

Organized by the

American Bar Association Environmental Impact Assessment Committee

and the



International Association for Impact Assessment

in partnership with the following organizations

Environmental Law Institute

Environmental Law Section of the Virginia State Bar

Environmental Law Section of the Minnesota State Bar

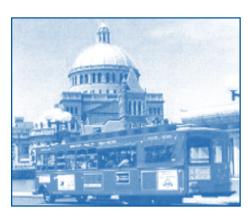
Environmental Law Section of the Hawaii Bar Association

Environmental Law Section of the Connecticut Bar Association

Environmental Law Section of the New York State Bar Association

Environmental Law Committee of the Association of the Bar of the City of New York

About the Conference



Beantown Trolley • Courtesy Brush Hill Tours/Gray Line of Boston

pproximately twenty states have their own programs for preparing environmental impact assessments of proposed governmental and private actions. These are often called "little NEPAs," but in the aggregate, they are responsible for the preparation of far more impact assessments than are created under the National Environmental Policy Act.

The program will provide a unique opportunity to compare the impact assessment practices in the different states, to identify best practices, to highlight emerging analysis techniques, and to understand the role of the courts in the impact assessment system. Environmental impact assessment issues will be examined in the context of the mini-NEPAs, with NEPA itself as a basis for comparison.

The program is designed to appeal to lawyers and environmental professionals from the U.S. and from other countries working in the environmental impact assessment field.

About the Sponsors

ABA and IAIA wish to thank the following generous sponsors who helped to make this conference possible.

Sonnenschein Nath & Rosenthal, LLP

P.E. LaMoreaux & Associates, Inc.

Program

Welcome (8:25 A.M.)

Karen Bryan, Vice President, P.E. LaMoreaux & Associates, Inc., Tuscaloosa, AL

Getting Started (8:30 A.M. – 10:00 A.M.)

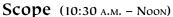
R.J. Lyman, Esq., Goodwin Procter LLP, Former Massachusetts Assistant Environmental Secretary and MEPA Director, Boston, MA, Moderator

Diane M.L. Mas, MSE, Senior Environmental Engineer, Fuss & O'Neill, Inc., West Springfield. MA

Daniel R. Mandelker, Stamper Professor of Law, Washington University in St. Louis, MO

Mark A. Chertok, Sive, Paget & Riesel, P.C., New York, NY

- Jurisdiction
- Review thresholds
- Exclusions and exemptions
- Coordination and consistency with other laws
- Types of review documents



Nicholas C. Yost, Esq., Sonnenschein Nath & Rosenthal, LLP, San Francisco, CA, Former General Counsel, CEQ, Moderator

Panelists

Horst Grezemiel, Esq., Associate Director for NEPA Oversight, Council on Environmental Quality, Washington D.C.

Barry Hill, Esq., Director, Office of Environmental Justice, US Environmental Protection Agency, Washington D.C.

Ken Weiner, Esq., Preston Gates & Ellis, LLP, Seattle, WA

- What must be covered
- Breadth and analysis
- The human environment
- Relationship to other little-NEPA documents

(Noon - 1:30 P.M.)

Lunch at "Special Topic" roundtables hosted by delegates from states with "Little NEPAs"

Preparation of EIA Documents (1:30 P.M. - 3:00 P.M.)

Norman F. Carlin, Esq., Pillsbury Winthrop LLC, San Francisco, CA, Moderator

Panelists

Lisa A. Bail, Esq., Goodsill Anderson Quenn & Stifel, Honolulu, HI Earl Phillips, Robinson & Cole, Hartford, CT

Daniel P. Selmi, Professor of Law, Loyola Law School, Los Angeles, CA Jane Wheeler, Camp Dresser McKee, Cambridge, MA

- What EIA document to prepare
- Whether to combine mini NEPA with NEPA documents
- Role of lead and other agencies
- Who prepares the EIA document?
- Public comment
- Analytical issues
- Consequences of unmitigable impacts

Post EIA Procedures (3:30 P.M. – 5:00 P.M.)

Michael B. Gerrard, Esq., Arnold & Porter LLP, Chair, ABA Section of Environment, Energy and Resources, New York, NY, Moderator *Panelists*

Michael Zischke, Esq., Morrison & Foerster, LLP, San Francisco, CA Gail Bingham, President, RESOLVE, Inc., Washington, D.C.

Jay Wickersham, Esq., FAIA, Noble & Wickersham LLP, Cambridge, MA

- Post-decision monitoring and enforcement
- Non-litigation resolution of disputes
- Litigation: Access to the courts
- Litigation: Outcomes and effects



Jumping whale. Courtesy Boston Harbor Cruises

State-Level EIA

This special one-day program is being co-sponsored by the American Bar Association's Section of Environment, Energy & Resources, the nation's leading organization of environmental lawyers, in partnership with the other co-sponsors and the International Association of Impact Assessment, the largest international association of its kind, on the occasion of the 25th Anniversary of IAIA.



Patriots Day • Courtesy Brush Hill Tours/Gray Line of Boston

Cost

\$105 Attending IAIA Conference \$185 Not attending IAIA Conference

For information, contact

International Association for Impact Assessment International Headquarters 1330 23rd Street South, Suite C Fargo, ND 58103 USA

Phone: (701) 297-7908 Fax: (701) 297-7917

info@iaia.org • www.iaia.org

or

Karen LaMoreaux Bryan Chair Environmental Impact Assessment Committee P.E. LaMoreaux & Associates, Inc. 1009A 23rd Avenue Tuscaloosa, AL 35401

Phone: (205) 752-5543 Fax: (205) 752-4043 kbryan@pela.com

Accommodations

The room block that IAIA reserved for conference delegates at the Hyatt Regency-Cambridge filled very rapidly, and the conference hotel block is currently fully booked. The Hyatt has a few vacancies for some nights, but the \$99 conference rate will not apply. To help delegates locate alternative hotels, IAIA has added a link to the IAIA'05 conference page (http://www.hotels-and-discounts.com/CITY/Cambridge_Cheap_Hotels.htm), or delegates may contact IAIA HQ for additional information and alternatives. Boston has a metro system referred to as the "T." Look for hotels convenient to a "T" stop or bus line. Taxi fares are reported to be reasonable, and the Hyatt-Cambridge has offered to transport delegates to hotels or "T" stops within Cambridge.



Registration

State-Level Environmental Impact Assessment

- ☐ YES, register the following person for **State-Level Environmental Impact Assessment**, May 30, 2005, in Boston, Massachusetts. This meeting is being held in conjunction with the International Association for Impact Assessment's "Ethics and Quality in Impact Assessment" conference.
- which includes

☐ NO, I cannot attend this program. Please send me the course materia postage and handling.	als available after this meeting at the price of \$75.00), v
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ABA membership number _ _ _ _ _	E-mail@	
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2 REGISTRATION FEES	4 SEND REGISTRATION AND PAYMENT	
State-Level EIA ABA meeting only	BY MAIL IAIA International Headquarters ABA EIA Meeting 1330 23rd Street South, Suite C Fargo, ND 58103 USA QUESTIONS ABOUT REGISTRATION? Phone 1.701.297.7908 info@iaia.org QUESTIONS ABOUT THE PROGRAM? Karen LaMoreaux Bryan, Chair ABA SEER EIA C P.E. LaMoreaux & Associates, Inc. P.O. Box 2310 Tuscaloosa, AL 35403 USA Phone 1.205.752.5543 Kbryan@pela.com	97.
	ABOUT IAIA	
Expiration date / (mm/yy) Print name on card Authorized signature	The International Association for Impact Assessm nary society dedicated to developing international or plan, and manage the consequences of developmenthat political, environmental, social, and technologic decisions are understood by those making them. To see the IAIA'05 "Ethics and Quality in Impact Assessment of the IAIA'05 and IAIA'05 an	cap nt. l ica
☐ Check or money order payable to IAIA in US\$ drawn on a US bank enclosed.	program, or to register for IAIA'05, go to www.iaia.	or

Payment and/or P.O. must accompany registration, or registration form will not be accepted.

Purchase Order No.

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ABOUT SEER EIA

The Environmental Impact Assessment Committee is part of the American Bar Association Section of Environment, Energy, and Resources which has over 10,000 members. With over 400,000 members, The American Bar Association is the largest professional association in the world. It is dedicated to defending liberty and pursuing justice for all.