



## NEPA: Writing the perfect EA/FONSI or EIS

### NEPA: Writing the perfect EA/FONSI or EIS

Course ID: POL - 302

October 8-9, 2009, 8:30 A.M. to 5:00 P.M. (2 Days)

Ghost Ranch in Santa Fe

401 Old Taos Highway

Santa Fe, NM 87501-1203

*Instructor:* Owen L. Schmidt, BA, MA, JD

**Description:** This training course will present to the National Environmental Policy Act (NEPA) practitioner a set of practical skills for preparing either an Environmental Assessment (EA) / Finding of No Significant Impact (FONSI) or Environmental Impact Statement (EIS) that includes all the required content, as well as skills for safely leaving out content that is not necessary. The descriptor "perfect" refers to both content that is necessary as well as to content that is not necessary. NEPA lessons learned will also come from various project examples.

Information is provided by a substantial handout that includes graphical models, case lists that support the models, and sample documents. The presentation includes a PowerPoint-type of graphical illustration of the models. Each attendee will take home a copy of the extensive handout, which serves as a reference in the workplace. Major themes include: How to make the findings required by law; Timing the NEPA process to the decisionmaking process; All eight good legal reasons not to prepare an EIS; Scoping a reasonable range of alternatives; Writing the "perfect" cumulative effects analysis; and the Administrative Record.

**About the Instructor:** OWEN L. SCHMIDT, BA, MA, JD, has more than 32 years of service with the Federal Government. He has served as Senior Counsel with the U.S. Department of Agriculture, Office of the General Counsel in Portland, Oregon, where he advised the Forest Service, Natural Resources Conservation Service, and other USDA agencies in Washington and Oregon. He was also a Special Assistant United States Attorney in the District of Oregon. Before joining USDA in 1991, he was an attorney for the Bonneville Power Administration, where he joined the legal staff after several years as an Environmental Specialist. Mr. Schmidt received his J.D. from Northwestern School of Law of Lewis & Clark College (1977), and a B.A. (1969) and M.A. (1973) in biology from St. Cloud State University, Minnesota. Mr. Schmidt is a frequent author and lecturer on the National Environmental Policy Act. He served as a Vice-Chair of the American Bar Association's Book Publication Committee for the Section of Environment, Energy, and Resources and as a Vice President for the Ninth Circuit, The Federal Bar Association. He was the Editor of Oregon Birds, a quarterly journal of Oregon Field Ornithologists, for 14 years (1985-99), and is a long-time member of the Oregon Bird Records Committee.

#### Course Topics:

##### Writing the Perfect FONSI

Ultimate conclusions  
Basic conclusions  
Evidence  
Reasons

##### SCOPE: Alternatives

Proposal for action  
Need underlying the proposal  
Action alternatives:  
-Alternative places to go  
-Alternative ways to get there  
No-action alternative  
Mitigation not included in the proposal  
Decision factors

##### Timing the NEPA process to the decisionmaking process

Idea  
Proposal  
Recommendation or report

##### Writing the perfect cumulative impacts analysis

**Actions:**  
-Reasons to lump  
-Reasons to split

DecisionAction Monitoring, Supplements	<b>Impacts:</b> -Direct, indirect, and cumulative -Increments to past, other present, and reasonably foreseeable future actions
<b>8 good reasons not to prepare an EIS</b>	<b>Writing the perfect cumulative impacts analysis, continued</b>
<b>Writing the perfect EA or EIS</b> 8 plain-language questions any EA or EIS should readily answer	<b>Administrative Record</b>
<b>Writing the perfect ROD</b> Double winnowing	<b>Questions and discussion</b>

**Intended Audience:** Whether you work for an agency of the federal government, seek a permit, grant, or approval from a federal agency, or are otherwise interested in federal decisionmaking, you need to know about NEPA. This workshop is designed to serve both as a comprehensive introduction for those new to NEPA and a refresher for more experienced professionals. The course is beneficial to federal agency staff and decisionmakers, attorneys, consultants, and members of environmental organizations, as well as interested citizens who are concerned about the environmental effects of federal decisions. Up-to-date case lists will be valuable to any NEPA practitioner. Even those who have worked with NEPA their entire careers will stand to learn more about the secrets to successful NEPA compliance.

**Course Materials:** Each participant will receive a copy of the course proceedings including notes and reference material on the first day of the course.

## CM | 15 | Law (Pending approval)

AICP members can earn Certification Maintenance (CM) credits for this activity [or many activities at this event]. When CM credits are available, they are noted at the end of an activity description. More information about AICP's CM program can be found at [www.planning.org/cm](http://www.planning.org/cm).

**Continuing Education Units:** 1.3

**What to Bring:** Mechanical pencil, coffee mug and water bottle (to reduce waste). Please wear comfortable clothing appropriate for the prevailing weather. Coffee, tea and light snacks will be provided. We will be on our own for lunch.

**Registration:** **\$400/\$350\* earlybird pricing for registrations received by August 10, 2009, \$495 (\*\$395 reduced tuition is available for Native American tribes; government employees; nonprofits; students; and NAEP, NEBC, NWAEP members).** You may register via the link below or by calling the Northwest Environmental Training Center at 206-762-1976.

**Cancellation Policy:** Registration fees are fully refundable up to 30 days prior to the event and 50 percent refundable (or 100% credit) thereafter up to 3 business days prior to the event. No refunds are issued for cancellations occurring less than 3 business days before the start day. Course registration fees and cancellation policy are subject to change without notice.

**Disability Accommodations:** To request disability accommodations, please contact us at [info@nwetc.org](mailto:info@nwetc.org) or (206) 762-1976 at least 30 days prior to the event.

To find out more about NWETC's programs send us an email.

### Northwest Environmental Training Center

A nonprofit 501(c)(3) program of EOS Alliance  
650 S. Orcas Street, Suite 220, Seattle, Washington 98108  
Phone: (206)762-1976, Fax: (206)762-1979  
[www.nwetc.org](http://www.nwetc.org)



**Santa Fe, NM | ACCOMMODATIONS near the Ghost Ranch in Santa Fe**

<p><b>Eldorado Hotel &amp; Spa</b> 309 West San Francisco St. Santa Fe, NM 87501</p> <p>www.eldoradohotel.com</p>	(505) 988-4455	<p><b>Hotel Plaza Real</b> 125 Washington Ave Santa Fe, NM 87501</p> <p>http://hhandr.com/pla_main.php</p>	(505) 988-4900
<p><b>Inn of the Governors</b> 101 W. Alameda Santa Fe, NM</p> <p>www.innofthegovernors.com/contact-us/</p>	(800) 234-4534	<p><b>Inn and Spa at Loretto</b> 211 Old Santa Fe Trail Santa Fe, NM 87501</p> <p>www.innatloretto.com/</p>	(800) 727-5531
<p><b>Inn of the Anasazi</b> 113 Washington Ave. Santa Fe, NM 87501</p> <p>www.innoftheanasazi.com/</p>	(505) 988-3030	<p><b>Hotel St. Francis</b> 210 Don Gasper Ave. Santa Fe, NM 87501</p> <p>www.hotelstfrancis.com/</p>	(505) 989-7690
<p><b>Santa Fe Sage Inn</b> 725 Cerrillos Road Santa Fe, NM 87501</p> <p>www.santafesageinn.com/</p>	(866) 433-0335	<p><b>Holiday Inn Santa Fe</b> 4048 Cerrillos Road Santa Fe, NM 87507</p> <p>http://santafehi.com</p>	(505) 473-4646

**To find out more about NWETC's programs send us email.**

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**Directions to:**

**Ghost Ranch in Santa Fe**

401 Old Taos Highway  
Santa Fe, NM 87501-1203  
(505) 982-8539  
<http://www.ghost ranch.org>

**Greyhound:** <http://www.greyhound.com>

**Amtrak:** <http://www.amtrak.com>

**Parking:** Free on-site parking available

**Traveling to Ghost Ranch in Santa Fe**

Ghost Ranch in Santa Fe is easily accessible by air, train, bus, or car. The Albuquerque International Airport is approximately 70 miles south of Santa Fe. From the Albuquerque Airport, rental cars and shuttle services are available. If you are coming for a Ghost Ranch in Santa Fe catalog course, a detailed packet with information on transportation options will be sent with your program confirmation packet.

Ghost Ranch in Santa Fe / 401 Old Taos Highway / Santa Fe / 505.982.8539

**• If you fly and wish to take the shuttle.**

Plan to arrive in Santa Fe before 5 p.m. on the day your seminar begins. Meal service at Ghost Ranch is not available after 6:30 p.m. Please plan accordingly.

**• If you take the train.**

If you take the train to Lamy, New Mexico, we advise that you arrive in Santa Fe a day before your course begins due to train schedules (most arrive at 3 p.m). With advance reservations to Santa Fe as part of your train ticket, a shuttle provided by the train company will take you to Ghost Ranch in Santa Fe.

**• If you drive.**

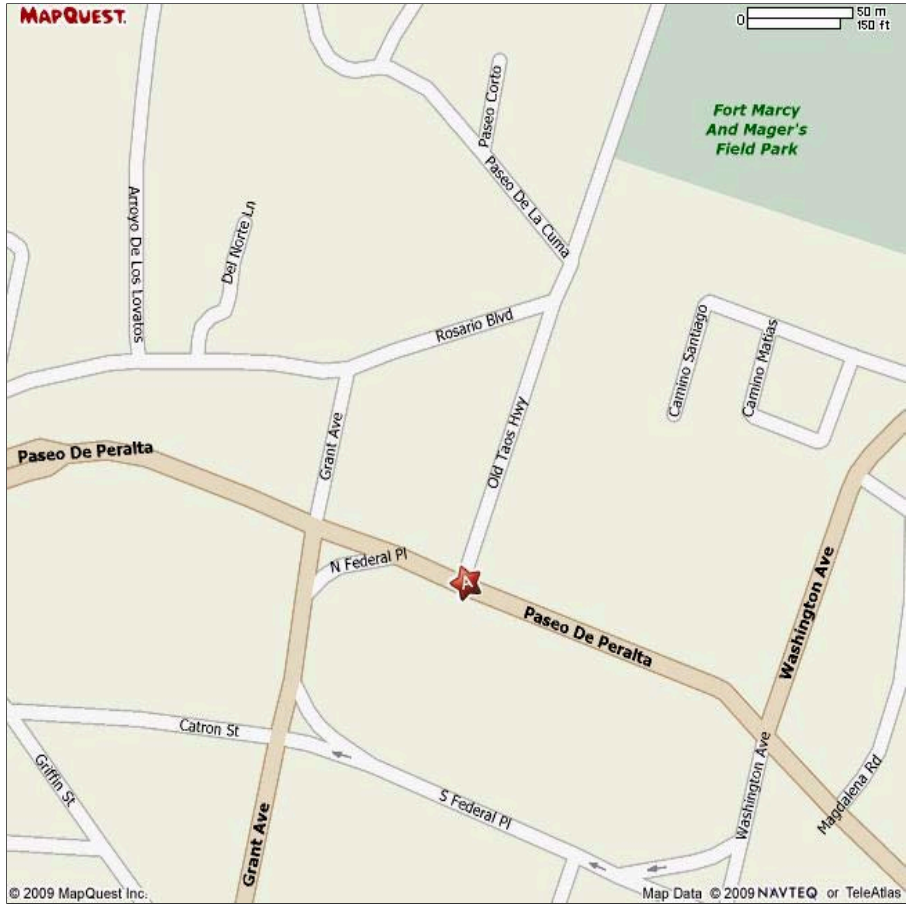
Ghost Ranch in Santa Fe is located 60 miles northeast of Albuquerque along I-25. Once in Santa Fe take the St. Francis Drive exit, turn east onto Paseo de Peralta. (Paseo is a horseshoe that intersects St. Francis Drive twice. Going north on St. Francis Drive, turn right at the second Paseo de Peralta intersection. If coming south on St. Francis Drive from the direction of Española, turn left at the first intersection with Paseo de Peralta. Use the Bank of America on the NE corner as a landmark.) The Santa Fe site is at the fourth light, on the corner of Old Taos Highway.

For a detailed map, visit [santafe.org/CultureMap](http://santafe.org/CultureMap) / Ghost Ranch in Santa Fe is listed under Accommodations/Bed and Breakfasts. By using the zooming tool on the bottom right-hand corner, you can broaden or narrow the detail of the map.

**Map your own route using MapQuest or Google Maps.**



**STREET MAP:**



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www.nwetc.org | www.eosalliance.org

## REGISTRATION FORM

Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Agency/Organization: \_\_\_\_\_

Street Address: \_\_\_\_\_

Street Address (cont'd): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Title: \_\_\_\_\_

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**Registration: \$400/\$350\* earlybird pricing for registrations received by August 10, 2009 \$495 (\$395\*) thereafter** \*Reduced rates for Native American Tribes; nonprofits; government; students; and NEBC, NAEP and NWAEP members.

Payment Method: Check  PO  Credit Card ( Visa  Mastercard) Total: \$ \_\_\_\_\_

Credit Card or PO #: \_\_\_\_\_ Exp: \_\_\_\_\_

**Notes:** Please make checks payable to Northwest Environmental Training Center.

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