

NEPA: Writing the perfect EA/FONSI or EIS

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Course ID: POL - 302

November 18-19, 2008, 8:30 A.M. to 5 P.M. (2 Days)

The Event Center

5800 Airline Dr.

Houston, Texas

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
DecisionAction
Monitoring, Supplements

Writing the perfect cumulative impacts analysis

Actions:
-Reasons to lump
-Reasons to split
Impacts:
-Direct, indirect, and cumulative

-Increments to past, other present, and reasonably foreseeable future actions

8 good reasons not to prepare an EIS

Writing the perfect EA or EIS

8 plain-language questions any EA or EIS should readily answer

Writing the perfect ROD

Double winnowing

Writing the perfect cumulative impacts analysis, continued

Administrative Record

Questions and discussion

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.

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.

Registration: \$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 or (206) 762-1976 at least 30 days prior to the event.

Northwest Environmental Training Center

A nonprofit 501(c)(3) program of the Northwest Environmental Education Council
650 S. Orcas Street, Suite 220, Seattle, Washington 98108
Phone: (206)762-1976, Fax: (206)762-1979
www.nwetc.org



DIRECTIONS to Event Center, Houston, TX

(Workshop Location)

The Event Center

5800 Airline Dr.

Houston, TX 77076

713.742.5800

Directions from Houston International Airport:

From Airport, Head north on JFK Blvd/John F Kennedy Blvd
Slight right at Terminal Rd N
Turn left at JFK Blvd/John F Kennedy Blvd (signs for I-45/US-59/Airport exit...)
Take the Hardy Toll Rd ramp
Merge onto Hardy Toll W
Take the I-45/Hardy Toll Rd exit toward Downtown/Beltway 8
Merge onto Hardy Toll S
Take the exit toward Little York Rd
Merge onto W Hardy St
Turn right at Little York Rd
Turn left at Airline Dr

From Points North: Via Hardy Toll S

Take Hardy Toll S (partial toll road)
Take exit toward Little York Rd.
Merge onto W Hardy St.
Turn right at Little York Rd.
Turn left at Airline Dr.

From Points South: Via CR-48 toward CR-78

Slight right at TX-288 N
Take the exit onto I-45 N toward Dallas
Take exit 53 toward Airline Dr
Merge onto N Fwy
Slight right at Airline Dr

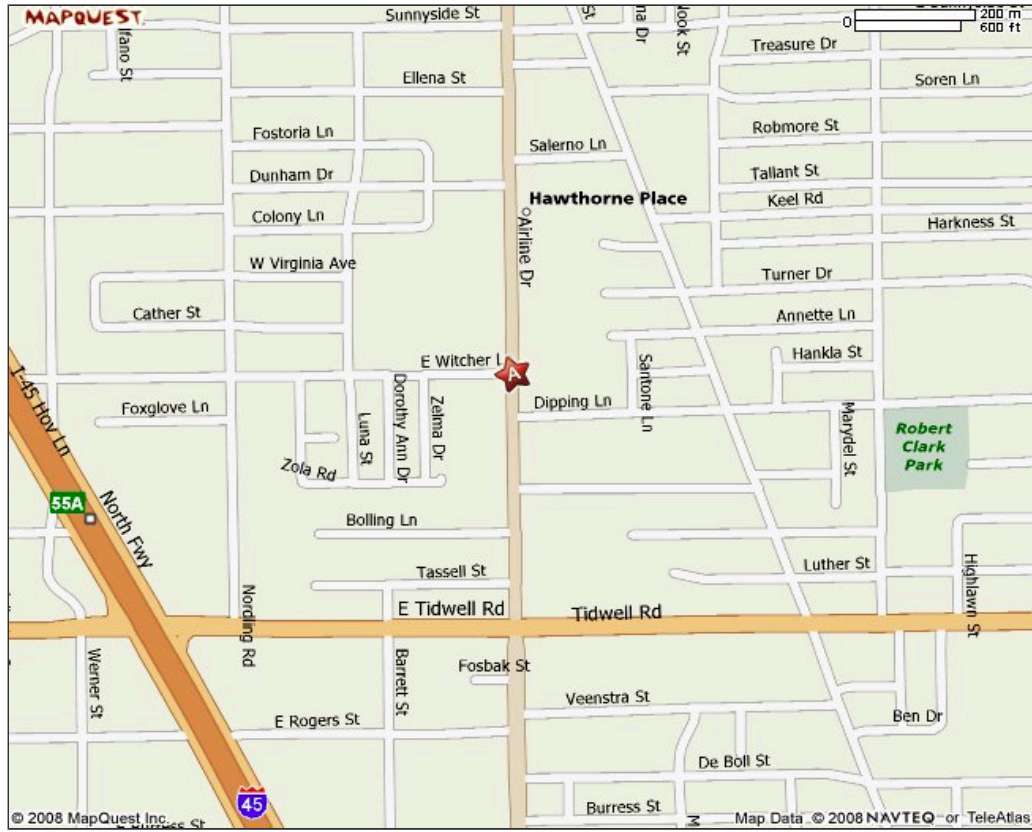
From Points East: Via I-10 westbound

Take the ramp on the left onto E Fwy/I-10 W
Take exit 775A to merge onto I-610 N
Take exit 17B to merge onto I-45 N toward Dallas
Take exit 53 toward Airline Dr
Merge onto N Fwy
Slight right at Airline Dr

From Points West: Via I-10 eastbound

Take exit 763 to merge onto I-610 N
Take exit 17B on the left to merge onto I-45 N toward IAH Airport/Dallas
Take exit 53 toward Airline Dr
Merge onto N Fwy
Slight right at Airline Dr

STREET MAP:





Houston, Texas | ACCOMMODATIONS

The Event Center

5800 Airline Dr.
Houston, Texas
713.742.5800
(Workshop Location)

Sheraton Houston Brookhollow Hotel

3000 North Loop West Freeway
Houston, TX 77092

(713)688-0100

[\(reservations\)](#)

Courtyard by Marriott: Houston Brookhollow Hotel

2504 North Loop West
Houston, TX 77092

(800) 321-2211

[\(reservations\)](#)

**Marriott Hotels Resorts Suites:
Houston Marriott North at Greenspoint**

255 N Sam Houston Pkwy E
Houston, TX 77060

(713) 334-2424

[\(reservations\)](#)

Houston Marriott Westchase

2900 Briarpark Drive
Houston, TX

(713) 978-7400

[\(reservations\)](#)

Baymont Inns & Suites Houston

11002 Northwest Freeway
Houston, TX 77092

(713) 688-2581

[\(reservations\)](#)

Residence Inn - Westchase

9965 Westheimer Road
Houston, TX

(713) 974-5454

[\(reservations\)](#)

Holiday Inn Express - Beltway 8

2930 W Sam Houston Pkwy S
Houston, TX

(713) 785-3899

[\(reservations\)](#)

Omni Hotels: Houston Galleria

4 Riverway
Houston, TX 77056

(713) 871-0719

[\(reservations\)](#)



NORTHWEST ENVIRONMENTAL TRAINING CENTER

650 S Orcas Street, Suite 220, Seattle, Washington 98108
Ph: (206)762-1976, Fax: (206)762-1979
www.nwetc.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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The Event Center

5800 Airline Drive, Houston, Texas

Registration: \$495 (*\$395)

*Reduced rates for Native American Tribes; nonprofits; government; students; and NEBC, NAEP and TAEP 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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