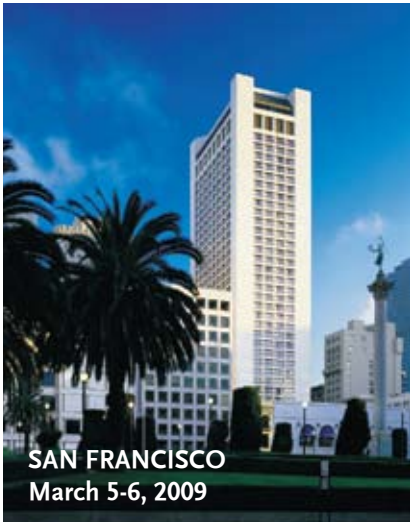


5th Annual Conference

# NEPA 2009

Climate Change, Cumulative Impacts and Compliance

February 23-24, 2009 • Omni Hotel • San Diego | March 5-6, 2009 • Grand Hyatt • San Francisco



**Attorneys:** Benefit from the in-depth legal analysis of the NEPA process, hear practice pointers from seasoned professionals, and network with attendees who affect decisions on your clients' projects.

**Agency and Government Representatives:** Gain insight into strategies and pitfalls, understand how to best manage your relationships with contractors and the public, and learn from the experiences of your fellow attendees.

**Engineers and Consultants:** Strengthen your services by understanding what agencies need, how to work most effectively within the process and where your clients' projects can get derailed.

**Everyone:** Profit from the opportunity to interact with fellow attendees and faculty members who may be dealing with similar NEPA issues, sharpen your understanding of legal and policy considerations, and gain practical insights on how to manage the important issues facing you.

## PROGRAM CO-CHAIRS



**Barbara Schussman, Esq.**  
Bingham McCutchen  
Walnut Creek



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**SAN DIEGO: MONDAY, FEBRUARY 23**  
**SAN FRANCISCO: THURSDAY, MARCH 5**

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome and Introduction**  
 Overview of Day One  
**Barbara Schussman, Esq., Program Co-Chair**  
 Bingham McCutchen, Walnut Creek  
**Robert D. Thornton, Esq., Program Co-Chair**  
 Nossaman, Irvine
- 8:45 **A Primer on the NEPA Statute**  
 What You Need to Know  
**Robert D. Thornton, Esq., Program Co-Chair**
- 9:30 Morning Break
- 9:45 **12 Rules to Make the NEPA Process Work**  
 Insights for the Environmental Professional  
**Nicholas C. Yost, Esq.**  
 Sonnenschein Nath & Rosenthal, San Francisco
- 10:30 **Case Law Update**  
 Recent Developments in the Courts  
**Marc R. Bruner, Esq.**  
 Bingham McCutchen, Walnut Creek
- 11:15 Q&A Panel  
 Members of the Faculty
- 11:30 Lunch Break
- 1:00 **Cumulative Impacts**  
 Practical Considerations  
**Ella Foley-Gannon, Esq., and**  
**Robert J. Uram, Esq.**  
 Sheppard, Mullin, Richter & Hampton, San Francisco
- 2:00 **Environmental Assessments**  
 Recent Developments in the Law  
**Jim B. Butler, Esq.**  
 Parsons Behle & Latimer, Salt Lake City
- 2:45 Afternoon Break
- 3:00 **Climate Change, Part I**  
 Emerging Legal Issues and Approaches to NEPA Compliance  
*San Diego:*  
**Paul S. Weiland, Esq.**  
 Nossaman, Irvine  
**Melissa C. Meirink, Esq.**  
 Holland & Hart, Denver  
*San Francisco:*  
**Murray D. Feldman, Esq.**  
 Holland & Hart, Boise  
**Paul S. Weiland, Esq.**
- 4:15 **Climate Change, Part II**  
 Life Cycle Analysis, Cumulative Impacts and Other Technical Challenges  
**Shari B. Libicki, PhD, Global Air Quality Practice Area Leader**  
 ENVIRON, Emeryville
- 5:00 Adjourn

**SAN DIEGO: TUESDAY, FEBRUARY 24**  
**SAN FRANCISCO: FRIDAY, MARCH 6**

- 8:00 Continental Breakfast
- 8:30 **Welcome Back**  
 Overview of Day Two  
**Barbara Schussman, Esq., Program Co-Chair**  
**Robert D. Thornton, Esq., Program Co-Chair**
- 8:45 **NEPA and CEQA Programmatic Approaches to Solving California's Water Supply Challenges**  
 A Panel Presentation  
**Adam Kear, Esq., Senior Deputy General Counsel**  
 Metropolitan Water District of Southern California, Los Angeles  
**Leslie Moulton, Senior Vice President, California Water Practice Leader**  
 ESA, Sacramento  
**Robert D. Thornton Esq., Program Co-Chair**  
**Moderator: Barbara Schussman, Esq., Program Co-Chair**
- 10:00 Morning Break
- 10:15 **NEPA and CEQA Programmatic Approaches to Solving California's Water Supply Challenges (Continued)**
- 11:00 **Alternative Dispute Resolution**  
 Special Considerations in Environmental Disputes  
**Lester J. Levy, Esq., National Director**  
 JAMS, San Francisco
- 11:45 Q&A Panel  
 Members of the Faculty
- 12:00 Lunch Break
- 1:30 **Plays Well with Others?**  
 NEPA's Relationship with Other Environmental Laws  
**David Ivester, Esq.**  
 Briscoe Ivester & Bazel, San Francisco
- 2:15 **Dealing Effectively with NEPA**  
 Practical Guidance from a Government Attorney  
**Joanne S. Marchetta, Esq., General Counsel**  
 Tahoe Regional Planning Agency, Stateline
- 3:00 Afternoon Break
- 3:15 **When Things Go Wrong**  
 Emergencies, Terrorism and the Worst Case  
**Alan C. Waltner, Esq.**  
 Law Offices of Alan Waltner, San Francisco
- 4:00 **Ethics**  
 Dealing with Conflicts of Interest in Preparing NEPA Documents  
**Stanley W. Lampport, Esq.**  
 Cox Castle & Nicholson, Los Angeles
- 5:00 Evaluations and Adjourn

## PROGRAM CO-CHAIRS

**Barbara Schussman** focuses on environmental and land use litigation and counseling on behalf of public agencies and private entities. She has experience counseling clients regarding NEPA and CEQA compliance.

**Robert D. Thornton** is a partner with his firm, where he has practiced environmental law for 28 years and specializes in NEPA compliance for large infrastructure projects.

## FACULTY

**Marc R. Bruner** represents governmental entities and private companies in a wide variety of environmental and land use matters.

**Jim B. Butler** is a shareholder in the environmental, energy and natural resources department of his firm, where he has been helping clients with NEPA problems for over 20 years. Before joining his firm, he worked for the Utah State Energy Office and the Utah State Planning Coordinator's Office.

**Murray D. Feldman** practices in several areas of environmental and natural resources law, and represents state and local governments, regional water authorities, landowners, and others in NEPA, climate change, and endangered species litigation and issues in the Pacific Northwest and nationwide.

**Ella Foley-Gannon** specializes in endangered species, wetlands, the Clean Water Act, and water rights issues, including stormwater permitting. She has broad experience assisting landowners and resource developers in land development, entitlement and state and federal environmental review and permitting.

**David Ivester** has practiced land use, environmental, and natural resource law for over 30 years, representing clients in federal, state, and local agencies and federal and state courts. He focuses on regulation of wetlands, wildlife, and water quality, and environmental review under NEPA and CEQA.

**Adam Kear** is counsel for one of the largest water districts in California.

**Stanley W. Lampert** has practiced land use and entitlement law for over 25 years. He has represented projects throughout California in the entitlement process and litigation.

**Lester J. Levy** is an experienced mediator who uses his legal, analytical, and conciliation skills to craft the best possible resolution of each case. He also regularly serves as arbitrator, special master, and discovery referee.

**Shari B. Libicki** has over 20 years' experience applying science to policy questions. As ENVIRON's Global Air Practice Leader, she has prepared analyses of air quality and GHG issues for planning and entitlement documents.

**Joanne S. Marchetta** oversees the legal affairs related to regional planning and development and environmental enforcement. She was formerly the Assistant General Counsel of the Presidio Trust, where she focused on NEPA compliance and environmental clean-up issues.

**Melissa C. Meirink** focuses on natural resources and environmental law, including NEPA, environmental regulatory compliance and permitting, climate change, the Endangered Species Act, and historic preservation.

**Leslie Moulton** is her firm's most experienced water resources project manager and a CEQA/NEPA expert. In her 24 years with ESA, she has managed dozens of complex environmental impact documents, including those for Orange County Water District, Contra Costa Water District and the San Francisco Public Utilities Commission.

**Robert J. Uram** has over 30 years' experience working on natural resource issues. He is a nationally-recognized expert on Clean Water Act and ESA issues, including Section 404 permitting and habitat conservation planning.

**Alan C. Waltner** has more than 25 years of environmental and land use experience, focusing on regulatory programs that apply to major private and public development projects.

**Paul S. Weiland** focuses on compliance counseling, permitting and litigation. He also litigates environmental and natural resources matters at the trial court and appellate levels.

**Nicholas C. Yost** served as General Counsel of the President's Council on Environmental Quality where he drafted the federal government's Council on Environmental Quality NEPA regulations. His practice focuses on assisting clients with NEPA compliance and litigation.

## TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Contact **CLE INTERNATIONAL** Program Attorney Alli Gerkman, [alli@cle.com](mailto:alli@cle.com).

## REACH YOUR TARGET AUDIENCE!

Would you like the opportunity to exhibit at or sponsor this or other **CLE INTERNATIONAL** conferences, and get your name out to our many prospective and actual attendees? Contact Barbara Hollingsworth, [barbara@cle.com](mailto:barbara@cle.com).

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