

Jessica Bacher is the Executive Director of the Land Use Law Center. Established in 1993, the Land Use Law Center is dedicated to fostering the development of sustainable communities and regions through the promotion of innovative land use strategies and dispute resolution techniques. As the Executive Director, Ms. Bacher's responsibilities include development and implementation of projects relating to local land use practice, distressed property remediation, transit-oriented development, sustainable communities, land use responses to sea level rise, and code enforcement, as well as providing strategic assistance to numerous municipalities. Most recently, she led the City of Newburgh, New York, in the development of a distressed property remediation implementation plan that focuses on the development of a land bank. Additionally, Ms. Bacher serves as a trainer for the Center's award-winning Land Use Leadership Alliance Training Program that has educated over 2,500 local leaders in land use strategies, consensus building, and regional stewardship. Ms. Bacher also chairs the Distressed Properties Sub-Committee of the Land Use Planning & Zoning Committee for the American Bar Association's Section of State and Local Government Law. At Pace Law School, Ms. Bacher serves as adjunct professor, teaching Land Use Law, Sustainable Development Survey, and the Advanced Land Use and Sustainable Development Seminar. She also administers the Center's academic programs and guides student research. In addition, she is a guest lecturer and project supervisor at Yale School of Forestry and Environmental Studies, where she manages the School's Land Use Clinic. Ms. Bacher authors regular land use features in New York and national publications and has edited numerous small books in the fields of Land Use and Real Estate Law, including *Breaking Ground* and *Planning and Building in Priority Growth Districts*. She also presents at regional and national conferences and served on the New York State Sea Level Rise Task Force Legal Work Group. Ms. Bacher was selected by the American Bar Association to receive the Jefferson B. Fordham Award, an award presented to a young practitioner who has shown great promise through her contributions to the field. Ms. Bacher received her J.D. summa cum laude from Pace Law School in 2003, along with a certificate in Environmental Law.

Kathleen Bennett

Kathleen practices in the areas of environmental and property law. She has broad experience in land use matters including site plan review, special permit review, variances, subdivisions and annexation. Kathleen also has extensive knowledge of the New York State Environmental Quality Review Act (SEQRA). She has appeared before several municipal boards on behalf of project sponsors on a range of projects from small (residential) to large (institutional). Kathleen also has particular experience in land use and SEQRA litigation.

In addition to land use matters, Kathleen has worked on matters involving state and federal regulatory compliance issues, particularly in the areas of wetlands, historic preservation, storm water, petroleum bulk storage, solid and hazardous waste disposal, environmental remediation, environmental aspects of real property and business transactions, and environmental litigation matters.

Kathleen also has extensive experience counseling utilities, Industrial Development Agencies (IDAs), public authorities, municipalities, school districts and private property owners on issues relating to the acquisition of private property pursuant to the Eminent Domain Procedure Law (EDPL). She has successfully acted as condemnor's counsel in planning and litigation concerning the acquisition of property interests by eminent domain in a variety of major projects including the development of regional transportation facilities, industrial parks, and natural gas and electric transmission lines. Regarding the representation of condemners, Kathleen also has specific experience advising clients that receive federal funds with respect to the requirements of the Uniform Relocation Act. She also represented numerous condemnees in valuation proceedings and in connection with challenges to the issuance of findings and determinations made pursuant to the EDPL.

Jonathan Binder is the Chief of the Energy and Climate Change Section in the Office of General Counsel at the New York State Department of Environmental Conservation (DEC).

Since joining DEC in 2008, Mr. Binder has been the agency's lead attorney regarding climate change issues. This includes serving as program counsel to DEC's Office of Climate Change, assisting with the development and implementation of the Regional Greenhouse Gas Initiative, and advising on policies to reduce greenhouse gas emissions and increase resiliency. Mr. Binder also represents DEC in administrative proceedings regarding major energy projects. This includes natural gas pipeline and hydroelectric matters before the Federal Energy Regulatory Commission, electric transmission line projects before the Public Service Commission, and proceedings before the Siting Board to site electric generation facilities under Public Service Law Article 10. Finally, Mr. Binder supervises a Section of attorneys engaged in major energy proceedings, State Environmental Quality Review Act and permitting matters, and other energy-related issues.

Prior to joining DEC, Mr. Binder was an Assistant Regional Counsel in the U.S. EPA's Region 1 Office in Boston. Mr. Binder holds a J.D., *magna cum laude* and Order of the Coif, from Tulane University Law School, and a B.S. in Policy Analysis and Management from Cornell University.

Nicole Black is a Rochester, New York attorney, author, journalist, and the Legal Technology Evangelist at [MyCase](#), legal practice management software. She is the nationally-recognized author of "Cloud Computing for Lawyers" (2012) and co-authored "Social Media for Lawyers: The Next Frontier" (2010), both published by the American Bar Association. She also co-authored "Criminal Law in New York," a Thomson West treatise. She writes a regular columns for The Daily Record, Above the Law, and Legal IT Pros, has authored hundreds of articles for other publications, and regularly speaks at conferences regarding the intersection of law, mobile and cloud computing, and internet-based technology. She can be contacted at niki.black@mycase.com.

MEAGHAN A. COLLIGAN, ESQ.

Meaghan A. Colligan is an Associate Attorney with Knauf Shaw LLP a New York boutique environmental, land use, and municipal law firm. She focuses her statewide practice on environmental and land use litigation, real estate transactions, environmental permitting, and regulatory compliance. Ms. Colligan performs transactional work with developers and municipalities on all stages of the New York State Brownfield Cleanup Program, including pre-acquisition due-diligence. She also works on state and federal litigation matters involving claims under Superfund laws, waterfront and wetland concerns, land use and zoning laws, common law claims, and challenges to final government decisions. Ms. Colligan has second chaired two civil trials and an adjudicatory hearing before a New York State Department of Environmental Conservation (“NYSDEC”) Administrative Law Judge, and assisted in complex settlement agreements. Ms. Colligan also assists Future Energy Development, Knauf Shaw LLP’s sister company, as a consultant for energy projects on remediated properties.

Ms. Colligan holds a Juris Doctor from Elisabeth Haub School of Law at Pace University (f/k/a Pace University School of Law) with a Certificate in Environmental Law and a Master of Science from Bard Center for Environmental Policy. Her Master of Science Thesis was *Distributed cogeneration as an exclusive end-use solution on New York City brownfields: creating value for urban blight by catalyzing an efficient electric system.*

Prior to working for Knauf Shaw LLP, while finalizing her Masters of Science Thesis, Ms. Colligan worked in the litigation and municipal law departments of Rapport Meyers LLP in Hudson, New York. During law school she was a legal intern for the Honorable Charles Apotheker, Pace Law School Environmental Litigation Clinic, the Permanent Missions of the Republic of the Marshall Islands to the United Nations, the New York City Mayor’s Office of Environmental Remediation, Riverkeeper, Inc., and Scenic Hudson, Inc.

Ms. Colligan served as an adjunct professor at SUNY Geneseo, her alma matter, during the spring of 2016, teaching Sociology of the Law.

Ms. Colligan has served as a Vice-Chair for E-Communications and Social Media of the Environmental Transactions and Brownfields Committee of the American Bar Association Section of Environment, Energy, and Resources since 2014. In this position, she oversees a team of fifteen attorneys and law students who publish monthly legal news summaries. Meaghan has also served as the Chair of the New York State Bar Association Environmental and Energy Law Section Social Media Task Force since 2016.

JOSEPH J. HEATH, ESQ. has been General Counsel for the Onondaga Nation since 1982 and an attorney since 1975. For the Nation, his work centers on environmental protection, particularly under the Clean Water Act, focusing on Onondaga Lake and Onondaga Creek; archeologic site and unmarked burial site protection; Native American Graves Protection and Repatriation Act repatriation and litigation; Indian Child Welfare Act litigation; hunting and fishing rights; treaty rights; excise tax issues; and land rights.

He spent two weeks at Standing Rock, in November and December of 2016. He was present at the legal tent at the main camp there during the military assault on the smaller treaty camp on October 27th.

Joe researched the issues of fracking and shared his knowledge of the many different environmental dangers created by fracking with community groups for six (6) years. For four of those years, he also educated landowners on how to terminate their leases and manage the many questionable ways gas companies are seeking to extend old leases and he spoke to land owners in over 40 towns. In addition to these current areas of work, Joe has extensive experience in civil rights litigation, as one of the four lawyer who represent the class action against NY state for the 1971 Attica prison assault and brutality; criminal defense; constitutional law and protection of free speech and assembly; protection of abused and neglected children; and fighting domestic violence. Joe is also an active member of Veterans for Peace.



Amy K. Kendall, Senior Associate

Ms. Kendall focuses her practice on environmental, land use and real estate law, and civil litigation. She has over 16 years of experience in federal and state environmental litigation, including administrative hearings. She is also regularly involved in permitting and other federal and state agency proceedings, regulatory compliance, review and commenting on environmental laws and regulations, and real estate matters, including the negotiation of utility easements for wind power. Her litigation experience has ranged from criminal trials to briefing for the United States Supreme Court and five Circuit Courts of Appeals.

While Ms. Kendall is involved in all areas of environmental law, much of her law practice has focused on water-related issues, including permitting and compliance issues for facilities, and construction in wetlands. She has been heavily involved in prosecuting and defending civil litigation under the Clean Water Act. Ms. Kendall also handles matters involving title to and permitting for work on underwater lands, as well as riparian and littoral rights. She served as co-counsel for Dryden Resources Awareness Coalition in *Norse Energy Corp. USA v. Town of Dryden*, 108 A.D.3d 25, 964 N.Y.S.2d 714 (3d Dep't 2013), the first lawsuit in New York involving a town's right to zone out high-volume hydraulic fracturing in the Marcellus Shale.

Ms. Kendall is the current Chair of the Genesee Finger Lakes Chapter of the Air & Waste Management Association, and past Chair of the Environmental Law Committee of the Monroe County Bar Association. She is also Co-Chair of the Coastal and Wetlands Resources Committee for the New York State Bar Association and teaches Environmental Law at Rochester Institute of Technology. Ms. Kendall earned her J.D. from the University at Buffalo Law School, and a M.S. in Environmental Health and Safety Management from Rochester Institute of Technology.



Pete Lopez serves as the Regional Administrator for EPA Region 2. His responsibilities include overseeing the states of New York and New Jersey, Commonwealths of Puerto Rico and the US Virgin Islands, and eight tribal nations.

Prior to joining EPA Region 2, Mr. Lopez served as a Member of the New York State (NYS) Assembly, where he served for over 10 years and 6 terms. During this time, Mr. Lopez successfully addressed flood recovery issues; helped create jobs; and both supported and advocated for children, families, teachers, schools, businesses, family farms and more.

Prior to his term as Assemblyman, Mr. Lopez served with the NYS Senate and was elected as a Village Trustee. While pursuing his Master's, Pete continued his full-time work with the NYS Legislature as the Associate Director of the Senate Agriculture Committee, Assistant Director of the Legislative Commission on Rural Resources, District Office Director, and Executive Assistant. Simultaneously, Pete was elected to additional local offices including Town Councilman and Town Supervisor/County Legislator. During this period, Pete was appointed to the New York Statewide Transportation Advisory Committee and the Association of Towns' Statewide Legislative Advisory Committee. After 21 years of service to the State Legislature and 12 years as a local official, Pete was elected as the County Clerk prior to becoming a NYS Assemblyman.

Pete graduated with honors from Schoharie Central School District, State University of New York (SUNY) Cobleskill, and SUNY Albany. He holds a Bachelor's Degree in Public Affairs with a concentration in Environmental Studies and a Master's Degree in Public Administration.

CURT D. MARSHALL, ESQ. has 25 years of mass torts, environmental, products liability, consumer protection, complex and multidistrict litigation experience. For mass tort and environmental matters, Mr. Marshall served as co-lead counsel in one of four focus cases in MTBE gasoline additive products liability multidistrict litigation on behalf of public water suppliers against 50 petroleum companies, In re Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Action, MDL No. 1358. The companies agreed to pay a \$423 million settlement to 153 public water systems the chemical contaminated. Mr. Marshall was lead counsel in litigation involving groundwater contamination in Nebraska from volatile organic compounds (VOCs) emanating from Fortune 500 manufacturing facilities and impacting hundreds of surrounding residents’ drinking water wells. He is co-lead counsel on behalf of a public water provider in litigation involving groundwater contamination by VOCs and radium emanating from manufacturing facilities and impacting public water supply wells in Bethpage, New York. In a similar action involving a water provider in Bethany, Oklahoma, Mr. Marshall serves as co-lead counsel. He was lead counsel in litigation involving nuisance odors emanating from a subsurface chemical fire caused by aluminum process waste at a landfill in Ohio affecting hundreds of surrounding residents. In addition, he served as lead counsel for his firm in the Tennessee Valley Authority Coal Ash Spill Litigation, which settled for \$28 million. Moreover, Mr. Marshall was also counsel for hundreds of victims of the BP Oil Spill, including municipalities, banks, hotels, businesses and fishermen. Plaintiffs’ firms in that multidistrict litigation achieved a \$10 billion settlement. Finally, Mr. Marshall is co-lead counsel in multiple actions in Oklahoma involving human-induced earthquakes resulting from injection of fracking wastewater by the oil and gas industry within that state. Among the clients he represents in that litigation is the Pawnee Nation of Oklahoma in its tribal court.

Julia J. Martin, Esq.

Contact Information

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Practice Areas

Brownfields

Economic Development Incentives

Tax Planning and Advocacy

Education

J.D., Syracuse University College of Law, 2009

B.A., Syracuse University, 2006

Admissions New York

Julia focuses her practice on a broad range of tax and business matters, in particular, economic development tax credits such as New York's brownfield cleanup program (BCP). Julia works with clients to understand the impact of the tax credits, analyzes project financial information and remedial alternatives to help clients seek the full allowable amount of available credits under applicable law, guides clients and their accountants through the process to claim the credits, and successfully navigates audits on those claims.

Julia's experience also includes advising and representing individuals and businesses before the Internal Revenue Service and the New York State Department of Taxation and Finance regarding a broad range of tax matters and working with clients regarding retirement and welfare benefit programs.

Julia is a member of the New York State Bar Association Environmental Law Section and the NYSBA Brownfields Task Force and Social Media Task Force. Julia is a member of the Board of Trustees for Syracuse Stage and a past President of the Central New York Women's Bar Association.



Virginia C. Robbins
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Practice
Environmental and Energy

Education
Rutgers University (J.D., *with honors*, 1986)
Middlebury College (M.A., 1972)
Rutgers University (B.A., *magna cum laude*, 1971)

Bar/Court Admissions
New York
U.S. District Court for the
Northern District of New York

Virginia C. Robbins

Virginia chaired the firm's environmental and energy practice from 2000 to 2016 and was a member of the firm's management committee from 2014 to 2015 and 2004 to 2005. She is experienced in advising clients on state and federal regulatory compliance issues, particularly in the areas of air and water pollution control and solid and hazardous waste management. Virginia has experience in the requirements of the federal Clean Air Act, for example, major and minor source permitting strategies, negotiation of special conditions establishing emission caps, Title V applicability and operational flexibility, and new source review issues. She advises owners and operators of solid waste management facilities, many of which include landfill gas-to-energy plants, on a variety of air quality and solid waste compliance matters, particularly in the context of facility siting and expansions.

Virginia has counseled clients involved in electric power generation and development projects on environmental impact reviews under Article X of the Public Service Law, air permit/compliance matters, carbon dioxide allowances and Acid Rain program applicability, and the burning of alternative fuels. She has represented wind energy facility owners in obtaining special permits and variances needed for the siting of wind energy conversion system facilities.

Virginia has managed significant RCRA corrective action and state and federal Superfund matters, including the negotiation of RCRA Corrective Measures Orders, remedial investigation/remedial design Consent Orders, and access easements. She has also advised clients extensively on real estate transactions involving contaminated properties, including relative to the opportunities under New York's Brownfield Cleanup Program. Virginia regularly counsels both municipal clients and developers on compliance with environmental impact reviews under the State Environmental Quality Review Act.

Affiliations

- Fellow, American College of Environmental Lawyers
- American Bar Association, Section of Environment, Energy and Resources
- New York State Bar Association, Environmental and Energy Law Section, Past Chair, 2004-2005; Member, Executive Committee; Co-Chair, Global Climate Change Committee
- Central New York Chapter of the Air & Waste Management Association, Founding Chair, 1995-1996
- ESF College Foundation, Inc., State University of New York, College of Environmental Science and Forestry, Emeritus Board Member and Past President, 2005-2007

Other Activities

- Secretary and Board Member, Abby Lane Housing Corporation, 2015-present, serving the housing needs of students at SUNY College of Environmental Science & Forestry, Syracuse
- Board of Trustees, New York Chiropractic College
- Past President, Syracuse City Ballet, Inc., 2013-2015

Bio
Frank Sciremammano, Jr, PhD, PE

Frank Sciremammano obtained BS, MS and PhD degrees in Mechanical Engineering from the University of Rochester. He served on the faculty of Stockton State College in NJ and Oregon State University before joining the engineering faculty at RIT in 1981, where he retired as a full Professor in 2015. Dr. Sciremammano is a principal in F-E-S Associates, marine and environmental consultants, and has served as a member and chairman of the Monroe County Environmental Management Council, the Town of Brighton Conservation Board and the Town of Brighton Planning Board. He is currently the chairman of the Town of Brighton Comprehensive Plan Update Committee. Dr. Sciremammano was appointed to the International St. Lawrence River Board of Control (now titled the International Lake Ontario – St. Lawrence River Board) in 1995 and continues in that capacity today. He also served on the International Lake Ontario Study Board from 2000-2006, which provided recommendations on managing the Lake Ontario outflows and water levels and led to the newly implemented Plan 2014.

LINDA R. SHAW, ESQ. created Future Energy Development, LLC in 2005 to leverage the experience she gained during her legal career and to advise clients on renewable and energy efficiency options as part of their brownfield projects. This NYS and NYC Certified WBE consulting firm advises renewable energy clients interested in siting their facilities here in New York, principally on brownfield real estate, through New York's many regulatory processes, including an effort to site solar energy farms on the state's many closed landfills. This firm advises private sector clients, municipalities and community based organizations by preparing grant applications, securing approvals and negotiating transactional documents. The firm also assists clients interested in greening their existing buildings, through technologies such as combined heat and power and energy storage batteries, by obtaining funding and permits for these facilities. FED has been providing professional services training to State employees through the NYS Balance Program since 2015 as well as helping a variety of organizations and businesses apply for and implement green energy grants through NYSERDA. FED was retained by NYSERDA in 2010-2011 to train developers about how to effectively incorporate combined heat and power (CHP) into the brownfield projects to save electricity and developer greener buildings on brown sites. <http://www.futureenergydev.com/clientsprojects/>

From March 1998 to the present, Ms. Shaw has also been a managing partner at Knauf Shaw LLP, a boutique environmental land use law firm. During this time, the focus of Ms. Shaw's environmental legal practice has been the redevelopment of brownfield real estate and associated land use, zoning, permitting and environmental review, to facilitate the ultimate remediation and redevelopment. In addition, Ms. Shaw handles compliance issues related to hazardous waste, chemicals and petroleum handling, and cost recovery litigation to recoup costs incurred from responsible parties. Ms. Shaw participates in several legislative and state policy advisory groups, which led to creation of the New York State Brownfield Cleanup Program of 2003, and the 2008 and 2015 program amendments.

Keith Silliman Profile

Keith Silliman is a Senior Project Manager with Stantec, heading their Environmental Services practice in Albany, NY. Since 1987, Mr. Silliman has been at the forefront of innovative permitting strategies for energy projects in New York. He has extensive knowledge and expertise in energy project development, permitting and compliance; energy and environmental law and regulation; environmental impact assessment; agency consultation and stakeholder outreach. He has managed the regulatory development of a series of complex hydropower, linear gas and electric transmission and wind projects in New York State.

Mr. Silliman is a former Assistant Counsel for Energy with the NYSDEC, where he represented the Department in multiple hydropower licensing, cogeneration and Article VII and X proceedings; developed an MOU regarding the relicensing of the St. Lawrence Hydropower Project; and negotiated several historic collaborative settlement agreements with Niagara Mohawk Power Corporation for the relicensing of its hydropower facilities throughout Upstate New York.

As the Niagara Relicensing Director with the NY Power Authority, Mr. Silliman developed a relicensing strategy for the Niagara Project that streamlined environmental review, provided for stakeholder involvement and developed innovative habitat improvement mechanisms. He negotiated settlement agreements with the Tuscarora Nation, natural resource agencies and environmental groups.

Mr. Silliman earned an MS in Environmental Science from the SUNY College of Environmental Science and Forestry and a JD from the Syracuse University College of Law.

