

Environmental & Energy Law Section
EXECUTIVE COMMITTEE MEETING [Virtual]
MAY 25, 2022
NOON – 1:30 PM

In Attendance: Please see Attached Attendance List

Welcome by the Chair (L. Shaw)

- General welcome and overview.

Approval of February 9, 2022 Executive Committee Minutes

- Motion to approve by Jim Rigano, seconded by Amy Kendall. Approved with one abstention, Mindy Zoghlin, who was not present at the prior meeting.

Budget Report (Julia O’Sullivan, Budget Report)

- \$89,000.00 budget surplus, up from approximately \$62,000.00 at the same time during the prior year.
- NYCELLI grant was paid as budgeted.
- The Section continues to seek additional members, which will further assist in budgetary considerations moving forward.

Fall Meeting (J. Rigano)

- To be held on Sunday, September 18 – Monday, September 19, 2022. Three current locations under consideration: Mohonok; Mirbeau in Rhinebeck; and, Saratoga Casino.
- Executive Committee meetings would be held as of 3 pm on Sunday, with the substantive conference held on Monday morning through lunch, with afternoon activities.
- If we know of an issue around Labor Day, we would be able to shift to a remote conference, though there would be a significant financial loss under such a circumstance.

Diversity and Inclusion Fellowship and Committee Update (C. Leas)

- 2 Fellowships this year – students at Pace Law School and St. John’s Law School
- 2022 is the 30th Anniversary of the Fellowship. An article is in process for the Section publication.
- As a reminder, the Section has a Diversity and Inclusion policy for CLEs, which should be consulted during planning.

Newsletter/Social Media/Webpage (D. Gamils)

- Social media involvement has been successful, including during live events, which is particularly active.

- A new co-chair will be needed, along with additional committee members. All are welcome.

Awards Committee (N. Ward-Willis)

- Annual Meeting awards will be presented at either the Earth Day or the Legislative CLE.

DEC Rulemaking – Part 624, Part 375, Part 360, SEQRA new Disadvantaged Community Language (L. Shaw and Task Force Chairs)

- Part 624
 - M. Hecker provided a summary of the process with the Department and the Task Force, as well as the overarching nature of the comments and related background. The Task Force has held 2 meetings with the Department representatives, with one debrief still left to occur.
 - The Part 621 regulations are being revised on a parallel path.
- Part 375
 - L. Shaw continues outreach to J. Andaloro regarding the status of the Section's comments. The Department continues to review the comments and categorize them based on the substance. It appears the Department has not reviewed the Section comments yet. A call will be scheduled once the Department has completed its initial review.
 - It appears that by mid-June 2022 the Department is expecting to have completed an initial review of the comments.
- Part 360
 - M. Bogin is reviewing in conjunction with E. Kraminger and S. Russo. The revisions appear to have some major changes to the regulations, though there is no specific redline available.
 - A. Guida indicated she assisted the Department on the revised regulations.
 - L. Shaw conveyed that the committee should start consider the scope and nature of comments to be considered by the Section.
- SEQRA new Disadvantaged Community Language
 - L. Shaw raised that the Section is being asked to provide comment on this language. The NY Business Council has made a formal request regarding the development of more detailed language.
 - A. Storolow has agreed to coordinate a review, including with J. Almanzar on the Environmental Justice impacts.

Climate Leadership Community Protection Act Comment Memo (V. Robbins)

- V. Robbins provided feedback on the draft Scoping Plan that was circulated as of January 1, 2022. A large group of commenters was put together for review through the Section-based compilation.
- A 75-page comment document has been compiled. A final draft is expected to be available for Cabinet and Executive Committee review as of May 26, 2022. June 10, 2022 is the extended deadline for submission of all comments.

May 18, 2022 Legislative Forum (J. Parker)

- There was a bit of last minute replacements for this year's programming, unfortunately.
- The panel program had a commitment to diversity in active involvement.
- For future year's planning, it would be helpful to have more committee members, as well as involvement of the NYSBA lobbying arm to help solicit speakers.

Future Programming (Y. Hennessey)

- The Fall Meeting will involve energy topics.
- June 14, 2022 – a virtual presentation on Hot Topics on Environmental Insurance.
- July 2022 – A virtual presentation on West Virginia vs. EPA decision will be held.
- December 7, 2022 – the annual Brownfields and Superfund CLE. This is currently planned to be virtual.
- The next Legislative Forum will be in May 2023.

Nomination Committee (M. Hecker)

- A. Sargente has agreed to replace A. Kendall as the House of Delegates representative for the Section.
- M. Hecker to coordinate with A. Kendall on the Nominations Committee.

New Business

- T. Putsavage provided an update on the new Cannabis Section. He will chair an Environmental sub-committee.

Motion to Adjourn

- Motion to adjourn R. Nichols, seconded by K. Bernstein. Unanimously approved.

PARTICIPANTS BY ZOOM
MAY 25, 2022
EXECUTIVE COMMITTEE MEETING

Linda Shaw
James Rigano
Yvonne Hennessey
Howard Tollin
Amy Jasiewicz - NYSBA
Kevin Bernstein
Claudia Braymer
Michael Hecker
Katrina Kuh
Matthew Sinkman
Julia O'Sullivan
Telisport Putsavage
Amy Kendall
Rosemary Nichols
Adam Stolorow
Drew Gamils
Daniel Krainin
Aliza Cinamon
Maggie MacDonald
Gail Port
George Pond
Christine Leas
Kathy Bennett
Joseph Endres
Zackary Knaub
Carl Howard
Alita Guida
Alan Knauf
John Parker
Mackenzie Schooman
Chris Saporita
Karen Mintzer
Mindy Zoghlin
David Freeman
Julia Martin
Martin Baker
Jose Almanzar
Virginia Robbins
Michael Bogin

James Simpson
David Riesel
Cheryl Vollweiler