

Environmental & Energy Law Section
EXECUTIVE COMMITTEE MEETING [Virtual]
February 9, 2022
Noon – 1:30 p.m.

In Attendance: Please see Attached Attendance List

Welcome by the Chair (L. Shaw)

- General welcome and overview.
- Discussed ongoing Section initiatives, work of the Brownfield Task Force, and other relevant topics.

Approval of October 2022 Executive Committee Minutes

- Motion to approve by Yvonne Hennessey, seconded by Michael Hecker. Approved unanimously.

Budget Report (Julia O’Sullivan, Budget Report)

- Discussed the outcome of the Fall meeting and general finances, with the January 2022 Annual Meeting revenue is still pending. Budget surplus is approximately \$62,000.
- L. Shaw commented that having the Fall meeting in person was beneficial, especially when considering losses that would have been borne by a shift to completely virtual due to the hotel contract.

Green Amendment Update (K. Kuh)

- Discussed how the now-adopted Green Amendment legislation is sure to have significant impacts on various aspects of practice.
- Group agreed to the creation of a Green Amendment Task Force, to initially be chaired by Jon Brooks (and potentially co-chair with K. Kuh), to consider and review various ways the Section can be involved. Others have agreed to participate and be involved, and if appropriate, the Green Amendment Task Force may ultimately become a standing sub-committee.
- Discussion of the first Green Amendment litigation filed in Monroe County, and potential coordination with Law School clinics that may be considering this issue.

Annual Meeting (J. Rigano)

- Topics and speaker were well received, with over 100 people registered. Did not do as well on the Annual Meeting as Fall Meeting for sponsorships, given the practical impacts of virtual versus in-person.
- Fall conference will hopefully revert back again to in-person.

October 29th NYSBA Executive Committee Brownfield Extender Bill Presentation (L. Shaw)

- Provided an update on the Brownfield Cleanup Program extender proposed by Governor Hochul in the Budget bill, as well as the reconciliation process between the two legislative bodies.

- Further updates were provided regarding the Brownfield Task Forces efforts to focus on inclusion of aspects of its proposed legislation in the final bills.
- Ongoing discussions with NYSBA legislative staff on coordinating follow up with Governor Hochul's staff.
- Next efforts will then focus on the Part 375 regulation changes and areas of focus.

Diversity and Inclusion Fellowship and Committee Update (S.Lobe)

- Raised in excess of \$16,000 from the Annual Meeting happy hour, which provides for 2 fellowships for this coming year. Event was very well received.
- Received 14 applications before the application window closed as of February 4, 2022.
- Discussion was held about placement of fellows, including within New York jurisdictional areas.

Membership Committee (M. Hecker)

- Discussed membership composition being just over 1,000 members, which is relatively static. We need to continue on driving diversity of gender and age. Approximately 60% of the Section membership is 20 years of practice or more.
- Discussed three specific areas of focus: Bring a colleague; driving involvement of government attorney involvement; and, law students/young lawyers engagement.
 - Bring a colleague focuses on getting senior attorneys to try and bring/encourage at least one junior colleague to attend events and be involved.
 - Discussion on government attorneys focused on the difficulties with spurring interest and involvement, given cost considerations and availability of free CLEs. Various Section members spoke, including M. Sinkman, W. Mugdan and J. Simpson, about these issues from a government perspective. Section members support trying to get more members interested through increased speaking opportunities and engagement.
 - Law Students/young lawyers continues to be an area of focus. We had Section members participate in the NYSBA Law Student Meet & Greet, and when things open back up, we'll consider re-engaging in person at Law School events and CLEs (including a general session on core environmental practice topics). The Section supports these measures.

Newsletter/Social Media/Webpage (D. Gamils)

- Social media refresher was held at the Annual Meeting.
- Twitter and LinkedIn followers have increased, and the Section continues to push new content, including through the use of software. Communities is less of a focus.
- Twitter takeovers with individual members have been effective.

Awards Committee (N. Ward-Willis)

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

Focused EELS Committee Discussion (L. Shaw and Committee Chairs)

- Focus of discussion on combination of Pesticides and Agricultural committees
 - T. Putsavage indicates there is really only a 25% overlap and very much two different communities.
 - S. Wyner discussed the very multifaceted aspects of regulation tied to agricultural versus pesticide.
 - L. Shaw discussed the need to get involvement of Section members, which is why this was considered this way
- Discussion by the Climate Change committee by K. Healy and C. Howard
 - Committee is reviewing the NYS Climate Action Committee's Scoping Plan tied to the Climate Leadership and Community Protection Act.
 - Committee asked for various volunteers to review and provide comments on aspects of the Scoping Plan – discussion of the various aspects of the plan was held, as well as potential division of review and comment. The timeframe for review, and comments to be received, was provided.

NYCELLI Request (W. Mugdan)

- Request was made for continued support of the program in the amount of \$1,500. A motion was made, seconded, and unanimously passed.

Nomination Committee Update (M. Hecker)

- M. Hecker thanked the members of the Nominating Committee, and reported on the approved recommendations for Secretary of the Section (A. Kendall) and Member-At-Large positions (as reported in the approved Motion from the Annual Meeting).
- Section will be looking for a new House of Delegates representative, so anyone interested was asked to notify L. Shaw or M. Hecker

Climate Change Blog (C. Howard)

- Other Sections have raised concerns with being involved, as it has appeared to be somewhat political. However, posts will continue, including through the Section's Environmental Lawyer

Future Programming (Y. Hennessey)

- A Spring 2022 Energy Law CLE is being planned for May 3, 2022. The Legislative Forum will be proceeding as planned in May 2022, and that will likely need to be virtual. We continue to look for additional programming.
- Discussion held about looking to proceed with in-person programming, once acceptable again.

Motion to Adjourn

- Motion to adjourn by L. Schnapf, seconded by K. Bernstein. Unanimously approved.

PARTICIPANTS BY ZOOM
FEBRUARY 9, 2022
EXECUTIVE COMMITTEE MEETING

Nick Ward-Willis
Linda Shaw
James Rigano
Yvonne Hennessey
Howard Tollin
Amy Jasiewicz - NYSBA
Marla Wieder
Kevin Bernstein
Claudia Braymer
Helen Mauch
Michael Hecker
Alan Knauf
Katrina Kuh
Walter Mugdan
Matthew Sinkman
Miriam Villani
Ginny Robbins
Jan Kublick
Martin Baker
John Parker
Julia O'Sullivan
Alita Giuda
Adam Schultz
Jose Almanzar
Telisport Putsavage
Amy Kendall
Rosemary Nichols
Bob Knoer
Kevin Healy
Dominic Cordisco
Liam Parker
Barry Kogut
Cheryl Vollweiler
Gregory Brown
Zackary Knaub
Daniel Ruzow
Amy Reichhart
Adam Stolorow
Drew Gamils
Daniel Krainin

Aliza Cinamon
Lemuel Srolovic
Jeffrey Greenblatt
Jon Brooks
Maggie MacDonald
Gail Port
George Pond
Christine Leas
Ragna Henrichs
Jeffrey Stravino
Jay Simpson
Kathy Bennett
Frederick Eisenbud
Scott Wyner