



New York State Bar Association
Environmental & Energy Law Section



EXECUTIVE COMMITTEE MINUTES



January 18, 2024 – 1:30 PM

Present: Y. Hennessey; M. Hecker; A. Kendall; S. Russo; A. Jasiewicz; J. Almanzar; M. Bogin; K. Healy; Z. Knaub; C. Leas; H. Mauch; J. McClymonds; M. McDonald; K. Mintzer; W. Mugdan; J. Parker; G. Port; V. Robbins; J. Simpson; M. Sinkman; N. Ward-Willis; M. Weider. A. Stolorow, A. Knauf, C. Howard, D. Krainin, I. Norman, J. Kublick, J. Rigano, J. Martin, K. Mitzner, K. Healy, K. Reilly, L. Shaw, M. Baker, P. Bousquet, R. Kafin, S. Lobe, F. Eisenbud, D. Freeman, T. Putsavage, H. Tollin, D. Mussio, A. Legland, H. Carlock, J. Stravino, J. Brooks, K. Mintzer, R. Knoer, A. Reichhart, K. Kuh, M. Valle, D. Richmond, C. Braymer, J. Cavaluzzi, N. Robinson, K. Lang, L. Lefkowitz, D. Quist

Welcome- Y. Hennessey.

Approval of Minutes: All in favor. Approved, with revision noting James McClymonds abstention on vote approving Section letter to Governor Hochul.

Budget: (M. Hecker): The Section is \$15,000 in the red compared to the budget due to the funding of an additional diversity fellowship, previously approved by the Executive Committee. Membership in the Section is up overall, but down in paid members. The Section needs to renew its focus on law firm fund raising for the diversity fellowships.

Government Attorney NYSBA Membership: (N. Ward-Willis). NYSBA is not amenable to creating a different pricing structure for membership for government attorneys, even though bar associations in New Jersey, Connecticut and California as well as other states do so. The association sticking with current rule providing a 25% discount for members who make less than \$75,000 per year. Yvonne Hennessey noted that for this year the section agreed to provide free section membership to government attorneys who join NYSBA, which offers modest relief. The Committee discussed ongoing efforts to get the association to broaden its due relief program so that it could benefit government attorneys. Nick Ward-Willis reported that the association is changing its pricing structure in 2025 to a subscription plan where attorneys are charged monthly, or one per year with a 10% discount. Members will get two section memberships included in the price and no longer have to pay separately for section membership, and free access to online CLE programs. For members with more than seven years admitted to the bar and who pay all at once the dues increase will be a modest \$10 dollars per year.

Law School Initiative (J. Rigano): Report on status of scheduling additional in-person conferences with law students, including a program, food and EELS swag. Last Fall we did a program at Buffalo Law School. There is a plan to move forward in the near future with New York Law School, Pace and St. Johns.

Foundation Grant Initiative: (M. Hecker): Mike Hecker reported that the request for a grant from NYSBA Foundation in the amount of \$10,000 is still pending. We should know whether we get it in the next month or so. If we do receive it we have to renew the application yearly if we want to continue to pursue the funding.

Fall Meeting: (A. Kendall): Planning is underway for the Fall Meeting, including the half day CLE program. Fall Meeting will be held at the Equinox in Manchester, Vermont on September 25-26.

Committee Updates.

Diversity Committee: (C. Leas/ S. Lobe): Christine Leas reported on the now final effort to update the criteria for fellowship selection (now posted on website) and also reported that this year's two recipients were both from NYU Law School. Continued discussion about efforts to fundraise, targeted at law firms, to ensure that sufficient money is raised to support two \$10,000 fellowships each year.

Global Climate Change: ((V Robbins): Kevin Healy and Ginny Robbins announced the upcoming webinar.

Enforcement and Compliance Committee: (M. Sinkman): Announced that free one hour webinars to be held on March 14 and March 21, with the first program on federal civil enforcement and the second one focusing on federal criminal enforcement.

Environmental Justice: (J Almanzar/I. Norman): The chairs thanked the group of Section members including John Parker, Dan Ruzow and Karen Mintzer who assisted on the comment letter the Section submitted on DEC's draft guidance on analysis of disproportionate impacts on disadvantaged communities, mandated by the CLCPA. It was an extensive effort. The EC was asked to boost attention to the program on the availability and use of federal IRA grant money for municipalities addressing EJ issues.

Affordable Housing: (D. Richmond): Update provided on preparation of a white paper focused on potential revisions to SEQRA and financial incentives aimed at boosting the development of affordable housing. This is an extensive effort across sections involving 10-20 attorneys, with the hope to finalize it next month.

Legislative Forum: (J. Parker): Legislation Committee gave a report on upcoming Legislative Forum this spring. The Committee wishes to propose a two-day event rather than meeting successive weeks for the oil spill symposium and then the legislative forum the following week, which is how the section has scheduled these events in the past. Instead, the committee proposes to hold the oil spill symposium event in the afternoon and then the Legislative Forum the next day. There are constraints as to dates, but the committee is looking to do it either May 7-8 or May 14-15.

Section Journal: (J. Simpson): Report on recent articles in the journal with a solicitation for work on additional topics. The last issue came out late in 2023, featuring the DEI fellowship and Section Chair Yvonne Hennessey. Next deadline is March 1st.

Future Programming: (A. Kendall): Amy Kendall solicited the help of Section standing committees to help with panels, or to develop free-standing one hour CLE programs. It is important if a committee begins an effort to develop a program that it alert the cabinet first.

New business: None.

Next meeting: May 2024