



**ENVIRONMENTAL & ENERGY LAW SECTION  
EXECUTIVE COMMITTEE AGENDA**

**Wednesday, May 25, 2022**

**12:00 P.M. – 1:30 P.M.**

**Via Zoom -- <https://nysba.zoom.us/j/5184875682>**

**Audio only - Dial 1-888-475-4499 US Toll-free | Meeting ID 518 487 5682**

1. Welcome by the Chair Linda Shaw
2. Approval of Minutes from February 9 2022 Executive Committee Meeting (page 2)
3. Budget Report (Julia O'Sullivan, Budget Director)
4. Annual Meeting Update (J. Rigano)
5. Diversity & Inclusion Fellowship and Committee Update (C. Leas/ S. Lobe)
6. Newsletter/Social Media/Webpage (R. Partington)
7. Awards Committee – Nick Ward-Willis
8. DEC Rulemaking – Part 624, Part 375, Part 360, SEQRA new Disadvantaged Community Language – Committees to provide updates
9. Climate Leadership Community Protection Act Comment Memo (K. Healey or V. Robbins)
10. May 18, 2022 Legislative Forum (J. Parker)
11. Future programming (Y. Hennessy)
  - Law Student Meet and Greet
  - Energy Webinar
  - Legislative Forum 2023
  - Other webinars
12. Nomination Committee

13. New Business

14. Motion to Adjourn

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