

**ENVIRONMENTAL & ENERGY LAW SECTION EXECUTIVE COMMITTEE
AGENDA
JANUARY 17, 2024**



1. Welcome
2. Approval of Minutes - September Executive Comm. Meeting (S. Russo) Page 3
3. Budget Report (J. Poarch) Page 6
4. Government Attorney Membership (N. Ward-Willis, M. Sinkman) Page 7
5. Law School Initiative (J. Rigano)
6. Foundation Grant Application (M. Hecker)
7. Fall Meeting (A. Kendall) Page 25
8. Committee Updates
 - a. Diversity & Inclusion Fellowship (C. Leas/V. Robbins) Page 27
 - b. Global Climate Change (V. Robbins/K. Healy) Page 29
January 23 – Webinar Co-Presented with Environmental Justice Committee
What Municipalities Need to Know to Apply to USEPAs 4.3 Billion Climate Pollution Reduction Grant Program
<https://nysba.org/events/what-municipalities-need-to-know-to-apply-to-usepas-4-3-billion-climate-pollution-reduction-grant-program/>
 - c. Enforcement and Compliance Committee (M. Sinkman)
March 14 – Federal Civil Environmental Enforcement 101 & Advanced Topics: Current and Former Regulators Provide their Perspectives
<https://nysba.org/events/federal-civil-environmental-enforcement-101-advanced-topics-current-and-former-regulators-provide-their-perspectives/>
March 21 – Federal Criminal Environmental Enforcement 101 & Advanced Topics: Current and Former Regulators Provide their Perspectives
<https://nysba.org/events/federal-criminal-environmental-enforcement-101-advanced-topics-current-and-former-regulators-provide-their-perspectives/>

- d. Environmental Justice (J. Almanzar/I. Norman)
 - e. Affordable Housing Task Force (D. Richmond)
- 9. Section Journal (J. Simpson)
- 10. Future programming (A. Kendall)
- 11. New Business
- 12. Motion to Adjourn



New York State Bar Association
Environmental & Energy Law Section

EXECUTIVE COMMITTEE MINUTES

September 26, 2023 – 4:30 PM



Present: J. Almanzar; M. Baker; T. Bakner; K. Bernstein; M. Bogin; C. Braymer; H. Carlock; A. Cinamon; D. Freeman; D. Gamils; A. Guida; K. Healy; M. Hecker; Y. Hennessey; C. Howard; A. Jasiewicz; R. Kafin; A. Kendall; Z. Knaub; R. Knoer; D. Krainin; J. Kublick; K. Kuh; A. Knauf; K. Kennedy; C. Leas; A. Legland; S. Lobe; H. Mauch; J. McClymonds; M. MacDonald; K. Mintzer; W. Mugdan; D. Mussio; I. Norman; J. Poach O’Sullivan; J. Parker; T. Putsavage; D. Quist; A. Reichhart; D. Richmond; V. Robbiins; J. Rigano; N. Rigano; N. Robinson; D. Ruzow; S. Russo; A. Sargente; L. Shaw; J. Simpson; M. Sinkman; H. Tollin; M. Valle; M. Weider; M. Zoghlin

Welcome - Yvonne Hennessey, Chair

Approval of Minutes: Approved unanimously.

Budget: As of the time of the meeting, the section is below its budget and on track to stay that way by close of year.

Membership Initiative: Yvonne Hennessey outlined the section’s membership initiative. The Cabinet appointed a committee to develop ideas on increasing membership and ensuring that attorneys from government and NGOs participate. The Committee will address issues such as affordability of NYSBA and section membership and also considering reduced rates to events for attorneys not in private practice to encourage attendance, especially when it comes to virtual events.

Bar Foundation: Michael Hecker reported on the section’s recent submission of a grant application to the NYSBA Foundation seeking a \$10,000 grant for the EELS diversity fellowship. More than 10 years ago the section applied for this type of grant funding and received it, but have not applied recently. Rather than expanding grant efforts to seek funding from outside foundations, Mike reported that the section is considering soliciting contributions for the fellowship from law firms. We should hear back on the grant application by February 2024.

Annual Meeting: Steven Russo gave an update on the planning underway for the CLE program for the Annual Meeting in January 2024. Dates are January 17 and 18 and panels are being assembled on wetlands post Sackett, onshore and offshore renewable energy and Artificial Intelligence. Lunch will again be at Mastro’s. Program title, playing off the AI panel, is “2024 A Legal Odyssey.”

2023 Essay Contest: Yvonne Hennessey announced the winners of the 2023 Essay Contest on behalf of Miriam Villani. There were nine entries, 4 from Columbia Law School, 3 from Pace Law School and 1 each from Albany Law and CUNY Law. The winners were: Celeste Fleetwood (Columbia Law) for “The Feasibility and Challenges of Converting Retiring Coal Plants Into Nuclear Plants” (First Place); Caroline Chen (Pace Law) for “Climate Change:

Decarbonizing New York City From the Bottom Up,” (Second Place); and Elizabeth Schanz (Albany Law) for “Marine Wildlife Considerations For a Convention Governing Floating Offshore Wind Turbines” (Third Place).

Committee Reports

Brownfield Committee: David Freeman discussed the recent work of the Brownfield Task Force. There will be a Brownfield Program on December 5, with DER head Andy Guglielmi from DEC giving the keynote address. It will be a virtual program with presenters from state and federal government and private practice. The Task Force is also hoping that the program will discuss the new draft Part 375 regulations which are expected to be released by that date. Linda Shaw also discussed further work of the task force with regard to a NYSDEC draft policy that has been circulated that includes plans to require significant financial assurance from BCP volunteers and participants. The task force has serious concerns with this component of the draft policy and the potential for this change to create a major disincentive for applicants to join the program.

Diversity and inclusion fellowship – Ginny Robbins gave a report on the committee’s recent efforts which have focused on making changes to the application form to ensure that it is inclusive and obtains information that will be helpful to the committee reviewing the applications. The Committee had 14 applicants last year and is hoping to grow the applicant pool to over 20 this year, given the increased funding. Last year two NYU Law students were awarded the fellowship.

Global Climate Change – GCC Committee presented for approval a draft letter to go to N.Y. Governor Hochul to stress the need to provide assistance to small municipalities and community groups to apply for Environmental Justice grant funding which is available under the recently enacted federal IRA law for energy efficiency/sustainability/renewable energy projects that focus on mitigating impacts to environmental justice/disadvantaged communities. The funding even includes access to grant writers to assist in preparing applications for these federal grants. However, the IRA provides that the grant money has to be obligated by 2024, which is aggressive. The hope is for NYSBA to put on a conference or perform trainings to get the word out to municipalities about the existence of this federal money. The letter asks the Governor to appoint a contact in the Executive Chamber to work with the Governor to spur this work. The NYC Bar Association is working on a similar letter to go to Mayor Adams. Our section is working with the NYSBA Local and State Government Law Section to get to the attorneys who work with these small governments offices to get attendees to the conference, which likely will be virtual, to ensure that parties have an understanding of the substantial resources that are available for government and community programs focusing on sustainability, renewable energy, energy efficiency. The EC unanimously approved recommending that NYSBA send the letter on behalf of the EELS section as well as the NYSBA Local and State Government Law Section and the NYC Bar Association.

Environmental Justice – Jose Almanzar and Ivonne Norman presented the report of the EJ committee. The Committee has successfully recruited younger attorneys from diverse backgrounds to the section and the EJ committee. The committee is working with the GCC

Committee on the project to raise awareness for local governments and community groups to access the IRA EJ grant funding.

Housing Task Force: Dan Richmond introduced the work of the Housing Task Force to the EC. This group recently formed and is looking for additional participation, especially folks from upstate New York. The task force is targeting the next legislative session to generate a white paper with various ideas to facilitate housing construction throughout the state. The effort cuts across the following NYSBA sections, EELs, Land Use, Real Estate and Local Government.

EELS Newsletter: Jay Simpson updated the EC on the work on the Section journal, with a goal to make the journal more of a tool to market the section as a whole. Recent articles covered topics such as environmental justice and the green amendment.

Future Programming: Amy Kendall highlighted that on November 1 there will be a program in Buffalo on environmental issues. Amy made a pitch for ideas and volunteers for a couple of additional one hour lunch time virtual CLEs.

New Business: Walter Mugdan presented request to fund the 18th annual NYCELLI program. Walter made a motion that the Section contribute \$1,500 to assist in funding the program, and the EC unanimously approved the motion. Nick Robinson made an announcement about the Pace Elizabeth Haupt award.

Meeting adjourned at 5:50 PM.

Next meeting: January 2024.

Respectfully Submitted,

Steven C. Russo, Section Secretary

New York State Bar Association
624 - Environmental Law Section
For the period ending December 31, 2023

	2023		2023		2022		2022		2021		2020		2019	
	Budget	December	December YTD	Percent	Budget	December YTD	Percent	December YTD	December YTD	December YTD	December YTD	December YTD	December YTD	December YTD
Income														
Dues	28,000.00	-	25,205.00	90%	27,000.00	26,555.00	98%	26,757.50	26,705.00	27,932.50				
Meetings	25,850.00	-	34,475.00	133%	35,000.00	26,095.00	75%	2,852.00	18,570.00	45,405.00				
Sponsorship	25,000.00	-	26,250.00	105%	34,000.00	15,975.00	47%	25,850.00	20,150.00	34,550.00				
Newsletters	600.00	-	725.00	121%	500.00	-	0%	540.00	675.00	-				
Assessments	-	-	-	0%	-	6,080.00	0%	-	-	-				
Prior Years Surplus Used	18,000.00	-	-	0%	-	-	0%	-	-	-				
Total Income	97,450.00	-	86,655.00	89%	96,500.00	74,705.00	77%	55,999.50	66,100.00	107,887.50				
Expenses														
Postage & Shipping	500.00	-	1,504.45	301%	1,000.00	155.61	16%	319.44	564.29	1,791.17				
Supplies	-	-	30.00	-	-	-	0%	-	-	-				
Awards & Grants	5,500.00	-	19,043.96	346%	6,500.00	18,434.32	284%	11,187.01	13,620.62	11,641.04				
Train Travel	-	-	45.00	-	-	-	0%	-	-	-				
Gas & Mileage	-	-	93.01	-	-	45.63	0%	-	-	-				
Car Rental	-	-	-	-	-	-	0%	328.44	-	-				
Tolls, Parking & Cabs	-	-	17.50	-	-	-	0%	-	-	-				
Lodging	-	-	289.23	-	-	1,078.02	0%	-	-	-				
Meals	-	-	135.24	-	-	-	0%	76.80	-	-				
Misc Travel Costs	2,000.00	-	-	0%	500.00	-	0%	965.63	295.97	250.00				
Diversity	500.00	-	-	0%	500.00	-	0%	(7,331.25)	-	-				
Membership Initiative	750.00	-	946.05	-	750.00	-	0%	-	680.00	-				
Meeting Rooms	2,000.00	-	200.00	10%	15,000.00	770.40	5%	-	-	43,611.25				
Catering & Banquets	42,000.00	-	46,198.81	110%	40,000.00	6,240.26	16%	7,571.39	24,570.61	46,162.87				
Beverage Service & Receptions	18,000.00	-	10,329.20	57%	10,000.00	8,733.69	87%	3,226.63	5,380.00	25,381.69				
Speaker & Guest Expense	750.00	-	772.38	103%	1,000.00	(718.68)	-72%	521.85	466.10	975.74				
Audio/Visual Expense	12,000.00	-	11,001.94	92%	4,500.00	3,877.89	86%	919.10	8,893.97	5,670.01				
Promotional Costs	-	-	766.20	-	1,000.00	-	0%	-	1,192.19	1,991.95				
Ground Transportation	-	-	-	-	-	-	0%	492.60	-	-				
Activities & Entertainment	500.00	-	-	0%	500.00	-	0%	250.00	-	567.00				
Gratuities	-	-	-	-	-	-	0%	-	-	150.00				
Section Executive Committee Meetings	4,000.00	-	4,442.35	111%	4,000.00	1,869.29	47%	1,631.99	9,850.47	7,716.60				
Officers Expense	250.00	-	-	0%	250.00	179.67	72%	305.30	-	134.20				
Miscellaneous Meeting and Program Costs	2,000.00	-	1,592.11	80%	4,000.00	-	0%	-	726.88	2,028.02				
Section Subcommittee Meetings	1,500.00	-	-	0%	500.00	-	0%	-	-	46.19				
Newsletters	3,700.00	2,250.00	3,404.47	92%	5,000.00	4,935.39	99%	8,228.23	3,291.26	5,311.16				
Graphic Department Allocations	1,500.00	-	690.13	46%	1,500.00	336.72	22%	399.10	1,044.96	2,047.44				
Total Expenses	97,450.00	2,250.00	101,502.03	104%	96,500.00	45,938.21	48%	29,092.26	70,577.32	155,476.33				
Net Income over Expense	-	(2,250.00)	(14,847.03)		-	28,766.79		26,907.24	(4,477.32)	(47,588.83)				

Accumulated Surplus (Deficit)



NEW YORK STATE BAR ASSOCIATION SUBSCRIPTION MODEL



Introduction

The New York State Bar Association continues to see a decline in membership, and while the Strategic Planning Committee is continuing to work on long-term planning for our organization, there are some areas that we can make impactful change sooner rather than later.

As it has been stated before, NYSBA has a complicated dues structure, with varying fees depending on membership level, section membership, programming purchases, etc.

At times, we can compete with ourselves when trying to market NYSBA membership, along with section memberships, and then adding individual programming marketing all throughout the year. It can get overwhelming for our members receiving too many e-mails, and problematic for staff as it pertains to allocation of resources and overall prioritization.

With fewer pricing options to choose from and eliminating many of our current “pay per drink” transactions, a subscription-based model should assist us with stronger long-term revenue forecasting. The goal is to achieve more efficient online transactions with our members, particularly during the renewal period, but also when it comes to CLE event registration and publication sales.

As we continue to stress value, this new business model is a path to augment our current value proposition, improving our membership retention numbers, as well as growing our membership amongst the approximate 85% of NY licensed attorneys who are not currently members of NYSBA.

Subscription Model

A subscription-based sales model is a business approach where members will pay a recurring fee at regular intervals, typically monthly or annually, to access a product or service. It is a departure from the traditional one-time purchase model and aims to establish an ongoing relationship with members.

In this model, members sign up for a subscription plan that offers certain benefits, such as access to exclusive content, cle programming, digital publications and forms, and additional partner benefits. The subscription fee grants them continued access to these benefits for the duration of their subscription. Some key aspects of a subscription-based sales model are the following:

Recurring Revenue: The model provides a steady stream of revenue for the association, as members are billed periodically. This predictable income can help with financial planning and sustainability.

Member Retention: By offering ongoing value and maintaining a relationship with members, the subscription model encourages member loyalty. Subscribers are more likely to continue their subscriptions, reducing member churn.

Value Proposition: The model focuses on delivering ongoing value to members. Whether it is access to exclusive content, regular updates and improvements, or personalized experiences, the value proposition is designed to justify the recurring payments.

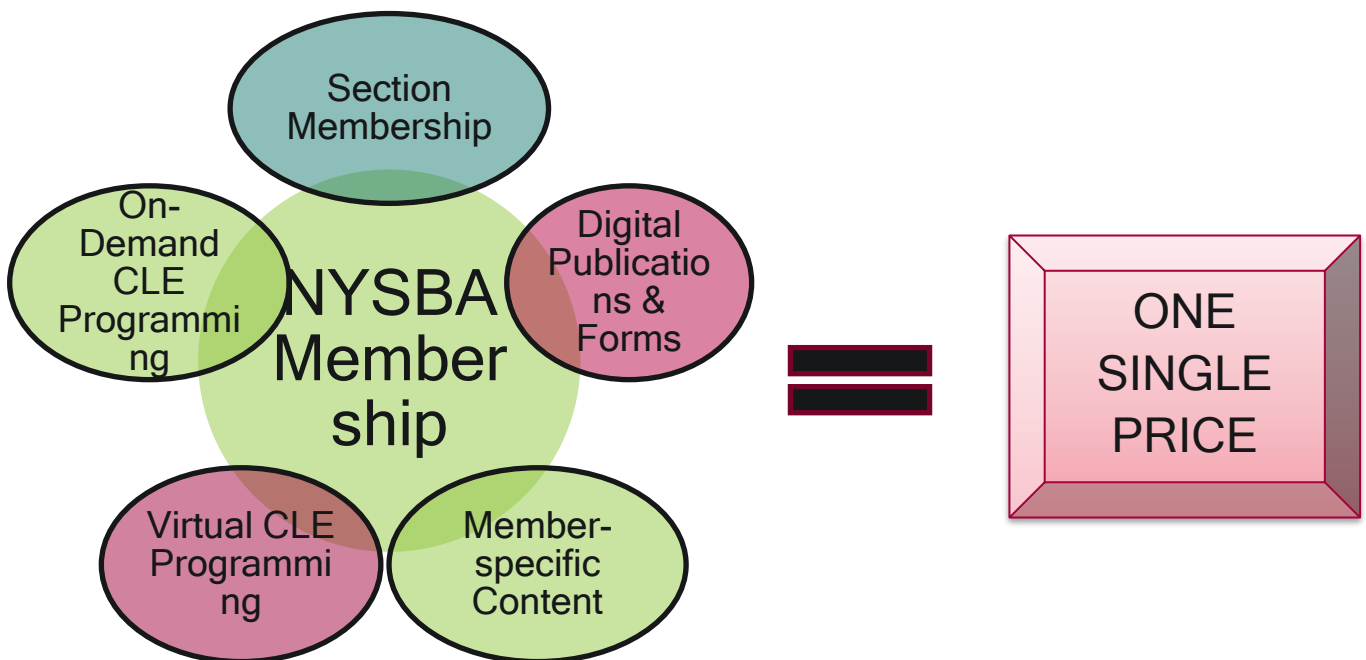
Improved User Experience: From a technological perspective, the model will allow for a more efficient join/renew process as well as improve the existing transactional processes required for program registrations and online purchases.



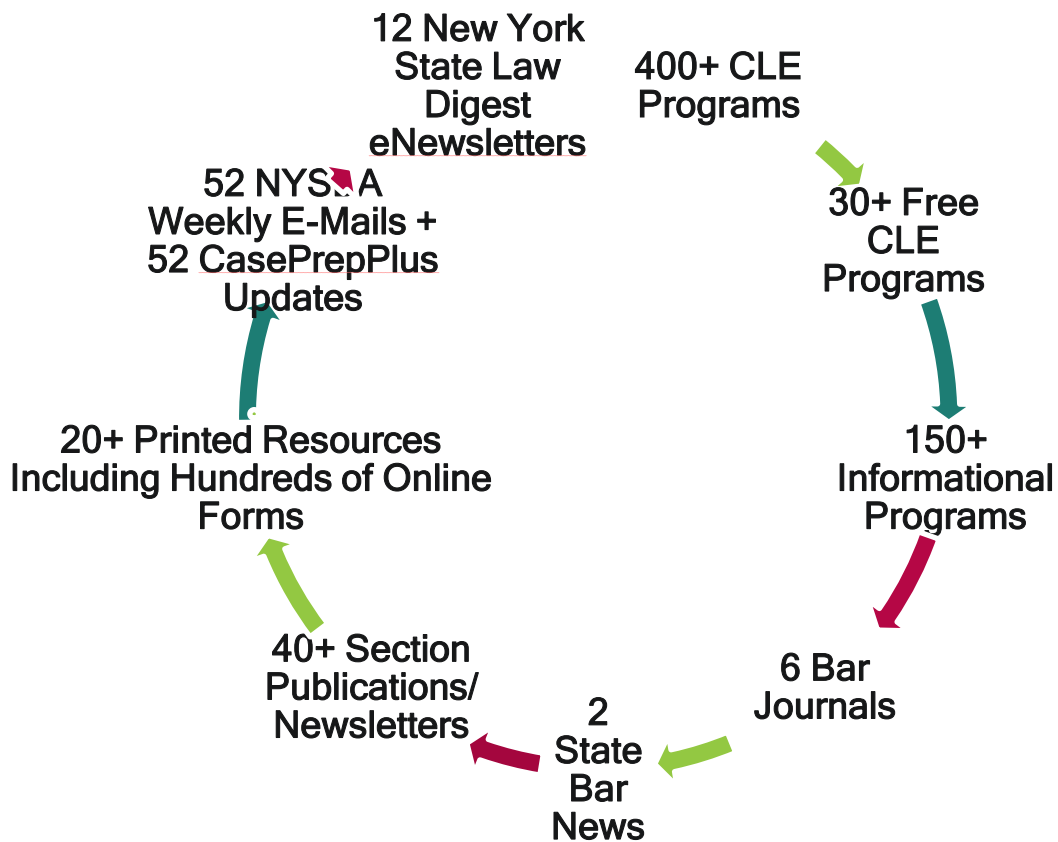
What is being proposed?

We would offer multiple NYSBA resources for a single fee, allowing members to receive these add-ons that they would otherwise have to complete (and pay) through separate transactions. Membership to the New York State Bar Association would include the following:

- Unlimited virtual CLE registration
- 24/7 access to on-demand programming at no additional charge
- Complimentary access to our entire digital library of resources including ebooks and select online forms
- Member-only content that would traditionally be provided to only section members or paid NYSBA members
- Two complimentary section memberships



Just to focus on content for a moment, as you can see from this snapshot, we as an organization produce an immense amount of content for our members any given year. Keeping in mind this does not include what gets produced by our Communications Department each year, which would be an additional 150-200 additional articles and resources.



Because of the expenses involved, and the varying fee structure required to deliver in-person events such as Section destination meetings, in-person CLEs, and Annual Meeting, they would be omitted from this model and require an additional fee should a member choose to register.



Subscription Fees

Newly Admitted PLUS	1-2 Year	3-6 Year	7+ Year
\$9.95/Monthly	\$14.95/Monthly	\$24.95/Monthly	\$32.95/Monthly
\$107.46/Annual (10% Discount)	\$161.46/Annual (10% Discount)	\$269.46/Annual (10% Discount)	\$355.86/Annual (10% Discount)
2 Complimentary Sections	2 Complimentary Sections	2 Complimentary Sections	2 Complimentary Sections
Complimentary Bridging the Gap CLE Program	Complimentary Virtual CLE Programming	Complimentary Virtual CLE Programming	Complimentary Virtual CLE Programming
Full Access to eBook & Online Forms Library	Complimentary On-Demand CLE Programming	Complimentary On-Demand CLE Programming	Complimentary On-Demand CLE Programming
Complimentary Section Publications	Full Access to eBook & Online Forms Library	Full Access to eBook & Online Forms Library	Full Access to eBook & Online Forms Library
Complimentary Bar Journal & State Bar News	Complimentary Section Publications	Complimentary Section Publications	Complimentary Section Publications
	Complimentary Bar Journal & State Bar News	Complimentary Bar Journal & State Bar News	Complimentary Bar Journal & State Bar News

To successfully launch this new model, we opted not to greatly deviate from our existing pricing and would continue to make available four options for our members based on years of admission.

- Newly Admitted PLUS
- 1-2 years
- 3-6 years
- And 7+ years

Our plan is to continue to support complimentary membership for law students and the newly admitted attorneys that get registered as members via the Office of Court Administration (OCA), however we will be introducing a premium option for newly admitted attorneys, that would be 100% optional, in order to place extra emphasis on the importance of converting that cohort into paying members before they are officially dropped from the organization. We will also hold the price for retired attorney members and Sustaining members to what it is currently.

- Law Students (Complimentary)
- Newly Admitted (Complimentary)
- Newly Admitted PLUS (Optional Upgrade)
- Retired Members (\$100)
- Sustaining Members (\$150)

A dramatic increase in dues for the lower membership levels could be perceived as too exorbitant and may result in a membership decrease in those ever-important categories, since we need to continue to fill that pipeline to sustain as an organization long-term. Additional cohorts such as Government, Non-Profit, and Public Interest attorneys are welcome to submit a dues waiver accordingly for discounted membership.

We also assessed the average spend by each membership category during the 2021 and 2022 calendar years. This average was taken by analyzing membership dues, section dues, event(s) registration and publication purchases.

Membership Level	2021 Avg Annual Spend	2022 Avg Annual Spend
1-2 Years	\$180.34	\$186.86
3-6 Years	\$270.36	\$275.98
7+ Years	\$382.40	\$412.13

From a dues comparison standpoint, while we will be higher than smaller affinity associations and county associations, our proposed structure is competitive with larger organizations.

New York State Bar Association	
0-2 Years	\$95
3-6 Years	\$175
7+ Years	\$275

New York City Bar Association	
Admitted 2011 and Prior	\$525 (one-time fee) + \$525
Admitted 2012-2015	\$515 (one-time fee) + \$515
Admitted 2016-2017	\$355 (one-time fee) + \$355
Admitted 2018-2020	\$280 (one-time fee) + \$280

New York County Lawyers Association	
1-2 Years	\$75
3-7 Years	\$190
8-12 Years	\$285
13-20 Years	\$370
21+ Years	\$450

American Bar Association	
0-4 Years	\$75
5-9 Years	\$150
10-14 Years	\$250
15-19 Years	\$350
20+ Years	\$450
Gov't, Non-Profit, Judges, Solo Practitioners, Small Firm, Retiree	\$150

Member Scenarios

Based on our existing fee schedule, and a la carte purchase options (i.e. Sections, CLE, Publications/Forms), there are a number of member purchase scenarios that exist, however here are just two examples that showcase a comparison between previous spend and prospective spend based on pricing that's being discussed. Just to give an idea of what can be expected.



Samuel Gardner

Practicing 12 Years

2022 Purchases

NYSBA Membership: \$275
 2 Section Memberships: \$70
 1 CLE: \$50
 TOTAL: \$395

Proposed Dues

\$395.40/Monthly
 \$355.86/Annual



Monique Shaw

Practicing 5 Years

2022 Purchases

NYSBA Membership: \$175
 1 Section Membership: \$40
 1 CLE: \$50
 TOTAL: \$265

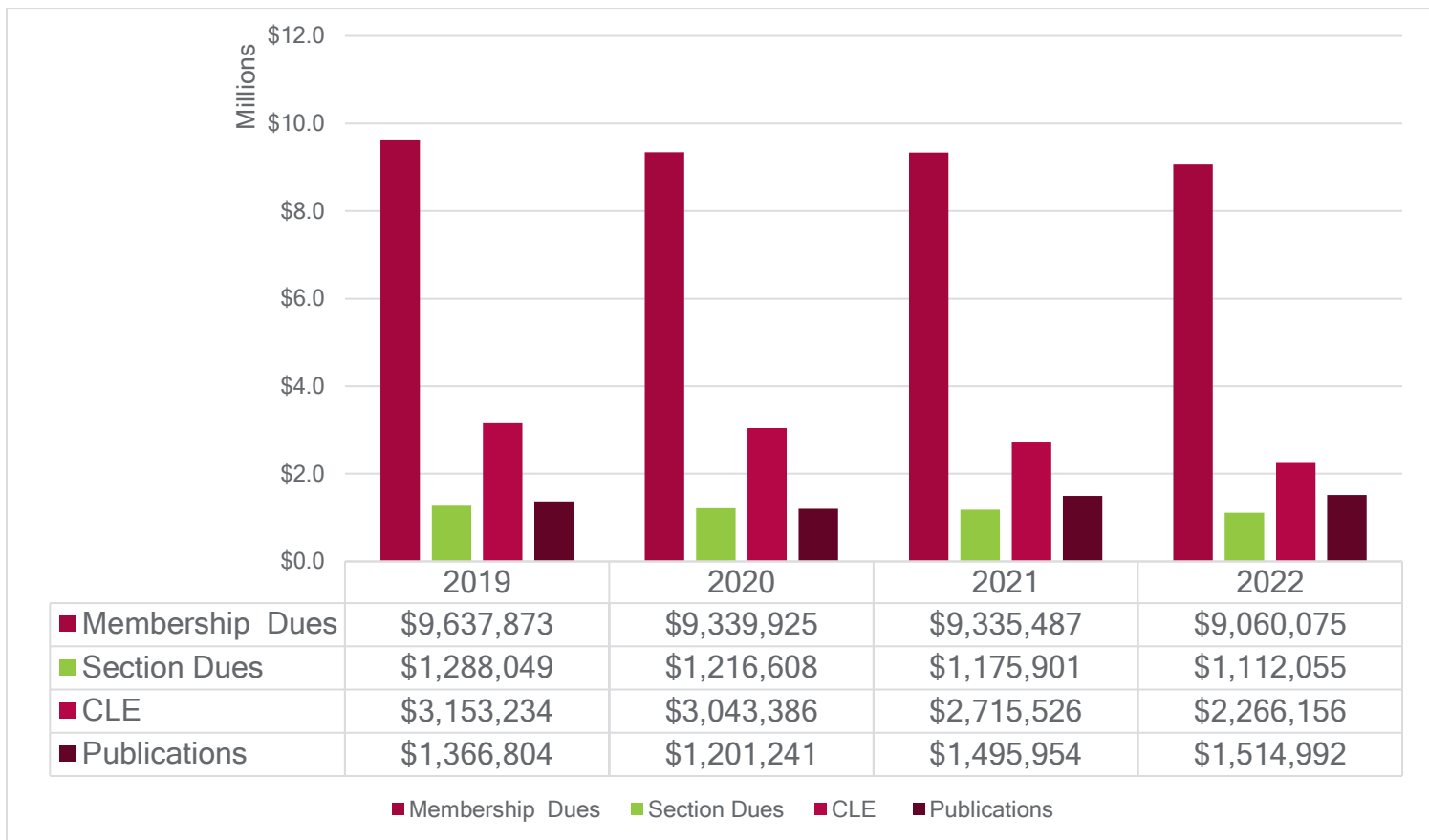
Proposed Dues

\$299.40/Monthly
 \$269.46/Annual

Revenue Forecast

One of the first exercises performed when determining a suitable dues structure for a subscription model was reviewing the revenue received for all categories that would be impacted: Membership Dues, Section Dues, CLE Programming, and Publications.

We did not include revenue received from USI, advertising, in-person Section events, etc. since they would not be impacted by this proposed model.



We prioritized general membership dues, since that represents 65% of the total revenue in question, and therefore has the least wiggle room for potential cannibalization, and then worked in the three additional revenue streams after that.

For this report, we are going to focus on the \$13,953,278 generated in revenue during the 2022 fiscal year.

Membership Category	2022 Membership Numbers	Current Dues Fee	2022 Actual Revenue	Proposed Dues	Total Revenue Based on Proposed Dues
1-2 Years	3,113	\$95	\$295,735	\$179.40	\$547,296*
3-6 Years	3,267	\$175	\$571,725	\$299.40	\$958,559*
7+ Years	30,788	\$275	\$8,466,700	\$395.40	\$11,930,087*
Newly Admitted PLUS	N/A	N/A	N/A	\$119.40	\$64,703*
Retired	849	\$100	\$84,900	\$100	\$84,900
Sustaining Member	731	\$150	\$109,650	\$150	\$109,650
Additional Sections		Varies		\$25	\$101,100
Non-Member Revenue				N/A	\$500,000
					\$14,296,295

When reviewing the proposed numbers, please focus on the dues for each category and how closely they are aligned with the average spend per category based on 2021 and 2022 data.

For the Newly Admitted Plus category, in which we piloted a similar promotion during the fall of 2022, to convert free newly admitted members into paying members and saw some promising results, we based it on a conservative conversion of 5% of the total number of newly admitted attorneys.

For additional sections, we forecasted revenue based on the additional paid section memberships after the 2 complimentary ones and used the flat rate of \$25.

You can see that based on this model; we would anticipate recognizing over \$300K in additional revenue if member numbers stay flat to 2022.

2022 Revenue	Subscription Model Proposed Revenue
\$13,953,278	\$14,296,295

Impact on Sections

NYSBA's Sections only have something to gain based on this new model, as it will not only provide a consistent stream of dues income based on overarching NYSBA membership but will create a pipeline to increase Section membership overall.

Existing benefits and deliverables that Sections, and their respective members, receive will not be eliminated. Also, the existing autonomy that Sections possess, as far as their day-to-day activities are concerned, should not change based on this proposed model.

ITEM	CURRENT MODEL	SUBSCRIPTION MODEL
Section Membership	\$25-\$40 per Section	2 Free Sections*
Section Publications	Complimentary	Complimentary
Virtual CLE Programming	Pricing based on program	Complimentary
On-Demand CLE Programming	Pricing based on program	Complimentary
Destination Meeting(s)	Pricing based on meeting; Section keeps revenue; Section-specific discount	Pricing based on meeting; Section keeps revenue; Section-specific discount
Section Sponsorships	Section keeps revenue	Section keeps revenue
Online Communities	Section-member access	Section-member access

Section Dues Revenue

For this proposal, we are presenting a royalty model with sections, using a rate determined by total paid section membership, then multiplied by total NYSBA paying members.

- For example, a section with 1,000 paid members would qualify for the \$0.95 revenue share rate. Multiply that by 38,000 NYSBA paying members and it comes to \$36,100.
- A section with 2500 paid members would qualify for the \$2.10 revenue share rate. Multiply that by 38,000 NYSBA paying members and it comes to \$79,800.

This model would see Sections generating revenue based on the total NYSBA paid membership number, regardless of whether the paid NYSBA member is also a member of that Section. When NYSBA membership increases, then Section revenue increases along with it.

Each NYSBA member would receive two complimentary Section memberships, and then would pay a flat rate of \$25 for any additional section memberships above that number.

Section Members	Royalty Rate	2022 Paid NYSBA Members	*Section Revenue	Section Members	Royalty Rate	2022 Paid NYSBA Members	*Section Revenue
0-200	\$0.15	38,000	\$5,700	1501-1600	\$1.55	38,000	\$58,900
201-400	\$0.30	38,000	\$11,400	1601-1700	\$1.60	38,000	\$60,800
401-500	\$0.35	38,000	\$13,300	1701-1800	\$1.65	38,000	\$62,700
501-600	\$0.45	38,000	\$17,100	1801-1900	\$1.70	38,000	\$64,600
601-700	\$0.55	38,000	\$20,900	1901-2000	\$1.75	38,000	\$66,500
701-800	\$0.70	38,000	\$26,600	2001-2250	\$1.80	38,000	\$68,400
801-900	\$0.80	38,000	\$30,400	2251-2500	\$1.95	38,000	\$74,100
901-1000	\$0.90	38,000	\$34,200	2501-2750	\$2.10	38,000	\$79,800
1001-1100	\$0.95	38,000	\$36,100	2751-3000	\$2.25	38,000	\$85,500
1101-1200	\$1.30	38,000	\$49,400	3001-3250	\$3.25	38,000	\$123,500
1201-1300	\$1.35	38,000	\$51,300	3251-3500	\$3.45	38,000	\$131,100
1301-1400	\$1.45	38,000	\$55,100	3501-3750	\$3.65	38,000	\$138,700
1401-1500	\$1.50	38,000	\$57,000	3751-4000	\$3.95	38,000	\$150,100

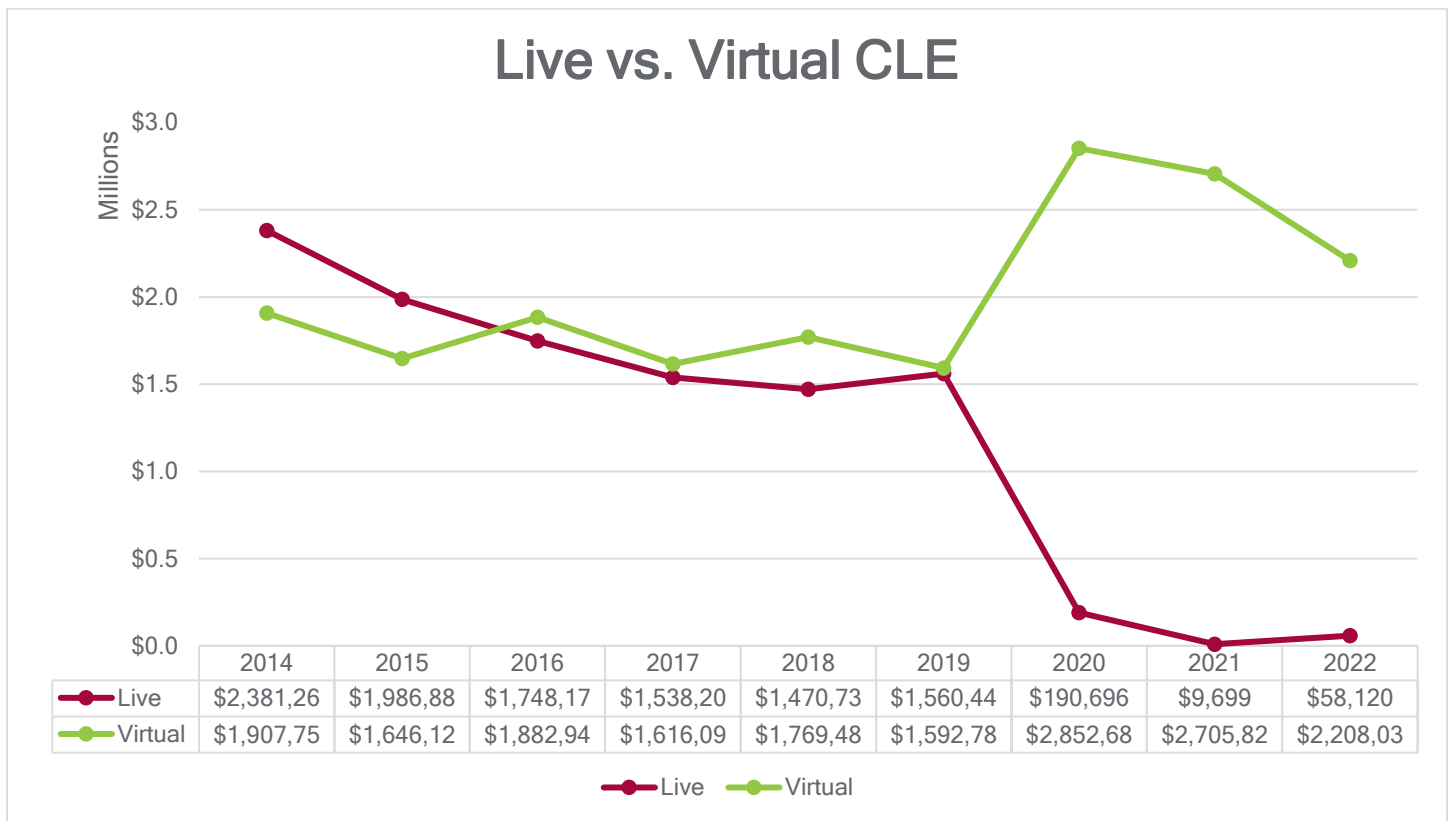
If this model was in place today, based on 38,000 paid members in 2022, with each of our twenty-eight sections receiving their appropriate revenue share percentage, then 26 Sections would generate equal or greater income. The two sections that happen to be reflecting a small loss is Health Law (\$56.00) and ComFed (\$1600) but the association would gladly make up the difference in those isolated cases.

SECTION	2022 Paid Members	2022 Actual Revenue	Proposed Revenue based on royalty model	+/-
Antitrust	316	\$9,660	\$11,400	\$2,345
Business Law	2239	\$55,384	\$68,400	\$13,016
Cannabis Law	244	\$9,055	\$11,400	\$2,345
<u>ComFed</u>	1399	\$56,700	\$55,100	(\$1,600)
Corporate Counsel	852	\$25,925	\$30,400	\$4,475
Criminal Justice	819	\$28,945	\$30,400	\$1,455
DRS	1327	\$47,065	\$55,100	\$8,035
Elder Law	2206	\$66,320	\$68,400	\$2,080
EASL	750	\$26,536	\$26,600	\$64
EELS	762	\$26,555	\$26,600	\$45
Family	1784	\$62,488	\$62,700	\$212
Food, Drug, & Cosmetic	153	\$4,493	\$5,700	\$1,207
General Practice	1010	\$24,834	\$36,100	\$11,266
Health	897	\$30,456	\$30,400	(\$56)

SECTION	2022 Paid Members	2022 Actual Revenue	Proposed Revenue based on royalty model	+/-
IP	843	\$22,155	\$30,400	\$8,245
International	931	\$33,425	\$34,200	\$775
Judicial	305	\$7,675	\$11,400	\$3,725
Labor & Employment	1470	\$50,918	\$57,000	\$6,082
LGBTQ	262	\$7,740	\$11,400	\$3,660
Local & State	796	\$23,970	\$26,600	\$2,630
Real Property	3246	\$123,217	\$123,500	\$283
Tax	1562	\$39,918	\$58,900	\$18,982
TICL	1360	\$54,100	\$55,100	\$1,000
Trial Lawyers	1191	\$48,020	\$49,400	\$1,380
T&E	3776	\$149,987	\$150,100	\$113
WILS	665	\$19,340	\$20,900	\$1,560
Young Lawyers	880	\$17,235	\$30,400	\$13,165
50+	1975	\$39,940	\$66,500	\$26,560

CLE Considerations

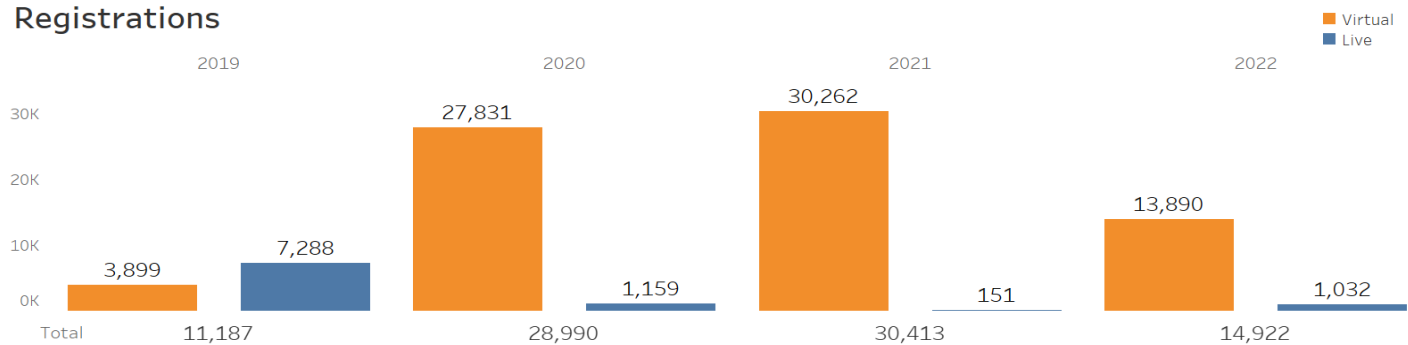
Since it does play a significant role in this proposed model, let us discuss CLE programming. There has been a trend for the last few years that shows live revenue decreasing, and being replaced with virtual revenue, which includes webinars, webcasts, on-demand programs and CD/DVDs. Fully recognizing the “nudge” that we received during COVID, participation and demand for virtual programming has been present for some time now.



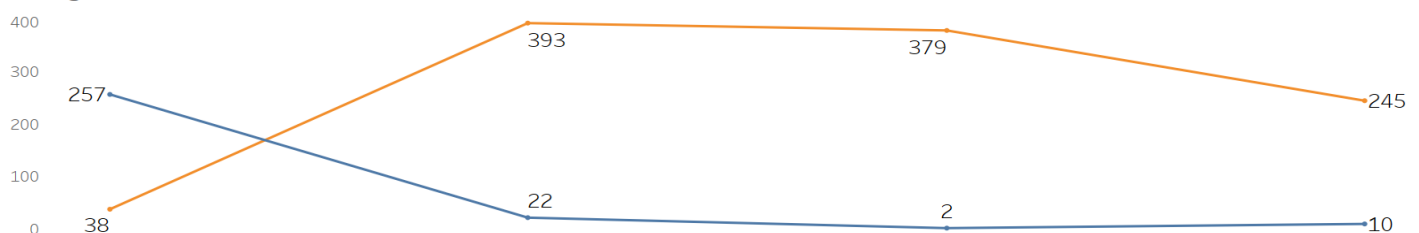
What is even more important when it comes to CLE and our virtual programming is the increased engagement. As you can see in the next chart, during 2020 we had 11,187 total registrations between our live and virtual programs. While we recognize the push COVID gave us, registrations increased significantly in 2020 and 2021 when we switched to almost all virtual. We should not lose sight of that.

While we saw a decline in 2022, partially due to an increase in Section meetings taking place in-person, which are not included in the above numbers, we are still seeing a total registration increase of over 30% from the pre-pandemic number.

Registrations

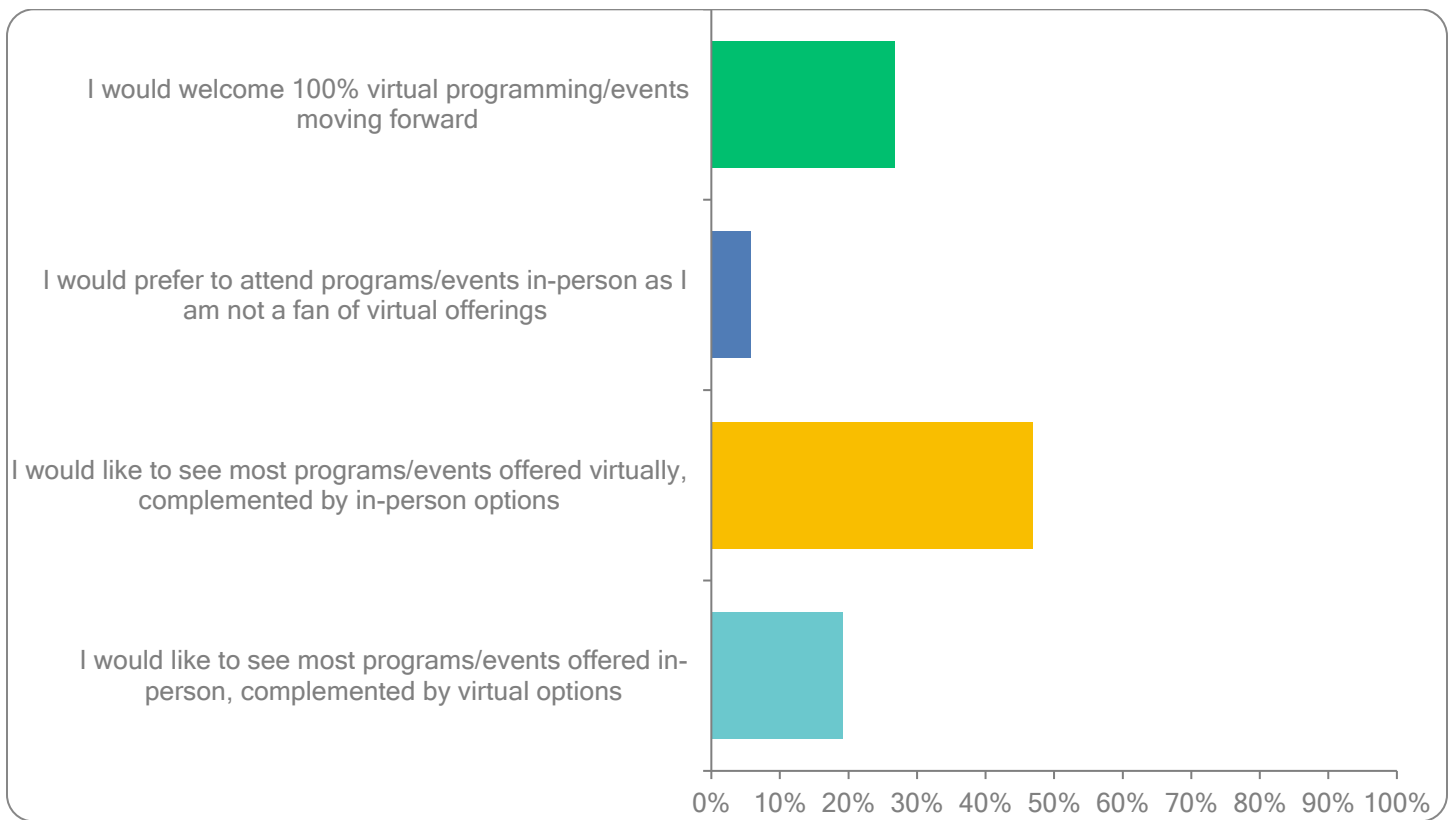


Programs



As far as feedback is concerned, 74% of members surveyed prefer 100% virtual programming or primarily virtual programming.

Now as a NYSBA directive, we are still committed to in-person events and programming, particularly with our Section Destination meetings, and social gatherings, so we are not proposing to eliminate them altogether. That being said, virtual programming has a great deal of value from both a quality of content perspective and a convenience perspective, particularly with so many members spread across NY and outside of the state, so if we truly want to provide value to as many members as possible, then our focus must continue to be placed on virtual offerings.



Thank you for taking the time to review and we certainly welcome any additional recommendations and suggestions so feel free to share accordingly.

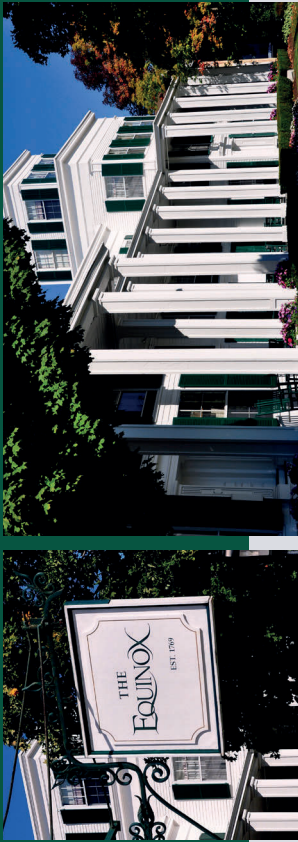


Environmental & Energy Law Section Fall Meeting 2024

 **September 25-26, 2024**

 The Equinox, Manchester, VT
CLE Credits TBD

Save the Date



The Equinox is a luxury golf & spa resort in Manchester, VT featuring elegant accommodations & fantastic onsite dining in Vermont’s picturesque Green Mountains.

Join the Environmental & Energy Law Section at the Fall Meeting and enjoy this beautiful setting for a great getaway, timely CLE programming, and the opportunity to connect with your colleagues.

Sponsorship opportunities available.

Check the Section’s web site for registration and programming details in spring 2024.

Tuition Assistance: [NYSBA.ORG/TUITIONASSISTANCE](https://nysba.org/tuitionassistance)
Accommodations for Persons With Disabilities: [NYSBA.ORG/ADA](https://nysba.org/ada)
Additional Policies and Cancellation Info: [NYSBA.ORG/POLICIES](https://nysba.org/policies)
For questions please contact Amy Jasiewicz, Section Liaison at 518-487-5682 or ajasiewicz@nysba.org.

For More Info:
NYSBA.ORG/ENVIRONMENTAL

 NEW YORK STATE BAR ASSOCIATION
ENVIRONMENTAL & ENERGY LAW SECTION
One Elk Street, Albany, NY 12207

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2024 Diversity, Equity & Inclusion Fellowship

The Fellowship

- > \$10,000 stipend to spend the summer of 2024 (8 weeks minimum) working in an unpaid position on legal matters for an environmental or energy governmental agency or public interest organization in New York State. (The applicant need not have identified a summer internship prior to applying for the fellowship. After a 2024 fellowship awardee has been selected, members of the Section can assist the awardee in searching for a summer internship placement.)
- > Invitation to a meeting of the NYSBA's Environmental & Energy Law Section
- > Assignment of a mentor from the environmental or energy bar

Fellowship Eligibility Criteria

First-year, second-year, and third-year (night students only) students who identify as members of disproportionately less represented groups in the legal profession who: 1) are enrolled in a law school in New York State; or 2) are permanent New York State residents, and enrolled in a law school in the United States; and 3) will not graduate from law school before December 2023. Disproportionately less represented groups in the legal profession include historically marginalized communities, minority racial and ethnic groups, first-generation college graduates, persons with disabilities, and those who identify with marginalized sexual orientation and gender identities.

Applicants should have a demonstrated interest in environmental and/or energy issues, and a strong academic record (undergraduate and/or law school). (A law school course in environmental or energy law is **not** a prerequisite.)

All applicants must be a member of NYSBA and the Environmental & Energy Law Section. Membership is free for law students.

Application Requirements

- > Completed application form
- > Resume
- > Undergraduate Transcript
- > Law school transcript
- > Essay describing
 - applicant's interest in environmental or energy issues
 - Reasons for wanting to participate in the Fellowship
 - a statement describing how you meet each of the Fellowship eligibility criteria
- > Two letters of recommendation



Application Deadline

February 9, 2024

Email completed application form and required supporting documents to Amy Jasiewicz at: ajasiewicz@nysba.org

Detailed information, and application forms, may be obtained by contacting ajasiewicz@nysba.org or on-line at **[NYSBA.ORG/ENV DIVERSITYFELLOWSHIP](https://www.nysba.org/envdiversityfellowship)**



2024 Diversity, Equity & Inclusion Fellowship



Application Deadline

February 9, 2024

Application Form

Name: _____

Permanent Address: _____

Email Address: _____ Phone Number: _____

School Address (if different): _____

Law School Attending: _____

☐ Day student ☐ Evening student ☐ First year ☐ Second year ☐ Third year (evening only)

Anticipated Date of Graduation from Law School: _____

Prior Education

College Name	Address	Major	Dates Attended	Degree

Attach the following supporting materials to this application:

1. A resume describing your prior employment and other relevant activities and qualifications.
2. An undergraduate transcript, and a law school transcript. (Transcripts need not be certified; finalists may be asked to provide certified transcripts.)
3. An essay (maximum: two double-spaced typewritten pages) describing your interest in environmental or energy issues, reasons for wanting to participate in the Fellowship and a statement describing how you meet each of the eligibility criteria.
4. Two letters of recommendation. (These may be the same as used for law school applications. If these letters are confidential, they may be sent directly to the Fellowship Committee at address below.)

Certification

I hereby certify that all the statements contained and information provided in this application, and in the attachments hereto, are truthful, to the best of my knowledge and that I meet the eligibility requirements for the Diversity, Equity & Inclusion Fellowship in Environmental Law.

I further certify that I am a member of the NYSBA and the Environmental & Energy Law Section or that my application for free membership is attached.

Applicant's Signature: _____ Date: _____

Email completed application form and required supporting documents to Amy Jasiewicz at: ajasiewicz@nysba.org



What Municipalities Need to Know to Apply to USEPA's \$4.3 Billion Climate Pollution Reduction Grant Program

This webinar aims to assist New York municipalities to understand how they can optimize their efforts to access Inflation Reduction Act CPRG funds for greenhouse gas reduction projects.

Panelists:

- **Lisa Garcia**, USEPA Region 2 Regional Administrator
- **Matthew Laurita**, USEPA Region 2, Deputy Director, Air & Radiation
- **Maureen Leddy**, NYSDEC, Director, Office of Climate Change
- **Peggy Shepard**, Executive Director, WE ACT For Environmental Justice/EPA Region 2 Thriving Communities Technical Assistance Center

Who Should Attend:

State and local municipal officials at all levels, including cities, towns, villages and counties, and municipal attorneys

Registration:

At no cost to registrants and provided by the New York State Bar Association: call 1-800- 582-2452 to register or click the link. You will need to provide your name and an email address to register.

Co-sponsored by: Association of Towns of the State of New York, New York Conference of Mayors, New York State Association of Counties, the Environmental & Energy and Local and State Government Law Sections of the New York State Bar Association, the Environmental Law and New York City Affairs Committees of The Bar Association of the City of New York, and Legal Pathways to Deep Decarbonization Model Laws Project.



January 23, 2024

11:00 a.m. - 12:30 p.m.



Webinar

**Scan Here
to Register!**

