

FINAL
OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION
EXECUTIVE COMMITTEE MEETING

MINUTES

March 11, 2011, 9:15 a.m.

The meeting was held at Schwabe Williamson & Wyatt's offices in Portland, Oregon.

Attendance:

In person: Jas Adams, Laura Maffei, John Marsh, Kimberlee Stafford, Dustin Till

Via Telephone: David Ashton, Rachel Barton-Russell, Hong Huynh, Nathan Karman, Erin Madden, Scott Morrill

Others in Attendance: Dallas DeLuca, Adam Orford

Excused: Regina Cutler, Karen Moynahan, Susan O'Toole, Patrick Rowe, Sarah Winter Whelan

1. Approval of Minutes from January 2011 Meeting (John)

February minutes were unanimously approved as submitted.

2. Chair's Report (Jas)

- a. 2010 Section Annual Report - Jas thanked David Ashton, immediate past Chair, for preparing and re-submitting this report to the OSB Offices.
- b. ENR Section fieldtrips – Adam Orford, Section Member, attended the meeting to follow up on his suggestion that there may be some interesting sites related to environmental and natural resource issues to which the EC could sponsor free field trips that section members could attend. The EC created a subcommittee to address this topic at the last meeting – Adam [Chair], Jas [ex-officio member]. Dustin joined the **Fieldtrip Subcommittee** at the meeting. The following was discussed:
 1. Transportation will not be provided for the field trips because of liability concerns.
 2. Adam will send an email to the Section members that notifies where the first 4 field trips will occur and asking for suggestions for future field trips. The field trips will occur about once per month.
 3. Field trips suggested included a biomass energy facility, City of Gresham waste treatment facility [innovative energy production], Far West Fibers

recycling facility, Port of Portland new green HQ building, and energy efficient mills in Clatskanie and/or Boardman.

- c. Pro Bono Services Project – Dallas DeLuca, Section Member, has led a subcommittee on this topic for our section since last year. The intent of the project is to match up the needs of non-profit environmental groups, not individuals, which need legal services of any kind with attorneys who can and will provide those services pro bono. The subcommittee has explored several ways to meet this objective, but does not have a recommendation for the EC at this time. The most promising idea is to create a directory of lawyers who will provide legal services to environmental groups pro bono in either a book or online form. This listing would be provided to environmental groups as a reference. It may be that others are meeting this need already [MBA Young Lawyers referral service, Green Pro Bono, etc...]. Dallas told the EC he will not be able to continue working on the project because of workload. He will provide information developed so far to Erin. Erin will assess whether a survey should be sent to the Section members to gauge interest in and need for a directory. She will update the EC on this topic at the June meeting. The **Pro Bono Subcommittee** is - Erin [Chair], Jas, John, Rachel.

3. **Treasurer's Report (Laura)**

Laura Maffei provided the treasurer's report. We had \$3,924 in expenses in January, \$7,785 in revenue in January, and an ending balance on January 31st of \$17,565. As of the end of January, we have 519 paid members and 1 complimentary member for a total Section membership of 520. Our budget projects 550 members.

4. **Bar Liaison Report (Scott)**

- a. The OSB is now offering a free audio recording service for CLEs and Brownbags. Copies of the recordings will be available for purchase from the OSB. The OSB will retain 50% of the purchase price and, in the case of OSB Sections, the other 50% would be deposited directly into the sponsoring Section account. The **CLE Subcommittee** is planning on using this service and it will be investigated for our Section Brownbags.
- b. Scott noted that current membership lists for OSB Sections are available.
- c. The Section list serve has been updated to reflect current membership.

5. **Legislative Report (Hong)**

The **Legislative Subcommittee** continues to track bills in the Oregon Legislation session. Hong will review key bills with the EC next month. She will provide a report via email before the next EC meeting.

6. **Casenotes (Micah)**

Micah was not on the phone call so we did not have a report at this meeting.

7. Newsletters (Outlook) (David)

The EC discussed the need for and whether to continue the Section newsletter, the Outlook. It was noted that other forums are addressing much of what is appropriate for our newsletter, it takes significant time to lead a newsletter edition, it takes significant time for writers to produce articles for each newsletter, and generally it has been a challenge to get each newsletter produced and issued.

The EC agreed to discontinue our Section newsletter and instead focus on E-Outlook (aka E-Alerts). E-Outlook may now contain up to 3 articles. These articles can be on different topics or can be point-counterpoint oriented on the same topic.

The EC agreed to ask Patrick to continue as managing editor of the E Outlook (E-Alerts). We are shooting to have at least 3 issues in the hopper at all times and we agreed to be diligent in soliciting ideas for topics. The following Newsletters were planned and now could become topics for E-Outlook:

- Portland Harbor – Cleanup Cost Update (David, Kim, Erin, Hong)
- Climate Change (Dustin, David, Laura)
- Oil Spills (David and Patrick)

8. Deskbook (Laura)

Laura reported that the **Deskbook Subcommittee** is making “slow but steady” progress. She provided a handout titled Environmental Law Deskbook Revision Plan and said that she will email it to the EC with a request for authors. She indicated that there will be a limit of 2 authors per chapter. Volume 1 is scheduled to be published in March 2012 and Volume 2 later in 2012.

9. Brownbags (Nathan)

Following is the status of pending Brownbags:

- Citizen suit law update (point/counterpoint) – scheduled for April 6th at Perkins Coie
- Ethics – Scott is the lead and it is scheduled for May 5th.
- NEPA caselaw – Nathan is the lead for this Brownbag. He has tentatively arranged for Owen Schmidt to present in June.
- Safe Harbors and spotted owls – Brett putting together speakers for this Brownbag. Erin will assist Brett.
- Power transmission and associated environmental issues on siting – John agreed to be the lead for this Brownbag.
- Coal exports from PNW- Volunteer needed for this topic.
- Kitzhaber’s Natural Resource Advisor (GNRA) – The GNRA has been appointed (Richard Whitman). Jas. Adams will follow up regarding his availability during the legislative session, or the availability of his soon-to-be appointed deputy.

- Stormwater Management and Enforcement in Portland – Nathan is the lead for this Brownbag. Karen agreed to assist Nathan.

10. Annual CLE Update (John)

The deposit has been provided to McMenamins Edgefield and the facility secured for the CLE for October 13 and 14. The **CLE Subcommittee** (John [Chair], Pam, Erin, Patrick, Susan, Dustin, and Karen) will meet in the next week or so. The subcommittee will pursue audio recording the event as noted above in the Bar Liaison report.

11. E-alert Topics (Patrick)

Patrick was not able to attend this meeting and did not provide a report. See Newsletter report above. In addition to the topics listed in the Newsletter discussion the following were suggested:

- Invasive Species (Jas)
- Legislative Roundup (Hong)

12. Law School Liaisons

- Willamette Law School [Karen Moynahan] – No report.
- Lewis and Clark Law School [Kim Stafford] – Kim has meeting to identify law student EC member this week.
- University of Oregon Law School [Rachel Barton-Russell] – No report.

All liaisons are in the process of identifying student EC members to participate in the Executive Committee meetings.

13. New Business

Jas is leading the effort to again have a table of Section members at the Oregon League of Conservation Voters annual dinner, which occurs on April 15th. Contact him if you are interested in attending.

Jas noted that he will contact EC members that have not been regularly attending meetings and remind them of the need for attending for quorum purposes and the OSB rules regarding attendance.

The meeting was adjourned at 10:30 AM.

**Next Meeting Date: Friday, April 8, 2011, at 9:15 p.m., at Schwabe
Williamson & Wyatt's offices in Portland.**