

https://enr.osbar.org/files/2016/09/2.07_Minutes.pdf OSB ENVIRONMENTAL AND
NATURAL RESOURCES SECTION
EXECUTIVE COMMITTEE MEETING

FINAL MINUTES

Friday, April 13, 2012, at 9:15 a.m.

The meeting was held at Miller Nash.

Attendance (A quorum of 14 members attended):

In person: Jas Adams, Larry Burke, Lawson Fite, Hong Huynh, Sarah Liljefelt, Laura Maffei, Dan Mensher, Karen Moynahan, Anzie Nelson, Patrick Rowe, Kim Stafford, Dustin Till, Sarah Winter Whelan

Via Telephone: Scott Morrill

Others in Attendance: Matt Preusch (2L, Lewis & Clark)

Excused: John Marsh

1. Approval of Minutes from March 2012 Meeting (Patrick)

Approved.

2. Chair's Report (Hong)

Oregon State Bar hosting swearing in ceremony at Willamette Law School on May 10. The Bar has asked if the Section would like to provide a newsletter or other materials to promote the Section. After discussion, the Executive Committee decided to send a direct e-mail to all new admittees (e.g., with our most recent case notes and information about the Section), rather than provide hard copies of promotional materials.

3. Treasurer's Report

John provided the following written report, as he was not able to attend in person:

- January 2012 – The ENR Section had \$3114 in expenses and \$7050 in revenue in January, and an ending balance on January 31st of \$16,718. As of the end of January, the Section had 470 paid members and 12 complimentary members for a total Section membership of 482.
- February 2012 - The ENR Section had \$1051 in expenses and \$285 in revenue in February, and an ending balance on February 29th of \$15,952. As of the end of

February, the Section had 489 paid members and 14 complimentary members for a total Section membership of 503.

- March 2012 – Not posted yet.

The Executive Committee then discussed the timing of the Section's charitable donations. In the past we have made donations to charitable causes in December. There were suggestion to make all payments now because we have the amounts are accounted for in the budget. Possible con is making donations earlier in the year will encourage more solicitations from same charities during the same year. There was a proposal that we choose a date, perhaps in the middle of the year for all donations and stick with that every year.

A question was raised with respect to the charities to whom we donate and how those decisions are made. At our May meeting we will review the charities to whom we donate and amounts, and decide timing of contributions to all charities. We will circulate bylaws that govern donations with the Agenda for the May meeting.

4. Bar Liaison Report (Scott)

Proposed changes to standard section bylaws have been distributed. They seem designed for section members to stay on Executive Committees for longer periods of time. Contact Sarah Hackbart with any questions.

OSB Award nomination process is open. Scott believe information can be found on the Bar website. For questions, contact Kay Pulju or anyone in the Membership Section.

Scott reminded us that for Section to make donations, Treasurer has to submit check request to the Bar.

Call State Bar CLE Dept. with any questions re: CLEs.

Scott asks whether the inquiry of when the first electronic publication of E-Outlook has been addressed. Hong notes it's been electronic since beginning. Hong will provide Laura all of the archives that she has for posting to the Section website .

5. 2012 State of the Salmon Conference (Brett)

There was no report from Brett. Tabled until he can provide an update. John Marsh has volunteered to assist, if Brett needs help.

6. Updating ENR Deskbook (Laura)

There has been a change in staff at bar responsible for editing the Deskbook, resulting in pushing back deadlines for some authors. The Bar will not be able to begin its review until late July. The Section will send the Bar both Volumes 1 and 2 in late July. Volume 1 is edited by: Michael Campbell and Kim Stafford; and Volume 2 is being edited by Laura Maffei and Hong Hyunh.

Expect publication by the end of the year. If individuals want a hard copy, they will need to pre-order from the Bar.

7. Brownbags (Anzie)

April 26 is scheduled for the brownbag *NEDC v. Decker* at Schwabe.

Another presentation in the planning is environmental site assessments. OAEC has recommended Chuck Esler at AMEC. Anzie plans the presentation to be in either late June or September.

Another possible presentation is on international environmental law with Aubrey Baldwin at Lewis & Clark, PEAC as a speaker

Other ideas for brownbag presentations are air quality and land use.

Dustin volunteers to present on *Sackett v. EPA* brownbag. Lawson offers to assist, perhaps solicit Portland ELI representative. Matt offers to see if Prof. Craig Johnson would be willing to speak. A possible date could be in late May or early June.

We would like to use the brownbags as a forum to promote the Section. We considered sending the invitations to at least two other sections (e.g. RELU and Sustainable Futures), depending on the topic. Persons not in the ENR Section will be asked to pay for the brownbag (e.g., \$10), which can be applied to ENR Section membership.

Scott mentioned that if we want the brownbags to appear on the Bar website calendar, contact CLE coordinator. Anzie will contact the Bar.

Laura will make sure the brownbags are on the Section website. She will also post Agendas on the website.

Anzie will include hyperlink to Section website in the brownbag announcement e-mails.

Patrick will contact Sarah Hackbart inquiring how list of recipients to whom the Bar sends Meeting Notices is generated, and whether we can send EC Meeting Agendas to the entire Section. We want to send Draft Minutes only to EC.

8. Casenotes (Jared)

Jared provided the following written report, as he was not able to attend in person:

1. The next issue is on track to go out at the end of April.
2. He again contacted the Willamette Online Law Review about potential collaboration and had not heard back yet from them. He will continue to pursue this collaborative opportunity.

9. E-Outlooks (Sarah L.)

Sarah sent a solicitation for articles to all Section members.

She has sent an inquiry for possible authors for ski area/Forest Service article.

She is looking at a *NEDC v. Decker* article in the summer, as case is on hold until Supreme Court decides whether to accept cert.

She will coordinate with Anzie and work on a *Sackett v. EPA* E-Outlook with the Marten Law Group providing the article prior to the *Sackett* brownbag.

Laura will draft state legislative summary E-Outlook, based on bill list that Jas provided.

The marine reserve legislation may merit full E-Outlook. Sarah and Lawson volunteer to co-author this article.

Another possible E-Outlook issue can focus on regulation of wolf, including legislation that did not pass. Sarah L. will follow up.

Matt and John are still considering article on Columbia River Treaty Review.

10. Law School Liaison Reports (Karen, Kim)

Kim had no report.

11. Pro Bono project update (Sara W.)

Sara, Hong and Dan have met to discuss the directory, including content and form, definitions/guidelines, outreach to Section members and Bar members, and how to publicize the directory. The goal is to have an end product that is available to non-organizations or individuals that could utilize the resource, including posting the information on the Section website. It leaves to attorney and potential client to work out the attorney-client relationship and scope of representation, including whether the project qualifies for pro bono work.

Sarah will speak further with the Bar pro bono committee representative for additional guidance.

12. Field Trips

Lawson reports that the Bonneville Dam trip is scheduled for May 17, 10:00 a.m. He looked into the Section providing funds to a charter bus for 29 passengers at an approximate cost of \$496, and for 55 passengers at a cost of \$618. The bar confirmed to Lawson that liability not an issue

because private carrier has its own insurance. The Funds could come out of social events for which we have budgeted. This cost would leave us with half of social expenses budget spent.

There was a suggestion to include field trips as a separate line item in the budget in future years.

No report from Adam Morford on the status of the Greenbelt Land Trust field trip.

13. Annual CLE (John)

Jared provided the following written report, as he was not able to attend in person:

- CLE Planning Committee met March 28th.
- Next meeting is April 23rd.
- Leads for all tasks have been identified and work is going forward.
- Next step is to assemble and finalize list of sessions and speakers for the event.
- Does the EC have input on who might be a good lunch speaker?
- EC needs to decide if there will be an EC meeting separate from the CLE or will it be planned around CLE

14. New Business (Hong)

No new business.