

**OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION  
EXECUTIVE COMMITTEE MEETING MINUTES<sup>1</sup>**

Friday, January 11, 2013, at approximately 9:15 a.m.

The meeting was held at Schwabe Williamson Wyatt in Portland, Oregon.

Attendance (14 members attended, quorum achieved)

*In person:* Kirk Maag, Larry Burke, Aurora Paulsen, Karen Moynahan, Patrick Rowe, Dustin Till, Duncan Delano, Laura Maffei, Hong Hyunh,

*Via Telephone:* Sarah Liljefelt, Dan Mensher, Kate LaRiche Moore, Scott Morrill, Anzie Nelson, John Marsh

*Others in Attendance:* None

*Excused:* Lawson Fite, Sarah Winter Whelan

**1. Approval of Minutes from November and December 2012 Meetings (Karen)**

Minutes approved, pending incorporation of edits suggested by John Marsh.

**2. Chair's Report (Laura)**

Laura welcomed new members Duncan, Aurora and Kirk. The annual meeting was successful. There was a suggestion to move the annual meeting to a Thursday night because many members have conflicts on Fridays during the holiday season. There was also a suggestion to not have a speaker at meeting, as it breaks up the evening and attendees can't socialize as much. We will revisit these suggestions later in the year.

Laura received from OSB BOG a request from Friends of Trees regarding a tree planting. Laura would like to have section participation if we agree to co-sponsor the event. There would be no financial commitment, just participation in the tree planting event. Several committee members committed to attend, so Laura will agree to have our section participate.

There recently was an OSB announcement advertising a CLE on Environmental Enforcement, stating that the ENR section is co-sponsoring the event. The ENR section, however, had not been asked to sponsor the event. It was an OSB mix-up, and the Bar is apologetic. At this meeting, the Executive Committee voted to co-sponsor the CLE.

Our Initial Section Report is due to OSB. The Executive Committee has approved the following to be included in its annual report:

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<sup>1</sup> A quorum of the ENR EC is composed of at least 9 of the 17 members.

a) Section Goals:

Deskbook update, monthly brownbags, 2-3 field trips, annual CLE, quarterly Casenotes, 6 E-Outlook issues.

b) Committees:

Existing committees: Awards, Budget, Nominating, CLE.

New committees: Tech- Kate, Anzie, Laura; Giving Committee - Karen, Patrick, John, Larry, Kirk.

c) Legislative contacts: Dustin will be our section contact.

d) Exec committee meeting schedule: Will remain the same.

The Section presented a gift to Hong for her stellar and tireless service.

The Chair reports that we currently have 16 members, but we need 17. Laura to look at bylaws to determine how we can add a member.

New BOG contact- Jennifer Bilman.

### **3. Treasurer's Report (Patrick)**

The Section had three new members in November, none in October. As of November 30, 2012, there was \$1,611 in expenses and \$40 in revenue and a Fund Balance of \$12,632. See Patrick's monthly report for additional details. John Marsh submitted our 2013 budget to Bar and it has been accepted as submitted. Currently the section has 555 members, 520 of whom are paid.

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

Scott reports that there is now a Bar employee to help with tech issues.

### **5. Fastcase (Sarah L., Anzie, Hong)**

Cortney Duke reported to Sarah L. that OWRD gets about 20 contested case rulings per year. Jas and Anzie to see whether as a section we can ask DEQ to put orders on website rather than pay contractor to post. Hong reported that we are tasked with deciding whether we want to commit resources (approximately \$3000) to provide Fastcase to our members.

Laura is concerned that if we start to provide Fastcase it will be difficult to cease providing it. Also, a \$5 increase in membership fees would likely result. Exec to form subcommittee: Duncan, Sarah L., Kate, Dustin, to answer whether we can convince WRD and DEQ to voluntarily post orders. Then they will recommend whether the Section should commit to sign on for the cost of \$3000/year, whether there will be an effort by OSB to post cases, and will report back to Exec.

David Nettles of OSB is contact at Bar for legislative effort to post orders.

## **6. Updating ENR deskbook (Laura)**

Volume one is about to go to the Bar, should be published first half of this year. Volume 2 still in progress.

## **7. Brownbags (Anzie)**

The next brownbag on the Ruby Pipeline decision is scheduled for Jan XX. Future brownbags to be scheduled at DWT and SWW. Future topics: Laura has colleagues willing to speak on mining law, either in February or March. Laura received a request by Scott Gerger, who just taught a course at L&C on environmental prosecutions, to do a point /counterpoint discussion on environmental prosecutions/plaintiffing. Also, ASTM standards are being changed, so that may be good topic for a future brownbag.

## **8. Casenotes (Jared)**

Jared not in attendance.

## **9. E-Outlooks (Sarah L.)**

Marine Reserve article is being planned. Lawson reported that he is hoping to wrap up soon. Sarah would like to be on email coordination with brownbags to do an article/ teaser for the brownbag.

## **10. Field trips (Laura)**

Lawson reported to Laura that he is willing to take that on. Portland Harbor field trip still being planned. Hong asked if Karen will check on big pipe tour. Karen to coordinate with Lawson.

## **11. Annual CLE (John)**

October 11 is date for next CLE so we can have an Oct 4<sup>th</sup> exec committee. John has worked with OSB to get a contract with McMenamen's. John is forming a committee to look at survey responses early so we can address the comments. Patrick suggested that John also look at comments from 2 years ago as well so our approach is well rounded.

Volunteers for committee: Dustin, Karen, Patrick, Duncan, Sarah L, Kirk, Aurora. John asked folks to ask members who aren't on Exec to participate. Laura suggested that 2014 CLE be chaired by someone other than John because he will be Exec chair.

## **12. New Business (Laura)**

Our Section name is not grammatically correct, as most of us knew. Laura asked if we want to change our name. Dustin suggested Environmental and Natural Resources Law Section. Most members did not feel strongly about it one way or the other. The process to change our name may be onerous, so Laura will check to see what it entails before we decide to go forward with the change.

Next Meeting Date: The next Executive Committee meeting will be at 9:15 a.m. on February 11, 2013, at Schwabe, Williamson & Wyatt, 1211 SW 5<sup>th</sup> Ave., Suite 1900. If you will not be able to attend, please notify Karen Moynahan before the meeting via email to be excused.