

[https://enr.osbar.org/files/2016/09/2.07\\_Minutes.pdf](https://enr.osbar.org/files/2016/09/2.07_Minutes.pdf)  
**OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION  
EXECUTIVE COMMITTEE MEETING**

**FINAL MINUTES**

**September 9, 2011, 9:15 a.m.**

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

Attendance:

*In person:* Jas Adams, Hong Huynh, Dustin Till, Karen Moynahan, and Patrick Rowe

*Via Telephone:* David Ashton, Rachel Ruckman (formerly Barton-Russell), Scott Morrill, Susan O'Toole, and Brett Kenney

*Others in Attendance:* Ansley Nelson via telephone

*Excused:* John Marsh, Laura Maffei, Nathan Karman, Sarah Winter Whelan, Erin Madden, and Kim Stafford

**1. Approval of Minutes from July 2011 Meeting (John)**

The July 2011 minutes were unanimously approved with the following edits:

- Delete "Start here" in Agenda Items 6 and 8.
- Delete indents after bullets in Agenda under Item 9.

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

Jas asked the committee to entertain a request by the Campaign for Equal Justice to increase the section's contribution this year because it has received limited contribution from other entities due to the tight economy.

Karen inquired as to the basis for the section's contribution to the Campaign for Equal Justice, and whether the section should consider contributions to other worthy organizations.

Hong proposed that we make a one-time increased contribution because we have the resources and the Campaign provides much-needed service to the community.

Motion: To increase contribution to the Campaign for Equal Justice by \$250, for a total of \$1,000 for 2011 only. This motion was passed unanimously.

Table for discussion at the next meeting: Charitable contributions to other worthy environmental organizations.

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

In Laura's absence, Jas provided the report submitted by Laura. The section's expenses at the end of July was \$4,741, and the total revenue was \$8,265. With the beginning fund balance of \$13,704, the section had an ending fund balance of \$17,227.

### **4. Awards Subcommittee Report (David)**

Agenda Item 15 was moved up in the meeting to accommodate David's schedule. David headed a subcommittee that included section members at-large to put together an E&NR section award program. The subcommittee met four times over the summer and drafted the award guidelines and nomination form. The subcommittee consulted other sections' award programs for guidance.

David laid out the following schedule with the goal of issuing the inaugural award this year:

- Executive Committee to adopt the proposed program.
- Awards Subcommittee to promote the award and solicit nominations (nomination period closes on October 21).
- Awards Subcommittee to meet, review, and select the award winner.
- Awards Subcommittee to recommend to the Executive Committee the selected winner at the November 11 meeting.
- Award to be given at the December 9 annual section meeting.

In light of this schedule, the Executive Committee decided to vote on the proposed award program.

Motion: Approve the proposed OSB E&NR Section Award as proposed by the Awards Subcommittee with the following edit: combine eligibility criteria 2.b. and 2.d. into one criterion. This motion was passed unanimously.

Recognition was given to David and other Subcommittee members for their tremendous contributions.

Anyone wanting to join the Awards Subcommittee should contact David.

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

Scott provided the following reminders to the Executive Committee and section members:

- a. Outlook invite. Brett suggested that an Outlook invite be sent to section members for the Executive Committee meeting notices so that the meeting would get on the members' calendars and that there would be better tracking of attendees. The bar explored the suggestion and concluded that sending out an Outlook invite would generate a great deal of e-mail traffic and increase unnecessary workload. It would prefer not to provide that service at this time. Table for discussion at the next

meeting: John to consider the pros and cons of having the secretary send out such an Outlook invite to just Executive Committee members.

- b. Mary Ann Highland is the new bar Diversity Director. Scott will be giving her a report of the section's activities. She has offered to visit with the section and the Executive Committee to discuss her role and the programs she implements.
- c. The bar would like sections to promptly submit their bills and invoices for reimbursement. Delays complicate the reimbursement process.
- d. The bar's new lawyer mentoring program is underway. More volunteers are needed to be mentoring lawyers.
- e. The bar is asking the Executive Committee to consider any changes to benefits offered to new students and judges. This section currently offers free membership to such individuals.
- f. The new attorney swearing-in ceremony is October 6. If this section would like to have a promotional insert in the new admittee packet, please contact Michelle Lane at the bar as soon as possible.
- g. All section chairs are delegates to the House of Delegates, and they are required to attend the annual meeting on October 28 at the OSB Center.
- h. Sections wanting to increase their membership fees need to get that request into the bar by no later than October 15.
- i. All members are reminded that business transactions being conducted on behalf of a bar section need to be approved by bar counsel and executed by the bar.
- j. The bar has put together a social media guideline for bar members. Scott will send out a copy of the guidelines.

## **6. Legislative Report (Hong)**

Hong reported that the e-alert newsletter that highlighted new legislation impacting the section had been published since the last meeting. The summaries were prepared by the Legislative Committee staff. The Legislative Subcommittee (comprised of Hong, Sarah, and Regina) merely organized them into various categories and labeled them.

Hong reported that the bar is working on putting out a 2011 Legislative Highlights publication that will report on all legislation passed into law. The bar is looking for authors for the environmental and natural resources bills. Contact Hong if you are interested in contributing, but the deadline is very short.

## **7. Casenotes (Jas)**

Jas reported that Jared Ogdon has been selected as the new editor. Jared has been invited to attend these meetings.

Jas thanked Micah for his past services, as well as his great efforts with the transition to the new editor.

## **8. Updating ENR Deskbook (Laura)**

Jas gave Laura's report that progress is being made with the deskbook. The bar has contacted the authors and there are still a few small gaps to be filled. Once all authors are lined up, the bar will take over the management of deadlines and reminders.

## **9. Brownbags (Nathan)**

Brett reported on the spotted owl brownbag session. The FWS currently does not have time to have a representative give a presentation on the spotted owl recovery plan, but asked Brett to check back in a few months.

Nathan reported by e-mail that there is a NEPA update presentation by Owen Schmidt on October 6 at Ater Wynne.

## **10. Annual CLE Update (John)**

No report. The final planning meeting is scheduled for Wednesday, September 14.

## **11. E-Outlooks (Patrick)**

There was a discussion about larger publications comprised of more than one article. Hong expressed a concern about delays in publication when not all articles are completed at the same time. Patrick said the publication is flexible.

The following are updates for current article ideas:

- Cost Recovery Remedies for Portland Harbor (David, Kim, Erin, Hong): Patrick will follow up with David. Hong mentioned that insurance coverage is a component of cost recovery and would consider writing an article on a current case she is working on after the summary judgment decision is issued by the judge.
- Climate Change (Dustin, David, Laura): Dustin will follow up with David and Laura on their pieces and will consider publishing separately the article he co-authored on the recent Supreme Court decision on nuisance effects of greenhouse gases.
- Invasive Species (Jas) – Jas is working on a piece addressing HB 3399.
- Legislative Roundup (Hong) – Done.

## **12. Law School Liaison Reports (Karen, Kim, Rachel)**

Karen reported that she will be meeting with Willamette University law students on October 31st about a career in environmental law.

The law school liaison subcommittee is asked to report back to the committee recommendations about how best to focus on law school efforts.

## **13. Annual Meeting (Erin)**

Jas reported that Governor Kitzhaber's Natural Resources Policy Advisor, Brett Brownscombe is the guest speaker at the annual CLE. Therefore, we should remove him from the list of brownbag presenters.

## **14. Field Trips (Adam Orford)**

Jas reported that two visits occurred since the last meeting. They were successful and fun to attend.

Adam is organizing the next one at Vestas Business Academy on September 21. The facility is near the Portland airport. There will be a talk about wind industry basics and Q&A, an opportunity to climb around a nacelle and see how Vestas trains its technicians, and potentially a visit with Vestas's diagnostics center (where they monitor wind turbine activity throughout the country).

## **15. Pro Bono Project Update (Erin)**

No report. Sarah arranged for OSB to send to section members an e-mail she drafted soliciting interest in participating in an environmental pro bono program. A status update from the pro bono committee is expected at the November meeting.

## **16. Discussion of Executive Committee Membership and Formation of a Nominating Committee (Jas)**

The Nominating Committee is charged with assessing the membership needs on the Executive Committee. It will make recommendations to the Executive Committee with respect to new committee members and officers.

Contact Hong if you are interested in being on the Nominating Committee with Hong, Karen, Susan, and Dustin.

## **17. New Business (Jas)**

None.

## ATTACHMENT

### OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION EXECUTIVE COMMITTEE MEETING

#### AGENDA<sup>1</sup>

Friday, September 9, 2011, at 9:15 a.m.

**LOCATION:** Schwabe Williamson & Wyatt; 1211 SW 5th Ave., Portland, OR; 19th Floor  
To participate by phone: Dial 1-888-891-0496 and enter 150048

1. Approval of Minutes from July 2011 Meeting (John)
2. Chair's Report (Jas)
3. Treasurer's Report (Laura)
4. Bar Liaison Report (Scott)
5. Legislative Report (Hong)
6. Casenotes (Jas)
7. Updating ENR Deskbook (Laura)
8. Brownbags (Nathan)
9. Annual CLE update (John)
10. E-Outlooks (Patrick)
  - Cost Recovery Remedies for Portland Harbor (David, Kim, Erin, Hong)
  - Climate Change (Dustin, David, Laura)
  - Invasive Species (Jas)
  - Legislative Roundup (Hong)
11. Law School Liaison Reports (Karen, Kim, Rachel)
  - a. How do we want to focus our Law School efforts? (Jas)
12. Annual Meeting (Erin)
13. Field Trips (Adam Orford)
14. Pro Bono project update (Erin)
15. Awards Subcommittee Report (David)
16. Discussion of Executive Committee membership and formation of a Nominating Committee (Jas)
17. New Business (Jas)

**Next Meeting Date: Thursday, October 13, 2011, at 7:00 PM at McMenamins Edgefield, 2126 S.W. Halsey Street, Troutdale, OR 97060. If you will not be able to attend, please notify John Marsh before the meeting via email to be excused.**

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