

**OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION  
EXECUTIVE COMMITTEE MEETING  
MINUTES**

**Friday, June 19, 2015, at 9:15 a.m.**

Sussman Shank LLP, 1000 SW Broadway, Suite 1400, Portland, OR 97204

**ATTENDEES:**

**In person:** Patrick Rowe, Stacy Owen, Lawson Fite, Matt Raeburn (guest), Jared Ogdon, Larry Burke, Dustin Till, Kate Moore, Mike Freese, David Rabbino

**Via telephone:** Karin Power, Anzie St. Clair

**Excused:** Karen Moynahan

Quorum achieved.

**1. Approval of Minutes (Lawson Fite)**

Action: May minutes approved as revised.

**2. Chair's Report (Patrick Rowe)**

No report

**3. Bar Liaison Report (Stacy Owen)**

In response to questions from May's meeting, Stacy examined the size of the section relative to other sections. There are 42 sections. ENR is 12th with 515 members. Estate planning is the largest section with over 2000 members.

Stacy reminded the Board that nominations for state bar awards are due July 14.

The OSB Board of Governors will meet next week and select a replacement for Sylvia Stevens.

Sylvia Stevens will meet with us at next month's meeting. She is going to address changes in CLE seminar policies; the Bar has interest in better coordination between sections. It also has an interest in more consistency among section websites. The Bar has some concerns about sections that have large fund balances, which raises the question of

whether member monies are being put to use for the members' benefit. OSB has engaged in some discussion of the number of sections. Oregon has 42 while Washington has 27 and California has 16. No policy changes would be in effect prior to end of 2016.

#### **4. Treasurer's Report (Dustin Till)**

May revenue of \$110 and expense of \$311, for a net expense of \$201 and balance of \$11,901. ENR currently has 516 total members and 507 paid members.

#### **5. Publications**

##### **a. Updating ENR deskbook (Kirk Maag)**

No report.

##### **b. Casenotes (Jared Ogdon)**

Last published 4-5 weeks ago, proceeding well.

##### **c. E-Outlooks (Sarah Liljefelt)**

No update.

#### **6. Education/CLE**

##### **a. Brownbags (Anzie St. Clair/ David Rabbino)**

Anzie is going on maternity leave beginning at the end of July. David will take over during Anzie's leave and follow up re: the proposed Indian law brownbag.

A sage grouse brownbag is likely in September. David/Anzie are open to ideas for additional brownbags.

Patrick asked about interest in a brownbag on the new rule re: Waters of the United States. David stated he has seen several themes in responses to the rule – one is assumption that all waters fall within rule, other is that citizen suits will be easier to maintain. Patrick stated the groundwater connection is an open issue that could be useful to address.

The question was raised whether this topic is also being addressed at the annual CLE. The consensus is that a brownbag would be compatible with more detailed discussion at the CLE in October.

##### **b. Field trips (Rose Francis/ Michael Freese)**

The Willamette Falls tour is planned for August 7 at 10 am. Karin P. is handling the trip details and Mike is looking into CLE credits. Patrick encouraged the Board to attend because there is no August meeting.

**c. Annual CLE (Karen Moynahan)**

No report.

**d. Legislation (Michael Freese/ Dustin Till/ David Rabbino)**

David reported that land bank legislation has passed full House and Senate committee, to head to full Senate next week. Expected to pass (HB 2734).

Mike reported two other bills of interest had passed. SB 752 exempts biogenic CO2 from carbon regulations. In practical terms this applies most often to paper mills. SB 829 deals with public process for methodology for narrative water quality standards. The standards will now go through the state Environmental Quality Council before submittal to EPA.

There is still a greenhouse gas bill alive, HB 3470. It is similar to California legislation, but seems unlikely to pass.

Low Carbon Fuel Standards (LCFS) were passed early in the session. Two lawsuits have been filed (both state and federal courts). LCFS may be changed if agreement on a transportation package is reached. As a result, DEQ has pushed its planned rulemaking back from July to September.

Jared asked who was bringing the LCFS litigation. Mike reported that trucking and petroleum organizations are the lead plaintiffs. There are some intervenors in the federal case including Oregon Farm Bureau.

**7. Committees**

**a. Pro Bono (Chris Winter)**

Chris not present. He gave a quick update to Patrick and will give a full update next meeting.

**b. Technology (Kate Moore)**

Kate reported she has received almost all old EC minutes. She needs to follow up with Karen M. if some gaps remain. Stacy noted the bar keeps copies of minutes.

**c. Diversity (Larry Burke)**

No update. Stacy noted Mary Ann Hyland is the Bar's diversity coordinator.

**d. Law Student Recruitment (Karen Moynahan/Karin Power)**

Nothing new to report over summer.

**e. 2016 Budget (Dustin Till/Karen Moynahan)**

No update yet.

**8. New Business (Patrick Rowe)**

Jared is likely to miss the next meeting due to arrival of a new son.

Anzie noted we need to kick off the awards subcommittee in July.

Meeting adjourned.

Next meeting: July 17, 2015.