

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

Thursday, February 20, 2020 – 9:00 a.m.

LOCATION

In person: Dunn Carney
 851 SW 6th Ave, 15th Floor
 Portland, OR 97204

By phone: Dial 1-888-891-0496 and enter 150048

MINUTES

In person: Caylin Barter, Ashley Carter, Sarah Liljefelt, Maura Fahey, Kate Moore, Mark Strandberg, and Chris Thomas.

By telephone: John Mellgren, Stephanie Regenold, Ryan Shannon, Stacy Owen (Bar liaison), Brodia Minter (non-EC member).

Quorum (minimum of 9 of 17) reached.

Excused: Dominic Carollo, Alia Miles, Ilene Munk, and Avalyn Taylor.

Unexcused: Kirk Maag, Sara Ghafouri, and Mike Freese.

1. Approval of Minutes (Ashley Carter)

Sarah moved to approve the January minutes and Maura seconded. All were in favor. No one opposed. No one abstained. Minutes approved.

2. Chair's Report (Sarah Liljefelt)

If the section wants to submit legislation, we'll have to do that soon. We usually don't, but if we wanted to we could. We'd have to submit it to the Public Affairs Department by April 1.

Senior Clackamas County counsel sent a letter asking for donations. We used to donate funds to various organizations on behalf of section. We stopped giving donations because we have such a diverse section and not everyone would likely agree on what to donate to. Sarah will respond and say our policy is not to give donations anymore. Caylin recommended pointing out other groups to contact.

Lewis and Clark is having a celebration for the 50th year of its ENR program. They will include a case for a plastic treaty (Elizabeth Kirk). Sarah will send out to the list serve.

3. Bar Liaison Report (Stacy Owen)

There are still open positions at the Bar. There is nothing new related to section.

4. Treasurer's Report (Caylin Barter)

The end of January balance was \$14,656, which represents an increase of \$6,604 from the December 2019 financials. This reflects revenue from \$11,050 in Section membership dues, and \$4,446 in corresponding expenses assessed by OSB for support services (\$9.50/member, whether paid or complimentary).

Our revenue for the year from membership dues (\$11,050) is slightly under our budget estimates (88%). This is similar to prior years, where additional memberships trickle in following the January 31 deadline for payment of Bar dues. We are far ahead of our January 2019 membership revenue, which stood at only \$7,740, but resulted from changes in the software the Bar used to process dues and ultimately rebounded.

Since last month, we have experienced a drop in membership for the reasons discussed above. Section membership at the end of December 2019 was 468 paid and 94 complimentary, for a total of 562. At the end of January, we had 442 paid and 26 complimentary, for a total of 468. By comparison, memberships at the end of January 2019 were 392 paid and 33 complimentary, for a total of 425. As we have done in past years, we will request from the Bar a summary of non-renewing Section members so that we can do some targeted outreach.

Stacy will get us a list of members.

5. Publications

a. ENR Deskbook (Kirk Maag/Mark Strandberg)

This volume is more about natural resources. Mark sent out the request for volunteers. They received responses from many good volunteers (about 10). He needs to set up a meeting with Kirk to discuss.

b. Case Notes (Chris Thomas)

Chris is currently drafting the next case notes to go out and should get that out soon. He received one summary from Ryan and has 1 case left to secure a volunteer for.

c. E-Outlooks (Chris Thomas/Ashley Carter)

Chris reached out to the ABA to ask about the Clean Water Act article and another article. If ABA supports us, we'd probably issue both at once. We haven't heard back from the law schools. We will aim to get that out in the next month. Chris is aiming to get back on a quarterly schedule and do 4 a year.

6. Education/CLE

a. Brownbags (Ryan Shannon/John Mellgren)

John - We have an opportunity to have a CLE down in Eugene in 2 weeks. The Public Interest Environmental Law Conference at UO law school usually brings in 1500-2000 people. A former corporate defense attorney from Ohio (recently depicted in Dark Waters) is a keynote speaker at the conference and offered to do a CLE as well. The Sustainable Futures Section offered to take the lead. They reached out to us to co-sponsor. They have a venue to rent out (downtown independent film movie theater). It costs \$241 to rent. There is an MCLE cost and they have the Bar's registration fee (\$100) as well. They are still deciding if there is a charge to attend or if they need a 3rd sponsor (or if that distribution fee would be shared between the sections). This would be a 1-hour lunchtime CLE aimed at Eugene practitioners.

Sarah - The \$100 doesn't seem like anything to worry about. But if we have to commit funds, last year we had to do a certain procedure. They didn't want us to sign a check for something without checking with Bar first.

Caylin - The Bar wants to know expenses upfront and have the Bar pay for it rather than issue a reimbursement. With one of our speakers last year, she couldn't pay and do the reimbursement. This will be my first expense as treasurer.

Maura – We can just cover the registration fee of \$100.

Sarah – It would be fine for us to pay the registration fee for a no charge CLE as long as no one has any objections.

John – They did ask what we'd be comfortable charging. They were thinking free for members and a charge for non-members. They said they'd be fine dropping it down to \$10 for nonmembers.

Maura – With the 5 dollar registration fee now, you're counting on more nonmembers than members signing up.

Sarah – Now there is a possibility of losing money, rather than making money.

Mark – We could just say we'll contribute a \$100 now and it's yours to figure out how to use it.

Maura – They have an invoice for the venue now, so we could also contribute to that.

Ryan – Most nonmembers will probably just attend the scheduled event at PIELC. If we just cover the fee, could we just send out to the list serve?

Maura – If we go with the RSVP-only registration option, we only get 1 notice which is fine at this point. Thinks there will be a videoconference and teleconference option

John – It need to be wrapped up today to get in the Lane County Bar Association newsletter. If it is free, we will pay the \$100 to get it sent out to regular members.

Sarah – If they're going to make it free, we can just pay the \$100 registration fee. If not, we can contribute \$100. You have the room's approval.

Ryan – Another brownbag option: Avalyn and I working to put together a brownbag in late March or early April on Elakha Alliance's work to get sea otters back on the Oregon Coast. Sea Otters have rebounded on Canadian and Washington coasts and they are still listed as threatened in southern California. Previous attempts to reinstate them in Oregon failed for some unknown reasons. Elakha just received some money to do a study with Fish and Wildlife. Someone from Elakha could come out and speak and Michelle from Fish and Wildlife Service would be happy to speak. A potential 3rd panelist would be great and they are working on that. Do we want to do it in Portland or out at the Coast? FWS is on the coast (Newport).

Sarah will ask her friend on the coast if we have more contacts out there.

Kate – Someone could also give an ESA overview as a part of the brown bag.

Ryan is happy to give an overview of the ESA. FWS will also have a powerpoint on different legal aspects/issues. He thinks the plan for the reintroduction is to bring sea otters down from another population.

Sarah – If we're trying to get people to travel to the Coast, a Friday in June may be a good option.

Ryan – Maybe we could tie it into a field trip. Or we could start in Portland and then if it's successful, have a second one on the Coast.

Kate – If it's on the Coast, we could tie it into an afternoon beach clean-up.

b. Field Trips (Caylin Barter/Alia Miles)

Alia wanted to update us on the Linnton trip, but she is not on the phone. Caylin will check in with her to see if she has anything.

c. Annual CLE (Maura Fahey/ Ilene Munk/Stephanie Regenold/Avalyn Taylor/Alia Miles/Kate Moore)

They had their first planning committee meeting with Maura, Avalyn, Ryan, Kate, Alia, and Stephanie. Maura will loop in Ilene since she just saw her inclusion on minutes. They allocated major tasks to people.

Regarding the date, it could be on October 1st, but the committee was leaning toward October 8th. We discussed whether there were any current conflicts with October 8th. There is a Land Trust Alliance Rally annual conference in Portland this year (October 8th-10th), but attendees will probably not overlap a lot. The Fall ABA conference is the same weekend in Memphis. There is a water law conference that's probably in the beginning of November. Stacy reminded us to make sure the date does not overlap with a religious holiday. Once we get a date, Maura will book McMenamins Edgefield.

Topics they've decided on include: NEPA (50th anniversary); CWA – new WOTUS rule/1200-C permitting; CERCLA – cost recovery and a Portland Harbor update; Oregon Forestry Update (timber conservation group agreement and other ongoing litigation); ESA – hot topics in Oregon; Ocean and Coastal issues.

They will have their next call in a few weeks and will start identifying speakers. If you know any ENR members who'd like to volunteer, let us know (volunteers have cheaper attendance).

Sarah asked if we have to co-sponsor with the Bar. This must be done once every three years with the Bar. Last year we didn't do it because we had already signed with McMenamins. If we're going to do it this year, we should set that up now. We have to offer them the opportunity to cosponsor. There are a lot of uncertainties there (pricing, venue, etc). We should nail down the date before we offer the Bar the opportunity to cosponsor.

Maura will offer the Bar the opportunity to cosponsor this year. We are still leaning toward October 8th because the 1st has more conflicts for EC members.

Stacy – I know bar is trying to be accommodating since they know people are frustrated. They are focusing on broader CLEs; we might be a little too niche. This will get finetuned over the next few years.

Mark – The annual business meeting was good in October and the slate would be done then.

d. Legislation (Mike Freese/Ilene Munk)

Neither Mike nor Ilene were here so we skipped this committee.

7. Committees

a. Pro Bono (Ashley Carter/Ryan Shannon/Chris Thomas)

Ryan - First volunteer opportunity is on March 14 with Friends of Trees. It will begin at 8:45 for signing in and then goes until late morning/early afternoon (somewhere between 11 and 1) depending on how many show up. Ryan has gotten some RSVPs already and will send out a reminder email tomorrow. It has been pretty easy to organize with Friends of Trees overall. Hopefully we can do more with them and do a beach cleanup in the future.

Sarah asked that he take pictures so we can post them to the website.

b. Diversity (Ashley Carter/Maura Fahey/Kate Moore/Sara Ghafouri)

Kate - The four of us had a call not long after the January EC meeting. We discussed continuing to reach out to law schools and shared some ideas about what that might look like. Maura provided us with an updated list of various organizations to connect with. Kate will put together a draft email about our section and that they can sign up for free, opportunities for writing with the newsletters, etc. We also talked about OLIO employment opportunities and were thinking about if we should get involved there. Another possibility was speed networking with each law school but Lewis and Clark might be a first good step for that.

Sarah - Ilene was talking about speed networking at the last meeting so might be good to loop her in as well.

c. Executive Committee Membership (Mark Strandberg – Laura Maffei (non-EC member))

Mark - There is not too much to talk about yet. We need 1 more EC member. We need to confirm that Laura is still doing this. Kate will likely be the other EC member.

Maura – It might be good to get a solo practitioner since we don't have any on the EC.

d. Annual Award/Meeting (Dominic Carollo/Ashley Carter/Alia Miles)

Nothing to discuss yet. We usually book the Cleaners in the springtime and Kirk has that information.

8. Other/New Business (Sarah Liljefelt)

Sarah – I'm still the only person posting on the website. It would be great if someone who will be here a few more years would join her in that. She can get the log in from the Bar.

Maura volunteered to get a log in but is one year behind Sarah. Chris volunteered to get a log in.

OREGON STATE BAR
Environmental & Natural Resources - 813
Statement of Revenue and Expense
For the Two Months Ending February 29, 2020

Description	February 2020	YTD 2020	Budget 2020	% of Budget	February Prior Year	YTD Prior Year
REVENUES						
Membership Fees	\$175	\$11,225	\$12,500	89.8%	\$400	\$8,140
Registrations - Conferences/Seminars			5,325	0.0%		20
Total Revenue	175	11,225	17,825	63.0%	400	8,160
EXPENSES						
Annual Meeting			2,300	0.0%		
Case Law Summaries			400	0.0%		
Committee - Subcommittee			300	0.0%		
Computer - Internet / Web			100	0.0%		
Conferences / Seminars Expense			5,900	0.0%		
Education			1,000	0.0%	40	536
Gifts & Awards			600	0.0%		
Telephone - Conference Calling	23	23	200	11.3%	14	14
OSB Support Services Assessment	114	4,560	5,938	76.8%	248	3,648
MCLE Sponsorship Application Fee			315	0.0%		
Miscellaneous Expense			500	0.0%		
Total Expense	137	4,583	17,553	26.1%	302	4,198
Net Revenue (Expense)	38	6,642	273		98	3,962
Beginning Fund Balance		8,052				
Ending Fund Balance		14,695				
Section Member Count - Paid	7	449				407
Section Member Count -	5	31				49
Section Member Count - Total	12	480				456

E & NR Detail

Account Numbe	Account Description	Date	Vendor Reference	Debit Amoun	Credit Amount
813-4405-000	Membership Fees	2/6/2020	Aptify BatchID = 652	\$0.00	\$50.00
813-4405-000	Membership Fees	2/28/2020	Aptify BatchID = 673	\$0.00	\$125.00
813-7745-000	OSB Support Service Assessment	2/29/2020	Feb Sec OSB Assessmen	\$114.00	\$0.00
813-7885-000	Telephone - Conference Calls	2/12/2020	Feb 2020 PGI Billing	\$22.65	\$0.00
813-U001-000	Environmental & Nat'l Resource Section Member Cr	2/29/2020	Feb Sec H.C. Actifity	7	0
813-U004-000	Environmental & Nat'l Resource Sect Comp Membe	2/29/2020	Feb Sec H.C. Actifity	5	0