

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

Thursday, June 18, 2020 – 9:00 a.m.

By Zoom: Caylin Barter, Ashley Carter, Maura Fahey, Sara Ghafouri, Sarah Liljefelt, Kirk Maag, Ilene Munk, Stephanie Regenold, Mark Strandberg, Chris Thomas, Mike Freese, Stacy Owen (Bar liaison), and Marika Sitz (non-EC member).

By Phone: Alia Miles, Olivier Jamin (non-EC member)

Quorum (minimum of 9 of 17) reached.

Excused: Ryan Shannon, Avalyn Taylor, Kate Moore

Unexcused: Dominic Carollo, John Mellgren

MINUTES

1. Approval of Minutes (Ashley Carter)

Kirk moved to approve the April minutes and Maura seconded. Sara Ghafouri abstained. All others in favor. No one opposed. Minutes are approved. There was no meeting in May.

2. Chair's Report (Sarah Liljefelt)

Face Masks for Courthouse: On June 8, Chief Justice Walters asked for masks donations (homemade, disposable, etc.) around the state. Oregon Association of Defense Counsel is the point of collection who will send collected masks to the Oregon Judicial Department Marshall's office. They asked us to send info to our section members & collect masks to send to OADC, but the OSB already sent the info to all OSB section members on June 11th. Sarah is inclined to send the info to section members but tell them to send directly to OADC.

Section Newsletters: The Oregon State Bar is in the process of developing a policy related to section publications to ensure the content of newsletters and other section publications adhere to the requirements outlined in OSB bylaw 12.4 and the Standard Section Bylaws. Until the policy is developed, all section newsletters and blog posts need to be reviewed by the OSB Public Affairs Department staff before they are posted online and circulated to your section membership. OSB is asking that all newsletters be sent to Susan Grabe prior to publication. The Public Affairs Department will review the content and contact you or the editor with any concerns. They expect the turnaround time to be three business days from the date the Public Affairs Department receives the newsletter content. Section 12.4 of the bylaws has to do with any committee or section that wishes to sponsor legislation or take a position on any rule or public policy issue.

There was concern that the newsletter review process would take more of our time and take time away from serving section members. And that it creates additional work at the Bar that is already short staffed. It also increases costs of service without really adding any services to members. The type of temporal delays or whether this is a final policy or a short-term practice was not yet clear.

Oregon Lawyer Assistance Foundation is requesting a charitable contribution. Sarah responded that the section will not be making a charitable contribution. This is consistent with how we've handled requests for

contributions in the past because it's likely that not everyone in our section will agree. The EC agreed to handle this like past contributions despite the fact that Scott with the OLAF did our annual CLE last year.

3. Bar Liaison Report (Stacy Owen)

The Bar will continue to follow the Governor's social distancing guidelines as well as our CEO's guidance for re-opening the OSB Center. Until further notice, please continue to meet virtually.

Due to budget issues resulting from the pandemic, the OSB will be furloughing all non-exempt staff for eight workdays. The bar was closed on June 5 and June 12 and will be closed on June 19, June 26, July 2, July 10, July 17, and July 24. In addition, the bar is leaving critical staff positions unfilled, including an Assistant Disciplinary Counsel and the Director of Diversity & Inclusion, and eliminating three positions. Exempt staff will also be taking five furlough days.

The Bar is tracking all section social events. Please let us know about any social events or CLE programs through December 2021. In addition to any event details, General Counsel will also need a copy of any executed contracts.

Registration services through the CLE Seminars Department continues to be a requirement for all section CLE programs. The OSB BlueJeans account cannot be used for CLE programs; alternatively, a section can use a member's personal videoconferencing account to put on a CLE seminar. If the section would like to co-sponsor CLE programs with our CLE Seminars Department, the option to use the OSB's webcasting platform would be made available. Please reach out to Kes Joerg (kjoerg@osbar.org) in CLE Seminars at the beginning of the planning process to discuss options.

As we near the season for section annual meetings, and given the current COVID pandemic, the Bar recommends that sections plan to hold an electronic vote to approve their slate, or hold their annual meeting virtually. The Bar is developing instructions and resources for section nominating committees. Natalie Batiste will distribute the information later this month. Resources will include: annual meeting information, a term report, a full section roster, and an executive committee slate template. Natalie will also be conducting a virtual training to assist nominating committees with this task. More information about this training will be distributed with the Annual Meeting Information packet.

If you are interested in making a statement related to the #BlackLivesMatter movement, please note that these types of statements must be approved by the OSB and BOG in accordance with OSB Bylaw 11.1 and 12.1. As an alternative to this time-intensive process, the section may wish to show support by forwarding the already published statements made by OSB President and CEO (distributed on 6/4) or the Supreme Court (distributed on 6/5). Any additional commentary about the movement or related issues would require OSB approval.

Several EC members felt strongly about and recommended that we send out a statement saying the EC supports the OSB statement and Oregon Supreme Court statements. Kirk move to distribute to the section links to the OSB statement and/or the Oregon Supreme Court. Caylin seconded. All were in favor; none opposed or abstained.

4. Treasurer's Report (Caylin Barter)

The end of May balance was \$12,987, which represents a decrease of \$52 from the March financials (no April financials were reported because there was no May EC meeting). This balance reflects revenue of \$100 in Section membership dues and \$54 in corresponding expenses assessed by OSB for support services (\$9.50/member, whether paid or complimentary). The \$2,000 deposit for our planned October CLE at McMenamins Edgefield is reflected in the current balance.

Our year-to-date revenue of \$11,875 from membership dues is very close to our budget estimate of \$12,500 (95.0%). We are well ahead of our May 2019 membership revenue, which stood at \$9,240. The year-over-year change is attributable to the increase in Section dues for 2020.

Since March, we have experienced a 1.8% increase in overall membership. Section membership at the end of March was 471 paid and 29 complimentary, for a total of 500. At the end of May, we had 475 paid and 34 complimentary, for a total of 509. By comparison, memberships at the end of May 2019 were 462 paid and 61 complimentary, for a total of 523. As in past years, we received from the Bar a list of non-renewing Section members, and members of the EC did some targeted outreach that may have contributed to the increase in membership over the past couple of months.

5. Publications

a. ENR Deskbook (Kirk Maag/Mark Strandberg)

They've identified 2 additional editors for the next volume of Deskbook. The next step is to coordinate with the Bar to get a meeting set up to get the next volume started (drafted, edited, etc). They will also seek authors for the following volume. They'll reach out to previous authors but, given the amount of time that has lapsed, will likely need to new authors as well.

b. Case Notes (Chris Thomas)

Chris sent out a request for volunteers and received a lot of responses. He has two more cases for which he need volunteers and is aiming to have them done by the end of the month or early next month. Any suggestions for cases or regulation development or if you would like to volunteer, let him know.

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

Chris has secured one article on the Maui case and another article on WOTUS case. He is aiming to send out an E-Outlooks this month or next month. Please send any ideas for E-Outlooks to Chris or Ashley.

6. Education/CLE

a. Brownbags (Ryan Shannon/John Mellgren)

Ryan sent an email on June 8th about the June 25th CLE on sea otters. It will be a virtual Zoom CLE at noon. If anyone has any other ideas about virtual Brownbags while we're in quarantine, let Ryan and John know.

b. Field Trips (Caylin Barter/Alia Miles)

There are no updates at this time. There are a lot of Ag virtual tours, like Ag in the Classroom, but this is more geared toward children so probably not something to circulate. There may be virtual tours while we're all staying at home. So if anyone comes across anything, let Alia and Caylin know.

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

They had a subcommittee meeting 2 weeks ago. Panels are coming together and they are hoping to finalize by the end of this month.

The EC decided to go virtual for the annual CLE. Large gatherings seem to be prohibited at least until September. Karen Lee and Kes Joerg recommend virtual CLE (not in person). We can get a refund from McMenamins if cancel event more than 45 days before event.

The EC also decided to move forward with the Bar co-sponsoring this year. The Bar would handle getting up web content and technical difficulties with web casting. The Bar's platform would also record the presentation so if people can't join for the entire day, they can view it later or purchase it at a later point since it will be in the Bar's CLE system. The Bar's platform is a content delivery platform rather than a webinar platform.

The Bar is still figuring out the cost of events (venue costs have decreased but staff time has increased). Based on the Bar's staff costs, we may also be able to lower the cost of members attending a virtual CLE or offer scholarships or subsidize CLE costs since we'll have fewer expenses on venue, food, etc. We would still have our normal graduated pay scale, early sign-up discounts, etc. We don't need to vote on subsidizing registrations since it's already a line item for CLE, as long as we don't exceed our budget for CLE. Maura will follow up over email.

The budget is in good shape for the co-sponsorship. The line item for CLE has \$5900 budgeted as costs for annual CLE. There is also \$1000 for education – usually used for speaker travel reimbursements. We'll have to put together a very simple spreadsheet of usual cost for CLE and compare to what it would cost this year. Maura will follow up with Karen Lee about whether the section generates any revenue from the on-demand viewing/later purchase options of the CLE.

Even with the Co-Sponsoring (and handling registration, etc), we're still responsible for moderating the event (introductions) and fielding substantive questions that come in.

The EC decided not to have an annual meeting at the Annual CLE. The Bar will provide guidance on annual meetings.

d. Legislation (Mike Freese/Ilene Munk)

There is no legislation related to ENR. The Governor's office is considering doing big budget cuts and the legislature is considering budget cuts as well. If there are any cuts to DEQ or other ENR agencies, Mike will put something together. He will likely know in July after more final decisions are made.

7. Committees

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

There are not many opportunities for in-person volunteering right now. If we want to talk about anything other than volunteering right now. In past, list of people who do ENR volunteer work. We could update the bar attorney referral service. Sarah will send out referral.

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

Sarah will send out the statement discussed above. We still need to meet and rethink how to move forward without in-person options.

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

No updates yet. In July we can talk about who will make up that committee.

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

Ashley sent out the draft nominee form this morning. If there are any edits, please send them to her. The EC decided it seemed appropriate to move forward with the award. If we do not move forward with a typical in-person event, we'll think about how to make it special. Maybe we could put out the statements or

something similar so we can get the recognition out to the section.

8. Other/New Business (Sarah Liljefelt)

None.

OREGON STATE BAR
Environmental & Natural Resources - 813
Statement of Revenue and Expense
For the Six Months Ending June 30, 2020

Description	June 2020	YTD 2020	Budget 2020	% of Budget	June Prior Year	YTD Prior Year
REVENUES						
Membership Fees	\$100	\$11,975	\$12,500	95.8%	\$40	\$9,280
Registrations - Conferences/Seminars	110	110	5,325	2.1%	(125)	(105)
Total Revenue	210	12,085	17,825	67.8%	(85)	9,175
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	(2,000)		5,900	0.0%		40
Education			1,000	0.0%	80	616
Gifts & Awards			600	0.0%		
Telephone - Conference Calling		105	200	52.5%	13	89
OSB Support Services Assessment	57	4,893	5,938	82.4%	80	4,264
MCLE Sponsorship Application Fee			315	0.0%		
Credit Card Fee	3	3		0.0%		
Miscellaneous Expense			500	0.0%		
Total Expense	(1,940)	5,001	17,553	28.5%	173	5,009
Net Revenue (Expense)	2,150	7,084	273		(258)	4,166
Beginning Fund Balance		8,052				
Ending Fund Balance		15,137				
Section Member Count - Paid	4	479				464
Section Member Count -	2	36				69
Section Member Count - Total	6	515				533

E & NR Detail

Account Number	Account Description	Date	Vendor	Reference	Debit Amount	Credit Amount
813-4405-000	Membership Fees	6/30/2020		Aptify BatchID = 740	\$0.00	\$100.00
813-4565-000	Conferences / Seminars-Conf/Seminar Registrations	6/30/2020		Aptify BatchID = 740	\$0.00	\$110.00
813-7245-000	Conferences / Seminars	6/30/2020	McMenamins-Edgefield	200630 / ck# 230511	\$0.00	\$2,000.00
813-7745-000	OSB Support Service Assessment	6/30/2020		Jun OSB sect admin fee	\$57.00	\$0.00
813-7747-000	Environmental & Nat. Resources-Credit Card Fee-	6/30/2020	BluePay	Jun 2020 BluePaay CC Trans Fe	\$3.11	\$0.00
813-U001-000	Environmental & Nat'l Resource Section Member Coi	6/30/2020		Jun Sec HC adj	4	0
813-U004-000	Environmental & Nat'l Resource Sect Comp Member	6/30/2020		Jun Sec HC adj	2	0