

# MINUTES

## MSBA Environmental, Natural Resources & Energy Law Section

### Council Meeting

8 a.m. Wednesday, January 6, 2010

MSBA Offices

- I. Call to Order.** The meeting was called to order at 8:10am. Council members in attendance were Joe Maternowski, Katie Roek, Sara Peterson, Charlie Nauen, Ann Seha, David Zoll, Jacob Woodward, Eldon Kaul, Steve Nyhus, Tim Rudnicki, Aleava Sayre, Jeff Sepesi, and Betsy Schmiesing. Kim Basting, MSBA Section Liaison, was also in attendance.
- II. Review and approve Minutes of November 4, 2009 meeting.** The minutes of the November 4, 2009 meeting were approved.
- III. Financial Report.** Chair Maternowski and Section Liaison Kim Basting reported that the balance in the Section's account was \$10, 592 as of the end of November.
- IV. Continuing Initiatives**
- A. Environmental Institute.** Maternowski reported that:
- **Keynote:** Brooke Furio from EPA Region 5 will be the keynote speaker at this year's Environmental Institute, schedule for April 22nd. Furio will discuss the concept of sustainability as it relates to various environmental media. Furio, Jeff Sepesi and Thad Lightfoot met via teleconference yesterday to discuss content.
  - **Caselaw Reviews:** Speakers for the caselaw reviews for air, water, CERCLA, RCRA, and environmental review have been invited; the committee is still seeking two speakers for TSCA/FIFRA.
  - **Break-Outs:** The committee has developed the topics for the break-out sessions and preliminarily identified speakers, with a mix of individual presentations and panel discussions.
- Those who are presenting should provide summary paragraphs of their presentations to Mary Jo Kohl at MN CLE.
- B. One-Hour CLEs.**
- Maternowski reported on the Dec. 2nd CLE, which was co-hosted with the Public Utilities Section and held at Lindquist & Vennum, discussing nuclear power in Minnesota, the current moratorium on

new nuclear plants, and possible legislative review of that issue. Attendance was 30-35, with additional attendees listening via teleconference.

- Katie Roek reported on the upcoming one-hour CLE, to be co-hosted with the Agricultural Law Section in February or March. The Ag. Law Section has indicated particular interest in property rights issues and funding for wind projects on agricultural lands. The CLE will have three speakers, with Roek or Sue Steinwall discussing property rights, Joe Thompson of Stoel Rives discussing funding, and a third presenter, possibly an environmental consultant, discussing permitting.
- A third one-hour CLE with a more traditional environmental topic may be held later in the spring.

**C. MSBA Nine Days in June.** Maternowski has reported to MSBA the Section's interest in presenting on environmental topics during the MSBA Nine Days in June, if desired by the attending out-state attorneys. The presentations would be tailored to the particular interests of session attendees (e.g., mining issues for northern areas, ag. topics for southern, etc.). Each district will be having 4-5 one-hour CLEs.

**D. Newsletter.** David Zoll reported that he and Aleava Sayre are working toward issuing the Section newsletter in February, then doing an additional newsletter as a follow-up to the Environmental Institute. Zoll plans to utilize law students again for caselaw updates and possibly an article. Articles from Section members are always welcome as well.

**E. Social Events.** Sara Peterson reported on the December social event at the Local, which had 15-20 attendees, and noted that the Section plans to host a spring social event as well, likely at the arboretum again.

**F. Website Enhancements.** Maternowski reported that Jake Woodward is drafting a mission statement for our website and will circulate a draft of it before the next meeting. In addition, the website will be listing Section members with areas of expertise for speaking opportunities.

**G. Distinguished Service Award.** Nominations will be sought in the next month, and the award winner will be selected at the March meeting.

**V. New Business.** Maternowski noted ABA's environmental section is calling for nominations for state or local bar environmental, energy and resources program of the year award. Nominations due April 23<sup>rd</sup>.

**VI. Adjourn.** Meeting adjourned at 8:40.