

# MINUTES

## MSBA Environmental, Natural Resources & Energy Law Section Council Meeting

8 a.m. Wednesday, November 4, 2009  
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, Sue Steinwall, David Zoll, Jacob Woodward, Eldon Kaul, Jeff Sepesi, Greg Korstad, Betsy Schmiesing, and Dan Schleck. Kim Basting, MSBA Section Liaison, was also in attendance.

**II. Review and approve Minutes of October 1, 2009 meeting.** The minutes of the October 1, 2009 meeting were approved.

### **III. Financial Report**

**A. Monthly report.** Chair Maternowski and Treasurer Schleck reported that our finances have remained at about the same level as they have been at historically. The balance in the section's account was over \$11,000 as of September 30, 2009, and the section has had no significant expenses since then aside from the law student reception.

### **IV. Continuing Initiatives**

**A. Law Student Reception - Wed. October 21, 2009.** Sara Peterson provided a summary of the law student reception, held at Dorsey & Whitney. The event was well-received by law students, with approximately sixty students joining twenty lawyers for the event. Section members introduced themselves and their practices, and then spent time meeting with and answering questions from students.

**B. Annual Agency Update - Wed. November 18, 2009.** All five speakers have confirmed for the agency update, scheduled for Wednesday, Nov. 18<sup>th</sup>, at Fredrikson & Byron. The presentations will start promptly at 8am and last until 11:30. Maternowski circulated the roster of attendees signed up to-date, currently at forty-six.

**C. Newsletter.** David Zoll is focusing on the newsletter in November, with a goal to publish in December. A second newsletter is planned for spring, coinciding with the Environmental Institute.

**D. Website Enhancements.** Maternowski and Schleck have been reviewing comparable state environmental section websites. They provided an example of a good site created by the Michigan State Bar's environmental

law section website; Maternowski suggests we consider including similar content such as:

- mission and membership information;
- section services lists, including a list of speakers available for various topics and a list of section members providing mediation services;
- a publications tab including MSBA past articles; and
- a state environmental law deskbook.

The council discussed feasibility of an environmental desk book and the ability to drive membership by providing a desk book free to members, which some other Minnesota bar sections do. Eldon Kaul, Schleck and Maternowski agreed to work on updating the website, utilizing MSBA staff.

- E. One-Hour CLEs.** Jeff Sepesi provided an update. The first event will be held at Lindquist & Vennum at 8:15am following our December meeting, and it will feature a discussion of Minnesota's nuclear moratorium in light of climate change and the carbon implications. Prof. Alexandra Klass will act as moderator, Bill Grant from Izaak Walton will be providing the perspective of those opposed to lifting the moratorium, and Betsy Schmieging is coordinating with the Chamber of Commerce to identify the appropriate speaker for those in favor of lifting the moratorium. The public utility section is hosting this one-hour CLE jointly with the ENRE section. The February one-hour CLE will be a joint presentation with the agricultural law section addressing issues related to renewable energy and agriculture. The May session will be a more traditional environmental regulatory topic.
- F. Environmental Institute.** Maternowski noted that the Institute committee will be meeting on Friday, Nov. 6th. The Institute planning is well underway. Thad Lightfoot is again chairing the committee. The committee plans to keep same basic format as in prior years, as MNCLE likes our existing structure and format. Speakers are starting to be identified. The annual Distinguished Service Award will be presented at the Institute; the award committee will be developing soon.
- G. Social Events.** Peterson presented options for a December happy hour for the section. The council decided to host a happy hour at the Local on Tuesday, Dec. 1<sup>st</sup>.
- H. MSBA Nine Days in June.** Maternowski reiterated the concept of the Nine Days program in lieu of the traditional state bar convention. The Nine Days program is essentially a traveling convention intended to reach out-state members. Maternowski and Schleck are collecting ideas for

ENRE section presentations to offer during the Nine Days, particularly ones likely to appeal to out-state attorneys. Greg Korstad volunteered to assist in that effort.

**V. New Business**

- A. Other Business.** Sue Steinwall noted that the environmental law section of the ABA, spearheaded by the ABA Brownfields Committee, has set a goal to plant 1 million trees in 2014. Sue proposes that the ENRE section participate in this challenge by promoting the project, contributing money, or doing a service project. The council discussed the proposal and agreed that it would be a good fit. Steinwall will develop concrete steps through which we could support the program. Maternowski also noted that he had received an email asking if the section wants to coordinate with William Mitchell Law School on a service project. The group noted it may make sense to tie those two projects together.

**VI. Adjourn.** Meeting adjourned at 8:50am.