



NEW YORK STATE BAR ASSOCIATION
ENVIRONMENTAL & ENERGY LAW SECTION



9.0 MCLE Credits

Under New York's MCLE rule, this program has been approved for a total of 9.0 MCLE credits consisting of 7.0 Areas of Professional Practice, 1.0 Law Practice Management, and 1.0 Ethics and Professionalism

Fall Meeting

I Heard It Through the Grapevine & EELS

September 22 – 24, 2019

Mohonk Mountain House, New Paltz, NY

www.nysba.org/ENVIFA19

Environmental & Energy Law Section Chair

Howard M. Tollin, Esq., Sterling Environmental Services, Woodbury, NY

Program Co-Chair

Susan E. Amron, Esq., New York City Department of City Planning, New York, NY

Program Co-Chair

Michael S. Bogin, Esq., Sive Paget & Riesel PC, New York, NY

Total CLE Credits:

Under New York's MCLE Rule, this program has been approved for a total of 9 MCLE credits consisting of 7.0 in Areas of Practice and 1.0 in Law Practice Management, and 1.0 in Ethics and Professionalism.

Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, contact Gina Bartosiewicz at (518) 487-5671 or gbartosiewicz@nysba.org.

HOTEL INFORMATION

Mohonk Mountain House 1000 Mountain Rest Road, New Paltz, NY 12561 | Phone

OVERNIGHT ACCOMMODATIONS

Hampton Inn by Hilton New Paltz | 4 South Putt Corners Road | New Paltz, New York 12561

PLEASE NOTE: Rooms at the Mohonk Mountain House are no longer available. A block of rooms has been reserved at the nearby Hampton Inn at New Paltz until 9/1. Rooms are \$149 per night plus tax for a room with two queen beds. To make room reservations, please call 845-255-4200, and identify yourself as "NYSBA EELS Fall Meeting". You can also make your reservation online at: group.hamptoninn.com/NYSBAEELSFallMeeting



SCHEDULE OF EVENTS

Sunday, September 22

9:00 – 2:00 p.m.

Guided Activities for Early Arrivals

Mohonk offers a wide range of activities to do on your own, but why not get a head start on making connections? Here are a few sponsored activities:

Mountain Bike Ride, Hiking, Tomahawk Throwing and Archery, Rock Climbing, Garden and Greenhouse Tour

2:30 – 4:00 p.m.

Executive Committee Meeting – Cliff View Room

4:00 – 4:30 p.m.

Hotel Check-in - Guest Services Desk

Meeting Registration – Lake Lounge

4:00 – 4:30 p.m.

Coffee Break – Cliff View Alcove

4:30 – 5:45 p.m.

“I Fought the Law and the Law Won” - Regulatory Initiatives & Enforcement – Pavilion Terrace **1.5 MCLE Credits | Areas of Professional Practice**

Federal, State and NYC regulatory officials review environmental laws with enforcement claims examples which resulted in legal liability, damages, remediation obligations, civil and criminal fines and natural resource damages, and civil and criminal fines, penalties and jail time.

Panel Chair:

Susan E. Amron, Esq., New York City Department of City Planning, New York, NY

Panelists:

Thomas S. Berkman, Esq., General Counsel, NYSDEC., Albany, NY
NYSDEC Initiative Update

Lemuel M. Srolovic, Esq., Chief Environmental Protection Bureau, NYSAG, New York, NY
Attorney General Enforcement Update

Walter Mugdan – Deputy Regional Administrator, USEPA Region 2
USEPA Update

6:00 – 7:00 p.m.

Cocktail Reception – Sunset Lounge

7:00 – 8:00 p.m.

Dinner - Dining Room

Monday, September 23

7:30 - 8:30 a.m.

Breakfast – Dining Room

8:30 - 8:45 a.m.

Welcome and Introductions

Howard Tollin, Esq. | Chair

8:45 - 9:35 a.m.

“She Blinded Me with Science” – New Technology as a Tool in Environmental Cases – Parlor **1.0 MCLE Credit | Areas of Professional Practice**

The proliferation of low-cost tools for environmental monitoring and encouragement of citizen science by government agencies has accelerated the use of environmental monitoring data collected by volunteers. This panel will survey recent advances in citizen science tools, discuss the ways in which policy makers use data from citizen science to form the basis for policy and enforcement decisions, and address the challenges associated with using data collected by citizen scientists.

Panel Chair:

Adam M. Stolorow, Esq., Sive, Paget & Riesel PC, New York, NY

Panelist:

Liz Barry, Co-Founder and Director of Community Development, Public Laboratory for Open Technology and Science
Citizen Science Tools for Environmental Monitoring

Jacqueline Lendrum, Director, Bureau of Water Assessment and Management, NYSDEC
Citizen Science Perspectives

Michael Beckerich, President, York Analytical Laboratories
New Testing Methodologies for Emerging Contaminants



SCHEDULE OF EVENTS

9:35 – 9:50 a.m.

Coffee Break - West Alcove

9:50 – 11:05 a.m.

Earth, Wind & Fire, “Got to Get You into My Life” – Cleaner and Cost-Effective Energy – Parlor
1.5 MCLE Credits | Areas of Professional Practice

Partly in response to climate change, New York and other states are experiencing a boom in solar, on and offshore wind, and energy storage projects. Because renewable-energy generation technologies provide variable output, New York and other states are creating incentives to integrate energy storage solutions into new and existing renewable-energy ventures. This panel will discuss how these different technologies work separately and together, as well as the current state of play and possible future developments in the siting, permitting and financing of solar, wind and energy storage projects.

Panel Chair:

Gregory M. Brown, Esq., Brown Duke & Fogel, P.C

Panelists:

Julie Pettit, Senior Counsel EDF Renewables
Large Scale Solar and on-shore Wind

Megan Higgins, Director of Offshore Energy, Tetra Tech, Inc. Sciences
Offshore Wind

Marshall Haimson, President, E Capital Development
Storage, Transmission and Financing Energy Projects

11:05 – 11:20 a.m.

Coffee Break – West Alcove

11:20 – 12:10 p.m.

“We Built This City on Rock and Roll” (with a little help from our friends) – Risk Management & Project Financing R.E. Transaction – Parlor
1.0 MCLE Credit | Areas of Professional Practice

This panel will explore a hypothetical real estate transaction and address specific issues that arise in the context of New York State’s Brownfield Cleanup Program (BCP), including: implications of BCP tax credits on deal structure and financing, real estate financing hurdles, balancing remediation goals with project finance, risk mitigation and role of insurance products, and related matters. The goals of the program are for attendees to (A) get a “behind the scenes” look at how legal experts in the areas of the BCP and environmental insurance grapple with and resolve day-to-day issues in transactions and (B) acquire practical pointers and advice. Attendees will be invited to ask questions during the program in order to facilitate conversations with the panelists.

Panel Chair:

Jose A. Almanzar, Esq., Periconi, LLC, New York, NY

Panelists:

Frank Piccininni, Esq., Sterling Environmental Services, Woodbury, NY
Risks & Transfer Strategies

Philip S. Bousquet, Esq., Bousquet Holstein PLLC, Syracuse, NY
Tax Incentives

12:30 – 1:30 p.m.

Lunch – Dining Room

1:30 – 6:30 p.m.

Guided Group Activities

Mohonk Mountain House offers a wide range of activities to do on your own, but we encourage you to take advantage of one of these sponsored activities:

Mountain Bike Ride

Hiking

Tomahawk Throwing and Archery

Rock Climbing

Garden and Greenhouse Tour

SCHEDULE OF EVENTS

- 5:00 – 5:50 p.m. **“I Walk the Line” – Ethics & Environmental Law** – Parlor
1.0 MCLE Credit | Ethics and Professionalism
While all attorneys must maintain technological competence, for environmental attorneys this goes beyond computer programs and the cloud. Recent rapid changes scientific understanding and environmental regulation make providing competent representation a challenge. This presentation will examine what competence means for an environmental attorney in 2019, and how to render candid advice to clients in the face of scientific and regulatory uncertainty.
- Speaker: **Amy K. Kendall, Esq.**, Knauf Shaw, LLP, Rochester, NY
- 6:30 – 7:30 p.m. **Cocktails** – Pavilion
- 7:30 – 9:30 p.m. **Dinner** - Pavilion
- Dinner Keynote: **Peter Lehner**, Managing Attorney, Sustainable Food and Farming, Earthjustice
- Moderator: **Michael S. Bogin, Esq.**, Sive, Paget & Riesel PC, New York, NY

Tuesday, September 24

- 7:30 – 8:30 a.m. **Breakfast**
- 8:45 – 9:35 a.m. **Mindfulness Program: “Mohonk State of Mind” (with thanks to Billy Joel)** - Parlor and Outdoors
1.0 MCLE Credit | Law Practice Management
Mohonk experts will teach attorneys how mindfulness practices and various techniques can enhance their focus and productivity. In addition, these learning techniques will include lessons onsite with viewing types of trees and geology formations while alleviating stress and enhancing wellness.
- Panelists: **Lynn Bogin, JD, Ph.D.**, Astor Services for Children and Families | Blue Lotus Mental Health Counseling
Kailey Spina Horan, Ph.D., LMHC, True North Mental Health Counseling
- 9:50 – 10:40 a.m. **“Take me to the River” – How to identify a WOTUS** - Parlor
1.0 MCLE Credit | Areas of Professional Practice
Defining a WOTUS – How the definition of federal and state wetlands has changed and will be changing. How the changes in definitions affect the identification, regulation and protection of the resources in New York State.
- Panel Chair: **Terresa Bakner, Esq.**, Whiteman Osterman & Hanna LLP, Albany, NY
- Panelists: **Barbara Beall**, The Chazen Companies, Troy, NY
Daniel M. Richmond, Esq., Zarin and Steinmetz, White Plains, NY
- 10:40 – 11:00 a.m. **Coffee Break** - West Alcove
- 11:00 – 11:50 a.m. **“The Big Bright Green Pleasure Machine” a.k.a. Complying with Environmental Law, Testing and Equipment** - Sports Field
1.0 MCLE Credit | Areas of Professional Practice
Environmental Attorneys have to review data on a daily basis, but few of us have observed how consultants physically obtain samples in the field, and maintain quality assurance protocols, for the data we review every day. During this outdoor interactive session, three consultants will show us the equipment they use to take soil, soil vapor and groundwater samples, and discuss the problems they typically encounter, and how they resolve those issues. In addition, the consultants covering the soil and groundwater environmental media will show us the different techniques they use for emerging contaminant sampling. A summary of the applicable sampling regulations and guidance documents will also be provided.

SCHEDULE OF EVENTS

- Panel Chair: **Linda R. Shaw, Esq.**, Knauf Shaw LLP, Rochester, NY
- Panelists **Seth Kellogg**, Geosyntec Consultants, Inc., Ewing, NJ
Gary Rozmus, GEI Consultants, Inc., P.C., Huntington Station, NY
Scott Yanuck, Laurel Environmental Geosciences DPC, Huntington Station, NY
- 12:00 – 1:00 p.m. **Lunch**
- 1:00 p.m. **Check Out**
- 1:00 p.m. **Hydrology Tour at the OSI Trail in New Paltz**
Meet at the Trail



THINGS TO DO

Sponsored Activities at Mohonk Mountain House:

HIKING

Mohonk Mountain House offers over 85 miles of hiking trails, ranging from beginner to advanced levels of difficulty. Rock Climbing Mohonk offers some of the best rock climbing in the Northeast. Take in breathtaking views of the Hudson Valley as you scale the heights of the Shawangunk Ridge.

MOUNTAIN BIKING

Experience the rugged, scenic beauty of the Hudson Valley. Explore over 40 miles of wooded trails and dramatic outlooks. Bring your own bike or rent one from our Wheelworks Shop for \$30 a day.

ARCHERY

Archery is the ancient art of awareness, precision, and survival. Learn how to quiet your mind and focus your aim in this tranquil, natural setting. You'll walk away with introductory archery skills from a certified instructor.

TOMAHAWK THROWING

Once a practical survival skill, tomahawk throwing is recognized as an effective tool for enhanced brain wiring and concentration – attributes that help us in many aspects of our modern lives. Learn how to adapt to changing conditions and master the art of balance, aim, and power.

GREENHOUSE AND GARDEN TOURS

Join one of our master gardeners for a tour through our Victorian Show Garden. Each year, the Garden showcases a different theme and incorporates more than 300 species of flowers and plants.

Are you interested in sponsoring an activity?

Call or email [Gina Bartosiewicz @518-487-5671](mailto:gibartosiewicz@nysba.org) or gibartosiewicz@nysba.org to learn how!

Visit www.mohonk.com/recreation for more activity options

Position yourself and your company or firm as a supporter of the Environmental & Energy Law Section's legal community by becoming an event sponsor!



NEW YORK STATE BAR ASSOCIATION

Environmental & Energy Law Section Fall Meeting – Registration Form

September 22-24, 2019 | Mohonk Mountain House | New Paltz, NY

Name: _____ Email: _____ Phone: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

REGISTRATION FEES

Registration fee includes Sunday-Tuesday's MCLE program, all meals and refreshment breaks.

Attorney Registration Fees

- \$250 1st Time NYSBA Section Attendee
- \$250 NYSBA Newly Admitted Attorney (5 years or less)
- \$300 NYSBA Environmental & Energy Law Section ("EELS") Member
- \$350 NYSBA Member Rate
- \$400 Non-NYSBA Member

Spouse/Guest Registration - Registration fee includes all of the above excluding the MCLE Programming.

\$200 Name _____

Children Registration Ages 12 to 18 - Registration fee includes all of the above excluding the MCLE Programming.

\$100 Name(s) and Age _____
Name(s) and Age _____

Children Registration Ages 7 to 11 - Registration fee includes all of the above excluding the MCLE Programming.

\$50 Name and Age _____
Name and Age _____
Name and Age _____

Children Under Age 7 – no charge.

Name and Age _____
Name and Age _____
Name and Age _____

Dietary needs/restrictions of any of the registrants (provide name):

BOOK YOUR HOTEL ACCOMMODATIONS

Hampton Inn by Hilton New Paltz | 4 South Putt Corners Road | New Paltz, New York 12561

PLEASE NOTE: Rooms at the Mohonk Mountain House are no longer available. A block of rooms has been reserved at the nearby Hampton Inn at New Paltz until 9/1. Rooms are \$149 per night plus tax for a room with two queen beds. To make room reservations, please call 845-255-4200, and identify yourself as "NYSBA EELS Fall Meeting".

PAYMENT INFORMATION

Check or Money order enclosed.
(Make checks payable to New York State Bar Association)

- Charge \$_____ to:
- American Express Discover
- MasterCard Visa

Card number

Expiration Date

Authorized Signature

Fax or mail this form with registration fee(s) to:

Gina Bartosiewicz, Sections and Meetings Liaison
New York State Bar Association
One Elk Street, Albany
New York 12207
Phone: 518.487.5671
Fax: 518.463.5993
Email: gbartosiewicz@nysba.org





NEW YORK STATE BAR ASSOCIATION

SPONSOR REGISTRATION FORM

Name(s) _____

Firm/Company _____

Address _____

City _____

State/Country _____ Zip Code _____

Email/Phone: _____

Name of attorney who requested your sponsorship:

WHY SPONSOR?

- Gain recognition at the premier events of the year for the Environmental & Energy Law Section of the New York State Bar Association, held at NYSBA's high-profile Fall and Annual Meetings
- Position yourself and your company or firm as a supporter of the Environmental & Energy Law Section's legal community and network with hundreds of our members

WHAT YOU RECEIVE FOR YOUR SPONSORSHIP:

- Corporate recognition from podium and on all signage at business and individual meeting/networking receptions
- Acknowledgement on Environmental & Energy Law Section's website, visibility to the Section's active members (over 1,000) and NYSBA membership and listing in the program agenda

SPONSORSHIP OPPORTUNITIES

Please indicate which level of sponsorship you would like:

- Platinum: \$3,500** [includes **two** complimentary Fall & Annual Meeting networking receptions, programs & Annual luncheon at Mastro's Restaurant, 1285 Ave. of the Americas (one block from Hilton)]
- Gold: \$2,500** [includes **one** complimentary Fall & Annual Meeting networking receptions, programs & Annual luncheon at Mastro's Restaurant]
- Silver: \$1,500** [includes corporate recognition at Fall Meeting & **one** complimentary attendance at Thursday's Annual Meeting networking reception (6-7:30pm) & **one** complimentary attendance at Friday's luncheon located at Mastro's Restaurant. \$500 for each additional representatives to attend]
- Exhibitor: \$1,200** [Includes a draped table for Fall & Annual Meetings, two chairs and **two** complimentary registrations to the Annual luncheon]
- Sponsor Fee: \$500** [Includes your firm's logo on signage during the Fall and Annual Meeting, a listing in the program agenda and/or poster board, and recognition from section chair from the dais on the day of the event. Law firms are encouraged to support as a sponsor.]

Environmental & Energy Law Section

Fall Meeting
September 22 - 24, 2019

Mohonk Mountain House
New Paltz, NY

Annual Meeting
January 30 - 31, 2020

New York Hilton Midtown
1335 Ave. of the Americas, NYC

Program Information:

Fall Meeting - Logo needed by August 1, 2019.

Annual Meeting - Logo needed by September 1, 2019.

Logos need to be a high resolution tif file for inclusion in the signage. Send to gbartosiewicz@nysba.org

PAYMENT INFORMATION

Check or money order enclosed in the amount of \$ _____

(Please make checks payable to the **New York State Bar Association.**)

Charge \$ _____ to

- Visa American Express
 Discover MasterCard

Card number

Expiration Date

Authorized Signature

Send payment/form to:

Gina Bartosiewicz
New York State Bar Association
One Elk Street. Albany, NY 12207
lbataille@nysba.org
Ph:518-487-5680/Fax:518-463-5993



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ENVIRONMENTAL & ENERGY LAW SECTION
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 PLEASE DELIVER PROMPTLY. THANK YOU.**

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