

**AGENDA**  
**NYSBA Environmental Law Section**  
**Executive Committee Meeting**  
**January 25, 2013**

1. Call to Order (Carl)
2. January 2013 Meeting (Carl)
  - Thank Yous to Marla and Michael, Lisa and Lori
  - Congratulations to Awardees
  - Remembrance Awards
3. Fall Meeting, 2013 (Kevin)
4. Finances (Terresa)
5. House of Delegates Report (Howard)
6. Questionnaire (Carl, Pollution Prevention Committee)
7. Climate Change Initiative (Carl, Climate Change Committee)
8. CLEs – NYSBA and Section-run events (Carl, CLE Committee)
9. Licensed Site Professionals Task Force (Kevin R)
10. New Business/Old Business
  - Waiver policy (Terresa, Carl)
  - Spring date for Legislative Forum – May 15 (Mike, Legislation Committee)
  - Blog – Cullen successor (Carl)
  - Section Comments Law of the Sea (Carl, International Environmental Law Committee)
  - Biodiversity Task Force (Carl)
  - Membership (Mike, Membership Committee)
  - Committee Reports
  - Other?
11. Next Cabinet Call -Thursday, February 21, 2013, at 3:00 p.m.

New York State Bar Association  
Environmental Law Section  
For the Twelve Months Ending Monday, December 31, 2012

**DRAFT**

	2012 Budget	December	2012 Year To Date	Percent	2011 Budget	2011 Year To Date	Percent	2010 Year To Date	2009 Year To Date
<b>Income</b>									
Dues	\$36,500.00		\$33,905.42	92.89%	\$36,000.00	\$36,122.08	100.34%	\$36,516.59	\$37,171.17
Meetings	45,000.00		39,421.00	87.60%	47,000.00	36,282.50	77.20%	38,712.75	39,232.00
Sponsorship	6,000.00		4,500.00	75.00%	5,000.00	3,250.00	65.00%	5,250.00	5,250.00
Newsletters	500.00	330.00	515.00	103.00%	500.00	1,505.00	301.00%	785.00	435.00
Publications			100.00	0.00%		25.00	0.00%		25.00
Other				0.00%	6,000.00		0.00%		
Prior Years Surplus Used	7,750.00			0.00%	8,450.00		0.00%		
<b>Total Income</b>	<b>95,750.00</b>	<b>330.00</b>	<b>78,441.42</b>	<b>81.92%</b>	<b>102,950.00</b>	<b>77,184.58</b>	<b>74.97%</b>	<b>81,264.34</b>	<b>82,113.17</b>
<b>Expenses</b>									
Postage & Shipping	2,800.00		2,111.16	75.40%	1,500.00	3,282.34	218.82%	2,822.06	1,781.45
Awards & Grants	3,000.00		7,832.20	261.07%	7,000.00	10,100.78	144.30%	3,277.10	2,119.16
Diversity	6,000.00			0.00%			0.00%		
Catering & Banquets	34,400.00		49,319.86	143.37%	37,000.00	32,384.60	87.53%	31,008.34	31,186.29
Beverage Service & Receptions	11,000.00		9,995.16	90.87%	13,000.00	10,974.61	84.42%	9,625.07	5,031.42
Speaker & Guest Expense	2,000.00		792.96	39.65%	1,500.00		0.00%	1,899.82	476.53
Audio/Visual Expense	5,500.00		3,737.24	67.95%	4,000.00	3,495.30	87.38%	2,423.02	1,239.33
Promotional Costs				0.00%	2,500.00	241.79	9.67%		
Ground Transportation				0.00%	1,000.00		0.00%		
Activities & Entertainment	500.00			0.00%	500.00		0.00%	4,960.00	1,225.00
Gratuities	300.00		225.00	75.00%	700.00	280.00	40.00%	15.00	256.00
Section Executive Committee Meetings	2,500.00		302.94	12.12%	4,000.00	29.32	0.73%	408.00	9,124.36
Officers Expense	2,500.00	20.51	796.94	31.88%	1,000.00	1,062.65	106.26%	2,243.50	727.95
Misc Meeting & Program Costs	15,000.00		3,405.82	22.70%	20,000.00	1,069.75	5.35%	14,009.31	11,083.23
Section Subcommittee Meetings	2,000.00	50.04	3,727.47	186.37%	1,500.00	1,341.75	89.45%	2,787.47	2,953.13
Newsletters	7,500.00	4,444.52	7,773.58	103.65%	7,000.00	12,399.11	177.13%	6,321.73	9,556.71
Graphics Department Allocations	750.00	23.00	2,387.59	318.35%	750.00	2,580.07	341.34%	1,946.23	1,355.51
<b>Total Expenses</b>	<b>95,750.00</b>	<b>4,538.07</b>	<b>92,407.72</b>	<b>96.51%</b>	<b>102,950.00</b>	<b>79,222.07</b>	<b>76.95%</b>	<b>83,756.65</b>	<b>78,116.07</b>
		<b>(4,208.07)</b>	<b>(13,966.30)</b>	<b>0.00%</b>		<b>(2,037.49)</b>	<b>0.00%</b>	<b>(2,492.31)</b>	<b>3,997.10</b>

Accumulated Surplus (Deficit) 34,603

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**VIA ELECTRONIC AND FIRST CLASS MAIL**

David S. Rothenberg, Esq.  
Goldman Sachs  
200 West Street  
40<sup>th</sup> Floor  
New York, NY 10282

Re: *New York State Bar Association: Climate Change  
Adaptation Initiative*

Dear Mr. Rothenberg:

I am writing to you as the chair of the New York State Bar Association's Section on Corporate Counsel to invite your section to join the Environmental Law Section and the Center for Climate Change Law of Columbia Law School in an effort to begin to adapt the laws of the State of New York to the reality of climate change. The Co-Chairs of our section's Global Climate Change Committee, Michael Gerrard, Kevin Healy and Virginia Robbins, are leading this initiative.

According to the National Research Council "climate change is occurring, is very likely caused primarily by the emission of greenhouse gases from human activities, and poses significant risks to human and natural systems." National Research Council, America's Climate Change Choices, 2011. In fact, the vast majority of credible scientists are predicting that over the course of the next several decades changes in the climate will cause dramatic damage to the environmental, socioeconomic and geopolitical well being of the planet. Our nation's scientists are finding that impacts are likely to occur across the board – there will be increased flooding in some areas and more frequent droughts in others, sharp increases in vector-borne diseases, disruption in water supplies, more frequent and violent storms, coastal flooding, the devastation of existing forests and the extinction of a wide spectrum of species.

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Although climate change is predicted to have impacts on a global scale, it will directly affect New York no less than other areas of the planet. The New York City Panel on Climate Change reports that mean annual temperature levels will rise by up to 3 degrees Fahrenheit by the 2020s and by up to 5 degrees by the 2050s; that rising sea levels are "extremely likely," with mean annual sea levels rising by up to a foot by mid-century and by up to 23 inches by the 2080s (with the possibility that, if there is a rapid melting of polar ice, those levels could skyrocket, increasing by up to 29 inches by the 2050s and by up to 55 inches by the 2080s); and that coastal flooding is very likely to result from more frequent and severe storm events. Moreover, since New York is a center of worldwide commerce, the consequences of global climate change, wherever they occur, will have indirect adverse impacts on the commercial well being of our multi-national businesses.

Our political leaders recently have launched initiatives to begin to adapt New York's physical infrastructure to climate change. It is now time for the bar to do the same with respect to our legal infrastructure. Statutes, rules and regulations relating to real estate, land use, agriculture, coastal development, insurance, energy, corporate operations and responsibility, urban development, infrastructure, public health, immigration, environmental protection, endangered species, and many other areas may have to be revamped to address the multiplicity of new issues that seem increasingly certain to accompany a warming climate. More particularly, we anticipate that for the Corporate Counsel Section securities disclosure requirements with respect to future extreme weather events and the fiduciary responsibilities of corporate directors to prepare for future climate change will be important.

The Environmental Law Section is proposing to work with attorneys having expertise in each of the affected areas to examine the current state of the law and develop a roadmap for making the modifications, over the course of time, that are needed on a cumulative basis to maintain a well-ordered society in the face of the daunting challenges anticipated in the coming years. Under this initiative, committees of lawyers would be organized to work with technical experts to identify, with respect to each discipline, the climate change-related problems New York will face in the coming years, and develop proposals on how our laws and regulations should evolve to meet those problems.

We ask that you advise your members of this initiative and identify up to 2 representatives from your section who would be willing to work with us. We intend to schedule a conference call to kick off the effort sometime in February, 2013, and would appreciate your letting us know whether your section would like to participate and who the contact person(s) would be by no later than January 31, 2013. Thank you for your anticipated help on this important endeavor.

Also, Michael Gerrard, Kevin Healy and Virginia Robbins will be available to discuss this initiative with you at your convenience. Kevin and Virginia will attend our section's

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Annual Meeting on January 25 and would be pleased to arrange to speak with any interested members of your section. If January 25 is not convenient, Kevin and Michael will meet in New York City with any interested members at another convenient time. Please contact Michael, Kevin or Virginia by e-mail at the addresses listed below.

Thank you for your anticipated help on this important endeavor.

Very truly yours,

Carl R. Howard

cc (by electronic mail only):

Michael B. Gerrard, Esq. – [michael.gerrard@law.columbia.edu](mailto:michael.gerrard@law.columbia.edu)

J. Kevin Healy, Esq. – [jkhealy@bryancave.com](mailto:jkhealy@bryancave.com)

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