



NEW YORK STATE BAR ASSOCIATION

ENVIRONMENTAL & ENERGY LAW SECTION

8.0 MCLE Credits

7.5 Areas of Professional
Practice
0.5 Ethics

Fall Meeting 2018

October 19-21, 2018

Emerson Resort & Spa
Mount Tremper, NY

www.nysba.org/ENVIFA18

Environmental & Energy Law Section Chair

Marla E. Wieder, Esq., U.S. Environmental Protection Agency, Region 2, NYC

Program Co-Chairs

Hayley Carlock, Esq., Scenic Hudson, Inc., Poughkeepsie

Daniel A. Ruzow, Esq., Whiteman Osterman & Hanna LLP, Albany

TOTAL CLE CREDITS:

Under New York's MCLE rule, this program has been approved for a total of 8.0 MCLE credits consisting of 7.5 in Areas of Professional Practice, and .5 in Ethics. This program is not transitional and does not qualify for newly admitted attorneys.



Hotel Information

Emerson Resort & Spa

5340 Route 28, Mount Tremper, NY

You can reserve your overnight accommodations by calling the hotel at 845.688.4141 or e-mail: marcilene.smith@gmail.com. Identify yourself as attending the New York State Bar Association event.

Reservation deadline is Wednesday, September 19, 2018.

SCHEDULE OF EVENTS

Friday, October 19

- 2:00 – 5:30 p.m. **Registration** – East Room
- 3:00 – 5:30 p.m. **General Session** – West Conference Room
- 3:00 – 3:05 p.m. **Welcome and Introductory Remarks**
Marla E. Wieder, Esq., Section Chair
- 3:05 – 4:10 p.m. **Bridge Over Troubled WOTUS: Discussion of the state of Clean Water Act jurisdiction and the current Administration's efforts to repeal the Clean Water Rule** (1 credit in Areas of Professional Practice)
- Presentations and a moderated discussion of the legal and policy framework for the current Administration's repeal of the Clean Water Rule and proposal to re-codify the regulatory text that existed prior to the 2015 rule defining "waters of the United States" or WOTUS. The panel will provide an overview of the status of the definition of WOTUS and discuss EPA's legal rationale and process for repeal. Panelists will provide different perspectives on the repeal of the Clean Water Rule and discuss the implications of WOTUS for the environment and the economy.
- Moderator: **Hayley Carlock, Esq.**, Director of Environmental Advocacy, Scenic Hudson, Inc., Poughkeepsie
- Speakers: **John Cronin**, Senior Fellow for Environmental Affairs, Dyson College Institute for Sustainability and the Environment, Pace University, Pleasantville, NY
Daniel E. Estrin, Esq., General Counsel & Advocacy Director, Waterkeeper Alliance, New York City
Christopher Saporita, Esq., Assistant Regional Counsel, Environmental Protection Agency, Region 2, New York City
- 4:10 – 4:25 p.m. Refreshment Break – East Conference Room
- 4:25 – 5:15 p.m. **Weeding Out Ethical and Environmental Issues in the Budding Cannabis Industry** (1 credit in Areas of Professional Practice)
- On the environmental side of the house, this panel will discuss and explore Issues regarding organic cultivation, pesticide use, and the new or anticipated imposition of restrictions on both water and energy use.
- Speaker: **Telisport W. Putsavage, Esq.**, Putsavage PLLC, Co-Chair, NYSBA EELS Pesticide Committee; Member, NYSBA Committee on Cannabis Law, Albany
- 5:15 – 5:40 p.m. **Ethical Issues in the Budding Cannabis Industry** (.5 credit in Ethics)
- On the ethical front, the panel will discuss issues in states with medical programs (including New York), issues presented by adult use states and the study regarding legalizing adult use in New York. By the time of our program, Massachusetts and Canada will have opened up adult use retail and there may be additional issues to explore.
- Speaker: **Sara Payne, Esq.**, Barclay Damon, Member, NYSBA Committee on Cannabis Law, Syracuse
- 6:30 – 7:30 p.m. **Cocktail Reception** – Catamount Room
- 7:30 – 9:00 p.m. **Dinner** – Catamount Room
- Dinner Speaker: **Ramsay Adams**, Founder and Executive Director of Catskill Mountainkeeper

SCHEDULE OF EVENTS

Saturday, October 20

- 7:30 a.m. – 9:00 a.m. **Continental Breakfast with Exhibitors** – East Conference Room
- 8:00 a.m. **Registration** – East Conference Room
- 9:00 a.m. – 12:30 p.m. **GENERAL SESSION** – West Conference Room
- 9:00 – 10:40 a.m. **NYC's Watershed Protection Land Acquisition Program: An examination of the most peculiar, socially engineered program for the protection of the world's largest unfiltered water supply. – "Still Crazy After All These Years"** (2 credits in Areas of Professional Practice)
- Panelists will discuss the legal underpinnings of New York City's multi-faceted program for acquisitions of lands and easements to protect its water supply that serves over nine million people, the delicate balance between the City's watershed protection goals and community interests in economic development, the role of environmental stakeholders, and developments in the program since it was initiated in 1997 to address flooding events and changing demographics.
- Moderator: **Daniel A. Ruzow, Esq.**, Partner & General Counsel, Whiteman Osterman & Hanna, LLP, Albany
- Speakers: **Hilary Meltzer, Esq.**, Deputy Chief Environmental Law Division, NYC Law Department
Shelly Johnson-Bennett, Director, Delaware County Planning Department, Delhi
Timothy E. Cox, Esq., Corporate Counsel, Catskill Watershed Corporation, Margaretville
Jeffrey Senterman, Executive Director, Catskill Center, Arkville
- 10:40 – 11:00 a.m. **Refreshment Break** – East Conference Room
- 11:00 a.m. – 12:40 p.m. **Don't Drink the Water: Everything You Need to Know about Emerging Contaminants** (2 credits in Areas of Professional Practice)
- A discussion on legal, regulatory and toxicological issues relating to contamination of water supplies by emerging contaminants – PFAS and 1,4-dioxane.
- Moderator: **Gary S. Bowitch, Esq.**, Bowitch & Coffey LLC, Co-chair, NYSBA EELS Petroleum Committee, Albany
- Speakers: **Thomas Berkman, Esq.**, General Counsel, NYS Department of Environmental Conservation, Albany
Zackary D. Knaub, Esq., First Assistant Counsel to Governor Cuomo, Albany
Mark Maddaloni, DrPH, DABT, Toxicologist and Regional Risk Assessment Coordinator, Office of the Regional Administrator, Environmental Protection Agency, Region 2, New York City
Judith S. Schreiber, Ph.D., Schreiber Scientific, LLC, East Greenbush
- Lunch is on your own. Afternoon is free to explore area. Hiking, biking and other tours will be organized by EELS members.
- 6:30 – 7:30 p.m. **Cocktail Reception** – Catamount Room
- 7:30 – 9:00 p.m. **Dinner** – Catamount Room
- Dinner Speaker:** Ulster County Executive Mike Hein

SCHEDULE OF EVENTS

Sunday, October 21

7:30 a.m. – 9:00 a.m. **Continental Breakfast with Exhibitors** – East Conference Room

8:30 a.m. **Registration** – West Conference Room

9:00 – 10:15 a.m. **GENERAL SESSION** – West Conference Room

H₂O No? Emerging Contaminants and Expanding Toxic Torts (1.5 credits in Areas of Professional Practice)

Litigation over the presence of hazardous substances in groundwater and drinking water has expanded in recent years, along with the list of contaminants of concern to water providers, private well owners and municipalities. Join this panel as we explore the latest developments from toxic tort litigation involving PFAS, 1,4-dioxane, MTBE and more in New York State and beyond.

Moderator: **Daniel M. Krainin, Esq.**, Principal, Beveridge & Diamond P.C., Co-Chair NYSBA EELS Toxic Torts Committee, New York City

Speakers: **Jeanette Bayoumi, Esq.**, Hausfeld LLP, New York City
James A. Pardo, Esq., Partner, McDermott Will & Emery LLP, New York City
Matthew J. Sinkman, Esq., Environmental Protection Bureau, New York Attorney General's Office, New York City

10:30 a.m. – Noon **Executive Committee Meeting** – East Conference Room



CLE INFORMATION

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Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Lori Nicoll at Inicoll@nysba.org.

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, please contact Lori Nicoll at 518-487-5563 or Inicoll@nysba.org.



NEW YORK STATE BAR ASSOCIATION

Environmental & Energy Law Section Fall Meeting – Registration Form

OCTOBER 19-21, 2018 | Emerson Resort & Spa | Mount Tremper, NY

Name: _____ Email: _____ Phone: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

REGISTRATION FEES

Registration fee includes Friday's MCLE program, beverage refreshment break and cocktail reception and dinner. Saturday's MCLE program, beverage refreshment break, and cocktail reception and dinner.

Attorney Registration Fees

- ☐ \$150 1st Time NYSBA Section Attendee
- ☐ \$150 NYSBA Newly Admitted Attorney (5 years or less)
- ☐ \$235 NYSBA Member
- ☐ \$335 Non-NYSBA Member

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

☐ \$125 Name _____

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

☐ \$50 Name(s) and Age _____
Name(s) and Age _____

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

☐ \$30 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):

SOCIAL EVENTS

Cocktail Reception/Dinner at Emerson Resort & Spa:

Friday, October 19 ____ (No. of ppl) attending

Cocktail Reception/Dinner at Emerson Resort & Spa:

Saturday, October 20 ____ (No. of ppl) attending

BOOK YOUR OWN HOTEL ACCOMMODATIONS

Call Emerson Resort & Spa at 845.688.4141 or e-mail marcilene.smith@gmail.com to book your room. Identify yourself as attending the NYSBA Environmental & Energy Law Section Fall Meeting. Rooms are \$199 per night plus taxes.

Reservation Deadline:
September 19, 2018

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:

Lori Nicoll, Meeting Representative
New York State Bar Association
One Elk Street, Albany
New York 12207
Phone: 518.487.5563
Fax: 518.463.5993
Email: lnicoll@nysba.org





NEW YORK STATE BAR ASSOCIATION
ENVIRONMENTAL & ENERGY LAW SECTION
1 Elk Street, Albany, NY 12207

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