

**Colorado Bar Association**  
**Environmental Law Section**  
**Advisory Counsel**  
**Minutes of August 24, 2011 Meeting**

In Attendance: Matt Lepore, Charlotte Neitzel, Macon Cowles, Jason King, Alison Thayer, Shane Cross, Steve Blarr, John Helfrich, Todd Weaver, Shaun Sullivan, Scott Clark, Amy Swanson, Lauren Buehler, Ben Kass.

Attending by Phone: Dennis Arfmann and Ann Rhodes

The meeting was called to order at 1:35 p.m. by Matt Lepore.

**Colorado Lawyer Special Issue**

Dennis Arfmann provided a summary of the October special environmental law edition of the Colorado Lawyer. The topic will be climate change and clean energy. All articles are in and are being edited. The issue will include an introductory letter from Senator Udall, an article by Governor Ritter on the new energy economy, and a poem by Justice Hobbs. Article topics include carbon capture legislation; regulation and private actions; federal regulation of carbon capture; clean energy distribution generation; mineral supply and renewable energy; LEED; and ethical concerns.

**Joint Environmental Law Section and Natural Resources Section Networking Event**

The council discussed the success of prior networking events with the Natural Resources Section and the potential for holding another event this year.

Motion was made and seconded to hold a joint networking event with the Natural Resources Section and to budget \$1,500 for the event. The motion passed on unanimous vote by the Advisory Council.

Macon Cowles volunteered to organize the event and Amy Swanson volunteered to assist.

**CBA-CLE All Day Environmental Program**

CBA-CLE has approached the ELS to jointly sponsor a full day environmental CLE program. A subgroup of the Advisory Council has been working on developing potential topics and organizing a program. The subgroup proposed that the ELS proceed with organizing the CLE program, to be held February 10, 2012, with a theme of state and local regulation and enforcement. Proposed topics include “meet the Colorado regulators”; the administrative hearing process; environmental covenants and restrictive notices; city and county environmental hot buttons; and metro air issues. The subgroup

reported that Attorney General Suthers and Martha Rudolph, head of environmental programs at CDPHE, have agreed to speak at the program.

The Council discussed tuition for the CLE program, reported to be \$340, and potential discounts on tuition. Potential discounts discussed included a \$100 discount for government and non-profit association lawyers and need-based scholarships of as much as \$170 for an additional 12 attendees. The Council also discussed the potential to set a cap on the number of government and non-profit attorneys that could receive a discount, a cap on the total amount of subsidies provided, and the potential to subsidize tuition across the board. It was noted that a Steamboat conference will not be held in 2012. The ELS historically has contributed \$5,000 to the Steamboat conference, thus additional funds are available to help subsidize a CLE program.

Motion was made and seconded to proceed with planning the CBA-CLE program. The motion passed on unanimous vote. A second motion was made and seconded to allocate \$5,000 for tuition for the CLE program, with the organizing subcommittee to propose how to best apply the funds. The motion passed on unanimous vote.

### **Legislative Liaison**

Joe Dischinger has served as the CLS legislative liaison for several years, but recently stepped down. The Council briefly discussed the role of the legislative liaison. Andrea Mueller will provide the Advisory Council with additional information about the scope of this position and the Council will select a replacement at a later date. An orientation session is scheduled for September 21, 2011 at noon at the CBA offices. If the Counsel has not selected a replacement by that time, Matt Lepore will attend the training session.

### **Topical CLE Luncheons 10/2011 – 09/2012**

The Council selected the following dates, and topics for the October 2011 through September 2012 topical luncheons and assigned the identified moderators.

Date	Topic	Moderators	Potential Partner Section
Sept. 27, 2011	Environmental Litigation Update (previously scheduled)	Linda Rockwood Ann Rhodes	
Oct. 25, 2011	Climate Change	Dennis Arfmann Ben Kass Steve Blarr	
Nov. 15, 2011	Electronic Waste	Jason King Shaun Sullivan	International
Dec. 13, 2011	Living City Block	John Helfrich Steve Blarr	Real Estate
Jan. 24, 2012	Boulder Utility	Macon Cowles Lauren Buehler	
Feb. 10, 2012	State and Local Environmental Regulations and Enforcement – All Day	Planning Committee	
Mar. 13, 2012	Good Samaritan Law	Jason King Scott Clark	Real Estate Natural Res.
April 24, 2012	Bicycle/Municipal Traffic Planning	Matt Lepore Charlotte Neitzel Shaun Sullivan	
May 22, 2012	EPA Guidance on Waters of the U.S.	Alison Thayer Shane Cross	Water
Sept. 25, 2012	Brownfields/VCUP	Scott Clark Jason King	

The meeting was adjourned at 4:00 p.m.

Respectfully submitted this 15<sup>th</sup> day of September 2011

  
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 Scott Clark, Secretary-Treasurer

  
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 Matt Lepore, Chair