



**ENVIRONMENTAL & NATURAL RESOURCES LAW SECTION  
EXECUTIVE COMMITTEE MEETING**

**November 7, 2017  
Texas Tech University School of Law**

**ENRLS MINUTES**

**I. Welcome and Introductions**

**Present:** Susan Maxwell, Marshall Coover, Lisa Dyar, Nathan Block, Kristen Fancher, Paulina Williams, Erin Chancellor

**Via Phone:** Rebecca Skiba, David Klein, Arnolito Medina, Mary Koks, Connie Westfall, Jon Bull, Pete Wahl, Connie Westfall, Angela Moorman, Cindy Smiley, Walt Shelton

**Absent:** Steve McMillan, Mike Dillinger, Kellie Billings-Ray, Carrie Thomas, Caroline Sweeney, Walt Shelton

The meeting held at Texas Tech in conjunction with an ENRLS Law School Committee organized environmental law career panel discussion. This was the first of a planned rotation of fall meetings to various law schools in an effort to build connectivity. Kristen Fancher summarized the event noting that there was strong interest, good student turnout and that the school had been very gracious hosts for the ENRLS meeting.

**II. Treasurer's Report**

David Klein presented the Treasurer's Report, having provided the Section's balance sheet, bank account statement, and financial statements updated through September. October expense information was not available in time for distribution ahead of this meeting. Of note, (1) income for the 2017 Superconference was well aligned with projections and (2) with 1/3 of the fiscal year complete, expenses appear to be tracking a bit below budget. Being under budget is attributed to the reduction in the number of issues being published by the Tex. Env. L. Jrnl. and the timing of scholarship payments awarded by the Law School Committee.

The possibility of raising the section's dues was discussed. After discussion the committee agreed that further inquiry was appropriate. David Klein agreed to gather additional information from the SBOT to help establish (1) when the ENRLS last increased dues, (2) how ENRLS compares to other sections of the SBOT, and (3) how much revenue might be generated

by a dues increase. ENRLS has approximately two months to decide the question if any change is to be made for the next year. By e-mail on November 8, David provided the requested information and noting that the ENRLS dues were last increased in 2010 and that they are currently aligned with the “high end of the spectrum” of SBOT sections.

### **III. Minutes/Secretary’s Report**

Susan Maxwell presented the final draft minutes of the Executive Committee meeting held on August 2, 2017 in Austin. No corrections or amendments were offered. On a motion by Lisa Dyar and second by Paulina Williams, these minutes were unanimously approved. Susan also presented the draft minutes of the Sections Annual Meeting held August 4, 2017 in Austin. No comments or corrections were offered. On a motion by Lisa Dyar and second by Paulina Williams, these minutes were unanimously approved. It was noted that the Secretaries duties transferred to the incoming Secretary, Nathan Block.

### **IV. Committee Reports and Discussion Items**

#### **A. Publications Committee**

##### **1. Texas Environmental Law Journal**

Rebecca Skiba reported for Lyn Clancy that Vol 47, Issue No. 2 is close to release. The Journal is seeking submissions and currently has a strong preference for articles that can be submitted before May 1, 2018.

#### **B. Law School Committee**

##### **1. Internship and Scholarship Programs.**

Kristen Fancher reported on the Section’s internship program. Applications are being accepted until November 30. An increase in the number applications over the same period the year before was noted. It was also reported that Kerry Halliburton has emailed information about the Buck Wynne scholarship program to all of the environmental law professors at Texas law schools.

##### **2. Law School Visits**

Upcoming law school programs were discussed. The original date for the combined, Houston area law schools program was cancelled as a result of Hurricane Harvey. The program will be rescheduled to a date in the spring. A program for St. Mary’s is being planned for late January or early February. Howard Gilberg is serving as liaison for North Texas and is working to develop a program for the spring. Jon Bull is working to coordinate a potential joint program with SMU and A&M for the 2018-2019 academic year.

## **C. Education Committee**

### 1. Texas Environmental Superconference

Lisa Dyar noted that Superconference planning is in its “off season” but that 2018 conference planning will start in February. It was noted that Mary Mendoza and other members of the Education Committee have on-going efforts to shop and compare other potential venues for the Superconference in 2019 and beyond. The rapid expansion of hotels in Austin has created options, potential price competition and negotiating leverage with the Four Seasons that has not previously existed.

### 2. Changing Face of Water Rights

The Changing Face of Water Rights conference will be held 2/22 – 2/23 in San Antonio. The ENRLS Executive Committee will coordinate our next quarterly meeting around the conference. There was discussion of setting the time of the Executive Committee meeting to allow committee members to attend the conference’s networking reception. With 100 to 150 attending the conference the networking opportunity is valuable. Discussion was supportive and Rebecca Skiba agreed to look into options to facilitate the request. David Klein also suggested that we ask to have the ENRLS meeting room be included in the reservation for the conference. Deborah Trejo is in her second year of service as the ENRLS co-chair. Susan Maxwell noted that it time to being looking for her successor. Rebecca Skiba will solicit recommendations / nominations for the co-chair role.

### 3. State Bar Annual Meeting

The Committee discussed participation in the State Bar Annual Meeting (June 21 -22, 2018 in Houston) and whether or not ENRLS would provide a substantive CLE presentation at the annual meeting.

## **D. Pro Bono Committee**

### 1. Donations

In September, via e-mail, a suggestion was made to donate money to support the Galveston Bay Foundations (GBF) efforts to repair damage from the storm. A pending motion from David Klein to direct \$7500 to TreeFolks and \$2500 to the Galveston Bay Foundation’s (GBF) Hurricane Harvey recovery efforts was discussed. For the last two years, ENRLS has donated \$10,000 to TreeFolks. Several members expressed a desire to see support for TreeFolks continue, at the \$10,000 level. Options for funding both TreeFolks and GBF by increasing the ENRLS total charitable contribution to more than \$10,000 were discussed. In e-mail prior to the meeting, David Klein had noted that the current budget does not have room for expansion of the commitment without generating additional revenue. Options for generating additional revenue, including the previously discussed potential to increase in ENRLS dues were considered. Cindy Smiley noted that the donations had originally begun when the section enjoyed a surplus and

were seen as way to leverage and spend down the surplus. The question of whether or not we have an affirmative commitment or obligation to continue to fund TreeFolks at \$10,000 was raised. Mary Koks reported that we have no such commitment. Angela Moorman made a motion that ENRLS (1) donate \$7500 to Tree Folks, (2) donate \$2500 to GBF and (3) after consideration of items such as increasing dues, consider supplementing the donation later in the year. The motion was seconded by Lisa Dyar and passed unanimously.

## 2. TEAP

Marshall Coover reported that his presentation on the program at Superconference was well received. He reports TEAP program has adequate interest from attorney volunteers. Uptake and engagement from respondents is still modest. Erin Chancellor reported that she is exploring greater engagement with the TCEQ Office of Legal Services (OLS) and the Enforcement Division to increase dissemination of information about the program. Placement of information about the program on the ENRLS website was also discussed. Marshall Coover and Connie Westfall coordinate those efforts.

## V. Other Business

No other business was raised. Upon motion by Nathan Block and second by Mary Koks, the meeting was adjourned.

## VI. Next Meeting

The next Executive Committee meeting will be held February 22, 2018, in San Antonio, Texas, in conjunction with the 2018 Changing Face of Water Rights Conference.