



EBC Evening Program

Implementation of Governor Baker's New Climate Change Strategy Executive Order

Undersecretary Ned Bartlett

*Executive Office of Energy & Environmental Affairs
Commonwealth of Massachusetts*

Tuesday, November 15, 2016

Nutter McClennen & Fish LLP
Louis D. Brandeis Conference Center
Boston, Massachusetts

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AGENDA

6:15 p.m. **Welcome: Daniel K. Moon, President and Executive Director, EBC**

Welcome to Nutter McClennen & Fish LLP: Mary Ryan, Partner

6:30 p.m. **Keynote Presentation
Governor Baker's New Climate Change Strategy Executive Order**



**Ned Bartlett, Undersecretary
Executive Office of Energy and Environmental Affairs
Commonwealth of Massachusetts**

7:00 p.m. Panel Discussion

Following Undersecretary Bartlett's presentation, a panel of EBC Board members and industry thought leaders will respond to Undersecretary Bartlett's comments and address issues of concern to the EBC membership and their clients.

Panel Moderator: Robert D. Cox, Jr., EBC Board Vice Chair of Programming
Partner, Bowditch & Dewey, LLP

Response Panelists

- **Ruth Silman**, Partner, Nixon Peabody LLP
- **Daniel Stapleton, P.E.**, Senior Vice President, GZA
- **Kathleen Theoharides**, Director, Climate and Global Warming Solutions
Commonwealth of Massachusetts

8:00 p.m. Adjourn

KEYNOTE SPEAKER

Ned Bartlett, Undersecretary
Executive Office of Energy and Environmental Affairs
Commonwealth of Massachusetts
100 Cambridge Street, Boston, MA
(617) 626-1134 | ned.bartlett@state.MA.US

Contact: Denise McDonough, (617) 626-1173, denise.m.mcdonough@state.ma.us

Ned Bartlett previously served as a Partner at Bowditch & Dewey, LLP where he maintained a diverse environmental, energy and transportation practice. Prior to private practice, Ned served as an attorney in a number of environmental and state agencies, and as Special Assistant Attorney General for the Office of the Attorney General of Massachusetts. Ned brings a wealth of private and public sector experience to the Executive Office of Energy and Environmental Affairs.

PANEL MODERATOR

Robert D. Cox, Jr., Partner
Bowditch & Dewey, LLP
311 Main Street, P.O. Box 15156, Worcester, MA 01615-0156
(508) 791-3511 | rcox@bowditch.com

Bob Cox is recognized as one of the top environmental lawyers in Massachusetts by Chambers USA, America's Leading Lawyers for Business. He has been selected by his peers as one of the Best Lawyers in America in the practice area of Environmental Law and Litigation – Environmental, and since 2004, he has been selected for inclusion in Massachusetts Super Lawyers.

Mr. Cox counsels clients on environmental compliance and enforcement actions. He represents clients with respect to water, air, hazardous waste, and solid waste matters before the United States Environmental Protection Agency, Massachusetts Department of Environmental Protection and local regulatory boards. He has significant experience in NPDES water permitting, including appeals of NPDES permits to the Environmental Appeals Board, as well as administrative appeals and hearings on MassDEP issued permits. He defends claims and actions brought by government environmental enforcement agencies.

He also represents clients in cost recovery claims and private party litigation under Chapter 21E and CERCLA in state and federal courts. He regularly advises clients on brownfields development activities and on strategies to limit or shift environmental liability risks in connection with real estate or business transfers.

Mr. Cox is a frequent speaker on environmental law and has authored many publications on current topics in the practice of environmental law. He was founding chair of the Environmental Law Section of the Worcester County Bar Association. Mr. Cox is active in various civic and professional organizations, including the Massachusetts Bar Association, Boston Bar Association, Worcester County Bar Association and MCLE, and in the Town of Rutland, where he served on the Zoning Board of Appeals for 15 years.

PANELISTS

Ruth Silman, Boston Office Managing Partner
Nixon Peabody LLP
100 Summer Street, Boston, MA 02110
(617) 345-6062 | rsilman@nixonpeabody.com

Ruth Silman concentrates her practice on complex environmental and land use matters and serves as the Managing Partner for the Boston office. She leads Nixon Peabody's Climate Change Team, a group of lawyers and environmental scientists/engineers who are assisting the firm's energy, industrial, and financial clients to meet the challenges and seize the opportunities emerging from legislative, regulatory, and judicial responses to the issue of climate change. Ruth represents clients concerning the land use implications of complex real estate transactions, including zoning, environmental impacts, permitting, and compliance. Her extensive environmental experience includes addressing air quality, hazardous waste assessment and remediation, brownfields redevelopment, wetlands protection, stormwater, wastewater, septic system, and water quality issues at the federal, state, and local level. Ruth advises clients regarding environmental management systems and environmental audits.

Ruth provides support to real estate transactions, including due diligence and advice regarding appropriate contractual protections and environmental insurance. Ruth has represented clients before state and federal courts and administrative agencies in environmental and land use litigation matters. She is involved in renewable energy efforts, including representing solar energy and wind power developers. Her experience spans various subjects including the development, permitting, construction, and operation of renewable energy facilities.

Ruth previously worked for the Massachusetts Office of the Attorney General in the Environmental Protection Division and analyzed the legality of potential policies under the federal Clean Air Act for the Northeast States for Coordinated Air Use Management (NESCAUM).

Daniel C. Stapleton, P.E., Senior Vice-President / Senior Principal

GZA

249 Vanderbilt Avenue, Norwood, MA 02062

(781) 278-5743 | Cell: (781) 789-6728 | daniel.stapleton@gza.com

Dan is a Senior Principal and Senior Vice-President of GZA and a leader of GZA's Water Services group. He is currently directing GZA project teams in assessing the vulnerability of public and corporate owners of critical infrastructure to climate change and flooding throughout the United States. Dan is also the Principal-in-Charge for developing the Community Coastal Resilience Plan for the Towns of Stratford, CT and Old Saybrook, CT and Long Wharf Flood Protection Study in New Haven, CT, working in collaboration with these coastal municipalities, South Central Regional Council of Governments (SCRCOG) and the Greater Bridgeport Regional Council (GBRC). Dan is a recognized expert in flood and geo-hazard characterization, hazard vulnerability assessment, adaptation planning and design and coastal resiliency. Dan has over 30 years of experience and advanced degrees in geology, geotechnical and civil engineering, and ocean engineering, and is a Registered Professional Engineer. Dan is a prolific speaker on climate change, its effects on critical infrastructure and the application of "Risk-Informed Decision Making", and has addressed municipalities, industry groups and the Army Corps of Engineers around the United States on this issue. Dan is a member of key American Society of Civil Engineers (ASCE) subcommittees that form the ASCE Infrastructure Resilience Division-Civil Infrastructure and Lifeline Systems Committee. He is a member the Geo-Institute of ASCE and is currently a subject matter expert advising the Nuclear Energy Institute's (NEI's) Post-Fukushima response advisory group.

Kathleen Theoharides, Director, Climate and Global Warming Solutions

Executive Office of Energy and Environmental Affairs

Commonwealth of Massachusetts

100 Cambridge Street, Boston, MA 02108

(617) 626-1144 | kathleen.theoharides@state.ma.us

Katie Theoharides is the director of climate and global warming solutions at the Executive Office of Energy and Environmental Affairs, where a focus of her work is implementing Executive Order 569. Prior to joining the state Theoharides spent the last six years running an environmental consulting business that provided services in policy development and analysis, stakeholder engagement and group facilitation, climate change adaptation, and conservation planning. She also worked as the Executive Director of a Massachusetts land trust and spent time in Washington, D.C. working on climate adaptation and environmental policy at Defenders of Wildlife. Theoharides has a B.A. in ecology from Dartmouth College and a Masters of Science from UMass-Boston.

Upcoming EBC Programs

- November 16: Water Resources Committee Meeting with Division Director Lealdon Langley
- November 22: Climate Change Program – Financing Resilience – The Big Question
- November 29: Energy Resources Program – Energy Storage Comes to Massachusetts
- **December 1: EBC 18th Annual Winter Garden Party**
- December 6: Energy Resources Program – Update from DOER Division Directors

Environmental Business Council of New England, Inc.

375 Harvard Street, Suite 2 | Brookline, MA 02446 | (617) 505-1818 | ebc@ebcne.org | @ebcne | www.ebcne.org