

Member Profiles

Long-Time Member: Rosemary Nichols

For this issue we have focused the Long-Time Member Profile on Rosemary Nichols, whose career in Environmental Law has included being a law teacher, legal editor, partner in various-sized law firms, general counsel to a developer, and, most recently, public official. She was truly one of the pioneers of the Section. Indeed, she was active in the Section before the Section existed, as a member of the special committee that became the environmental law committee that became the Environmental Law Section. While many in the Section are familiar with Rosemary's work and she was recently honored by the Section for that work, the following will describe some of the highlights of her career.

Rosemary was active in environmental law and policy as a law student at the University of Chicago where she was the student representative on a City of Chicago administrative board. Among the activities of the board while she was a student representative was a role in cleanup of a major Chicago steel plant. When she graduated from law school, Rosemary accepted a teaching position at the University of Albany, which was in the process of creating an Environmental Studies program. At that time (1972), environmental law was not on the curriculum of many law schools and Albany Law School permitted its students to take her undergraduate courses for credit. She left New York for a short period of time to teach at the University of Pittsburgh Law School and returned to New York to create the New York Land Institute, a foundation committed to environmental education and policy advocacy from multiple perspectives.

While listening to Rosemary talk about her law practice, I was struck by how varied it has been. The wide variety of positions she has held shows that she loves new challenges and is an expert not only in environmental law, but also in problem solving—making sure that the right thing is done and it is done the right way. She has represented municipalities, developers and project opponents in SEQRA matters, handled the first GE PCB administrative litigation, and regularly worked with and against many of the other leaders in the field. Rosemary spent 5 years as general counsel to a developer, which she described as “fun” because the developer had the capital to invest in quality projects.

Rosemary was the first woman to chair the Section. In the early days, the Section was very active in environmental legislation and tended to be an advocate for liberal positions. She recalls some tension between the Section and the Bar Association regarding program costs. The Section was committed to education and felt that the cost of programs made it difficult for those who were not in large law firms to attend. At one point, the Section was talking about seceding from the Bar Association over this issue.

Being one of the first chairs of the Section, Rosemary felt that her predecessors had set a good foundation of organizational process, but she nevertheless saw room for improvement and took on the challenge. She described the task of organizing a group of environmental lawyers as “a lot like herding brilliant, iconoclastic cats.”

Now a public official in Watervliet, New York, Rosemary Nichols is someone who has done just about everything an environmental lawyer can do and more. Looking back at our discussion, I regret not having asked “what's next for you?” I am sure that she would have reeled off a list of fascinating challenges that both showcase her skills and experiences, and her understanding of where the legal field is headed in the future.

Aaron Gershonowitz

New Member: Jason Kaplan

For this issue we are focusing our new member profile on Jason L. Kaplan, an associate at Sahn Ward Coschignano & Baker, PLLC. Focusing on transactional, regulatory, and litigation matters, Mr. Kaplan is involved with some of the most far-reaching and current environmental issues in New York. For example, Jason is currently working on the litigation involving the cleanup of the Lower Passaic River Site Area. Jason is also involved in a cost recovery case brought by an estate against a former partner of the deceased who has failed to contribute to the costs of cleaning up petroleum contamination at jointly owned property. On the transactional side, Jason is gaining experience reviewing and negotiating lease agreements and purchase and sale agreements. Jason's recent experiences have demonstrated that understanding how to manage environmental risks through contractual language is crucial. A few clients signed agreements without favorable environmental clauses prior to contacting Jason's firm, and are facing the consequences. Many of the cases that Jason works on involve leaking underground storage tanks, and hazardous waste and petroleum contamination. Jason's goal is to help clients resolve their environmental issues and educate them so that similar issues do not arise in the future.

The senior members of Sahn Ward Coschignano & Baker call Jason a “schmoozer.” Jason is quickly becoming an expert in networking, and has shared the benefits of his experience with younger attorneys in his article, *How to Land an Environmental Law Job*, which was featured in the NYSBA's *Electronically-In-Touch* newsletter. Jason credits networking, developing genuine connections, and persistence as key factors to his own success. According to Jason, environmental attorneys truly want to help young aspiring environmental lawyers enter the field and achieve their dreams, and there is no shortage of networking opportunities for those with the gusto to put them-

selves out there. Between the many New York State Bar Association functions, continuing legal education courses in environmental law, and other environmental organization meetings and events, there is a plethora of opportunities of which full advantage should be taken by young attorney seeking entry into the environmental law field.

Jason is very active in the New York State Bar Association. He was recently appointed as the NYSBA's Young Lawyers Section co-liaison to the Environmental Law Section, as well as co-chair of the Environmental Law Section's Membership Committee. Jason is also a Young Professionals Group Member of the Nature Conservancy, where he is involved with the development of new membership and increasing advocacy of the Conservancy's work both domestic and abroad.

Sure, Jason is a budding young attorney, and sure, he can tell you about Phase I and Phase II Environmental Site Assessments or how to network a room full of experienced attorneys, but did you also know that Jason moonlights as a stage performer? In his spare time, Jason studies and performs improvisational comedy at Upright Citizens Brigade Theatre in Manhattan. Clearly, Jason is

meant to be in the spotlight. If the formative years of his career forecast anything for his future, it is safe to say that Jason will be making people—hopefully his clients—smile and laugh for years to come.

Prior to joining Sahn Ward Coschignano & Baker, Jason worked for two Garden City law firms. Before that, he was a law clerk for General Electric Company, where he focused on Environmental, Health and Safety (EHS) matters for the Corporate Environmental Programs EHS management. Mr. Kaplan also served as a legal intern in the Environmental Protection Bureau of the New York State Attorney General's office, and on the Environmental Team at Holland & Knight's Washington D.C. office.

Jason Kaplan graduated from Colgate University cum laude with a B.A. in geology and received his Juris Doctor, cum laude, and Master of Studies degree in Environmental Law and Policies, cum laude, from Vermont Law School in 2009. Jason was a Notes Editor on the *Vermont Law Review*.

Justin Birzon

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Your commitment as members has made NYSBA the largest voluntary state bar association in the country. You keep us vibrant and help make us a strong, effective voice for the profession.

Vincent E. Doyle III
President

Patricia K. Bucklin
Executive Director

Thank you

