

**Robinson+Cole**

# Agencies Morphing, NGOs and Citizens Rising:

## The Legal and Advocacy Perspective

**A&WMA-NES FALL 2017 CONFERENCE  
WEDNESDAY OCTOBER 11, 2017**

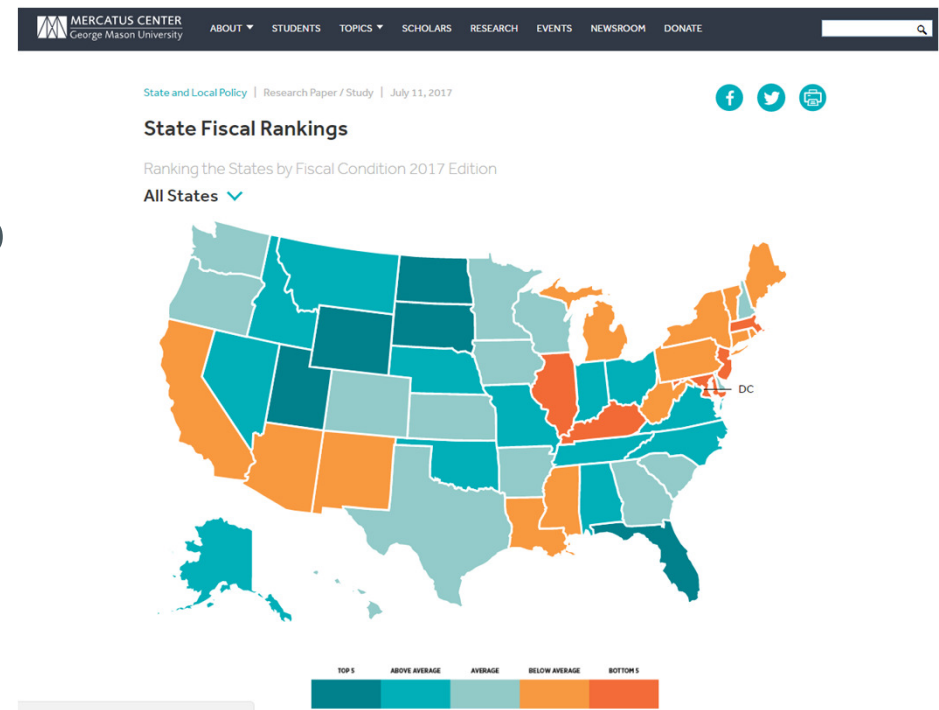
# ***What Does the Horizon Look Like?***

While the responsibilities of Environmental Professionals are always changing, new pressures and paradigms are changing the traditional risk points



# Regulator Outlook

- Re-oriented EPA
  - Changing ability to serve
- State Budget Realities
  - 2018, 2019 and beyond
- Retirement Realities
  - 50% of CTDEEP eligible to retire within 72 months
  - Loss of institutional knowledge & relationships
- “Doing less with less”



# Implications For Regulated Parties

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- Regulatory Fragmentation
- Loss of Institutional Relationships
- On-site Inspection vs. Desktop Review
- Temporary Regulatory Lull?

# Post Election Windfall for NGOs

- Sierra Club: 20,000 new monthly donors and >\$3,000,000 in post-election commitments
- Natural Resources Defense Council: 50,000 new members by the end of November 2016



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## Flush With Cash, Enviro Groups Gird For War With Trump

By Juan Carlos Rodriguez

BloombergMarkets

Money Pours Into Sierra Club at Frantic Pace After Trump Victory

## Money Pours Into Sierra Club at Frantic Pace After Trump Victory

by Brian Eckhouse

November 16, 2016, 1:04 PM EST Updated on November 17, 2016, 12:01 AM EST



# The Social & NGO Landscape

- Popular culture driving views and opinions
- Information tsunami
  - Non-Governmental Organizations (NGOs) for every cause and location
  - Non-traditional sources of news
  - New media willing to take content from everywhere



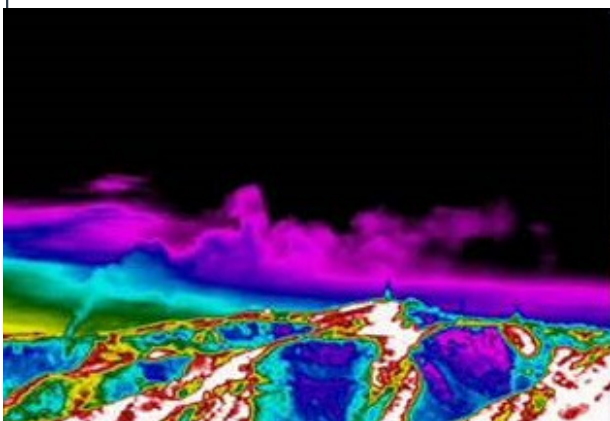
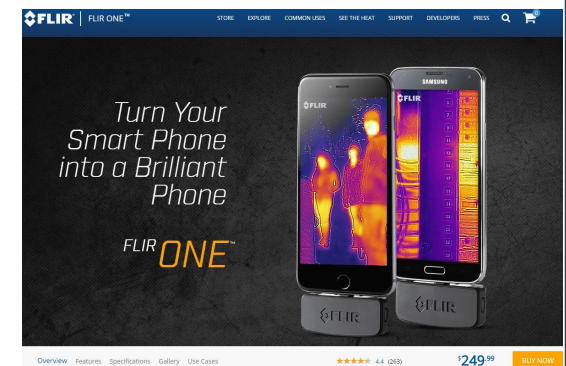


# NGOs –Sectors of Influence

- Familiar
  - Permitting
  - Litigation
- New
  - Citizen Science
  - New Tools
  - On-Line Data
  - Digital Journalism



# Remote Sensing with Infrared Camera





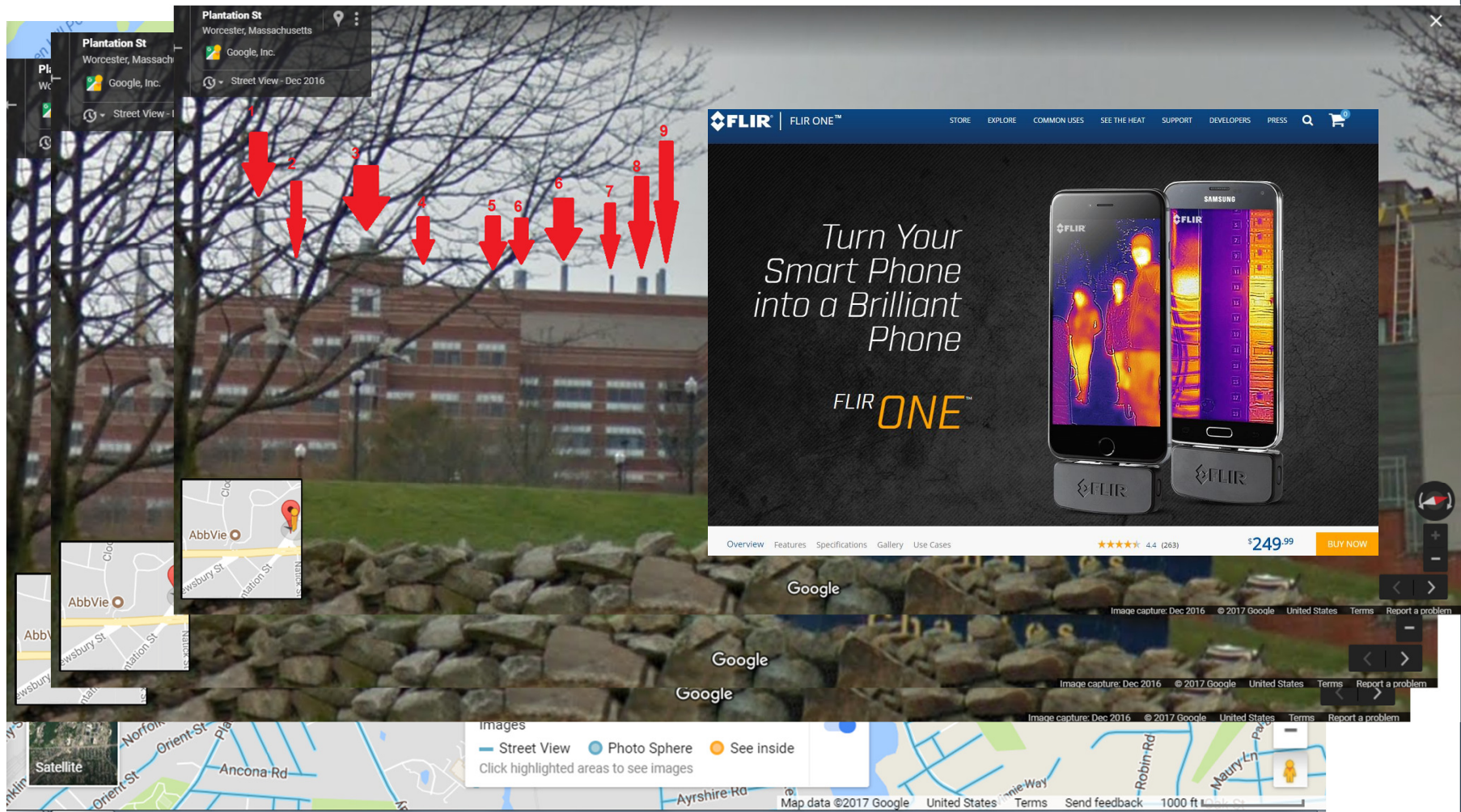
# Drone Surveillance



<http://www.dailymail.co.uk/news/article-2091159/A-drone-plane-spots-river-blood-flowing-Dallas-meat-packing-plant.html>

Photo: Gary Mortimer sUAS News

# Google and Other Aerial Photos/Maps





# Increased Role of Technology and CCS

**THE AIRCASTING PLATFORM**  
HOW IT WORKS

**your air quality sensor**  
**AIRBEAM**

**your air quality recordings and location map**  
**AIRCasting MOBILE APP**

**community perspective and awareness**  
**AIRCasting WEBSITE**

**your optional public air quality indicator**  
**LED WEARABLES**

**individual, community and government change**

**Navigation Menu:** HOME, ABOUT, MAPS, BLOG, DONATE

**Parameter - Sensor:** Particulate Matter-AirBeam-PM ( $\mu\text{g}/\text{m}^3$ )

**Location:** Address, Intersection, or Zip

**Profile names:** [Input field]

**Tags:** [Dropdown]

**Time Range:** [Dropdown]

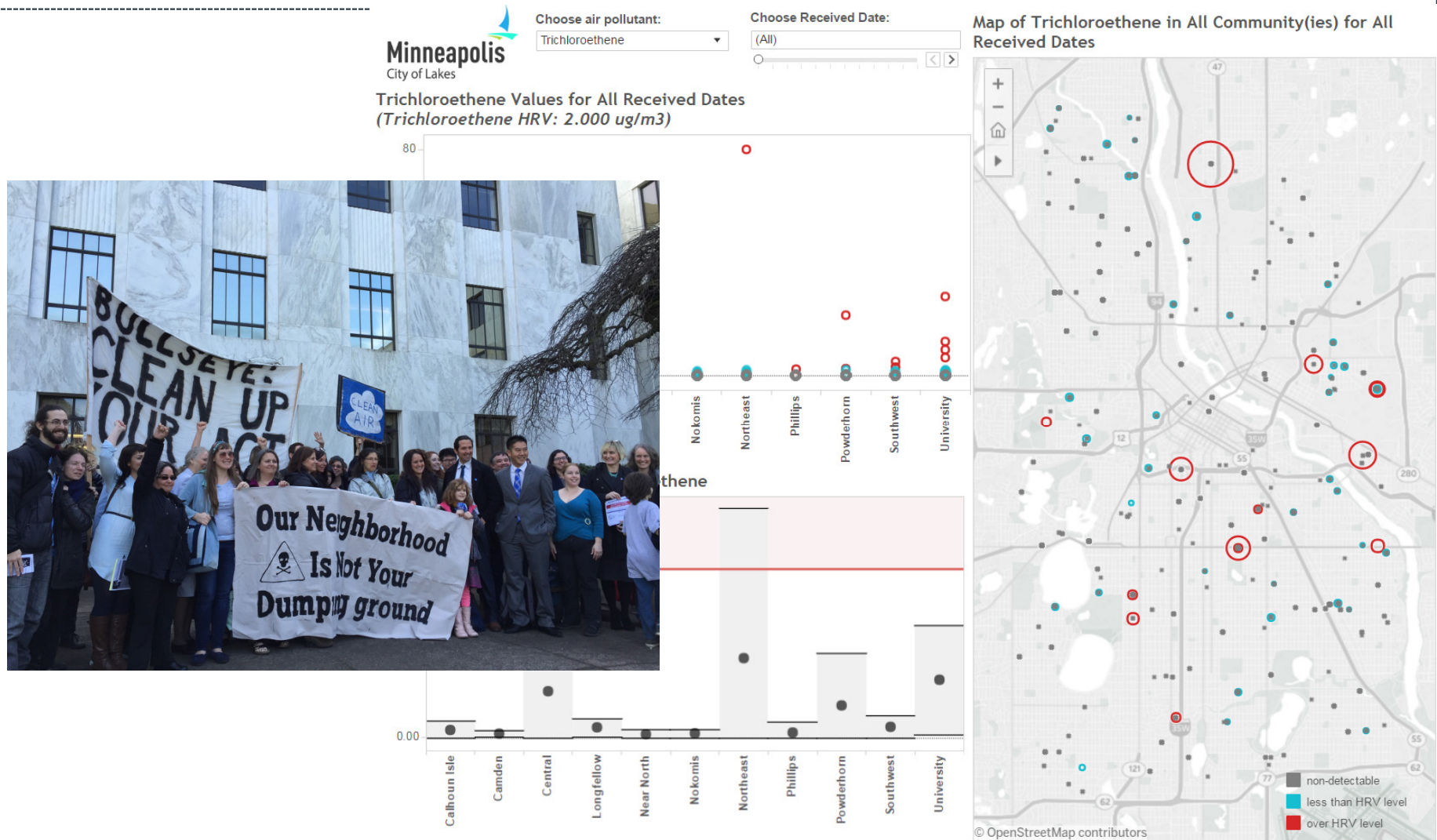
**CrowdMap Resolution:** [Dropdown]

**Heat Legend Units:** [Dropdown]

**Heat Legend:** 12  $\mu\text{g}/\text{m}^3$ , 35  $\mu\text{g}/\text{m}^3$ , 55  $\mu\text{g}/\text{m}^3$ , 150  $\mu\text{g}/\text{m}^3$

**Map Data:** Map data ©2016 Google

# Increased Role of Technology and CCS



# Climate change opens new lines of attack

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- Fossil fuel combustion
- Fossil fuel facility siting
- Fossil fuel facility operational compliance
- And then ...
  - Non-Big Oil facilities?
  - Non-petroleum waterfront facilities?
  - CAA 112(r)?



# What Does This Mean for You

- Pressure from Different Angles
  - Technological Advances
  - Crowdsourcing & Citizen Science
  - Digital Journalism
  - Targeted Actions by NGOs
- **Puzzle Becoming Multi-Dimensional**





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