



With the increased awareness surrounding environmental issues on an international scale – and accompanying “green” legislation from various government agencies – a casual observer might think there would be a coinciding increase in demand for environmental law services or consultation.

But that’s not necessarily the case. Peter Brosse, a partner at Meyers, Roman, Friedberg & Lewis in Woodmere, said he hasn’t seen any such increase.

“In fact, I’ve seen it drop off,” said Brosse, chair of the firm’s Green & Sustainability Law practice. “Almost on a daily basis, I used to get emails. I’m not getting those anymore. Even the litigation has quieted down a little bit.”

Brosse said that contributing to that drop-off is a different kind of green: money. “This was real hot before 2008,” he said. “When the banks stopped financing ... the extra 1 to 5 percent it was going to cost to build a new building or retool a building, businesses weren’t interested in paying it and developers couldn’t get it to work.”

The economy has had less of an impact on large companies when it comes to building or retrofitting in an environmentally conscious manner, Brosse said. “But smaller companies, they’re not really doing it.”

“I’ve gone out to my clients and suggested sustainability policies because I think they’re leaving money on the table. Some have done it, some haven’t,” said Brosse, a Solon resident and member of Anshe Chesed Fairmount Temple in Beachwood. “They’re budget-conscious, and

frankly, I think that's what is driving the interest. Before the collapse of the economy, people wanted to hear about green leasing. But if you look at seminars now, it's not something anybody is interested in."

Jason Perdion, a partner at BakerHostetler in Cleveland and part of the firm's environmental and energy group as well as its green business and sustainability group, agreed that the economy has played a role in company's decisions, but to what degree simply "depends on the business."

"Capital is going to find its most efficient use," he said, explaining that if a company receives a strong return on its investment, economics will play less of a role in its decision. "(But) if a company is doing it purely from an environmental standpoint, those are projects I think could be delayed."

When it comes to environmental issues, Perdion said many of his clients request information from "a wisdom standpoint, not a straight legal-analysis standpoint."

In that vein, he said that companies are increasingly interested in communicating to the general public – and potential customers – that they're operating with the environment in mind.

"The driving force has been more on the marketing side, so companies can better represent that they're operating a green business or a sustainable practice – not because government entities have implemented a command-and-control approach," said Perdion, of Strongsville. "More of a strategic business plan or model has arisen, whereby companies want to say 'We have sustainable practice or green business.'"

Looking ahead, Perdion predicts that environmental law in Ohio is going to increasingly revolve around energy-related work like Utica shale drilling.

"With energy prices, the energy crunch and the cost of transportation, local sources of energy will become more important," he said. "I think you'll see attention focused on these resources, and with that is going to come the associated work."

Perdion referred to it as a “highly regulated industry,” and listed associated legal work such as permitting, acquisition of property, land ownership, mineral rights ownership, day-to-day worksite compliance, waste products, and worker health and safety.