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DEFENDING THE AIR WE BREATHE

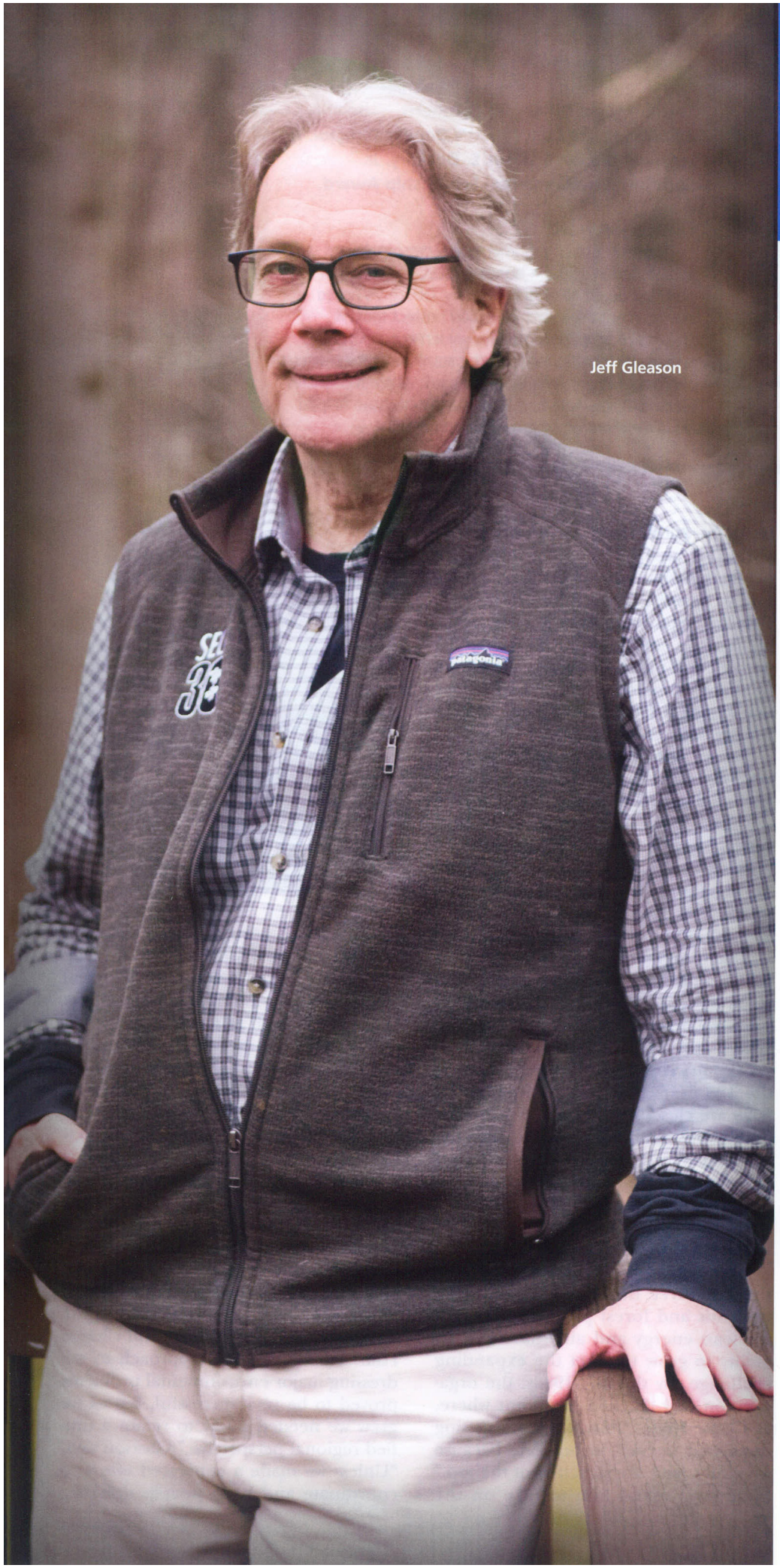
The Air We Breathe Is Cleaner, Thanks To The Commitment Of Recently Retired Southern Environmental Law Center Deputy Director JEFF GLEASON

When Jeff Gleason, the recently retired deputy director of the Southern Environmental Law Center (SELC), was growing up in the 1950s and 60s, Charlottesville was a rural community. Farmers drove in from the country to pick up supplies at H. M. Gleason's, the farm supply store operated by his uncles. A special treat for Gleason and his siblings was dinner at the local Biff-Burger franchise. Period photographs show the drive-in just north of the bypass on Emmet Street perched on the edge of a vast pasture. Burgers cost just 15 cents.

Charlottesville, like many cities throughout the South, has been remade by the passage of time. Charlottesville and Albemarle County have tripled in population since Gleason was a boy. The original H. M. Gleason's store, located next to what is now the downtown ACAC, has been converted to stores and apartments, and development on Route 29 North runs virtually uninterrupted to the Greene County line.

With these changes have come a host of environmental challenges for the South: dirty rivers, unhealthy air, a proliferation of roads, and more. Along with founding executive director, Rick Middleton, Gleason helped preside over an organization that has grown dramatically in scope and sophistication to meet these threats. Headquartered in Charlottesville and focused on six Southern states, SELC is celebrating its 30th anniversary this year.

BY CHARLIE FEIGENOFF



Jeff Gleason

In addition to his management duties, Gleason led the organization's Clean Energy and Air Program. In 2007, his efforts culminated in a landmark, 9-0 Supreme Court decision preventing power companies from updating and expanding old, coal-burning power plants without installing modern pollution controls. The ruling led to the largest power plant cleanup in history.

In recognition of his exceptional service, SELC honored Gleason this past November with its James S. Dockery Environmental Leadership Award, presented annually since 1993. "There is no one who has been more central to the outstanding work of the Southern Environmental Law Center over the years than Jeff Gleason," Middleton said in his award presentation.

From Criminal Defense Lawyer To Environmental Law

In retrospect, winning the Dockery Award seems like an unlikely achievement for an attorney who began his career in 1981 as a criminal defense lawyer in New York City. By 1986, Gleason was back in Charlottesville, working with a local firm, and building a reputation as a first-class litigator. That's when he got a call from Middleton, who had secured a grant to launch SELC. "Rick had asked around for the names of young lawyers he should meet, and he invited me out to lunch to talk about his plans," he says. Gleason was impressed but noncommittal: "My reaction was good luck. I hope it works for you."

When their daughter, Maureen, was born, Gleason and his wife, Pat Connor, decided to split a position with the Fourth Circuit Court of Appeals. Three years later, when he started thinking about returning to private practice, his kept thinking about his conversation with Middleton. "It occurred to me that defending the environment was not that different from defending the disadvantaged as a criminal lawyer," he says.

Gleason contacted Middleton, who offered him the opportunity to start the organization's Clean Energy and Air program. Gleason jumped at the chance, even though, as he admits, he

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Jeff Gleason, left, receiving the Dockery Award from Founder and Executive Director Rick Middleton.

In recognition of 24 years dedicated to building a cleaner, greener, healthier Southeast, Jeff Gleason, Southern Environmental Law Center's Deputy Director, received the 2015 James S. Dockery, Jr. Southern Environmental Leadership Award.

Dockery Award

The Southern Environmental Leadership Award was established in 1993 in honor of SELC's co-founder and first board chair, Jim Dockery. Dockery's noted environmental leadership helped protect tens of millions of acres of mountain wilderness around the nation. His contributions to the southeast region are remembered annually by this award, which recognizes leaders at the state and local levels who have helped build excellent environmental institutions.

knew next to nothing about environmental law. "I was impressed by his values, his broad range of interests, and his skills as a lawyer," Middleton recalls. "I felt confident that he could jump into something new, learn it, and be responsible for it."

Insisting on Healthy Air

Gleason's education began almost immediately. With cost overruns from nuclear power plants putting pressure on electricity rates, many state regulators were pushing utilities to clean up their act. An attorney representing the environment at their deliberations could tip the balance by submitting expert testimony and cross-examining utility industry experts. A month after he started at SELC in 1991, Gleason traveled to Atlanta to participate in a hearing before the Georgia Public Service Commission, the first of twice-monthly trips that continued for several years.

Gleason had been an English major in college, carefully avoiding subjects like business or economics, but to his surprise he found himself fascinated by the workings of the utility industry. He spent long days and nights poring over arcane utility and air quality regulations while immersing himself in the minutiae of public utility financing and operations. His hard work paid off. Thanks to his efforts and the work of partner organizations, Georgia adopted utility regulations promoting energy efficiency that were, at the time, among the most progressive in the country.

Gleason also worked on legislation. When efforts to extend the provisions of the Clean Air Act to grandfathered power plants stalled after the 2000 election, he focused his team on the state level. In 2002, he worked with a coalition of environmental groups that persuaded the North Carolina legislature to pass the Clean Smokestacks Act. This law required utilities to reduce sulfur dioxide emissions by more than 70 percent and nitrogen dioxide emissions by almost 80 percent. The net effect was that Progress Energy, now part of Duke Energy, retired 14 coal plants.

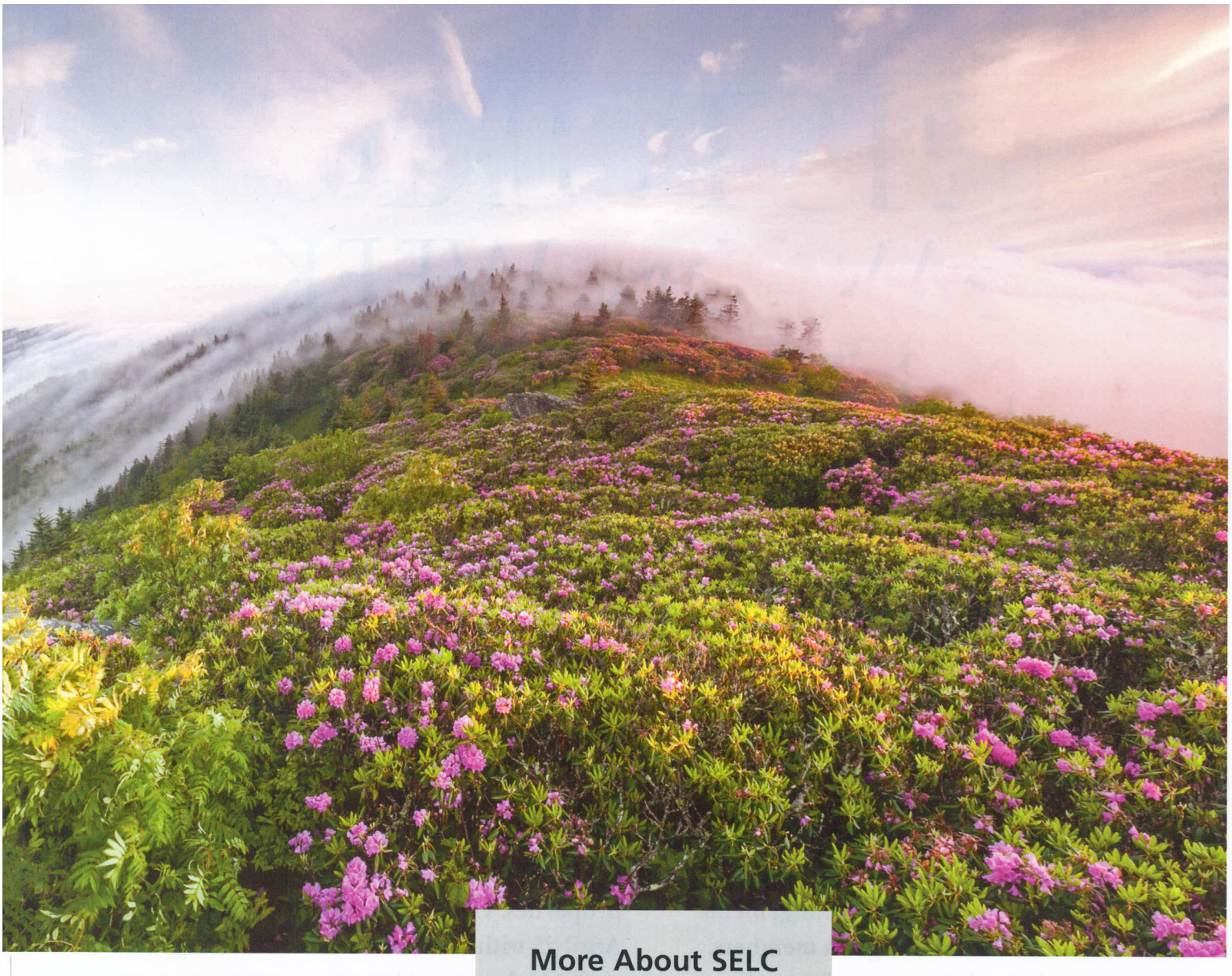
Before switching more of his time to administrative management, Gleason anchored a legal team at SELC that won the 2007 Supreme Court decision preventing utilities from modernizing old power plants as a way to evade Clean Air Act provisions. The victory hit older, dirtier facilities hardest, tipping the scales in favor of retirement of those facilities.

Taken together, the results achieved on Gleason's watch are impressive. Ten years ago, there were 246 coal-fired units generating electric power in the South, and nine more huge units were on the drawing boards. Today, most of the 126 units slated for retirement by 2020 are closed. Seven of the proposed units never got off the ground, and the two that were approved were required to install the latest, most effective pollution controls.

Forging a Cohesive Organization

One reason for SELC's success over the last three decades—in areas like wetlands and forest protection as well as clean energy and air—has been its ability to grow to meet the expanding challenge. By the mid-1990s, the organization had reached the point where, as Gleason says, "things weren't getting done that needed to be done because we didn't have the structure at the top." Middleton asked him to take on the newly created post of deputy director, focusing on the day-to-day issues of running a nonprofit. "Jeff brought a critical mix of qualities to the post," Middleton says. "He is both fair and decisive. As deputy director, he developed a comprehensive grasp of our legal work and SELC as an organization that were essential as we moved forward."

Over the next ten years, SELC grew not only in size, but also in complexity. It had organized itself around five issues—clean energy and air, clean water, mountains and forests, land and community, and coasts and wetlands. It opened offices in Atlanta, Asheville, Charleston, Birmingham, Nashville and Washington, D.C. to supplement its initial offices in Charlottesville and Chapel Hill. "SELC's regional approach to addressing major environmental problems proved to be very successful, but as we grew we needed a way to retain a unified regional perspective," Gleason says. "Unless we made a concerted effort to coordinate and keep people thinking



MARK VANDYKE

regionally, we risked losing that." What was needed was a director of regional programs, a position Gleason took on in addition to his responsibilities as deputy director.

Gleason's ability to keep SELC on task and focused has proved particularly critical over the last five years. Fueled by a successful $45 million capital campaign, it now has nine offices staffed by nearly 70 attorneys working on more than 200 active cases and projects.

Preparing to Take On Climate Change

In the early days of SELC, Gleason was often the only person attending a utility proceeding who was there to speak for the environment. "The environmental position would not even have been considered if SELC hadn't sent me there," he says. Thanks to his efforts in building SELC, Gleason no longer is a lone voice. It is also a great source of satisfaction to him to feel that his work has made a difference. Over the last 25 years, there has been a steady decline in ozone alerts as well as nitrogen and sulfur deposition in the South. "That's not to say that SELC or any other environmental organization is solely responsible for that decline," he says. "But there is no question that if not for the advocacy of the environmental community, we would not have seen this level of improvement."

More About SELC

Southern Environmental Law Center (SELC) uses the power of the law to champion all the things you love about the South: clean water, healthy air, mountains, forests, rural countryside, and the coast.

Visit The SELC online to learn more

www.southernenvironment.org

The next big challenge for SELC is climate change. Since SELC started its clean energy initiative, carbon dioxide levels from electric power have dropped 29 percent, but as Gleason acknowledges, the time for slow, incremental change has passed. "We are seeing effects now that are locked into the system for the next century," he observes. "We need to move quickly and decisively to get to where we need to be. It is a daunting task."

Gleason steps away from SELC knowing he has built an organization that is ready to take up the challenge. "One of the things I'm most proud of," he says, "is having helped recruit a new generation of attorneys with the talent and commitment to make this their life's work."

Take a deep breath. The air you breathe is a lot cleaner, thanks to Jeff Gleason.

Charlie Feigenoff has been a freelance writer for more than 30 years. He lives and works in scenic downtown Greenwood.