

Environment & Natural Resources

In the complex, rapidly changing world of environmental law, experience is critical for our clients when selecting legal representation. Foster Garvey Environmental & Natural Resources attorneys have devoted their practices to understanding and interpreting the nuances of this vast area, and advise clients on a wide range of federal and state regulatory, compliance, enforcement, permitting, siting and legislative matters.

Our Environmental & Natural Resources attorneys have years of experience addressing environmental issues associated with the most complex projects in the region, which gives our attorneys a unique ability to solve our clients' problems in a practical and efficient manner. When disputes arise, our team has extensive litigation experience in various administrative forums and in trials and appeals in state and federal courts throughout the region.

Air Quality

Foster Garvey Environment & Natural Resources attorneys guide clients through the complexities of the Clean Air Act and other air quality requirements. We offer experience in air quality permitting processes, compliance issues, environmental audits, emission test methods, transportation and air conformity, and defending against enforcement actions.

Brownfields & Contaminated Property

Our Environment & Natural Resources attorneys have broad experience with environmental cleanups, prospective purchaser agreements, permitting and real estate transactions and provide our clients the premier platform for brownfields cleanup and redevelopment projects. We have a successful track record finding cost-effective, practical solutions that have resulted in many successful cleanup and redevelopment projects. We have experience representing clients in matters regarding cleanup of state and federal Superfund sites and RCRA corrective actions.

Endangered Species Act

We advise clients on all aspects of the Endangered Species Act (ESA). Our attorneys have represented cities and counties that

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seek advice on the “take” prohibition and the consultation requirements for development, water, sewer and storm water utilities, critical areas protection, and shoreline development. We advise major institutions and real estate developers on ESA risk avoidance, permitting and compliance. Our team advises clients on biological opinions, species inventories, status reviews, listing rules, critical habitat designations and conservation plans.

Environmental Due Diligence

Foster Garvey Environmental & Natural Resources attorneys know that early identification of environmental issues is critical when analyzing and valuing risk associated with real estate and business transactions. Through hundreds of successful transactions, we have developed a cost-effective, efficient approach to due diligence, which allows us to quickly identify issues and implement creative solutions that result in successful transactions. We regularly help clients with regulatory advice on all aspects of environmental due diligence, draft protective covenants, representations, warranties and indemnification, which can help minimize liabilities in transactions.

Environmental Enforcement and Citizen-Suit Actions

We have successfully represented clients in more than 75 agency and citizen-suit actions. Our team has represented both private and public sector clients in some of the highest profile enforcement actions in the Pacific Northwest.

Environmental Litigation

Foster Garvey’s Environmental & Natural Resources litigators provide experienced counsel at any phase of the administrative and judicial process. Our vast experience includes a successful track record of agency and government challenges, clean up, citizen-suits, white collar criminal defense work and more. Learn more about our [Environmental Litigation](#) practice.

SEPA and NEPA Compliance

SEPA and NEPA compliance are critical elements of the site-selection process because they harbor the greatest potential for project delay and legal challenge. The Foster Garvey team can reduce the cost and delay of Environmental Impact Statement (EIS) preparation by working closely with technical consultants to determine the appropriate scope of impacts, alternatives and mitigation measures to be included as well as the appropriate detail of the analysis. Because SEPA and NEPA determinations are legal as well as technical, we work closely with technical consultants in the original design and specifications of an EIS. Our attorneys have assisted public agencies in avoiding unnecessary SEPA/NEPA compliance expense while maximizing legal defensibility for numerous regional facilities. We handle every type of project, including universities, school districts, hospitals, ports and airports, as well as retail stores, shopping centers, residential subdivisions, industrial facilities as well as housing projects, many of which involve the defense of actions in superior court.

Solid Waste

Foster Garvey has represented numerous local governments in a broad range of solid and hazardous waste matters and have extensive experience in solid waste disposal, the creation of local improvement districts for transportation facility financing and other municipal solid waste matters.

Water Quality

Water quality issues are at the center of some of the most complex and pressing environmental issues in the Pacific Northwest. Foster Garvey attorneys have extensive experience in all aspects of surface and ground water quality, which allows us to provide our clients with strategic, cost-effective advice. We have a demonstrated track record of providing clients with water quality solutions that not only achieve our clients' objectives, but often minimize or eliminate the risk of future water quality issues. We have successfully represented clients in more than 75 agency or citizen-suit enforcement matters and have a solid track record in permit appeals. Our work has involved some of the most complex water quality permits in the country. Learn more about our [Water Quality](#) practice.

Water Rights

The firm's Water Rights team helps clients navigate the complex laws and regulations affecting water rights in Washington state. Foster Garvey offers a comprehensive understanding of state water law, Washington State Department of Ecology and Department of Health statutes and rules, and Native American treaty rights. Learn more about our [Water Rights](#) practice.

Blog Posts

Resources for Doing Business in the U.S. - Installment #11 - Environmental Protection
Cross Border Business Law Blog, 4.5.18