

# ENVIRONMENTAL

Whether guiding green energy and other development projects from inception through completion and operation, assisting clients with climate change issues, counseling clients on complying with the requirements imposed by the broad panoply of federal and state environmental statutory and regulatory programs, or litigating disputes that arise under these programs, the attorneys in Hodgson Russ's Environment & Energy Practice provide practical, forward-thinking counsel and advocacy on the full range of matters involving alternative and renewable energy, land use and sustainable development, and management of environmental liability and risk. Our clients include national and multinational corporations, commercial developers, municipalities, school districts, nonprofit corporations, energy developers, landowners, and financing entities.

## ALTERNATIVE AND RENEWABLE ENERGY

Hodgson Russ attorneys advise clients on virtually every aspect of renewable and alternative energy project development, financing, construction, and implementation. We have extensive experience with the unique challenges and opportunities that accompany green energy projects and provide comprehensive services that include:

- Site approvals, permits, and licenses
- Public and private financing
- Drafting municipal codes and regulations
- State and local tax issues, including tax credits and other incentives

- Real estate, zoning, and land use matters
- Development of carbon trading strategies
- Protection of intellectual property for green technologies
- Litigation

Our experience includes wind, solar, landfill, gas-to-energy, and biomass projects, and we have worked on some of the largest wind farms in the eastern United States. Members of our team are recognized authorities on green energy issues and have been interviewed by business and industry publications, including the *Buffalo News*, *Business First*, and *North American Windpower*.

Hodgson Russ provides practical, forward-thinking counsel and advocacy on the full range of matters involving alternative and renewable energy, land use and sustainable development, and management of environmental liability and risk.

We conduct due diligence on environmental, energy, and safety and health issues for all types of transactions. We help clients comply cost effectively with statutory and regulatory requirements in numerous areas, from air emissions, water pollution and hazardous waste management to SEC and Sarbanes-Oxley reporting requirements.

## LAND USE AND SUSTAINABLE DEVELOPMENT

We help clients acquire, develop, construct, and operate commercial, industrial, residential, recreational, and public sector projects. Our attorneys provide assistance with environmental impact review obligations under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQR), industrial development agency projects, Empire Zone Regionally Significant Projects, site plan review, wetlands regulation, archaeological and historic resource compliance, and coastal zone management. We have successfully represented clients in state and federal administrative forums on all phases of project development.

Our attorneys assist in a wide range of matters related to green buildings, including defending insurance companies in matters involving coverage related to green initiatives, helping contractors draft contracts that address the unique requirements of sustainable structures, and representing clients in contract disputes and other litigation involving green buildings. Additionally, we are experienced in helping companies draft and negotiate business agreements that help reduce each party's carbon footprint.

## ENVIRONMENTAL RISK MANAGEMENT

We help clients manage environmental liability and meet their obligations on various fronts while maintaining their competitiveness and protecting the public health and the environment. Our team has extensive experience assisting clients with:

- Developing and implementing policies and procedures related to climate change and other environmental concerns
- Identifying and managing environmental risk in acquiring or divesting industrial and commercial properties and businesses
- Creating risk quantification, management, and transfer tools, including environmental liability transfers and highly manuscripted insurance products designed to address risk management in the unique context of a particular transaction

## ENVIRONMENTAL LITIGATION

Hodgson Russ represents clients in a wide range of civil, administrative, and criminal environmental cases, including statutory enforcement actions brought by the government, environmental citizen-action groups, or private parties; toxic tort lawsuits; and disputes over contaminated sites.

Our experience in alternative and renewable energy includes wind, solar, landfill, gas-to-energy, and biomass projects. We have worked on some of the largest wind farms in the eastern United States.



We represent national and multinational corporations, commercial developers, municipalities, school districts, nonprofit corporations, energy developers, landowners, and financing entities.

## CONTAMINATED AND SUPERFUND SITES

Clients turn to us for assistance in managing liability arising from waste disposal and petroleum-impacted sites. Our group negotiates and litigates with the U.S. Environmental Protection Agency (USEPA), state agencies, and private parties across the United States.

## DUE DILIGENCE AND COMPLIANCE COUNSELING

We conduct due diligence on environmental, energy, and safety and health issues for all types of transactions. We also help clients comply cost effectively with statutory and regulatory requirements in various areas, including:

- Air emissions, water pollution, and managing chemicals, petroleum, pesticides, and solid and hazardous waste
- Planning for emergencies
- Managing the decommissioning and demolition of manufacturing facilities
- Assisting human resources in managing industrial health and safety, including defense of claims from regulatory violations and job-related accidents
- SEC and Sarbanes-Oxley reporting requirements for disclosure of climate change risks and responses

## CONTACT

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*Practice restricted to U.S. law*



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