



Environment & Energy

Lippes Mathias' Environment & Energy Practice Team utilizes a comprehensive and strategic approach to deliver innovative, common sense and business-minded solutions to address the full spectrum of environmental and energy challenges facing our clients. Our team is uniquely composed of attorneys with specific expertise in environmental, energy, regulatory, and commercial law, as well as lobbyists, litigators, a former environmental consultant, and two environmental engineers who managed regulatory programs (brownfields, remediation, and air quality) for over 30 years with the New York State Department of Environmental Conservation (NYSDEC).

We regularly represent a wide range of public, private, and Tribal clients on legal, policy and transactional issues, including before Congress and federal and state agencies, such as the Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Department of the Interior, NYSDEC, and State and Tribal Historic Preservation Offices.

Our various practice areas include:

- **Project Development, Permitting and Environmental Reviews** We advise on all aspects of project permitting from inception to completion at the state and federal levels, with a focus on wetlands, wastewater discharge, air emissions, protected species and habitat, contamination, and historic and cultural resources. We also focus on issues that are emerging as greater considerations in the permitting and environmental review processes, including environmental justice, climate change, and sustainability.
- **Brownfield & Superfund Cleanup and Redevelopment** We counsel clients on addressing potential risks and liabilities associated with hazardous waste and environmental contaminants. We combine our unique policy, technical, legal and practical business experience to advise our clients on investigating, remediating and developing contaminated sites, including identifying avenues to provide liability protections and financial incentives by utilizing state brownfield cleanup programs.
- **Environmental Aspects of Corporate and Real Estate Transactions** We advise our commercial, real estate, banking, and private equity clients (whether as buyers, sellers, lenders, borrowers, or investors) on the

TEAM LEADER



IAN A. SHAVITZ
Partner | Team Leader -
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environmental aspects of commercial and real estate transactions. Our work includes environmental due diligence, risk analysis, legal opinions on permitting and other approvals, drafting and negotiating environmental provisions of transactional documents, and environmental insurance considerations.

- **Environmental Litigation** We counsel and assist clients in developing and implementing strategies for resolving, through negotiation or litigation, a variety of environmental challenges, including claims under the Administrative Procedures Act, New York State Environmental Quality Review Act (SEQRA), National Environmental Policy Act, the Endangered Species Act, the Clean Water Act, Section 106 of the National Historic Preservation Act, and analogous state laws.
- **Environmental Policy and Advocacy** We advocate at all levels of government, including before Congress and federal and state executive branch agencies, to advance our clients’ specific projects, interests, or policy issues.
- **Renewable Energy** We assist clients in every aspect of developing a renewable energy project, including advising on and securing required environmental permits, assessing site suitability for a renewable energy project, conducting environmental and real estate due diligence, assessing contamination-related development limitations, and conducting real estate and transaction support when our clients are buying, selling, or financing a renewable energy project.
- **Tribal Environmental Matters** We work with Tribes throughout the country, as well as with non-Tribal clients looking to partner with Tribes, on a range of permitting, environmental review, leasing, commercial development, energy/cultural resources, and land-to-trust issues. Our work includes advising on the full range of environmental laws that apply to and affect Tribal lands and resources.
- **Risk Assessment and Environmental Insurance** We counsel clients in acquiring pollution coverage, commercial general liability, property, and excess/umbrella policies. Our work includes assessing environmental and other risks in project development, and negotiating and litigating claims arising under those insurance policies to maximize insurance recoveries.
- **Construction** We support owners, contractors, subcontractors, and vendors in all phases of a construction project. We assist clients in planning their projects and mitigating the risks associated with unstable soils, hazardous material remediation, and safety matters. We draft and negotiate construction contracts and advise on construction insurance programs. During project construction, we advise on and support operations in handling disposal and regulatory matters. We assist clients in managing project closeout and where necessary, we work with clients to resolve active claims. We represent a wide variety of parties in construction disputes and even serve as mediator and arbitrator in such matters.

FOCUS AREAS

Brownfield & Superfund Cleanup and Redevelopment	Environmental Litigation	Risk Assessment and Environmental Insurance
Construction	Environmental Policy and Advocacy	Site Investigation and Remediation
Environmental Aspects of Corporate and Real Estate Transactions	Project Development, Permitting and Environmental Reviews	Tribal Environmental Matters

