



ENVIRONMENTAL, ENERGY AND NATURAL RESOURCES

Ireland Stapleton's Environmental, Energy and Natural Resources group serves clients in environmental, oil and gas, renewable energy, and energy transmission matters. Our attorneys have represented real estate developers, industrial companies, and nonprofit groups on a range of environmental matters, such as remediation and redevelopment of environmentally impacted properties, permitting pursuant to the Clean Water Act, and environmental compliance with numerous federal and state environmental regulations. Furthermore, Ireland Stapleton has long represented clients in a wide range of matters affecting energy development and distribution. From the traditional oil and gas industry to the rapidly expanding renewable energy field, we assist clients in navigating complex and constantly evolving regulatory schemes governing development and distribution, transmission corridors, corporate compliance and sustainability, and land use issues. Our fields of expertise include:

- Environmental
- Oil & Gas
- Alternative Energy
- Transmission

ENVIRONMENTAL

Ireland Stapleton's environmental law attorneys have represented real estate developers and landowners, industrial companies, and nonprofit groups on a range of environmental and regulatory matters, including remediation and redevelopment of "Superfund" and "Brownfield" properties pursuant to CERCLA and state voluntary clean-up programs; NPDES and Section 404 permitting pursuant to the Clean Water Act (CWA); and compliance with a variety of environmental and regulatory requirements related to NEPA, RCRA, the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), the Clean Air Act (CAA),

ENVIRONMENTAL, ENERGY AND NATURAL RESOURCES HIGHLIGHTS

ATTORNEYS

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asbestos issues, and numerous state and local regulations. Furthermore, we have assisted our clients and their in-house counsel in assessing potential environmental liabilities, litigation risks, insurance options, and potential transaction costs associated with the clients' internal financial, auditing and disclosure requirements. Below you will find examples of some of our client representation:

- Advise and evaluate environmental risks and liabilities for corporate clients on matters relating to corporate mergers and acquisition, real estate transactions, environmental provisions of loan agreements, contract and title issues, environmental insurance policies, and indemnifications agreements
- Represent clients in all aspects of water quality protection and regulation, storm water and drainage issues, groundwater quality protection, and wetlands and riparian protection
- Represent and advise BFPP developer clients regarding Brownfield redevelopment pursuant to state voluntary clean-up programs; develop remediation investigations, human health risk assessments, and feasibility plans pursuant to CERCLA that involve compliance with RCRA, CWA, NEPA/EIS regulations, CAA, NHPA, and local land use requirements
- Develop water storage alternatives analyses pursuant to CWA and NEPA requirements, research claim and issue preclusion and abstention doctrine for federal water rights issues, and address water quality issues impacting remediation and development decision making
- Represent clients regarding disputes concerning federal, state, and private right of way issues
- Represent and advise clients regarding natural resources conservation and protection, natural resources damage claims, conservation easements, and land use/institutional controls
- Negotiate and advise corporate compliance for manufacturing facilities and construction companies regarding environmental compliance and defense of Cease and Desist Orders, Notices of Violation, or other regulatory demands
- Advise clients regarding historic preservation requirements and activities that trigger the Section 106 process, facilitate inventory of cultural resources, and consult with State Historic Preservation Officer (SHPO) regarding undertakings that could affect historic properties
- Counsel municipal clients in public utility commission proceedings regarding merger of investor owned utilities, represent municipal clients in franchise negotiations with investor owned electric utilities, and draft electric utility franchise agreements
- Represent property owner to defend and litigate issues relating to Cease & Desist Order per Colorado Air Quality Control Division Regulation 8 regarding a major asbestos spill

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- Review and negotiate NEPA review procedures for proposed real estate and transmission line development projects subject to federal funding or permitting
- Negotiate Administrative Orders on Consent, Biological Assessments per the ESA, and liability protection provisions
- Work closely with US EPA, Department of Justice, Army Corps of Engineers, CDPHE, State Historic Preservation Officer, and other agencies to ensure client compliance, secure permits, and advise regarding regulatory demands and investigations
- Represent clients regarding civil and criminal environmental enforcement actions and third party environmental indemnification claims
- Address and evaluate successor liability claims
- Address and evaluate TCE (trichloroethylene) issues and disputes
- Represent and advise clients regarding vapor intrusion risks and indoor air quality issues
- Represent clients regarding compliance with local regulations vis-à-vis development and annexation agreements, advice regarding zoning laws, and appeal land use determinations at board of adjustment hearings

OIL & GAS

Our natural resources attorneys have a particular expertise in oil and gas work. Our attorneys negotiate, draft and review the contracts and documents necessary to acquire, explore, develop, operate and finance oil and gas operations. We also have a sound understanding of the complexities involved in royalty payments and fractional interests. Our attorneys are on the front lines in dealing with the difficult water use and disposal issues which accompany coalbed methane development. We advise clients on the environmental and public lands issues that permeate this area of law, and help our clients address split estate and surface access issues. At Ireland Stapleton, our attorneys believe in working with each client to address that client's particular set of needs, which necessitates an understanding of all areas of law in the oil and gas arena, including:

- Mineral Title Opinions
- Exploration Agreements
- Operating Agreements
- Royalty Payments
- CBM Development
- Water Waste Disposal
- Split Estate and Surface Access Issues
- Tax Partnerships
- Public Land Issues
- Acquisitions Divestitures and Financings
- Environmental Matters

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ALTERNATIVE ENERGY

In addition to traditional energy clients, the attorneys at Ireland Stapleton also represent companies developing alternative energy sources. Our experience in this area of law provides value to those just starting out in the renewable energy field, as well as those who have pioneered the industry. We are well positioned to assist our clients with project finance or other debt or equity transactions to fund their business needs. We also work with our clients to maximize federal and state funding for their renewable energy projects through the recent federal stimulus plan.

TRANSMISSION

Transmission affects all sectors of energy development and operations. For the oil and gas industry, this often means pipelines. We help our clients ensure that the oil and gas they produce has access to markets. We have also represented landowners with properties actually or proposed to be encumbered by pipelines and electric transmission facilities. Ireland Stapleton's attorneys have experience with the legal issues surrounding the siting and construction of transmission lines, including dealings with federal financing, environmental approvals, franchise agreements, county and state regulatory authorities, and the application of eminent domain.