

## → Environmental

For nearly six decades, Sheppard Mullin has guided clients through a myriad of expanding environmental law requirements. Working with clients across industries, our environmental attorneys counsel on high-stakes environmental litigation and regulatory matters, complex permitting, and deal work, and provide crisis response services.

Our national, multidisciplinary team is comprised of more than 40 attorneys with deep experience in litigation, real estate, land use, energy, corporate, and tax law. Together, we take a holistic approach to evaluating and addressing our clients' environmental needs. Our deep knowledge and skillset, coupled with our proven track record, earned us the recognition of Environmental Practice Group of the Year by *Law360* in 2022.

As a cohesive team, we are:

- **Skilled collaborators.** Partnering with our clients, co-counsel, outside consultants, and multiple levels of technical staff and management within our clients' organizations to deliver efficient, positive results.
- **Business-minded.** Full-service counsel and proactive, practical, big-picture solutions to help our clients stay ahead of government, judicial, and industry developments.
- **Problem solvers.** Focused on spotting, assessing, and reducing risk to prevent problems before they arise to minimize disruption and meet your business objectives.
- **Battle-tested trial teams.** Experience trying and winning complex environmental matters and efficiently navigating the challenges of decades-long litigation and joint defense groups.
- **Trusted.** Strong relationships with federal, state, and local regulators and a long track record protecting our clients in administrative proceedings, criminal investigations, and prosecutions.
- **Strategic.** Skilled negotiators with experience developing creative and defensible environmental impact reports and entitlement strategies, and expediting environmental permits for hundreds of development projects across the country.
- **Efficient.** Deal teams with experience closing billions of dollars in transactions involving contaminated properties and companies with environmental issues, such as refiners and chemical manufacturers.
- **Nationally recognized.** Team and attorneys consistently ranked by *Legal 500 USA* (2021), *Chambers USA* (2021), *Best Lawyers in America* (2021), and *Benchmark Litigation* (2021).

## Cleanup & Remediation

We have a long history guiding clients through the cleanup and remediation of properties with complex environmental issues, including numerous aerospace, energy, refinery, gas station, Superfund, military base, and industrial sites. Our attorneys developed some of the country's first prospective purchaser agreements (PPAs) and regularly advise on the full range of issues involved with buying, selling, and operating contaminated properties and facilities. We help our clients implement cleanup programs, negotiate with environmental agencies, and defend against cleanup-related litigation. We leverage our relationships with technical consultants and our skill facilitating inter-agency coordination to ensure our clients' meet their desired reuse

plans.

## Litigation

We represent clients before judicial tribunals in all areas of environmental law, with particular experience with soil and groundwater contamination, hazardous waste, and air quality issues. We represent clients in enforcement actions and litigation in connection with the alleged contamination of real property. We have decades of experience defending clients against all types of environmental claims, including those based on nuisance, trespass, Proposition 65, toxic torts, the Clean Air Act (CAA), the Clean Water Act (CWA), the Resource Conservation and Recovery Act (RCRA), the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), among many others.

## Permitting & Development

We advise on permitting and environmental compliance matters involved with developing and operating commercial, residential, energy production, and industrial sites. We have deep experience with compliance with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), and the National Historic Preservation Act (NHPA); wetlands, water quality (including Section 401 and Special Area Management Plans), water resources, and water rights law; and endangered species and other wildlife law. We develop individual and regional Habitat Conservation Plans, conduct Section 7 consultations on impacts to listed species and designated critical habitat, and help our clients implement creative conservation measures.

We proactively identify and resolve potential issues and expedite environmental permits through skilled and collaborative negotiations with federal and state agencies, including the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the EPA, the Department of Toxic Substances Control (DTSC), and state and local regulators. We help our clients move their projects forward, minimizing project delays, reducing permitting costs, and protecting against challenges from agencies and citizen suits. When negotiations are not feasible, we have a proven record advancing our clients' interests in court.

## Regulatory

We handle regulatory matters before federal, state, and local agencies, including the U.S. Environmental Protection Agency, the Army Corps of Engineers, the Department of Defense, the California State Water Resources Control Board, the California Coastal Commission, the California Energy Commission, the California Public Utilities Commission, the California Air Resources Board, local air pollution control districts and regional air quality management districts, Regional Water Quality Control Boards, and other local agencies. We help clients obtain variances from existing rules and permits. When necessary, we guide our clients through criminal investigations and prosecutions. We work closely with in-house counsel and compliance staff to develop integrated, cost-effective compliance strategies that minimize enforcement risk without adding unnecessary operational complications. We also advocate our clients' position on developing legislation and regulation.

## Transactional Due Diligence

We advise on environmental issues involved in corporate transactions, including the purchase, sale, development, leasing, and financing of businesses and real property. We know the exposure created by decisions made in the transactional phase and structure disclosures that reduce risk and protect our clients' businesses. We also help clients address potential climate change impacts in environmental review documents.