In this update:

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Article One

EPA Defeats FIFRA Lawsuit Alleging a Failure to Regulate Certain Pesticide-Treated Seeds

Jeff Anderson, et al. v. Gina McCarthy and the Environmental Protection Agency, et al.
(Case No. C 16-00068 WHA, N.D. Cal. Nov. 21, 2016)

On November 21, 2016, the Court granted the Environmental Protection Agency's ("EPA") motion for summary judgment on a complaint filed by a coalition of beekeepers, farmers, and environmental organizations who sought judicial review of an EPA-issued guidance under the Administrative Procedure Act ("APA"). The plaintiffs sought to challenge the EPA's failure to comply with and enforce the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA") with respect to pesticide-treated seeds, and the challenged EPA-issued guidance which provided recommended procedures for conducting FIFRA inspections with respect to such seeds. In finding that the EPA-issued guidance did not constitute "final agency action," subject to judicial review, the court expressed sympathy to the plight of the bee population and beekeepers and also recognized that "[p]erhaps the EPA should have done more to protect them."

Background

Under FIFRA, pesticides must be registered with the EPA prior to use. 7 U.S.C. 136a. In 1988, pursuant to its administrative power under 7 U.S.C. 136w(b), the EPA created an exemption from FIFRA registration requirements for "articles or substances…treated with, or containing, a pesticide to protect the article or substance itself…if the pesticide is registered for such use." 40 C.F.R. 152.25(a). As clarified by a 2003 EPA publication, the exemption included pesticide-treated seeds, provided: (1) the pesticide is registered for such use under FIFRA and (2) the "pesticidal protection imparted to the treated seed does not extend beyond the seed itself to offer pesticidal benefits or value attributable to the treated seed." *Id.* Further, in 2013, the EPA issued a guidance ("2013 Guidance") for FIFRA compliance and enforcement managers that represented the EPA's recommended procedures for inspection of pesticide-treated articles and substances. *Id.* The 2013 Guidance, which specified that it was supplemental to FIFRA's enforceable inspection manual and intended solely as guidance, contained the following passage, which was the focal point of the lawsuit:

> "Inspectors may also take into account any locations of treated seed plantings when identifying locations of potential pesticide sources….Treated seeds may be exempted from registration under FIFRA as a treated article and as such its planting is not considered a 'pesticide use.' However, if the inspector suspects or has reason to believe a treated seed is subject to registration…, plantings of that treated seed may nonetheless be investigated." *Id.*

Plaintiffs alleged that the practice of coating seeds with neonicotinoids, a pesticide coated on many seeds within the United States that distributes throughout plants, has had a systematic and catastrophic impact on bees and the beekeeping industry.

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Plaintiffs alleged that the pesticide kills insects both by direct contact and through the ingestion of plants, and that when the coated seeds are planted, they can release pesticidal "dust-off" that further spreads the neonicotinoids beyond the seeds themselves.

In 2016, Plaintiffs filed a lawsuit alleging that, as exemplified by its 2013 Guidance, the EPA failed to comply with and enforce FIFRA. Plaintiffs claimed that the 2013 Guidance was reviewable under the Act, and put forth four claims for relief. Plaintiffs' first, third, and fourth claims for relief alleged that the 2013 Guidance exceeded the EPA's statutory authority, failed to comply with the APA's rulemaking requirements, and was arbitrary and capricious—that it constituted an unlawful "final agency action" under Section 706(2). Plaintiffs' second claim for relief asserted that the EPA's "non-enforcement policy" regarding the neonicotinoid-coated seeds, as embodied in the 2013 Guidance, was an unlawful "abdication" of its responsibilities, also an unlawful "final agency action" under Section 706(2).

Defendants moved for summary judgment on Plaintiffs' first, third, and fourth claims for relief on the basis that the 2013 Guidance was not a reviewable final agency action, and on Plaintiffs' second claim for relief on the basis that Plaintiffs had failed to identify any nondiscretionary action that has been unlawfully withheld. For the reasons stated below, the Court granted Defendants' motion for summary judgment on all claims.

Court's Rationale

Final Agency Action

An "agency action" includes "the whole or a part of an agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act." *Id.*; 5 U.S.C. 551(13). A "final" agency action, first, "must mark the consummation of the agency's decision-making process," and two, "the action must be one by which rights or obligations have been determined, or from which legal consequences will flow." *Id.*, citing Bennett v. Spear, 520 U.S. 154, 177-78 (1997) (internal quotations omitted)).

The Court was persuaded by the EPA's argument that the 2013 Guidance served as "a set of non-binding recommendations" rather than as an "agency action" for three reasons:

First, the Court reasoned that the key passage at issue in the 2013 Guidance, with its continuing usage of the permissive *may* and *if*, read like a recommendation rather than a mandate. *Id.* Although Plaintiffs replied that the 2013 Guidance passage represented a definitive statement because of the phrase "…its planting is not considered a 'pesticide use…,'" the Court disagreed stating that it "decline[d] to interpret a single incomplete phrase inconsistently with the plain meaning of the rest of the relevant passage." *Id.*

Second, the Court found that the EPA's position that the 2013 Guidance was a "permissive" recommendation was consistent with the cover memorandum sent by the EPA's Office of Compliance and addressed to FIFRA compliance and enforcement managers. *Id.* The permissive language of the memorandum, which "requested" distribution and "encouraged" discussion of implementation of the guidance proved inconsistent with Plaintiffs' claim that the 2013 Guidance was a "rule." *Id.*

Third, the Court was also persuaded by the explicit disclaimer included in the 2013 Guidance qualifying it as persuasive: "[t]his guidance is an inspection support tool;" "[t]his guidance represents EPA's recommended procedures;" "[t]his guidance is not a regulation, and therefore, does not add, eliminate or change any existing regulatory requirements;" "[t]he statements in this document are intended solely as guidance;" and "EPA, state, or tribal officials may decide to follow the guidance…or to act at variance with the guidance." *Id.*

Based on the disclaimer, the cover memorandum, and the plain language of the key passage in the 2013 Guidance, the Court found in favor of the EPA's position that the 2013 Guidance was a "set of non-binding recommendations" rather than an agency action.

Finality

The Court also found that the 2013 Guidance lacked the "finality" as required for judicial review under the APA. In determining whether the 2013 Guidance was "final" for purposes of the APA, the Court recognized that an action must: (1) "mark the 'consummation' of the agency's decision-making process," and (2) "be one by which 'rights or obligations have been determined, or from which 'legal consequences will flow.'" *Id.* (citing *Bennett v. Spear*, 520 U.S. 154, 177-78 (1997). *Id.*

Per the first requirement, the Court found that the 2013 Guidance did not mark the "consummation" of the EPA's decision-making process with respect to applying the "treated articles or substances" exemption. *Id.* Instead, the 2013 Guidance, as the Court stated, merely assisted and made recommendations on investigations that themselves were "tentative" or "interlocutory" in nature, and could not be the "consummation" of the EPA's decision-making process. *Id.* Per the second requirement, the Court also found that the 2013

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Guidance was not a final agency action that determined rights or obligations, or triggered legal consequences, because based on the guidance alone, it would be impossible to determine if a particular investigator would conclude a particular pesticide-treated seed qualified for the exemption, if the seed would be subject to FIFRA registration requirements, or if the EPA would take further enforcement action. *Id.*

The 2013 Guidance, the Court further reasoned, did not represent the EPA's "final word" as to any non-enforcement policy, as the guidance expressly contemplated scenarios in which pesticide-treated seeds could be subject to FIFRA's registration requirements and necessitate enforcement. *Id.* Additionally, the Court clarified that it is a document's nature that is germane to the finality inquiry, as "it would be 'absurd' to conclude that a document [here, the published 2013 Guidance, a supplement to the FIFRA inspection manual] is 'final' for purposes of judicial review under the APA just because it is a final published document, as opposed to a preliminary draft." *Id.*

Failure to Act

The Court recognized that Plaintiffs' second asserted claim for relief was a "failure to act" claim brought under Section 706(2), and based on an exception authorizing judicial review as articulated in a footnote in *Heckler v. Chaney*, 470 U.S. 821 (1985). The Court clarified that the *Heckler* Court held that an agency's refusal to take enforcement action is generally unreviewable under Section 701(a)(2), but that the Court, in its footnote, "express[ed] no opinion" on whether an agency's decision to "consciously and expressly adopt [] a general policy that is so extreme as to amount to an abdication of its statutory responsibilities" would similarly be "unreviewable under § 701(a)(2)." *Id.*, citing *Heckler*, at 833 & n.4.

The Court however found Plaintiffs' argument based on the *Heckler* case to be flawed for two reasons. First, the Court articulated that the *Heckler* exception requires an agency decision to "consciously and expressly" adopt a general policy. *Id.* In this case, the Court stated that none of the documents Plaintiffs identified, neither the administrative record nor the Court's *in camera* review of additional documents submitted by the EPA, revealed anything that would qualify a decision as even "consciously and expressly" adopting any general policy. *Id.* Further, the Court emphasized that the 2013 Guidance contained no language indicating that the EPA took any definitive stance on the applicability of the "treated articles or substances" exemption to any pesticide-treated seeds, and that it expressly contemplated the potential enforcement of FIFRA requirements as to pesticide-treated seeds. *Id.*

Conclusion

In this action, EPA officials alleged that its current interpretation of 40 CFR § 152.25(a), the so-called 'treated article" exemption eviscerates EPA's power to require the registration of neonicotinoid-coated seeds or to mandate/enforce label warnings on typical seed bags provided to America's crop farmers.

Article Two

Sixth Circuit Remands Professional Negligence Case Arising from the Flint Water Crisis To State Court

Jennifer Mason et al. v. Lockwood, Andrews & Newnam, P.C., et al. (Case No. 16-2313, 6th Cir. Nov. 16, 2016)

This is a class action filed in the Michigan state court arising from the Flint Water Crisis in which eight of the City's residents, on behalf of themselves and all others similarly situated "residents and property owners in the City of Flint" who used lead contaminated water from the Flint River from April 25, 2014 until the filing of the action (collectively, "Plaintiffs") filed suit in Michigan state court. Lockwood, Andrews & Newnam, Inc. ("LAN, Inc."), a Texas-based corporation, touted as a "national leader in the heavy civil infrastructure engineering industry," and its Michigan-based affiliate, Lockwood, Andrews & Newnam, P.C. ("LAN, P.C."), and a Nebraska entity (collectively "Defendants"), agreed to provide design engineering services in connection with rehabilitating Flint's Water Treatment Plant ("Plant") to provide necessary "quality control" to the City's water. Plaintiffs alleged that Defendants, knew the Plant required upgrades for lead contamination treatment, yet failed to ensure that such safeguards were implements as part of the rehabilitation of the Flint River water to the City's drinking water. The Plaintiffs further alleged that due to the professional negligence of Defendants in purportedly failing to ensure that the river water received proper anti-corrosive treatment, Plaintiffs suffered widespread personal injuries and property damage. Defendants removed the state-filed class action suit from Michigan state court to federal court on the basis of diversity jurisdiction under the Class Action Fairness Act ("CAFA"), Plaintiffs moved to remand the case, not contesting the basic requirements for diversity jurisdiction under CAFA, but rather arguing that the mandatory "local controversy exception" to CAFA required that the case be remanded to Michigan state court. The Sixth Circuit affirmed a lower district court's decision to remand a state law, professional negligence class action suit against civil engineering Defendants to Michigan state court for resolution.

Background

Congress enacted CAFA in 2005 for the purpose of relaxing normal diversity requirements. With the exception of the "local controversy exception," under CAFA, federal district courts are authorized to "hear a 'class action' if the class has more than 100 members, the parties are minimally diverse, and the 'matter in controversy exceeds the sum or value of $5,000,000.'"

Under the "local controversy exception," however, "[a] district court shall decline to exercise jurisdiction…over a class action" if, in pertinent part:

(i) greater than two-thirds of the members of all proposed plaintiff classes in the aggregate are citizens of the state in which the action was originally filed;

(ii) at least one defendant is a defendant (a) for whom significant relief is sought by members of the plaintiff class, (b) whose alleged conduct forms a significant basis for the claims asserted by the proposed plaintiff class, and (c) who is a citizen of the state in which the action was originally filed..

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Sixth Circuit Remands Professional Negligence Case Arising from the Flint Water Crisis To State Court

Court's Rationale

As Defendants' contention was only with regard to the two-thirds citizenship and "significant basis" requirements of the "local controversy exception," the Court confined its inquiry to those two elements. *Id.*

Element One: A Greater than Two-Thirds of Plaintiffs are Michigan Citizens.

The Court recognized that Plaintiff must show that "greater than two-thirds of the members of all of proposed plaintiff classes in the aggregate are citizens of the [s]tate in which the action was originally filed." 28 U.S.C. § 1332(d)(4)(A)(I). The Court further specified that, although the statute spoke in terms of "citizenship," a party invoking the "local controversy exception" was tasked with establishing the domicile of the proposed class members, as "citizens" and state "citizenship" within this meaning equated to a person's domicile. *Id.*; *Von Dunser v. Aronoff*, 915 F.2d 1071, 1072 (6th Cir. 1990).

While the Court recognized that the Plaintiff class action sought representation of all "residents and property owners within the City of Flint," who used and were injured by the contaminated Flint River water during the relevant period, the Court also recognized Defendants' contention that the district court erred in finding that, more likely than not, two-thirds of the proposed class members were Michigan citizens.

In evaluating Defendants' contention, the Court first clarified its standard of review: "[A]n appellate court will not disturb a district court's factual findings… 'unless the record leaves us with the definite and firm conviction that a mistake has been committed.'" *Id.* (internal citations omitted). Second, the Court specified that with regard to domicile, "the law affords a rebuttable presumption that a person's residence is his domicile." *Id.* The Court emphasized the historical pedigree of the residency-domicile presumption and also that the district court had primarily based its finding that Plaintiffs met their burden under the "local controversy exception" on the same. Reiterating that the class consisted of the City's residents, the Court reasoned that the district court was correct, especially in light of the long-standing authority and history which afforded parties more generally, and here Plaintiffs, with the rebuttable presumption that each of their resident class members who were domiciled in the state, were residents.

Element Two: The Alleged Conduct Forms a "Significant Basis" for the Claims Asserted by the Proposed Plaintiff Class.

Under this element, the Court emphasized that the "significant basis" provision of the "local controversy exception" would be satisfied if "the local defendant's alleged conduct [was] a significant part of the alleged conduct of all the Defendants," after taking into account the totality of the conduct, which forms the basis of Plaintiffs' claims. *Id.*

The Court first recognized the involvement of three defendants, LAN, P.C. (the local defendant), LAN, Inc. (a Texas corporation), and Leo A. Daly Company (a Nebraska corporation). It then recognized that the conduct underlying Plaintiffs' claim was with regard to the provision of engineering design services, including the drafting, implementing of plans to provide "quality control" measures, in connection with upgrades to the City's Plant.

Based on an analysis of the alleged conduct and the totality of conduct of all the Defendants, the Court agreed with the district court in finding that LAN, P.C.'s conduct formed an "important and "integral part of [P]laintiffs' professional negligence claim." *Id.* The Court's agreement with the district court was based on the very core of the Plaintiffs' claim which was based on the failure to provide quality control. Because the compliant alleged that LAN, P.C. was formed to conduct the work for the City, and that the City relied on it as it was the company working in and around the state to perform the quality control.

Additionally, the Court found that although the City had formally contracted with LAN, Inc., LAN, Inc. had provided its services to the City *through* LAN, P.C., and the agreement between the parties detailed that the obligations under the contract would be performed by LAN, Inc. or by others, namely LAN, P.C., working under LAN, Inc.'s "direction and control." *Id.* Further, even despite Defendants' argument that LAN, P.C. conducted a majority of its' business outside of the state, the Court stated that the "significant basis" provision is not concerned with *where* the conduct occurred, but rather with *who* engaged in the conduct, and it was sufficient that LAN, P.C. was a Michigan corporation. *Id.*

Based on its finding that LAN, P.C. was responsible for quality control, and that Defendants' engineering work in the City was performed *through* LAN, P.C., the Court found sufficient evidence to establish that LAN, P.C.'s conduct formed a "significant basis" of Plaintiffs' claim.

Finally, the Court noted that such a case was a "quintessential local controversy," as it would "def[y] common sense to say a suit by Flint residents against those purportedly responsible for injuring them through their municipal water service is not." *Id.* at 11. The Court stressed that the "local controversy exception," by Congress's own vision, exists to ensure that "'a truly local controversy—a controversy that uniquely affects a particular locality to the exclusion of all others'—remains in state court." *Id.*

Conclusion

The dissent was of the opinion that the federal courts "undisputedly" had jurisdiction over this case under CAFA. The dissent framed the inquiry of the Court as one of abstention, asking whether the Court was permitted to abstain from exercising its designated jurisdiction per CAFA's "local controversy exception." The dissent emphasized that Plaintiffs had the burden of proving both elements under the exception by a preponderance of the evidence, neither of which they were able to do. The case, however, goes on the state court level as remanded.

Article Three

State Established *Parens Patriae* Standing Under Article III

Hanford Challenge, et al. v. Ernest Moniz, in his official Capacity as Secretary, United States Department of Energy, et al.
(Case No. 4:15-CV-5086-TOR, E.D. Wash., Nov. 3, 2016)

On November 3, 2016, the District Court for the Eastern District of Washington denied a motion for judgment on the pleadings brought by defendants, United States Department of Energy and Secretary Ernest J. Moniz ("DOE") and, defendant, Washington River Protection Solutions, LLC ("WRPS"), (collectively, "Defendants") by joinder thereto, to dismiss the State of Washington ("the State"), as a plaintiff to an action brought by the State and other citizen plaintiffs (collectively "Citizen Plaintiffs") against Defendants. The action against Defendants was brought under the citizen suit provision of the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. § 6972 (a)(1)(B). In bringing this motion, Defendants argued that the State lacked standing as *parens patriae* to bring suit against them, and that the State had failed to satisfy Article III standing based on any alleged injuries to itself. The Court's denial of Defendants' motion, allows the State to proceed as one of the Citizen Plaintiffs in the action.

Background

Under RCRA, the Citizen Plaintiffs alleged that Defendants' past and present storage, handling, and treatment of approximately 56 million gallons of hazardous chemical and radioactive waste at the Hanford Nuclear Site tank farms in Washington – presents an imminent and substantial endangerment to human health and the environment. Citizen Plaintiffs seek declaratory and injunctive relief to direct Defendants to modify their practices and institute protective measures to minimize the risk of exposure to the Hanford site workers.

In August 2016, Defendants brought a motion for judgment on the pleadings alleging that the State lacked standing as *parens patriae* to bring suit against them, and that the State had failed to satisfy Article III standing based on any alleged injuries to itself.

Court's Rationale

Standing: *Parens Patriae*.
RCRA's citizen suit provision authorizes "any person [to] commence a civil action on his own behalf … against any person, including the United States … who has contributed or who is contributing to the past or present handling, storage, treatment, transportation, or disposal of any solid or hazardous waste which may present an imminent and substantial endangerment to health or environment…" 42 U.S.C. § 6972(a)(1). The Court noted that when Congress used the phrase "any person," Congress clearly intended to "expand standing broadly to the fullest extent permitted by Article III." *Id.* The Court held that "RCRA explicitly grants states the authority to sue the United States."

In argument, Defendants alleged that the State was precluded from proceeding with its claim against the United States based on *Massachusetts v. Mellon*, 262 U.S. 447, 485-46 (1923), which held that: "While the state, under some circumstances, may sue in the capacity for the protection of its citizens [], it is no part of its duty or power to enforce their rights in respect of their relations with the federal government. In that field it is the United States, and not the state, which represents them as *parens patriae*, when such representation becomes appropriate…." DOE further argued that this preclusion was not a prudential standing limit, and therefore could not be overridden by Congress.

The Court rejected this argument citing to other courts granting exceptions to the *Mellon* holding, including in *Maryland People's Counsel v. F.E.R.C.*, 760 F.2d 318, 322 (D.C. Cir. 1985) where the Court stated that there was "no doubt that congressional elimination of the rule of *Massachusetts v. Mellon* is effective." *Id.* The Court further referenced the 2007 Supreme Court decision where the majority acknowledged a state's ability to sue the federal government under a federal statute in seeking to protect its quasi-sovereign interests concerning greenhouse gas emissions. *Id.*; See *Massachusetts v. E.P.A.*, 549 U.S. 497, 519-20 (2007).

The Court ultimately held that *Mellon* was inapplicable because Congress had overridden any *parens patriae* prudential standing limitation. *Id.* The Court clarified that it was not suggesting that RCRA conferred standing to the State, or that the State had the right to bring the action *parens patriae* because it was not challenging the operation of federal law, but rather asserting its rights under federal law. The Court disagreed with DOE's assertion that the *Mellon* holding was not a prudential standing limit, stating that "[*p*]*arens patriae* standing limitations are exactly that—a 'judicially self-imposed limit on the exercise of federal jurisdiction.'" *Id.* (Citation omitted).

Accordingly the Court held that the State's action was permitted to proceed as long as it satisfied Article III standing requirements, because Congress authorized the State to bring a RCRA action in *parens patriae*.

Article III Standing Requirements.
In determining whether the State had satisfied its Article III standing requirements to bring suit, the Court recognized that a plaintiff must have (1) suffered an injury-in-fact; (2) that there must be a causal connection between the injury and the conduct complained of; and (3) that it is "likely" that the injury will be "redressed by a favorable decision." *Id.*, citing *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992). The Court agreed that *parens patriae* supplied the State with an alternative basis for jurisdiction for purpose of Article III standing by providing a means of establishing an injury where one would not otherwise exist, and emphasized that Congress had authorized the State to bring the action under RCRA. *Id.*

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State Established *Parens Patriae* Standing Under Article III.

The Court then cited that the Supreme Court has "characterized Congress' authorization as 'of critical importance to the standing inquiry: "Congress has the power to define injuries and articulate chains of causation that will give rise to case or controversy where none existed before."'." *Id.*, citing Massachusetts, v. E.P.A., supra at 516-17 (quoting *Lujan*, at 580). Based on this, the Court reasoned that Congress, in enacting RCRA, identified the injury as "'endangerment to health or the environment' and included states within the class of persons entitled to bring suit." *Id.* Beyond this, the Court recognized that although "special solicitude" would be afforded to the State, it still had the burden of articulating an interest apart from the interests of the particular private parties and implicating a quasi-sovereign interest in bringing the action in order to maintain its' parens patriae action. *Id.*

The State asserted two quasi-sovereign interests in pursing this action. The first quasi-sovereign interest was based on the State's asserted "direct and tangible interest in the health, safety, and welfare of its residents, which [were] threatened by Defendants' actions," namely, the storage, handling, and treatment of hazardous wastes at the Hanford Site. *Id.* The State argued that rather than vindicating the private interest of a small segment of its population, the State had a broader public interest in ensuring that all workers within the State, including current and future Hanford workers, enjoyed a safe workplace, especially given that the Hanford tank waste retrieval is expected to take more than four decades to complete. *Id.* The second quasi-sovereign interest was based on the State's interest to foreclose discriminatory denial of its rightful status within the federal system, in order to protect its citizens working at federal facilities and ensuring that they were not being discriminated against within the federal system. *Id.*

Accepting all of the State's allegations in its Complaint as true and construing the State's allegations in a light most favorable to the State, the Court found that the State had adequately asserted at least one quasi-sovereign interest, to protect the health and well-being of the State's residents. The Court addressed DOE's contention that the State was merely asserting a nominal interest in that its' claimed interest was not sufficiently distinct from that of its citizens' interest and that it had not "demonstrated injury to a sufficient segment of its population to dispel any notion that it [was] merely a nominal party." *Id.* The Court stated that even if only a couple thousand Hanford workers were potentially threatened by the hazardous wastes each year, future workers in months and years to come, as well as members of the community, at large, would inevitably be adversely affected. *Id.* Further, the Court asserted that the State was more than a nominal party, distinguishing that a private action by Citizen Plaintiffs may not produce the complete relief for all persons, current and future, who were endangered, and that the State had far broader interests in ensuring worker safety throughout Washington and in protecting future Hanford workers. *Id.*

Conclusion

Following this decision, the Court refused to compel the DOE to expand the soil vapor control system and to deploy additional monitoring equipment, holding that the nuclear safeguards will suffice until trial. This ruling was in response to the Citizen Plaintiffs' motion for preliminary injunction. In denying Plaintiffs' request for emergency relief, the Court reasoned that Citizen Plaintiffs failed to make a clear showing to meet their burden that an imminent and substantial endangerment to health may presently exist, in light of the DOE's existing protections.

About AlvaradoSmith

AlvaradoSmith is experienced in all facets of public and private project development and implementation, environmental review and compliance, and natural resource law. We represent public utilities, public agencies, private developers, commercial property owners, and private landowners in major facilities and infrastructure development projects, land acquisition, pipeline development, soil and groundwater cleanups, and renewable energy projects. We know the ins and outs of environmental and natural resource law compliance.

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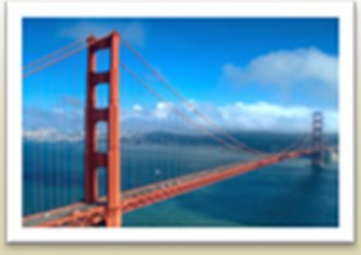

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