

OVERVIEW

ENVIRONMENTAL LAW



COASTAL RESOURCE PERMITTING

Property bordering coastal resources, such as tidal waters, tidal wetlands, beaches, dunes and areas of shellfish concentrations are subject to an additional layer of state and local regulation. Such resources are sensitive, scarce and highly-valued, so development projects in these areas, even very small ones, can be highly controversial, resulting in complicated and drawn out permitting procedures. Our lawyers have a deep and sophisticated understanding of the issues related to the competition of interests between desires to protect and preserve coastal resources and individual's property rights to reasonable use of their waterfront properties. Our lawyers have long-standing relationships with the agencies charged with regulating uses in coastal areas, and can help clients secure necessary permits for developing land and constructing docks, seawalls and related structures in a timely and cost-effective nature by identifying project aspects that are inconsistent with law or policy and minimizing delays and costs associated with incomplete applications.

ENERGY AND ENVIRONMENTAL PROJECTS

The Firm advises clients on all facets of energy projects and other environmentally significant facilities, including financing, permitting and developing innovative projects that produce energy from biomass, fuel cells, solar, solid waste, natural gas, oil, coal and other resources through cogeneration, small power production and merchant power plant development. We provide our considerable experience in federal and state energy policy and pricing law, in addition to environmental law, for such projects.

ENVIRONMENTAL PERMITTING

We develop permitting strategies that lead to the cost-effective and timely issuance of permits with which our clients can comply under the many air, water, waste, and land use permits required by federal, state and municipal laws.

FINANCING TRANSACTIONS

Our attorneys regularly advise client on the lease, purchase or sale of real property and other assets. The Firm's extensive transactional experience includes handling various types of sophisticated financings, including asset securitizations, revolving credit and term loans, letters of credit and related reimbursement agreements, interest rate swaps, and taxable and tax-exempt bond issuances. We also negotiate appropriate contractual terms addressing all forms of environmental risks and compliance with applicable laws.

SERVICES

Energy and environmental projects

Environmental permitting

Financing transactions

Brownfields remediation

Liability and risk management

Land development

Land and natural resource conservation

Litigation and alternative dispute resolution

BROWNFIELDS REMEDIATION

We assist our clients in planning and overseeing the work of environmental engineers and consultants in investigating and remediating Brownfields under federal and state-based programs. Typically, these efforts involve considerable strategizing concerning the breadth of work necessary to meet applicable cleanup standards and other remediation guidance.

LIABILITY AND RISK MANAGEMENT

We help clients assess and manage environmental risks under environmental laws, such as the federal "Superfund" and similar state laws that enable the assertion of claims against waste generators, transporters and site owners. We provide the sophisticated guidance, assistance and defense required to comply with laws, regulations, permit requirements and the like in all aspects and at all stages of compliance and enforcement processes.

LAND DEVELOPMENT

We represent developers of land in sensitive areas, such as wetlands and the coastal zone, at all stages of the development process, from planning to permitting, the public participating process, and administrative and judicial proceedings.

LAND AND NATURAL RESOURCE CONSERVATION

Our environmental and estate planning attorneys often collaborate to counsel business owners, municipalities, charitable organizations and property owners on all aspects of the preservation of open space, forest and agricultural lands. Often, owners' goals include securing income and estate tax benefits.

LITIGATION AND ALTERNATIVE DISPUTE RESOLUTION

Complex environmental litigation is sometimes required to manage and resolve "Superfund" and other waste liability matters and to adjudicate regulatory compliance issues. Our attorneys have litigated all types of environmental controversies, including government enforcement actions, federal and state citizen suits, toxic torts, private cost recovery actions, environmental insurance claims and challenges to environmental permits and approvals.

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With offices throughout Connecticut, Massachusetts and New York, Murtha Cullina LLP offers a full range of legal services to meet the local, regional and national needs of our clients. Our practice encompasses litigation, regulatory and transactional representation of businesses, governmental units, non-profit organizations and individuals.

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