



# Environment



## Related Attorneys

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- Earl E. DeBrine, Jr.
- Joan E. Drake
- Timothy L. Fields
- Stan N. Harris
- Maria O'Brien
- Nicole T. Russell
- Christina C. Sheehan
- Lynn H. Slade
- Walter E. Stern
- Sarah M. Stevenson

## Related Industries

- Business in Indian Country
- Energy
- Mining
- Railroads
- Ranching and Agriculture

## OVERVIEW

Our attorneys have experience and perspective that extend back to the early days of environmental law and regulation. We have handled significant litigation, permitting, strategic risk management, and compliance issues under federal and New Mexico environmental laws, as well as environmental regulations and ordinances of local and Indian origins. Having decades of experience in this area has given us the perspective that fostering positive relations with client personnel, environmental regulators, governmental attorneys, technical consultants, non-governmental entities and the broader community is paramount, whether the regulated economic activity is confined to New Mexico, is regional or is national in scope or setting.

We assist clients with National Environmental Policy Act (NEPA) processes such as “major federal action” and “federal handles” determinations, identification of and coordination with third-party consultants, preparation of scope of work and related documents, evaluation of applicability of categorical exclusions, environmental assessment versus environmental impact statement reviews, consideration of cumulative impacts, and fulfillment of public participation requirements.

Much of our environmental practice has been an outgrowth of our representation of natural resources companies, including those in **oil and gas, mining, ranching and agriculture**. We have had lead responsibility in numerous matters concerning environmental regulation of natural resources development, both before agencies and in court. Our attorneys also have managed complex litigation or handled matters involving a broad range of other economic activity that includes manufacturing, railroads, and many other enterprises.

Another component of our practice involves the representation of banks, lenders, and developers in evaluating and contractually protecting against risks of environmental liabilities arising from commercial and private real estate transactions. One aspect of this representation involves coordinating with environmental consultants on Phase I, II and III environmental evaluations and Transaction Screens, as may be prudent or required. Another involves advising clients about opportunities to take advantage of the Brownfields and Voluntary Remediation programs at the federal and state levels, respectively, as well as assisting with the negotiation and drafting of covenants not to sue and other preventative measures. A further aspect involves drafting broad indemnification provisions and other similar risk allocation devices, as well as handling insurance coverage issues.

## NEWS & ARTICLES



## Alerts

### **Update on New Mexico's Methane Rules**

Posted on June 17, 2021 By Christopher H. Killion

### **Recent Biden Administration Orders Affecting the Energy Industry**

Posted on February 2, 2021 By Earl E. DeBrine, Jr. and Stan N. Harris

### **New Mexico's 2020 Statewide Water Quality Management Plan and Continuing Planning Process Approved by EPA**

Posted on December 7, 2020 By Deana M. Bennett

## Articles

### **Water Quality Control Commission Unanimously Approves Mine's Proposed Regulatory Amendments to Surface Water Standards**

*Rocky Mountain Mineral Law Foundation Newsletter,*

Vol. XXXVI, No. 4, November 22, 2019

By Christina C. Sheehan

### **Minerals for New Technologies and Low Carbon Economies**

By Stuart R. Butzier

### **Court Affirms Contested Mine Permit Revision Changing Underground Uranium Mine from Standby to Active Status**

*Rocky Mountain Mineral Law Foundation Newsletter,*

Vol. XXXVI, No. 3, September 6, 2019

By Stuart R. Butzier

### **Water Quality Control Commission Unanimously Upholds Proposed Mine's Groundwater Discharge Permit Issued Under the Copper Rule**

*Rocky Mountain Mineral Law Foundation Newsletter,*

Vol. XXXVI, No. 3, September 6, 2019

By Stuart R. Butzier

### **New Mexico Produced Water Act**

*Rocky Mountain Mineral Law Foundation Newsletter,*

Vol. XXXVI, No. 3, September 6, 2019

By Sarah M. Stevenson

### **Tenth Circuit Overturns BLM's Mancos Shale Oil and Gas APD Approvals**

By Walter E. Stern

### **Annual Environmental Law Update**

March 18, 2019

By Deana M. Bennett

### **Executive Order Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects**

May 12, 2017

By Joan E. Drake

### **Wind River Reservation Held Diminished: EPA's Contrary Determination Set Aside Despite EPA**



**Reliance on Solicitor Opinion**

April 26, 2017

By [Deana M. Bennett](#)

**EPA Publishes Final Resource Conservation and Recovery Act Hazardous Waste Generator Improvements Rule**

January 25, 2017

By [Christina C. Sheehan](#)

**BLM's Venting and Flaring Proposal**

August 9, 2016

By [Modrall Sperling](#)

**New Rules and Draft Policy on Critical Habitat Designations**

August 2, 2016

By [Modrall Sperling](#)

**Colorado District Court Requires Coal Mine EIS to Estimate the "Social Cost of Carbon"**

July 3, 2014

By [Deana M. Bennett](#), [Joan E. Drake](#) and [Walter E. Stern](#)