

Natural Resources

In addition to the frequently encountered environmental, water, mining, and public land laws, a wide array of other state, federal, Tribal laws, and regulations are oriented towards the preservation and protection of the environment and various natural resources. These laws and regulations impact businesses in virtually every industry. In addition to applying to projects and activities on public and Tribal lands and projects which are federally licensed, permitted or funded, these laws are often brought into play by activities or operations which are on private property, but which affect or impact protected resources, such as plant or animal species, archeological resources, antiquities and historical and cultural resources.

Such laws include: the National Environmental Policy Act (NEPA) and parallel state laws which mandate comprehensive evaluations of the environmental impacts of governmental actions and have far reaching effects, particularly in matters involving or requiring permitting or other forms of authorizations; the Endangered Species Act (ESA), Migratory Bird Treaty Act, Arizona's native plant protection laws and various state laws and regulations, which govern activities that may impact wildlife and vegetation; and the National Historic Preservation Act (NHPA), the Antiquities Act and associated regulations, which govern governmental and private activities that may impact our archaeological, historical, architectural and cultural resources.

Lewis Roca Rothgerber Christie's attorneys advise and counsel clients on the numerous issues which arise under these laws. Ensuring careful compliance with NEPA requirements and agency procedures is an essential element of virtually any project involving a federal government approval or authorization and failure to comply can result in years of delay and project failure. Conversely, when our clients require, we challenge projects and operations which have failed to comply with NEPA review standards. We assist clients with Section 106 reviews under the NHPA, siting issues, consultations and negotiations with State Historic Preservation Officers and matters relating to Tribal consultations involving historic property of religious or cultural significance to native people. Our ESA experience includes species listings, critical habitat designations and consultation and negotiations regarding permitting and associated mitigation measures. Our attorneys' experience and knowledge of the federal, state and Tribal agencies which are charged with administering these laws permits us to find timely and cost effective solutions to meet our clients' needs. When necessary, we team with lawyers from our litigation group to pursue administrative or judicial solutions to our clients' problems.

Blog(s)

Energy & Natural Resources

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Related Industries

Chemicals, Manufacturing & Materials Science