



# Dam Construction, Operation & Removal

We have extensive experience counseling dam owners. At a time when approximately 85% of dams in the U.S. are rapidly approaching the end of their useful lives, we're helping public and private parties and utilities navigate this complex and highly regulated industry.

Sustainable operations such as maintenance, repair, safety, and compliance with existing, new, or changing permit and other legal requirements are becoming more challenging. Many dam owners face the decision of whether to relicense or remove the dams. In regions of the country facing water shortages, power supply issues, or public safety concerns caused by new flooding patterns, consideration is being given to constructing new water impoundment and diversion structures, which also involves a maze of engineering, economic, and permitting issues.

Addressing dam construction, maintenance, relicensing, or removal issues requires an interdisciplinary team. We combine policy insight and industry leadership in a team with decades of successful project development experience to help dam owners and operators achieve their project goals. We have solid working relationships with state and local officials, local counsel, and a wide array of consultants.

## STRATEGY

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We strategize with clients on every aspect of dam construction, removal, and long-term sustainable operations, including:

- **Environmental Law** - water quality, fish and wildlife conservation, NEPA & CEQA compliance, clean air, beneficial use and water rights, soil management and hazardous waste, and coastal zone management
- **Social Impacts** - historic properties and Native American rights, and local land use issues
- **Political** - success working with lawmakers, regulators, and the executive branch to navigate the complex group of community stakeholders
- **Finance and Procurement** - public-private partnerships, Mello-Roos Bonds, Assessment District Bonds, Certificates of Participation, Utility Revenue Bonds, and Bridge and Thoroughfare District Financings, and other state and federal financing

- **Insurance** - first party property damage and business interruption, third-party liability insurance covering property damage, the loss of use of property, bodily injury claims asserted by third parties against the insured, and evaluating different policy forms when purchasing policies
- **Safety** - seismic stability, seismic retrofit programs, structural engineering requirements, and risk management
- **Public Utilities Regulation** - rate cases, water supply assessments, service area extensions, and water resource planning before the CPUC, California Energy Commission, and the California State Legislature and local authorities

## PROJECT MANAGEMENT

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Our top priority is keeping your project on budget and on schedule. We pride ourselves on:

- Identifying legal issues during the early stages of the project
- Avoiding potential issues that may arise in administrative, regulatory, or judicial proceedings
- Proactively developing strategies to assist with securing necessary permits and approvals to avoid potential litigation
- Devising strategies to develop a record that can be successfully defended in court if litigation is expected