MILLER STARR REGALIA

Environmental

Real estate transactions often involve compliance with overlapping federal, state and local environmental laws and regulations.

We are experts in the field of environmental impact review under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act, having advised on some of the most complex and challenging CEQA matters in California. We also assist clients with the numerous federal and state natural resources laws that apply to projects in California, such as the Clean Water Act, the Porter Cologne Water Quality Control Act, storm water regulation, water recycling, wetlands regulation, and discharge requirements.

We also regularly advise on water rights, land conservation, climate change regulations, mitigation banking, and public trust matters. In addition to land use matters, we assist clients with the purchase, sale, leasing and financing of environmentally impaired properties, which typically involves structuring and managing the environmental risk through indemnity and other contract provisions, pollution insurance policies, and negotiations with regulators (such as various Regional Water Quality Control Board (RWQCB), the Department of Toxic Substances Control (DTSC), and the Environmental Protection Agency (EPA).

As part of this risk management process, we work with many excellent and cost-effective environmental consultants to ensure that our clients comply with hazardous materials laws and regulations, minimize potential liability for hazardous materials' claims and damages, and take the necessary steps to help mitigate soil, groundwater and air contamination.

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