

Infrastructure

From project inception through construction and beyond, Downey Brand delivers the requisite focus, deep bench of specialized legal counsel, and practical solutions needed to accomplish even the most ambitious infrastructure projects.

California is poised for an unprecedented era of infrastructure development with billions of dollars of investment flowing into the state. Maximizing public and private infrastructure ventures and partnerships, and negotiating and executing complex projects require an interdisciplinary legal team that knows the Golden State's legal and regulatory terrain, inside and out.

Downey Brand's infrastructure team delivers the proven skill and honed experience vital to navigate a broad range of legal issues encountered in infrastructure development throughout the state, including regulatory, environmental and land use, real estate and commercial transactional law, construction, and litigation. Our firm maintains a stellar reputation and established network of relationships with project consultants and the many government entities involved in the infrastructure process. Our attorneys are committed to consistently rendering legal counsel that is results-oriented, creative, and nimble, particularly in the face of adamant objection, community opposition, and legal challenges.

When guiding clients through assembling the many pieces of the infrastructure puzzle, our team advises on:

- Infrastructure planning, including integrating legal strategy with engineering, operations, and construction teams to bolster success, and reduce opposition and litigation risk
- Permitting and entitlement, including defense of Environmental Impact Reports (EIRs) and Environmental Impact Statements (EISs) under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA)
- Local, state, and federal regulatory and environmental permitting issues including the Clean Water Act, Clean Air Act, and Endangered Species Act
- Project development matters such as land and easement acquisition, and condemnation
- Construction contracts and implementation, public and private bid contests, mechanics liens, and related labor, safety, and employment issues
- Dispute resolution at all stages of development, including engagement with government and community stakeholders

The firm represents public agencies and private businesses responsible for planning, developing, building, upgrading, and operating all types of infrastructure initiatives across diverse asset classes — ranging from utilities, power, energy and water to transportation and social infrastructure — and including:

- Flood control, water supply and distribution, including dams and reservoirs, wastewater treatment, and storm water
- Ports, airports, roadways, bridges, tunnels, mass transit, and light rail
- Educational facilities such as schools, universities, and student housing
- Solar, onshore and offshore wind, biomass, biofuels, waste-to-energy, geothermal, and carbon capture
- Conventional power generation, transmission, and distribution
- Upstream, midstream, and downstream oil and gas, including pipelines and related energy transmission

facilities

- Public facilities ranging from courthouses, civic centers, and prisons to stadiums, multi-use facilities and health centers
- Telecommunications

Pragmatism, productive communication, and the ability to establish trust and rapport among various stakeholders allow us to overcome the complex obstacles our clients face when it comes to project development, implementation, and completion. We are valued for our ability to:

- Navigate the regulatory maze facing infrastructure development
- Solve problems associated with complicated regulatory challenges
- Streamline infrastructure projects, the decision-making process, and various matters involved
- Collaborate with an integrated team comprised of consultants, engineers, contractors, and public affairs experts to achieve client goals
- Work within the client's financial goals and constraints
- Meet project deadlines and milestones
- Overcome project opposition, whenever possible through negotiation and other forms of alternative dispute resolution
- Litigate in state and federal courts to facilitate or defend project approvals when necessary