

DAVIS GRAHAM & STUBBS

CLEAN ENERGY & SUSTAINABILITY GROUP NEWSLETTER

February 2022

Contact a DGS attorney in the [Clean Energy & Sustainability Group](#) if you have any questions about the contents of this newsletter or if we can assist you with any legal needs.

Upcoming DGS Events:

March 8

7:30-8:00 AM Breakfast;
8:00-9:00 AM Program

[Government Investigations & Enforcement Seminar](#)

organized by [Mark Champoux](#), [Nick Eaton](#), [Jackie Roeder](#), [Andrea Wang](#) (Assistant U.S. Attorney, U.S. Attorney's Office for the District of Colorado), and [Chad Williams](#)

April 7

7:30-8:00 AM Breakfast;
8:00-11:30 AM Program

[Energy & Environment: What's Changed & What's Coming Under the Biden Administration Seminar](#)

organized by [Mark Champoux](#), [Randy Dann](#), [Mave Gasaway](#), [Eric Hodek](#) (Principal, Ramboll Environmental), [Katie Schroder](#), and [Betsy Temkin](#)

Colorado's Energy-Related Bills in the 2022 Legislative Session

by [Kathleen Pritchard](#)

The Colorado General Assembly began its 2022 lawmaking term on January 12, 2022. The legislature, which consists of 65 representatives and 35 senators, will work through May 11 to address issues ranging from school funding to tax policy to alternative energy sources. This update provides an overview of the proposed bills that relate to clean energy and energy resiliency, what's missing, and how you can stay up to date on the 2022 legislative session. [Read more...](#)

Five Federal Agencies Lead by the Department of Interior Aim to Prioritize & Expedite Permitting for Renewable Projects

by [Rachael Lechner](#)

On January 6, 2022, a Memorandum of Understanding (MOU) between the Department of Interior (DOI) and the Department of Agriculture (USDA), the Department of Defense (DOD), the Department of Energy (DOE), and the Environmental Protection Agency (EPA) announced the agencies' intent to improve public land renewable energy project permit coordination. The Energy Act of 2020^[1] authorized this initiative with the goal of improving interagency permitting coordination for the expedited processing of wind, solar, and geothermal applications on federal lands. [Read more...](#)

FWS Increases Take Limits for Eagle Permits

by [Katie Schroder](#)

On February 1, 2022, the U.S. Fish and Wildlife Service (FWS) published a [notice](#) in the Federal Register announcing that FWS has increased take limits for permits to take bald eagles. These take limits establish a ceiling on the aggregate amount of incidental take of bald eagles that FWS can authorize through permits in its Eagle Management Units (EMUs). In the notice, FWS announced its decision to increase take limits in four of its six EMUs following a periodic review of biological data and reassessment of take limits. FWS increased the collective take limits across all four EMUs from 3,731 to 15,832. [Read more...](#)

The Superfund Program Goes Green – Part II

by [Betsy Temkin](#) and [Michael Golz](#)

As the Biden Administration continues to prioritize climate change mitigation, EPA has renewed its focus on more environmentally friendly remedies at Superfund and other cleanup sites. In Part I of this series, we discussed EPA's "Superfund Climate Resilience" initiative, aimed at evaluating remedy protectiveness in the face of extreme weather events. In this second installment, we discuss a likely re-boot of EPA's "Greener Cleanups" initiative, which currently is focused on reducing the environmental footprint of Superfund cleanups by factoring in the significant resource consumption associated with heavily engineered remedies. [Read more...](#)

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