

RICHARD H. ALLAN
OFFICE MANAGING
PARTNER, PORTLAND**CONTACT**

T 503.241.2643
rallan@martenlaw.com
1001 Southwest Fifth Avenue
Suite 2150
Portland, Oregon 97204

PRACTICE AREAS

Alternative Energy
Energy
Permitting and Environmental Review
Property Development
Waste Cleanup
Rate Making and Power Sales

EDUCATION

J.D., University of California, Berkeley
B.A., University of California, Berkeley

BAR ADMISSIONS

State Bars of Oregon and Washington
U.S. District Court for Oregon
U.S. Court of Appeals for the Ninth
Circuit

HONORS AND AWARDS

Martindale Hubbell AV Preeminent
Rated
Chambers USA Industry Leader,
Environmental and Real Estate:
Zoning/Land Use
Oregon Super Lawyer in Land
Use/Zoning

Richard Allan is the managing partner of the firm's Portland office. Richard represents developers in the acquisition, siting, expansion and operation of major projects, with an emphasis on energy facilities, but also including industrial facilities, ski areas, and destination resorts. He also regularly advises clients on the environmental aspects of real estate and business transactions, including: due diligence; negotiation of indemnities, prospective purchaser agreements and insurance coverage; and development of strategies for remediation to facilitate cost-effective and protective site redevelopment.

Richard has represented business owners and developers on the environmental, land use and natural resource issues arising in all phases of project development, including site selection and acquisition, permitting, development and operation. His experience in adversarial proceedings ranges from numerous local land use hearings and appeals, to administrative contested cases before state agencies concerning energy, wetlands, water rights and environmental enforcement, to trial court and appellate proceedings in state and federal courts.

SELECT REPRESENTATIVE EXPERIENCE

Counsel to investor-owned electric utility for fifteen years in the permitting of multiple generating facilities, including over 1400 MW of natural gas-fired generating capacity in Oregon and over 700 MW of wind capacity in Oregon and Washington. Initiated successful rulemaking proceeding to address carbon dioxide offset obligations of facilities operating at variable loads; advised client on more than a dozen amendments to facility site certificates from the Oregon Energy Facility Siting Council (EFSC).

Counsel to independent power producer in permitting of new 415 MW natural gas-fired generating facility in Umatilla County, Oregon.

Represent pipeline developer in Oregon land use proceedings for a new 230-mile natural gas pipeline crossing four counties.

Represented independent project developer in obtaining site certificate from EFSC for wind farm with peak capacity of approximately 200 MW in Wasco County, Oregon.

Provided due diligence advice to investment group for purchase of partially constructed gas-fired generating facility in Washington through bankruptcy proceeding of project developer.

Counsel to the owner of 40-acre former railyard in settlement of claims against railroad for past contamination, and in negotiation and ongoing implementation of multi-party consent decree with DEQ for redevelopment of site as a new, mixed-use urban neighborhood.

Represented developer of 5,000-acre destination resort in local legislative proceedings for adoption of destination resort map and development ordinance, approval of resort master plan, resolution of cultural resource and wildlife habitat issues, and approval of plans for multiple phases of development.

Assisted clients with Section 404 and ESA Section 7 consultation for development of dock facility for new manufacturing facility on Columbia River, as well as land use permitting for associated natural gas pipeline.