

RICHARD H. ALLAN
OFFICE MANAGING
PARTNER, PORTLAND



CONTACT

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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 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 also represents developers in the acquisition, siting, expansion and operation of major projects, with an emphasis on energy facilities, but also including industrial facilities.

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 for over 20 years 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 Oregon DEQ for redevelopment of site as a new, mixed-use urban neighborhood.

Represented developers of two former quarry sites in addressing environmental issues related to presence of methane, including participation in Environmental Quality Commission rulemaking proceeding and negotiation of consent orders with Department of Environmental Quality facilitating mixed use redevelopment of the sites.

Represented developer of former Central Oregon lumber mill site in formulating and implementing strategy for phased investigation and remediation to facilitate redevelopment of site into new neighborhood with residential and commercial uses, a retail village, and an outdoor entertainment amphitheater.

Represented purchasers of contaminated sites in the negotiation of over a dozen Prospective Purchaser Agreements with the Oregon Department of Environmental Quality, limiting the liability of the purchasers for existing releases of hazardous substances.

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.

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