



## Harry E. Grant

Partner

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Harry's practice is centered on dispute resolution, regulatory compliance and corporate transactions in the environmental, energy and natural resource sectors.

He represents businesses in environmental enforcement and related claims under CERCLA, MTCA, the Clean Air Act and similar local laws, and in structuring transactions that involve environmental constraints. In addition to real property transactions, he often assists clients on the environmental components of stock and asset transactions and financings. He also represents clients in federal and state regulatory rulemakings and compliance proceedings. His clients are drawn from businesses in air transportation, agriculture, forest products, plastics, real property development, petroleum distribution and food and wine production.

Harry's environmental projects are typically complex business transactions with pivotal environmental issues, compliance advice, cleanup of hazardous substances at prime urban sites and on marine waters, negotiation of environmental matters with federal and state regulatory agencies, environmental litigation and managing environmental permitting, audits and management system development.

### Representative Matters

Harry has provided counsel to:

- **The U.S. affiliate of international paper company** in numerous legal and governmental relations issues, including federal and state natural resource controversies and projects. Principal draftsman with counsel to U.S. Senate Energy and Natural Resources Committee of Elwha River Ecosystem and Fisheries Restoration Act, P.L. 102-495. Strategic advisor to company for legal issues in obtaining series of subsequent congressional appropriations and in related administrative agency negotiations. Counsel for environmental regulatory compliance and long-range regulatory planning. (1987-present)
- **A Fortune 500 investor-owned utility** in environmental projects involving cleanup of hazardous substances at prime urban sites in cities throughout the Pacific Northwest; in managing litigation and in negotiation of settlements with regulatory agencies and other parties. (1989-present)
- **The nation's largest manufacturer of (EPS) expanded polystyrene insulation** and structural building panels, produced at 11 locations in the United States. Representation involved Clean Air Act permitting,

regulatory and defense matters and involves both the U.S. E.P.A. and local air quality management agencies including South Coast Air Quality Management District. (2004-2007)

- **An EPS agricultural packaging manufacturer** in California's San Joaquin Valley in an air quality rulemaking procedure. (2007-present)
- Regional counsel to **a major U.S. airline**, advising on federal and state air quality compliance and related regulatory matters including Clean Air Act litigation and matters before South Coast Air Quality Management District. (1992-present)
- **An ecotourism cruise line** in litigation and negotiation concerning right of access to Glacier Bay National Park and Preserve and Tongass National Forest and on other natural resource and governmental issues. (1994-2010)
- Outside general counsel to **a California-based small-cap manufacturing company** traded on NASDAQ with operations in Washington, Maryland and The Netherlands, including lead negotiation in dismissal of putative class action filed in 2002. (1999-2004)
- Environmental counsel to **wireless telecom systems developer** to establish ISO 14000 environmental management system. (2003)
- **Washington and Idaho ski areas** for state environmental law compliance, special operating permits with state and federal resource agencies, Clean Water Act compliance and related environmental issues. (1998-2012)
- **A nationally recognized environmental advocate** in congressional relations and in negotiations with federal and state agencies for restoration of salmon habitat within Columbia River Basin of Washington state. (1999-2003)
- Various **real estate developers** on acquisitions and financings of properties impaired by historic hazardous substance contamination, including \$190 million financing for one of nation's leading redevelopers of environmentally impaired properties. (1997-present)
- **A consortium of lenders to an Australian-based food products company** with operations in Argentina, Brazil, Chile, Mexico and Uruguay, counseling on the Latin American component of refinancing. (1998-99)
- **A Japanese joint venture**, advising on real property acquisition, environmental permitting and siting of technical ceramics manufacturing facility in Oregon. (1996)
- Lead counsel to **a Washington city** in successfully defending comprehensive plan against multiple challenges before Central Puget Sound Growth Management Hearings Board. (1995)
- **An environmental advocacy group** as a friend of the court in an appellate matter concerning the enforceability of contract provisions allocating costs under environmental cleanup law. (1994)

### **Before Fox Rothschild**

Prior to joining Fox, Harry was a principal at Riddell Williams.

### **Honors & Awards**

- Named to a list of Energy & Environmental Trailblazers by *The National Law Journal* (2018)
- Ranked by *Chambers USA* (2015-2018)
- Named to "Seattle's Top Lawyers" by *Seattle Magazine*
- Named among Seattle's "Top Business Lawyers" in environmental law by *Seattle Business Monthly* magazine
- Named a "Washington Super Lawyer" by *Super Lawyers* (2003-2018)



- Profiled in Green Fire, William Dietrich, Consolidated Press (2011)
- Rated AV Preeminent® by Martindale-Hubbell



### Practice Areas

- Environmental
- Corporate
- Real Estate
- Natural Resources and Environmental Litigation
- Energy & Natural Resources

### Bar Admissions

- Washington

### Court Admissions

- U.S. Supreme Court

### Education

- University of Oregon School of Law (J.D., 1983)
- Western Washington University (B.S., *magna cum laude*, 1979)

### Memberships

- American Bar Association
- Washington State Bar Association
- Litigation Counsel of America (Fellow)
- Methow Valley Conservancy and Methow Valley Nordic
- Western Washington University, Huxley College of the Environment, Dean's Advisory Board (2010-present)

## Publications

April 30, 2014

**The State of California has Proposed Significant and Controversial Changes to its Consumer Product Chemical Warning Regulations**

March 23, 2010

**Working with Environmental Consultants: Best Practices for Preserving Attorney-Client Privilege and Work Product Protection**

March 10, 2009

**EPA Proposes Mandatory GHG Reporting Rule**

February 18, 2009

**NEPA Lawsuit Seeks to Block Tar Sands Project**

September 21, 2007

**Will State 'NEPA' Laws Survive Federal Climate Change Regulation?**

Washington Legal Foundation

June 18, 2007

**Dam Removal and the Recovery of Salmon**

The Wall Street Journal

April 2001

**World-Scale Problem**

Seattle Post-Intelligencer

January 9, 1997

**Making Brownfields Part of a Greener Environment**

The Seattle Times

1993

**When Do Warrantless Environmental Searches Violate Business' Liberties?**

Legal Backgrounder