

→ Public Lands

Sheppard Mullin advises and represents clients in matters relating to their activities on our federal, state and municipally owned public lands. We can navigate the often conflicting governmental requirements and political pitfalls that can arise in negotiating with the government for the use of public lands. We provide the vital legal and political counsel on the broad range of land and water use issues to insure that your project can be completed and your rights will be guaranteed. Not only can we manage efficiently the routine compliance issues associated with land and water use, but we also have helped to guide clients through many complex, precedent-setting, and controversial natural resource conflicts of the past 25 years. Whether the issue is a major interstate land exchange, a controversial special use permit to use and occupy public lands for solar or windpower, a complex project requiring a Section 404 CWA permit and a consultation under the ESA, or a change in legislative or administrative policy, our attorneys have the legal and political experience to find solutions that work, are legally defensible, and are acceptable to all interested parties. One of our most important specialties is the use of lands owned by the State of California.

During the course of a representation, a single client may have to interact with a dozen or more different agencies with jurisdiction over federal environment and natural resource policy. Our firm's professionals have extensive experience working with these agencies, not only on behalf of clients, but also, earlier in their careers, as high-ranking officials within the agencies themselves.

Our experience includes working with the following types of public lands and public agencies:

Public Lands

- Bureau of Land Management Lands
- National Wildlife Refuges
- National Parks & Monuments
- National Forests & Grasslands
- Military Reservations & Installations
- Department of Energy Research Facilities or Other Sites
- Bureau of Reclamation Lakes & Reservoirs
- Federal lands included in state irrigation districts
- U.S. Army Corps of Engineers Lakes
- Mining and Mineral Rights
- Outer Continental Shelf (OCS)
- California State Lands
- California State Trust Lands
- California Wildlife Refuges
- Coastal Lands & Tidelands
- California State Parks & Monuments

Public Agencies

- Bureau of Land Management
- Department of the Interior

U.S. Fish and Wildlife Service
Department of the Interior
National Park Service
Department of the Interior
U.S.D.A. Forest Service
Department of Agriculture
Department of Defense
Department of Energy
Bureau of Reclamation
Department of the Interior
U.S. Army Corps of Engineers
Department of Defense
United States Bureau of Mines
United States Geological Survey
Minerals Management Service
California State Lands Commission
California Fish and Game Commission
California Natural Resources Agency
California Coastal Commission
California Natural Resources Agency

Our public land team has the experience to:

- Manage and expedite environmental documentation, federal approvals, special and temporary use permits, rights-of-way acquisition, utility and transportation corridor permitting, and the governmental certifications, concurrences and clearances necessary for ensuring that land and water use on private or public land is in compliance with all applicable environmental laws.
- Structure and negotiate exchanges of private and federal lands and represented client interests before federal agencies and state and local officials. Sheppard Mullin has the expertise and creativity needed to advance important exchanges as well as obtain the congressional approvals required for interstate land exchanges.
- Help navigate intricate water rights proceedings. In particular, our firm has broad experience working in the complex arenas involved in managing the legal control of water in the arid western states, including water storage and habitat enhancement projects; water rights permitting; water supply contracts and administration; small conduit hydroelectric development; interstate water banking and exchanges; water infrastructure authorization, funding and implementation; Indian water rights settlements; water recycling and reuse; and international treaties on water flow, development, and control of invasive species.
- Manage the complex wetlands permitting process under Section 404 of the CWA and negotiated effective resolutions to wetlands disputes. We are also experienced in the compensatory mitigation and innovative mitigation banking projects that provide cost-effective mitigation and significant economic opportunities for our clients.
- Navigate the complicated regulatory requirements associated with the Endangered Species Act, ranging from regulatory compliance and counseling, to the development of single- and multi-species habitat conservation plans, to the identification and implementation of multi-forum approaches to ESA challenges.

- Provide leadership on how best to develop environment and natural resource policy.