

CONTACT

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PRACTICES

Endangered Species & Wildlife
Energy Transition
Land Use
Litigation & Investigations
Public Lands
Water

EDUCATION

University of Wisconsin Law
School
Vassar College

BAR AND COURT ADMISSIONS

Washington State Bar

MOLLY A. LAWRENCE

PARTNER



Professional Background

Molly counsels public and private clients in all facets of land use and development and is highly skilled at navigating overlapping and divergent federal, state, and local statutes and regulations in the permitting and environmental review processes. Her practice focuses on assisting clients in developing comprehensive permitting strategies and counseling them through the regulatory process from project conception to construction. When necessary to facilitate project development, Molly assists clients in drafting and advocating for changes in laws and regulations through the legislative and rule-making processes. In addition to permitting and legislative work, Molly regularly litigates land use and environmental matters before local governments, and in state and federal court.

Most recently, her practice has focused on supporting the development and permitting of ecological restoration projects, including the Mid-Barataria Sediment Diversion in coastal Louisiana, one of the largest environmental restoration projects in the United States, and the White River Restoration Project in Sumner, Washington. Molly is also sought out for her skills navigating issues related to the National Flood Insurance Program (NFIP), including evolving local floodplain regulations, FEMA mapping, and Endangered Species Act requirements. She has significant experience permitting medium and large-scale commercial projects, including office parks, shopping centers, waterfront mixed-use developments, and industrial parks. Early in her practice, Molly focused her efforts in telecommunications, appearing before dozens of tribunals as part of assisting several wireless telecommunication providers to launch and maintain their wireless networks in the Pacific Northwest.

Molly serves on the board of [VNF Solutions](#).

Representative Experience

- Co-lead permitting and environmental counsel supporting the Louisiana Coastal Protection and Restoration Authority (CPRA) in federal permitting and funding approvals for its sediment diversion program. In the winter of 2023, CPRA secured all of the authorizations and funding needed to construct the Mid-Barataria Sediment Diversion (MBSD), a 75,000 cfs diversion from the Mississippi River to Barataria Bay in southeast Louisiana. The MBSD is a cornerstone project in CPRA's 50-year Coastal Master Plan to restore Louisiana's eroding coast. Work continues on a second sediment diversion, the Mid-Breton Sediment diversion that will provide similar ecological restoration to the east side of the Mississippi River. Issues range from: permitting under the Clean Water Act, including Sections 10, 404, and 408; guiding development of Environmental Impact Statements (EISs) under National Environmental Policy Act (NEPA); consultations under Section 106 of the National Historic Preservation Act (NHPA) and the Endangered Species Act (ESA); and funding through the Oil Pollution Act and the Louisiana Trustee Implementation Group.
- Counsel to the Port of Seattle on federal and state permitting, regulatory, and environmental issues across their aviation and maritime divisions. Representation includes: supporting the Port's aviation division with the federal and state environmental review required for implementation of the Sea-Tac Airport Sustainable Airport Master Plan (SAMP), including evolving Green House Gas (GHG) and Environmental Justice (EJ) objectives and guidance; and supporting the Port's maritime division in responding to changing floodplain maps and regulations affecting numerous maritime and commercial facilities along the Seattle waterfront.
- Co-lead counsel (with Joseph Nelson) supporting Clean Line Energy through the review and approval

processes for the Plains & Eastern Clean Line Project, a 700-mile electrical transmission line designed to bring wind energy from Texas and Oklahoma to Tennessee. Issues ranged from: review and approval under Section 1222 of EPAct 2005; guiding development of the NEPA EIS; negotiating a complex Programmatic Agreement under Section 106 of the NHPA; Section 7 consultation under the ESA; wetland permitting under Section 404 of the CWA; and defending the project approvals in federal court.

- Counsel to several coalitions of local governments, industry groups, and property owners in Washington and Oregon related to ongoing changes in the FEMA's implementation of the National Flood Insurance Program (NFIP). Representation includes: strategic counsel responding to several Biological Opinions issued by NOAA-Fisheries regarding the effect of the NFIP on threatened and endangered species; advocacy with FEMA, NOAA-Fisheries, the federal legislative delegations in Washington and Oregon, and hundreds of local governments participating in the NFIP regarding ESA compliance; litigation in federal court challenging implementation of the Biological Opinions regarding the NFIP; and legislative advocacy related to the reauthorization of the NFIP.
- Counsel to the City of Sumner in developing a comprehensive approach to addressing flood hazards presented by the White River. Representation includes: supporting the City in securing all necessary federal, state, and local permits and consultations for its White River Restoration Project, a 180+ acre floodplain restoration project that will both substantially improve habitat for ESA-species and reduce flood risk for Sumner's large industrial area; coordinating the development of several complex floodplain and sediment transport models to assist in evaluating and planning for flood risk; overseeing floodplain map amendments and appeals; drafting amendments to the City's floodplain regulations; advising the City on ESA-issues as part of floodplain development and restoration; and coordinating with the Army Corps of Engineers regarding the operation of the Mud Mountain Dam and the General Investigation for the Puyallup River.
- Counsel to the Canyon Park Business Center Owners' Association, a non-profit owners association responsible for management of the nearly 400-acre commercial and light-industrial business park in Bothell, Washington. Representation includes: working with the City of Bothell on all manner of issues under the Growth Management Act (GMA), including comprehensive planning, subarea planning, and corresponding development regulations; supporting the Owners' Association in working with the Washington State Department of Transportation to minimize and mitigate the impacts of the I-405 Express Toll Lanes project that will divert large volumes for traffic from I-405 into the CPBC; assisting the Owners' Association with design review and environmental analysis for developments within the Park; and assisting with implementation and amendments to the Covenants, Conditions, and Restrictions (CC&Rs) that guide development within the CPBC.
- Counseled SECO Development with regard to its 17.5 acre mixed-use development on Lake Washington in Renton. The development includes more than 750,000 square feet of Class "A" office space, 40,000 square feet of mixed commercial/retail/restaurant, over 330 luxury apartment units, and a 355-room luxury waterfront hotel. Representation included: coordinating the SEPA EIS and Planned Action Ordinance for Southport; securing City approvals for a fifteen-year Master Plan, three-phase Site Plan, and several shoreline and construction permits; negotiating transportation mitigation agreements with the City; and negotiating agreements with neighbors to avoid project appeals.
- Counseled Tacoma Waterway LLC, in the development of a mixed-use hotel project along the Foss Waterway. Representation included: securing multiple land use approvals, including shoreline permits, through the City of Tacoma, and successfully defending the project in litigation before the Washington Shorelines Hearing Board through the Washington State Supreme Court.
- Counseled Teachers Insurance and Annuity Association (TIAA/CREF) regarding a 20 acre office park/high-tech campus in Bothell, including federal, state, and local approvals.

Awards and Honors

Super Lawyers

005, 2007-2017, 2019

"Top 50 Women Super Lawyers," 2010-2012

"Rising Star," 2004

"Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2012-2024

Land Use & Zoning Law, 2013-2024

Litigation-Environmental, 2012-2024

Litigation-Land Use and Zoning, 2018-2024

Natural Resources, 2021-2024

Real Estate Law, 2013-2024

Seattle Best Lawyers' Environmental Lawyer of the Year

2012

Association of Washington Business Heavy Lifter Award

2011

Articles and Presentations

- National Waterways Conference Annual Meeting, National Waterways Conference, Baltimore MD, 09/22/2021
- Navigating Floodplains & Flood Risk in the Northwest, Seattle WA, 10/04/2019
- US v. Washington Culvert Subproceeding: Implications on the Regulated Community in the Northwest, Seattle WA, 07/10/2018
- FLOODPLAINS AND FLOOD RISK:
A Brief Overview of Changing Management Responsibilities, The Water Report, Issue 165, 12/06/2017
- 2017 Environmental and Land Use Section Midyear Conference, Washington State Bar Association, Union WA, 05/11/2017
- Environmental Law in the Trump Administration, The Seminar Group, Seattle WA, 03/23/2017
- Rising Up or Run Aground? Updates on the National Flood Insurance Program and Proposed CERCLA Financial Assurance Regulations, American Bar Association, Teleconference, 02/24/2017
- VNF Talks: Roles of Northwest Tribes in Infrastructure Permitting, Seattle WA, 12/14/2016
- National Flood Insurance Program: Oregon Communities & Developers Face Significantly Heightened Standards Following ESA Consultation - National Impacts Probable, The Water Report, Issue 152, 10/15/2016
- Northwest Gas Association's 2016 Annual Energy Conference, Stevenson WA, 06/09/2016
- Growth Management Act Conference, Law Seminars International, Seattle WA, 11/19/2015
- 15th Annual Wetlands in Washington Seminar, Law Seminars International, Seattle WA, 10/19/2015
- NOAA Short Workshop, 09/18/2015
- FEMA's ESA Approach Affirmed in the Puget Sound, Natural Resources & Environment, Vol. 30 Issue 1, 08/01/2015
- Hydrology and the Law Conference, Law Seminars International, Seattle WA, 05/29/2015
- Floodplain Development: Regulation under FEMA and ESA, Seattle WA, 05/19/2015
- NOAA Short Workshop, 04/28/2015
- National Flood Insurance Program: The Changing Landscape of Floodplain Insurance & Regulation, The Water Report, Issue 131 pp. 1, 01/15/2015
- Preparing for Climate Change - New Regulations and New Litigation, The Seminar Group, Seattle WA,

11/12/2014

- The Changing Landscape of Floodplains, Washington State Bar Association's Environmental and Land Use Law Newsletter, Vol. 40 Issue 2, 09/01/2014
- Land Use Appeals, Washington Lawyers Practice Manual, Part 16, Vol. 23 (2013), 10/01/2013
- Murky Floodplain Rules Sink Development Plans, Seattle Daily Journal of Commerce, 09/26/2013
- Murky Floodplain Rules Sink Development Plans, Seattle Daily Journal of Commerce, 09/26/2013
- The Impacts of Newly Designated Floodplains, The Voice, NAIOP Government Affairs Newsletter, 06/01/2010
- Land Use Petition Act, Washington Lawyers Practice Manual (2005-2007), 12/01/2005

Alerts

- Biden Administration Announces Proposed Phase Two NEPA Regulations, 08/09/2023
- Permitting Reform Package Passes as Part of Debt Ceiling Deal, 06/12/2023
- Biden Administration Issues Long-Anticipated Environmental Justice Executive Order, 05/31/2023
- Biden Executive Order 14091 Strengthens Equity for Federal Agencies, 02/23/2023
- White House Climate and Environmental Justice Screening Tool, 02/17/2023
- CEQ Issues Updated NEPA Guidance on GHG Emissions, 01/12/2023
- D.C. Court of Appeals Remands Two Offshore Oil and Gas Leases for NEPA Inadequacy, 09/07/2022
- Biden Administration Walks Back Key Trump Era NEPA Regulation Changes, 04/26/2022
- Shifting Baselines: New Guidance from Army Corps and NMFS on ESA Compliance for Work on Existing Structures, 01/19/2022
- FEMA Seeks Input on Updating the NFIP Program, 11/03/2021
- Biden Administration Proposes to Walk Back Key Trump Era NEPA Regulation Changes, 10/12/2021
- Updated: CEQ Issues Final Rule to Modernize NEPA Regulations, 08/07/2020
- CEQ Issues Final Rule to Modernize NEPA Regulations, 07/20/2020
- FEMA Adopts Significant Changes to the National Flood Insurance Program ("NFIP") Under the Rubric of a "Clarification", 06/08/2018
- Culvert Treaty Fishing Rights Litigation: While the Ninth Circuit Denies Rehearing; Does the Dissent Provide Passage to the Supreme Court?, 06/20/2017
- Ninth Circuit Concludes that Tribes' Treaty Fishing Rights Obligate State to Fix Fish Blocking Culverts , 06/28/2016
- Oregon Communities and Developers Face Significantly Heightened Standards Following ESA Consultation on National Flood Insurance Program, 05/25/2016
- President's Executive Order Expands Regulated Floodplain to Account for Climate Change, 03/17/2015
- Court Concludes that FEMA's Implementation of the Puget Sound Biological Opinion is Close Enough for Government Work, 10/29/2014
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014