

CONTACT

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PRACTICE AREAS

Disaster Recovery
Environmental Litigation
Land Use
NEPA & State Equivalents
Pipeline & LNG
Real Estate
Real Estate & Land Use Litigation
VNF Solutions
Water Quality, Wetlands, &
Floodplains

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 law related to land use and development. She is highly-skilled at helping clients navigate overlapping and divergent federal, state and local statutes and regulations. 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 advancing changes in the 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.

Throughout her career, Molly has successfully represented both public and private entities in the permitting process for numerous medium and large scale commercial projects, including office parks, shopping centers, waterfront mixed use developments, and industrial parks. In the last decade, Molly has developed a specialty helping clients address ongoing changes in the regulations affecting development within floodplains, including changes in floodplain mapping and evolving Endangered Species Act requirements. 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 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 that will bring wind energy from Texas and Oklahoma to Tennessee. Issues range from: review and approval under Section 1222 of EPA Act 2005; guiding development of the Environmental Impacts Statement under NEPA, negotiating a complex Programmatic Agreement under the National Historic Preservation Act, Section 7 consultation under the Endangered Species Act, and permitting under Section 404 of the Clean Water Act; and defending the project approvals in federal court.
- Provides counsel to several coalitions of industry groups and property owners in Washington and Oregon related to recent changes in the Federal Emergency Management Agency's implementation of the National Flood Insurance Program. Responsibilities include: strategic counsel in response to several Biological Opinions issued by NOAA-Fisheries to FEMA 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 with hundreds of local governments participating in the NFIP regarding Endangered Species Act compliance; litigation in federal court challenging implementation of the Biological Opinions; and legislative advocacy related to the pending reauthorization of the NFIP.
- Represents the City of Sumner in developing a comprehensive approach to addressing flood hazards presented by the White River. Responsibilities include: coordinating the development of several complex floodplain and sediment transport models to assist in identifying flood risk; developing a multi-benefit approach to river management that addresses concerns about both flood risk and floodplain habitat for endangered fish species; coordinating with the Army Corps of Engineers regarding the operation of the Mud Mountain Dam and the General Investigation for the Puyallup River; and assisting

with permitting for a replacement bridge over the White River, including approvals from the Federal Highway Administration, and NEPA, Endangered Species Act, Clean Water Act, and National Historic Preservation Act review.

- Advises 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. Responsibilities included: coordinating the SEPA EIS and Planned Action Ordinance; 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.
- Served as counsel to Tacoma Waterway LLC, in the development of a mixed use hotel project along the Foss Waterway. Responsibilities included: securing several 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.
- Land use counsel to 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

"Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2012-2018
Land Use & Zoning Law, 2013-2018
Litigation-Environmental, 2012-2018
Litigation-Land Use and Zoning, 2018
Real Estate Law, 2013-2018

"Super Lawyers" by *Washington Super Lawyers Magazine*

2005, 2007-2017
"Top 50 Women Super Lawyers," 2010-2012
"Rising Star," 2004

Super Lawyers

2005; 2007-2017; 2019
"Top 50 Women Super Lawyers," 2010-2012
"Rising Star," 2004

Seattle Best Lawyers' Environmental Lawyer of the Year

2012

Association of Washington Business Heavy Lifter Award

2011

Articles and Presentations

- Presenter - 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
- Presenter, "The Evolving Role of Tribes in Permitting Decisions and Policy" - 2017 Environmental and Land Use Section Midyear Conference, Washington State Bar Association, Union WA, 05/11/2017
- Speaker, "The Department of Interior/Commerce in the Trump Era" - 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, 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
- Speaker, "Challenges in Major Project Development" - Northwest Gas Association's 2016 Annual Energy Conference, Stevenson WA, 06/09/2016
- Presenter, "Flooding and Resulting Restrictions on Development" - Growth Management Act Conference, Law Seminars International, Seattle WA, 11/19/2015
- Presenter, "Floodplains and Executive Order 11988" - 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
- Co-Chair and Presenter, "A Look at the Future: Climate Change and the Anticipated Impact on the Hydrologic Cycle" - Hydrology and the Law Conference, Law Seminars International, Seattle WA, 05/29/2015
- Program Co-Chair, Presenter, "The National Flood Insurance Program and the Endangered Species Act - Divergent Authorities and Objectives" - Floodplain Development: Regulation under FEMA and ESA, Seattle WA, 05/19/2015
- NACO Western Interstate Region Conference, Kaua'i HI, 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
- "Federal, State, and Local Responses: From Efforts to Slow Change to New Regulations, Charges and Taxes to Adapt to It" - 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
- 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

- 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