



# Redevelopment/Land Use Planning

A successful brownfield strategy goes well beyond resolution of outstanding environmental liabilities. The goal in any effective brownfield project should be to utilize a strategy to unlock the inherent value in brownfield sites. At Chapman and Cutler LLP, our goal is nothing less than the simultaneous resolution of liabilities and maximization of value for our clients' brownfield sites.

We take a comprehensive approach to brownfield projects, simultaneously addressing zoning and land use, litigation, financing, remediation and related issues that are often just as important to the overall success of a project as the resolution of environmental liabilities.

From our Salt Lake City office location in the heart of the Rocky Mountains, we are ideally located to serve the needs of our mining, energy, natural resource, municipal, and other industrial clients. Although the core focus of our practice resides in the Intermountain and Pacific Northwest regions, we routinely represent clients nationwide. Our attorneys have represented clients in environmental transactions in all fifty of the United States, as well as in Europe, Hong Kong, Indonesia and Canada.

## Midvale Slag NPL Site

The Midvale Slag Site was home to significant smelting operations dating to the late 1800s. Approximately 2.5 million tons of slag and other smelter wastes were deposited on-site. The site was listed on the NPL in 1991, but has been under active investigation since 1983.

In the late 1990s, the owner of the property retained our attorneys to formulate a comprehensive strategy for remediating the site, with an eye toward eventual redevelopment. After extensive negotiations with federal, state and local entities, a compromise was eventually reached under which the owner would remediate the site, using EPA Special Account funds, in return for generous liability releases for both the current and future owners of the site.

### Areas Of Concentration

- Project Finance Due Diligence
- Public-Private Partnerships
- Sports Facilities

### Related Practices

- Environment, Energy and Resources
- Project Finance Due Diligence
- Public-Private Partnerships
- Sports Facilities
- Utility Finance

This global settlement paved the way for an approximately 350 acre large-scale, master-planned mixed use redevelopment of the property. Our lawyers played a central role in developing a remedial design and a practical framework of institutional controls that would simultaneously provide an environmentally protective remedy and accommodate future redevelopment.

## **United Park City Mines**

Large-scale mining of the Park City mining district began in the 1870s and continued until the 1970s. During its heyday, more than 300 mines operated in the Park City area.

United Park City Mines is the owner of thousands of acres of resort quality real estate in Park City, Utah.

Over the last decade, the Company has, with assistance from our attorneys, successfully implemented a comprehensive, phased strategy to manage historic mining impacts, while simultaneously addressing development concerns, through a combination of formal remediation projects and voluntary cleanup actions. Through this approach, United Park has successfully brought hundreds of acres of multimillion dollar residential and commercial parcels to market. Our environmental team has acted as primary environmental counsel to United Park City Mines since the late 1990s.

## **Defense Depot Ogden NPL Site (DDO)**

The 1,140 acre DDO site served as a federal warehousing and distribution facility for more than 50 years. Our environmental team represented Ogden City, which acquired the contaminated property from the federal government. The site is now the location of a world class industrial and office park.

Now known as the Business Depot Ogden (BDO), the facility has been transformed into the most significant business and industrial park in Northern Utah. It now boasts over 6.5 million square feet of industrial and office space including over 650,000 square feet that has been developed since 2000. BDO is a vibrant, growing park which has undergone significant changes since the initial transfer (by lease) to Ogden City in 1997. Ogden City teamed up with a prominent regional developer and achieved striking results.

Approximately \$25 million has been spent since 1997 for infrastructure upgrades on existing and new roads, telecommunications and electrical grid upgrades, parking, water, sewer, and storm sewer upgrades, and existing building improvements. Projected infrastructure investments will exceed \$55 million. It is estimated that BDO will generate 29,000 direct and indirect jobs and result in an annual \$736 million in generated wages.

The site was awarded NAID's National Facility of the Year Award in 2002.

These projects represent only a handful of our successful environmental representations. We routinely advise our clients on environmental permitting and compliance issues, perform environmental due diligence in both extraordinarily complex and routine transactions, defend civil and criminal enforcement actions and citizen suits, and represent our clients before numerous state and federal environmental boards and agencies.