

# Snell & Wilmer

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## Christopher P. Colyer

Partner | Phoenix

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### Main Bio

As Co-Chair of the Renewable Energy Industry Group and Co-Chair of the Environmental & Natural Resources Practice Group, Chris Colyer utilizes his unique combined environmental, real estate and land use, and administrative law experience to assist clients with the development, acquisition, permitting, financing, and operation of renewable energy, industrial, commercial, and residential projects in Arizona and the western United States.

Chris' renewable energy practice includes representing clients with the development, siting, financing, and permitting of utility-scale solar and wind facilities, renewable natural gas and hydrogen projects, and related infrastructure on public, private and tribal lands. His environmental practice includes advising clients on complex environmental issues associated with real estate and corporate transactions and representing clients in federal, state, and local permitting matters, including air quality, hazardous waste, water quality, underground storage tank, and Superfund compliance.

Chris' real estate, land use, and administrative law practice includes representing large and medium-sized companies with municipal zoning approvals, liquor licensing, and other state and local governmental permitting issues. Chris also advises clients regarding compliance with federal and state advertising and marketing laws.

### Representative Experience

#### Renewable Energy

- Represented numerous energy generation facilities in obtaining all necessary state and local permits and approvals, including air, water, and land use permits
- Frequently assisted developers of utility-scale solar and wind projects through the preparation of permitting and regulatory opinions for third party lenders and tax equity investors
- Advised multiple lenders and tax equity investors regarding permitting, regulatory and real estate issues relating to financing transactions for utility-scale renewable energy and transmission projects
- Represented developers with acquisitions of multiple renewable energy projects in Arizona
- Assisted developer of 300 MW solar and battery project with respect to all facets of development, including property acquisition, leasing, and land use entitlements
- Advised multiple clients with acquisitions of real estate interests from the Arizona State Land Department for solar and wind facilities

- Represented energy company regarding the development, zoning, and environmental permitting of a utility-scale solar facility in Maricopa County, Arizona
- Advised client regarding compliance with renewable energy and business leasing requirements under federal and tribal laws for proposed solar facility on tribal land
- Drafted and negotiated construction, engineering and maintenance agreements for the development and operation of renewable energy facilities

### **Environmental & Natural Resources**

- Assisted multiple clients, including REITs, developers, and institutional investors, with environmental due diligence and management of environmental liabilities associated with the acquisition of over 500 properties in nearly every state
- Represented multiple clients, including manufacturers, dry cleaners, and others, in complex civil suits alleging claims under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Arizona Water Quality Assurance Revolving Fund (WQARF)
- Defended clients against United States Environmental Protection Agency enforcement actions alleging violations of the Resource Conservation and Recovery Act, Toxic Substances Control Act and Clean Air Act
- Drafted complex environmental agreements for the investigation, remediation, and leasing of aircraft facilities at large international airport
- Counseled and advised client regarding environmental compliance requirements related to the purchase of 20 gas stations
- Performed environmental due diligence on behalf of potential purchasers and investors regarding environmental issues at various Arizona mines, including compliance with federal, state, and local environmental permits and licenses
- Advised client regarding Arizona Aquifer Protection Permit, municipal and non-municipal solid waste landfill programs, municipal floodplain and related environmental permit issues and requirements in connection with the proposed redevelopment of a former solid waste landfill

### **Real Estate & Land Use**

- Represented clients through all aspects of the land use entitlement process, including obtaining rezonings, site plan approvals, variances, use permits, and administrative approvals from city and town councils, county boards of supervisors, municipal boards of adjustment, and planning and development departments throughout Arizona, including within the City of Phoenix, City of Mesa, City of Tempe, Town of Gilbert, City of Eloy, City of Coolidge, Maricopa County, Pinal County, and Yuma County
- Represented home builder in rezoning and entitlement of 170-unit single-family subdivision in Phoenix, Arizona
- Assisted client in acquisition, development, and entitlement of 300,000 square foot beverage distribution facility
- Obtained special use permit and variance for client's proposed cannabis facility

### **Other Representative Experience**

- Advised large international retailer regarding compliance with federal and state marketing laws impacting its advertising in all 50 states

- Defended large construction and engineering companies against private party claims alleging construction or engineering defects
- Defended client in international arbitration matter against claimant seeking over \$260 million in damages for alleged breach of contract

## Education

- University of Kansas School of Law (J.D.)
  - Kansas Law Review, Articles Editor
  - Business and Commercial Law Certificate Recipient
  - Robert E. Edmonds Award Recipient for Excellence in Corporate and Securities Law
  - University of Kansas School of Law Curriculum Committee Member
- University of Kansas (B.S., Business Administration, Emphasis in Finance)
  - Honor Societies: Beta Gamma Sigma and Golden Key International

## Professional Memberships & Activities

- State Bar of Arizona
  - Environmental & Natural Resources Law Section
    - Chairman (2020-2021)
    - Chair-Elect (2019-2020)
    - Executive Council Secretary (2018-2019)
    - Budget Officer (2017-2018)
    - Program Chair (2016-2017)
    - Member at Large (2014-2016)
- American Bar Association
- Arizona Association of Defense Counsel
- Defense Research Institute
- Maricopa County Bar Association
  - Environmental Law Section
    - Board Member (2012-2017)
- University of Kansas School of Law
  - Board of Governors (2017-2022)
- ASU Mentorship Initiative in Sustainability Law
  - Mentor

## Representative Presentations & Publications

- "Renewable Energy and the Inflation Reduction Act of 2022," Presenter, Snell & Wilmer Webinar (September 9, 2022)
- ["In Case You Missed It: Key 2021 Environmental, Natural Resources, and Oil and Gas Topics,"](#) Author, Snell & Wilmer Environmental, Natural Resources, Oil & Gas Law Blog (May 28, 2021)

- "Environmental and Natural Resources Law Update," Moderator, Arizona State Bar Convention (December 1, 2020)
- "PFOS/PFOA Primer," Presenter, Arizona State Bar Convention (December 1, 2020)
- "[States Challenge EPA's COVID-19 Enforcement Policy](#)," Co-Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (June 2, 2020)
- "[EPA Announces COVID-19 Interim Field Work Guidance](#)," Co-Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (April 14, 2020)
- "[ADEQ Issues COVID-19 Memo of Compliance & Enforcement](#)," Co-Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (April 3, 2020)
- "[EPA Seeks Comment on Further PFAS Regulation](#)," Co-Author, S&W Environmental, Natural Resources, Oil and Gas Law Blog (December 9, 2019)
- "[PFAS: The Forever Chemicals Gaining Regulatory Attention](#)," Co-Author, S&W Environmental, Natural Resources, Oil and Gas Law Blog (December 3, 2019)
- "[EPA to Take Action to Improve Cost-Benefit Analyses for Agency Rulemakings](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (May 2019)
- "In-House Counsel Tool Kit: Employment Law Update," Moderator (November 14, 2018)
- "In-House Counsel Tool Kit: Managing and Protecting Intellectual Property," Moderator (September 20, 2018)
- "[Arizona Governor Doug Ducey Signs Legislation to Eliminate 'Chevron Deference'](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (April 13, 2018)
- "[Seven Months into the Trump Administration, Outlook of Controversial Obama-Era Ozone Standard Remains Hazy](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (August 25, 2017)
- "Preserving Subcontractor Claims for Delay, Disruption, and Cumulative Impacts," Co-Author, The American Subcontractors Association's Contractor's Compass (June 2017)
- "Getting More Pay and Less 'If' from Pay-If-Paid Clauses," Presenter, DHI ConNextions 2017 (May 10, 2017)
- "Eliminating Unnecessary Retainage," Co-Presenter, DHI ConNextions 2017 (May 10, 2017)
- "[Trump Cabinet Selections Signal Potential Changes to Environmental Regulations](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (December 20, 2016)
- "[Unconventional Business Development Tactics for Every Young Lawyer](#)," Author, Defense Research Institute's the Whisper Newsletter, Volume 12, Issue 10 (November 1, 2016)
- "[In a Victory for Businesses and Developers, the United States Supreme Court Holds that Clean Water Act Jurisdictional Determinations Are Appealable](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (May 31, 2016)
- "Environmental Considerations with Respect to Land Use," Presenter, National Business Institute (March 4, 2016)
- "[High Court Stay Could Spell Doom For EPA's Clean Power Plan](#)," Quoted in Article by Keith Goldberg, Law360 (February 10, 2016)
- "[Clean Water Rule Halted in Arizona and Twelve Other States](#)," Co-Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (August 31, 2015)

- "[EPA Issues a New, Lower Ozone Standard that Will Prove to Be a Challenge to Many States](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (October 2, 2015)
- "[ADEQ Issues New and Revised Rules Regarding Agricultural Best Management Practices to Reduce Particulate Matter Emissions in Arizona Non-Attainment Areas](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (July 21, 2015)
- "[EPA and the National Highway Traffic Safety Administration Issue Proposed Green House Gas Rules for Medium and Heavy-Duty Vehicles](#)," Author, Snell & Wilmer Environmental, Natural Resources, Oil and Gas Law Blog (June 24, 2015)
- "Dust Control Regulations Impacting Maricopa County Construction Sites," Presenter, State Bar of Arizona, Construction Law Section CLE Lunch Program (November 5, 2014)
- "Utilize 'Certificate of Merit' Statutes to Dismiss Frivolous Lawsuits in Early Stages of Litigation," Author, Defense Research Institute's the Whisper Newsletter, Volume 10, Issue 9 (October 7, 2014)
- "[Lender Liability for Clean Water Compliance](#)," Co-Author, American Bar Association's Natural Resources & Environment, Volume 25, Issue 4 (Spring 2011)
- "Searching for a Solution: The Lanham Act's 'Use in Commerce' Requirement in Search Engine Keyword Advertising Cases," Comment, Kansas Law Review, 56 University of Kansas Law Review 679 (2008)

## Professional Recognition & Awards

- The Best Lawyers in America®, Construction Law, Energy Law (2023-2024)
- Southwest Super Lawyers®, Rising Stars Edition, Environmental (2016-2022)

## Community Involvement

- City of Phoenix Central City Village Planning Committee
  - Member (2019-Present)
- City of Phoenix South Central Transit Oriented Development Steering Committee
  - Member (2019-2022)
- Herberger Theater Center
  - Treasurer (2016-2018)
  - Board Member (2016-2018)
  - Young Leadership Board, Founder (2016-2018)
  - Finance Committee (2016-2018)
  - Contributed Revenue Committee (2017-2018)
  - Objects d'Art Auction Committee (2016)
- Active 20-30 Club of Phoenix (2013-2018)
  - Active Member
  - Membership Committee
- Arizona Myeloma Network
  - Board Member (2010-2016)
- University of Kansas Alumni Association, Phoenix Chapter, Chapter Leader (2012-2021)
  - 2014 Dick Wintermote Chapter Volunteer of the Year Award Recipient

- Duckhut Invitational Charity Golf Tournament Benefitting the American Cancer Society
  - Founder and Organizer (2005-2007)

## **Previous Professional Experience**

- City of Mesa Attorney's Office, Snell & Wilmer Public Service Fellowship Attorney (2009-2010)
- Douglas County, Kansas District Court, Law Clerk to Hon. Michael Malone (2007-2008)
- Payless ShoeSource, Inc., Financial Analyst (2004-2006)
- The Wagon Wheel, Manager (2002-2004)

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- United States District Court, District of Arizona

## **Client News**

- Snell & Wilmer Advises on \$11 Billion Financing of Largest Clean Energy Infrastructure Project in U.S. History