

Kathleen D. Kapla

Experience

Kathleen Kapla assists renewable energy developers and other businesses with real estate and title matters, environmental, title, and permitting due diligence, as well as general commercial transactions. As the principal of Kapla Law PLLC, Ms. Kapla's practice focuses real estate, project development agreements, and transactions related to the development, acquisition, and sale of wind, solar, and other renewable energy projects. From 2004 until 2010, she was an associate at the law firm of Stoel Rives LLP where she was active in the firm's Renewable Energy, Solar, and Wind initiatives. In addition to Kapla Law PLLC, Ms. Kapla is Of Counsel with the California-based law firm of Keyes, Fox & Wiedman LLP, which focuses on distributed generation solar power regulation, policy, compliance, and project transactions. Ms. Kapla is a member of the Oregon and Washington State Bar Associations, and is a cum laude graduate of the Lewis & Clark Northwestern School of Law, where she was Editor-in-Chief of *Environmental Law*.

Representative Work

- Assists wind, solar, and biofuels project developers build, operate, buy and sell renewable energy projects.
- Represents some of the world's largest wind energy developers in the negotiation and execution of real property right agreements, including leases, access and transmission easements, co-development agreements, and license contracts.
- Assists clients in drafting and negotiating consulting contracts, O&M agreements, asset purchase and sale agreements, membership interest purchase agreements, and other corporate transactions relating to the operation, transfer and sale of renewable energy projects.
- Advises solar energy developers in the negotiation of leases and power purchase and sale agreements for commercial and residential solar photovoltaic (PV) projects, utility-scale PV and solar thermal development leases, EPC agreements, O&M agreements, and related transactions.
- Conducts due diligence investigations relating to title and real estate assets for solar and wind energy mergers and acquisitions.
- Represents clients in reporting agricultural land interests under the Agricultural Foreign Investment Disclosure Act of 1978, 7 U.S.C. 3501 3508 (AFIDA) and state statutes relating to foreign interests in agricultural lands.
- Represents (pro bono) applicants for political asylum before the U.S. Department of Homeland Security, Bureau of Citizenship and Immigration Affairs.

Presentations

- Speaker, "Understanding the Uncertainties of Wind Rights," Realtors Land Institute, 2012 National Land Conference, Denver, Colorado, March 2012.
- Poster Presenter, "When Good Land Rights Go Bad: Emerging Issues in Wind Energy Land Agreements," AWEA Windpower 2009, Chicago, Illinois, May 2009.
- Speaker, "Financing Small Biofuels Projects," Conference: Making Renewable Energy Projects Happen, Portland, Oregon, Apr. 2008

- Speaker, "Emerging Trends in Biofuels Finance," American Bar Association (ABA) Business Section Meeting, Dallas, Texas, Apr. 2008
- Speaker, "Overcoming Multi-jurisdictional Hurdles in Siting and Permitting Ocean and Tidal Energy Projects (Or, 'Dude, That's My Wave')," POWERGEN Renewable Energy and Fuels, Las Vegas, Nevada, Feb. 2008
- Moderator, "Clean Energy on the Vine," Harvesting Clean Energy Conference VIII, Portland, Oregon, Jan. 2008

Publications

- "Minimizing Overlap in PV System Approval Process: Case Studies and Analysis," co-author, Interstate Renewable Energy Council (IREC), Oct. 2013.
- White Paper, "Financing Solar PV at Government Sites with PPAs and Public Debt," researcher and contributor, National Renewable Energy Laboratory, Dec. 2011.
- "Considerations for Negotiating Wind Project Land Agreements," coauthor, *North American Windpower* magazine, April 2011
- "Severing Wind Rights Raises Legal Issues," coauthor, *North American Windpower* magazine, Oct. 2010
- "Wind Energy Lease Agreements," coauthor, Chapter 1, *The Law of Wind* (Vols. 3, 4, and 5), Stoel Rives LLP
- "Solar Project Property Rights," coauthor, Chapter 1, *Lex Helius: The Law of Solar Energy* (Vol. 1), Stoel Rives LLP
- "Wind Advisory," coauthor, *Los Angeles Lawyer*, Magazine of Los Angeles County Bar Assoc., Jan. 2008
- "ESA Incidental Take Authorizations," coauthor, Oregon Insider Issue #360, Jan. 2005

Professional Activities

- Member, Women of Wind Energy, Seattle Chapter
- Member, Renewable Northwest Project
- Member, American Wind Energy Association
- Member, Environment and Energy Section, Oregon State Bar Association
- Member, Mother Attorneys Mentoring Association (Seattle Chapter)

Education

- Lewis and Clark Law School, J.D., 2003, *cum laude*
 Editor in Chief, *Environmental Law*, 2002-2003
 Natural Resource and Environmental Law Certificate
- University of Washington, B.A. English, 1993

Admissions

- Oregon
- Washington
- U.S. District Court for the District of Oregon

Contact

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