

EXPERIENCE:

Kathleen Kapla represents renewable energy developers and property owners in negotiating and securing real property rights for wind and solar energy projects. She also supports clients in identifying and curing title and survey issues. Kathleen's practice also includes advising renewable energy project sponsors and financing parties on federal environmental laws and permitting compliance.

Kathleen routinely supports transactions relating to the development, operation, transfer and financing of renewable energy and infrastructure projects. She advises lenders and project developers on key issues for the successful development and long-term operation of renewable energy projects under the Endangered Species Act, Clean Water Act, the Comprehensive Environmental Response, Compensation and Liability Act, and other laws. She regularly represents clients in conducting due diligence investigations into compliance with federal environmental laws and their state counterparts, including those related to hazardous materials, wetlands, waters of the United States, protected species, hazards to air navigation, zoning, and air quality.

Kathleen understands the challenges facing landowners and project developers as they negotiate and enter into long-term real property contracts. Kathleen understands the requirements of tax equity and lender partners with respect to site leasing and title matters, and works to create collaborative solutions to benefit all parties over the life of a renewable project.

PRESENTATIONS:

- Co-presenter, "Negotiating Site Control Agreements for Renewable Energy Projects," Agricultural Law in the Northwest, The Seminar Group, Hood River, Oregon, July 2022.
- Co-presenter, "Negotiating Site Control Agreements for Renewable Energy Projects," Pacific Northwest Timberlands Management, The Seminar Group, Portland, Oregon, March 2022.
- "Solar Leases on Agricultural Lands," Oregon State Bar Agricultural Law Section CLE, 2021.
- Presenter, "Homeowners Associations and Solar PV Installations: Putting RCW 64.38.055 to Practical Use for Washington HOAs," Solar Washington General Meeting, April 2021.
- Speaker, "Homeowners Associations and Solar PV Installations: Laws, Guidance, and Model Resolutions for HOAs in Washington and Oregon," Solar Washington General Meeting, March 2015.
- Speaker, "Understanding the Uncertainty of Wind Rights," Realtors Land Institute, 2012 National Land Conference, Denver, CO, 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," 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')," POWER-GEN Renewable Energy and Fuels, Las Vegas, Nevada, Feb. 2008
- Moderator, "Clean Energy on the Vine," Harvesting Clean Energy Conference VIII, Portland, Oregon, Jan. 2008

SAMPLE PUBLICATIONS:

- "Solar Power Purchase Agreements – A Toolkit for Local Governments," co-author, Interstate Renewable Energy Council (IREC), Mar. 2015.
- "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," co-author, North American Windpower Magazine (April 2011)
- "Severing Wind Rights Raises Legal Issues," coauthor, North American Windpower Magazine (October 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

EDUCATION:

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

ADMISSIONS:

- State Bar of Washington
- State Bar of Oregon