

HOW TO: CHOOSE AN ENVIRONMENTAL CONSULTANT

Hire help to limit exposure to environmental issues

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SPECIAL TO THE JOURNAL

As an environmental issues lawyer with a heavy focus on real estate, **Greenberg Traurig** attorney **Hamilton Hackney** often needs to call in experts.

From routine due diligence before a property is purchased, to environmental remediation in projects completed under the state's 21E regulations, to landfill closures, Hackney turns to specialists who can help his clients evaluate risk and who can help projects measure up to the expectations of regulators.

From a legal perspective, carefully prepared expert reports can help minimize liability, especially when federal brownfields regulations kick in on cleanup projects.

"Strong expertise is essential in situations where environmental issues arise," Hackney says.

While regulatory changes have helped persuade more developers to take on projects with environmental risks, the regulatory requirements still demand strong expertise and many developers and business owners turn frequently to environmental consultants to help them navigate the regulatory system and evaluate whether projects are worth the investment.

In larger projects, environmental con-



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Christine Mosholder, a partner with Corporate Project Partners, says communication is key for environmental consultants.

sultants can also help a developer find ways to integrate cleanup or containment into a project, saving money in the long run, says Hackney. "It's often useful to go above and beyond what's

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- Expert reports can help minimize liability when environmental issues arise.
- Your environmental expert should have the ability to communicate with regulatory officials and community groups.
- Call in an environmental expert in the early stages of a project. Go beyond what is needed at the due-diligence stage.

needed at the due-diligence stage and include more development related considerations," he adds.

Perhaps the most important function an environmental consultant serves is to communicate, both with the regulatory agencies who speak the language of the experts, as well as the community groups and local permitting authorities who don't, says **Christine Mosholder**, a partner with **Corporate Project Partners**, a seven-year-old real estate project management firm in Boston.

"A lot of the value of a firm is relationship-driven," Mosholder says.

"Many firms have built relationships with a particular agency, whether at the state or federal level. My recommendation is always to have people who have been in a particular region

for a number of years. They'll know the right people to talk and should have good relationships."

Most consultants bring a certain expertise to the table. Some deal best with hazardous-materials issues, others have deep expertise with water, and still others may be called in to deal with air pollution concerns raised by some manufacturing operations, for instance.

Consultants may be hired by developers or businesses directly or hired by general contractors or project managers to join a development team. Often, environmental consultants are called in to evaluate and review the earlier work of fellow consultants — such as when a prospective buyer of a property reviews a site assessment prepared for the seller.

Ileen Gladstone, vice president of **GEI Consultants Inc.**, a Woburn-based environmental consulting firm that specializes in geotechnical engineering and water resources issues, says the ideal situation is for a consultant to be called in as early as possible in the life of a project.

"Ideally, we should be involved in the early planning stages," she says. "The environmental considerations might affect choices in the programming of a development project down the road."