



DAVID B. FARER

environmental & brownfields

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BEST LAWYERS IN AMERICA
CHAMBERS USA LEADER IN FIELD
AMERICAN COLLEGE OF
ENVIRONMENTAL LAWYERS
NEW JERSEY "SUPER LAWYER"
MARTINDALE-HUBBELL AV RATING

David B. Farer is a director of the firm and chair of our Environmental & Brownfields practice group. He is a nationally-renowned environmental lawyer.

David established the firm's environmental practice in 1984. For the past twenty-five years he has remained on the cutting edge of developments in the environmental law sector. He has extensive experience in counseling clients on the impact of environmental laws on transactions in New Jersey and around the nation, cleanup and redevelopment of contaminated properties including brownfields, environmental compliance and insurance issues, resolution of environmental issues in bankruptcy proceedings and litigation arising from those issues, and the emerging field of sustainable development and green building.

He advises clients on environmental contractual protection techniques, due diligence, transaction-triggered environmental laws such as ISRA, funding options for brownfields redevelopment, and environmental disclosures. He has substantial experience as special environmental counsel in bankruptcy proceedings, dealing with state and federal environmental authorities in the process of estimating and resolving environmental liabilities of bankrupt entities.

In the area of sustainable building and redevelopment, David counsels clients on a wide range of issues including the "greening" of leases and contracts, environmental insurance for green projects, financial incentives and funding options for solar energy applications and other green initiatives, and compliance matters including those related to LEED certified projects under U.S. Green Building Council guidelines.

The Chambers USA client's guide writes of David: 'One of the best environmental lawyers I've worked with', according to one client, David Farer impresses with his sound advisory work. The review notes that "it is hard to ignore his influence on the sector," and concludes: "Working 'hand in glove' with him, clients happily report that he is their first port of call for complex matters."

David is a fellow in the prestigious American College of Environmental Lawyers (ACOEL), a professional association of preeminent lawyers who concentrate in the field of environmental law. David is honored to be the first New Jersey attorney invited to membership in this highly selective association. He is a member of ACOEL's Executive Committee and serves as co-chair of the group's Program and Education Committee. A special ACOEL presentation on the Obama administration's environmental initiatives and priorities recently afforded David the honor of interviewing David J. Hayes, Deputy Secretary, U.S. Department of the Interior. An audio of this interview is available on the ACOEL website.

For the past twenty-five years, David has lectured throughout the country and has written extensively on environmental law issues. He developed and chairs two American Law Institute-American Bar Association (ALI-ABA) national courses of study: "The Impact of Environmental Law on Real Estate and Business Transactions: Brownfields and Beyond," has been presented annually since 1987 and will next be presented in Washington, D.C. in October 2010. "Environmental Insurance" was presented in Boston in May 2008.

Since the mid-1980s, David has developed and presented numerous seminars for the New Jersey Institute for Continuing Legal Education (NJICLE), including his longstanding series of lectures and associated manuals on New Jersey's Industrial Site Recovery Act (ISRA) and New Jersey's Brownfield Law. In May 2009 he presented his latest NJICLE program which focused on the new Site Remediation Reform Act (SRRA) and its Licensed Site Remediation Professional (LSRP) program.

Among David's many books and articles are: "ISRA Compliance: Environmental Issues in Transactions and Brownfield Redevelopment, 6th Ed." (NJICLE 2009), "Contractual Allocation of Environmental Risks in Transactions" (ALI-ABA Course of Study Materials, 2008), and "Brownfield Redevelopment Initiatives: Federal and Selected State Developments" (ALI-ABA 2008).

David argued successfully before the Third Circuit Court of Appeals in *U.S. v. CDMG Realty Co.*, where the court held that an interim property owner cannot be held responsible under the federal Superfund law for "passive migration" of pre-existing contamination.

David graduated from Lafayette College with a B.A. in 1975 and from Boston University Law School in 1978.

David is named in "Best Lawyers in America" and is recognized as a leader in environmental law in the Chambers USA Client Guide. He is named a New Jersey "Super Lawyer," and is accorded Martindale-Hubbell's highest AV rating.