

Chad Baker blends extensive legal and scientific experience to solve complex problems in mining, industry, manufacturing, major infrastructure, and development. Representing multinational conglomerates, public entities, and small businesses, Chad helps clients clean-up historic releases, manage environmental liabilities, and develop and prepare for tomorrow's energy systems.



Chad Baker

Shareholder | Salt Lake City

Biography

Chad Baker is a shareholder at Parsons Behle & Latimer where he helps clients identify and implement practical solutions to address environmental, natural resource and energy issues throughout all phases of a project's lifecycle, including due diligence, permitting, compliance, regulatory enforcement and divestment or closure. Before joining Parsons Behle & Latimer, Mr. Baker held in-house roles with an international mining company, and a national environmental engineering firm. Mr. Baker holds a Juris Doctorate as well as a master's degree in Environmental Science and Engineering. He currently serves on the board of the National Ability Center – an adaptive organization making recreation and outdoor adventures accessible to people of all abilities; and on the Executive Committee and Board of the Utah Mining Association, where he is the past Board Chair. He also served two terms on the U.S. Bureau of Land Management's Utah Resource Advisory Council.

Representative matters include:

Superfund, Closure, and Redevelopment:

- Representing clients in the cleanup and closure of uranium mine and mill sites involving federal, state, and tribal agencies and laws and regulations.
- Represented a client in developing and implementing international standards for closure and tailings impoundment management based on international standards, best practices, and applicable local laws.
- Obtained a ready for reuse (RfR) from EPA to facilitate utility scale solar development within a Superfund Site study area. The RfR is only the second RfR to be issued by EPA

Contact information

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Capabilities

Appeals
Construction Litigation
Corporate
Environmental Litigation & Administrative Appeals
Government Relations & Lobbying
Insurance Litigation

Licensed/Admitted

Arizona
California
Utah
Minnesota (voluntarily inactive)
U.S. Dist. Court, Dist. of Arizona
U.S. Court of Appeals, 9th Circuit
U.S. Dist. Court, Dist. of Utah
U.S. Court of Appeals, 10th Circuit

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before it had completed the Superfund Site's record of decision.

- Representing a Bona Fide Prospective Purchaser (Lessee) in negotiations with EPA and state regulators for an AOC to manage environmental liabilities associated with exploration and potential mine reopening of a historic mine currently on the National Priorities List.

ESG and Climate Change:

- Representing clients in working with first nations to clean up contaminated areas within their lands and resolve claims for lost cultural resources, natural resource damages, and clean up oversight costs.
- Assist international mining company with shutting down 175 MW coal fired power plant, negotiating special contract with local utility, and acquiring renewable energy credits (RECs) equal to "offset" energy to advance company's carbon neutral goals.
- Advise Fortune 500 company on potential climate change requirements and implications related to investment in a large capital, long-life project.

Crisis Response and Management:

- Managed legal response as a member of a business resilience team during Manefy slide, believed to be the largest landslide in mining history.
- Advice and assist clients with regulatory reporting and response to industrial upset events and releases of hazardous substances.

Regulatory Compliance and Enforcement:

- Advise a client on the shipment of hazardous materials across international boundaries under international treaties and conventions.
- Advise clients on compliance with the migratory bird treaty act and endangered species act associated with project development and permits.
- Assist client in operating a wetland mitigation bank for addressing permitting impacts to Water of the United States.
- Represent mining company in response to agency demands and orders regarding off-site releases from pipeline failures and in response to significant storm events.

Government Affairs:

- Assisted international mining company in preparing public comments and regulator engagement challenging EPA's proposed rule for CERCLA 108(b) financial assurance requirements for the hardrock mining industry.
- Represented trade association in working with Utah Division of Oil, Gas, & Mining to develop rules governing suspension of large mining operations.

Experience

Representing Client in CERCLA Interim Removal Action

Parsons represents a large mining company concerning the former uranium mines on Native American lands in Eastern New Mexico, including execution of an AOC and MRM at the sites.

Solar Energy Acquisition

Represented buyer in acquisition of multiple utility scale solar projects totaling over 350MW and involving private, state and BLM land. Since acquisition, finalized permitting, land acquisition, environmental, title, and tax issues.

Renewable Energy

Represented client in securing construction financing and in the sale of equity in multiple utility scale solar projects totaling more than 350MW, and private, state and BLM land.

Sale of One of the World's Largest Gold Companies to Junior Mining Company

Represented client in sale of a gold mine to a junior mining company. Structured the sale, negotiated/documentated all aspects of the transaction, including a private placement and the payment of a mine mortgage.

Environmental and Land Use Compliance

Lead land use, entitlement, water and environmental counsel for approval and operation of a 60-bed inpatient, adolescent therapeutic boarding school including negotiation of a Conditional Use Permit.

Transactions and Compliance for Multiple Solar Projects

Represented buyer in a transaction for the acquisition of multiple utility scale solar projects in varying stages of development, totaling over 350 MW and involving private, state and Bureau of Land Management (BLM) land. Performed due diligence; contract and agreement work. Since acquisition, conducted permitting, land acquisition, environmental, title, tax and other work including securing bona fide prospective purchaser protections that involved Brownfields property; EPA support in obtaining a Ready for Reuse determination.

Accomplishments

Academic

Arizona State University College of Law (2004, J.D.)

Cum laude

Center Scholar, ASU Center for the Study of Law, Science and Technology

William H. Pedrick Scholar

Honors Legal Method and Writing

Dean's Advisory Committee on Student Recruitment

Editor, *Jurimetrics: The Journal of Law, Science, and Technology*

Oregon Graduate Institute of Science & Technology (M.S., Environmental Science & Engineering, 1998)

University of Wisconsin – Eau Claire (B.S., Biology, 1997)

Magna cum laude

Associations

Professional

TerraLex – Co-Chair Energy & Environmental Practice Group

Utah Mining Association - Executive Committee and Past Board Chair

American Bar Association

National Mining Association
(Former) co-chair water quality subcommittee

U.S. Bureau of Land Management Resource Advisory Council – (Former) Energy and Minerals Representative

Community

National Ability Center - Executive Committee and Board Member

Articles

“Chapter 12, ASTM Non-Scope Issues, Asbestos, Lead-Based Paint, Mold and Indoor Air Concerns,” *American Bar Association, Environmental Aspects of Real Estate and Commercial Transactions, 5th Edition*, March 2, 2021

“Selected Developments 2017-2018,” *Utah State Bar Energy, Natural Resources and Environmental Law Section*, May 17, 2018

“For Solar Plant Developers, It’s Not All Fun in the Sun,” *Squire Sanders & Dempsey L.L.P., Environmental Bulletin*, Oct. 14, 2009 (Co-authored with Peter W. Culp)

Genus VI. *Methanosalsum* gen. nov. in 1 *BERGEY’S MANUAL OF SYSTEMATIC BACTERIOLOGY* 287–89 (George Garrity et al. eds., 2d ed. 2001) March 15, 2001 (Co-authored with D.R. Boone)

Presentations

“Natural Resources Industry Liquidity, Compliance and Operational Challenges,” Parsons Behle & Latimer Webinar, Apr. 1, 2020

“U.S. Mining Law Short-Course Presentation,” American Exploration & Mining Association (AMEA) Annual Meeting, Dec. 12, 2018

“Conflict Management,” Guest Lecture, Environmental Dispute Resolution Program, University of Utah College of Law, March 26, 2015

“Potential Public Consultation and Participation Mechanisms,” Conference on Confidence Building Measures for Genetically Modified Food, Arizona State University College of Law Dec. 6, 2002 (Co-presented with Gary Marchant and Andrew Askland)