



Craig P. Wilson

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OVERVIEW

Craig Wilson is managing partner of the firm's Harrisburg office and practice group coordinator for the firm's global environment, land and natural resources practice group. Craig concentrates his practice in the areas of energy, environment and natural resources, and has counseled clients who are developing and operating energy projects and other commercial and industrial projects, clients who are seeking environmental permits and zoning and land development approvals from government agencies, clients who are engaged in manufacturing, clients who are exploring for, producing and transporting natural gas, clients who are acquiring and operating agricultural properties and facilities, clients who are engaged in mining or quarrying, and clients who are parties to business transactions or litigation involving potential environmental rights or liabilities.

PROFESSIONAL BACKGROUND

Craig has been associated with K&L Gates since 1992 and a partner with the firm since 2001.

ACHIEVEMENTS

- Recognized in *Central Penn Business Journal's* 2024 Power List for Law, 2024
- Recognized by *The Best Lawyers in America*® as Lawyer of the Year for Litigation - Environmental in Harrisburg, Pennsylvania, 2024
- Recognized by *The Best Lawyers in America*® for Environmental Law (since 2015) as Lawyer of the Year in Harrisburg, Pennsylvania, 2018, 2020, and 2023
- Recognized by *Chambers USA* guide for Environment in Pennsylvania, 2007-2023
- Named one of the *Lawdragon Green 500: Leaders in Environmental Law*
- *Who's Who in Energy* published by the American City Business Journals in Dallas, Denver, Houston, Pittsburgh, and San Antonio, 2011-2016)
- Martindale-Hubbell "AV" rating (very high to preeminent legal ability)

PROFESSIONAL / CIVIC ACTIVITIES

- American Bar Association (Co-Chair Annual Water Law Conference 2011)
- Federal Bar Association (Member)
- Pennsylvania Bar Association (Member)
- Rocky Mountain Mineral Law Foundation (Co-Chair, Annual Water Law Institute, 2020 & 2021)

SPEAKING ENGAGEMENTS

- The Supreme Court's Ruling in *County of Maui*: What Does It Mean for Water Practitioners?, panel moderator, Rocky Mountain Mineral Law Foundation, June 2020.
- Pipelines, presented at Pennsylvania Bar Institute's Environmental Law Forum, April 2016.
- Environmental Compliance Issues Conference, Pennsylvania Chamber of Business and Industry, October 2015.
- What is Going on Down There? Hydraulic Fracturing Issues, panel moderator, American Bar Association, Section of Environment, Energy, and Resources, 32nd Annual Water Law Conference, June 2014.
- Agriculture – Land, Water, and the Environment, panel moderator, American Bar Association, Section of Environment, Energy, and Resources, Spring Conference, March 2013.
- Shale Oil & Gas – The Lower 48 Experience – Will It Translate to Alaska?, presented at Meet Alaska, January 2013.
- Oil & Gas Track - Shale State Regulatory and Legislative Update, presented at Kentucky Mineral Law Conference, Energy & Mineral Law Foundation, October 2012.
- The New Regulatory Environment and Emerging Legal Challenges, panel moderator, Oil Council North America Assembly, October 2012.
- From the Regulators' Chair: A Three State Perspective, presented at K&L Gates Fifth Annual Appalachian Basin Oil & Gas Seminar, April 2012.
- Hydraulic Fracturing, presented at Great Lakes Water Conference, November 2011.
- Water & Wetland Crossings – The Role of the State vs. U.S. Army Corps in Permitting Linear Projects, presented at K&L Gates Fourth Annual Appalachian Basin Oil & Gas Seminar, May 2011.
- Water & Wastewater Issues in Shale Development, presented in connection with Short Course on the Law of Shale Gas Plays, sponsored by The Institute for Energy Law, The Center for American and International Law, June 2010.
- Understanding Water Management Regulations, presented at Key Environmental Issues Compliance Conference, Pennsylvania Chamber of Business and Industry, October 2009.

EDUCATION

- J.D., Vermont Law School, 1992 (*summa cum laude*; *Managing Editor, Vermont Law Review*)
- M.S.E.L., Vermont Law School, 1992 (*summa cum laude*)
- B.A., Dartmouth College, 1987

ADMISSIONS

- Bar of Montana
- Bar of New York
- Bar of Ohio
- Bar of Pennsylvania
- Appellate Division of the New York Supreme Court
- Supreme Court of the United States
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP POWERED BY HUB

- 5 June 2023, US Supreme Court Issues Landmark Clean Water Act Decision, Significantly Narrowing the Scope of "Waters of the United States" Under Federal Law
- 31 May 2023, EPA's Draft Plastics Strategy: A Road Map of What Comes Next
- 17 March 2023, EPA Releases Proposed PFAS Drinking Water Standards and Expands List of Regulated Substances
- March 2021, Environmental Landscape 2021: The Biden Transition
- 4 February 2021, Carbon Quarterly – Volume 2
- 8 October 2020, Carbon Quarterly – Volume 1

- 28 April 2020, Muddied Groundwater: New Supreme Court Test Adds Confusion and Uncertainty to Clean Water Act Permitting Jurisdiction
- 25 March 2020, COVID-19: Businesses Face Supply Chain Challenges as Pandemic Triggers State 'Stay at Home' and Business Curtailment Orders
- 31 August 2018, Trump Administration Releases Clean Power Plan Replacement Proposal
- 17 July 2018, SCOTUS Ruling Gives Florida Chance to Prevail in Water War Against Georgia
- 4 June 2018, New Mexico Files Counterclaims Against Texas and the United States in Latest Chapter of Interstate Water Compact Dispute
- 12 March 2018, SCOTUS Rules United States May Pursue Its Interstate Water Compact Claims in Texas v. New Mexico and Colorado
- 12 February 2018, SCOTUS Wades into Water Wars
- 11 July 2017, Pennsylvania Supreme Court Issues Transformative Decision in Environmental Rights Amendment Case
- Fall 2016, Environmental Policy Quarterly
- 4 August 2016, CEQ Issues Final Greenhouse Gas Guidance Directing Federal Agencies to Consider Climate Change in their NEPA Reviews
- 1 July 2016, Federal Judge: Authority Lacking for Regulation of Hydraulic Fracking
- Spring 2016, Environmental Policy Quarterly
- Winter 2016, Environmental Policy Quarterly
- 22 December 2015, Defining the Scope of Waters of the United States: Supreme Court to Decide Whether Federal Courts Will Be Able to Review Clean Water Act Jurisdictional Determinations
- Fall 2015, Environmental Policy Quarterly
- Spring 2015, Environmental Policy Quarterly

OTHER PUBLICATIONS

- "U.S. Supreme Court Issues Landmark Clean Water Act Decision, Significantly Narrowing the Scope of 'Waters of the United States' Under Federal Law," *Thomson Reuters Westlaw Today*, 8 June 2023
- "A Significant First Step For Pa. Carbon Capture Programs," *Law360*, 5 April 2023
- "Water Quality," Chapter 4 in *Pennsylvania Environmental Law and Practice*, (9th edition 2017).
- "A Primer on Litigation That Involves Alleged Water Well Contamination from Hydraulic Fracturing," Chapter 6 in *Environmental and Health Issues in Unconventional Oil and Gas Development*, by Craig P. Wilson and Anthony R. Holtzman. 2016.

- Co-Author, CEQ Issues Final Greenhouse Gas Guidance Directing Federal Agencies to Consider Climate Change in Their NEPA Reviews, *Pratt's Energy Law Report*, Vol. 16-9, 4 August 2016
- "Environmental Policy Quarterly," Craig P. Wilson, editor, 2013-2016.
- "Environmental and Health Issues in Unconventional Oil and Gas Development," Chapter 6 – A Primer on Litigation That Involves Alleged Water Well Contamination From Hydraulic Fracturing, *Elsevier Inc.*, December 2015
- "Water Resources," Chapter 7 in *Pennsylvania Environmental Law and Practice*, (7th edition 2012, 8th edition 2015).
- "Priorities for Permitting & Compliance in PA, WV and NY," panel moderator at *K&L Gates Third Annual Appalachian Basin Oil & Gas Seminar*, April 2010
- "Understanding Water Management Regulations," presented at *Key Environmental Issues Compliance Conference, Pennsylvania Chamber of Business and Industry*, October 2009
- "Infrastructure Development – Navigating the Regulatory Maze," presented at *K&L Gates Second Annual Appalachian Basin Oil & Gas Seminar*, April 2009
- "Marcellus Shale – Water Resources Challenges," *Pennsylvania Oil & Gas Association Annual Meeting*, September 2008
- "Legal/Regulatory Update of Matter Impacting Water Industry," *Water Finance & Investment Summit*, November 2007
- "Case Studies Involving Special Protection Waters," *Water Resources Association of the Delaware River Basin Fall Conference*, November 2007
- "New Post-Rapanos Federal Wetlands Guidance," telebriefing by *Law Seminars International*, June 2007
- "Complying with New and Changing Water Regulations: Key Environmental Compliance Issues Conference," *Pennsylvania Chamber of Business and Industry*, October 2006
- "Water Resources," presented at *Pennsylvania Aggregates and Concrete Association's Environment and Concrete Workshop*, January 2006
- "Complying with New and Changing Water Regulations," presented to *Pennsylvania Chamber of Business and Industry*, October 2005
- "Water Resources," presented at *Annual Meeting of Pennsylvania Aggregates and Concrete Association*, November 2004
- "Complying with New and Changing Water Regulations," presented to *Pennsylvania Chamber of Business and Industry*, October 2004
- "Extending and Establishing New Water Systems – Environmental Permitting," presented at *Pennsylvania Bar Institute's Water Law Conference*, January 2004

- "Homeland Security and Current Issues Facing Local Governments," presented at the *International Municipal Lawyers Association's Annual Conference*, October 2003
- "Environmental Hearing Board Roundtable," panel presentation at *Pennsylvania Bar Institute's Environmental Law Forum 2003*, April 2003
- "Emerging Issues in the Regulation of Water Discharge and Withdrawal," presented at *Emerging Legal Issues Relating to Oil & Gas Activities*, November 2002
- "Structuring the Brownfields Transaction - Negotiating Transactional Agreements," Chapter 7 in *Brownfields Law and Practice: The Cleanup and Redevelopment of Contaminated Land*, by Craig P. Wilson and R. T. Weston. 1998, revised 2015.
- "Structuring the Brownfields Transaction - Overall Structure of the Transaction," Chapter 6 in *Brownfields Law and Practice: The Cleanup and Redevelopment of Contaminated Land*, by Craig P. Wilson and R. T. Weston. 1998, revised 2015.
- "The Lawyer as Information Conduit: Professional Responsibility in Business Transactions," written materials presented as part of *What Every Real Estate and Business Lawyer Should Know about Environmental Law*, December 1996
- "Post-dissolution Liability of Corporations and Their Shareholders Under CERCLA," *Business Law*, August 1995
- "The Title V Operating Permit Program and The Clean Air Act: Hazardous Air Pollutants," presented at the *Volatile Organic Compound Reduction Seminar*, November/December 1994
- "Debarment, Suspension, Contractor Listing, and Permit Blocks," Chapter in *EPA Enforcement Manual*, 1993
- "Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296," *Vermont Law Review*, 1992

NEWS & EVENTS

- 17 August 2023, Nearly 400 K&L Gates Lawyers Named Among 2024 Best Lawyers in America, Ones to Watch
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 30 March 2022, Navigating Environmental Justice Challenges, Hosted by AGG1 Academy & Expo
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch

- 11 June 2021, K&L Gates Advises SPX Corporation on Agreement to Sell SPX Transformer Solutions to GE-Prolec Transformers
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide
- 20 May 2015, Chambers USA 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders

AREAS OF FOCUS

- Environment, Land, and Natural Resources
- Construction and Infrastructure Project Funding
- Land Use, Planning, and Zoning
- Liquefied Natural Gas
- Mining and Metals
- Offshore Wind Energy
- Oil and Gas
- Power
- Rail and Roads
- Real Estate Acquisitions and Dispositions
- Renewables
- Water and Wastewater

INDUSTRIES

- Agribusiness
- Consumer Products
- Energy
- Energy Disputes
- Food and Beverage

- Health Care Sector
- Manufacturing
- Pharmaceuticals, Biologics, and Medical Devices
- Power Generation and Transmission
- Specialty Chemicals

EMERGING ISSUES

- Hydrogen

REPRESENTATIVE EXPERIENCE

- Counsel to multiple waste coal power generation plants, including with respect to permitting and compliance relating to air, water, and waste, as well as associated culm pile reclamation.
- Represent a surface mining company with regard to reestablishment of a dormant coal mining operation and expansion of operations into non-coal surface mining.
- Represent a mining company in defense of enforcement action alleging that mining activities had disrupted the hydrologic balance in the vicinity of the mine and caused sinkholes throughout the area.
- Advised a chemical manufacturing client with respect to complex regulatory analysis related to recycling of potentially hazardous materials.
- Represent an energy company in defense of multiple appeals of oil and gas well permits relating to unconventional gas production.
- Advise and represent a major interstate gas transmission company with respect to regulatory matters and disputes with mining companies regarding responsibilities to protect natural gas pipelines from adverse impacts of mine subsidence.
- Served as counsel to one of the largest owners of agricultural land in the United States with respect to environmental and water rights diligence in relation to the acquisition of more than 200,000 acres.
- Counsel to a leading manufacturer of quality chocolate and non-chocolate confectioneries and snacks, including with respect to stormwater and wastewater discharges, air emissions, materials handling, and hazardous and solid waste disposal.
- Counsel to a producer of specialty chemicals in connection with a comprehensive audit and corrective action process associated with the acquisition of multiple manufacturing assets in Australia, the United Kingdom, and the United States.

- Counsel to developers of multiple industrial and commercial projects with complex redevelopment issues, including contamination from historic landfills and prior industrial operations such as steel manufacturing and paint formulation.
- Counsel to a major manufacturer in each of two “operable units” of the largest Superfund site in the nation.
- Represented quarrying operation in successful appeal of decision of zoning hearing board requiring the quarry to seek local approval despite long-standing, state-permitted operations.
- Counsel to a number of independent producers of oil and natural gas involved in the development of unconventional resources, including with respect to defense of government enforcement and third-party actions and in connection with unanticipated and emergency events.
- Represent an oil and gas exploration/production company in defense of enforcement proceedings relating to allegations of migration of gas from multiple natural gas wells and contamination of water supplies in seven distinct geographic areas.
- Represent an oil and gas exploration/production company in defense of enforcement proceedings relating to loss of control of a natural gas well and including discharge of natural gas and hydraulic fracturing fluid flowback to nearby land and water resources.
- Counsel to developers of significant transmission infrastructure in the Appalachian Basin, and with respect to the acquisition of transportation assets.
- Represented a petroleum refiner in defense of federal multi-media enforcement action simultaneously pursued at facilities in three states.
- Represented and advised a major oil and gas association in connection with negotiations with the US Army Corps of Engineers regarding state programmatic general permit, including successful modifications to permit terms and processing procedures allowing materially expedited permit reviews.
- Counsel to client in connection with audit of construction practices at hundreds of locations in anticipation of wetlands enforcement action; collaborated in development of audit protocol that was deployed in multiple states across the country.
- Counseled a large industrial discharger to a regional publicly owned treatment works in negotiating inter-municipal and private party agreements to enable expansion of a regional treatment plant and extension of the sewer system to serve the host township.
- Counsel with respect to permitting and development of multiple natural gas-fired combined cycle electric generating facilities, including projects that redeveloped “brownfields” sites; addressed state and federal environmental permitting processes, zoning and land development approval processes, and third-party appeals.
- Counsel to a major utility in a “swap” with other utility of ownership interests in five coal-fired and nuclear electric generating facilities in Ohio and Pennsylvania for full ownership interests in three coal-fired facilities, and in a subsequent auction sale of the three coal-fired facilities and four other coal and oil-fired facilities.

- Counsel to developers of wind project assets in Pennsylvania.
- Counsel to buyers and sellers of wind project assets in New York, Pennsylvania, Ohio, Oklahoma, and Texas.
- Served as Pennsylvania regulatory counsel for an international electric transmission project that proposed to cross one of the Great Lakes and land in Pennsylvania with underground high-voltage direct-current electric cable.
- Counsel to Pennsylvania's largest investor owned water and wastewater utility with respect to the environmental and regulatory aspects of the acquisition of water and wastewater systems from municipal entities.
- Counsel to a leading supplier of bottled water with respect to source development and environmental controls in manufacturing.
- Counsel to a major producer of meat products with respect to environmental and land development matters, including stormwater and wastewater management at animal feeding operations.
- Counsel to developers of solar project assets in Pennsylvania.
- Counsel to one of the world's largest manufacturer of human vaccines with respect to a major plant expansion that included a substantial increase in an existing wastewater treatment plant discharge to a high-quality, cold-water stream and remediation of multiple historic landfills on the property.
- Environmental counsel to a leading producer of construction aggregates with respect to the acquisition and transfer of multiple quarrying operations.
- Health, safety, and environmental counsel to one of the world's largest manufacturer of human vaccines, including with respect to stormwater and wastewater discharges, air emissions, materials handling, hazardous and infectious waste disposal, and biosafety.
- Represent an interstate natural gas transmission company with regard to protecting pipelines from ground subsidence associated with underground mining.
- Represented a client with respect to auction and negotiated sale of major aerospace technology business with facilities in multiple states and complex splitting of sold and retained assets and responsibilities.
- Represented a leading food manufacturer with respect to a wastewater permitting dispute that involved a broad-based, third-party challenge to Pennsylvania's nutrient trading program.