

Brooke M. Marcus

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Brooke Marcus is a natural resources lawyer focused on assisting the renewable energy sector with maintaining compliance with environmental laws. She is go-to counsel for matters involving the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), Clean Water Act (CWA) the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).

Brooke counsels some of the nation's largest wind, solar and storage energy companies, electric generation and transmission companies, and investment companies on policy-level and project-specific issues arising under ESA, BGEPA, MBTA, CWA and NEPA. Brooke assists wind, solar, storage, and transmission line project developers with federal, state and local environmental and land use compliance strategies. She currently assists project proponents in the development of dozens of Habitat Conservation Plans (HCPs) and BGEPA permits, and ESA, BGEPA, NEPA, and CWA compliance strategies within every region of the U.S. Fish and Wildlife Service. Brooke also advises clients on policy-level issues related to the ESA, BGEPA, MBTA and NEPA and often represents her clients in Washington D.C. on related policy issues.

Brooke regularly provides natural resources and environmental support for renewable project financing and advises investors and power purchasers on federal wildlife and other environmental issues for potential renewable acquisitions. She also serves as consulting counsel for natural resource litigation. She has advised clients on issues related to compliance with state and local environmental and land use regulations. She has worked extensively on mitigation transactions and negotiated and developed the first programmatic species conservation bank in the country on behalf of the lesser prairie chicken.

Brooke speaks and teaches on ESA, MBTA, BGEPA, NEPA and CWA issues in many different industry forums across the nation. She has spoken at the American CleanPower Association's annual environmental and siting conference on many occasions since 2014. From 2014-2017, she has served as vice chair of the Endangered Species Committee newsletter for the ABA Section of Environment, Energy and Resources. Brooke co-chairs CLE International's Annual MBTA & BGEPA Conference. Brooke has presented at the University of Texas Renewable Energy Law Conference and served on the Planning Committee. Each year she regularly guest lectures at the University of Texas at Austin School of Law on federal wildlife risk and renewable energy development and teaches several courses each year for EUCI.

HONORS

Individual recognition for Environmental Law in Texas by *Chambers USA*, 2019-2024

Listed, *The Legal 500 United States*, Industry Focus - Energy - Renewable/Alternative Power, 2020-2023

Listed, *The Legal 500 United States*, Industry Focus - Environment - Litigation, 2020, 2023

Named a Texas Trailblazer by the *Texas Lawyer*, 2020

Selected as an Environmental Rising Star by *Law360*, 2019

Received the *Texas Lawyer's* Professional Excellence Award: On the Rise, 2019