



Felicia H. Barnes

Associate

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Felicia digs through legal uncertainty and complex scientific issues to concretize the opportunities and risks facing her client when making a real-life decision about their operations.

She has advocated for clients on landmark issues in administrative rulemakings and related litigation, particularly in the oil and natural gas sector. Felicia has substantial litigation experience, including appellate litigation and especially before the D.C. Circuit. As part of her regulatory practice, Felicia advises on complex environmental compliance issues, assists with internal investigations and enforcement defense, and evaluates the environmental aspects of complex transactions.

Felicia has represented companies and trade associations across several sectors of the US economy. Her clients have included oil and gas companies, electric utilities, automotive companies, manufacturers, and small family businesses. She has significant experience with Clean Air Act rulemaking and administrative proceedings before the US EPA. She also has substantial D.C. Circuit litigation experience both challenging and defending major Clean Air Act rules that are critical to her clients. For example, she helped convince the Environmental Appeals Board (EAB) to dismiss a citizen's petition to review the permit with minimal cost and effort that greatly reduced the delay the client experienced before it could begin construction and operation of the project.

In addition to her work involving the Clean Air Act, she has experience with several major federal environmental statutes, including Clean Water Act, National Environmental Policy Act, Endangered Species Act, Migratory Bird Protection Act and the Bald and Golden Eagle Protection Act. Felicia has conducted internal investigations and defended administrative, civil, and criminal enforcement actions involving these and other federal environmental statutes. In these matters, Felicia draws from her deep and varied regulatory and administrative experience. She performed an internal audit for a major U.S. company to investigate potential non-compliance. After discovering the relevant issue, she assisted the company with preparing a voluntary disclosure to the U.S. Environmental Protection Agency (EPA), to which EPA sent back a "no enforcement" letter. To reduce the risk of future violations, she also assisted the implementation of compliance strategy addressing the root causes of

the non-compliance issue. She also advises on the environmental risks of complex financial transactions, including investing in wind projects.

Prior to joining the firm, Felicia was part of the environmental team at a major international law firm. She also held two clerkships. The first was for the Honorable Joseph R. Goodwin, Chief Judge, in the Southern District of West Virginia, and the second was for the Honorable Mary Beck Briscoe, Chief Judge, in the Tenth Circuit Court of Appeals. She is admitted to practice before the US Court of Appeals for the DC Circuit and the US Court of Appeals for the Second Circuit.

Felicia is not admitted to practice in Washington state. She is admitted to practice only in Maryland and Washington, DC.

Education

- University of South Dakota (B.S., *summa cum laude*, 2009)
 - Biology, Political Science
- Georgetown University (J.D., *cum laude*, 2012)

Bar Admissions

- District of Columbia
- Maryland

Court Admissions

- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals - Second Circuit

Publications

May 22, 2019

Washington State Passes Climate Bill to Restrict Certain Uses of HFCs

Beveridge & Diamond

January 29, 2019

NRDC Files Court Challenge to Revived NSR Rule Almost a Decade After EPA First Published Its Project Aggregation Rule

Beveridge & Diamond

November 27, 2018

Energy Trends: Is EPA Entering Its “Development Phase” for Important Oil and Gas Rules?

Beveridge & Diamond

October 23, 2018

Will EPA ‘ACE’ Its Attempt to Replace the Clean Power Plan? A Deeper Dive into EPA’s Proposed Affordable Clean Energy Rule

Beveridge & Diamond

October 23, 2018

Litigation Turns Up the Heat on Agencies to Protect Salmon in the Pacific Northwest

Beveridge & Diamond