



W. Parker Moore

Principal

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Parker guides complex projects to successful completion.

His environmental law practice is an outgrowth of his love for the natural world. He co-chairs Beveridge & Diamond's Natural Resources and Project Development Practice Group and its NEPA, Wetlands, and Endangered Species Act groups.

Parker dedicates his practice to successful project development, advising clients nationwide on activities implicating NEPA, wetlands regulation, and federal and state species protection laws, including the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and CITES. He also defends clients against agency enforcement actions and citizen suits, applying his substantive knowledge of natural resources law and project development to craft creative, sound, and successful legal strategies.

Parker brings a balanced approach to working on high profile projects to meet the objectives of developers and the legal demands of state and federal regulators. Clients involve him at all stages of project development, from initial project conception and design to defense of completed facilities. He frequently is called on to help get projects back on track when they are delayed by permitting complications and other regulatory issues, bringing to bear his extensive experience to identify innovative and effective solutions. In all cases, Parker's goal is to help his clients complete legally-defensible projects on time and on budget.

Before joining B&D, Parker clerked at the White House Council on Environmental Quality. He also is a professionally-trained wetlands ecologist and has years of experience identifying wetlands, obtaining jurisdictional determinations from the U.S. Army Corps of Engineers, surveying for protected species, and drafting NEPA documents.

Education

- University of the South (B.S., 1999)
 - Natural Resources

- Vermont Law School (J.D., *magna cum laude*, 2004)

Bar Admissions

- District of Columbia
- Virginia

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals – Fourth Circuit
- U.S. Court of Appeals – Tenth Circuit
- U.S. District Court – District of Columbia
- U.S. District Court – Eastern District of Virginia
- U.S. District Court – Western District of Virginia

Professional Affiliations

- American Bar Association
- District of Columbia Building Industry Association

Honors & Awards

- *The Legal 500*, recognition in Environmental Regulatory Law (2019)
- *Super Lawyers*, part of Thomson Reuters, Washington, DC, Super Lawyer (2018-2019)
- *Super Lawyers*, part of Thomson Reuters, Washington, DC, Rising Star (2013-2017)

Representative Matters

Parker's experience includes:

- Serving as lead national wetlands and NEPA counsel to the developer of a 16,000-acre reservoir that will provide drinking water to the country's fastest-growing counties in which the Clean Water Act (CWA) Section 404 permit, issued in February 2018, is one of the largest in nearly 20 years – authorizing the inundation of almost 6,000 acres of wetlands and 125 miles of streams, and requiring over 21,000 acres of mitigation.
- Serving as joint counsel to nine upstream and midstream oil and natural gas companies in the development of one of the largest habitat conservation plans in the history of the Endangered Species Act (ESA), designed to authorize the incidental take of five bat species associated with project development across three states for a period of 50 years.

- Serving as ESA and NEPA counsel to energy industry clients in the development of the Nationwide Candidate Conservation Agreement with Assurances for Monarch Butterfly on Energy and Transportation Lands.
- Serving as coalition counsel to national trade associations to address ESA listing decisions with the U.S. Fish and Wildlife Service (FWS).
- Assisting federal lawmakers in drafting legislation to streamline project development under NEPA, reform the ESA, and expedite the CWA permitting process.
- Defending one of North America's leading railroad companies against the largest CWA citizen suit in U.S. history, with claimed damages of \$4 trillion, leading to successful resolution of alleged unpermitted discharges of coal from railcars to waterbodies and wetlands throughout Washington State.
- Representing members of the oil and gas industry in the development of one of the first ever general conservation plans under the ESA to authorize incidental take of listed species.
- As an appointed special Attorney General, helping state Departments of Transportation build administrative records to support their highway projects and successfully defended them against citizen suits under NEPA.
- Developing unique protocols approved by the FWS for oil and gas companies to advance projects without first obtaining incidental take permits under the ESA.
- On behalf of a Fortune 200 company, negotiating the settlement of the second largest CWA enforcement action in Virginia history.
- Successfully defending a \$250 million Kansas intermodal facility and its wetlands permit against a citizen suit challenge under the CWA and NEPA.
- Defending an international wireless telecommunications company against federal criminal investigations for alleged violations of the ESA, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act, resulting in a declination of prosecution by the U.S. Department of Justice.
- Authoring a pivotal U.S. Supreme Court *amicus* brief cited approvingly by Justice Scalia in the controversial wetlands regulation case, *Rapanos v. United States*.

Outside the Office

Parker is a lifelong outdoorsman. From his youth backpacking the Blue Ridge Mountains, to obtaining the rank of Eagle Scout, to focusing his undergraduate studies on geology, forestry, and environmental philosophy, Parker has always spent as much time as possible in and learning about nature.

These days, when not in the office, he spends time with his family saltwater fishing, camping, and SCUBA diving. And on stormy nights, he can be found behind a camera photographing lightning.

Publications

September 16, 2019

Déjà Vu: EPA, Army Corps Take First Step to Redefine “Waters of the U.S.”

Beveridge & Diamond

September 13, 2019

New Regulations Reform Implementation of Endangered Species Act

Beveridge & Diamond

June 25, 2019

U.S. Forest Service Proposes to Revise NEPA Regulations

Beveridge & Diamond

June 18, 2019

New EPA Section 401 Guidance Clarifies Timelines for and Scope of Certification Reviews

Beveridge & Diamond

April 22, 2019

Executive Orders Aim to Streamline Energy Infrastructure Projects

Beveridge & Diamond

April 15, 2019

FWS Takes a Mulligan on Greater Sage-Grouse Listing

Beveridge & Diamond

December 12, 2018

EPA and Army Corps Again Propose to Redefine Waters Regulated Under the Clean Water Act

Beveridge & Diamond

December 5, 2018

Justices Request the Government’s Views on CWA Discharge Cases

Beveridge & Diamond

November 27, 2018

Unanimous Supreme Court Vacates Fifth Circuit Affirmance of ESA Critical Habitat Listing

Beveridge & Diamond

September 26, 2018

“WOTUS”: A Tale of Two Rules While Litigation and Rulemaking Continue

Beveridge & Diamond

September 6, 2018

Petitions Seek Supreme Court Review of Fourth and Ninth Circuit Decisions That Could Expand the CWA's NPDES Program

Beveridge & Diamond

July 25, 2018

Major Changes to Endangered Species Act Regulations Proposed

Beveridge & Diamond

June 5, 2018

NGOs Challenge Department of Interior's New Interpretation of "Incidental Take" Liability Under Migratory Bird Treaty Act

Beveridge & Diamond

January 22, 2018

Unanimous Supreme Court: WOTUS Rule Challenges Belong in Federal District Courts

Beveridge & Diamond

September 11, 2017

New Presidential and Interior Orders Target Environmental Permitting, NEPA Reviews, and Flood Risk Standards

Beveridge & Diamond

August 29, 2017

DC Circuit Rules That FERC Should Have Quantified Indirect Greenhouse Gas Emissions in Approving Natural Gas Pipeline

Beveridge & Diamond

June 28, 2017

Replacement of the Clean Water Rule to Be a Two-Step Process

Beveridge & Diamond

March 17, 2017

Corps of Engineers Nationwide Permits – Some New, Some Modified – Take Effect

Beveridge & Diamond

September 21, 2015

Prudence Prevails: Fifth Circuit Supports Narrow Reading of Liability under the Migratory Bird Treaty Act

Beveridge & Diamond

August 12, 2015

Court Strikes Down FWS Rule for 30-Year Eagle Incidental Take Permits

Beveridge & Diamond

June 4, 2015

EPA and Army Corps Redefine Clean Water Act Jurisdiction

Beveridge and Diamond

June 1, 2015

Wildlife Agencies Propose Overhaul of ESA's Petition Process for Species Listings

Beveridge & Diamond

March 26, 2015

Ohio Wind Developer and FWS Successfully Defend Incidental Take Permit for Endangered Indiana Bat

Beveridge & Diamond