



## **Michael P. Smith**

**Associate**

**[msmith@bhfs.com](mailto:msmith@bhfs.com)**

**303.223.1150**

**Denver, Colorado**

Mike Smith is a member of the firm's energy and natural resources practice. He represents water and wastewater utilities, project developers, mining companies, oil and gas companies, lenders, investors, and nonprofits in compliance counseling, transactions, and various stages of civil, criminal, and administrative litigation spanning a wide variety of complex natural resources matters. His experience includes projects involving the Clean Water Act, Clean Air Act, Safe Drinking Water Act, National Environmental Policy Act, Endangered Species Act, and a broad range of state and local laws and regulations encompassing water rights, water quality, protected species, land use, historic preservation, solid waste, floodplains, eminent domain, and administrative law. Mike also has experience drafting and negotiating agreements and key documents for clients and working closely with federal, state, and local agencies.

Mike maintains a diverse pro bono practice that includes representing veterans and military service members in litigation, representing nonprofit entities in litigation and negotiation of easements, and assisting various nonprofits with their formation, governance, and operations.

Prior to joining the firm, Mike worked as a law clerk at the White House Office of Science and Technology Policy, the U.S. Department of Justice, and the Colorado Governor's Office. He also served as the Editor-in-Chief of the Georgetown International Environmental Law Review and as a student attorney in the Georgetown Social Enterprise & Nonprofit Law Clinic.

Mike is a former infantry Captain in the U.S. Army, where he served two combat tours in Iraq. Using his fluency in French, Mike also briefly served as a Peace Support Operations Trainer in two African countries to support peacekeeping missions in Somalia.

### **Previous Experience**

U.S. Army, 4<sup>th</sup> Infantry Division

### **Practices**

Energy & Natural Resources, Development, Endangered Species, Energy, Environmental & Remediation, Land Use, Mining, NEPA/CEQA, Public Lands, Renewable Energy, Water, Litigation

### **Community**

Board of Directors, Mile High Youth Corps

Defense Council Member, Truman National Security Project

Volunteer Attorney, American Bar Association Military Pro Bono Project

Environmental Sustainability Committee, Colorado Bar Association, 2016-2017

Governing Council Member & Volunteer Committee Member, American Red Cross – Behind the Red, 2016-2017

### **Publications & Presentations**

- Protecting Confidential Business Information, *Brownstein Client Alert*, July 18, 2019
- Managing Dewatering During, After Development, Co-author, *Colorado Real Estate Journal*, April 2018

- Dewatering During Construction and Post-Construction—Regulatory Paradigms and Options, *Brownstein Client Alert*, March 19, 2018
- EPA Seeks Comments After Controversial Ninth Circuit Decision, *Brownstein Client Alert*, February 20, 2018
- Ninth Circuit Holds Wastewater Discharge to Groundwater Requires Clean Water Act Permit in Hawai'i Wildlife Fund v. County of Maui, *Brownstein Client Alert*, February 7, 2018
- Water, Critters & Bones - Affecting the Value & Use of Real Property, Presenter, Brownstein CLE, August 23, 2017
- Fracking, Water, and Community Impact, Speaker, Western Water Law Conference, San Diego, CA, February 10, 2017
- Strengthening EPA Water Transfers Rule At The 2nd Circ., Co-author, *Law360*, February 3, 2017
- Possible Impacts of Trump Administration on Tribal Recognition, Co-author, *Law360*, February 2, 2017
- Discharge Permits Not Required to Transfer Water: Court Upholds EPA Rule, Co-author, *Brownstein Client Alert*, January 25, 2017

## Education

- J.D., 2015, Georgetown University Law Center
- M.B.A., 2011, University of Colorado at Colorado Springs
- B.S., 2006, with honors, United States Military Academy at West Point

## Admissions

- Colorado
- U.S. District Court, District of Colorado

## Recognition

Impact Denver 2017, Denver Metro Chamber Leadership Foundation

ABA Military Pro Bono Project Outstanding Services Award

Editor-in-Chief, *Georgetown International Environmental Law Review* (now *Georgetown Environmental Law Review*)

Georgetown Global Law Scholar

Georgetown Law Exceptional Pro Bono Pledge Honoree

## Membership

American Bar Association

Colorado Bar Association

Denver Bar Association