



## Robert J. Uram

Partner

San Francisco  
Four Embarcadero Center  
Seventeenth Floor  
San Francisco, CA 94111

Tel: 415.774.3285  
Fax: 415.434.3947  
[ruram@sheppardmullin.com](mailto:ruram@sheppardmullin.com)

### PRACTICE AREAS

- Environmental
- Land Use and Natural Resources

### INDUSTRIES

- Climate Change and Clean Technology
- Food and Beverage

### OVERVIEW

Robert J. Uram is a partner in the Real Estate, Land Use, Natural Resources and Environmental practice group in the firm's San Francisco office. He is a founding member of the firm's Organic Food and Fiber Law group.

#### Areas of Practice

Mr. Uram has more than 30 years of experience on wetlands, endangered species, water quality, land use, mining, and public lands issues. He is a nationally recognized expert in the National Environmental Policy Act (NEPA), the Endangered Species Act, the California Surface Mining and Reclamation Act, the wetlands provisions of the Clean Water Act, Federal Land Policy and Management Act, National Forest Planning Act, the Surface Mining Control and Reclamation Act and the Mining Law of 1872. Mr. Uram also works on laws concerning the organic food and fiber industry. This includes the Organic Food Production Act of 1990 and the California Organic Food Act. He also advises clients on climate change and sustainability issues. He was recently elected as a Fellow in the American College of Environmental Lawyers and is listed in the *Best Lawyers in America*.

Throughout his career, Mr. Uram has worked with the Bureau of Land Management, United States Forest Service, Bureau of Reclamation, Minerals Management Service, Army Corps of Engineers and Bureau of Indian Affairs. He has extensive experience with Congress and in developing and reviewing proposed federal laws and regulations. He advised the Organic Trade Association on the rulemaking that led to the National Organic Program.

Mr. Uram has worked on wetlands and endangered species issues on projects throughout California, including the San Francisco Bay Area, Sacramento Area, Central Valley, Inland Empire, Central Coast and Southern California. Mr. Uram played a key role in the development of Regional HCP/NCCPs in Orange County and participated in the development of the NCCP program. He also has worked on projects in Nevada, New Mexico, Colorado, Washington, Arizona, Mississippi, Hawaii, and Guam. His clients include both private interests and local governments.

Mr. Uram's practice focuses heavily on wetlands, water quality, and endangered species issues, and includes both permitting and litigation. Mr. Uram frequently serves as team leader and coordinator for complex wetlands permitting and other development projects. Mr. Uram also advises on mining, land exchanges and other uses on public lands. He strongly supports the development of alternative energy sources including solar, wind and geothermal. His projects include:

- Master planned communities
- Schools
- Shopping centers
- Golf courses and resorts
- Transportation corridors
- Landfills
- Oil and gas development
- Mines for coal, gold, silver and other hard-rock minerals, limestone, clay and other industrial minerals, and sand and gravel
- Airports

President Clinton appointed Mr. Uram as Director of the Office of Surface Mining Reclamation and Enforcement in 1993. He served in that post until September 1996. Prior to this post, Mr. Uram was a partner at McCutchen, Doyle, Brown and Enersen in San Francisco. He also worked at the Department of the Interior (1973-1983), where he advised the Bureau of Land Management on federal land use planning and mineral development, oil and gas leasing and Indian law. From 1979 to 1980, Mr. Uram served as the Associate Solicitor for Surface Mining, where he served as chief counsel for the Office of Surface Mining Reclamation and Enforcement. From 1983 until 1985, Mr. Uram was Counsel and Partner at White, Koch, Kelly & McCarthy in Santa Fe, New Mexico. His practice included representing clients in water law, zoning, timber and mining issues.

Mr. Uram frequently lectures on wetland, endangered species, mining, and organic food and fiber law issues.

## EDUCATION

- J.D., Northwestern Law School, 1973, *cum laude*
- B.A., University of Pennsylvania, 1969

## ADMISSIONS

- California
- New Mexico
- Pennsylvania

## EXPERIENCE

Represented the developer throughout the development process for a master planned community in the Walpert Ridge area of the Hayward hills. The project consists of 614 homes, featuring a championship golf course and Hayward's first new public elementary school in 40 years.

Represented the developer of the El Sobrante Landfill in Southern California on the preparation of a Multiple Species Habitat Conservation Plan.

Represented a developer in San Ramon in obtaining approvals from the U.S. Army Corps of Engineers, the U.S. Fish & Wildlife Service, the California Dept. of Fish & Game and the California Regional Water Quality Control Board. Mr. Uram developed and executed the wetlands and endangered species and water quality permitting strategy for this community of 5,000 homes.

Represented the City of San Francisco on wetlands and endangered species issues related to the proposed expansion of the San Francisco Airport.

Represented a large master planned community, consisting of 1,980 residential units, a town center, shopping center, a resort complex and two golf courses. In addition to obtaining authorizations from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board and the Dept. of Fish & Game, Mr. Uram successfully defended the project in federal litigation challenging the Corp's permit. Mr. Uram also represents the developer in connection with local authorizations including CEQA compliance and negotiation of a settlement which ended a cycle of CEQA litigation.

Represented the City of Morro Bay in negotiations with the proposed expansion of the Morro Bay Power Plant.

Represented the developer of the Shady Canyon Golf Course and Residential Development Project in the City of Irvine in Orange County, California. The 1,080-acre project included the development of 400 residential homes and an 18-hole golf course.

Represented the City of Los Altos on wetlands jurisdictional issues.

Advised the Organic Trade Association on the rulemaking that established the National Organic Program at the U.S. Department of Agriculture.

Advises organic food and fiber manufacturers and related entities on compliance with the National Organic Program, and advises clients on issues related to the effect of genetically modified organisms.

Litigated a dispute between joint venturers over the operation of a gold mine.

Litigated a dispute charging an oil and gas lessee with failure to prevent drainage from an oil and gas lease.

Represented the City of Las Vegas, New Mexico, on water rights litigation and timber sale issue.

Represented client in a dispute over title to sand and gravel and a claim for trespass by the surface owner against the operator of a sand and gravel mine.

Represented clients who received "cease and desist" orders from the Army Corps of Engineers based on allegations of placing fill into waters of the United States without a permit.

## **HONORS**

- Who's Who Legal: California, 2008, 2009
- AV® rating, Martindale-Hubbell®. This is the highest rating an attorney can receive for legal quality and ethics.
- Best Lawyers in America, 2007, 2008, 2009, 2010
- American College Of Environmental Lawyers, Fellow, 2009
- Northern California Super Lawyers, *San Francisco Magazine*, 2007, 2008

## MEMBERSHIPS

- Member, American College of Environmental Lawyers
- Vice Chairman, Natural Resources Committee (1989-1992)
- Vice Chairman, Hard Minerals Subcommittee (1989)
- Past Member, California Mining Association, Regulatory and Permitting Subcommittee
- Past Member, Editorial Advisory Board, University of Kentucky Mineral Law Journal

## ARTICLES

- An Update on Wind, Solar Energy on Public Lands, *Law360*, July 10, 2009
- Ninth Circuit Raises the Level of Protection Afforded to Critical Habitat, September 29, 2004
- Statewide Listing of California Tiger Salamander As A Federal Endangered Species Took Effect on September 3, 2004, Critical Habitat Proposed, September 29, 2004
- Major New ESA Decision Limits Mitigation the Services May Require, August 5, 2004
- California Tiger Salamander Not Threatened With Extinction, November 17, 2003
- New Court Decision On Section 7 Issues, December 21, 2001
- U.S. Army Corps of Engineers Narrows the Impact of Recent Court Decisions That Attempt to Limit Clean Water Act Jurisdiction, March 15, 2001
- Solid Waste Energy Of Northern Cook County v. United States Army Corps Of Engineers, January 10, 2001
- Organic Certification Merits Careful Attention Under Impending Law, September 10, 1998
- Substantive Requirements of the Endangered Species Act, July 10, 1998
- Substantive Requirements of the Endangered Species Act,
- Uram, R., "The Evolution of the Practicable Alternatives Test," Natural Resources & Environment, American Bar Association, Vol. 7, No. 1, Summer 1992.
- Uram, R., Chapter VIII Federal And State Wetland Regulation and Chapter IX Endangered Species Act, Curtin, "California Land-Use and Planning Law."

## Climate Change & Clean Technology Law Blog Articles

- "U.S. Fish and Wildlife Service Seeks Public Comment on Proposed Strategic Climate Change Plan", November 16, 2009
- "Coordinating Committee for California's Renewable Energy Transmission Initiative Issues Final Report for Phase 2A", September 22, 2009

## Real Estate & Construction Law Blog Articles

- "State Listing of California Tiger Salamander Warranted", March 8, 2010
- "New Construction General Permit Imposes Significant New Requirements for Storm Water Discharges", September 10, 2009
- "Bureau of Land Management and Department of Energy Announce Availability of Solar Study Areas", July 20, 2009
- "EPA's New Source Performance Standard Does Not Apply to Discharges of Mining Slurry Regulated Under Section 404 of the Clean Water Act", July 8, 2009
- "EPA May Use Cost-Benefit Analysis In Setting "Best Technology Available" Standards Under Clean Water Act", April 6, 2009

- "Army Corps Properly Limited Scope of NEPA Review of Section 404 Permits to Impacts of Filling Jurisdictional Waters", March 10, 2009
- "California Fish and Game Commission to Consider Candidacy Status of California Tiger Salamander under CESA at February 5 Meeting", January 23, 2009
- "Fish and Game Commission Must Accept Petition to List the CTS under California Endangered Species Act", September 17, 2008
- "Corps and EPA Issue Important New Mitigation Rule", April 16, 2008
- "Man-Made Pond That is Within a Larger Wetland Area Adjacent to Traditionally Navigable Water is Within Corps Jurisdiction Under Clean Water Act", August 29, 2007
- "Army Corps of Engineers, US EPA Publish Long-Awaited Guidance on Determining Clean Water Act Regulatory Jurisdiction Subject to the Supreme Court's Rapanos and Carabell Decisions", June 6, 2007
- "Ninth Circuit Holds Recovery Standard Applies to Jeopardy Analysis", April 10, 2007
- "Clean Water Act Update: Adjacent Wetlands Rule for Establishing Clean Water Act Regulatory Authority Does Not Apply to a Non-Weland Diked Pond", March 21, 2007
- "Clean Water Act Update: District Courts on the East, West Coasts Explain and Apply the Rapanos Decision to Adjacent Wetlands and Intermittent and Ephemeral Streams", March 13, 2007
- "U.S. District Court Throws Out 'Tulloch II' Rule Defining Incidental Fallback", February 1, 2007
- "Court Orders the CTS be Considered for Listing Under the California Endangered Species Act", December 21, 2006
- "Corps Proposes New, Reissued, and Modified Nationwide Permits", September 26, 2006
- "Nationwide Permits Scheduled to Expire on March 19, 2007", September 22, 2006
- "Supreme Court Curtails Army Corps of Engineers' Jurisdiction", June 22, 2006
- "Court Concludes Fish and Wildlife Service Improperly Ignored Recovery Goal of Critical Habitat Designation", April 3, 2006
- "Activity on Reform of The Endangered Species Act", September 27, 2005
- "Ninth Circuit Raises the Level of Protection Afforded to Critical Habitat", October 1, 2004
- "Statewide Listing of California Tiger Salamander As a Federal Endangered Species Took Effect on September 3, 2004, Critical Habitat Proposed", September 1, 2004
- "Major New ESA Decision Limits Mitigation the Services May Require", July 1, 2004

## **SPEECHES**

- Uram, R. "Putting the Pieces Together: Integrating NEPA with Other Federal Requirements." CLE International NEPA Conference, 2010.
- Uram, R. and panel. "The Future of the Waterfront and Contiguous Land," Bay Planning Coalition's 22nd Annual S. F. Bay Decisionmakers Conference, "Sustainability Strategies for a Changing Bay," 2009.
- Uram, R. and panel. "New Rules for Compensatory Mitigation Under Clean Water Act Section 404." Lorman Education Service Teleconference, 2009.
- Uram, R. "Endangered Species Act Enforcement: Conflicts of Interest, Duty of Confidentiality, and Liability Issues." CLE International ESA conference, 2008.

- Uram, R. and panel. "State Wetland Policy?" Urban Water Institutes Seventh Annual Clean Water Conference, 2008.
- Uram, R. and panel. "Conservation Planning and the Law: Key Legal Issues That Will Shape the Future Development and Implementation of HCP/NCCPs." The Northern California Conservation Planning Partners Sixth Annual Workshop, 2008.
- Uram, R. "Special Area Management Plans/Master Streambed Alteration Agreements (SAMP/MSAA) – Watershed Approaches to Permitting." CLE International Wetlands Conference, 2005.
- Uram, R. "Status of the California Tiger Salamander." CLE International ESA Conference, 2005.
- Uram, R. "Overview of Wetlands Regulation." CLE International Wetlands Conference, 2004.
- Uram, R. "Permitting Requirements & Options under the Endangered Species Act." CLE International ESA Conference, 2003.
- Uram, R. "The Essential Elements of a Biological Opinion." CLE International ESA Conferences, 2002 - 2003.

#### **EVENTS**

- Land Use & Climate Change Conference
- MCLE Credit Crunch 2009