

Richard Porter Comments on Ruling That GSA Power Purchase Contract Is Subject to NEPA Review

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Richard S. Porter was quoted in the article “[GSA Must Review Wind Farm’s Enviro Exemption, Judge Says](#),” published on May 26, 2015 on Law360. The article discusses recent developments in *Hamrick, et al., v. U.S. General Services Administration, et al.*, No. 1:15-cv-01023 (C.D. Ill.), in which plaintiff landowners — who are represented in the case by Mr. Porter and fellow Hinshaw partner Michael F. Iasparro — are contesting the locating of a proposed wind farm (incorporated as MG2 Tribal Energy LLC) in northwest Illinois.

The U.S. District Court for the Central District of Illinois ruled earlier this month that a contract between the U.S. General Services Administration (GSA) and MG2 Tribal Energy LLC, in which the GSA would purchase much of the power generated by the wind farm, was subject to National Environmental Policy Act (NEPA) review. The article discusses both the court’s reasoning and the project’s history.

As noted in the article, “[Mr. Porter] told Law360 the proposed project’s environmental and other impacts must be studied before it’s allowed to proceed. ‘The plaintiffs and their counsel . . . are very pleased that the court has entered judgment on their behalf and against the defendants finding that the GSA’s use of a categorical exclusion to avoid NEPA was arbitrary and capricious[.] If the GSA tries to arbitrarily avoid NEPA again our clients are prepared to take further legal action.’”

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