

Jeffrey C. Fort

Partner



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Overview

Jeff Fort's practice has spanned decades of environmental issues, has involved all environmental media and has used virtually every legal tool to advance and resolve the most challenging environmental and energy issues. He is also co-directing Dentons' Climate Change practice; handled the Cambodia Carbon Credit project, which was recognized by *The American Lawyer* as the Climate Deal of the Year in 2014; and works extensively in the California carbon market, including on creating carbon offset credits.

His practice includes internal environmental investigations and audits, the design and implementation of environmental compliance programs and systems, and the evaluation of self-reporting and voluntary compliance strategies. He also has extensive experience with complex air regulation and permitting matters and with creating and transferring emission credits, as well as with issues related to contaminated sediments and remedial options. Jeff also has extensive experience in auditing and verifying compliance matters.

Jeff has successfully litigated before all levels of state and federal courts and negotiated with all varieties of local, state and federal environmental agencies. He has a strong track record of success in reported decisions in which he was the principal advocate.

Experience

Jeff has extensive involvement in issues relating to renewable energy and climate change, in particular with respect to mitigation, investment, offset and compliance strategies. This includes:

- Representation with respect to financing, structuring and implementing renewable energy projects, with particular emphasis on biomass technologies.
- Representation with respect to the creation of new protocols for carbon offset credits, and representation of users of the Reducing Emissions from Deforestation and Degradation (REDD) protocol for avoided deforestation and/or managed forestry protocols, with respect to monetization for projects in Brazil, Cambodia, Kenya, Malawi and Michigan.
- Representation of investment funds in developing sustainable infrastructure and energy technologies in the Americas and Asia.

- Advice with respect to structuring transactions using federal stimulus incentives under the American Recovery and Reinvestment Act, as well as Department of Treasury grants, energy tax credits and Department of Energy grants.
- Creation and monetization of carbon offset credits in the US and under the Clean Development Mechanism.
- Creation of a "retail" carbon website with respect to "green advertising" issues.
- Regulatory compliance requirements relating to greenhouse gas emissions under the California Global Warming Solutions Act, and to the listing of new categories of offset protocols.

Recognition

Honors and Awards

- The American Carbon Registry's Innovation award, 2017
- *American Lawyer* 2014: Global Citizen of the Year for the Cambodia Carbon Credit Project
- *Chambers USA*
 - Climate Change, National, 2008–2009, 2011–2016
 - Environment: Mainly Transactional, Illinois, 2003–2016
- American College of Environmental Lawyers
- *Best Lawyers in America* in Environmental Law, 2021

Insights

- Author, *Carbon Taxes and Carbon Offsets, a Path to Net Zero?*, American College of Environmental Lawyers Blog, July 2019
- Co-author, *Emission Reduction Measurement and Monitoring Methodology for the Transition to Advanced Formulation Blowing Agents in Foam Manufacturing and Use, Version 1.0*, American Carbon Registry, April 2016
- Author, *Designing an Effective Environmental Compliance Program (1993–2010)*, Volume 6, Corporate Compliance Series, Thompson Publishing
- Co-Author, *Avoiding Liability for Hazardous Waste: RCRA, CERCLA, and Related Corporate Law Issues*, The Bureau of National Affairs, 2002-2012
- "Aviation emissions: What next?", Dentons Client Alert, March 8, 2016
- *Designing an Effective Environmental Compliance Program*, Clark Boardman Callaghan, 1993-2010
- *Avoiding Liability for Hazardous Waste: RCRA, CERCLA, and Related Corporate Law Issues*, The Bureau of National Affairs, 2002-2012

Activities and Affiliations

Presentations

- Co-Presenter, "Climate Change Risks and Corporate Disclosure Responsibilities," Strafford Webinar, August 2019

- Presenter, "What Individuals and Companies can do relating to Climate Change," Dentons CLE, June 2019
- "Using Project Protocols to Reduce Greenhouse Gas Emissions", 22nd Conference of the Parties, Marrakech, November 2016
- "Carbon Pricing in context of Public Private Partnerships to Enhance Carbon Mitigation and Adaptation?," Carbon 360 Forum, Marrakech, July 2016
- "The Paris Climate Agreement: Paris Agreement under the United Nations Framework Convention on Climate Change," Dentons CLE, June 2016
- "Carbon Pricing in North America," Dentons Canada, May 2016
- "Short Lived Climate Pollutants: ARB's Policy for Reducing SLCPs," San Diego, May 2016
- "REDD+ as a Strategy for Initial Nationally Determined Contributions," 21st Conference of the Parties, Paris, November 2015.
- "The Coming Climate Rules: Evolving International and Regional Mandates for Climate Issues," Dentons CLE, June 2015
- "Nurturing a Clean Future: Carbon Markets and Environmental Securities Integration," BNY Mellon Luncheon, Asian Development Bank, Ha Noi, Vietnam, May 2011
- "The New Carbon Marketplaces: Participants, Prices and Profits," London School of Economics, May 2011
- "Integrating State, Regional and Federal Climate and Energy Programs," ELI + ALI-ABA Panel on Climate and Energy, December 2009
- "Strengthening Liquidity and Confidence in Environmental Commodity Markets," Environmental Markets Association, Washington, DC, April 28, 2009
- Moderator, "Emissions as an Asset Class: Wall Street's Perspective" and "Creating and Recognizing Value and Risk: Carbon Credit Aggregators and Banks," Environmental Markets Association, May 2007
- Panel presenter, "Greenhouse Gas Trading: A Primer on Legal Issues," International Bar Association, Chicago, IL, 2006

Prior and Present Employment

- Clerkship for Justice John M. Karns, Jr., Illinois Appellate Court
- Adjunct professor of law, environmental law and advanced environmental law, Northwestern University School of Law, 1990–1993
- Former chair of the Environmental Law Committee of the Chicago Bar Association and of the Lake Michigan States Section of the Air and Waste Management Association

Areas of focus

Practices

- Carbon Offsets
- Clean Up of Contaminated Land (North America)
- Compliance
- Environment and Natural Resources

- Environmental Regulation
- Environmental Transactional
- Project Finance
- Venture Technology and Emerging Growth Companies

Industry sectors

- Biofuels
- Biomass
- Climate Change Strategies
- Energy
- Renewable Energy
- Waste to Energy
- Wastewater Treatment, Water Management, Desalination

Education

- Monmouth College, BA, Economics
- Northwestern University, JD, *cum laude*

Admissions and qualifications

- Illinois
- US Court of Appeals for the District of Columbia Circuit
- US Court of Appeals for the Seventh Circuit
- US District Court for the Northern District of Illinois
- US Supreme Court