



# George C.D. Duke

Partner

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An experienced attorney with a background in hydrogeology and environmental science, George helps businesses and developers navigate complex environmental and land use laws and regulations. He is particularly adept at guiding clients through the purchase and redevelopment of brownfield sites.

George advises clients on the environmental and regulatory aspects of corporate and real estate transactions, land development, permitting, and mine reclamation and expansion projects. He assists business clients in site acquisition and due diligence, construction and related project development agreements, project financing, and tax mitigation and development incentives.

George handles environmental enforcement actions pertaining to solid waste, wetlands, petroleum and chemical bulk storage facilities, and various commercial and industrial facilities. A former project manager and hydrogeologist for a national environmental consulting firm, George draws upon his detailed understanding of the basis for environmental legal determinations to solve client problems.

A leader in the area of environmental law, he writes and speaks regularly on topics such as site remediation, brownfield redevelopment, the State Environmental Quality Review Act (SEQRA), the Comprehensive Environmental Response, Compensation and Liability Act (Superfund), the Build Act and professional responsibility.

## Services

- Environmental
- Real Estate
- Zoning & Land Use
- Construction
- Food & Beverage

## Before Fox Rothschild

George joined us from a regional law firm. Before that, he was the founding partner of a New York law firm focused on environmental and land use development and litigation.

He previously practiced with environmental law firms in New York City and New Jersey. He also worked as an Assistant Corporation Counsel in the New York City Law Department's World Trade Center Unit, where he represented the City of New

York in toxic tort claims arising from the terrorist attacks of September 11, 2001. George also litigated environmental claims for the City Law Department's Environmental Division.

During law school, George gained experience in the Office of Regional Counsel, U.S. Environmental Protection Agency (EPA), Region 2, and the U.S. Department of Justice, Environmental Defense Section. He also represented citizen groups in environmental and land use matters through Pace Law School's Environmental Litigation Clinic.

## Beyond Fox Rothschild

George is a licensed professional geologist in Pennsylvania.

He assisted in the founding of the Hoboken Dual Language Charter School (HoLa), where he was previously a member of its Board of Trustees, holding the posts of Vice President and legal chair. George currently serves as the President of the New York City Brownfield Partnership and serves on several boards.

## Bar Admissions

- New York
- New Jersey

## Court Admissions

- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, District of New Jersey

## Education

- Pace University School of Law (J.D., 2002)
- Montclair State University (M.S., 1997)
  - Geology/Hydrogeology
- Franklin & Marshall College (B.A., 1993)
  - Geology

## Memberships

- New York State Bar Association
  - Co-Chair, Environmental Law Section Task Force on Licensed State Professionals
- New York City Brownfield Partnership, President
  - Chair, Legislative and Policy Committee
- New Jersey Bar Association
- Association of the Bar of the City of New York
- New Jersey School Boards Association
  - Ad hoc Charter School Committee

## Experience

- Environmental counsel to 650+ unit mixed use multifamily (including affordable component) development anchored by the landmarked Sears Roebuck Building in Flatbush, Brooklyn; remediated and redeveloped under the New York State Brownfield Cleanup Program.
- Counsel to industry-leading energy storage and generation developer assisting with battery energy storage facility siting, site acquisition, due diligence and tax credit analysis.
- Land use, environmental and public benefit counsel coordinating environmental approvals pursuant to State Environmental Quality Review Act (SEQRA), proposed Planned Unit Development (PUD) zoning, special use permit and site plan approval for proposed mixed-use development to include approximately 1,000 units on approximately 400 acres in New York State.

- Environmental permitting and land use counsel for private energy company installing and owning several Landfill Gas to Energy (LFGTE) facilities in landfills throughout New Jersey.
- Land use and environmental counsel to a soil contractor regarding the development of a Class B Recycling Facility in New Jersey. Representation included negotiation of ACOs with the New Jersey Department of Environmental Protection (NJDEP), negotiation of remediation settlement agreements and securing land use approvals.
- Land use, environmental and public benefit counsel to a regional developer. Coordinated environmental approvals pursuant to State Environmental Quality Review Act (SEQRA), special use permit and site plan approval for development of 561,000 square foot warehouse project in Sullivan County, New York.
- Land use, environmental, transactional and public benefit counsel to regional developer. Coordinated environmental approvals pursuant to SEQRA, special use permit and site plan approval for development of 50,000 (expandable to 100,000) square foot warehouse project in Sullivan County, New York.
- Environmental and land use counsel for regional contractor and developer in its environmental restoration, remediation and redevelopment of a former permitted mine and inactive hazardous waste site in Long Island, New York. Project included solid waste facility permitting under Part 360 of the New York State Solid Waste Regulations.
- Environmental counsel to one of metropolitan New York's largest wholesale food distributors involving its 2.7 MW solar installation as well as remediation and redevelopment activities under the New York State Brownfield Program.
- Represented one of the largest gasoline station owners in the United States in the sale and redevelopment of a former gas station site in Brooklyn, New York, to be remediated and redeveloped under the New York State Brownfield Cleanup Program.
- Environmental counsel to a large-scale developer for the over 2.2 million square-foot mixed-use development, with 27% of the planned 1,723 apartments for low- and middle-income households, in Astoria, New York, for participation in the New York State Brownfield Redevelopment Program.
- Land use and environmental counsel to a gaming developer. Successfully won its bid to be the first and only casino resort project approved in the Catskill/Hudson Valley Region, a \$980 million project with a realistic going-forward investment in excess of \$1.1 billion. Advised on environmental review, negotiated water and sewer agreements, prosecuted various federal and state wetlands permits, amended local laws to enable a comprehensive master planned destination resort zoning district and obtained various local land-use approvals and entitlements.
- Land use and environmental counsel for the redevelopment of a renowned golf course in Sullivan County, New York. Representation included SEQRA compliance, obtaining site plan approvals, obtaining state and federal wetlands approvals to enable redevelopment and obtaining local financial benefits for the project (sales and use tax exemption, PILOT agreement, etc.) under the County of Sullivan Industrial Development Agency's uniform tax-exempt policy.
- Represented a New York City developer as environmental counsel in the redevelopment of a full city block in Flushing, New York into a mixed-used high-rise development under the New York State Brownfield Redevelopment Program.
- Represented one of the largest independent liquid petroleum products pipeline companies in its application to obtain the necessary land-use approvals for an above-ground petroleum storage facility in Linden, New Jersey.
- Environmental counsel on the remediation, closure and redevelopment of landfills in the New Jersey Meadowlands.
- Negotiated a global consent order with the New York State Department of Environmental Conservation to resolve petroleum bulk storage violations at multiple facilities throughout New York State for a major mining company.
- Represented a major Niagara County power producer in its negotiations with the County Industrial Development Agency to secure and maintain financial benefits under the county's uniform tax exemption policy.
- Counsel to a major gaming developer in the negotiation and drafting of a PILOT (and related agreements). Secured significant financial incentives to ensure financing of the project while guaranteeing a steady revenue stream to local municipalities to enhance essential community services.
- Applied for and obtained tax exemptions on behalf of a REIT for several properties within its 300-plus property portfolio that it refinanced during its \$2.5 billion merger with another national REIT.
- Environmental counsel to a major regional mall and retail property developer on a New York State Brownfields redevelopment project in Queens, New York, involving both on and off-site chlorinated solvent contamination in soil, groundwater and soil vapor.
- Environmental counsel to commercial tenant on property undergoing active remediation of chlorinated solvent contamination pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) — federal Superfund — in Long Island, New York.
- Environmental counsel to commercial developer on a New York State Brownfields redevelopment project in Brooklyn, New York involving chlorinated solvent contamination from a commercial dyeing and dry-cleaning facility. Secured liability protection and significant tax credits.