



Renewable Energy

With the rising cost of oil and gas, many companies, individuals, and municipalities are looking for inventive ways to use alternative energy. Foster Swift is on the cutting edge of alternative energy, working with municipalities and companies to implement and regulate wind farms and geothermal systems. Because the energy group comprises attorneys from backgrounds in different areas of the law, clients will benefit from the wide knowledge base available to solve their issue. By combining attorneys from different disciplines, clients may be certain that multiple legal aspects were considered in their matter's resolution.

From traditional coal, nuclear, and gas power plants to alternative wind energy farms, Foster Swift's attorneys help municipalities with the legal and regulatory issues presented by energy providers, including zoning matters and property tax appeals. Our clients are located across the state, from the Upper Peninsula to the "Thumb" to the coast of Lake Michigan.

ZONING & PLANNING

Foster Swift's attorneys help municipalities develop zoning standards for wind energy farms and other energy providers; adopt temporary moratoria on new energy developments, when necessary; process applications for special land use permits submitted by developers; handle litigation or administrative appeals filed by developers or neighboring landowners; and enforce zoning requirements. We work closely with local officials to navigate these controversial issues, which often draw large crowds and media attention at meetings. Foster Swift is frequently hired as specialty counsel to handle zoning issues related to alternative energy and can collaborate with the municipality's corporate counsel to ensure seamless and effective legal representation.

PROPERTY TAX APPEALS

A property tax appeal filed by a long-standing power plant or a new alternative energy development can present a significant threat to a municipality's tax base. Foster Swift's attorneys have extensive experience in representing local taxing units in these complex, high-stakes tax appeals. From valuation appeals in the Michigan Tax Tribunal to pollution control exemption disputes in the State Tax

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Commission, having expert legal counsel in your corner is crucial. Our attorneys are also skillful negotiators who can often reach settlements that protect the municipality's interests while reducing litigation costs. As with our land use work, Foster Swift's attorneys can handle property tax appeals as specialty counsel.

REAL ESTATE

- Land acquisition and representation of landowners with respect to leases unique to the oil and gas industry.
- Representation of landowners with respect to wind leases.
- Representation of operators of wind farms.
- Representation of oil and gas service company acquiring Michigan assets, including transfer of disposal wells and solid waste processing facility.
- Consultation and advice on remediation of sites contaminated from oil and gas production facilities.

PUBLICATIONS & ALERTS

Michigan's "Homeowner's Energy Policy Act": Transforming HOA Policies, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, July 1, 2024

Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law, *Municipal Law News E-blast*, January 22, 2024

Update: Whitmer Signs Energy Bills, Restricting Facilities, *Foster Swift Municipal Law News E-blast*, November 30, 2023

Proposed Bills to Affect Energy Facilities, *Foster Swift Municipal Law News E-blast*, November 16, 2023

The Next Controversial Land Use: Utility-Scale Battery Facilities, *Foster Swift Municipal Law News*, September 18, 2023

2023 Legal and Regulatory Developments for Agribusinesses, *Foster Swift Agricultural Law News*, August 30, 2023

Proposed Changes to PACE: What You Need to Know, *Foster Swift Municipal Law News*, June 14, 2023

Bio-Digesters: A New solution for a New Era, *Foster Swift Agricultural Law News*, September 17, 2021

Foster Swift Secures Major Victory for Almer and Ellington Townships in Lawsuits Brought by Wind Energy Company, *Foster Swift Municipal Law News*, November 8, 2018

Township's Decision Regarding Wind Energy Upheld in Federal Court, *Foster Swift Municipal Law Newsletter*, November 28, 2017

NEWS

Foster Swift Files Appeal on Behalf of Over 70 Michigan Municipalities to Protect Local Control Over Renewable Energy Regulations, *Meltwater Newswire*, November 8, 2024

Foster Swift Attorneys Named 2025 Best Lawyers in America, *Best Lawyers in America*, August 15, 2024



17 Attorneys Selected to 2024 Michigan Super Lawyers and "Rising Stars", *Michigan Super Lawyers*, August 12, 2024

City of East Lansing Prevails in Electric Franchise Fee Appeal, April 14, 2023

Foster Swift Attorneys Named 2023 Best Lawyers in America®, *Best Lawyers in America*, August 18, 2022

EVENTS

Innovative Approaches to Wind and Solar, *Community Economic Development Association of Michigan (CEDAM)*, June 7, 2023

What You Need to Know Now About Renewable Energy Ordinances, *Michigan Townships Association: Planning & Zoning Retreat*, October 28, 2021