Holland & Hart



PRACTICES

Site Remediation
Federal Lands Permitting
Environmental
Environmental Litigation
Environmental Transactions
Water Resources

INDUSTRIES

Mining
Renewable Energy and Storage
Oil and Gas
Conventional Power
Energy and Resources

EDUCATION

UCLA School of Law, J.D., 2002
Order of the Coif

University of London (LSHTM), M.Sc., 1998

Arizona State University, B.S., 1997
summa cum laude

BAR ADMISSIONS

New Mexico
California
Alaska
Nevada
Arizona

COURT ADMISSIONS

U.S. District Court for the District of Nevada
U.S. Supreme Court
U.S. District Court for the District of Alaska
U.S. District Court for the Central District of California
United States District Court for the

Andrea Driggs

Partner

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Andrea delivers strategic counsel to mining and energy clients on permitting and regulatory matters, leveraging her deep industry expertise in critical minerals and renewables development.

Licensed in five western states, Andrea helps mining and energy clients navigate cross-jurisdictional environmental and natural resource issues. Andrea guides clients through complex environmental permitting and regulatory challenges. She focuses on critical mineral mining, conventional and renewable energy development, and contaminated site remediation.

Her practice includes obtaining and defending key permits, conducting environmental due diligence for large transactions, and advising on National Environmental Policy Act (NEPA), Clean Water Act (CWA), and National Historic Preservation Act (NHPA) reviews for exploration and mine plans. She also assists conventional and renewable energy developers with essential permits for solar, wind, and battery storage projects, including Certificates of Environmental Compatibility from Arizona's Corporation Commission.

Before joining Holland & Hart, Andrea was a partner at Perkins Coie, where she served as Firmwide Chair of the Mining Industry Group and Co-Chair of the Oil & Gas Industry Group.

EXPERIENCE

Mining and Natural Resources

- Mine permitting and environmental compliance
- Exploration and operations authorizations
- Water quality and discharge permits
- NEPA review for mine plans of operation
- CERCLA liability evaluations
- Mining due diligence
- Federal land use approvals

Energy Development

- Conventional and renewable energy project permitting
- Certificates of Environmental Compatibility
- Battery storage facility authorizations

District of Nevada
U.S. District Court for the District of Arizona
U.S. District Court for the District of New Mexico
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Ninth Circuit

- Solar and wind project siting
- Energy facility environmental compliance
- Cross-jurisdictional permitting strategy

Environmental Transactions

- Environmental due diligence
- Mining property acquisitions
- Energy project transactions
- Engineering, procurement, and construction management (EPCM) contracts
- Multi-state permit transfers
- Environmental liability assessment
- Compliance audits and reviews

Water Resources

- Water rights acquisitions
- Groundwater contamination matters
- Water quality permitting
- Water supply agreements
- Cross-jurisdictional water issues
- Discharge permit compliance

CLIENT RESULTS

Regulatory

- Advising Resolution Copper Mining, LLC, a joint venture between Rio Tinto and BHP, on environmental regulatory issues pertaining to its project near Superior, Arizona.
- Assisted in the development of a 250 MW solar photovoltaic and Battery Energy Storage System (BESS) project in New Mexico.
- Worked with project proponents to develop multiple renewable energy projects across Western jurisdictions.
- Advised companies on required release reporting under CERCLA, Emergency Planning and Community Right-to-Know Act (EPCRA), and state laws.
- Represented client in drafting memorandum of understanding (MOU) with the state government and the U.S. Forest Service (USFS) related to water quality monitoring.
- Assisted client in negotiating stipulation involving Nevada’s Protocol Agreement with the Bureau of Land Management (BLM).
- Represented mining client navigating potential Toxic Pits Cleanup Act (TPCA) issues.
- Represented government contractor accused of violations of Nevada’s environmental laws and evaluated possible penalties.

- Represented mining company in the cleanup and closure of former uranium millsite pursuant to the Uranium Mill Tailings and Radiation Control Act (UMTRCA).

Project Development & Transactions

- Conducted due diligence, including permitting, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), water, and title, for various mine sales and transactions related to renewables/hydrogen hub development; evaluated permit transfers and agreements for mine sales and transactions involving renewables.
- Assisted clients with agreements involving Nevada mining claims, including purchase and royalty agreements, exclusivity agreements, and confidentiality agreements.
- Assisted clients in obtaining certificates of environmental compatibility (CECs) from the Line Siting Committee/Arizona's Corporation Commission.
- Represented major base metals mining company South32 regarding environmental and natural resource issues relating to its exploration of a possible zinc-silver-lead mine in southeast Arizona.

Litigation

- Counsel for American Exploration and Mining Association and other mining industry amici in a U.S. Supreme Court case addressing federal agency obligation under the National Environmental Policy Act to evaluate environmental impacts over which they have no regulatory authority. Seven County Infrastructure Coalition v. Eagle County, Colorado, No. 23-975 (U.S. 2024).
- Represented the National Mining Association as amicus in the first case to squarely address the 2023 EIS completion deadlines added by the 2023 Fiscal Responsibility Act. Signal Peak Energy, LLC v. Haaland, 2024 WL 3887386 (D.D.C. Aug. 21, 2024).
- Defended Arizona in a lawsuit related to the navigability of Arizona’s rivers at the time of statehood to determine title. The Arizona Court of Appeals affirmed the determinations of the Arizona Navigable Stream Adjudication Commission (ANSAC) for all segments of the Verde and Salt Rivers and for all but one segment of the Gila River. The court also denied the plaintiffs their requested fees. No. 1 CA-CV 20-0295, 2023 WL 1788049 (Ariz. Ct. App. Feb. 7, 2023).
- Defending intervenor Resolution Copper Mining, LLC in three cases in the U.S. District Court for the District of Arizona challenging a statutorily-mandated land exchange with the U.S. Forest Service, intended to facilitate copper mine development in rural Arizona. No. 21-CV- 0050, No. 21-CV-0068, No. 21-CV-0122.
- Counsel of record for amici American Exploration and Mining Association et al. in a U.S. Supreme Court case addressing the extent of federal jurisdiction under the Clean Water Act. The

question presented to the Court was whether the U.S. Court of Appeals for the Ninth Circuit set forth the proper test for determining whether wetlands are “waters of the United States” under the Clean Water Act. 2022 WL 1190193 (U.S.).

- Representation of Resolution Copper Mining, LLC, developer of one of North America’s largest copper mines, in administrative litigation brought by tribal and conservation group interests to challenge the wastewater discharge permit issued to Resolution by the Arizona Department of Environmental Quality. 254 Ariz. 179 (Ct. App. 2022).
- Defended the City of Phoenix in successive, related CERCLA cases in the U.S. District Court for the District of Arizona and Ninth Circuit brought by the Roosevelt Irrigation District (RID) and its counsel. Plaintiffs have alleged that impacted groundwater pumped by RID irrigation wells must be treated to drinking water standards, a result that might allow them to control a drinking water supply worth more than $1 billion. No. 2:16-CV-4447-DAE, 2022 WL 17903905 (D. Ariz. Sept. 30, 2022) (granting partial summary judgment to defendants).
- Served as court-appointed counsel in a six-day jury trial related to violations of the plaintiff’s civil rights. No. CV-19-04532-PHX-ROS, 2022 WL 16641815 (D. Ariz. Sept. 12, 2022).
- Represented children in the Arizona foster care system. The children alleged that Arizona’s statewide policies and practices deprived them of required medical services, among other things, and thus subjected them to a substantial risk of harm. 922 F.3d 957 (9th Cir. 2019).

PUBLICATIONS

"Winds of Change: Federal Court Halts DoD's Year-Long Freeze ," *Renewable Energy Update* , August 10, 2026

"Tapped Out: Court Rejects ADWR Groundwater Rules on Procedural Grounds," *Water Law Update* , April 29, 2026

"Federal Court Halts Wind and Solar Permitting Freeze," *Renewable Energy Update* , April 28, 2026

"Arizona Pulls the Plug on Renewable Mandates: Key Implications for the Energy Industry," *Renewable Energy Update*, March 19, 2026

"Will NEPA Reform Actually Work This Time?," *40 Natural Resources & Environment 3*, Winter 2026

"State, Federal Incentives Heat Up Geothermal Projects," *Law360*, December 4, 2025

"Siting Energy and Transmission Line Projects in Arizona," *Holland & Hart and SWCA Guide*, July 10, 2025

"Kavanaugh Urges NEPA ‘Course Correction.' Courts Should Listen.,"

Bloomberg Law, June 3, 2025

"RFRA and Religious Servitudes on Public Lands," *71st Annual Natural Resources and Energy Law Institute, Chapter 33A, 2025*, 2025

"A Cautionary Tale: EPA Lists PFOA and PFOS as Hazardous Substances," *Law.com*, May 22, 2024

"What Nevada ‘Superbasin' Ruling Means for Water Users," *Law360*, April 2, 2024

"PFAS Food Packaging Regulations State by State," *Packaging Digest*, September 19, 2023

"New US Waters Definition May Rock The Boat," *Law360*, January 19, 2023

"Where Water Ends and Land Begins: Course Changes and the Clean Water Act," *Nevada Lawyer*, April 2022

"Mines and Maui: So Much for Regulatory Certainty," *FNREL Natural Resources Law Network*, August 2020

"Just Add Water: Permitting, State Sovereignty, and the Marble Cake Debacle," *ABA 35 Natural Resources & Environment 1*, Summer 2020

"The Other CO2 Problem," *ABA 34 Natural Resources & Environment 1*, Summer 2019

BLOG POSTS

"The Land Use Lesson at La Osa Energy Center," *The Pulse*, August 31, 2026

"DoD's Wind Freeze and the APA Reckoning," *The Pulse*, July 31, 2026

"For Alaska Projects, Land Status Is Key," *The Pulse*, July 31, 2026

"Permitting the AI Buildout," *The Pulse*, July 27, 2026

"A New ESA Take Landscape for Energy, Mining, and Infrastructure Projects," *The Pulse*, July 20, 2026

SPEAKING ENGAGEMENTS

"The Courts and Congress Get Their Turn at NEPA Reform," *American Exploration and Mining Association annual convention*, Sparks, NV, December 11, 2025

" From Red Tape to Green Light: Mastering Arizona's Siting Gauntlet," *Arizona Line Siting & CEC Compliance, Webinar*, December 11, 2025

"Permit Me to Panic: Navigating NEPA's New Normal," *33rd Fall Conference, American Bar Association (ABA)*, Arlington, VA, October 24,

2025

"Moderated panel on NEPA Reform: Permitting for Critical Minerals Production," December 2024

"Moderated panels on WOTUS and PFAS for Clean Water Act 2024: Law and Regulation," October 2024

"Spoke at the American Exploration and Mining Association's annual meeting on NEPA Reform: Permitting for Critical Minerals Production," December 2023

RECOGNITION

- *The Best Lawyers in America*®, Environmental Law; Litigation - Environmental, 2024-2027
- Top 100 Lawyers in Arizona, AZ Business Magazine, 2026
- *The Best Lawyers in America*®, Ones to Watch in America, 2021-2023
- Member of trial team that received the District of Arizona’s Pro Bono Firm of the Year Award, 2023
- Recipient of the Top Pro Bono Attorneys in Arizona Award, Arizona Foundation for Legal Services & Education, 2023
- Pro Bono Team Award for Arizona Foster Care Litigation, 2020

PROFESSIONAL AND CIVIC AFFILIATIONS

- American Exploration and Mining Association, Board of Trustees, 2024 - present
- American Bar Association, Section of Environment, Energy, and Resources, Mining Committee Co-Chair, 2022 - 2024; Mining Committee At-Large Chair, 2024 - present
- Fresh Start, Executive Board of Directors, 2023 - present
- Federation of Defense & Corporate Counsel Ladder Down Class, 2021
- Arizona Center for Disability Law, former President and Board Member, 2018 - 2024