

KEVIN J. DAEHNKE, ESQ.

Summary of Experience

Active in the environmental legal arena since 1981, when he co-founded and served as Editor-in-Chief of USC's *Journal of Law and the Environment*, Mr. Daehnke's main focus is on environmental regulatory matters and transactional environmental matters, in particular, those relating to Brownfield redevelopment projects, real estate purchase/sales transactions, and mergers and acquisitions. Mr. Daehnke's 25 years as an attorney also includes significant experience as litigation counsel in major Superfund matters, and in Polanco Act, insurance, environmental cost recovery and toxic tort lawsuits. Mr. Daehnke has served for 15 years as the managing partner of the firm now known as Daehnke Cruz Law Group, LLP, a California-based law firm specializing in "contaminated property" issues, including an emphasis (for the last 10 years) on Brownfield redevelopment. Mr. Daehnke is an active member of the Brownfields Committee of the California Redevelopment Association, serves on the Executive Committee, and is Chair of the Policy Committee, of the California Chapter of the National Brownfields Association, has served as Chair of the Brownfield *Roundtable* for the Los Angeles Area Chamber of Commerce, has authored or contributed to numerous publications, including co-authorship of a hazardous waste manual published by the California Chamber of Commerce, and has served on various trade group and regulatory committees and panels which address Brownfield and other related environmental issues. Mr. Daehnke is active in developing legislative and regulatory incentives for Brownfield projects, including legislation affecting multi-parcel projects, Brownfield loan programs and Brownfield liability reform. Mr. Daehnke's most significant legislative success is the creation, drafting and passage of Senate Bill 989, an important new tool for the development of Brownfield sites in California. Since 2005, Mr. Daehnke (and his 15-year law partner, John Cruz) have downsized their 10-attorney law firm and are now focusing the practice mainly on Brownfield redevelopment projects and other contaminated property matters, including litigation. John Cruz is presently serving full-time as a member of Governor Schwarzenegger's Cabinet.

Education:

J.D. - University of Southern California, 1983.

B.A. - Economics (Honors), Arizona State University, 1980.

Professional Affiliations:

California Bar Association

Environmental Law Section

Real Property Law Section (Past)

Los Angeles County Bar Association

Environmental Law Section

Litigation Section (Past)

Orange County Bar Association

Environmental Section (Executive Committee - Past)

Industry/Lobbying Affiliations:

National Brownfields Association

Chair, Policy Committee, California Chapter

Member, Executive Committee

California Redevelopment Association

Member, Brownfields Committee,

Member Legislative Subcommittee

Member, Statewide Brownfield Task Force, Cal. EPA (Past)

Los Angeles Area Chamber of Commerce

Chair, Brownfields Roundtable (Past)

Chair, USC Environmental Law Advisory Board (1984-1988)

Chair, Legislative Committee, OII Steering Committee (Past)

Representative Legal Experience:

Assists developers with environmental cleanup aspects of the redevelopment of Brownfields sites.

Represented wide-range of clients in major toxics litigation, including CERCLA, insurance disputes and cost-recovery litigation.

Works with California legislature, personally, and through efforts on National Brownfields Association and the Brownfields Committee of California Redevelopment Association.

Organizes seminars and publishes articles on topics ranging from Brownfields redevelopment, SB 989, AB 389 and the Polanco Redevelopment Act.

Assisted in amending and obtaining legislative re-authorization of California's "Polanco Act."

Monitors legislative and regulatory developments in toxics arena.

Co-author of comprehensive toxics manual, published by the California Chamber of Commerce and distributed to thousands of businesses statewide.

Past Chair of the USC Environmental Law Advisory Board.

Organized and served as Chair of Brownfields Roundtable of Los Angeles Area Chamber of Commerce.

Advises redevelopment agencies on environmental immunity and cost recovery aspects of the Polanco Act.

Insurance coverage counsel in major toxics lawsuits, including litigation pertaining to the Stringfellow Acid Pits, the BKK Landfill and the Casmalia Landfill.

Liaison counsel to the EPA on behalf of ninety-five (95) PRP's at the OII Superfund site.

Developed comprehensive toxics program for owners and managers of high-rise medical office buildings.

Co-founded and served as Editor-in-Chief of USC's *Journal of Law and the Environment*.

Created, drafted and secured passage in State legislature of SB 989, California's newest Brownfields' tool.

Publications:

1. Author, "SB 989: The Newest Tool in the Brownfield Toolbox". *Redevelopment Journal*, April 2007.
2. Creator, drafter and legislative liaison for passage of California's newest Brownfields' tool, Senate Bill 989, 2005-2006.
3. Author, "Federal Changes To Environmental Liability: Where do we go from here?" *Redevelopment Journal*, February 2004.
4. Author, "Insurance Strategies in Environmental Cost Recovery Litigation," *Litigation Section Newsletter for the Civil Trial Lawyer*, Vol. 17, No. 3, Winter 2001.
5. Author, "The Hard Road to California Redevelopment," *Brownfield News*, September/October 2001.
6. Co-author, "The Practical Implications of the *Aerojet* Decision," *California Environmental Law & Remediation Reporter*, April 1998.
7. Author, "The Silver Lining in Contaminated Properties," *Orange County Business Journal, Commercial Real Estate Supplement*, February 23, 1998.
8. Author, "Making Your Community Attractive to Brownfields Investment," *Redevelopment Journal*, California Redevelopment Association, January 1998.
9. Interviewed by William Johnston, "How to Make Money Remediating Brownfields Sites," *Daily Commerce*, March 11, 1997.
10. Author, "Expansive Due Diligence: Preparing for Contingent Environmental Claims," *California Environmental Law & Remediation Reporter*, December 1996.
11. Author, "Expansive Due Diligence: Preparing for Contingent Environmental Claims," *Environmental Liability, Enforcement and Penalties Reporter*, April 1996.
12. Author, "Environmental Risk Management for Banks: Avoiding Pitfalls of Contaminated Collateral," *California Banker*, March/April 1993.
13. Author, "Insurance Coverage for Toxics Cleanups," *Hazardous Waste Management Handbook: Guidelines for Compliance*, May 1987.
14. Author, "How to Structure Business Transactions to Avoid Toxics Liability." *Hazardous Waste Management Handbook: Guidelines for Compliance*, May 1987.
15. Co-author, *Hazardous Waste Management Handbook: Guidelines for Compliance*, California Chamber of Commerce, May 1987.
16. Editor-in-Chief, Proceedings from Symposium on "Energy and the Oceans," *USC Journal of Law and the Environment*, 1983.

Seminars/Speaking Engagements:

1. Presenter, "SB989: California's Newest Brownfield Redevelopment Tool," Professional Environmental Marketing Association, December 10, 2007.
2. Sponsor, Organizer and Presenter, *SB 989: A New Solution to Redevelop Contaminated Infill Properties*, a program presented to date to 37 redevelopment agencies and state regulators, December 6, 2006 and April 5, 2007.
3. Moderator, *Alternatives to State Law Parity with Federal Superfund Liability Reforms*, National "Brownfields 2003" Conference, Portland, Oregon.
4. Moderator, *Legislative Developments Panel*, California State Bar Association "Environmental Roundtable," May 2002.
5. Testimony, *Multi-Parcel Brownfield Redevelopment*, Committee on Environmental Health, Safety and Toxic Materials, April 2001.
6. Panel presenter, *Creative Brownfields Approaches from the Los Angeles Region*, national "Brownfields '98" program, November 16-18, 1998.
7. Panel presenter, *The Private Site Manager Program*, "Environmental Cleanup and Land Reuse: Second Generation Land Use," Fourth Annual Government Conference On the Environment - Environmental Solutions and Trade Show, Sacramento, California, March 10, 1998.
8. Program Chair, Moderator and Panel presenter, *Brownfields: The Redevelopment Boom of the 21st Century*, Los Angeles Area Chamber of Commerce, March 20, 1997.
9. Program Coordinator and Moderator, "Air Toxics and Environmental Cleanup Developments," Seminar for Southern California Rock Products/Ready-Mix Concrete Trade Associations, 1995.
10. Keynote Address, "Impacts of Proposition 65 on Industry," Meeting of Southern California Rock Products/Ready-Mix Concrete Trade Associations, 1993.
11. Panel presenter, "Insurance Recoveries for Environmental Claims," Annual Meeting of National RIMS Risk-Management Association, 1993.
12. Program Coordinator and Moderator, "Toxic Loans," Western Independent Bankers Association, Los Angeles, September 1992.
13. Program Coordinator and Moderator, "Toxic Loans," Western Independent Bankers Association, San Francisco, September 1992.
14. Panel presenter, Annual "Superfund Development" Conference, Information Network for Superfund Settlements, Chicago, Illinois, Spring 1992.
15. Presenter, "Proposition 65 and Recent Environmental Developments," Hazmacon Conference, Spring 1991.
16. Presenter, "Environmental Insurance and Proposition 65 Issues," Annual Hazmacon Conference, Spring 1990.
17. Presenter, "Proposition 65," Annual Hazmat Conference, Fall 1989.
18. Speaker, "Environmental Concerns for Businesses," Annual Meeting of Plumbing and Piping Industry Council, February 1989.
19. Presenter, "Environmental Risk Management," Winter Conference, Western Association of Insurance Brokers, Steamboat Springs, Colorado, Winter 1989.
20. Program Moderator and Panel Presenter, National Safety Council Seminar on Environmental Issues, August 16, 1988.
21. Guest, "Toxics and You," TV Station KVELY, Channel 6, May 4, 1988.
22. Guest, "Toxics and You," TV Station KVELY, Channel 6, April 20, 1988.
23. Keynote Address, "Survival Under Prop. 65," Los Angeles Chapter of International Association for Hospital Security, April 13, 1988.
24. Panel Moderator, "Proposition 65: Is it Safe to Go Back in the Water?," Sixth Annual Environmental Law Symposium, USC *Journal of Law and the Environment*, March 5, 1988.
25. Presentation, "Toxic and Infectious Substances: Planning to Avoid Disaster." Meeting of Committee on Architecture for Health, American Institute of Architects, February 11, 1988.
26. Keynote Address, "Toxics: Minimizing Underwriting Risks." Meeting of Insurance Underwriter's Association of Los Angeles, September 16, 1987.
27. Moderator, "Toxics Liability: Minimizing the Risks Facing California Insurers." One day seminar, sponsored by Western Security Surplus Insurance Brokers, May 28, 1987.