

Samuel R. Boden

Associate

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OVERVIEW

Sam Boden is an associate in the Environment and Energy practice group in the Harrisburg office. Sam assists a broad range of clients on the environmental aspects of project development, transactions, and government enforcement matters, with a specific focus on renewable energy. He counsels clients on compliance under the full suite of environmental statutes, including the Clean Water Act (CWA); National Environmental Policy Act (NEPA); Endangered Species Act (ESA); the Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA); and state equivalents. Sam also monitors novel issues arising under environmental laws relating to solar, wind, hydrogen energy, and carbon capture permitting, regulation of emerging contaminants, and environmental justice considerations.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Samuel served as a legal intern in the Pennsylvania Department of Environmental Protection as well as a number of non-profit organizations focused on environmental protection. During law school, he was a member of the Environmental Law Moot Court, a Lawyering Fellow, and a Research Assistant for Prof. Robert Percival. He also served as an AmeriCorps VISTA with the Philadelphia Water Department.

ACHIEVEMENTS

- David Sive Award for Best Brief Overall, Jeffrey G. Miller National Environmental Law Moot Court Competition, February 2020

PROFESSIONAL / CIVIC ACTIVITIES

- Fellow, Clean Energy Leadership Institute
- Vice Chair of Project Development Committee, American Bar Association Section on Environment, Energy, and Resources
- Membership and Diversity Subcommittee, Pennsylvania Bar Association Environmental and Energy Law Section

- Associate, James S. Bowman American Inn of Court, 2022-2025
- Dauphin County Bar Association

SPEAKING ENGAGEMENTS

- Panelist, “Threatened and Endangered Species Protections and Energy Development,” Pennsylvania Bar Association, EEL (Environmental and Energy Law) Energy Law Committee Lunch and Learn Webinar, 24 February 2025
- Panelist, “Threatened and Endangered Species Policy Update,” Pennsylvania Association of Environmental Professionals (PAEP) Webinar, 12 November 2024
- Presenter, “Threatened and Endangered Species Policy Update,” National Sand, Stone, and Gravel Association Legislative & Policy Forum, 24 September 2024

EDUCATION

- J.D., University of Maryland School of Law, *(magna cum laude; Order of the Coif)*
- B.A., Messiah University

ADMISSIONS

- Bar of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 31 August 2026, Environmental Justice Update
- June 2026, ESG and the Sustainable Economy Handbook
- 19 May 2026, People vs. Machines: Texas County Pushes Pause on Data Center Construction as Project Risks Expand Nationally Amid Public Opposition
- 8 January 2026, Pennsylvania Department of Environmental Protection Releases Final Environmental Justice Policy
- 2 December 2025 , Environmental Justice Update
- 17 November 2025, Pennsylvania Budget Institutes New Permitting Reforms, Abrogates Pennsylvania RGGI Rule
- 25 August 2025, Department of the Interior Issues Flurry of Actions Targeting Wind and Solar Energy Projects
- 5 May 2025, Environmental Justice Update
- 22 January 2025, Trump Issues Sweeping Executive Order Declaring National Energy Emergency

- 6 May 2024, EPA's New Strategic Civil-Criminal Enforcement Policy: Will Enhanced Coordination Lead to More Criminal Enforcement?
- 2 May 2024, Calming the Seas for Offshore Wind: Renewable Energy Modernization Rule Seeks to Boost Regulatory and Financial Certainty for Wind on the Outer Continental Shelf
- 20 September 2023, Pennsylvania DEP Publishes Final Interim Environmental Justice Policy
- 12 May 2023, Full of Hot Air? EPA Tries Again to Impose Greenhouse Gas Emission Standards on Fossil Fuel-Fired Power Plants
- 10 January 2023, A New Final (But Not the Final?) WOTUS Rule
- 9 December 2022, Electrifying the Renewable Fuel Standards: EPA Proposes a Major Expansion of the Renewable Fuel Standard Program
- 7 October 2022, Taking a New Approach: USFWS Proposes Streamlined Eagle Take Permit Program
- 7 July 2022, Carbon Quarterly – Volume 6
- 6 July 2022, Supreme Court Advances Major Questions Doctrine and Limits EPA's Authority to Regulate Power Plant Carbon Emissions
- 21 June 2022, EPA Proposes New Rules Governing Section 401 Water Quality Certification
- 29 April 2022, Three Steps Forward, Two Steps Back: the Biden Administration's Revised NEPA Rules
- 15 March 2022, PADEP Releases Updated Environmental Justice Policy for Public Comment
- 28 January 2022, NEPA: The Old Becomes New
- 24 January 2022, EPA and States Get Busy on PFAS Waste Regulation
- 11 January 2022, Carbon Quarterly – Volume 5
- 15 November 2021, EPA Gets Serious About Environmental Justice

OTHER PUBLICATIONS

- "What To Expect From Biden Admin.'s NEPA Updates," *Law360*, 12 May 2022
- "New Frontiers in Coal vs. Climate: The Commerce Clause and Clean Water Act," American Bar Association Section of Environment, Energy, and Resources
- "Presumptive Innocence v. the Precautionary Principle: The Story of PFAS Regulation in the United States"

NEWS & EVENTS

- 14 January 2026, K&L Gates Advises Kyuden in its Investment in Spearmint Energy Regarding Two Battery Energy Storage Projects

- 10 November 2025, K&L Gates Advises Albemarle on Sale of a Controlling Stake in Ketjen to KPS Capital Partners
- 17 March 2025, K&L Gates Receives Excellence Award for Representation of Wabtec in Acquisition of Bloom Engineering
- 28 January 2025, K&L Gates Advises Universal Stainless and Alloy Products in its Acquisition by Aperam
- 9 May 2023, K&L Gates Advises SPX Technologies on Agreement to Purchase Electrical Heating Solutions Leader

AREAS OF FOCUS

- Environment and Energy
- Land Use, Planning, and Zoning

INDUSTRIES

- Corporate Sustainability
- Energy
- Energy Storage and Distributed Resources
- Hydrogen
- Offshore Wind Energy
- Renewables

EMERGING ISSUES

- Data Centers and Energy Intensive Infrastructure
- ESG - Sustainability and Responsible Business

REPRESENTATIVE EXPERIENCE

- Represented a lender group in the more than US$20 billion financing of 10 data centers with a total capacity of over 1,300 MW in Abilene, Texas.
- Acted as lender's counsel on 153 MW wind energy project pertaining to the financing of development which includes performing review of real estate due diligence, regulatory, environmental, validation of property ownership and negotiation of other loan documents to ensure protection of lender.
- Acted as lender's counsel on 105 MWac solar energy project located in Pennsylvania pertaining to the financing of development which includes performing review of real estate due diligence, regulatory,

environmental, validation of property ownership and negotiation of other loan documents to ensure protection of lender.

- Represented a tax equity investor on 105 MW solar project located in Pennsylvania pertaining to the financing of development which includes performing review of real estate due diligence, regulatory, environmental, validation of property ownership and negotiation of other loan documents to ensure protection of lender.
- Served as lender's counsel on 250 MW/1000 MWh Battery Energy Storage Facility project in Mesa, Arizona pertaining to the financing of development which includes performing review of real estate due diligence, regulatory, environmental, validation of property ownership and negotiation of other loan documents to ensure protection of lender.