

John E. Putnam

John Putnam counsels and litigates on behalf of public and private entities on the development and operation of infrastructure. John has extensive experience providing clients with strategic advice on airport, electricity, surface transportation, water, and other infrastructure projects throughout the country. He counsels clients regarding a wide range of environmental, energy, and transportation issues, including public utilities laws, the National Environmental Policy Act (NEPA), air quality, climate change, noise, transportation regulations, and natural resources.

Representative Experience

Airport Projects

- Representing large and small airports, including the City of Los Angeles (LAX), the City of Chicago, Maryland Airport Administration, and the City of Philadelphia, in efforts to secure approvals and defend airport development projects
- Counseling airports on the full range of federal transportation and environmental laws
- Representing airports and public entities across the country regarding FAA airspace changes
- Representing airport sponsors in administrative and judicial litigation regarding compliance with federal grant and other regulatory requirements
- Represented City of Phoenix in successful litigation and post-litigation settlement regarding FAA flight route changes
- Represented coalition of airports in litigation to reverse FAA decision to close control towers
- Represented the City of Minneapolis in litigation against the Minneapolis-St. Paul Airport that resulted in a settlement that provided noise insulation to almost 10,000 homes
- Represented hub airport in successful litigation against the Federal Aviation Administration for failing to protect airport airspace from a proposed wind project
- Represented hub airport against a nationally prominent wealthy landowner in litigation for noise and overflights of a historic property in Florida
- Represented the City and County of Denver, City and County of San Francisco, and the City of Los Angeles in defense of False Claims Act actions regarding alleged noncompliance with Clean Air Act

Transit and Highway Projects

- Representing state of Colorado in P3 procurement of major



Managing Partner

Denver Office
303.825.7000 C 720.236.6718
Washington, DC Office
202.955.5600
jputnam@kaplankirsch.com

Areas of Practice

Airports
Energy
Environment, Public Lands, and Conservation
Rail, Transit, Highways, and Infrastructure
Real Estate, Land Use, and Zoning

Education and Clerkships

J.D., with honors, University of Chicago, 1993
Law Clerk, Judge David M. Ebel, United States 10th Circuit Court of Appeals
B.A., *summa cum laude*, Williams College, 1990

Bar and Court Admissions

Colorado
District of Columbia
Many Federal District Courts,
Courts of Appeals

Resources

P3 Airport Projects: An Introduction for Airport Lawyers



KAPLAN KIRSCH ROCKWELL

highway improvements

- Representing transit providers in environmental processes regarding proposed transit improvements
- Representing Colorado local governments in efforts to promote proposed local highways and avoid incompatible highway proposals
- Successfully resolved litigation against large P3 highway project in Colorado
- Represented private entity in securing approval for a major public-private partnership for an interstate highway in Colorado
- Represented public and private entities in efforts to secure highway and transit connections to airports, infill development, and other projects

Environment, Air, and Water Projects

- Representing cities in clean air rulemaking and compliance issues across the country
- Representing a national foundation in efforts to promote alternative fuel use and infrastructure
- Representing a Colorado municipal entity in NEPA and Clean Water Act processes regarding the development of new water infrastructure
- Representing Utah municipality regarding drinking water infrastructure permitting and compliance
- Represented local governments and NGOs in clean vehicle rulemakings
- Represented an authority in rezoning of former urban military base to enable infill reuse of property
- Secured settlement to eliminate conditional water rights on the Crystal River in Pitkin County, Colorado, that threatened client interests
- Secured injunctions against construction of high-definition television towers on behalf of a Colorado municipality
- Represented public and private entities in Clean Air Act compliance and enforcement matters

Electricity and Energy Projects

- Representing solar industry trade association in Colorado PUC dockets and settlements regarding net metering and solar policy issues
- Representing large electric customer in dispute with utility regarding inadequate service
- Representing power generators, fuel providers, motor vehicle manufacturers, and non-governmental organizations in Clean Air Act regulatory matters
- Represented independent power producer in Colorado Public Utilities Commission dockets to renew expiring power



KAPLAN KIRSCH ROCKWELL

- purchase agreements for gas-fired assets, including electric resource planning and Colorado Clean Air-Clean Jobs Act dockets
- Represented independent power producers in PUC litigation to retire coal-fired facilities in the Denver Metropolitan Area to provide opportunities for IPP assets
- Represented major demand side management provider in DSM dockets
- Represented brownfield development interests in successful PUC litigation to strike environmental tariffs that would have burdened infill development
- Represented wind IPPs in PUC dockets regarding power purchase agreement awards
- Represented municipality in disputes regarding proposed transmission line upgrades
- Represented local government in dispute regarding feasibility of using of conditional water rights hydroelectric purposes
- Represented local government developing land use ordinances relating to energy projects
- Represented parties in due diligence regarding energy generation asset transactions

Professional and Civic Activities / Awards

- *Best Lawyers*[®] *Administrative/Regulatory Law "Lawyer of the Year" award for Denver (2017, 2019)*
- *Best Lawyers in America*[®] for Administrative/Regulatory Law (2016–2019)
- General Accountability Office Expert Panel, Air Traffic Control: Experts' and Stakeholders' Views on Key Issues to Consider in a Potential Restructuring (2016)
- General Accountability Office Expert Panel, Federal Aviation Administration: Preliminary Observations of Potential Air Traffic Control Restructuring Transition Issues (2016)
- Chairman and Member, Regional Air Quality Council (Appointed by Governor Ritter in 2009 and Governor Hickenlooper in 2015, 2018) (formerly Chair of Stationary Source and Transportation Pricing Committees)
- Chairman and Member, Planning Board for City of Boulder (2013–2018)
- Co-Founder and Vice President, Team Colorado Whitewater Racing Club (2012–Present)
- Member, Environmental Steering Committee, Airports Council International – North America (2011–Present)
- *Super Lawyers*[®] for Environmental Law; Environmental Litigation (2011–2012)



KAPLAN KIRSCH ROCKWELL

- Chairman and Trustee, Open Space Board of Trustees, City of Boulder (2008–2013)
- General Accountability Office Expert Panel, FAA Airspace Redesign, An Analysis of the New York/New Jersey/Philadelphia Project (2008)
- Chairman, Subcommittee on Aviation and Climate Change, United States Transportation Research Board (2007–2012)
- Co-Founder and Chairman, Partners for Rural Improvement and Development in Ethiopia (2005–Present)
- Member, Committee on Developing an Environmental Design Tool, National Research Council (2003–2005)
- Secretary and Member, Committee on the Environmental Effects of Aviation, United States Transportation Research Board (2002–2012)
- Chair and Member, City of Boulder Environmental Advisory Board (2002–2007)
- Colorado Lawyers Committee, Board of Directors and Education Task Force (1998–Present)

Frequent Speaker Regarding

- Environmental review requirements for infrastructure and airspace changes
- Air quality requirements for transportation and energy projects
- Climate change regulation and adaptation
- Land use requirements
- Infrastructure permitting
- Airport noise and regulation

Publications

Airport Law Desk Reference (annual editions)
2005–Present

What Municipalities Need to Know About PFAs in Drinking Water
07.06.18

The View from the Ground: Airport and Community Perspectives
on ATC Reform
August 2017

Evaluating Airport P3 Projects: An Introduction for Airport
Lawyers
May 2017

The FAA's New Small UAS Rule: What Airport Sponsors and
Local Governments Need to Know
06.23.16

Aviation Fuel Tax Obligations for Local Governments



KAPLAN KIRSCH ROCKWELL

10.01.15

ITC Phase Down Creates Near-Term Solar Opportunities for
Airport Owners
12.10.14

Constitutional Challenges and RPS Programs: What to Expect
July 2014

Energy Law Alert No. 1
June 2014

Focus on Implementation of Ozone Standard
02.28.12

Climate Change and Adaptation and Environmental Review
Process
March 2011

ACRP Legal Research Digest 7: Airport Governance and
Ownership
09.28.09

Critical Issues in Aviation and the Environment
September 2009

House Enacts Landmark Climate Change Legislation
07.15.09

The Law of Aviation-Related Climate Change: The Airport
Proprietor's Role in Reducing Greenhouse Gas Emissions
October–December 2007

Introduction to Airport Air Quality Law
2005

Environmental Process
August 2004

News

Kaplan Kirsch & Rockwell Represents Environmental Defense
Fund in Suit Over Access to U.S. Department of Transportation
Records
12.20.18

Colorado Advances Clean Car Standards
11.19.18

Kaplan Kirsch & Rockwell Hosts 34th Annual Airport Law
Workshop
10.28.18

Five Partners Named as Best Lawyers® for 2019, Two Selected
as Lawyers of the Year



KAPLAN KIRSCH ROCKWELL

Best Lawyers[®] 2019
08.15.18

Federal District Court Denies Injunctions, Dismisses Core Claims
Against Central 70 Project
04.04.18

Concerns Spread about NextGen Flight Patterns
Orlando Sentinel
02.25.18

Central 70 Project Reaches Commercial Close
12.04.17

Washington Post Article Summarizes Impacts of Flight Paths
Across U.S.
The Washington Post
10.23.17

Kaplan Kirsch & Rockwell Hosts 33rd Annual Airport Law
Workshop
10.17.17

The Best Lawyers in America[®] Announces Lawyer Rankings,
Firm Attorneys Included
Best Lawyers[®] 2018
08.15.17

Kaplan Kirsch & Rockwell Announces Publication of Airport P3
Paper
May 2017

Managing Partner John Putnam Delivers Oral Argument Over
Sky Harbor Flight Path Lawsuit
03.22.17

Kaplan Kirsch & Rockwell Hosts 32nd Annual Airport Law
Workshop
11.15.16

Solar Energy and Other Stakeholders Reach Settlement
Agreement in Colorado on Solar Energy, Pricing
08.16.16

The Best Lawyers in America[®] Announces Lawyer Rankings,
Firm Attorneys Included
Best Lawyers[®] 2017
08.15.16

Latest News on FAA Reauthorization
07.14.16

John Putnam Quoted in the Durango Herald re: Durango-La



KAPLAN KIRSCH ROCKWELL

Plata County Airport Management Options
The Durango Herald
06.01.16

Advances in Airport Technology Mean Sleepless Nights for
Some
The Washington Post
03.04.16

GAO Publishes Preliminary Observations of Potential Air Traffic
Control Restructuring Transition Issues
02.11.16

U.S. Court of Appeals Upholds Emergency Take Provision in
Airport's U.S. Fish and Wildlife Permit
01.27.16

Kaplan Kirsch & Rockwell Hosts 31st Annual Airport Law
Workshop
11.01.15

Colorado Solar Leaders Commended Recent PUC Decision on
Net Metering
08.26.15

U.S. Court of Appeals Decision Helps Clear Way for Renewable
Matters – Part I
Power Finance & Risk
08.03.15

Firm Victory on CO Renewable Energy Standard
North American Windpower
07.15.15

John Putnam Reappointed to Regional Air Quality Council by the
Governor
05.21.15

Federal Court Upholds Solar Farm Permit
04.06.15

North American Windpower Features Article Authored by John
Putnam
North American Windpower
07.01.14

Interior Appeals Board Upholds Permit Granted to Christo's Over
The River™ Project
The Washington Post
06.28.13

Colorado Supreme Court Rejects Challenge to States Education
Finance System
05.28.13



KAPLAN KIRSCH ROCKWELL

FAA Postpones Contract Tower Closures
04.03.13

Kaplan Kirsch & Rockwell Achieves Major Victory for Colorado
Brownfield and Infill Development
03.29.10

TRB Publishes Update on Environmental Issues in Aviation
09.17.09

U.S. Court of Appeals Rules FAA Erred Regarding Proposed
Wind Turbines Near Planned Airport
04.18.08

Hennepin County District Court Approves Settlement
10.19.07

FAA and BLM Announce Preparation of Environmental Impact
Statement for Las Vegas Airport Construction
08.29.06

Presentations

The Law of Airport Noise
10.29.18

Airport Law 101
10.28.18

John Putnam Presents on Regulation of UAS
03.09.18

Environmental Review: Special Purpose Laws
11.30.17

John Putnam, Peter Kirsch Present on NextGen Implementation
11.16.17

Non-Aeronautical Development
10.17.17

Sponsor Obligations Part 2: Transactional Issues
10.16.17

Overview of U.S. Legal Issues in Noise and NextGen
Procedures
09.17.17

Drones: A Legal Update
06.21.17

Airport Law Update
06.08.17

Airport Governance Considerations



KAPLAN KIRSCH ROCKWELL

03.28.17

Airspace Management: The New Frontier of Airport Noise
11.15.16

Friends or Foes: Community Relations, Compatibility Planning,
and Politics for Lawyers
11.15.16

An Introduction to Airport Law 101
11.13.16

John Putnam Presents on Drones, Municipalities
07.27.16

John Putnam Presents on Airport Regulatory Updates
06.02.16

Eyes on the River: Unmanned Aircraft Systems and River
Management
05.17.16

Managing Liability for River Access
05.17.16

Permitting Risks and Wind Farm Development – Aviation,
Brownfields, and Mineral Conflicts
01.28.16

Environmental Laws Changing with Climate Change
01.06.16

Hot Topics in Airport Noise
11.03.15

Non-aeronautical Development of Airport Land
11.02.15

Airport Law 102: Airport Stakeholders
11.01.15

City of Phoenix v. FAA
10.04.15

Hovering Over Your City: Municipal Law and Regulation of
Drones
10.03.15

Clean Water Act: New Rule Defining Waters of the United States
08.26.15

Historic Preservation Act of 1966, Section 106: Obtaining
Permits for Projects



KAPLAN KIRSCH ROCKWELL

07.08.15

Extent of City Power to Address Aircraft Noise

06.02.15

Oil and Ethanol Shipments by Rail in Your Community

05.13.15

NextGen and Airports

April 2015

Precision Based Navigation and Noise: Where Do We Stand

Post PBN Blueprint?

March 2015

Microgrids and Other Innovative Energy System Developments

March 2015

Drones in Your Community: The Local Government Angle

12.12.14

Airport Solar Webinar: How to Maximize the Financial Benefits of
Renewable Energy and Sustainability

12.10.14

Transit Finance

09.10.14

The Colorado Open Records Act: Covering the Basics and

Exploring Recent Developments

03.18.14

A Primer on Lobbying and Gifts to Public Officials Under

Colorado, Federal, and Denver Law

04.06.11

Gray Skies to Green: How Climate is Affecting the Aviation

Industry

02.23.11

Coming Soon to an EIS Near You: NEPA and Climate Change

04.03.09

Carbon Management: Can Airports Achieve Neutrality?

02.26.09

The Basics of FOIA and an Overview of Colorado and Other

State Public Records and Open Meetings Laws

01.16.09

Interaction of Local Planning Efforts with Regional Transportation

Projects

04.21.05

