Josh Kaplowitz

Counsel

Washington, D.C.

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OVERVIEW

Josh focuses his practice on environmental regulatory, policy, contractual, due diligence, and litigation matters related to renewable energy development. With extensive experience in both the public and private sectors, he has a deep understanding of what it takes to guide major clean energy infrastructure projects through the federal permitting process and survive judicial review — including issues arising from the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), Bald and Golden Eagle Protection Act (BGEPA), Clean Water Act (CWA), and Outer Continental Shelf Lands Act (OCSLA).

Josh previously served as vice president for offshore wind at the American Clean Power Association (ACP), where he led ACP's offshore wind advocacy efforts, working to advance the organization's policy, legislative, and regulatory priorities for offshore wind, with a particular emphasis on advocating for permitting reforms before a wide range of federal agencies and Capitol Hill. He also facilitated ACP's collaboration with state and local governments, stakeholders, and the public.

After working in private practice as an environmental, toxic tort, and commercial litigator, Josh served for five years in the Office of the Solicitor at the U.S. Department of the Interior as legal counsel for the Bureau of Ocean Energy Management (BOEM) Office of Renewable Energy Programs and the Bureau of Safety and Environmental Enforcement (BSEE). During his tenure, he helped guide multiple projects through the NEPA process, advise on multiple major rulemakings, and defend his client agency against legal challenges to its permits and leases. While at the Solicitor's Office, Josh also advised BOEM on expanded use of categorical exclusions and other potential methods for streamlining its NEPA process.

Josh is a frequent speaker and writer on renewable energy law and policy. He also serves as an adjunct professor at the George Washington University College of Law, where he has taught a course on offshore wind law and lectured on energy infrastructure permitting.

REPRESENTATIVE MATTERS

- Obtained a landmark preliminary injunction in the District of Massachusetts on behalf of a consortium of renewable energy trade groups and a nonprofit, blocking implementation of five Department of the Interior and Army Corps directives that impeded federal permitting of wind and solar projects under the Administrative Procedure Act.

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AWARDS

- *JD Supra* Readers' Choice Awards, Energy (2025)
- *Legal 500 United States*: Environment: Environment: Regulatory (2026)

TOP AREAS OF FOCUS

- Energy
- Energy Policy + Legislation
- Environmental + Natural Resources
- Environmental Litigation + Enforcement Defense
- Renewable Energy

ALL AREAS OF FOCUS

- Energy
- Energy Policy + Legislation
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Litigation + Enforcement Defense
- Government + Regulatory Litigation
- Natural Resources
- Renewable Energy

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Adjunct professor, George Washington University Law School, Washington, D.C. (2022-present)

PROFESSIONAL EXPERIENCE

- Vice president, offshore wind, American Clean Power Association, Washington, D.C. (2021-2023)
- Senior counsel, U.S. offshore wind, GE renewable energy, Washington, D.C. (2020-2021)
- Attorney-advisor, Division of Mineral Resources, U.S. Department of the Interior, Office of the Solicitor, Washington, D.C. (2015-2020)

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Virginia School of Law, J.D., 2007, editorial board, *Journal of Law & Politics*
- Yale University, B.A., *with distinction*, 2000

BAR ADMISSIONS

- District of Columbia

SPEAKING ENGAGEMENTS

- Speaker, “Bipartisan Permitting Reform and What’s at Stake for Offshore Wind,” Oceantic Network, October 29, 2026.
- Speaker, “Permitting in Flux – Navigating Federal Policy Shifts in Energy Infrastructure Development,” 72nd Annual Natural Resources and Energy Law Institute, July 24, 2026.
- Speaker, “Wind and Solar Permitting: Federal Agency Delays, Litigation, and Project Development Risk,” Barbi, July 9, 2026.
- Speaker, “In the Courts and on the Water – Lessons Learned in 2025 from East Coast Projects that can Inform West Coast Offshore Wind,” Pacific Offshore Wind Summit, May 18-20, 2026.
- Speaker, “What’s Up with Mid-Atlantic Offshore Wind: Ongoing Challenges and the Road Ahead,” Monmouth University, March 18, 2026.
- Speaker, “Federal Frontline: Decoding Legal Challenges and Legislative Changes,” Oceantic Network IPF26: Energy at Sea, February 10, 2026.
- Speaker, “Agency Happenings,” 33rd Annual Endangered Species Act Conference, January 29, 2026.
- Speaker, “Legal & Contractual Impact of One Big Beautiful Bill (OBBB) Act,” Offshore Wind Transmission US 2025 (9th Annual Conference), September 25, 2025.
- Speaker, “Future of Renewables,” 2025 Renewable Energy Seminar, September 18, 2025.
- Speaker, “Navigating the Headwinds: The Future of U.S. Offshore Wind,” 2025 Energy Bar Energy Forum, September 15, 2025.
- Speaker, “Member Webinar: Federal Energy Update with Liz Burdock & Policy Experts,” Oceantic Network, June 11, 2025.
- Speaker, “Power Plays: Emerging Challenges at the Intersection of Energy and Environmental Law,” American Law Institute, June 6, 2025.
- Speaker, “Navigating Renewable Energy: Insights from the ACP Siting and Permitting Conference,” *Energy Law Insights*, May 30, 2025.
- Speaker, “Beyond Wind Turbines – Understanding Presidential Energy Directives and the Energy Project Landscape” and “Charting the Energy Addition – Offshore Wind’s Rising Influence,” 2025 Offshore Technology Conference, May 5-8, 2025.
- Speaker, “Unpacking the New Presidential Directives on Offshore Wind: What They Mean and What Comes Next,” 2025 Oceantic Network International Partnering Forum, April 28 – May 1, 2025.
- Speaker, “Developments in the Intersection of Energy and Environmental Law,” 2025 Environmental Law: Tackling the Issues in a Pivotal Year Conference, February 21, 2025.
- Speaker, “Permitting in Federal and State Waters,” The Tulane Offshore Wind Conference: The Future for Offshore Wind in the Gulf and Nationally, January 31, 2025.
- Moderator, “Get Wind of This: The 2024 Election’s Wake Effect on Offshore Wind,” Locke Lord Seminar Series, December 9, 2024.
- Author, “Courts Scrutinize Pretextual Challenges to Offshore Wind,” Pratt’s Energy Law Report, October 2024.
- Author, “Furling the Sales: Offshore Wind Developers Are Tacking Away From Higher Risk Auctions,” Locke Lord QuickStudy, October 1, 2024.
- Panelist, “Regulatory Frameworks, Permitting and Incentives,” AFloat: American Floating Offshore Wind Technical Summit 2024, September 25, 2024.
- Panelist, “Energy Regulation After *Loper Bright*, *Corner Post* and *Jarkesy*: Agency Implications, Anticipated Impacts,” Strafford Webinar, September 19, 2024.
- Moderator, “Get Wind of This: BOEM’s Gulf of Maine Offshore Wind Lease Sale,” Locke Lord Seminar Series, September 18, 2024.
- Panelist, “Riding the Wave: Offshore Wind Feeding Solutions,” Oceantic Network: International Partnering

Forum 2024, April 22-25, 2024.

- Speaker, “How Offshore Wind Can Thrive,” Northeast Energy and Commerce Association: 2024 Renewable Energy Conference, March 7, 2024.
- Panelist, “Leasing in Federal and State Waters,” Tulane Offshore Wind Conference: The Future for Offshore Wind in the Gulf and Nationally, January 2024.
- Moderator, “Timing the Supply Chain: When Will My Services By Procured,” Louisiana Wind Energy Week, January 2024.
- Panelist, “Permitting and NEPA Reform,” American Bar Association Section on Environment, Energy, and Resources Public Land and Resources Committee, June 2023.
- Moderator, “Going Big on California Offshore Wind: State & Federal Progress & Direction,” Pacific Offshore Wind Summit, May 2023.
- Keynote speaker, “Offshore Wind: Opportunities and Challenges,” 2023 State Energy Conference of North Carolina, April 2023.
- Panelist, “Collaborative strategies to minimize conflicts between offshore wind development and sand resources,” American Shore and Beach Preservation Association Coastal Summit, March 2023.
- Panelist, “Offshore Wind Siting and Permitting Challenges,” ALI-ABA Environmental Law 2023, February 2023.
- Panelist, “Put Your Next Foot Forward: Next Generation Technologies and Innovations,” American Bar Association Section on Environment, Energy, and Resources 30th Fall Conference, September 2022.
- Moderator, “Offshore Wind and Energy Independence in the US,” Nexans Climate Day, September 2022.
- Panelist, “Building the Plane While We’re Flying It – Should We Reform the Offshore Wind Leasing and Permitting Process During Liftoff for a New Industry?” Foundation for Natural Resources and Energy Law Annual Institute, July 2022.
- Panelist, “Wind, Water, and Waves: Marine and Great Lakes Renewable Energy,” Foundation for Natural Resources and Energy Law Annual Institute, June 2022.
- Moderator, “Transition to Offshore Wind,” ACP CLEANPOWER, May 2022.
- Panelist, “Offshore Wind Development in the Southeast: Opportunities and Challenges,” Energy Bar Association, Southern Chapter Annual Conference, March 2022.
- Moderator, “Offshore Wind Safety Standards,” American Clean Power Operations Maintenance and Safety Conference, March 2022.
- Panelist, “Offshore Wind and Other Renewables Energy Development,” Environmental Law Institute/ALI-ABA, February 2021.
- Moderator, “Wind of Change: Federal Offshore Policy in 2021,” AWEA Offshore Windpower, October 2020.
- Presenter, “BOEM Permitting of Offshore Wind: A Legal Primer,” American Bar Association Section of Environment, Energy, and Resources, July 2020.

PUBLICATIONS

- Co-author, “Rescission of the Harm Definition: Is a New Day Dawning?,” *Troutman Pepper Locke*, July 13, 2026.
- Co-author, “The Pit Bull Still Bites: District Court Cuts Down Recent (And Potentially Future) Endangered Species Act Regulatory Amendments,” *Troutman Pepper Locke*, April 9, 2026.
- Co-author, “Five For Five: How the APA Protected Offshore Wind (For Now),” *Troutman Pepper Locke*, February 17, 2026. Republished on *Recharge News* on March 3, 2026.
- Co-author, “EPA’s Proposed CWA 401 Rule Narrows Scope of State Reviews, Reins in Timelines,” *Troutman Pepper Locke*, January 20, 2026.
- Co-author, “Spin Doctor: Court Strikes Down Wind Permitting Freeze As Illegal,” *Troutman Pepper Locke*, December 10, 2025.

- Co-author, “Groundhog Day: Proposed Revisions to ESA Regulations (Mostly) Reinstate the 2019 Rules,” *Troutman Pepper Locke*, November 24, 2025.
- Co-author, “Groundhog Day: Proposed Revisions to ESA Regulations (Mostly) Reinstate the 2019 Rules,” *Environmental Law and Policy Monitor*, November 21, 2025. Republished in *E-Outlook – The Environmental & Natural Resources Section of the Oregon State Bar’s Newsletter*, December 2025.
- Co-author, “Illegal Eagles: DOI Sinks Its Talons Even Deeper Into Wind Energy,” *Troutman Pepper Locke*, August 6, 2025.
- Co-author, “Renewables in the Crosshairs: DOI and DOT Announce Numerous New Anti-Wind and Solar Orders and Policies,” *Troutman Pepper Locke*, August 4, 2025.
- Co-author, “Extreme Makeover – NEPA Edition: Permitting Agencies Strip Their Environmental Review Regulations Down To The Studs,” *Troutman Pepper Locke*, July 9, 2025.
- Podcast, “Shaping Policy for Sustainable Decarbonization,” *Perspectives on Sustainable Development*, June 3, 2025.
- Co-author, “One-Track Mind: Unanimous SCOTUS Decision on Rail Line Approval Further Narrows Scope of NEPA,” *Troutman Pepper Locke*, May 30, 2025.
- Co-author, “Empire Wind 1 Stop-Work Order Targets Offshore Wind but Raises Questions for Other Industries,” *Troutman Pepper Locke*, April 18, 2025.
- Podcast, “Winds of Policy Change,” *Squeaky Clean Energy Podcast*, April 17, 2025.
- Co-author, “Twin Killings: Executive Orders Put Existing Energy Regulations in the Crosshairs,” *Troutman Pepper Locke*, April 10, 2025
- Co-author, “President Trump Moves to Repeal NEPA Regulations,” *Troutman Pepper Locke*, February 20, 2025.
- Co-author, “A Hard Look at CEQ’s Hard Luck: North Dakota Court Decision Accelerates NEPA Regulations’ Rapid Fall,” *Troutman Pepper Locke*, February 6, 2025.
- Co-author, “Secretary of the Interior Burgum Fuels A Surge of Day One Energy Orders,” *Troutman Pepper Locke*, February 5, 2025.
- Co-author, “First Day Presidential Directives May Have Broad Implications for Wind Industry,” *Troutman Pepper Locke*, January 22, 2025.
- Co-author, “Vineyard Wind Makes It a Clean Sweep in First Circuit Offshore Wind Decision,” *Locke Lord QuickStudy*, December 9, 2024.
- Co-author, “Courts Scrutinize Pretextual Challenges to Offshore Wind,” *Pratt’s Energy Law Report*, October 2024.
- Co-author, “Furling the Sales: Offshore Wind Developers Are Tacking Away From Higher Risk Auctions,” *Locke Lord QuickStudy*, October 1, 2024.
- Co-author, “Successful Offshore Wind Energy Projects Require a Robust Emergency Response Plan,” *Offshore Magazine*, September 16, 2024.
- Co-author, “If at First You Succeed, Try Try Again: BOEM Wastes No Time Queuing up Another Central Atlantic Lease Sale,” *Locke Lord QuickStudy*, August 26, 2024.
- Co-author, “Wind in Our Sales: Decoding the Central Atlantic Offshore Wind Auction Results,” *Locke Lord QuickStudy,* August 19, 2024.
- External peer reviewer, “Offshore Wind Market Report: 2024 Edition,” National Renewable Energy Laboratory, August 2024.
- External peer reviewer, “Challenges and Opportunities for Floating Offshore Wind Energy in Ultradeep Waters of the Central Atlantic,” National Renewable Energy Laboratory, August 2024.
- Author, “The Implications and Opportunities of the Renewable Energy Modernization Rule,” *S&P Global Commodity Insights*, July 15, 2024.
- Co-author, “Get Into the Ring: The Supreme Court’s *Loper Bright* and *Corner Post* Rulings Set up Round Upon Round of New Regulatory Challenges,” *Locke Lord QuickStudy*, July 9, 2024.

- Co-author, “Planning for a Decarbonized Future: FERC Grid Rule Targets Accelerated Clean Energy Buildout, Reliability,” *Locke Lord QuickStudy*, May 28, 2024.
- Co-author, “Trust the Process? CEQ’s NEPA Phase II Regulations a Mixed Bag and a Missed Opportunity,” *Locke Lord QuickStudy*, May 14, 2024.
- Co-author, “Floating on Both Coasts: Gulf of Maine and Oregon Proposed Sale Notices Are a Study in Contrasts,” *Locke Lord QuickStudy*, May 7, 2024.
- Co-author, “Offshore Wind Gets Some Modern Love: BOEM/BSEE Update Regulations to Better Reflect Current Practices,” *Locke Lord QuickStudy*, April 30, 2024.
- Co-author, “Update to Standing up to the Plaintiffs: Courts Scrutinize Pretextual Challenges to Offshore Wind,” *Locke Lord QuickStudy*, March 8, 2024, updated April 8, 2024.
- Co-author, “Revisions to Endangered Species Act Regulations Reverse Some Trump, Keep Some Trump, Raise Opportunity for Mischief,” *Locke Lord QuickStudy*, April 8, 2024.
- Co-author, “Latest Energy Communities Guidance Buoys Offshore Wind, but Navigation Hazards Remain,” *Locke Lord QuickStudy*, April 3, 2024.
- Co-author, “BOEM Proposes to Go Another Round in the Gulf of Mexico in 2024, With Some Twists,” *Locke Lord QuickStudy*, March 25, 2024.
- Co-author, “Survive and Advance: BOEM’s Gulf of Maine Leasing Process Makes It to the Next Round, but Can It Reach the Finals in 2024?,” *Locke Lord QuickStudy*, March 20, 2024.
- Co-author, “BOEM Floats Another Oregon Milestone: Final Wind Energy Areas Designated,” *Locke Lord QuickStudy*, February 14, 2024.
- External peer reviewer, “Offshore Wind Market Report: 2023 Edition,” *U.S. Department of Energy,* August 2023.
- External peer reviewer, “A Supply Chain Road Map for Offshore Wind Energy in the United States,” *National Renewable Energy Laboratory,* January 2023.
- External peer reviewer, “Offshore Wind Market Report: 2022 Edition,” *National Renewable Energy Laboratory,* August 2022.
- External peer reviewer, “Assessment of Offshore Wind Energy Leasing Areas for Humboldt and Morro Bay Wind Energy Areas, California,” *National Renewable Energy Laboratory*, April 2022.

MEDIA COMMENTARY

- Quoted, “Permitting Deal Gives Projects Defense Against Litigation Delays,” *Bloomberg Law*, October 5, 2026.
- Quoted, “What Does Latest Ruling on Offshore Permit Mean for US Sector?” *Windpower Monthly*, August 24, 2026.
- Quoted, “Atlantic Shores Ruling Puts Final US Offshore Wind Permits Back in Play,” *Recharge News*, August 13, 2026. Republished in *WorkBoat,* August 18, 2026.
- Quoted, “‘In Praise of Litigation’: US Offshore Wind Lawyer Urges Strong Sector Defence,” *Recharge News*, May 26, 2026.
- Quoted, “Offshore Wind Advocates’ Hopes Rise After Year Under Siege,” *WorkBoat*, March 18, 2026.
- Quoted, “With the Wind at Its Back, Vineyard Wind Crosses the Finish Line,” *The New Bedford Light*, March 13, 2026.
- Quoted, “Trump Offshore Wind Actions Send ‘Shock Waves’ Through Clean Energy Investment,” *S&P Global*, September 5, 2025.
- Quoted, “Trump’s War on Offshore Wind: Tracking the Actions and Impacts,” *The New Bedford Light*, September 3, 2025.
- Quoted, “RISK: Experts Question Legal Grounds of Boem Stop-Work Order on Revolution Wind Project,” *New Project Media*, August 25, 2025.
- Mentioned, “RISK: Experts Say Empire Wind’s Halt Order is Illegal, Cast Doubt on if Equinor Will Challenge It,”

New Project Media, April 22, 2025.

- Quoted, "Offshore Wind Looked Like a Sure Thing for Oregon — Until it Wasn't. What Went Wrong?," Oregon Public Broadcasting, October 23, 2024.
- Interviewed, "Conversation with Josh Kaplowitz," *Wind Systems Magazine*, August 16, 2024.
- Quoted, "Benefits of Revised Federal Offshore Wind Rule Analyzed," *RTO Insider*, May 23, 2024.
- Quoted, "NECA Renewables Conference Highlights Transmission Challenges," *RTO Insider*, March 12, 2024.
- Quoted, "Officials Give Green Light for Major US Offshore Wind Project," *Power Magazine*, July 5, 2024.
- Quoted, "Latest Blow to Shell-Ocean Winds US Plan as State Says 'we don't review hypothetical projects'," *Recharge News,* August 23, 2023.
- Quoted, "Oregon Inches Closer to Offshore Wind Development," *North American Clean Energy*, August 16, 2023.
- Quoted, "ACP releases statement on wind farm final environmental impact statement," *Renewable Energy Magazine*, July 18, 2023.