

Morgan Gerard

Associate

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OVERVIEW

Morgan's practice focuses on advising public and private sector clients on environmental and energy regulatory compliance, including permitting, rulemaking, and enforcement actions. She has focused on following the emerging energy trends and the associated environmental issues that arise in strengthening grid resilience and modernizing the energy system. Morgan has counseled clients ranging from those engaging in the hydropower licensing and relicensing process to electric utilities, wholesale generators, and distributed energy manufacturers, including electric vehicle manufacturers, solar installers and energy storage providers. She also counsels clients on matters arising under the National Environmental Policy Act, the Federal Power Act, the Clean Air Act, the Clean Water Act, the Coastal Zone Management Act, the Endangered Species Act, and similar state and local regulatory schemes.

REPRESENTATIVE MATTERS

- Counseled a trade association consisting of providers of distributed energy resources in rate and grid modernization proceedings in Massachusetts, Rhode Island, and Connecticut.
- Participated in advising a distributed energy resources company in a favorable advisory proceeding regarding battery storage.
- Participated in the early stages of a NEPA process for mine expansion, including the acquisition of conservation property and accompanying land restrictions to maintain environmental quality.
- Assisted a private university in expanding its on-site generation facility to comply with its pre-existing approvals under the Clean Air Act.
- Participated in all aspects of energy project development, from negotiating ground leases and options, power purchase agreements, due diligence, and environmental review to advising on regulatory issues regarding project compensation such as net metering versus avoided cost, interpreting tariffs, and acquiring approvals from regulatory bodies, including permits at the local, state, and federal levels.
- Drafted comments on behalf of a wholesale generator that recommended the structure for a CO₂e auction framework. The recommendations were incorporated by the Massachusetts Department of Environmental Protection in promulgating its declining greenhouse gas emissions limits under the state's Global Warming Solutions Act.
- Assisted in a successful settlement between a municipal wastewater treatment facility and the Environmental Protection Agency. Appealed the municipal utility's National Pollutant Discharge Elimination System permit

before the Environmental Appeals Board.

- Provided litigation support in energy-related administrative and judicial proceedings.

AWARDS

- *Best Lawyers in America®: Ones to Watch: Environmental Law* (2026)

TOP AREAS OF FOCUS

- Energy
- Environmental + Natural Resources

ALL AREAS OF FOCUS

- Air Quality + Climate Change
- Chemicals, Pesticides + Product Regulation
- Contaminated Sites + Waste Management
- Ecosystem Markets
- Energy
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Justice
- Environmental Litigation + Enforcement Defense
- Environmental, Social + Governance (ESG)
- Hydropower
- Litigation + Trial
- PFAS + Emerging Contaminants
- Release Reporting
- Water Quality + Water Resources

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Co-host of Women Who Write Washington, a group focused on highlighting emerging women authors who use their writing to advance women's issues

EDUCATION AND CERTIFICATIONS

EDUCATION

- Georgetown University Law Center, LL.M., *Dean's List, with distinction*, 2016
- American University Washington College of Law, J.D., *Dean Merit Scholarship*, 2013
- University of Maryland, B.A., 2010

BAR ADMISSIONS

- District of Columbia
- New York

COURT ADMISSIONS

- U.S. Court of Appeals, District of Columbia Circuit

SPEAKING ENGAGEMENTS

- Speaker, “Post-Apocalyptic Permitting: The Path Forward for Solar and Wind After the DOI Memo,” Troutman Pepper Locke Webinar, August 22, 2025.
- Speaker, “Species Developments,” Associated General Contractors, July 30, 2025.
- Speaker, “Navigating Renewable Energy: Insights from the ACP Siting and Permitting Conference,” *Energy Law Insights*, May 30, 2025.
- Speaker, “View From Washington,” North Georgia Water Resources Partnership 2021 Annual Meeting/Educational Seminar, April 28, 2021.
- Speaker, “Finding Certainty in Uncertain Times,” Troutman Pepper Webinar, February 24, 2021.

PUBLICATIONS

- 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.
- Co-author, “Déjà vu? FWS Solicits Feedback to Update Section 10(a) of the ESA,” *Troutman Pepper Locke*, June 11, 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, “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, "Final ESA Regulations Issued by the Services," *Troutman Pepper*, April 3, 2024.
- Co-author, "EPA's Clean Water Act Certification Proposal to Significantly Impact Hydropower Licensing," *Pratt's Energy Law Report* (Vol. 22-10), November-December 2022.
- Co-author, "Infrastructure Bill Provides Opportunities for Hydroelectric Industry," *Troutman Pepper*, November 9, 2021.
- Co-author, "The Fourth Circuit Weighs in on the Interpretation of CWA Section 401," *Environmental Law and Policy Monitor*, July 7, 2021.
- Co-author, "State Water Quality Certification: EPA Issues State Water Quality Certification (CWA § 401) Final Rule," *The Water Report*, July 15, 2020.
- Co-author, "Federal Deregulation Initiatives: Endangered Species Act & Water Quality Certification Rulemakings Efforts to Streamline Federal Permitting," *The Water Report*, September 15, 2019.
- Co-author, "EPA Proposes Sweeping Changes to Clean Water Act Section 401 Water Quality Regulations," *Synergy Environmental Inc Environmental Consultants Newsletter*, August 2019.