



# J. Wyatt Kendall

Partner

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Wyatt Kendall focuses his practice on brownfield redevelopment and urban renewal projects and routinely advises local and national industrial, multi-family, mixed-use, and retail clients on the acquisition, development, disposition, management, and financing of properties with significant environmental issues and properties within urban and industrial areas across the country. He also represents corporate and lending clients on environmental issues in the context of a host of corporate transactions, including mergers and acquisitions. In this capacity, Wyatt undertakes and oversees environmental due diligence and regulatory processes, works with consultants, engineers, and other environmental professionals to evaluate and quantify potential liabilities, and drafts and negotiates agreements and environmental insurance policies to effectively allocate the risk of environmental liabilities between the parties.

Wyatt is knowledgeable in all aspects of the federal Superfund law (the Comprehensive Environmental Response, Compensation, and Liability Act) and its state equivalents (including Georgia's Hazardous Site Response Act) and has expertise across the country in state voluntary cleanup programs, underground storage tank (UST) programs, environmental due diligence, environmental compliance, wetlands/water permitting, and emerging environmental issues such as vapor intrusion, PFAs, and environmental justice.

Prior to joining Morris, Manning & Martin, Wyatt represented clients in environmental, energy, and transportation litigation. He also collaborated with businesses and other stakeholders to shape environmental and transportation policy, track and assess the changes to state and federal laws, and comment on proposed regulations and legislation. He is also knowledgeable in transportation planning, infrastructure funding and financing, public-private partnerships, transit-oriented development, and freight and logistics.

## PRACTICE AREAS:

Construction  
Environmental  
Environmental Litigation  
Industrial Real Estate  
Infrastructure, Energy & P3  
Investment Funds  
Real Estate Development & Finance

## Representative Experience

- Advise clients on regulatory, environmental, and development issues on urban redevelopment projects across the country, including in, among others, Arizona, California, Colorado, Florida, Maryland, North Carolina, South Carolina, Tennessee, Texas, and Virginia.
- Led environmental due diligence efforts on multiple national real estate portfolio deals and commercial property acquisitions in, among other states, California, Florida, New Jersey, New York, North Carolina, and Texas.
- Serve as national environmental counsel for a national industrial warehouse developer, with projects in, among other states, as California, Florida, Illinois, and Texas.
- Representation of a national REIT on environmental issues in connection with a \$3+ billion merger involving more than 40 West Coast properties.
- Serve as national environmental counsel for a national multifamily developer, with experience on projects in every major metropolitan area including Atlanta, Austin, Boston, Chicago, Dallas, Los Angeles, Miami, Nashville, and San Francisco.
- Served as lead environmental counsel on the remediation and then the sale of the approximately 70-acre "Quarry Yards" site in the urban core of Atlanta, Georgia.
- Lead environmental counsel on a multimillion waterfront development in New Jersey.
- Representation of a multi-year redevelopment of Turner Field (former Olympic Stadium/former Atlanta Braves Ballpark) and surrounding parking lots.
- Successfully taken dozens of sites through the Georgia Brownfield Program and obtained for clients millions of dollars in Brownfield Tax Abatements
- Represented multiple clients in pursuing risk-based regulatory closure under the Georgia Voluntary Remediation Program.
- Advised client in the acquisition of a former chemical plant in Georgia.

## BAR ADMISSIONS:

North Carolina  
Georgia

- Advised client on the sale of several wood treating facilities throughout the Southeast.
- Negotiated dozens of environmental insurance policies for sites across the country.
- Represented traditional banks and other lenders in addressing environmental issues in connection with distressed assets and OREO holdings.
- Drafted and negotiated a wide range of agreements, including access agreements, purchase and sale agreements, indemnity agreements, access agreements, and remediation/voluntary cleanup agreements.

## Education

College of Charleston, B.S., *magna cum laude*

The University of North Carolina, J.D.

## Accolades

Selected, *Best Lawyers*, Environmental Law, 2023 - 2024

Selected, *Chambers USA*, Environmental Law, 2022 – 2024

Treasurer, Environmental Section of the Georgia Bar

## Honors and Affiliations

Graduate of the Urban Land Institute's Atlanta Center for Leadership – Class of 2015

Council Member: ULI Atlanta Creative Development Council

Council for Quality Growth – Emerging Leaders Initiative

Board Member, Trinity Early Learning Center

Member, Atlanta Chapter of the Urban Land Institute

## Publications

*EPA's New Superfund PFAS Rule: A New Headache for Commercial Real Estate* (2024)

*PFAS: The Other Billion-Dollar Cloud Hanging Over Commercial Real Estate* (2024)

*Why Biz Groups Disagree on Ending Chevron Deference* (2024)

*A Multifamily Guide to Vapor Intrusion*, Multi-Housing News (2021)

*Viewpoint: Environmental Challenges to "Last-Mile" Developments*, Atlanta Business Chronicle (2021)

*Tax Savings & Brownfield Site Remediation: A Win-Win Situation*, Institutional Real Estate, Inc. (2020)

*State Brownfield Programs within EPA Region 4* (2013)

*Metro Atlanta Falls Short on New Starts Transit Funding – For the Fifth Year in a Row*, The Saporta Report (2011)

*Microfinance in Rural China: Global Initiatives to Encourage Participation by Foreign and Domestic Institutions*, 12 N.C. BANKING INSTITUTE 375 (2008)