

Kayla Race

Associate

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Kayla advises energy developers, energy project lenders, and clients across a range of industries on environmental regulatory compliance, permitting, and climate disclosure.

Kayla's practice sits at the intersection of energy development, environmental law, and natural resources regulation, working across federal, state, and local regulatory regimes throughout the Mountain West. A significant part of Kayla's practice focuses on advising renewable energy developers and lenders on environmental, permitting, land use, and energy regulatory diligence—from pre-construction project acquisition through, through financing, project development, and operation. Kayla regularly advises energy developers on compliance with the National Environmental Policy Act (NEPA), the Clean Air Act (CAA), Clean Water Act (CWA), Endangered Species Act (ESA), National Historic Preservation Act (NHPA), the Federal Land Policy and Management Act (FLPMA), Federal Aviation Administration (FAA) rules, Federal Power Act (FPA), Public Utilities Holding Company Act (PUHCA), and state and county environmental, permitting, and land use laws and regulations, as well as negotiating environmental and permitting aspects of financing and acquisition agreements, and drafting permitting opinions and energy regulatory opinions.

Kayla also advises clients in a variety of sectors on Clean Air Act permitting, compliance, and enforcement, as well as on environmental and climate risk disclosures in SEC filings and under evolving state climate and greenhouse gas (GHG) disclosure laws, and voluntary carbon credit arrangements. She also provides general environmental due diligence and environmental regulatory compliance.

Her clients have included: solar, wind, geothermal, and battery energy storage systems (BESS) developers and lenders; public utilities navigating state public utilities commission rules and rate cases; developers of data centers and energy generation infrastructure; power plant developers and operators; manufacturers; mining companies exploring on public lands; and agricultural clients structuring voluntary carbon credit

Education

- University of Utah, S. J. Quinney College of Law (J.D., 2020)
 - Certificate in Environmental and Natural Resources Law
 - Order of the Coif
 - *Utah Law Review* Editor-in-Chief
- Middlebury College (B.A., 2008)
 - *cum laude*

Bar Admissions

- Utah

arrangements. She has advised clients developing and operating on Federal land (U.S. Bureau of Land Management (BLM) and U.S. Forest Service), various state lands throughout the Mountain West, and private lands, including on split-estates (separate ownership of minerals and surface).

Before law school, Kayla spent nearly a decade working on municipal and state climate and energy policy for community-based environmental organizations in southern California and for the Massachusetts House of Representatives Committee on Global Warming and Climate Change. She also worked for an environmental government contractor. During law school, Kayla completed legal internships with a federal land use agency, a city attorney's office, and a leading national non-profit environmental litigation organization.

Select Experience

Renewable Energy & Energy Storage Development, Acquisition, and Financing

- Advised solar PV, battery energy storage system (BESS), and wind developers on environmental and permitting aspects of pre-construction project acquisitions, construction financing, term financing, and tax equity financing on projects in Utah, Idaho, Arizona, Wyoming, Colorado, Washington, and Montana, including negotiating environmental and permitting aspects of purchase agreements and financing agreements, and drafting permitting opinions and energy regulatory opinions.
- Advised lenders and tax-equity investors on environmental and permitting aspects of financing solar, BESS, and wind projects in Utah, Arizona, and Wyoming.
- Advised solar energy, wind energy, BESS, pumped hydro energy storage, and geothermal developers in Utah, Idaho, and Arizona on permitting, licensing, land leasing, land use authorizations, and general environmental compliance with rules issued under NEPA, CWA, CAA, NHPA, ESA, FPA, PUHCA, FLPMA, and state and local equivalents, and administered by the BLM, the U.S. Fish and Wildlife Service, the U.S. Forest Service, U.S. EPA, U.S. Army Corps of Engineers, FAA, the U.S. Bureau of Reclamation (BOR), FERC, state environmental agencies, state land agencies, and county and local land use authorities.
- Under the National Environmental Policy Act (NEPA), the Clean Air Act, Clean Water Act, Endangered Species Act, National Historic Preservation Act (NHPA), Federal Aviation Administration (FAA) rules, Federal Power Act, Public Utilities Holding Company Act.

Clerkships

- Utah Supreme Court, Justice John Pearce, 2020–2021

Accolades

- Consistently providing pro bono legal assistance to those in need through Dorsey's Pro Bono program

Legal Writings

- *A Perfect Storm: Environmental Justice & Air Quality Impacts of Offshore Oil & Gas Development in the Arctic Outer Continental Shelf*, 38 UCLA J. ENVTL. L. & POL'Y 105 (2020)

- *A Tale of Two Portlands: How Port Cities Can Survive Dormant Commerce Clause Challenges to Fossil Fuel Shipping Restrictions*, 26 UC HASTINGS ENVTL. L. J. 81 (2020) (Second Prize, American Planning Association, Planning and Law Division's 36th Annual Smith-Babcock-Williams Student Writing Competition)
- John Ruple & Kayla Race, *Measuring the NEPA Litigation Burden*, 50 ENVTL. L. 479 (2020)

Select Speaking Engagements

S.J. Quinney College of Law, *2024 U.S. Supreme Court Roundup-Energy, Environmental, and Natural Resources Decisions*: Presentation on *Diamond Alternative Energy, LLC v. EPA*, a U.S. Supreme Court involving a challenge to the U.S. EPA's Clean Air Act preemption waiver of California "Advanced Clean Cars" air regulation.

Insights

October 16, 2025

CARB Seeks Public Comment and Delays Rulemaking on California Climate Reporting Laws, While Statutory Deadlines Loom

November 6, 2024

Energy Law: Month in Review - October 2024

June 7, 2024

Energy Law: Month in Review - May 2024

April 11, 2024

Megan Houdeshel and Kayla Race Discuss Recent Climate Disclosure Laws and Regulations on the Ag Law in the Field Podcast

March 12, 2024

Megan Houdeshel and Kayla Race Contribute to Power Magazine Article on California's Sweeping New Climate Disclosure Laws

March 12, 2024

Get Ready For California's Three Sweeping New Climate Disclosure Laws

October 17, 2023

How California's Sweeping New Climate Laws May Impact Your Business

May 26, 2023

Supreme Court Limits the Clean Water Act's Reach

December 10, 2021

Power Plants May Not Get Certainty in SCOTUS EPA Authority Case