



## Olympia "Libby" Bowker

### ASSOCIATE

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#### Overview

Olympia "Libby" Bowker advises private and public sector clients on a range of environmental and land use matters. Her work routinely involves applying complex regulatory schemes during hazardous waste remediation and cost recovery, wetlands permitting and enforcement, and state waterways licensing.

Libby's experience includes:

- **Hazardous Waste Remediation and Cost Recovery:** Libby counsels and represents clients on hazardous waste remediation under CERCLA and the Massachusetts Hazardous Material Release Prevention Act (G.L. c. 21E), including compliance with the 4A recovery process. She also advises commercial service airports on handling PFAS contamination. Her work includes advice on communications with affected stakeholders and drafting agreements to enable adjacent property remediation, facilitating expedited access to municipal drinking water, and ensuring remediation efforts satisfy revenue use procurement criteria.
- **State Waterways Licensing:** Libby counsels a national utility on environmental permitting and review processes including compliance with Ch. 91 waterways licensing requirements.
- **Wetlands:** Libby advises private and municipal clients on permitting and enforcement under the Wetlands Protection Act, and local bylaws and ordinances. She represented a municipality in a salt-water estuary restoration project, including through project design and modification, permitting, and negotiations with abutters.
- **Permitting:** Libby represents clients before state and municipal permitting entities, including the Department of Environmental Protection, the Building Code Appeals Board, planning boards, zoning boards, conservation commissions, and historical commissions.

Libby's written work is featured in a variety of legal and environmental publications, including JD Supra, the Journal of Environmental Law and Litigation, Municipal Law Quarterly, the Real Estate Bar Association (REBA) Newsletter, and the Boston Bar Journal. She has presented seminars and webinars for the Massachusetts Continuing Legal Education (MCLE), the Citizen Planner Training Collaborative (CPTC), and the Annual Environmental Conference of the Massachusetts Association of Conservation Commissions (MACC).

Prior to law school, Libby conducted oceanic temperature research aboard a research vessel based out of Woods Hole, Massachusetts, led a backcountry trail crew repairing remote sections of the Pacific Crest Trail, and taught outdoor science classes at the Oregon Museum of Science and Industry.

#### Experience

- Negotiated and drafted a license agreement to enable remediation of contaminated soil and soil gas.
- Successfully obtained variances from zoning provisions to enable the construction of a

#### PRACTICE AREAS

Environmental  
Public Law

#### CREDENTIALS

##### Education

Vermont Law School, J.D. and  
Masters of Environmental Law and  
Policy, 2015  
University of Vermont, B.A., 2009

##### Admissions

Massachusetts  
Massachusetts Supreme Judicial  
Court  
U.S. Court of Appeals, First Circuit  
U.S. District Court, District of  
Massachusetts  
New Hampshire Supreme Court

##### Affiliations

- American Civil Liberties Union  
of Massachusetts, *Legal  
Volunteer*
- Boston Bar Association
  - *Environmental and Energy Law  
Section's Public Service  
Committee, Co-Chair,*  
2018-2020
  - *Law School Graduate Mentor,*  
2020-2021
  - *Bar Exam Coach,* 2018, 2020
- Vermont Law School Alumni  
Association, *Boston  
Board of Governors,* 2019-  
present
- University of Vermont Alumni

- single-family home in place of a pre-existing non-conforming use and structure.
- Favorably resolved land use and property rights issues before a municipal board to secure Order of Conditions for the redevelopment of beachfront registered land.
- Advised a client on the pending taking of a temporary access easement across their property, and negotiated higher compensation than that approved by Town Meeting.
- Counseled homeowners on compliance with the Wetlands Protection Act and local bylaws and regulations.
- Successfully finalized an agreement between neighborhood residents and national developer, regarding support for a development project in exchange for community benefits.
- Provided permitting advice to homeowners and developers to ensure compliance with local and state regulations.
- Secured a variance from the Building Code Appeals Board from flood resiliency provisions of the Building Code to enable occupancy of renovated structure.

Association, *Boston Regional Board Member*, 2017-present

- Real Estate Bar Association, *Member*, 2016-present
- Strategic Communications Commission, 2021

## Insights

### Publications

- [ENVIRONMENTAL & LAND USE - May 23, 2022 - First Round of Biden-Harris Administration NEPA Regulatory Revisions Effective May 20, 2022](#)
- [ENVIRONMENTAL & LAND USE - March 1, 2022 - Appeals Court Divests Conservation Commissions' Wetlands Jurisdiction After Missed Deadline](#)
- [ENVIRONMENTAL & LAND USE - January 25, 2022 - Biden-Harris Administration Proposes NEPA Regulatory Revisions](#)
- [ENVIRONMENTAL & LAND USE - December 2, 2021 - Federal PFAS Cleanup Regulation on the Horizon](#)
- Olympia Bowker, *Appeals Court Interpretation of Conservation Restriction Underscores Value of Clear Language*, *Conservation Quarterly*, Fall 2020, at 9.
- Olympia Bowker, *Supreme Court Rules A Clean Water Act Permit Can Be Required for Groundwater Discharges*, REBA Blog (May 7, 2020), <http://rebama.blogspot.com/2020/05/supreme-court-rules-clean-water-act.html>.
- Olympia Bowker, *Supreme Court Rules A Clean Water Act Permit Can Be Required For Groundwater Discharges By Maui County Into Navigable Waters*, Massachusetts Municipal Lawyers Association (May 4, 2020), <https://www.massmunilaw.org/wp-content/uploads/2020/05/County-Of-Maui-Bowker-Article.pdf>.
- Olympia Bowker, *Lake and Pond Management – How Much Authority Does a Conservation Commission Have? The Stockbridge Bowl Case from Two Perspectives: Part 2, Science Meets Law in Superior Court Ruling Allowing Herbicides for Lake and Pond Management*, *Conservation Quarterly*, Spring 2020, at 5.
- Olympia Bowker, *Stockbridge Bowl Case: Where the Law Meets Science in Court*, McGregor & Legere Attorney Blog (Feb. 28, 2020), <https://www.mcgregorlegere.com/attorney-blog/item/57-stockbridge-ma-bowl-case-where-the-law-meets-science-in-court-herbicide-treatment-eurasian-watermilfoil>.
- Olympia Bowker, *Adorable as Affordable?: The Zoning Challenge of Tiny Houses*, 63 *Boston Bar J.* 4 (Fall 2019).
- Olympia Bowker, *Miramar Beach Dredged Spoils Case: SIC Elaborates Role of Regulatory Performance Standards*, McGregor & Legere Attorney Blog (Oct. 4, 2018), <https://www.mcgregorlegere.com/olympia-bowker-bio-articles/item/46-miramar-beach-dredged-spoils-case-supreme-judicial-court-elaborates-role-regulatory-performance-standards>.
- Olympia Bowker, *Tiny Houses Face Zoning and Other Obstacles in Massachusetts*, McGregor & Legere Attorney Blog (Mar. 2, 2018), <https://mcgregorlegere.com/olympia-bowker-bio-articles/item/41-tiny-houses-face-zoning-obstacles-massachusetts>.
- Olympia Bowker, *Zoning and Other Legal Obstacles to Tiny Houses*, REBA Blog (February 22, 2018), <http://rebama.blogspot.com/search/label/Olympia%20A.%20Bowker>.
- Bowker, O. (Sept. 14-16, 2017) *Environmental Law Updates: Local Developments in Light of Federal Changes*, Presentation, Massachusetts Municipal Lawyers Association Annual Meeting and Conference, Hyannis, MA (preparation of materials only).
- Olympia Bowker, *Appeals Court Finds Conservation Commission Inaction Cured by Previous Order of Conditions*, REBA Blog (Aug. 21, 2017), <http://rebama.blogspot.com/2017/08/appeals-court-finds-conservation.html>
- Olympia Bowker, *Appeals Court Applies Vernal Pool Protections in Original OOC for Entire Subdivision Despite Commission's Delay Acting On Subsequent NOI*, *Conservation Quarterly*, Summer 2017, at 20.
- Olympia Bowker, *Municipal Modernization Act a Smorgasbord of Changes on Environment and Land Use*, REBA News, November 2016.
- Olympia Bowker, *New Law Means Less Control for Municipalities*, *The Municipal Law Quarterly*, Fall 2016, at 11.
- Olympia Bowker, *Water, Water, Everywhere: New Hampshire's Expansive Public Assets*, *NH Bar News*, S 21, 2016, at 35.
- Olympia Bowker, *He walks the line: 1L balances school...and the U.S. Supreme Court?*, *Student Lawyer Magazine*, March 1, 2016.
- Olympia Bowker, *A Vague Invasion: The Inadequacy of Invasive Species Definitions in Reaching Federal and State Goals, Illustrated by Application of A. Arenaria to Coastal Dune Preservation*, 29 *J. L. & Litig.* 579 (2015).
- Olympia Bowker, *The Dam(age) Stops Here: The Public Trust and Dam Removal*, *J. Env'tl. L. EcoPerspectives Blog* (June 1, 2015),

<http://vjel.vermontlaw.edu/the-damage-stops-here-the-public-trust-and-dam-removal/>.

- Tuholske, Jack and Kilbert, Kenneth, *Moving Forward: Legal Solutions to Lake Erie's Harmful Algal Blooms* (April 15, 2015). Available at SSRN: <https://ssrn.com/abstract=2667107> (contributing researcher)
- Olympia Bowker, *Tiny Beads, Big Problem: Vermont Seeks to Ban Microbeads*, J. Envtl. L. EcoPerspectives Blog (Feb. 23, 2015), <http://vjel.vermontlaw.edu/tiny-beads-big-problem-vermont-seeks-ban-microbeads/>.
- Olympia Bowker & Michael Campinell, *Blurred Lines: The Importance of Delineation Between Legislative and Non-legislative Rules Under the APA*, J. Envtl. L. EcoPerspectives Blog (Feb. 9, 2015), [vjel.vermontlaw.edu/blurred-lines-importance-delineation-legislative-non-legislative-rules-apa/](http://vjel.vermontlaw.edu/blurred-lines-importance-delineation-legislative-non-legislative-rules-apa/).