



Neil C. Johnston (Sr.)

Member

✉ njohnston@handfirm.com

☎ 251-694-6247

📠 251-544-1618

📍 Mobile

RELATED PRACTICES

Estate Planning & Wealth
Preservation
Land Use and Environmental
Non-Profit
Real Estate
Real Estate Law

Biographical Information

Neil C. Johnston (Sr.) has practiced law with Hand Arendall Harrison Sale LLC since 1978, is a Member in the Mobile, Alabama law offices, and the Real Estate, Land Use and Timber Practice Group Leader. Neil is a 1975 graduate of Southwestern at Memphis (Rhodes College) (B.A. in Economics and Urban Studies), attended University College in 1973 (Oxford, England), and the University of Alabama School of Law (1978). Neil works with clients regarding permitting and other legal and practical solutions regarding general real estate, development, surface and subsurface uses, and coastal, riparian and submerged land issues affecting ownership, use, development and redevelopment.

Water, wetlands, stormwater, oysters, endangered species, timber, turkeys, cultural resources, cane poles and crickets are constant companions . . . and now sUAVs.

Projects have included permitting and compliance for multi use residential/commercial/conservation projects along the Gulf Coast, Mobile Bay and many of the rivers, creeks, watersheds, and floodplains throughout Alabama, in addition to golf courses, pipelines and other linear projects, race track complexes, timberland, water use and supply, sand and gravel, and coal as well as oil and gas developments.

Neil holds certificates from Wetland Resources for Wetland Delineation and Identification, and Wetland Rapid Assessment Procedure workshops,

and has held a Stormwater Qualified Credentialed Inspector Certificate 2007–2012 and 2013–2017, QCI # T0751; and is a 2017 certified Professional Logging Manager, Certificate # 109641.

Recent law adventures have involved Section 333 Exemptions and “new” Part 107 Certificates and Waivers from the FAA rules regulating national/navigable airspace and “manned” aircraft for the use and services involving the commercial operations of small UAVs (drones) by clients involved in land trust activities, forest management, mitigation services, photography and the development of new technologies, as well as defending rights of small and large landowners, preparing contracts, easements, permits and other documents addressing permitted and prohibited uses of sUAS. Other sUAV clients are involved in commercial and professional aerial videography, photography and data collections, and evolving and innovative activities.

Neil is a 2013 Fellow of the American College of Real Estate Lawyers (ACREL), the 2014 Chairman of the Alabama Chapter of the U.S. Green Building Council (USGBC), and built (with his wife Ashley) the first certified LEED Silver waterfront, resilient and energy-efficient residence on Mobile Bay (presented the USGBC “Clover Award” 2012). He is also active in public service, a licensed participant of the Mobile Bay Oyster Gardening Program, sponsor of the Oyster Trail, and active with the annual Coastal Kids Quiz. Neil is also active with the American Bar Association Section on Environment, Energy and Resources (Committees: Public Service, Forestry, Smart Growth, Wetlands, Water Resources) and the Real Property, Trust and Estate Law Section, and active with the Alabama Bar Association – Environmental Law Section (Chairman 1984 and 1991), Real Estate Law Section, and the Oil and Gas Law Section.

He has received numerous awards for his work in the fields of conservation, environmental law and education, including Named the Mobile Environmental Lawyer of the Year for 2011 and 2014 by Best Lawyers, the 2009 Community Partner Award from Partners for Environmental Progress, 2003 National Wetlands Award from the Environmental Law Institute in Washington, D.C., Gulf Guardian Award 2002 – First Place Conservation Education (Ribbit’s Big Splash), the 2003 Governor’s Conservation Achievement Award (“Conservation Educator of the Year” for The Project CATE Foundation) from the Alabama Wildlife Federation, the 2002 Best Environmental Education Award for development of Ribbit’s Big Splash from the Environment Education Association of Alabama, the Wetlands Merit Award from the Environmental Protection Agency in 2000, and the Governor’s Conservation Achievement

Award (“Water Conservationist of the Year”) from the Alabama Wildlife Federation in 1987. At the 2011 Fall Meeting of the American Bar Association Section on Environment, Energy and Resources, Neil was presented The Phoenix Award as the Chairman of the Forest Resources Committee for the Committee’s work during the 2010-2011 year. The Phoenix Award is a special recognition given to the Committee that has made an outstanding effort to improve the Committee’s performance over the past year.

He is a member of numerous professional and civic associations, including the Rotary Club of Mobile (President, 1996), the Nature Conservancy of Alabama (Board of Trustees, 1990-1996), The Project CATE Foundation, Inc. (President and General Counsel, 1997-present), Alabama Coastal Foundation (President, 2003-2004), Partners for Environmental Progress (Board Member), America’s Junior Miss, Inc. (Board of Directors, 1996-2002), Society of American Military Engineers (Member 1996 – present), Alabama Chapter, Soil and Water Conservation Society (Member), the International Right-of-Way Association (Member), Governor’s Wetland Mitigation Task Force (Member), Chair of the USGBC Alabama Chapter (2014); member of the USGBC – Gulf Coast Branch (Past Director of State Chapter) of the Alabama Chapter, and a member of the Environmental Law Institute.

Admissions

- Alabama State Bar, 1978

Education

- J.D., University of Alabama School of Law, 1978
- B.A., Southwestern at Memphis (now Rhodes College), 1975

Additional Information

Civic and Professional Affiliations

- Rotary Club of Mobile (President, 1996)
- The Project CATE Foundation, Inc. (President and General Counsel, 1997–present)
- Society of American Military Engineers (Member)
- International Right-of-Way Association (Member)
- Environmental Law Institute
- US Green Building Council – Gulf Coast Branch (Member)
- Alabama Coastal Foundation (President, 2003–2004; Director 1996–Present)

- Partners for Environmental Progress (Board of Directors; Chairman of Industrial Reverse Trade Show)
- Community Foundation of South Alabama (Investment Policy Committee)
- Coastal Conservation Association
- Mobile Bay Oyster Gardening Program
- University of Alabama Law School Alumni
- Rhodes College Alumni
- American College of Real Estate Lawyers, (Fellow)
- Alabama Forestry Association

Publications and Presentations

- 2011–2012 – Newsletter Article – “A Lawyer’s View Inside LEED” – ABA SEER – Smart Growth and Green Buildings Committee
- Co-Author “Mud & Guts: Construction Sites and Best Management Practices,” The Alabama Lawyer, July 2000
- 2005 – Co-Author – “Arbitration Provisions: What You Sign is What You Get,” Alabama Forests, July 2005 – Alabama Forestry Association
- “Current Environmental Issues Affecting EPA – Update,” March 17–18, 2003
- “Current Land Use and Environmental Issues,” March 12, 2003
- “Current Legal Issues Affecting Watershed Protection, June 11, 2003
- “Legal Consideration of Conservation Easements,” August 11–12, 2003
- “Alternatives for Conservation and Preservation of Wetlands and Other Environmentally Sensitive Areas,” Wetlands and Realtors Workshop: Making Informed Decisions and Providing Educated Advice about Wetlands in Real Estate, August 2004

Classes/Seminars Taught

- 2012–“What’s Up With That? Size and Placement do Matter!” sponsored by 404-10 Group, Inc., Waters & Wetlands seminar, May 31, 2012
- 2012–“How Do You Mix Timberland with Oil and Gas?!” sponsored by Alabama Forestry Association, Mid-Winter Meeting, February 24, 2012
- 2011–“Emerging Trends Regarding Wetland Issues and Real Estate Development” sponsored by Wetlands Solutions, LLC, August 25, 2011, Mobile, Alabama
- 2010–“Real Estate/Environmental Issues & Permitting of the GCE Racetrack Project” – Presented June 2010 – Environmental Law Section, Alabama State Bar, Beach & Bar Conference, Sandestin, Florida
- 2010–“Regulatory Compliance Workshop for Realtors” “Current Issues” Weeks Bay, May 2010
- 2009–Current Issues in Environmental Law, Auburn University, CLE Program, “Energy Issues

Re: Permitting, Development and Real Estate,”
December 2009

- 2008—Lorman Education Services – Subdivision Real Property – Legal, Practice and Technical Issues in Alabama “Environmental Issues and Subdivision Development” October 2008
- 2004—Current Issues in Stormwater Regulations in Alabama – Seminar, Lorman Educational Services – Mobile, Alabama

Awards

- *Chambers USA*, Environmental
- Best Lawyers® Lawyer of the Year 2019 and 2021, Litigation – Environmental, Mobile
- Best Lawyers® Lawyer of the Year 2014, Environmental Law, Mobile
- *Best Lawyers In America*® 1995–2022, Energy Law, Environmental Law, Litigation – Environmental, Natural Resources Law, Real Estate Law, Timber Law, Water Law



A LAW FIRM SINCE 1941

© 2021 HAND ARENDALL HARRISON SALE LLC. All rights reserved.