

Managing complex, high-profile development and infrastructure projects across California

Our team has overseen and defended the preparation of hundreds of Environmental Impact Reports under CEQA and Environmental Impact Statements under NEPA, involving some of the most challenging projects in the sector. We are more than advisors—we are seasoned litigators with a distinguished portfolio spanning hundreds of cases across all judicial levels, including the California Supreme Court. Our outstanding track record of success, highlighted by cases that have shaped environmental law, underscores our capability to effectively navigate even the most complex legal challenges.

Clients hire us to help “bullet-proof” environmental impact reports to withstand litigation. We review and advise on significant environmental impacts, mitigation measures, alternatives to the proposed project, discussion of cumulative impacts, and social effects. We advise on the scope and outline of the environmental review, comments on the administrative draft, responses to comments, and environmental findings. We leverage our expertise in the evolving fields of traffic, air quality and climate change impact analysis to review technical reports addressing these issues.

Demonstrating our recognized authority, Meyers Nave attorneys [R. Tyson Sohagi](#) and [Albert I. Herson](#) have authored the LexisNexis® Practical Guidance practice note on California’s broadest environmental law, the California Environmental Quality Act (CEQA), since 2018.

Using our extensive experience, we help clients efficiently navigate the CEQA review process by providing valuable insights into streamlined review options, such as CEQA exemptions, leveraging prior environmental documents through tiering or addendum, and utilizing legislative provisions that expedite projects certified as Environmental Leadership Development Projects.

Our CEQA/NEPA project expertise includes:

- [Transportation and Infrastructure](#) (Power, Water, Transportation)
- [Supply Chain & Logistics](#) (Port, Harbor, Airports and Related Supply Chain Facilities)
- [Sports and Entertainment Facilities](#)
- [Real Estate and Housing](#) (Commercial, Residential and Mixed-Use Developments)
- Industrial and Manufacturing Facilities
- Higher Education and Healthcare Facilities
- Freight Projects and Railyards

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Mitch Kapor & Freada Kapor-Klein – Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal.4th 1086

In *Berkeley Hillside Preservation v. City of Berkeley* (S201116, March 2, 2015), the California Supreme Court resolved years of uncertainty by holding that there must be “unusual circumstances” for an otherwise categorically exempt project to be subject to CEQA. The Court also resolved a divide among the Courts of Appeal, holding that an agency’s findings as to unusual circumstances are reviewed for substantial evidence, and it established a new two-part test for analyzing a project opponent’s assertion that a project presents unusual circumstances requiring CEQA review.

Meyers Nave represented Lotus founder Mitch Kapor and Freada Kapor-Klein in the case, which drew extensive coverage describing it as “the biggest CEQA case the state’s high court will consider,” “a landmark CEQA case...to determine the fundamental legal nature and practical utility of CEQA’s regulatory exemptions,” and a case affecting “how public agencies handle common exemptions from California’s bedrock environmental law.”

Santa Clara Valley Transportation Authority (VTA)

For over a decade, Meyers Nave has assisted VTA on land use and environmental matters for implementation of long-range plans to expand public rail transit into the South Bay and Silicon Valley, including bringing BART from Fremont through San Jose to Santa Clara through a multi-phased, six-station project, which runs through several local jurisdictions, and incorporates transit-oriented development and integration with existing facilities, including parking considerations. Our work spans the CEQA and NEPA process (from review of plans through litigation and appeals, including a legal challenge from the San Jose Sharks regarding impacts on parking), Section 404 permitting, and coordination with FTA and other local, state and federal agencies. We also have advised VTA on projects such as the Eastridge to BART Connector/ Capitol Expressway Light Rail and a 3-mile extension of an elevated transit line, where we worked with the Federal Transit Administration (FTA) on NEPA review and project funding issues.

California High Speed Rail

Meyers Nave is advising BNSF on partnering with the California High Speed Rail Authority for CEQA and NEPA review of a project to redevelop existing rail corridors, in coordination with multiple jurisdictions, to operate high speed passenger service on a segment of BNSF owned track from Los Angeles Union Station to Anaheim Regional Transportation Intermodal Center. The project includes coordinated NEPA and Section 404 consultation with the Federal Railroad Administration and the U.S. Army Corps of Engineers.

Port of Los Angeles – Ultramar Inc. (Valero) Marine Terminal Lease Renewal Project (Berths 163-164)

Advised on CEQA and NEPA compliance for the EIR for the proposed lease renewal of the Ultramar Inc. (Valero) marine petroleum products terminal at Berths 163-164, increasing annual throughput from 14 million to 17 million barrels.

Los Angeles World Airports (LAWA) – Tom Bradley International Terminal (TBIT) / Bradley West Project – CEQA and Land Use Entitlement Counsel

Tom Bradley International Terminal (TBIT). Meyers Nave provided CEQA and land use counsel for the \$2 billion Bradley West Project, a major renovation of the international terminal and gates at LAX.

BNSF Railway - Barstow International Gateway Project

Meyers Nave serves as lead outside counsel for BNSF in the Barstow International Gateway project, a 4,500-acre new integrated rail facility that will allow the direct transfer of containers from ships at the Ports of Los Angeles and Long Beach to trains for transport up to Barstow. This state-of-the-art master-planned rail facility, the first being developed by Class 1 railroad, will help reduce highway congestion, transform the regional economy, and unlock critical efficiencies to meet our nation's supply chain demands.

DisneylandForward

Meyers Nave served as land use and environmental counsel for City of Anaheim for major planning effort to update existing Disney entitlements to allow Disneyland to continue to evolve and provide new theme park, hotel and entertainment uses for visitors. This is the first major amendment to Disneyland entitlements since the 1990s and will allow the future development of new one-of-a-kind immersive entertainment experiences. We are advising the City on all entitlements and environmental review requirements, including General Plan and Specific Plan amendments and a development agreement.

Oakland MLB Stadium and Mixed-Use Development Project

Meyers Nave serves as outside land use and environmental counsel to the City for a waterfront ballpark and mixed-use development project at the Port of Oakland's Howard Terminal. The project includes the creation of expanded entertainment district with a 35,000-seat ballpark, 3,000 residential units, 1.5 million sq. ft. of office, 270,000 sq. ft. of retail, a 400-room hotel and a 3,500-seat performance venue. We advise on the preparation of the Environmental Impact Report (CEQA), land use entitlements, and project-related agreements including the Development Agreement and Community Benefits Agreement, including coordination on federal and state funding for related transit and transportation projects. The project straddles jurisdictions of several agencies with different regulations and permitting processes, including the State Lands Commission (tide and submerged land issues) and the San Francisco Bay Conservation and Development Commission (San Francisco Bay Plan issues). We successfully defended the City against multiple lawsuits challenging the compliance of the EIR with CEQA in both the trial court and on appeal. These lawsuits were subject to expedited judicial review under special state legislation which result in completion of both the trial court and court of appeal process in under one year. In these roles, we have worked in concert with the A's, numerous consultant teams and responsible agencies to ensure that the benefits of the CEQA streamlining are achieved through coordinated review and established communications protocols.

UC Berkeley – Make UC a Good Neighbor v. Regents (2024) 16

Cal.5th 43

Lead counsel successfully representing the Regents of the University of California in a CEQA case before the California Supreme Court involving UC Berkeley's Long Range Development Plan and a student and supportive housing project proposed at the site known as "People's Park." The case involved questions related to whether CEQA applies to "student party noise" and when CEQA requires analysis of off-site alternatives.

P3 for \$2 Billion Passenger Rail Infrastructure Project

Meyers Nave served as lead land use, environmental and CEQA/NEPA counsel to the private partner for the project on a unique private-partnership between Facebook and infrastructure developer Plenary Group and the San Mateo County Transit District (SamTrans) to develop a massive transportation infrastructure project that aimed to create a new commuter rail corridor between Silicon Valley and the East Bay. The project's estimated cost was \$2 billion and would have been a game-changing approach to creating commuting alternatives to help solve metropolitan area traffic congestion between residential neighborhoods and job centers. While changing circumstances brought on by the pandemic brought the project to a premature end, Meyers Nave's approach of establishing a project management framework that overlaid the approval roadmap with strategic planning at the outset, so that the project narrative (how to "sell" the project to the decision-makers, the agencies and the public) is consistently integrated from the start can still serve as a model for how the public and private sectors can partner on critical infrastructure projects.

BNSF Railway - Southern California International Gateway Project

Representing the nation's second largest freight railway in a \$700 million rail project that would transform the process for moving imported shipping containers from the ports of Los Angeles and Long Beach to a new state-of-the-art near-dock rail yard, reducing regional air pollution and traffic by eliminating around 1.3 million short-haul truck trips per year. The Southern California International Gateway project involved replacement of an historically significant bridge over the Dominguez Channel. Meyers Nave's work included serving as lead litigation counsel in seven consolidated lawsuits and related appeals challenging the project on CEQA and other environmental impact and environmental justice grounds, as well as federal preemption issues. We also advise BNSF on federal permitting, NEPA/CEQA and Land Use approvals for rail operations and facilities throughout California and advise BNSF on CEQA, environmental, land use and regulatory issues relating to a Southern California segment of the California High-Speed Rail project.

Sacramento Kings Golden 1 Center

Meyers Nave was instrumental in serving as outside counsel to the City of Sacramento with the development, in conjunction with its private partners, of the \$477 million downtown arena for the Sacramento Kings NBA team, a fast-tracked project that has been transformative for the City and its downtown core. Meyers Nave advised the City on multiple legal and regulatory issues, including eminent domain and CEQA, and defeated every legal challenge attempted against the project, including allegations that the public-private partnership supporting the arena engaged in a "secret subsidy," collusion, fraud,

waste and illegal expenditure of public funds. The victory was recognized by the Daily Journal as a “Top Defense Result” in 2015.

UC Multi-Campus Long-Range Development Plans and Implementation

For more than a decade, Meyers Nave has served as lead land use and environmental counsel to the University of California on many high-profile and complex capital development projects across the statewide system. We advise UC on the CEQA review of new Long Range Development Plans to guide future development on campuses throughout the UC system. We help guide the campuses through the CEQA, Coastal Act and other regulatory approval process for projects that add and expand administration offices, student and workforce housing, student services, academic buildings, research centers and healthcare facilities.

University of California San Diego (UCSD): La Jolla Innovation Center P3 Project

Meyers Nave recently represented UCSD in the development of the La Jolla Innovation Center P3 project. This new state-of-the-art facility will house several programs from UCSD Health, UCSD School of Medicine and UCSD Extension. The transit-friendly P3 development near the UCSD La Jolla campus will provide research facilities and outpatient services that are accessible to university users and the general public. As land use counsel for the project, we assisted UCSD with CEQA compliance and in avoiding threatened litigation challenges to facilitate project development without delay.

Port of Los Angeles Master Plan (POLA) and Project Implementation

Meyers Nave serves as lead environmental compliance and land use permitting counsel for multiple large-scale cargo, shipping and transportation projects for container terminals and dockside intermodal railyards. We have navigated major projects through the CEQA, NEPA, Coastal Act, State Lands and other regulatory frameworks, and advised on multiple long-term planning projects, including the Port Master Plan Update.

Metrolink (Southern California Regional Rail Authority) – Systemwide CEQA and Surface Transportation Board Regulatory Advising for \$1 Billion System-Wide Improvement Program

Meyers Nave has been engaged to advise the Southern California Regional Rail Authority (Metrolink) on CEQA, environmental, and Surface Transportation Board regulatory issues related to multi-year \$1 billion system-wide improvement program and projects.

Port of Los Angeles – China Shipping Container Terminal (Berths 97-109) SEIR resolution

City of Los Angeles (Port of Los Angeles) China Shipping Terminal. Meyers Nave was brought in to help resolve long-standing issues presented by an adverse Court of Appeal decision setting aside an EIR.

University of California – Save Berkeley’s Neighborhoods v. Regents (2023) 91 Cal.App.5th 872

In *Save Berkeley’s Neighborhoods v. Regents of University of California* (2023) 91 Cal.App.5th 872, Meyers Nave attorneys successfully defended UC Berkeley’s approval of a new academic and housing project at the Goldman School of Public Policy in the First District Court of Appeal.

LAWA – Airfield & Terminal Modernization Project (ATMP)

Airfield & Terminal Modernization Project (ATMP). Meyers Nave is lead counsel for this multi-billion-dollar overhaul of LAX’s ground transportation and terminal infrastructure, including detailed review of planning documents and EIR.

Port of Los Angeles – TraPac Container Terminal joint EIS/EIR

(3) Trapac Container Terminal Project. We advised POLA on compliance with CEQA and NEPA in connection with its preparation of a joint EIS/EIR for a proposed lease to expand container terminal operations at Berths 136-147.

Los Angeles International Airport Planning, Expansion and Modernization

For over a decade, Meyers Nave has served as counsel in connection with the development and implementation of the Los Angeles International Airport Master Plan, a \$13 billion expansion of one of the world’s busiest airports, including defending the Master Plan against four consolidated lawsuits alleging NEPA, CEQA and California Coastal Act violations. We have also worked with CARB and SCAQMD and advised on state and federal regulatory and permitting requirements under the Clean Air Act and California’s State Implementation Plan.

ocV!BE

Meyers Nave served as land use and environmental counsel for City of Anaheim in entitlement and CEQA process for creation of mixed-use entertainment district surrounding the Honda Center, home of the Anaheim Ducks and a major concert venue. The Project creates a 95-acre master planned campus with sports, entertainment, shopping, market hall dining, 20 acres of public parks and trails, 1,500 residences, and offices designed to bring people together through shared experiences. The design is a transit-oriented walkable community adjacent to the ARTIC regional transit center. Meyers Nave helped the City complete a complicated entitlement process in a short timeframe to meet the planned opening of Phase One in 2026. Entitlements included site plans, a development agreement, sign programs and CEQA environmental analysis involving coordination with regional and state entities.

LA Streetcar Project

Meyers Nave serves as General Counsel for Los Angeles Streetcar Inc. (LASI), a non-profit partnership promoting P3 development of a modern streetcar system in downtown Los Angeles. LASI oversees the development, fundraising, planning, CEQA and NEPA environmental review, engineering and outreach for the project. Meyers Nave successfully obtained project support from property owners and voters to secure local

capital and operational funding for project, and assisted the client in formation of the community facilities district and the environmental review process.

County of Los Angeles Correctional Facility Projects: Consolidated Correctional Treatment Facility and Mira Loma Women's Detention Facility

Served as counsel in the environmental review process for two major detention projects: (1) the \$2.2 billion Consolidated Correctional Treatment Facility to replace the Men's Central Jail in downtown Los Angeles (Los Angeles County Board of Supervisors approved the project's budget and certified its environmental impact report in June 2018) and (2) the \$137 million Mira Loma Women's Detention Facility in Lancaster to replace the Century Regional Detention Facility in Lynwood (Los Angeles County Board of Supervisors approved the project's budget and certified its environmental impact report in October 2016). Listed separately under CEQA as "County of Los Angeles, Mira Loma and Men's Central Jail – Providing legal review of the environmental analysis for the Men's Central Jail along with the Mira Loma Women's facility located in Palmdale."

University of California – UCLA Luskin Conference and Guest Center

Meyers Nave guided UC on the development of UCLA's 294,000-square-foot, \$162 million Meyer and Renee Luskin Conference and Guest Center, one of the university's most high-profile projects in recent years. Our team advised on tax financing, permitting, and CEQA compliance, anticipating potential challenges from the start. When a community group launched a public campaign and filed multiple lawsuits to block the project, we successfully defended UCLA at every level – prevailing in two trials and six appeals. All claims related to environmental review, zoning, and tax issues were dismissed, and UCLA was awarded \$200,000 in legal fees. This legal victory cleared the way for a major university facility that now serves as a hybrid hotel and conference center supporting academic, research, and professional events.

County of Los Angeles – Center for Biological Diversity, California Native Plant Society v. County of Los Angeles; Tejon Ranch Co., Centennial Founders, LLC, Tejon Ranchcorp (2021), Case No. B318083

Defended the County in Center for Biological Diversity, California Native Plant Society v. County of Los Angeles et al; Tejon Ranch Co., Centennial Founders, LLC, Tejon Ranchcorp (2021) Court of Appeal, Second District, Division Seven, Case No. B318083 against a CEQA and planning and zoning law challenge. The project at issue involves an application for a new, master-planned community on Tejon Ranch in unincorporated Los Angeles County to develop up to 19,333 dwelling units and 10 million square feet of non-residential use. This work includes advising on complex CEQA and land use issues related to project entitlements. (Related published decision listed: Center for Biological Diversity vs. County of LA (2025) 112 Cal.App.5th 317.)

City of Rancho Cordova – Vineyard Area Citizens v. City of Rancho Cordova – CEQA Water Supply Analysis Case

Represented the City of Rancho Cordova in one of the leading CEQA cases on water supply analysis, setting a precedent for projects throughout the state. Prior to the city's incorporation, the County of Sacramento approved a community plan for a large, mixed-use development of approximately 20,000 new dwellings on 6,000 rural acres. This landmark decision was the California Supreme Court's resolution of CEQA issues relating to how EIRs must analyze water supplies for long-range development projects under CEQA. Published decision: *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412.

Schellinger Brothers v. City of Sebastopol

Successfully defended the City of Sebastopol in a developer's CEQA challenge. The developer sought to require the City to certify an EIR before it completed environmental review because the process exceeded one year. This decision clarifies lead agencies' rights and responsibilities to complete adequate environmental review despite exceeding CEQA's direction to complete an EIR within a year. Published decision: *Schellinger Brothers v. City of Sebastopol* (2009) 179 Cal.App.4th 1245.

San Diego Association of Governments (SANDAG) – LOSSAN Rail Corridor Improvements – Environmental Law Analysis (CEQA / Federal Preemption)

Meyers Nave advised SANDAG on issues related to improvement of the LOSSAN Rail Corridor, including the applicability of CEQA, federal preemption under the Interstate Commerce Commission Termination Act, and the California Supreme Court decision in *Friends of the Eel River v. North Coast Railroad Authority*.

City of Los Angeles – Pacific L.A. Marine Terminal, Tank Farms, and Pipelines Project (POLA CEQA/NEPA Review)

Chief outside counsel for the CEQA/NEPA review of the \$600 million Pacific L.A. Marine Terminal, the state's first new oil shipping terminal in over a decade, including successful defense of the project in *Jesse N. Marquez v. City of Los Angeles et al.*

City of Anaheim – Big A 2050 – Angel Stadium Site Mixed-Use Redevelopment (Land Use/CEQA Counsel)

Meyers Nave serves as lead land use and CEQA counsel for the City of Anaheim's "Big A 2050" plan, a generational redevelopment centered on the Los Angeles Angels stadium. The plan remakes the stadium site as a hub of large-scale residential, office, retail, and entertainment space, and is designed to secure major league baseball in Anaheim for the next 30+ years. It also anchors development of the Platinum Triangle Mixed Use area, next to the Anaheim Regional Transportation Intermodal Center, which offers rail, bus, taxi, and other services for daily commuters and visitors.

Meyers Nave advises on all entitlements and environmental review, including a Disposition and Development Agreement, site plans, tentative maps, and other required approvals.

City of Rancho Cordova – Rio Del Oro Specific Plan Mixed-Use Development Project

City of Rancho Cordova Mixed Use Development Specific Plan Project. Meyers Nave assisted the City of Rancho Cordova in the development and approval of plan amendments for the City's largest land development project. The Council's extensive approvals included (1) Amendments to the Rio Del Oro Specific Plan, (2) Public Facilities Financing Plan, (3) Amended and Restated Development Agreements, (4) Large Lot Tentative Subdivision Map, (5) Master Phasing Plan, (6) Affordable Housing Plan and (7) Environmental Impact Report Addendum. Meyers Nave assisted with entitlement documents for the 3,828-acre master-planned community that consists of 12,189 residential units, nine schools, 247 acres of commercial space, 269 acres of industrial park, 510 acres of wetland preserve, 178 acres of community parks, and 16 miles of trails. Our work included land use entitlements, an EIR/EIS, development agreement, specific plan, affordable housing agreement, and finance plan. The project will turn a mine tailings site into a community with schools, parks and retail.

Santa Clara Valley Water District (Valley Water) – Anderson Dam (Anderson Reservoir) Seismic Retrofit EIR – CEQA Review

Among many complex matters, the firm has provided CEQA advice and review of a major Draft EIR prepared for the Anderson Dam Seismic Retrofit Project. The project provides seismic upgrades to Anderson Dam facilities to allow Anderson Reservoir, which is Valley Water's largest water supply reservoir, to be restored to its original design capacity of 89,000 acre-feet. Major project components also include Conservation Measures and flow releases to Coyote Creek to benefit South-Central Coast steelhead, a federally endangered species. The firm's work included advice during Draft EIR preparation, review of the proposed Draft EIR, identification of CEQA compliance issues, and proposed revisions. Major CEQA issues analyzed in the Draft EIR included terrestrial and aquatic biological resources, cultural resources and tribal cultural resources, air quality, noise, greenhouse gas emissions, recreation, and water quality, as well as alternatives and cumulative impact analyses.

California Public Utilities Commission (CPUC) – EIR Legal Review for Transmission and Substation Projects

Advise and counsel the California Public Utilities Commission by providing legal review of Environmental Impact Reports under the California Environmental Quality Act for multiple transmission line and substation projects, and provide guidance on regulatory compliance with CEQA's tribal consultation and impact mitigation requirements in areas of high sensitivity. Since 2006 the firm has advised the CPUC on CEQA and NEPA issues across more than 40 transmission, reconductoring, and substation projects, including determinations on project alternatives and project objectives, integration of CEQA with the CPUC's administrative processes, and post-approval procedures.

City of Rancho Cordova – Mills Crossing Civic Center P3

P3 to turn a 10-acre, city-owned parcel into a mixed-use community hub including housing as well as civic and commercial uses. Land use and environmental counsel for the City of Rancho Cordova on the Mills Crossing project, providing CEQA review and EIR

guidance. The project includes approximately 140,000 square feet of community-commercial space, up to 120 residential units, 2.5 acres of public open space, and a parking structure with up to 325 spaces. Land use and environmental counsel for the City of Rancho Cordova on the Mills Crossing project, a P3 to turn a 10-acre, city-owned parcel into a mixed-use community hub including housing and 140,000 square feet of civic and commercial space.

Santa Clara Valley Water District (Valley Water) – Outside CEQA Counsel on 30+ Water Supply and Flood Management Projects

Represented Santa Clara Valley Water District (Valley Water) as outside CEQA counsel since 2010 on over 30 water supply or flood management projects. Provided strategic guidance and document review for complex EIRs prepared for projects such as the Fish and Habitat Collaborative Effort (FAHCE), the Anderson Dam Seismic Retrofit Project, the Coyote Creek Flood Protection Project, the Pacheco Reservoir Expansion Project, and the Stream Maintenance Program. Also provided strategic guidance and document review for joint EIRs/EISs prepared for the San Luis Reservoir Low Point Project and the South SF Bay Shoreline Project.

City of Los Angeles – West Adams Heritage Association and Adams v. City of Los Angeles (20STCP00916)

Successfully defeated writ petition arising from petitioner's proposed addition of a car wash to its legal non-conforming gas station and convenience store selling alcohol. Petitioner did not file any application for a CUP, site plan review, minor modification or any other application. The City's motion for judgment on the writ was granted. Petitioner failed to exhaust its administrative remedies, failed to demonstrate irreparable harm, and failed to allege a justiciable controversy that is ripe for review.

San Diego Association of Governments (SANDAG) – SANDAG Regional Transportation Plan / Sustainable Communities Strategy (2011, 2015, 2021) and EIRs

Meyers Nave assists SANDAG's with all aspects of the update to the San Diego Forward Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS), ensuring the RTP/SCS and Environmental Impact Reports (EIRs) comply with the California Environmental Quality Act (CEQA). The firm's work includes advising on strategy, attending staff and public meetings, and developing a legally defensible plan that addresses transportation, housing, and environmental requirements.

Palmer v. Community Redevelopment Agency of the City of Los Angeles

Summary judgment in federal court rejected the developer's due process and other civil rights claims, which arose from the Agency's requirement that an environmental document be completed on a historic structure. The developer had sued over delay caused by that review, adding Section 1983 claims including equal protection. The matter then settled, and the site was built as a phased mixed-use project.

Los Angeles County Flood Control District – Stormwater Interceptor Project CEQA Counsel

Special counsel to the Los Angeles County Flood Control District on CEQA issues related to its Stormwater Interceptor Project, a fully automated, solar-powered trash collection device designed to capture floating plastic, trash, and litter before they reach the ocean. Meyers Nave settled two lawsuits over the project before briefing and trial.

Valley Advocates v. City of Atwater

Successfully defended the City of Atwater's approval of an EIR for a 6-million-gallon-a-day wastewater treatment plant, which will significantly improve the city's wastewater treatment capabilities. A local resident and advocacy group challenged the city. The court held that the petitioners failed to exhaust their administrative remedies and to show a CEQA violation and any inconsistency with the city's general plan.

Preserve San Leandro Mobility v. City of San Leandro

Represented the City of San Leandro in a CEQA action challenging the adequacy of an EIR for a new Kaiser Hospital/Medical Center and mixed-use retail development project. At issue were project-splitting; the baseline for traffic impacts under Sunnyvale; the adequacy of analysis and mitigation for traffic, noise, and wastewater impacts; and the alternatives considered. The case settled prior to trial.

County of Los Angeles – Tapia Ranch Subdivision Project EIR

Assisting the County of Los Angeles in the preparation of an Environmental Impact Report (EIR) for the proposed Tapia Ranch Project, which entails the subdivision and development of 405 single-family residential units on approximately 1,197 acres of undeveloped hillside and canyon land in Los Angeles County.

City of Palmdale v. Palmdale Water District (rate/water-waste writ, CEQA compliance)

The City filed a petition for writ of mandate and complaint for declaratory and injunctive relief against the Water District seeking a peremptory writ of mandate, to vacate and set aside the Water District's approval of the proposed use of water in violation of the constitutional prohibitions on water waste and unreasonable use without CEQA compliance.

A California City (unnamed) – College Park Zoning and Specific Plan Revisions

Provide legal advice and CEQA review relating to revisions of the zoning and Specific Plan for the College Park area of the City. Includes review of the General Plan, zoning and environmental analysis for new land use menu after expiration of a moratorium and defense of writ and takings challenges from a failed Specific Plan.

County of Los Angeles – Cemex v. County of Los Angeles (federally funded sand and gravel mining project; NEPA/CEQA preemption)

Complex civil rights challenge intertwined with issues of preemption on NEPA and CEQA

environmental compliance over the County's rejection of a federally funded sand and gravel mining project. The Department of Justice intervened as a plaintiff and the matter was mediated for over a year with a resulting Consent Decree.

City of Los Angeles – Concerned Neighbors of Lexington Avenue v. City of Los Angeles

We prevailed in litigation challenging two new multi-family residential projects in Hollywood. The firm defeated a preliminary injunction demand, and secured an early dismissal of CEQA and TOC Program claims. In addition, we obtained a voluntary dismissal before trial of plaintiff's remaining claims against the City.

California Public Utilities Commission (CPUC) – SDG&E Wood-to-Steel Project, TL 649 (IS/MND Review)

Legal review of IS/MND for proposed wood-to-steel replacement of existing facilities; conversion of approximately 430 feet of underground power line cable under State Route 125 to an overhead configuration; interception of existing underground distribution lines; and modification of existing access roads as needed.

County of Los Angeles – OurCounty Sustainability Plan CEQA Defense (Save Our Rural Town v. County of Los Angeles)

Successful defense of the County at both the trial court and in the Court of Appeal in its finding that the County's 2019 OurCounty Sustainability Plan was "not a project" under CEQA in Save Our Rural Town v. County of Los Angeles, et al. (2022) Court of Appeal, Second District, Division Four, Case No. B309992.

County of Los Angeles – City of Santa Clarita v. County of Los Angeles (Cemex mining project EIR challenge)

CEQA challenge to the Cemex mining project and County's environmental impact report and land use entitlements. U.S. District Judge Matz ruled in the County's favor finding the County's environmental review legally adequate and awarding in excess of \$500,000 in attorneys' fees.

San Diego Association of Governments (SANDAG) – Buena Vista Lagoon Enhancement Project (EIR)

Meyers Nave represented SANDAG in the development of the EIR for this complicated and controversial project. Meyers Nave also provided advice on legal and financial risks relating to timing of EIR certification and potential litigation and future supplemental review.

City of Palmdale – Kinkisharyo Light Rail Vehicle Project, City of Palmdale

Represented City in administrative processing of approval of light rail vehicle manufacturing and assembly facility for Los Angeles County Metropolitan Transportation Authority. Addressed various CEQA and state and local planning concerns.

City of Los Angeles – Las Lomas Land Company v. City of Los Angeles

A demurrer ended a developer's claim for more than \$100 million. Meyers Nave represented the City of Los Angeles after the City rejected a large development project midway through EIR review, having decided not to annex the project's 555 unincorporated acres. The developer answered with CEQA and civil rights claims. The trial court sustained the City's demurrer and the court of appeal affirmed in a published decision, *Las Lomas Land Company, LLC v. City of Los Angeles* (2009) 177 Cal.App.4th 837.

City of Rancho Cordova – California Native Plant Society v. City of Rancho Cordova

Represented the City of Rancho Cordova in a lawsuit challenging the approval of a 2,393-unit residential development and commercial project on 530 acres. The lawsuit alleged that the city's EIR for the project violated CEQA in numerous respects and the State Planning and Zoning Law. The case resulted in a published decision from the court of appeal: *California Native Plant Society v. City of Rancho Cordova* (2009) 172 Cal.App.4th 603.