



**Amrit S. Kulkarni**  
Principal

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**Practice Groups**

Climate Change and Green Initiatives  
Environmental Law  
Land Use  
Transportation and Infrastructure  
Writs and Appeals

**California Bar Number**  
202786

**Education**

Northwestern School of Law of Lewis and  
Clark College, JD, 1998

University of California at Santa Cruz, BA  
Environmental Studies / Policy and  
Planning, 1994

**Practicing Since:** 1999

Amrit Kulkarni is a member of the Executive Committee and chairs the Land Use, Environmental Law, and Transportation & Infrastructure Practice Groups, reflecting the reality that these Practices are highly integrated, the respective laws and regulations often overlap and clients depend on his strategic insight at the intersection of the three areas. Amrit's specialty is providing transaction and litigation counsel on high-profile, complex and often controversial transportation infrastructure and commercial and urban development projects. He also has experience advising on the unique issues involved in public-private partnerships.

Amrit's project experience includes serving local, state and national clients that are involved in airports, passenger transit systems, freight rail networks, ports, harbors, highways, water resources, office buildings, mixed-use residential developments, university campus expansions, and a wide range of commercial and industrial facilities. He advises on an extensive scope of laws, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), State Planning and Zoning Law, Coastal Act, Tidelands Trust, Subdivision Map Act, Cortese-Knox-Hertzberg Act, Mitigation Fee Act and Clean Water Act, among others.

Amrit provides transactional counsel during a project's planning, development and implementation phases, particularly relating to the entitlement process, as well as litigation expertise when clients need to defend or challenge a project. Amrit is recognized for his outstanding record of litigation victories, involving complex factual and legal issues that arise under CEQA, NEPA and other environmental laws that apply to projects in California, including trial court, Court of Appeal and California Supreme Court.

## Honors and Awards

- *Best Lawyers in America*, Litigation-Land Use and Zoning, 2018 – 2023
- Southern California Super Lawyers list: Environmental Litigation and Land Use/Zoning, *Super Lawyers Magazine*, 2017 - 2023
- Northern California Super Lawyers list: Environmental Litigation and Land Use/Zoning, *Super Lawyers Magazine*, 2012 - 2022
- “Top 50 Development Lawyers,” *Daily Journal*, 2014
- “Leading Environmental Practices,” *The Recorder*, 2012
- “Top 20 Under 40 Lawyers,” *Daily Journal*, 2011
- “Top Land Use Leaders,” *Daily Journal*, 2011

## Professional Affiliations

- Member, Environmental Law Section, California Lawyers Association

## Published Decisions

- *City of Long Beach v. City of Los Angeles* (2018) 19 Cal.App.5th 465
- *Berkeley Hillside Preservation et al. v. City of Berkeley et al.* (2015) 60 Cal.4th 1086
- *Berkeley Hillside Preservation et al. v. City of Berkeley et al.* (2015) 241 Cal.App.4th 943
- *Saltonstall v. City of Sacramento* (2015) 234 Cal.App.4th 549
- *Saltonstall v. City of Sacramento* (2014) 231 Cal.App.4th 1437
- *Save Westwood Village v. Luskin* (2014) 233 Cal.App.4th 135
- *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301
- *Community Water Coalition v. Santa Cruz County Local Agency Formation Commission* (2011) 200 Cal.App.4th 1317
- *Las Lomas Land Company, LLC v. City of Los Angeles* (2009) 177 Cal.App.4th 837
- *Ailanto v. City of Half Moon Bay* (2006) 142 Cal.App.4th 572
- *City of Goleta v. Superior Court* (2006) 40 Cal.4th 270
- *Northern California River Watch v. City of Healdsburg* (2006) 457 F.3d 1023
- *City of Half Moon Bay v. Superior Court* (2003) 106 Cal.App.4th 795
- *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344

## Presentations and Publications

- Feature Article Profile, “In For The Long Haul: When Amrit Kulkarni’s not catching waves, he’s helping build big things,” *Super Lawyers Southern California*, January 2021
- Author, “New Two-Year CEQA Exemption Aims To Fast Track Transportation Projects,” Meyers Nave Client Alert, October 1, 2020 (also published on CEB’s Current Awareness Research Platform)
- Author, “New Federal Regulations Aim to Reduce and Streamline NEPA Environmental Review Requirements,” Meyers Nave Client Alert, July 31, 2020
- Author, “CEQA News: Amended Statutes of Limitations and Rules for Subsequent CEQA Review for Post-Approval Decisions,” *North County Lawyer*, July 2020
- Author, “White House Executive Order Seeks Acceleration of Infrastructure Projects by Streamlining Compliance with Federal Environmental Laws,” Meyers Nave Client Alert, June 9, 2020 (also published on CEB’s Current Awareness Research Platform)
- Author, “Emergency Rule Amended for Statutes of Limitations in CEQA and Land Use Cases,” *Real Property Law Reporter*, CEB, July 2020
- Author, “COVID-19 Update: Judicial Council Amends Emergency Rule on Statutes of Limitations in CEQA and Land Use Cases,” Meyers Nave Client Alert, June 1, 2020
- Author, “Governor’s Executive Order Temporarily Changes CEQA’s Noticing Procedures, Suspends Tribal Consultation Deadlines,” Meyers Nave Client Alert, April 28, 2020
- Author, “Appellate Court Clarifies Parameters of Describing a “Project” Under CEQA,” Meyers Nave Client Alert, August 28, 2019
- Author, “California Supreme Court Clarifies What Constitutes a ‘Project’ Under CEQA,” Meyers Nave Client Alert, August 20, 2019
- Author, “U.S. Supreme Court Changes 30 Years of Takings Law,” Meyers Nave Client Alert, June 25, 2019
- Author, “California Supreme Court Establishes CEQA Rules for EIR’s Discussion of Health Effects,” Meyers Nave Client Alert, January 9, 2019
- Author, “CEQA Review of Projects on State-Owned Rail Lines is Not Preempted by Federal Law,” Meyers Nave Client Alert, August 3, 2017
- Author, “State Supreme Court Issues Major Ruling on Greenhouse Gas Analysis under CEQA,” Meyers Nave Client Alert, July 14, 2017
- Author, “California Supreme Court Overturns Banning Ranch’s EIR for Failure to Analyze Environmentally Sensitive Habitat Areas,” Meyers Nave Client Alert, April 3, 2017
- Author, “California Supreme Court’s Decision About Public Records on Private Devices May Impact CEQA Administrative Records,” Meyers Nave Client Alert, March 9, 2017

- Author, “Court of Appeal Rules Developers Can Recover CEQA Administrative Record Costs,” Meyers Nave Client Alert, September 19, 2016
- Author, “Build the Arena and Lawsuits Will Come,” *Daily Journal*, August 20, 2015
- Author, “CEQA: New Player in Sports Stadium Wars,” *Daily Journal*, March 5, 2015
- Feature Article Profile, “CEQA Exemption for Houses Reinforced,” *Daily Journal*, March 3, 2015

## Representative Experience

### Sports and Entertainment Mixed-Use Complexes

- *Oakland A’s Baseball Stadium and Mixed-Use Development Project*  
In addition to providing CEQA advice to the City of Oakland on major development projects, Meyers Nave serves as outside land use and environmental counsel for the City for the A’s 35,000-seat ballpark and related mixed-use development project at the Port of Oakland’s Howard Terminal, which is planned to include housing, commercial (office and retail) and a performance venue. Meyers Nave is coordinating preparation of the Environmental Impact Report and entitlements for the Project and advising on compliance with special streamlining legislation (AB 734). The project straddles the jurisdictions of several agencies, including State Lands Commission and San Francisco Bay Conservation and Development Commission (BCDC), with different objectives and administrative processes. Part of the project includes negotiating public trust issues related to tide and submerged lands under the jurisdiction of State Lands Commission and use of bay fill under BCDC’s oversight. The project also involves working with BCDC on San Francisco Bay Area Plan issues, and the U.S. Coast Guard on its Inland Navigation Rules and Regulations.
- *City of Anaheim’s “Big A 2050” Plan for Orange County’s only MLB Stadium*  
Meyers Nave serves as lead land use and CEQA counsel to the City of Anaheim for a mixed-use and stadium project, known as Big A 2050, located on the site of an existing Los Angeles Angels stadium. The project envisions redevelopment of the stadium site to introduce large-scale residential, office, and retail/entertainment uses to create year-round use. The plan is designed to keep major league baseball in Anaheim for the next 30+ years. Meyers Nave is advising on all entitlements and environmental review required to bring this plan to fruition, including a Disposition and Development Agreement, site plans, tentative maps and other required approvals. This project is a key element to the City realizing its vision for the development of the Platinum Triangle Mixed Use area located adjacent to the Anaheim Regional Transportation Intermodal Center (ARTIC) which provides rail, bus, taxi and other services for daily commuters and visitors.
- *Pro Soccer Stadium and Mixed-Use Development Project with Modular Housing*  
Meyers Nave provided land use strategy and CEQA advice to Hall Equities Group, the developer of a proposed \$750 million soccer stadium project with linkage to the downtown

Concord BART station. The project includes a 15,000- to 18,000-seat stadium, two hotels with 650 rooms, a 150,000-square-foot convention center, retail space and modular multi-family housing. The stadium was planned to be home to a United Soccer League franchise for the Oakland East Bay area.

- *Mixed-Use Development Project and Transit Station Adjacent to SAP Arena*  
Since 2011, Meyers Nave has assisted the Santa Clara Valley Transportation Authority (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. We currently represent VTA in a lawsuit filed by the San Jose Sharks alleging violations of CEQA and NEPA relating to BART's multi-year four-station extension into downtown San Jose and Santa Clara.
- *Sacramento's \$477 Million Downtown NBA Arena and Mixed-Use Development Project*  
Meyers Nave beat all legal challenges against the Sacramento Kings' new arena, ensuring completion on schedule to keep the team from moving to Seattle. Our victories included all CEQA litigation within the 270 days required by a new law, including two published appellate decisions, and an 11-day trial alleging the public-private partnership engaged in collusion, fraud, secret subsidies, and illegal expenditure of funds. The *Daily Journal* recognized our victory among 2015 "Top Defense Results." The two published appellate court decisions are (1) *Saltonstall I*, the first appellate decision addressing (and upholding) the constitutionality of a project-specific CEQA streamlining statute and (2) *Saltonstall II*, which affirmed the sufficiency of the City's EIR and dismissed the project opponents' appeal of a trial court's denial of its CEQA challenge and was the first appellate decision addressing a CEQA streamlining statute that allowed a city to commence eminent domain proceedings prior to completing the environmental review of a proposed project.

## **Urban Mixed-Use Development and Redevelopment Projects**

- *Crossroads of the World Redevelopment Project*  
Meyers Nave prevailed at the trial court in expedited CEQA litigation for this transit-oriented development project, including 950 apartments and condos, 308-room hotel, and 190,000 square feet of commercial space, that will redevelop the iconic Crossroads of the World site in Hollywood. The project was certified as an ELDP under AB 900, entitling it to a compressed litigation schedule that requires resolving trial and appellate litigation in an expedited 270-day timeframe. The project preserves 1930s-era buildings where F. Scott Fitzgerald and Alfred Hitchcock worked, and transforms a prominent Hollywood site with new affordable housing and open space.
- *8150 Sunset Boulevard Mixed-Use Development Project*  
The innovative Frank Gehry-designed project will create a gateway to Hollywood on the Sunset Strip. Meyers Nave defeated the expedited CEQA litigation challenges for the 330,000-square-foot sustainably designed, mixed-use high-rise development project. The project features five interrelated structures, including two residential buildings (which include

affordable and low-income housing), buildings for retail and entertainment, and open spaces for public gathering. Four CEQA lawsuits were brought against the project, which is designated an Environmental Leadership Development Project.

- *Other Mixed-Use Development Projects and Litigation*

Meyers Nave attorneys have served as counsel for U.S. and international developers on numerous high-profile projects, including: (1) multiple urban, mixed-use high-rise residential tower projects in downtown Los Angeles – handled the environmental review and entitlement process, (2) the Grand Avenue Project, a \$4 billion transit-oriented mixed-use redevelopment project in downtown Los Angeles – negotiated the settlement agreement to quickly resolve litigation over project approvals and allow the project to meet deadlines, and (3) 30+ master-planned communities and commercial sites in Riverside County and Antelope Valley – led the project teams and coordinated environmental and land use due diligence, acquisition and remediation activities.

Meyers Nave currently represents the City of Los Angeles in mixed-use development project litigation, including three different CEQA lawsuits brought against a mixed-use residential and transit oriented building at 333 La Cienega, a lawsuit challenging the CEQA and project approvals for the Cumulus Transit-Oriented Mixed-Use Project, and a CEQA lawsuit challenging the Il Villaggio Toscano, a residential, commercial and office development project.

## **Planning and Litigation for University of California Campus Development**

- *Multi-Campus Long Range Development Planning*

For more than a decade, Meyers Nave has served as lead land use and environmental counsel to the University of California on high-profile and complex capital development and public-private partnership projects across the statewide system. Meyers Nave currently advises UC on the CEQA review of a new generation of Long Range Development Plans to guide future development to accommodate enrollment growth of over 20,000 new students on campuses throughout the UC system, including UCLA, UC Berkeley, UC Davis, UC Santa Cruz, UC Riverside, and UC San Diego. For the planning process, Meyers Nave helps guide the campuses through the CEQA and regulatory approval process for individual projects that add and expand administration offices, student and workforce housing, student services, academic buildings, research centers and healthcare facilities, often using public-private partnerships and innovative funding mechanisms. Meyers Nave also represents UC in the Merced 2020 project, implementing preliminary aspects of an innovative public-private master development plan to accommodate a planned increase of students from 6,800 to 10,000. The pioneering project involves negotiating a range of new and innovative agreements, such as utility services and transportation agreements with the City of Merced and Merced County, as well as agreements to implement wetland mitigation requirements. Meyers Nave has also been advising UC Santa Cruz on a strategy for working with the City of Santa Cruz to ensure adequate water supply to effectuate the LRDP for the North Campus expansion.

- *Multi-Campus Project Development Litigation*

Meyers Nave defends the University in litigated matters involving campus expansion projects, including currently representing UC in a CEQA lawsuit challenging approval of a housing project on the UCLA campus under its LRDP, a CEQA lawsuit challenging approval of the EIR and CEQA findings for the UC Davis LRDP, and writ of mandate and declaratory relief claims under CEQA alleging that student enrollment increases from LRDP projections are subject to environmental review under CEQA. Our litigation victories include (1) successfully defending Lawrence Berkeley National Labs at UC-Berkeley in litigation challenging an EIR for a new Solar Energy Research Center, one of the first EIRs to address the potential environmental impacts of nanoparticle research and handling, (2) a series of courtroom victories (including appellate) defeating CEQA, zoning and taxation challenges to UCLA's \$162-million Meyer and Renee Luskin Conference and Guest Center and (3) prevailing at trial and in the Court of Appeal in a CEQA case challenging the City of Albany's approval of the University Village mixed-use development project, a public-private partnership.

## **Transportation and Infrastructure Development Projects**

- *P3 for \$2 Billion Passenger Rail Infrastructure Project*

In a precedent-setting undertaking, Facebook and infrastructure developer Plenary Group established a public-private partnership with the San Mateo County Transit District (SamTrans) to develop a massive transportation infrastructure project that will create a new commuter rail corridor between Silicon Valley and the East Bay. The project's estimated cost is \$2 billion. Meyers Nave serves as lead land use, environmental and CEQA/NEPA counsel to the private partner for the project, including advising on all local, state and federal permitting issues. The P3 project is a game-changing approach to creating commuting alternatives that help solve metropolitan area traffic congestion between residential neighborhoods and job centers. It will serve as a model for how the public and private sectors can partner on critical infrastructure projects.

- *Burlington Northern Santa Fe Railway (BNSF)*

Meyers Nave represents BNSF, the largest freight railroad network in the U.S., in a \$700 million rail project to 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 air pollution and traffic by eliminating 1.3 million short-haul truck trips per year. The project includes replacing of an historically significant bridge over the Dominguez Channel. We serve 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. Meyers Nave is also advising BNSF on partnering with the California High-Speed Rail Authority for CEQA and NEPA review of a project to redevelop existing rail corridors across 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.

- *Los Angeles International Airport Planning, Expansion and Modernization*

For more than a decade, Meyers Nave has served as counsel in connection with 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.

Meyers Nave continues to assist with environmental review and implementation of projects tiered from the Master Plan, including the South Airfield Improvement Project, Northside Plan Update, and Tom Bradley International Terminal Reconfiguration Project, all of which require coordination with federal, state, and regional agencies, including the Federal Aviation Administration, California Air Resources Board, South Coast Air Quality Management District, California State Water Resources Control Board, and Los Angeles Regional Water Quality Control Board.

Meyers Nave advises on CEQA and NEPA review of the Airfield and Terminal Modernization Program airfield enhancements, new terminal facilities, and an improved system of roadways leading to the central terminal. Meyers Nave also advises on the development of plans to modernize air cargo facilities along the Century Boulevard corridor. We also provide LAWA with advice on operations that involve diesel-fueled equipment, mobile sources of emissions, and enforcement issues, as well as legal analysis with respect to regulation of taxis to meet emission requirements focusing on SCAQMD's jurisdiction.

- *Port of Los Angeles Master Plan, Project Implementation and Litigation*

Meyers Nave's extensive service to the Port of Los Angeles includes advising on multiple long-term planning projects, including the Port Master Plan Update. Meyers Nave also represented the Port in several major CEQA cases in both the trial and appellate courts and we have an outstanding track record of litigation victories since we began our representation on POLA's behalf. Meyers Nave currently serves as lead outside counsel in connection with environmental compliance and land use permitting for multiple large-scale cargo, shipping and transportation projects for container terminals and dockside intermodal railyards. Meyers Nave has reviewed project EIRs and EISs for CEQA and NEPA compliance. Our work includes the (1) Pacific L.A. Marine Terminal, Tank Farms, and Pipelines Project, (2) Berths 302-206 (APL) Container Terminal Project, (3) Berths 97-109 (China Shipping) Container Terminal Project, (4) Clean Trucks Program, (5) Trapac Container Terminal Project, and (6) Ultramar Inc. (Valero) Marine Terminal Lease Renewal Project. Meyers Nave successfully defended POLA in both the trial and appellate courts in a CEQA lawsuit filed by the City of Riverside challenging POLA's certification of an EIR for the China Shipping Container Terminal Project. All shipping terminal projects we advise on also involve regional and local air quality concerns due to emissions from shipping, on-dock vehicles, and train and truck traffic.

- *Santa Clara Valley Transportation Authority*

Since 2011, Meyers Nave has assisted Santa Clara Valley Transportation Authority on land



use and environmental matters for implementation of long-range plans to expand public rail transit into the South Bay and Silicon Valley. For example, our work on the multi-phased, six-station project to bring BART from Fremont through San Jose to Santa Clara runs through several local jurisdictions, spans the CEQA and NEPA process (from review of plans through litigation and appeals), Section 404 permitting, and coordination with the Federal Transit Administration and other local, state and federal agencies. Meyers Nave also has advised VTA on multiple transit expansion projects such as the Eastridge to BART Connector/Capitol Expressway Light Rail project and a three-mile extension of an elevated transit line, where Meyers Nave worked with the FTA on NEPA review and project funding issues. Meyers Nave also successfully defended VTA in a CEQA action challenging a supplemental EIR for the BART Silicon Valley Project which included alleged improper pre-commitment to the Project under Save Tara. The case also challenged VTA's compliance with the California Public Records Act and sought to compel production of emails relevant to the settlement of the CEQA action.

- *Southern California Regional Rail Authority (Metrolink)*  
Meyers Nave is advising the Metrolink commuter rail system on CEQA compliance and environmental review for a variety of new and expanded transportation facilities, including evaluating compliance and conformity with California's Clean Air Act SIP. Meyers Nave is also representing Metrolink in responding to an order from the California Regional Water Quality Control Board, Los Angeles Region, regarding the dewatering system at Tunnel 26 near Chatsworth, which is cutting-edge legal work concerning a previously unregulated activity. Meyers Nave is also advising Metrolink in an assessment of air quality emissions from its Central Maintenance Facility in Los Angeles, and in the adoption of measures to lessen those emissions and their impacts.
- *The Boring Company Tunnel, City of Los Angeles*  
Meyers Nave defended the City's decision to permit construction of an initial test track for the underground transportation tunnels proposed by Elon Musk. Neighborhood groups sued, arguing that because the test tunnel could be part of a larger transportation network beneath the entire city, a full environmental review was required. Meyers Nave facilitated an expedited settlement that allowed The Boring Company to proceed with developing new projects using their novel transportation technology.
- *Los Angeles Department of Water & Power*  
Meyers Nave is the primary outside law firm for land use and environmental services for the Los Angeles Department of Water & Power (LADWP), the largest municipal utility in the United States, serving over four million residents and with facilities and properties spanning from the Eastern Sierras to the LA region. Meyers Nave represents LADWP on the environmental review of the Elysian Reservoir Water Quality Improvement Project and the Stone Canyon Reservoir Water Quality Improvement Project—two projects to bring existing open reservoirs into compliance with updated Environmental Protection Agency drinking water quality standards.

Our work has also included providing sophisticated and complex air quality advice to guide LADWP through the SIP-approved regulatory framework that requires a multi-billion dollar

dust control program on Owens Lake, involving thousands of acres of federal property owned by the Bureau of Land Management. We have worked in consultation with interested tribal groups and coordination with BLM, U.S. Department of Fish and Wildlife, and other federal agencies to obtain necessary approvals, prepare air quality and SIP review, CEQA/NEPA review, and negotiate lease/access agreements to implement the project. Meyers Nave is also advising LADWP on a plan for management of City-owned lands in the upper Owens River basin, which includes habitat for the federally protected Sage Grouse.

Meyers Nave also advises LADWP on the preparation of CEQA documents for individual water and electric facilities, and on developing tools for engaging stakeholders early in planning processes. Meyers Nave also represented LADWP in complex litigation challenging rates and charges, protecting water rights, and defending against CEQA challenges to individual projects.

In *County of Mono, et. al. v. City of Los Angeles et al.*, Meyers Nave successfully represented LADWP in appeal overturning trial court's decision that LADWP's annual water allocations to ranchers leasing land from LADWP in Mono County were subject to CEQA. Mono County and the Sierra Club had argued that LADWP's 2018 water allocation was a change to LADWP's historic water allocation practices requiring new CEQA review. The Court of Appeal disagreed, finding that the annual allocations were actions in furtherance of the 2010 approvals of the leases with the Ranchers and did not require any further CEQA review. The Court's decision will allow LADWP to continue to manage its water resources to meet the many competing customer, environmental, and regulatory demands on LADWP's water free from annual litigation on these decisions.

- *Refineries and Associated Terminals and Pipelines*

Meyers Nave represents refineries and associated terminals and pipelines on air quality compliance matters. For example, when federally enforceable Clean Air Act permits were issued, Meyers Nave strategically filed appeal and variance petitions with the South Coast Air Quality Management District in a way that secured within weeks dozens of permit revisions that had been pending for several years, thereby eliminating violations for operating contrary to the permit. We have also advised on complex "source" and "facility" determinations to implement greenhouse gas requirements of the California Air Resources Board and other regulatory programs. As air quality and CEQA compliance counsel for another refinery, Meyers Nave interacts with SCAQMD and San Joaquin Valley Unified Air Pollution Control District and also assists with anticipated litigation under CEQA and the Clean Air Act. For another refinery, Meyers Nave serves as air quality counsel interacting with the SCAQMD as well as assisting on emerging regulatory issues involving refinery fence-line monitoring. For example, each time the refinery undertakes scheduled or unscheduled maintenance activities, we work to secure variances in contested and uncontested matters before the SCAQMD hearing board. We routinely advise on complex air quality monitoring, reporting, and permit compliance and work extensively with refinery process and environmental engineering teams.

## California Supreme Court's "biggest CEQA case"

- *Berkeley Hillside Preservation v. City of Berkeley* (S201116, March 2, 2015)  
Amrit's environmental law expertise was demonstrated when the California Supreme Court issued its highly anticipated decision in *Berkeley Hillside Preservation v. City of Berkeley*, which resolved years of uncertainty by holding that there must be "unusual circumstances" in order for an otherwise categorically exempt project to be subject to CEQA. The Court also resolved a divide among Courts of Appeal, holding that an agency's findings as to unusual circumstances are subject to the substantial evidence standard. Amrit represented Lotus founder Mitch Kapor and his wife, Freada Kapor-Klein, in the precedent-setting case that received extensive media coverage, including news articles that described 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 that affects "how public agencies handle common exemptions from California's bedrock environmental law." The Court also established a new two-part test to analyze a project opponent's assertion that a project presents "unusual circumstances" that require CEQA review.