

BRYAN K. BROWN

SENIOR OF COUNSEL

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OFFICE:
Los Angeles

LANGUAGES:
English



Bryan Brown brings two decades of experience guiding clients through high-profile and mission-critical environmental, water, natural resource, and land use disputes.

Bryan Brown is Senior Of Counsel in the Land Use and Environmental Law Practice Group with more than 20 years of experience in environmental law and land use. He represents clients in industries from supply chain and logistics to transportation, infrastructure, and water resources. Bryan's work spans CEQA, NEPA, the Clean Water Act, Clean Air Act, Porter-Cologne Act, and CERCLA, among many other state and federal laws.

He guides clients through the preparation of environmental impact reports and studies, then defends those documents in court. Bryan has worked on some of California's most high-profile transportation and infrastructure projects, partnering with lead agencies and experts to build strong records for litigation. He also advises water districts on protecting and expanding water rights and infrastructure, bringing deep experience in California water rights disputes.

Bryan has represented municipalities in high-profile battles against coalitions of regulators and environmental groups. He has negotiated multi-decade consent decrees that transformed municipal infrastructure in Los Angeles and Honolulu. He also shepherded a BNSF Railroad Company project through CEQA, and defends clients against citizen suits under the Clean Water Act, Clean Air Act, and Porter-Cologne Act. His work includes soil and groundwater contamination enforcement, regulatory and permitting matters under Sections 401 and 404 of the Clean Water Act, and nationwide multiparty CERCLA and private cost recovery actions.

Known for solution-driven advocacy, Bryan brings realistic guidance, creative problem-solving, and full engagement to every matter. Clients trust him to navigate the most complex, high-stakes disputes with focus, insight, and results.

Bryan earned his B.A. at Arizona State University, receiving the Cynthia Lakin Award for Outstanding Anthropology Graduate, and his J.D. from Yale Law School, where he was

EDUCATION

Yale Law School, JD, 1997

Arizona State University, 1993

ADMISSIONS

California, 1997 – Bar No. 192924

U.S. District Court, Northern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

PRACTICE AREAS

Land Use & Environmental

Air Quality

CEQA/NEPA

Climate Change & Sustainability

Hazards & Remediation

Land Entitlements

Wildlife & Natural Resources

active in the Environmental Law Clinic, the Street Law Program, and the Latino Law Students Association. He also gives back through LGBT activism.

Energy, Utilities & Renewables

Trial & Litigation

Transactional:

- Guides clients through environmental review process under CEQA and NEPA, including the development of a robust administrative record.
- Counsels clients regarding unknown, recently discovered and neighboring environmental conditions.
- Drafts, reviews and analyzes environmental indemnity and contingency provisions in transactional documents.

Litigation:

- Manages teams of lawyers, paralegals, consultants, and support staff in complex high-profile civil and administrative actions, including leading the development of both legal and public relations strategy for the litigation.
- Provides oral argument at hearings in federal and state courts on motions for summary judgment, conducts depositions and witness interviews, and interviews and retains consultants and experts.
- Negotiates and drafts settlement agreements with non-profit organizations, private parties, and state and federal governments, including several high-profile federal consent decrees.
- Works with clients and consultants to evaluate alternative remedial positions and develop long-term remedies.
- Extensive motion practice includes trial, mediation and appellate briefs; motions to disqualify expert witness testimony; motions for summary judgment; demurrers and discovery motions; and motions for preliminary injunction and TROs.

Regulatory and Administrative:

- Represents clients before Regional Water Quality Control Boards, the State Water Resource Control Board and the Environmental Appeals Board.
- Assists clients in obtaining necessary discharge and disposal permits and represents clients before federal, state and municipal agencies regarding obtaining such permits.
- Counsels clients regarding enforcement of environmental statutes and regulations and negotiates injunctive measures and penalties associated with enforcement actions.
- Advises clients regarding regulatory compliance issues, including analyzing proposed legislation, legislative history, and administrative policy.

PROFESSIONAL & COMMUNITY AFFILIATIONS

- The State Bar of California, Member (1997–Present)

PRESENTATIONS & PUBLICATIONS

- Author, *President Biden Unveils \$2.2 Trillion Infrastructure Plan* – Meyers Nave Client Alert, April 2, 2021
- Author, *Appellate Court Finds Certain State-Mandated Stormwater Permit Requirements Imposed on Local Governments Are Subject to Cost Reimbursement* – Meyers Nave Client Alert, January 28, 2021
- Author, *US Department of Transportation Proposes Updated NEPA Procedures Adding Streamlining and Efficiency Measures* – Meyers Nave Client Alert, December 18, 2020
- Co-author, *Affordable Housing Initiatives and News in California* – International Law Office, March 2016
- Co-author, *Positive Developments for Affordable Housing in California* – Law360, February 8, 2016

REPRESENTATIVE EXPERIENCE

- **BNSF Railway** – Counseled a national railroad on state lawsuits brought under CEQA by the State of California, environmental groups, and others regarding the siting of a rail yard. Defended against environmental justice claims under Government Code Section 11135.
- **City and County of Honolulu** – Advised on federal lawsuits involving upgrades to Honolulu's wastewater treatment and collection systems and the validity of the City's waivers from the CWA's secondary treatment requirements. Negotiated a multi-decade federal consent decree, handled an administrative petition seeking review of a permit waiver decision before the Environmental Appeals Board, and filed a lawsuit against the EPA seeking production of documents under FOIA.
- **City of Oakland** – Counseled on changes to the City's NPDES permit and subsequent petition to the State Water Board for review of permit terms. Defended in a federal lawsuit brought by the EPA and a non-governmental organization alleging discharge violations from the City's collection system. Negotiated a favorable injunctive remedy in federal court and a penalty in a related state administrative action.
- **Pharmaceutical Company** – Represented in a multi-million-dollar CERCLA cost recovery action involving alleged historical discharges of hazardous wastes. Addressed technical and expert issues related to groundwater impacts and changes in groundwater levels and flow direction over 35 years.
- **Petroleum Company** – Advised on contamination from chlorinated solvents and waste oil activities, scope of allowable discharges under an NPDES permit for groundwater extraction systems, and scope of permissible discharges for construction activities under a stormwater permit. Negotiated permit terms to align with current and planned business activities.
- **Manufacturer** – Provided counsel on alleged historical discharges of chlorinated

solvents and other wastes by the company and its predecessors. Worked with technical consultants to negotiate with the Water Board and develop an investigation and remediation plan.