



Bryan K. Brown

Special Counsel

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Practices

FOCUS: Real Estate

Environmental and
Workplace Safety

Environmental
Regulatory and
Permitting

Education

JD, Yale Law School

BA, Arizona State
University

Bar Admissions

California

Bryan Brown has more than 10 years of experience in complex litigation, regulatory and administrative matters.

His practice includes servicing public and private infrastructure and transportation projects, from project inception to conclusion. Representations include working with consultants in conducting Phase I and Phase II environmental assessments and site history investigations and other pre-development activities necessary to obtain environmental clearances. He also works with clients and consultants in the preparation of environmental documents under CEQA and NEPA, including development of project need and purposes, evaluation of project alternative and mitigation measures, preparation of a robust administrative record, shepherding the project through the public comment and approval process, and defending the environmental approvals in court. Once projects are approved, Bryan's practice includes assisting clients obtain all necessary permits under the Clean Water Act (CWA), Clean Air Act (CAA), and other federal and state laws.

He represents major waste generators and potentially responsible parties nationwide in multiparty Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and private cost recovery actions both with and without regulatory enforcement components.

Bryan routinely defends clients against citizens' suits and claims brought under the CWA, the CAA and the Porter-Cologne Water Quality Control Act. He has represented several municipal clients in California and Hawaii, in high-profile wastewater collection and treatment system litigation against coalitions of federal and state regulators and environmental groups, and has negotiated multidecade consent decrees involving wholesale upgrades to municipal infrastructure.

In addition, Bryan has extensive experience handling soil and groundwater contamination enforcement matters before courts and administrative agencies. He provides counsel regarding regulatory and permitting matters, including permits under Sections 401 and 404 of the CWA, and advises clients on due diligence and disclosures in transactional matters. Bryan has experience conducting hearings before regional and state water quality control boards. A considerable part of Bryan's practice includes assisting clients in preparing environmental impact reports under CEQA.

Bryan's practice also focuses on real estate transactions with a background in affordable



housing and community development programs.

Advisories

- California Supreme Court Rules That Agencies—Not Courts—Determine Whether Modified Projects Are Subject to CEQA's Subsequent Review Provisions (October 4, 2016)
- What Does the US Supreme Court Ruling Mean for Local Affordable Housing Laws? (March 11, 2016)
- What Two Recent California Supreme Court Rulings Mean for Analysis of Environmental Impact at Project Sites and Greenhouse Gas Emissions and Protected Species (January 6, 2016)
- Recent Affordable Housing Developments in California and the Los Angeles Region (December 21, 2015)
- US Supreme Court Protects Landowners from "Extortionate" Demands by the Government in Land-Use Permitting Decisions, Including Permit Denials (July 10, 2013)
- California Court of Appeal Strictly Enforces Carveout Guaranty (June 21, 2013)

Articles

- 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)

