



## Hina Gupta Counsel

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### Practice Areas

Air Quality & Climate Change | Appellate & Writ Practice | CEQA / NEPA |  
Endangered Species | Energy | Energy Project Development |  
Infrastructure | Land Use | Real Property & Land Use Litigation |  
Regulatory Law & Business Permitting

Hina Gupta draws from her environmental planning background to help clients navigate through regulatory, land use entitlements, and environmental issues.

Public and private sector clients turn to Hina for advice and counsel on a wide variety of land use and environmental matters, including compliance with local planning and zoning laws, [California Environmental Quality Act \(CEQA\)](#), [National Environmental Policy Act \(NEPA\)](#), the California Coastal Act, local municipal and election laws, and brownfield redevelopment. Her experience includes assisting clients with [land use](#) entitlements and CEQA compliance for large and small-scale residential projects, office buildings/business parks, self-storage facilities, industrial warehouses, medical and higher education facilities, and redevelopment projects. She assists clients with [renewable energy](#) siting and permitting issues as well.

Clients also rely on Hina for her litigation experience handling writs of mandamus matters for CEQA and land use issues.

Before her career as an attorney, Hina worked as an environmental planning consultant preparing CEQA and NEPA compliance documents on a variety of projects, including large infrastructure and transit projects.

## Experience

### Land Use and CEQA

- Represented a municipality on CEQA and planning and zoning law compliance, negotiation of development agreement, and associated litigation in the trial court and the appellate court for a large mixed-use development on 275 acres.
- Representing a large municipality in defense of multiple litigations at the trial court and the appellate court filed under CEQA, the Coastal Act, the Subdivision Map Act, the local municipal code, and planning and zoning laws.
- Representing Norway-based aquaculture corporation for CEQA and the Coastal Act compliance in

connection with the redevelopment of a contaminated pulp mill site in Northern California to construct large state-of-the-art on-shore aquaculture facility.

- Representing the University of California in connection with various land-use projects and litigation, including development of the Long Range Development Plan for the University of California, Santa Cruz, and litigation challenging that plan under CEQA and the Education Code.
- Advised park district on land-use aspects of transfer and reuse of 2,600 acres of the former naval base for CEQA compliance.
- Representing a water bank authority in the preparation of an EIR and a CEQA lawsuit challenging a groundwater bank project.
- Represented self-storage corporations in connection with obtaining site approvals for developments in Escondido, Paramount, and Chino Hills.
- Represented a Muslim community group in connection with CEQA, planning and zoning law, and the Religious Land Use and Institutionalized Persons Act to construct a religious and community center in San Martin, California.
- Represented the developer of a mixed-use project for land use entitlements and environmental compliance consisting of 98,000 square feet of retail development, 280,000 square feet of office, and 608 attached residential units on 24 acres.
- Represented a developer on the proposed redevelopment of an aging shopping center into a mixed-use project, including retail, office, and hotel uses.
- Advised a large developer on compliance and entitlement strategies under CEQA and planning and zoning laws for a master plan development on over 2,600 acres in Southern California.
- Represented a community college district in planning approvals and CEQA compliance for construction of a satellite center in the City of San Diego.
- Counseled private clients regarding pre-acquisition land use due diligence, land use and environmental entitlements, CEQA compliance, and state planning and zoning laws for infill and mixed-use projects, residential, commercial, industrial and self-storage projects, hospitals, and educational institutions.

## Renewable Energy

- Advised a large municipal utility district on regulatory strategies under CEQA and the State Aeronautics Act for development of utility-scale wind power plant in California and helped negotiate settlement of CEQA, Government Code, and Public Utility Code claims.
- Assisted a utility-scale solar PV generation facilities developer with permitting, environmental, and CEQA compliance in California.
- Advising a county regarding the community benefit agreements related to a renewable energy project.

## Professional & Community Service

- Leadership Council on Legal Diversity, Fellows Program, 2022

- Bar Association of San Francisco, Environmental Law Section, Executive Committee, 2024
- Bar Association of San Francisco, Barristers Environmental, Land Use and Real Estate Section, Co-Chair, 2021-2023; Land Use Vice Chair, 2020
- Women in Environment
- Association of Women in Water, Energy & Environment
- American Bar Association
- California Lawyers Association, Environmental Law Section
- *Environmental, Energy & Climate Change Law and Regulation Reporter*, Editorial Board Member, 2020-present

## Education

- J.D., with honors, The George Washington University Law School, 2014
- M.P.L., University of Southern California, 2007
- B.A., with distinction, Urban Planning, School of Planning and Architecture, New Delhi, India, 2005

## Honors & Rankings

- Best Lawyers in America<sup>®</sup>, Ones to Watch, Land Use and Zoning Law, 2024
- *Super Lawyers*, Northern California Rising Star, Land Use/Zoning, 2021-2023
- Externship, Honorable Jay C. Gandhi, United States District Court, Central District of California, 2012
- The George Washington University Law School, *Journal of Energy and Environmental Law*, Managing Editor
- University of Southern California, Sol Price School of Public Policy, Dean's Merit Scholar, 2005-2007

## Speaking Engagements / Events

- *BPC Expert Briefing: CEQA Update 2022*, Bay Planning Coalition, November 16, 2022
- *A CEQA Attorney, Consultant, and City Planner Walk Into a Café*, American Planning Association's California 2023 Conference: Planning at the Crossroads, September 18, 2023
- *Key Developments in Environmental Law & Land Use 2023*, CEB Webinar Recording, December 29, 2023
- *Cultivating Allies & Change Agents*, Panelist, Driving Diversity in Law & Leadership - Centerforce Diversity in Law Series, October 12, 2022

## Publications

- *Third Circuit Upholds FAA's New Jersey Airport Improvements Approval Under NEPA*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 4, Number 6, March 2024

- *Divided Ninth Circuit Reaffirms Decision That Berkeley's Ban on Natural Gas Piping Installations in New Construction is Federally Preempted*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 4, Number 5, February 2024
- *EPA Releases Final Rule Regulating Methane for Oil and Gas Sector*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 4, Number 4, January 2024
- *Governor Newsom Signs Major Climate Change Disclosure Laws for Corporate Accountability*, California Land Use Law & Policy Reporter, Volume 33, Number 3, December 2023
- *EPA Publishes Final Rule - Requires PFAS Reporting Under TSCA*, California Water Law & Policy Reporter, Volume 34, Number 3, December 2023
- *District Court Finds U.S. Forest Service Failed to Adequately Address Environmental Impacts From Amendments to Tree-Removal Standards in National Forests*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 4, Number 2, November 2023
- *D.C. Circuit Finds U.S. Surface Transportation Board Failed to Take a 'Hard Look' at Utah Oil Rail Project's Environmental Impacts Under NEPA*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 4, Number 1, October 2023
- *Council on Environmental Quality's Proposed Phase 2 Regulations Modifying the National Environmental Policy Act Are Open for Comment*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 11, August/September 2023
- *EPA Proposes New Rules for Greenhouse Gases for New Source Performance Standards from Fossil Fuel-fired Electric Generating Units*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 10, July 2023
- *Streamlining Provisions Won't Apply to Delta Conveyance Project*, Daily Journal, July 6, 2023
- *District Court in Washington Affirms Parties Cannot Contractually Avoid CERCLA Liability to the U.S. Government*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 9, June 2023
- *Ninth Circuit Finds FAA Failed to Take Requisite 'Hard Look' Under NEPA at Noise Impacts From Airport Terminal Replacement Project*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 8, May 2023
- *EPA Proposes First-Ever Enforceable Nationwide Primary Drinking Water Standards for PFAS*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 8, May 2023
- *D.C. Circuit Court of Appeals Upholds Power Plant Emissions Limitations and Defers to EPA's Scientific and Technical Expertise*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 7, April 2023
- *California State Water Resources Control Board's New Sanitary Sewer Systems Waste Discharge Requirements to Take Effect This Summer*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 7, April 2023
- *Tenth Circuit Finds BLM Needs to Take a Hard Look Under NEPA for New Mexico Fracking Permits*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 6, March 2023
- *EPA's Amendments to the National Emissions Standards for Hazardous Air Pollutants for Site Remediation*

*Eliminates Certain CERCLA and RCRA Exemptions*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 5, February 2023

- *U.S. Environmental Protection Agency Aligns Aircraft Engine Emissions Standards With United Nations and Considers Increasing Stringency in the Future*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 4, January 2023
- *Eight Circuit Finds States Lacked Article III Standing to Challenge Biden Administration's Carbon Cost Metric*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 3, December 2022
- *U.S. Fish and Wildlife Service Proposes New Eagle Rule to Create a General Incidental Take Permit Process for Power Line Infrastructure and Wind-Energy Projects*, California Land Use Law & Policy Reporter, Volume 32, Number 2, November 2022
- *D.C. Circuit Dismisses Environmental Interest Groups' Lawsuit Challenging U.S. EPA's Approval of Oklahoma's Coal Ash Plan under RCRA*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 2, Number 11, September 2022
- *U.S. EPA And Department of Justice Announce the Return of The Use of Supplemental Environmental Projects*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 2, Number 10, July 2022
- *U.S. Securities and Exchange Commission Proposes Rule on Climate-Related Disclosures*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 2, Number 8, May 2022
- *Tenth Circuit Decision Reinforces Federal Clean Air Act Citizen Suits Against Mobile Sources*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 2, Number 5, February 2022
- *The \$1.2 Trillion Infrastructure Legislation Provides Key Funding and NEPA Streamlining for Key Environmental and Infrastructure Projects*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 2, Number 4, January 10, 2022
- *California Proposes Setback Requirement for New Oil and Gas Wells – How Does it Measure Up?*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 2, Number 3 and California Land Use Law & Policy Reporter, Volume 31, Number 3, December 2021
- *California Passes Three Key Housing Bills this Legislative Year to Streamline CEQA Review for Certain Housing Projects*, California Land Use Law & Policy Reporter, Volume 31, Number 2, November 6, 2021
- *District Court Pulls the Plug on California Restaurant Association Challenge to City's Ban on Natural Gas Infrastructure in New Construction*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 11, August/September 2021
- *President Biden Issues Executive Order Addressing Climate-Related Financial Risk*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 10, July 2021
- *California Court of Appeal Upholds Multimillion-Dollar Penalty Against Homeowner Blocking Public Access to the Coast*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 9, June 2021
- *Council on Environmental Quality Rescinds Trump Administration Draft Guidance that Limited the*

*Consideration of Greenhouse Gas Emissions During Environmental Reviews*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 7, April 2021

- *As Climate Change Exacerbates Wildfire Risk, Western States Adopt and Introduce Legislation to Reduce Wildfire Risk*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 6, March 2021
- *U.S. EPA Finalizes Greenhouse Gas Emissions Regulations for Aircraft Engines*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 5, February 2021
- *Arizona and Nevada Take Major Steps Towards Greenhouse Gas Reductions By 2050*, Argent Communications Group, January 4, 2021

## Legal Alerts

- *Congress Passes \$1.2 Trillion Bipartisan Infrastructure Legislation*, November 10, 2021
- *U.S. EPA Region 9 Enforcement Priorities Revealed*, April 11, 2018

## Blogs

- *Annual Legislative Update: Important Land Use Laws Taking Effect in 2024*, January 4, 2024
- *Court Upholds Master Plan EIR's Climate Change Analysis that Used Sector and Region-Specific Data to Develop a Threshold of Significance*, December 20, 2023
- *Sixth District Says City's Specific Plan EIR Need Not Analyze Speculative Alternative Scenario Conjured by Project Opponents*, November 13, 2023
- *Court of Appeal Finds Substantial Evidence Supports City's Use of Statutory Exemption to Approve a Zoning Overlay District For Commercial Cannabis Uses*, September 13, 2023
- *The Fiscal Responsibility Act's Modest NEPA Amendments to Streamline Project Review*, June 13, 2023
- *Oakland and the A's Prevail on All but One Minor Issue in Ballpark EIR Case; Wind Mitigation Found Inadequate*, April 10, 2023
- *Court Finds Use of Addendum Improper as Project's GHG Emissions Likely Outside the Scope of Prior Programmatic EIR and Unusual Circumstances Exception Applied to Use of Infill Exemption*, February 21, 2023
- *New NEPA Rule Restores Demanding Environmental Review Practices for Major Federal Projects*, April 26, 2022
- *California Enacts More Than Two Dozen Laws This Year to Combat Housing Crisis*, December 20, 2021
- *Are Reductions in Parking a CEQA Impact – Second District Finds Context is Key*, October 22, 2021
- *Governor Newsom's New Executive Order Establishes End Dates For Pandemic-Related Suspensions for CEQA Filing, Posting, Notice, and Tribal Consultation Requirements and Brown Act Meeting Requirements*, June 17, 2021
- *COVID-19 Alert: Judicial Council Amends Emergency Rule 9 for CEQA and Planning Cases*, June 1, 2020

- *Third Appellate District Voids City Council Vote Based on Legislative Member's Bias*, May 27, 2020
- *COVID-19 Alert: Judicial Council Issues Sweeping Emergency Rules; Local Agencies Issue Regional Changes*, April 8, 2020
- *Fourth District Upholds San Diego's Addendum for Balboa Park Revitalization Project, Validates the CEQA Addendum Process*, November 4, 2018