



Joshua B. Bailey

Senior Associate

621 Capitol Mall | 18th Floor
Sacramento, CA 95814

916.520.5270 | Direct
jbailey@downeybrand.com

Practice Areas

Appellate & Writ Practice | CEQA / NEPA | Eminent Domain & Inverse
Condemnation | Environmental Enforcement Defense |
Environmental/Toxics Litigation | Groundwater Law | Land Use | Real
Property & Land Use Litigation | Sustainable Groundwater Management
Act (SGMA) | Water Law | Water Rights Litigation

Josh Bailey brings a wide range of real-world and litigation experience to his work advising clients on land use and natural resource matters, both in day-to-day governance and in active disputes.

He represents clients across a broad spectrum of industries, including agricultural businesses, municipalities, and special districts, as well as developers, trade groups, chambers of commerce, and citizen and landowner coalitions. With a strong foundation in environmental, water, and land use law, combined with extensive general litigation experience, Josh provides practical, forward-thinking counsel. His experience on both sides of disputes gives him a unique ability to anticipate opposing strategies and craft workable compromises.

Clients value Josh's analytical mindset and direct communication style. He is known for engaging deeply with complex legal issues while maintaining a grounded, personal connection with clients. When working with Josh, clients know he's fully invested in their goals, their outcomes, and the broader impact on their businesses and lives.

Experience

- Obtained favorable verdict in trial court for developer under ministerial exception to CEQA review for permitting construction of warehouse, then obtained dismissal of appeal of case on mootness grounds against union opponent.
- Circumvented sovereign immunity issues to prevent dismissal of CEQA action brought by local businesses against tribe construction project.
- Analyzed historical documents and performed analysis of water rights to provide opinion to prominent Central Valley ranchers in advance of \$31 million property purchase.
- Defended historic cemetery association in easement dispute wherein neighboring property owner claimed ownership of entryway and attempted to close access to cemetery.

- Litigated against bio-mass project to require more robust CEQA review due to fugitive dust created by project harming neighboring vineyards, securing favorable settlement.
- Represented ranch owners in litigation for neighbors' interference with agricultural use of property by overburdening easement.
- Represented general partner in toxic contaminant consultation firm in suit to recover misappropriated funds from adverse general partner.
- Represented developer in suit against city for breach of development agreement resulting in settlement allowing development of property with gas station subject to certain design requirements.
- Represented ranchers in Northern California in litigating CEQA review of new groundwater and water truck ordinances, as well as in defense against civil enforcement for alleged unlawful sale of groundwater.
- Represented water district customers in litigation related to failure to maintain irrigation ditch serving hundreds of homes, including in CEQA action and in district division re-apportionment action.
- Served as assistant city attorney, county counsel, and agency counsel to numerous cities, counties, and special districts, including reclamation districts, irrigation districts, water districts, and healthcare districts.
- Advised cities, counties, and districts on Brown Act, Public Records Act, Proposition 218, elections law, development agreements, cannabis regulation, parcel tax issues, etc.
- Represented developer before City of Merced City Council in hearings related to approval of traffic control on neighboring property, securing delay of approval in order to obtain agreement as to apportionment of off-site improvement costs.
- Represented landowner in opposing amendment to forest fire-road design requirements.
- Represented the trucking association in opposing CARB rulemaking related to electrifying the fleet.
- Represented landowner group in contentious rezone of commercial complex after specific plan rendered complex nonconforming and prevented obtaining financing to upgrade facilities.
- Represented trade groups in negotiation of specific plan amendments in City of Fresno.

Professional & Community Service

- Association of Environmental Professionals
- Anthony M. Kennedy Inn of Court, Associate Member, 2023–2025
- Sacramento County Bar Association
- California Lawyers Association
- Established community service group at Wanger Jones Helsley PC, providing sponsorships and quarterly meal service at the Ronald McDonald House of the Central Valley, 2020–2022
- Volunteered time exercising shelter dogs at the Central California SPCA, 2021–2022
- Volunteered time exercising dogs and as a dog handler at outreach events for Fresno Bully Rescue, 2022
- Ongoing volunteer for special events and meal service at the Ronald McDonald House of Northern

California

- Former Communications Director with the Central Valley Association of Environmental Professionals, 2022
- CASA of Fresno and Madera County advocate, 2022
- Established community service group at Boutin Jones Inc., organizing monthly community service events for attorney/staff enrichment and teambuilding
- Volunteer at Homeward Bound Golden Retriever Rescue, 2025
- Special Event Volunteer for Front Street Animal Shelter, 2025

Education

- J.D., with great distinction, Environmental and Natural Resources Concentration, University of the Pacific, McGeorge School of Law, 2020
- B.A., *magna cum laude*, Sociology and Political Science, University of Houston, 2009

Honors & Rankings

- *Super Lawyers*, Northern California Rising Star, 2025
- Order of the Barristers, 2020
- McGeorge Dean's List, 2016–2020
- McGeorge Appellate Brief Competition, Finalist for Best Brief, 2018
- McGeorge Merit Scholarship Recipient, 2017–2020
- Student Member of Kennedy Inn of Court
- *Pacific Law Review*, Comment Editor, 2019–2020
- University of Houston Dean's List, 2007–2009
- CLASS Scholarship Recipient, 2008–2009