



Michael E. Vergara

Partner

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Practice Areas

Air Quality & Climate Change | Environmental Enforcement Defense |
Environmental Remediation & Due Diligence | Environmental/Toxics
Litigation | Food & Agriculture Litigation | Infrastructure | Water Law |
Water Rights Litigation

Michael Vergara brings over 35 years of experience representing public agencies and private businesses in environmental litigation, regulatory enforcement, and compliance matters. He has deep expertise in air quality, hazardous waste, water quality, and toxics, and is known for resolving high-stakes disputes efficiently while balancing environmental challenges with business needs.

Mike has extensive experience representing clients in enforcement actions under the Clean Air Act (CAA), Clean Water Act (CWA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and California's hazardous waste and underground storage tank laws. He has successfully defended municipalities, trucking and manufacturing companies, developers, and utilities in matters brought by individuals and corporations, citizen groups, government prosecutors, and regulatory agencies. His work includes securing summary judgment in Clean Water Act litigation, defending against CERCLA cost recovery claims, and advising on site contamination and remediation. He regularly appears before state and federal courts and works closely with agencies such as the California Air Resources Board (CARB), the Department of Toxic Substances Control, the State Water Resources Control Board (SWRCB), and Regional Water Quality Control Boards.

Clients across various industries, including ground transportation, maritime shipping, telecommunications, and agriculture, rely on Mike for his ability to merge legal strategy with operational insight. His understanding of the logistics and infrastructure behind industrial and transportation operations is informed by his early experience working in the trucking industry, allowing him to tailor legally sound and pragmatic solutions. He regularly advises on compliance with state and federal air regulations, product standards and labeling enforcement, and environmental risks for property acquisition and redevelopment, including dry-cleaning sites, energy projects, and former military installations.

Mike also serves as general counsel to public agencies, including reclamation districts, irrigation districts, and

public utilities. He advises on governance, environmental liability, public records, regulatory compliance, and land use matters. Whether through litigation, negotiation, or regulatory advocacy, Mike is valued by his clients for resolving disputes efficiently so they can confidently focus on their core operations.

Experience

Water Resources

- Successfully defend irrigation district against the unlawful curtailment of its pre-1914 water rights by the SWRCB.
- Represent irrigation district in action seeking declaration of parties' rights under the terms of various agreements with another water district.
- Represent landowner in dispute with adjacent landowner over water rights.
- Represent water district in dispute with adjacent landowner over water rights.
- Represent water district in action alleging wrongful diversions from canal and trespass to water.

Water Quality

- Defend and obtain summary judgment in a Clean Water Act (CWA) action commenced by a citizen group against a Butte County developer.
- Defend commercial property owner against action commenced by Sacramento County District Attorney alleging violation of California UST and groundwater regulations.
- Defend commercial property owner against action alleging violation of state groundwater regulations, etc.
- Defend Yolo County manufacturer in a CWA action commenced by a citizen group.
- Advise Sacramento County commercial property owners regarding the Cleanup and Abatement Order issued by the Central Valley Regional Water Quality Control Board.
- Advise commercial property owner regarding Notice of Violation under Water Code section 13267, et al., issued by the Central Valley Regional Water Quality Control Board.
- Defend local mosquito control district against a CWA action commenced by a citizen group.
- Defend winemaker against a CWA action commenced by a citizen group.

Toxics and Hazardous Waste

- Defend large food and beverage manufacturer against CERCLA claims relating to a closed landfill.
- Defend property owner against large multi-defendant CERCLA action commenced by the State of

California.

- Defend trucking company against CERCLA action commenced by an oil recycling company.
- Defend former dry-cleaning operator against CERCLA action.
- Defend electronics manufacturer against an enforcement action commenced by the Department of Toxic Substances Control.
- Defend manufacturer of steel roll-up doors against CERCLA action commenced by the State of California.
- Prosecute CERCLA cost recovery action on behalf of a commercial property owner.
- Advise City of Reno regarding source control of PCE contamination, and draft an ordinance creating a permit system for dry cleaners operating in Reno.
- Defend City of Roseville against CERCLA action commenced by the Department of Toxic Substances Control.
- Advise potential purchaser of commercial property located at McClellan Air Force Base on environmental issues impacting the property, and potential liability.
- Advise Shriners Hospital regarding issues relating to remedial action impacting the client's real property located in Yolo County.
- Defend recycler of unused military munitions against an enforcement action commenced by the Department of Toxic Substances Control for alleged violations of California's Hazardous Waste Control Law.
- Defend City of Rocklin against CERCLA cost recovery action.
- Defend sign manufacturer against CERCLA cost recovery action commenced by the State of California.
- Defend local bank against CERCLA cost recovery action.
- Defend large trucking company against action alleging contamination claims relating to the operation of its truck yard.

Natural Resources

- Advise oil recycler regarding potential acquisition of used oil transfer facility in Lancaster, California.
- Advise aggregate mining company regarding its effort to purchase an aggregate mine located in Alameda County.
- Advise client regarding acquisition of three Northern California cement plants.

- Advise client regarding issues relating to a chabazite mining claim located in Arizona.
- Advise large organization on the acquisition of conservation easements.

Local Government

- Defend City of Roseville against Proposition 218 action commenced by a citizen group.
- Defend City of West Sacramento against action involving allocation of tax increment credits under an Owners Participation Agreement.
- Advise Mid-Peninsula Open Space District regarding environmental issues affecting demolition of Almaden Air Force Base, and availability of funding from the U.S. Department of Defense under the FUDS program.
- Represent landowners in reclamation district regarding efforts to qualify recall election.
- Defend City of Isleton in Public Records Act case.
- Defend City of Isleton against action alleging violations of zoning ordinances, and alleged violations of the Public Records Act.
- Negotiate contract on behalf of the City of Redding for the construction and maintenance of a Catalytic Absorption System for the City's peaking power plant.
- Represent the City of Redding in a contract dispute relating to the construction of the City's peaking power plant.
- Advise the City of Redding regarding contamination discovered at its intermodal transportation facility.
- Defend the City of Roseville in a dispute regarding its obligation to allocate a portion of its waste treatment plant capacity to an adjacent local utility district.
- Represent San Juan Unified School District in an action against a local water district regarding the assessment of a capital improvement fee.
- Defend Truckee Donner Public Utility District against a ratepayer lawsuit.
- Defend Truckee Donner Public Utility District against an action commenced by a cable television company over access to district-owned utility poles).
- Defend Turlock Irrigation District in action commenced by the adjacent county to enjoin the installation of power poles.
- Defend Plumas-Sierra Telecommunications in action alleging misappropriation of trade secrets.

Agricultural Resources

- Defend Arizona milk producer in action commenced by the California Department of Food and Agriculture seeking to enforce California's milk standards.
- Represent various dairies in challenge to California's Pooling Plan for Market Milk.

Air Resources

- Advise large multinational vehicle manufacturer regarding compliance with CARB regulations.
- Advise utility vehicle dealerships regarding compliance with the Advance Fleet Rule, etc.
- Defend operator of a Placer County co-generation electric plant in action commenced by local air district alleging permit violations.
- Defend distributor of car cleaners and waxes against a consumer products action commenced by the Air Resources Board for alleged violation of air quality regulations.
- Advise supermarket chain regarding compliance with San Joaquin Valley Air Pollution Control District regulations.

Selected Reported Cases

- *California Curtailment Cases*, 83 Cap.App.5th 164 (2022).
- *Util. Cost Mgmt v. Indian Wells Valley Water Dist.*, 26 Cal.4th 1185 (2001).

Professional & Community Service

- Sacramento County Bar Association, Environmental Law Section
- California Lawyers Association, Environmental Law Section

Education

- J.D., University of the Pacific, McGeorge School of Law, 1988
- B.A., California State University, Stanislaus, 1983

Honors & Rankings

- *Super Lawyers*, Northern California Super Lawyers, Environmental Law, 2021-2025