

Hina Gupta

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Hina Gupta practices in the areas of land use, environmental, real estate, and California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance. Hina draws from her environmental planning background to help clients navigate through every phase of project development, including due diligence, permitting and entitlement, administrative proceedings, and before trial and appellate courts.

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, CEQA, 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 and energy storage 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.

Hina has as also served as special counsel and general counsel for government agencies, including cities and special districts on a range of issues including the Brown Act, the Public Records Act, public contracting, land use, elections, and employment 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.

PRACTICES

Environmental Land Use and Natural Resources

Public Law

Real Estate and Business Law

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

ADMISSION

State Bar of California

State Bar of New York

State Bar of Massachusetts

AFFILIATIONS

Leadership Council on Legal Diversity, Fellows Program, 2022

Bar Association of San Francisco, Environmental Law Section, Executive Committee, 2024

INSIGHTS

Public Law Update – SB 158 Amends Major CEQA Reform Bills AB 130 and SB 131

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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, 2020-2024

CA Governor Signs Bills Enacting Major CEQA Reforms to Accelerate Development and Boost Affordability

PUBLICATIONS

First Circuit Affirms Dismissal of Marine Mammal Protection Act Challenge to Massachusetts Offshore Wind Project

Council on Environmental Quality's Final Phase 2 Rules for NEPA Streamline Process but Also Expand Agency Review

Attempting to Enhance Corporate Climate Responsibility, U.S. Securities and Exchange Commission Issues New Rules

Third Circuit Upholds FAA's New Jersey Airport Improvements Approval Under NEPA

Divided Ninth Circuit Reaffirms Decision That Berkeley's Ban on Natural Gas Piping Installations in New Construction is Federally Preempted

EPA Releases Final Rule Regulating Methane for Oil and Gas Sector

Governor Newsom Signs Major Climate Change Disclosure Laws for Corporate Accountability

EPA Publishes Final Rule – Requires PFAS Reporting Under TSCA

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

Council on Environmental Quality's Proposed Phase 2 Regulations Modifying the National Environmental Policy Act Are Open for Comment

EPA Proposes New Rules for Greenhouse Gases for New Source Performance Standards from Fossil Fuel-fired Electric Generating Units

Streamlining Provisions Won't Apply to Delta Conveyance Project

District Court in Washington Affirms Parties Cannot Contractually Avoid CERCLA Liability to the U.S. Government

EPA Proposes First-Ever Enforceable Nationwide Primary Drinking Water Standards for PFAS

Ninth Circuit Finds FAA Failed to Take Requisite 'Hard Look' Under NEPA at Noise Impacts From Airport Terminal Replacement Project

California State Water Resources Control Board's New Sanitary Sewer Systems Waste Discharge Requirements to Take Effect This Summer

D.C. Circuit Court of Appeals Upholds Power Plant Emissions Limitations and Defers to EPA's Scientific and Technical Expertise

Tenth Circuit Finds BLM Needs to Take a Hard Look Under NEPA for New Mexico Fracking Permits

EPA's Amendments to the National Emissions Standards for Hazardous Air Pollutants for Site Remediation Eliminates Certain CERCLA and RCRA Exemptions

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U.S. Environmental Protection Agency Aligns Aircraft Engine Emissions Standards With United Nations and Considers Increasing Stringency in the Future

Eight Circuit Finds States Lacked Article III Standing to Challenge Biden Administration's Carbon Cost Metric

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

D.C. Circuit Dismisses Environmental Interest Groups' Lawsuit Challenging U.S. EPA's Approval of Oklahoma's Coal Ash Plan under RCRA

U.S. EPA And Department of Justice Announce the Return of The Use of Supplemental Environmental Projects

U.S. Securities and Exchange Commission Proposes Rule on Climate-Related Disclosures

Tenth Circuit Decision Reinforces Federal Clean Air Act Citizen Suits Against Mobile Sources

The $1.2 Trillion Infrastructure Legislation Provides Key Funding and NEPA Streamlining for Key Environmental and Infrastructure Projects

California Proposes Setback Requirement for New Oil and Gas Wells – How Does it Measure Up?

California Passes Three Key Housing Bills this Legislative Year to Streamline CEQA Review for Certain Housing Projects

District Court Pulls the Plug on California Restaurant Association Challenge to City's Ban on Natural Gas Infrastructure in New Construction

President Biden Issues Executive Order Addressing Climate-Related Financial Risk

California Court of Appeal Upholds Multimillion-Dollar Penalty Against Homeowner Blocking Public Access to the Coast

Council on Environmental Quality Rescinds Trump Administration Draft Guidance that Limited the Consideration of Greenhouse Gas Emissions During Environmental Reviews

As Climate Change Exacerbates Wildfire Risk, Western States Adopt and Introduce Legislation to Reduce Wildfire Risk

U.S. EPA Finalizes Greenhouse Gas Emissions Regulations for Aircraft Engines

Arizona and Nevada Take Major Steps Towards Greenhouse Gas Reductions By 2050

District Court Finds U.S. Forest Service Failed to Adequately Address Environmental Impacts From Amendments to Tree-Removal Standards in National Forests

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RECOGNITIONS

Best Lawyers in America©, Ones to Watch, Land Use and Zoning Law, 2024-present

Super Lawyers, Northern California Rising Star, Land Use/Zoning, 2021-present

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

REPRESENTATIVE MATTERS

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.
- Represented 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.
- Represented 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.
- Represented 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

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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.
- Advised a county regarding the community benefit agreements related to a renewable energy project.
- Advised a green electrolytic hydrogen developer on land use entitlements and compliance with local codes in a southern California county.

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