



Susan F. Petrovich

Shareholder

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Santa Barbara, California

Susan counsels in environmental law, land use and real estate, representing both public and private sector clients. In addition to her broad real estate practice, which includes residential and commercial purchase and sale transactions and easement disputes, she has a particular emphasis on state and federal permitting, inside and outside the California Coastal Zone, and agricultural law, including vineyards and wineries, the agricultural preserve program, conservation and rangeland easements, agricultural leasing, and agricultural land purchases.

Susan has a wide range of experience, having represented public agencies and private landowners in environmental and real estate matters throughout her career. She understands the importance of balancing economics, deadlines and client objectives with the rigors of regulatory programs and thorough due diligence. In addition to an in-depth knowledge of real estate and of federal and state environmental laws, she brings leadership, team experience, hard work, a creative strategic approach and the negotiating tactics necessary for the successful completion of real estate, environmental, land use and water-related projects.

Susan's experience includes extensive work on the Coastal Branch, Phase II, of the California State Water Project. She coordinated with the Central Coast Water Authority on project design and siting for the pipelines, the water treatment plant, storage tanks, pump stations and related facilities to avoid and mitigate environmental impacts. She supervised consultants writing environmental impact reports and negotiated with the U.S. Fish & Wildlife Service and California Department of Fish & Game on all agreements necessary to construct, operate, repair and maintain the project facilities.

Susan has provided various legal and strategic services for Habitat Conservation Plans and Natural Community Conservation Plans, for the State Water Project Monterey Amendment, for the City of San Luis Obispo Water Reclamation Project, for the Lopez Dam Remediation, for the Salinas Reservoir Enlargement and for the Castaic Lake Water Agency. Susan currently serves on the County of Santa Barbara Regional Conservation Strategy Committee, preparing a plan balancing protection of threatened and endangered species with project permitting countywide.

Practices

Climate Change, Endangered Species, Real Estate, Land Use

Representative Matters

- Provided legal services to the Central Coast Water Authority for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. The project included 150 miles of pipeline, multiple pumping stations and a water treatment plant. Resolved construction disputes by negotiation and successfully defended the Authority in related litigation.
- Provide assistance to land use consultant preparing CEQA documentation and processing permits for remediation of oceanfront site in Santa Barbara County, and negotiating and drafting option agreement with

non-profit for purchase of site upon completion of remediation. Assisting client in obtaining adequate water supplies for land farming, dust control, and revegetation of impacted site with natives plants and in obtaining permits for relocation of major creek. Permitting included Federal, State, and County agencies. Remediation groundbreaking is imminent.

- Assisted client in preparing remediated property for sale to park foundation in the middle of heavily industrialized area of Los Angeles County with no nearby park serving local residents. Services included negotiating and documenting sale, drafting appropriate deed restrictions to prevent change of use that could expose seller to risk of liability, resolving/clearing title issues, drafting lease agreement, coordinating with buyer in negotiations with regulatory agencies for bona fide purchaser status under California Land Reuse and Revitalization Act of 2004 (CLRRA), Prospective Purchaser agreement, agreement and covenant not to sue (from DTSC), land use covenant and agreement for environmental restrictions, and related documents. Transaction was completed timely.
- Represented the Santa Barbara Cattlemen's Association regarding various land use and environmental issues in administrative proceedings before the County of Santa Barbara, State Water Control Board, and Central Coast Regional Water Quality Control Board.
- Represented cattle ranch in acquisition of land use permit for controversial agricultural building. Successfully defended County's reliance on a CEQA exemption and associated Subdivision Map Act and land use claims.
- Represent Edison Mission Energy in zoning and land use matters related to obtaining entitlements for construction of a solar energy project in Santa Barbara County, California. Representation includes environmental review, amendment of the zoning ordinance to provide for solar projects in agricultural zones, and conformity with the Williamson Act (Agricultural Preserve).
- Represent the owners of a premium California winery and vineyards with respect to land use, entitlement and zoning matters.
- Counseled Chicago Grade Landfill, Inc. on land use permitting and Williamson Act issues resulting in a long-term permit for operation expansion.
- Managed consultants for and represented the client before the Santa Barbara County and the California Coastal Commission to obtain entitlements for redevelopment of beach blufftop property.
- Counsel the owner of Foley Estate Vineyard and his entities in performing acquisition due diligence, and in operational land use, water rights and entitlement issues.
- Process entitlements and coordinate environmental review for the subdivision of a 2,000-acre ranch in coastal Santa Barbara County.
- Represent owners in processing of multi-agency entitlements for an existing equestrian academy located in rural Santa Barbara County.
- Supervision of the preparation of a wide variety of environmental documents (from Notices of Exemption to Environmental Impact Reports) for infrastructure construction, State Water Project water transfers, and water banking.
- Represented the developer of the first wind project in Santa Barbara County, providing land use, permitting, and environmental compliance advice related to statutes such as the California Environmental Quality Act, Endangered Species Act, Clean Water Act, Coastal Act, and Federal Coastal Zone Management Act.

Community

Santa Barbara County Cattlemen's Association Land Use Committee
Board of Directors, Santa Barbara Firefighters Alliance

Publications & Presentations

- Earth, Wind & Fire: The Legal and Policy Implications of California Natural Disasters, Moderator, State Bar of California Environmental Law Conference, Yosemite, CA, October 21, 2018

- Rebuilding Roundtable, Panelist, Rebuilding Roundtable, *Pacific Coast Business Times*, May 4-10, 2018
- CEQA News You Can Use - Vol. 1, Issue 2, *Brownstein Client Alert*, February 2, 2017
- Santa Barbara's Winery Ordinance Update, Speaker, Wine Law Forum 2016, Santa Barbara, CA, November 4, 2016
- CEQA News You Can Use - Vol. 1, Issue 1, *Brownstein Client Alert*, October 6, 2016
- Compliance with Land Use Regulations, Speaker, Napa 8th Annual Best Practices in Winery Operations: Risks and Rewards Conference, Napa Valley, CA, March 27-28, 2014
- CEQA Baseline: Why It's Critical and How the Courts Have Been Changing the Definition, Speaker, ACEC-South Coast Local Affairs Committee Monthly Lunch Meeting, September 6, 2012
- Going, Going, Gone? Mitigating the Loss of California's Farm Land, The Environmental Law Section of the State Bar of California, Yosemite, CA, October 20-23, 2011

Education

- J.D., 1975, UC Hastings College of Law
- B.A., 1969, University of California at Santa Barbara

Admissions

- California, 1975