

MCA Addendum Item 5h

JAMES G. MOOSE

Mr. Moose joined Remy Moose Manley in 1986 as an associate, became a partner in 1990, and is now the senior partner in the firm. His practice focuses on land use, water, and environmental matters, with an emphasis on issues arising under the California Environmental Quality Act (CEQA), the State Planning and Zoning Law, the National Environmental Policy Act (NEPA), the Endangered Species Act, the California Endangered Species Act, and other relevant land use and environmental statutes. He represents public agencies, project proponents, consulting firms, non-profit organizations, and individuals. He handles all phases of the land use entitlement process and permitting processes, including administrative approvals and litigation. Over the course of his career, he has also participated in drafting amendments to CEQA and the CEQA Guidelines.

Along with his former partner Tina Thomas and Whit Manley (Of Counsel to RMM), Mr. Moose is co-author of Guide to the California Environmental Quality Act (11th ed. 2007, Solano Press Books).

Representative matters in which Mr. Moose is currently involved, or has recently been involved, include the following:

- Outside counsel to the California Department of Water Resources with respect to regulatory and litigation issues associated with the Department's incidental take permit under the California Endangered Species Act for the State Water Project and with respect to proposed new water diversion and conveyance facilities in the Sacramento-San Joaquin Delta;
- Outside counsel to the California Board of Forestry and Fire Protection with respect to the preparation of a programmatic environmental impact report for the California Vegetation Treatment Program (Cal VTP), which involves the use of prescribed fires and other techniques to reduce the risk of catastrophic wildfire and to restore forest health, and in litigation over the approval of that project;
- CEQA counsel to the Marin Wildfire Prevention Authority with respect to that entity's plans to take steps to reduce the risk of wildfires within Marin County;
- Counsel to Friant Ranch LP in litigation over the adequacy of Fresno County's EIR for the Friant Ranch Specific Plan and in continuing planning efforts related to that project;
- CEQA counsel to the Klamath River Renewal Corporation, which is responsible for removing multiple hydroelectric dams on the Klamath River in order to recreate free-flowing conditions for the benefit of anadromous fish;
- Outside counsel to the California Governor's Office and the California Department of Conservation with respect to the EIR required by Senate Bill 4 (Pavley 2013) on the subject of "well stimulation treatment" (including hydraulic fracturing) in California;

- Outside counsel to the California High-Speed Rail Authority in CEQA litigation over the adequacy of the EIR for the Merced to Fresno segment of the future statewide high-speed train system;
- Outside counsel to the City of Salinas on a variety of land use matters;
- Outside counsel to the City of Santa Cruz on a variety of environmental, land use, and water-related matters; Outside counsel to the Sonoma Valley Unified School District with respect to litigation over the District's Sonoma Valley High School Athletic Fields Renovation Project;
- Land use counsel to Love's Travel Stops & Country Stores with respect to the company's proposed travel centers in California;
- Counsel for Placer Ranch Inc., in Placer County litigation over the Placer Ranch Specific Plan and Sunset Area Plan projects;
- Counsel for East Sacramento Ranch, LLC, in connection with the NewBridge Specific Plan project in Sacramento County;
- Counsel for Oakmont Senior Living with respect to its proposed Villages at Town Center West project in El Dorado County;
- Counsel to Dignity Health in connection with a proposed new health care facility in the City of Redding;
- Outside litigation counsel to Yorba Linda Estates, LLC, with respect to its Esperanza Hills project in Orange County adjacent to Chino Hills State Park;
- Outside counsel to the Santa Cruz County Regional Transportation Commission with respect to the proposed North Coast Rail Trail Project;
- Outside counsel to the City of Roseville on a variety of land use and environmental matters;
- Outside counsel to the Sierra Community College District with respect to its Facilities Master Plan Update for its Sierra College Campus in Rocklin; and
- Outside counsel to the North Kern Water District with respect to CEQA issues associated with competing water rights applications on the Kern River.

Published Cases

Parkford Owners for a Better Community v. County of Placer (2020) 54 Cal.App.5th 714;
 Sierra Club v. County of Fresno (2018) 6 Cal.5th 502;
 High Sierra Rural Alliance v. County of Plumas (2018) 29 Cal.App.5th 102;
 Friends of the College of San Mateo Gardens v. San Mateo County Community College District (2017) 11 Cal.App.5th 596;
 Mission Bay Alliance v. Office of Community Investment and Infrastructure (2016) 6 Cal.App.5th 160;
 Friends of the College of San Mateo Gardens v. San Mateo County Community College District (2016) 1 Cal.5th 937;
 Keep Our Mountains Quiet v. County of Santa Clara (2015) 236 Cal.App.4th 714;
 Citizens for a Green San Mateo v. San Mateo Community College District (2014) 226 Cal.App.4th 1572;
 South County Citizens for Smart Growth v. County of Nevada (2013) 221 Cal.App.4th 316;

Alliance for the Protection of the Auburn Community Environment v. County of Placer (2013) 215 Cal.App.4th 25;
 Habitat and Watershed Caretakers v. City of Santa Cruz (2013) 213 Cal.App.4th 1277;
 Salmon Protection and Watershed Network v. County of Marin (2012) 205 Cal.App.4th 195;
 Save the Plastic Bag Coalition v. City of Manhattan Beach (2011) 52 Cal.4th 155;
 California Native Plant Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957;
 California Native Plant Society v. City of Rancho Cordova (2009) 172 Cal.App.4th 603;
 Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova (2007) 40 Cal.4th 412;
 Sierra Club v. County of Napa (2004) 121 Cal.App.4th 1490;
 Californians Against Waste v. California Department of Conservation (2002) 104 Cal.App.4th 317;
 CalBeach Advocates v. City of Solana Beach (2002) 103 Cal.App.4th 529;
 County of Amador v. El Dorado County Water Agency (1999) 76 Cal.App.4th 931;
 Chaparral Greens v. City of Chula Vista (1996) 50 Cal.App.4th 1134;
 Stanislaus Audubon Society, Inc. v. Stanislaus County (1995) 33 Cal.App.4th 144;
 Western States Petroleum Assn. v. Superior Court (1995) 9 Cal.4th 559;
 Sacramento County v. Local Agency Formation Commission (1992) 3 Cal.4th 903;
 City of Sacramento v. State Water Resources Control Board (1992) 2 Cal.App.4th 960;
 Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara (1990) 52 Cal.3d 553;
 Oro Fino Gold Mining Corp. v. County of El Dorado (1990) 225 Cal.App.3d 872;
 Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692;
 Midway Orchards v. County of Butte (1990) 220 Cal.App.3d 765;
 Mountain Lion Coalition et al. v. California Fish and Game Commission et al. (1989) 214 Cal.App.3d 1043;
 City of Hanford v. Superior Court (1989) 208 Cal.App.3d 580;
 Citizens for Quality Growth v. City of Mt Shasta (1988) 198 Cal.App.3d 433;
 and Emmington v. Solano County Redevelopment Agency (1987) 195 Cal.App.3d 491.

Mr. Moose regularly teaches CEQA courses and seminars or lectures for such organizations as the UC Davis Extension Program, the Association of Environmental Professionals, CLE International, Lorman International, and the California Continuing Education of the Bar program, State Bar Environmental Law Conference at Yosemite. He is also former President of Solar Cookers International, a Sacramento-based international nonprofit corporation focused on encouraging the use of solar thermal cooking around the world.