



# Hanson Bridgett Practice Group Government Sustainable Projects

## Sustainable Client Success Stories

Hanson Bridgett attorneys are proud of their long history of service to local public agencies in northern California. Many of those agencies are now implementing innovative projects aimed at incorporating sustainability into their socially and environmentally vital missions. Hanson Bridgett attorneys are enthusiastic about the opportunity to assist our clients in accomplishing these goals.

Inspired by our clients' initiatives, Hanson Bridgett has made our own commitment to practicing law in an environmentally friendly way. In early 2008, we were certified as a "Green Business" by the City and County of San Francisco for our use of recycled paper, double-sided copying, recyclable food serveware, eliminating use of bottled water, and many other changes in the way we operate. We are one of only a handful of law firms to qualify under San Francisco's rigorous standards.

Attorneys in the Government Group work closely with the firm's Sustainable Business Practice lawyers, whose mission is to help companies with sustainable agendas succeed and to foster the growth of the overall sustainable business movement.

This brochure highlights some of our public-sector clients' successful projects, in which we are proud to have played a role.

# Alternative Water Supplies

California's water agencies face formidable challenges to their mission of delivering a reliable supply of high quality drinking water at a reasonable price to the State's growing population. Expanding surface water projects must overcome both economic and regulatory obstacles as well as concerns about the long term impacts of climate change. Increasingly, urban water agencies are turning to alternative approaches such as recycled water, desalination and improved water use efficiency. Hanson Bridgett attorneys have assisted clients with successful projects using each of these three strategies.

## **Recycled Water**

Recycled water is a safe, reliable and drought-proof source of supply. Putting highly treated wastewater to beneficial uses such as irrigation or industrial cooling not only stretches our supplies of potable water, it reduces the amount of effluent discharged to rivers and bays. Recently, the City of Redwood City completed construction of the first large-scale recycled water project in San Mateo County. Hanson Bridgett lawyers assisted the City with many phases of this project: CEQA compliance; negotiation of a contract with the sanitation agency for construction of additional treatment facilities; preparation of agreements with prospective commercial and residential customers; and incorporation of the project's costs into water rates and capacity charges. Customers include Oracle headquarters, Hotel Sofitel and other marquee properties in the Redwood Shores area of Redwood City.

## **Desalination**

The Alameda County Water District ("ACWD") serves over 230,000 residents in the cities of Fremont, Newark and Union City. It recently built, and is currently expanding, one of the only desalination facilities in the Bay Area. Its Newark Desalination Facility uses reverse osmosis to produce high quality drinking water from brackish groundwater. In the early decades of the 20th Century, local agricultural pumping and export projects lowered the groundwater table in the aquifer underlying the District. As a result, saltwater from San Francisco Bay intruded into the groundwater basin. For many years, ACWD has been working to reclaim the basin by pumping brackish water back into the Bay. Now, over five million gallons per day of this water is being treated

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at the Desalination Facility and transformed into a reliable local supply. Our attorneys assisted ACWD in acquiring the land for the plant, completing the environmental review, securing permits for its construction and operation, and building the facility.

## **Conservation and Efficiency**

The Bay Area Water Supply and Conservation Agency ("BAWSCA") comprises the 25 cities, water districts and other agencies that supply drinking water to 1.8 million residents in San Mateo, northern Santa Clara and southern Alameda counties. Water use in this area is already among the lowest in the State, but there is still room for further improvements. Hanson Bridgett lawyers have worked with BAWSCA to develop a variety of programs supplementary to the water conservation measures already being implemented by its member agencies. These have included multi-party agreements implementing state grants and local subsidies that provide rebates to customers purchasing high-efficiency plumbing fixtures, as well as contracts for audits of large landscape customers to develop "water budgets" based on improvements in irrigation efficiency. Recently, BAWSCA commissioned a WaterWise Gardening DVD with detailed information on (and beautiful photographs of) native and drought-tolerant plants suitable for use in its member agencies' climate zones. Hanson Bridgett assisted BAWSCA with the intellectual property issues associated with this project and with follow-on licensing of a version to be accessible via the Internet.



## Solid Waste Management and Recycling

The Integrated Waste Management Act requires California cities and counties to divert at least 50% of their municipal waste stream from disposal in landfills. This law, and the growing market for recycled metals and fiber, has encouraged cities to develop curbside recycling programs and to construct increasingly sophisticated (and expensive) materials recovery facilities. These are frequently public-private partnerships involving multiple parties, millions of dollars in capital outlays and annual revenues, and complex legal questions including tax, securities, labor, and environmental laws. Recently, the City of Napa purchased a materials recovery/composting facility from its franchised collection company. We assisted the City in the purchase of the facility, as well as the competitive negotiation of a contract for collection of solid waste and recyclables, the upgrading and operation of the MRF, and the marketing of the recovered materials and compost.

In addition, we recently assisted the City of Millbrae in establishing an ordinance prohibiting the use of foam or polystyrene food serviceware (cups, plates, etc.) and requiring restaurants and other food vendors to use food serviceware that is reusable, recyclable or compostable.

## Alternative Energy Supply

Recently, the City of Millbrae developed an innovative cogeneration project at its Water Pollution Control Plant. The City mixes grease delivered from restaurants with biomass to create methane which fuels a micro-turbine cogeneration system producing enough electricity to meet 80 percent of the energy needed to operate the water treatment plant. Hanson Bridgett assisted the City in developing the agreement with the design-build contractor, as well as the financing transaction to fund the project. We also advised the City regarding its new solar rebate program for both residential and commercial customers. Finally, we have assisted client agencies, including Alameda County Water District, with design-build agreements to install photovoltaic panels on their buildings in order to generate solar power.

## Transit Emissions Reductions

Hanson Bridgett attorneys assist several Bay Area public transit agencies in meeting and exceeding legal requirements for emissions reductions through several key initiatives. Our attorneys have advised on programs to incorporate clean technologies in bus transit fleets, facilitated interagency arrangements to develop zero emission buses powered by hydrogen fuel cell technology, and navigated the environmental review and procurement processes for the acquisition of new

ferry vessels that will significantly reduce ferry exhaust emissions. Hanson Bridgett attorneys perform a key role in providing the legal support for our clients' innovative and sustained efforts to improve air quality, reduce fuel consumption and relieve traffic congestion throughout the San Francisco Bay Area.

## Transit-Oriented Development / Smart Growth

Hanson Bridgett has for many years served public transportation agencies, such as the Golden Gate Bridge, Highway and Transportation District, the San Mateo County Transit District, and the Peninsula Corridor Joint Powers Board. The fleets of buses and ferries, and the high-speed Caltrain commuter rail system, operated by these agencies have long contributed to Bay Area air quality by providing travelers an alternative to the automobile. As a natural outgrowth of our representation of these agencies, Hanson Bridgett attorneys have also been able to contribute to Transit Oriented Developments in proximity to public transportation stations. These developments enable transportation agencies to realize economic returns on their property assets, while encouraging increased transit ridership, reducing automobile use and carbon emissions, and employing water-efficient landscape designs.

Two examples of these "Smart Growth" projects are:

### **Colma BART Station**

We worked with the San Mateo County Transit District to implement the "La Terrazza" apartment development adjacent to the Colma BART Station. This 144-unit mixed-income development provides a rental stream of some \$360,000 per year to our client. The project involved planning coordination, parcel aggregation through condemnation, and the negotiation of a long-term ground lease with a private developer.

### **San Carlos Caltrain Station**

We are assisting our client, the San Mateo County Transit District, in negotiations with a major developer (Legacy Residential Partners) for a planned mixed-use development adjacent to the San Carlos Caltrain Station. The project proposes 192 residential units, along with commercial amenities.