HansonBridgett



Sean G. Herman

Partner

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Firm Leadership
Water Practice Co-Leader
Environmental Practice Leader

Areas of Focus

- Contaminated Property
- Environmental Law
- Public Sector Litigation
- Land Use
- Litigation and Dispute Resolution
- Proposition 65
- Water Law
- Air Quality / Climate Change / Greenhouse Gases

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Sean G. Herman advises and litigates on behalf of clients in natural resource and land use matters. His clients include public agencies like water agencies, sanitation districts, reclamation districts, as well as residential and commercial developers, private sector manufacturers, and agricultural companies. Sean's experience includes environmental laws at the Federal, State, and local levels, with a concentration on water quality, water use, water rights, endangered species, property contamination, and environmental review compliance.

Given this focus, clients entrust Sean to advise them on:

- Discharge, dredge, and fill permits under the Clean Water Act and Porter-Cologne Water Quality Control Act;
- Water rights and implementation of the Sustainable Groundwater Management Act (SGMA);
- Liabilities involving public infrastructure for managing stormwater and floodwater;
- Compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA);
- The Endangered Species Act and California Endangered Species Act;
- Lake and Streambed Alteration Agreements with the California Department of Fish & Wildlife; and
- Hazardous waste management and site investigation, remediation, and cost recovery allocation under the Resource Conservation and

Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Hazardous Substance Account Act.

Sean often speaks and writes on environmental law matters, and sits on the Environmental Law Section's executive committee for the Bar Association of San Francisco. Sean also taught as an adjunct professor at Golden Gate University School of Law, where he coached its environmental law moot court team and taught courses on administrative law and California environmental & land use law.

Representative Work

Water Rights and Water Rates

Bring Back the Kern v. City of Bakersfield, 110 Cal.App.5th 322 (2025). Represent agricultural company in challenge over whether allocating Kern River water to address "fish in good condition" requirements under Fish & Game Code section 5937 must comply with the California Constitution's "reasonable use doctrine," resulting in case law favoring client's position.

Las Posas Water Rights Coalition v. Ventura County Waterworks District No. 1, 118 Cal.App.5th 1170 (2026). Trial and appellate counsel for waterworks districts in one of the first groundwater rights adjudications brought under the streamlined groundwater adjudication procedures for the Sustainable Groundwater Management Act.

Trial counsel for agency representing cities, water districts, and private utilities that supply water in the San Francisco Bay Area over whether a water quality control plan's in-stream flow requirements comply with Porter-Cologne Water Quality Control Act and California Constitution's "reasonable use doctrine."

Palmer v. City of Anaheim, 90 Cal.App.5th 718 (2023). Represent coalition of public agencies as amici curiae over concerns with voter-approval requirements under Proposition 218 in a challenge to water and electric utility rates, resulting in opinion favoring clients' position.

Plata v. City of San Jose, 74 Cal.App.5th 736 (2022). Represent coalition of public agencies as amici curiae over concerns with the Government Claims Act compliance on a Proposition 218 challenge to water rates, resulting in opinion favoring clients' position.

Stormwater and Floodwater

Litigation counsel for property owners facing property damage from defective stormwater and floodwater infrastructure.

Defend industrial manufacturer against citizen suit under the Clean Water Act and RCRA involving alleged hexavalent chromium discharges to groundwater, resulting in resolution in which client was neither found liable nor required to pay penalties, fees, or costs.

Advise wastewater treatment operator on achieving Clean Water Act permit compliance through collaborating with Regional Water Quality Control Board.

Contamination Investigation, Remediation, & Litigation

Represent chemical manufacturer in litigation and arbitration for allocating investigation and remediation costs involving a Superfund site in Kentucky.

Advise property owner on investigating and remediating property contaminated with perchloroethylene (PCE or perc) from a former dry cleaner, including working collaboratively with state and local regulators on obtaining long-term closure.

Litigation counsel for city pursuing contribution claims under CERCLA against manufacturer involving for dioxin contamination, resulting in settlement that ensured prompt cleanup and beneficial reuse of city land.

Defend transit agency in enforcement action under Fish & Game Code for petroleum spill, resulting in prompt cleanup and settlement through collaboration with regulator.

Defend company against fraud, waste, and abuse investigation relating to Underground Storage Tank Fund claims, which resolved the investigation with no finding of any liability.

Natural Resources & Protected Species

Spencer v. City of Palos Verdes Estates, 88 Cal.App.5th 849 (2023). Appellate counsel for clients enforcing threats and violence that deterred coastal access as unpermitted "development" under the California Coastal Act, resulting in case law favoring clients' position.

Advise transit districts on permitting strategies for zero-emission infrastructure projects involving the Endangered Species Act, Clean Water Act, and McAteer-Petris Act.

Defend air quality management district against challenge under Proposition 13 and Proposition 26 concerning mobile source emission grants, resulting in judgment in district's favor.

Advise school district on wetlands permitting for affordable housing development, including compliance with Clean Water Act, Porter-Cologne Act, Fish & Game Code, and CEQA.

Advise developer on obtaining wetlands permits (section 404 and 401 of Clean Water Act) and streambed alteration agreement under Fish & Game Code.

Publications

"El Niño Alert 2: Emergency Authorities for Responding to Flood and Storm Water Damage," co-author, Environmental Law Legal Alert (October 2026)

“El Niño Is Coming: Flood and Storm Water Preparation, Response and Recovery,” co-author, Environmental Law Legal Alert (September 2026)

“New Stormwater Permit for Commercial, Industrial, and Institutional Sites in Los Angeles Watersheds,” co-author, Environmental Law Legal Alert (September 2026)

“Clean Water Act Update: “Waters of the United States” Remains a Moving Target,” co-author, Environmental Law Legal Alert (September 2026)

“EPA Releases Plan to Require that Drinking Water Suppliers Begin Monitoring Microplastics,” co-author, Environmental Law Legal Alert (April 2026)

“Latest Endangered Species Act Regulations Change Course, Yet Again,” co-author, Environmental Law Alert (December 2025)

“EPA and Army Corps Release Joint Proposed Rule Revising WOTUS Regulations,” co-author, Environmental Law Alert (November 2025)

“While Vacating Drinking Water Standards for Some PFAS, the EPA Retains Other Biden-Era PFAS Regulations,” co-author, Water Law Legal Alert (September 2025)

“North Coast Water Board Adopts Waste Discharge Permit for Vineyards,” co-author, Water Law Legal Alert (August 2025)

“Justices Widen Gap Between Federal, Calif. Enviro Reviews,” co-author,*Law360* (June 2025)

“The Supreme Court Takes Aim at NEPA,” co-author, Environmental Legal Alert (May 2025)

“Court Reaffirms Constitution’s Role in Water Use Disputes,” co-author, Water Law Legal Alert (April 2025)

“D.C. Circuit Court Stays PFAS Regulations for Drinking Water and Hazardous Substance Designations,” co-author, Environmental Law Legal Alert (March 2025)

“EPA Issues New Underground Injection Control Permits for Carbon Capture Projects in California,” co-author, Environmental Law Legal Alert (February 2025)

“EPA Draft Assessment Reveals PFOA and PFOS Exposure Risk From Biosolids,” co-author, Environmental Law Legal Alert (February 2025)

“EPA Region 9 Expands NPDES Stormwater Regulation for Two Watersheds in Los Angeles County,” co-author, Environmental Law Legal Alert (December 2024)

“Carbon Capture and Sequestration: Key Updates on Permitting and Regulatory Requirements in California,” Environmental Law Legal Alert (November 2024)

“Legislature Increases State Water Resource Control Board’s Civil Penalties for Water Rights Violations,” Environmental Law Legal Alert (September 2024)

“What Recent Supreme Court Rulings Mean for Environmental Laws in California,” co-author, Environmental Law Legal Alert (July 2024)

“FERC’s New Rule Clarifies California’s Water Quality Authority,” co-author, Environmental and Water Law Legal Alert (July 2024)

“The EPA Designates Two PFAS Compounds as “Hazardous Substances” Under CERCLA, Triggering Potential Cleanup Liabilities for Private and Public Entities,” co-author, Contaminated Property Legal Alert (April 2024)

“The EPA Finalizes PFAS Drinking Water Limits While California Adopts Public Health Goals for PFOA & PFOS, Which Will Have Wide Ranging Effects,” co-author, Contaminated Property Legal Alert (April 2024)

“EPA Proposes Regulating PFAS as “Hazardous Constituents” under RCRA,” Contaminated Property + Environmental Law Legal Alert (February 2024)

“Clean Water Act Regulations Revised Yet Again, This Time to Conform to Supreme Court’s Ruling,” co-author, Water + Environmental Law Legal Alert (August 2023)

“State Water Board Publishes Its Direct Potable Reuse Regulations for Public Comment,” Water Law Legal Alert (July 2023)

“Recent Federal and State Changes to Endangered and Threatened Species Protections,” co-author, Environmental Law + Land Use Legal Alert (July 2023)

“Ninth Circuit Narrows “Critical Habitat” under the Endangered Species Act,” co-author, Environmental Law + Land Use Insights & Analysis (May 2023)

“State Water Board Has No Duty to Require that All Treated Effluent be Recycled or Reused,” Water Law Legal Alert (March 2023)

“What Redefining ‘Waters of the United States’ under Clean Water Act, Again, Means for California,” Environment and Water Law Legal Alert (January 2023)

“State Water Board Lacks Power to Curtail Pre-1914 Water Rights under Water Code, § 1052(a),” Water Law Alert (September 2022)

“The Biden Administration Proposes Changing the Water Quality Certification Review Process for Federally Permitted Projects,” co-author, Water Law Alert (June 2022)

“Inadequate Government Claims Act Notice Sinks Proposition 218 Water Rate Challenge,” Government/Water Law Alert (February 2022)

“Army Corps Finalizes New Clean Water Act Nationwide Permits That May Benefit Infrastructure Projects,” Water Law Alert (January 2022)

“A Clean Water Act, If You Can Keep It,” Golden Gate University’s *Environmental Law Journal* (July 2021)

“A Draft Technical Advisory Offers Guidance on Streamlining CEQA Review for Sustainable Transportation,” Land Use Law Alert (July 2021)

“Court of Appeal Finds Overlying Correlative Rights Do Not Have to Share Equally in Water Shortages,” *Water Law Alert* (March 2021)

“Groundwater Discharges Under the Clean Water Act,” co-author, *WaterWorld* (August 2020)

“Court of Appeal Upholds State Board’s Broad Power to Regulate Riparian and Pre-1914 Appropriative Water Rights to Protect Threatened Fish,” co-author, *Water + Environmental Law Alert* (July 2020)

“Uncertainty on Maui: How Will Functional Equivalence Work in the Real World?,” co-author, *Water Law Alert* (April 2020)

“New PFAS Regulations Work Dramatic Changes to California’s Drinking Water Supplies — With More Changes Likely to Follow,” co-author, *Water Law Alert* (February 2020)

“Can Groundwater Permitting Affect the Public Trust?,” co-author, *Water Law Alert* (September 2018)

“Circuit Courts Extend Clean Water Act Liability to Discharging Treated Wastewater and Other Pollutants to Groundwater,” co-author, *Water Law Alert* (April 2018)

Presentations

“The Water-Housing Abundance Nexus,” panelist, Bay Area Council (July 2025)

“Changing Times in DC,” co-presenter, CLE International’s 2nd Annual Land Use Law Conference (June 2025)

"How Changes in Federal Wetlands Permitting Under *Sackett v. EPA* Will Have a Practical Effect on Projects in California," California Land Use Law Conference (June 2024)

"Water Rights in California - Current Issues, Legal Challenges and Recent Trends," presenter, National Business Institute Seminar (January 2021)

"Coffee and Compliance: US Supreme Court's Ruling on Groundwater Discharges & Impact on Environmental Compliance Programs," panelist, Mapistry Webinar (May 2020)

"Groundwater Discharges, Waters of the US, and Clean Water Act," co-speaker, Mapistry's Pollution Prevention Summit (October 2019)

"Waters of the U.S." Rule After South Carolina Coastal Conservation League v. Pruitt," co-presenter, *Strafford Publications* (November 2018)

"Diversity, Inclusion and the Bottom Line: From Pledge to Profitability," co-speaker, The Bar Association of San Francisco (September 2018)

Press

"As EPA Ponders Clean Water Act, Activists Say Business Eclipsing Environment," OC Register (January 2026)

"Hanson Bridgett Secures Water Rights for Ventura County and Ventura County Waterworks Districts 1 and 19" (July 2023)

"Court Revives California Public Beach Harassment Case," *Law360* (March 2023)

"Settling Clean Water Act Citizen Suits," *Storm Water Solutions* (July 2022)

"Idaho Couple Returns to Supreme Court to Wage New WOTUS War," *E&E News* (January 2022)

"Biden Races Courts for Chance to Torpedo Trump Water Rule," *E&E News* (April 2021)

"What a Kavanaugh Court Means for Environmental Law," *E&E News* (September 2020)

"EPA Narrows States' Veto Power Over Infrastructure Projects (4)," *Bloomberg Law* (June 2020)

"Clean Water Act Test 'Will be Litigated for Years to Come,'" *E&E News* (April 2020)

"State and Local Governments Create Alliances to Fight Climate Change as Trump Administration Rolls Back Efforts to Impact Air Regulations," *Environmental Business Journal* (Winter 2019)

"Pruitt Tries to Bulletproof Waters Rule Repeal Before Exit," *Bloomberg Environment* (July 2018)

Honors & Awards

Super Lawyers, Environmental Litigation; Environmental; Energy & Natural Resources (2023-2025)

California Lawyers Association, Wiley W. Manuel Pro Bono Legal Services Award (2019-2025)

Water Education Foundation, William R. Gianelli Water Leaders Class of 2020

Professional Affiliations

Bar Association of San Francisco, Board of Directors (2026-2029)

Chair of Executive Committee for the Bar Association of San Francisco Environmental Law Section

Former Chair of the Barristers Club's Environmental, Land Use, and Real Property Section for the Bar Association of San Francisco

Executive Committee Member of the California Lawyers Association, Environmental Law Section

Bay Planning Coalition, Government Affairs Committee Co-Chair

Education

J.D., Rutgers University (2011)

B.S., *cum laude* Boston College (2007)

Admissions and Courts

California

U.S. District Court for the Northern District of California

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Southern District of California

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Federal Circuit

New Jersey

U.S. District Court for the District of New Jersey

New York