



## Maya Lopez Grasse

Counsel

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### *Related Services*

Environment, Land Use & Natural Resources ■ Air Quality ■ Climate Change / Carbon Management ■ Toxic Substances Control Act (TSCA) ■ Environmental Compliance, Permitting & Transactions ■ Environmental Enforcement Defense ■ Proposition 65 ■ Land Use ■ Chemical & Product Regulation ■ Coastal Land Use ■ Oil & Gas ■ Environmental, Social & Governance (ESG)

Maya Grasse is counsel with Alston & Bird's Environment, Land Use & Natural Resources Group. She counsels clients on compliance with a range of environmental regulations, particularly regional, state, and federal air quality regimes, with a focus on the unique issues faced by oil and gas, mining, industrial, manufacturing, and recycling clients.

Maya advises clients in formal and informal proceedings before state and local agencies in permitting, enforcement actions, and agency rulemaking efforts, focusing on representing industrial and energy clients as they work with local air quality management districts and the California Air Resources Board. Her practice includes securing and negotiating development entitlements for industrial, commercial, residential, and energy projects and preparing and reviewing California Environmental Quality Act (CEQA) documents. She advises clients on compliance with a variety of environmental regulations, including CEQA, the California and federal Clean Air Acts and Endangered Species Acts, and California's Surface Mining and Reclamation Act (SMARA), as well as local planning, zoning, and environmental regulations.

Maya assists clients with the selection and hiring of experts and consultants for regulatory and litigation matters and regularly monitors and provides analysis on policy trends and proposed, new, and existing environmental laws and agency rules and regulations. She also represents clients in federal and state court litigation on claims brought under CEQA and other environmental and planning and zoning laws.

### *Representative Experience*

- Advising refineries, oil and gas companies, mining and manufacturing companies, and other industrial operators in ongoing matters of project development, permitting, and air quality compliance and enforcement actions, including strategic resolution of notices of violations, penalty and settlement negotiations, and representation in administrative hearings for variance petitions and orders for abatement, with particular familiarity within Kern County, CA (including the San Joaquin Valley Air Pollution Control District) and South Coast Air Quality Management District (SCAQMD) jurisdictions.
- Advising engine manufacturers, vehicle fleet owners, and commercial and industrial operators with CARB enforcement actions, investigations, and rule development.
- Counseling consumer product manufacturers and distributors in product labeling that intersects with environmental law, including California's Prop 65 warning regulations and relevant import/export regulations.
- Representing a Los Angeles-area refinery through modification of its Title V air permit, and associated CEQA review, as it undergoes a comprehensive conversion from petroleum refining to renewable fuel refining. Obtained variances from air district rules on behalf of this refinery as it pioneered new technology in limited early phases of the conversion.

- Representing a Kern County, CA refinery in air permitting and CEQA compliance associated with conversion of the facility to renewable diesel processing.
- Counseling a major cement company through development of an environmental impact report (EIR) in connection with the development of a new cement import terminal at the Port of San Diego.
- Advising a Southern California cement plant in the regulatory implications of developing and employing a waste-derived engineered fuel for its cement kilns.
- Counseled a pharmaceutical manufacturer in air permitting and administrative proceedings before the Santa Barbara Air Pollution Control District.
- Advised a major cement company in the environmental review of modifications to its Title V permit and related operational activities, including permitting negotiations with the Bay Area Air Quality Management District.
- Represented a steel mill in obtaining a lengthy variance from provisions of a SCAQMD lead emissions rule, with conditions that are favorable to the client and allow for interim operational flexibility. Counseling this client through a concurrent Title V permit modification that will ultimately enable the facility to achieve compliance with the rule through an alternative operating protocol preferable to the client.
- Represented a public wastewater treatment agency in obtaining a lengthy variance from SCAQMD rules and advising the agency on Title V reporting matters.
- Counseled an oil and gas exploration company on Endangered Species Act issues for a proposed development project within Bureau of Land Management and county jurisdictions.
- Advised an international mining company in connection with development and expansion of an Arizona mine.
- Counseled a Southern California refinery in its operations pursuant to applicable air quality rules and environmental review.
- Advised a Northern California cement plant on compliance with rules and regulations related to naturally occurring asbestos.
- Prevailed in appellate court on a key issue of first impression that considered whether and how California's cap-and-trade program applied in assessing project GHG emissions impacts under CEQA (which was cited as authority in the 2018 update to the CEQA Guidelines) and that favorably clarified CEQA baseline precedent.
- Counseled a major oil and gas exploration and production company through the development of a comprehensive environmental impact report addressing, among other things, review of the company's countywide activities over a 20-year planning horizon. This effort required regular meetings with multiple stakeholders over more than two years, as well as cross-collaboration with technical consultants, regulators, and planning staff.
- Counseled a Kern County, CA refinery throughout the environmental review process of a controversial project to allow the refinery to receive crude oil by rail and secured project approvals, including certification of an environmental impact report.
- Advised a Kern County, CA mining company on a potential endangered species listing that could affect mine operations and counseled on general land use matters relating to development of the mine, including permitting for new project infrastructure and ongoing compliance with existing conditions and mitigation measures.
- Advised a steel mill in connection with the SCAQMD's development of a new rule governing lead emissions and participated in negotiations with the air district that ultimately resulted in adoption of a rule satisfactory to the client.

- Counseled a major cement company during environmental review for the expansion and modernization of its cement import terminal at the Port of Long Beach and defended a challenge to the project approvals by opponents who appealed the decision to the Long Beach City Council. Negotiated a lease with the Port of Long Beach.
- Represented a developer in securing entitlements for the construction and development of a 225,000 square-foot retail center and defended the project in two CEQA challenges. The project is located between the international border and a municipal airport and required a general plan amendment, zone change for portions of the site that were zoned open space, tentative subdivision tract map, certification of an environmental impact report, approval of a comprehensive sign program and related variances, and numerous other project entitlements.
- Defended a California county and a private entity in an action alleging violations of CEQA and local zoning ordinances governing wine country developments. The respondents' motion for summary judgment was granted, and the petitioner did not recover attorneys' fees.
- Represented an international, publicly traded company in two federal lawsuits filed by public entities alleging groundwater contamination from the historic use and application of fertilizer. Drafted a *Daubert* motion disqualifying the plaintiff's expert witness.

## ***Publications & Presentations***

### ***Publications***

- "Calif. Climate Disclosure Laws: Next Steps For Companies," *Law360*, November 2, 2023.

### ***Presentations***

- 2023 LACBA Environmental Fall Symposium, Los Angeles County Bar Association, Los Angeles, CA, December 1, 2023.
- "Adapting to Truck Rules Coming Down the Pike: Preparing for ARB's Advanced Clean Fleet Regulation," CalCIMA 2023 Education Conference, Palm Springs, CA, November 6–9, 2023.
- "Transportation Electrification: CARB's New Fleet Rules," Los Angeles County Bar Association, webinar, March 30, 2023.
- "What the Truck Do CARB's Upcoming ZEV Rules Mean For Your Facility?"
- "Wetlands, Animals, and Sensitive Habitats: Challenges and Opportunities for Project Proponents," 2019 Education Conference, California Construction and Industrial Materials Association, Napa, CA

## ***Professional & Community Engagement***

- California Construction and Industrial Materials Association (CalCIMA), Emerging Leaders Program
- Los Angeles County Bar Association, Environmental Law Section
- Women Lawyers of Long Beach
- Hispanic National Bar Association
- American Bar Association, Section of Environment, Energy, and Resources, Air Quality Committee, vice chair, programs (2016–2017)
- Recognized in *The Best Lawyers of America*® "Ones to Watch" list for Oil & Gas Law in 2021

## ***Education***

- Loyola Law School (J.D., 2011)
- Pomona College (B.A., 2001)

## *Admitted to Practice*

- California