



## Nicki Carlsen

Partner

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### *Related Services*

Environment, Land Use & Natural Resources ■ Litigation ■ Land Use ■ Climate Change / Carbon Management ■ Environmental Litigation ■ Environmental Compliance, Permitting & Transactions ■ Oil & Gas Litigation ■ Environmental Appellate Litigation ■ Coastal Land Use ■ Real Estate Litigation ■ Oil & Gas ■ Environmental, Social & Governance (ESG)

Nicki Carlsen is a senior partner in Alston & Bird's Environment, Land Use & Natural Resources Group. She focuses on land use, environmental compliance, and litigation. She has over 30 years of experience securing approvals for development projects, guiding clients through the environmental review process under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

Nicki efficiently navigates projects from inception to completion. Her environmental and land use experience extends to the full range of CEQA/NEPA topics, from air quality and greenhouse gas emissions, endangered species, coastal and cultural resources, to geotechnical investigations, environmental remediation, transportation, affordable housing, and energy usage. She works effectively with the project team, ensuring that sophisticated legal and technical information is presented to protect against legal challenges. Where litigation is inevitable, she defends project approvals in trial and appellate courts and has also prosecuted actions on behalf of property owners to obtain land use entitlements. Nicki led the Practice Group for the firm from 2008 through 2022.

Nicki has been recognized by *Chambers USA*, in the 2017–2024 editions of *The Best Lawyers in America*® and was named a “Lawyer of the Year” in 2018 in Litigation – Land Use and Zoning. Nicki was also recognized in 2018 and 2023 as one of the “Most Influential Women Lawyers in Los Angeles” by the *Los Angeles Business Journal*.

### *Representative Experience*

- Representing media company on land use approvals for 50-acre studio in the City of Los Angeles. Advising on development of project entitlements, including specific plan amendment and development agreement, and compliance with the California Environmental Quality Act (CEQA), including consideration of numerous environmental and land use issues to secure project approval.
- Providing CEQA and land use advice regarding residential and mixed-use projects in the City of West Hollywood and City of Los Angeles for a major developer, including the evaluation of affordable housing requirements, density bonuses and concessions, and application of the Housing Accountability Act.
- Representing a multinational energy company regarding CEQA compliance for the transformation of a refinery to the largest renewable fuels facility in the world, including consideration of land use, environmental permitting, and related litigation for the project. Also advising the company regarding CEQA compliance for other California facilities.

- Representing an oil and gas company in the implementation of project to consolidate oilfield operations to provide acreage for residential development. Also represented company in a lawsuit against the City of Los Angeles involving one of its oil and gas production sites in the city that was recently dismissed as part of a re-permitting of the site. Also advising on the company's oilfield operations in Culver City, CA, and defending against efforts by the City to eliminate oil operations. *Sentinel Peak Resources California LLC v. City of Los Angeles*, No. BS 17340 (L.A. Superior Court).
- Representing an oil and gas company on several matters involving its facilities in California, including regulatory issues with regulating programs by the City of Los Angeles and the California Geologic Energy Management Division (CalGEM), as well as the U.S. Bureau of Land Management and U.S. Fish & Wildlife Service.
- Representing an energy company regarding compliance with endangered and special status species for its operations in California, including the consideration of Habitat Conservation Plan and Natural Communities Conservation Plan by U.S. Fish and Wildlife Service and California Department of Fish and Wildlife.
- Advised a major logistics company on CEQA compliance for a 40 million square-foot logistics center in the of Moreno Valley, CA.
- Advised The Boeing Company on CEQA and National Environmental Policy Act (NEPA) compliance, along with other environmental and land use requirements related to the clean up of the Santa Susana Field Laboratory site.
- Defended UPS against a CEQA and Brown Act challenge to a distribution center in Visalia, CA.
- Advised the Malibu Bay Company development team on CEQA and the California Coastal Act to support approval of a local coastal plan (LCP) amendment and issuance of a coastal development permit. Defended entitlements in Los Angeles County Superior Court and the California Court of Appeal. *Ross v. California Coastal Commission*, 199 Cal. App. 4th 900.
- Representing Broad Beach, CA property owners in a validation action filed by the Broad Beach Geologic Hazard Abatement District against a proposed assessment for a \$60 million beach nourishment program in Malibu, CA. The Los Angeles County Superior Court invalidated the assessment, and the matter is pending at the California Court of Appeal.
- Advised a major logistics company on CEQA compliance for a 40 million square-foot logistics center in the City of Moreno Valley, CA.
- Provided land use and environmental counseling for over 10 years on the Ahmanson Ranch project, a 2,500-acre master-planned community, ultimately defeating and prosecuting over 14 lawsuits to protect project entitlements. Secured approvals for a specific plan and development agreement with a CEQA-compliant EIR that resolved numerous biological issues, including potential impacts to a plant that was previously thought to be extinct, and addressed cultural resources issues and guided our client through wetlands permitting.
- Facilitated the approval of a specific plan, zoning code, and development agreement, and certification of an EIR, for the Oak Canyon Ranch Project in Calaveras County, CA, a 3,000-acre master-planned community. Supported the development team in obtaining permit approvals from the Army Corps of Engineers and U.S. Fish & Wildlife Service, including a resolution of impacts to an archaeological district and impacts to a protected plant with only two known populations.
- Provided CEQA advice to the development team for the \$500 million San Diego Courthouse project.
- Facilitated approval of a major hotel, residential, and retail project located on two blocks on Sunset Strip in Los Angeles and defeated three lawsuits challenging EIRs under CEQA in Los Angeles County Superior Court and California Court of Appeal.

- Provided land use and CEQA advice for Portola Center, a residential project (made possible by the closure of the El Toro Air Force Base) in the City of Lake Forest, CA. Facilitated the approval of a minor amendment to an NCCP/HCP to support the project.
- Provided CEQA advice to the San Diego County Regional Airport on the demolition of existing airport facilities.
- Provided land use and CEQA advice for redevelopment of the former Tower Records site on Sunset Boulevard in West Hollywood, CA.
- Advised multiple wine turbine operators on CEQA, NEPA, ESA, CESA, and the Migratory Bird Treaty Act to secure the renewal of permits to operate 5,000 turbines in Altamont Pass, CA, addressing avian mortality issues.

## ***Publications & Presentations***

### ***Publications***

- “Growth Pains, Little Reform for CEQA in 2014,” *Daily Journal*, December 19, 2014.

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

- Central City Association
- California Independent Petroleum Association
- Western States Petroleum Association
- Westside Neighborhood School, Board of Trustees, 2015-2022
- University of California, Santa Barbara, Bren School of Environmental Science & Management – Council of Legal Advisors and Instructor: Administrative Law and Land Use Law
- California State University, Northridge, Department of Urban Studies and Planning, Legal Foundations of Planning, lecturer (2021)
- Urban Land Institute (ULI)
- West Hollywood Chamber of Commerce
- California Building Industry Association

### ***Accolades***

- *The Best Lawyers in America*®, Land Use and Zoning Law; Litigation – Environmental; Litigation – Land Use and Zoning (2017-2024); Oil and Gas Law (2023-2024);
- *Lawdragon*, “500 Leading U.S. Environmental & Energy Lawyers” (2021)
- *Los Angeles Business Journal*, “Most Influential Women Lawyers in Los Angeles” (2018)

### ***Education***

- University of Southern California (J.D., 1990)
- University of Illinois (M.S., 1985)
- University of Illinois (B.S., 1983)

### ***Admitted to Practice***

- California