



Jennifer Hernandez

Partner

San Francisco

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Practices

Energy
Environment
California Winery Industry
Services
Water Law
West Coast Land Use and
Environment
Transportation
Communications
Public Policy & Regulation
Alcohol Beverage
Government Representation
State Capitals
Sustainable Development
Land Use
Environmental Advocacy
Environmental Litigation
Environmental Transactions
Natural Resources
Climate Change
Biodiversity and Endangered
Species
Energy Project Development
Environmental Health and Safety
Compliance
Greenhouse Gas Emissions
Land Use and Green Building
Smart Growth
Water Resources

Education

Stanford Law School, J.D.

Harvard University, B.A., *with
honors*

Bar Admissions

California
District of Columbia

Jennifer L. Hernandez co-chairs Holland & Knight's National Environmental Team and leads the West Coast Land Use and Environment Practice Group. She divides her time between the San Francisco and Los Angeles offices, and works on projects in Northern and Southern California, as well as the Central Valley. She has achieved national prominence in her work on brownfields redevelopment, wetlands and endangered species, and master planned community projects. She represents private, nonprofit and public sector clients, ranging from real estate developers and redevelopment agencies, to biotechnology and other operating industries, to communication and energy utilities. Ms. Hernandez serves on the firm's Directors Committee.

Ms. Hernandez also chairs a conference on Climate Change Law in California and has written and spoken extensively on major California climate change laws (including AB 32, SB 375 and SB 97) and emerging climate change regulations and guidance documents. Her climate change practice currently includes integrating climate change requirements into the environmental analyses (relating to greenhouse gas emissions as well as water supply, flood and fire risk, and other topical areas) required by the California Environmental Quality Act for new and modified projects and plans, and advising clients on legislative and regulatory proceedings pending in Sacramento, in various regional air districts, and in Climate Action Plans and other land use policies being developed by cities and counties.

She has taught land use and environmental law for the University of California and Stanford Law School and frequently speaks for client and lawyer professional associations and continuing education seminars.

She has written two books and more than 30 articles on environmental and land use law. She has received several professional awards, including an American Planning Association Award for her book, "A Practical Guide to the California Environmental Quality Act," the Greenlining Institute's "Big Brain Award" for developing a "New Paradigm that Intersects Environmental and Inner-City Economic and Health Goals," and the Yerba Buena Alliance's "Unsung Hero/Heroine Award" for work on Brownfields policies. Mayor Brown proclaimed October 9, 2002 as "Jennifer Hernandez Day in San Francisco" for her work on sustainable land use and for being a "warrior on the

brownfield."

Publications – Books:

- A Practical Guide to the Environmental Quality Act
- A Practical Guide to Environmental Law for California Hospital and Healthcare Facilities
- New Solutions to Environmental Problems in Business and Real Estate Deals (Chapter author for Brownfields Transactions)
- Environment in Review Major New Developments for Brownfields & Wetlands Practitioners in California

Publications – Articles (Partial List):

- New California Legislation Requires Comprehensive Cleanups for New Purchases Seeking Immunity from State Joint and Several Liability Laws
- Environment in Review Major New Developments for Brownfields & Wetlands Practitioners in California
- New Nationwide Permit Program from the Army Corps of Engineers
- A Practical Guide to Structuring Brownfield Transactions in California: The Art of the Deal
- A Practical Guide to Implementing the Polanco Act for Redevelopment Area Brownfields
- A Practical Guide to Environmental Insurance in Brownfield Transactions
- A Practical Guide to the California Land Environmental Restoration and Reuse Act (SB 32)
- Joining the Brownfields Bandwagon: New Options in Contaminated Property Redevelopment
- Facilitating Base Conversions Reforms of Environmental Law Can Minimize Gridlock
- A Practical Guide to Local Agency Involvement in the Cleanup of Contaminated Property
- A Practical Guide to the Intersection of Construction Law and Environmental Law
- A Practical Guide to Handling Low Level Radioactive Waste
- A Practical Guide to Air Quality Regulations Affecting Indirect and Area Sources of Air Pollution
- A Practical Guide to Preparing a Model Corporate Environmental Policy
- Environmental Law and Regulations, University of California at Berkley (Course Materials)
- Urban Redevelopment and Environmental Law, Stanford Law School (Course Materials)
- A Practitioner's Guide to CEQA Compliance for Projects Located for Contaminated Property
- A Practical Guide to Minimizing Lender and Investor Liability for Contaminated Property

- A Practical Introduction to the Building Blocks of an Environmental Compliance Program
- A Practical Guide to the Potential Liability of Environmental Managers Under Federal Environmental Laws
- A Practical Guide to Environmental Laws Affecting Colleges and Universities
- A Practical Guide to the Building Blocks of an Environmental Compliance Program for Laboratories
- Facilitating Long Term Planning with Program EIRs: A Case Study of the University of California 1988–1990
- The Long Range Development Planning Process for Universities
- A Practical Guide to the Effects of the 1990 Clean Air Act Amendments on Cogeneration Facilities
- A Client's Guide to the Use of Environmental Lawyers
- A Practitioner's Guide to Preparing Environmental Impact Reports after Kings Country Farm Bureau v. City of Handford
- When Citizens Sue: Some Federalism Issues

Professional Honors & Awards

- *The Best Lawyers in America* guide, Environmental Law, 2006–2012
- *The Best Lawyers in America* guide, Land Use & Zoning Law, 2012
- *Chambers USA – America's Leading Business Lawyers* guide, Real Estate: Zoning/Land Use, 2008–2011
- *Chambers USA – America's Leading Business Lawyers* guide, Environment Law, 2008–2011
- *The Legal 500 USA*, Real Estate & Construction: Land Use/Zoning, 2011
- *San Francisco Business Times*, Forever Influential, Honor Roll of Most Influential Women, 2010
- National Law Journal, 50 Most Influential Minority Lawyers in America, 2008
- Hispanic Business Magazine, Elite Women, 2008
- *San Francisco Business Times*, Top Women in Business, 2008
- Top 100 Lawyers in California, Daily Journal newspaper, 2008
- *California Lawyer* magazine, California Lawyer of the Year (CLAY) award, 2008
- Northern California *Super Lawyers* magazine, 2004–2011
- Corporate Counsel Edition, *Super Lawyers* magazine, May 2009
- Who's Who Legal
- LawDragon 500
- Jennifer Hernandez Day in San Francisco, Mayoral Proclamation, October 9, 2002

Memberships

- California League of Conservation Voters, Board Member
- Natural Heritage Institute, Board Member
- National Brownfields Association, California Executive Committee
- Urban Land Institute – Full Member, Member
- California State Bar Association Environmental Section, former Executive Committee member
- California Environmental Law Forum, former founding Board Member
- Sustainable Conservation, former founding Board Member
- Presidio Trust for the Presidio National Park in San Francisco, Board of Trustees (Appointed by President Clinton)
- Landbank, Inc., co–founded and served as the first Board Chair and General Counsel
- Environmental Financial Advisory Board of the US EPA, Board Member
- Center for Creative Land Recycling, Board Member
- BASF Judiciary Committee Members

Speaking Engagements

- Panelist, "CEQA at 40: A Look Back, and Ahead," California Environmental Law & Policy Center and UC Davis School of Law conference, November 4, 2011
- Keynote Speaker, "Managing Distressed Assets, Acquisitions and Sustainability in The New Normal," Sustainable Property Transactions: Managing Distressed Assets and Renewable Energy Opportunities, RTM Communications, Inc. , May 18, 2011
- Greenhouse Gas Emissions, Climate Change Law and Limitations, CLE International Conference, Sacramento, CA, December 7–8, 2009

Published Articles & Books

- "When An Agency's Agreement With a Developer Requires Environmental Review Under CEQA," *San Francisco Daily Journal*, June 13, 2011
- "AIR v. CARB: California Air Resources Board Appeals Court's Decision to Halt State's Climate Change Cap and Trade Program," *Environment*, Alert – June 1, 2011
- "California Appeals Court Offers Guidance on When an Agency's Agreement With a Developer Requires Environmental Review Under CEQA," *Environment*, Alert – May 17, 2011
- "CalGreen: California's New Green Building Code," *Environment*, Alert – September 9, 2010

- "California Appeals Court Calls for Clear Analyses in First Decision on Greenhouse Gas Reviews Under CEQA," *Environment, Alert* – May 7, 2010
- "Brownfields 101," *Environmental Regulation and Commercial Implications 2010: How the New Administration, Congress and the Courts Have Changed the Rules* (co-author), April 30, 2010
- "California Continues Efforts to Link Greenhouse Gas Reductions to Land Use Decisions but Offering Clear Advice Still a Challenge," *Environment, Alert* – November 6, 2009
- "Stimulus Funding: Expediting NEPA Compliance for Shovel-Ready Projects in California," *Environment, Alert* – May 20, 2009
- "Changing The Rules of the Game: The Anticipated Impact of the U.S. Supreme Court's *Burlington Northern* Decision Upon Product Manufacturers, Brownfields Redevelopers and Lenders at Contaminated Sites," *Environment, Alert* – May 19, 2009
- "U.S. Supreme Court Issues *Burlington Northern* Decision Significantly Limiting Arranger and Joint and Several Liability Under Federal Superfund Statute," *Environment, Alert* – May 6, 2009
- "California Attorney General Releases Straightforward Answers to Some Frequently Asked Questions, Outlining Positions on Climate Change Analysis in General Plan Updates," *Environment, Alert* – March 24, 2009
- "California Governor's Office of Planning and Research Releases California Environmental Quality Act Guideline Amendments," *Environment, Alert* – January 23, 2009
- "California Air Resources Board, South Coast Air Quality Management District and San Diego County Release Recommendations for Setting Interim Significance Thresholds for Greenhouse Gases Under CEQA," *Environment, Newsletter* – Fourth Quarter 2008
- "Governor Signs Senate Bill 375, Designed to Connect Regional Planning to Reduction of Greenhouse Gas Emissions," *Environment, Alert* – November 25, 2008
- "California Air Resources Board, South Coast Air Quality Management District and San Diego County Release Recommendations for Setting Interim Significance Thresholds for Greenhouse Gases Under CEQA," *Environment, Alert* – November 19, 2008
- "California Establishes Ground Rules for Assessing Climate Change Impacts for Development Projects," *Environment, Alert* – June 23, 2008
- "California Air Pollution Control Officers Association Releases Guidance on CEQA and Climate Change," *Environment, Alert* – January 10, 2008