



Sarah Peterman Bell

Partner

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Sarah Bell focuses her practice on environmental and natural resources litigation, administrative proceedings, and counseling, and advises clients in a broad range of disputes, including environmental enforcement actions, cost recovery, citizen suits, water quality, complex toxic tort, and product liability matters.

Sarah's clients include manufacturers, distributors, transportation companies, terminals, real estate developers, and commercial property owners. She has litigated matters throughout the western United States, in both state and federal courts, including Washington State, Nevada, New Mexico and California. The bulk of her expertise involves cases relating to natural resources such as groundwater, surface water, sediments, air, and soil. She has experience with all the major federal and state environmental statutes, including the Clean Water Act, CERCLA, NEPA and CEQA, Proposition 65, RCRA, and the ESA.

Sarah is an aggressive, innovative and persistent advocate for her clients' interests. She is a persuasive and engaging oral advocate at trial and hearings, and she thrives in court. In litigation, she believes convincing writing cannot be undervalued, and her prose is effective because it is cogent, clear, and concise.

Sarah also counsels clients with respect to regulatory compliance, permitting, including storm water management and NPDES permits, product stewardship, and project development. She often advises clients who have identified potential environmental issues and are seeking to address those issues and manage potential risks associated with the same. As a counselor, Sarah seeks to keep her clients *out* of court. In these matters, she effectively negotiates reasonable resolutions so clients can maintain focus on their core businesses.

Sarah strives for solutions that are in the best interests of her clients, relying on pragmatism and unique strategies rather than defaulting to a "one size fits all" approach to litigation and negotiation. She is purposeful, calm in a crisis, and efficient, helping her clients navigate a strategic course without wasting resources. Environmental issues can be complex and involve high-stakes liability. Sarah brings order to this potential chaos, and brings to each matter an impressive track record of helping clients both efficiently manage and swiftly resolve challenging situations.

She was a judicial extern for the Honorable Maxine Chesney of the Northern District of California.

Distinctions

- *Benchmark Litigation*, 40 & Under Hotlist (2018)
- Super Lawyers, Northern California Rising Stars (2012-2013)

Memberships and Affiliations

- Executive Committee Member, Environmental Law Section, Bar Association of San Francisco
- Board of Directors, Golden Gate Audubon Society (2009 – 2016)
- Board of Directors, California Summer Music (2009 – 2013)

Services

- Environmental Law
- Environmental Litigation
- Natural Resource Protection
- Consumer Products + Manufacturing
- Renewable Energy
- Product Liability and Stewardship
- Proposition 65 Counseling and Defense
- Cannabis

Education

- University of California, Hastings College of the Law (J.D., 2003)
 - *Constitutional Law Quarterly*; *Hastings Law News*; writing awards, Appellate Advocacy and Moot Court
- Princeton University (A.B., 2000)

Bar Admissions

- California

Court Admissions

- 9th U.S. Circuit Court of Appeals
- U.S. District Court (N.D. Cal.)

Experience

State Superfund Trial

Represented a transportation company in a 4-week trial in federal District Court in Washington in a state Superfund contribution action relating to a former wood treating site. Obtained a complete defense judgment.

City and County of San Francisco – Oceanside Wastewater Treatment Plant

Represented the City and County of San Francisco in connection with a \$40 million claim arising out of the design and construction of the Oceanside Wastewater Treatment Plant.

Angeles Chemical Company

Represent Omega Chemical PRP Group, as common counsel, which includes 115 defendants named in a complex environmental cost recovery lawsuit filed by Angeles Chemical Company in Southern California federal court. We also represent two defendants in toxic tort litigation brought by nine individual plaintiffs involving sites in Los Angeles County. Plaintiffs allege a variety of personal injury claims arising from indoor air exposure.

Hookston Station Toxic Tort Litigation

Represented Union Pacific Railroad in a mass tort litigation involving 225 plaintiffs in Contra Costa Superior Court alleging personal injuries and property damages from groundwater contamination. We obtained summary judgment eliminating the plaintiffs' strict liability/ultra hazardous activity, intentional infliction of emotional distress, negligent infliction of emotional distress, medical monitoring and "remediation" causes of action. We also won summary judgment of negligence-based property damage claims from 50 of the plaintiffs. Following these advantageous rulings, we negotiated a very favorable settlement of the remaining claims.

FMC Corporation

Farella represents FMC Corporation in separate coordinated lawsuits filed throughout the State of California regarding groundwater contamination due to historical applications of soil fumigants. Farella successfully negotiated resolution of seven of the original eight lawsuits.

San Rafael Rock Quarry

Represented The Dutra Group in obtaining unanimous approval of the Marin County Board of Supervisors, following analysis and public review under CEQA and SMARA, for continued surface mining and proposed reclamation of San Rafael Rock Quarry. We also represented Dutra in favorably resolving nuisance litigation by the State of California, County of Marin and a coalition of property owners that predated the Supervisors' action.

Publications

June 4, 2020

New EPA Clean Water Act Rule Attempts to Streamline Permitting Process

May 21, 2020

Supreme Court Ruling Expands Reach of Clean Water Act NPDES Permitting

California Ag Net

April 23, 2020

Major Supreme Court Ruling Expands Reach of Clean Water Act NPDES Permitting to Certain Discharges to Groundwater

March 30, 2020

Perfluorinated Compounds: No Longer an Emerging Contaminant

Industrial Equipment News

March 19, 2019

Emerging Contaminants: Coming to an NRD Site Near You!

ABA Section of Environment, Energy, and Resources

6/14/2018

Discharges Through Groundwater: Fourth Circuit Expands CWA Jurisdiction

4/16/2018

Fourth Circuit Joins Ninth Circuit in Expanding Clean Water Act Jurisdiction Over Discharges to Navigable Waters Conveyed Through Groundwater

2/15/2018

Ninth Circuit Ruling Expands Clean Water Act Jurisdiction Over Groundwater Discharges

3/2/2017

Be Prepared for California's Environmental Rules: Regulated Cannabis Brings Forth New Water Use Guidelines

7/28/2016

New Ninth Circuit Decision Precluding CERCLA Liability for Airborne Emissions

6/1/2016

U.S. Supreme Court Issues Landmark Decision Authorizing Review of Wetland Jurisdictional Determinations

12/17/2015

U.S. Supreme Court Agrees to Decide Important Case Affecting Development in Wetlands

3/31/2015

Court Of Appeal Upholds "Safe Harbor" Exemption From Prop 65 Warnings For Lead In Fruit Products

1/16/2015

Proposition 65 Plaintiff Group Seeks to Rescind "Safe Harbor" Standard for Lead

9/4/2014

CERCLA's Novel and Untested Defenses: Acts of God, Acts of War, Acts of Third Parties and Cultural Resource Damages

3/9/2011

CERCLA's Unrecoverable Natural Resource Damages: Injuries to Cultural Resources and Services

Outside the Office

A former Division 1 college softball player, and native Northern Californian who grew up spending long days outside, Sarah is still an enthusiastic athlete, eager to hike, and spend time outdoors. She's also a musician, proficient in piano and clarinet. She's active in the Environmental Law section of the Bar Association of San Francisco, and a past member of the Board of Directors of the Golden Gate Audubon Society.

