



Donald E. Sobelman

Partner

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With more than 25 years of experience, Don Sobelman helps clients navigate the complexities of federal and California environmental law. His multifaceted practice encompasses administrative enforcement defense, civil litigation in state and federal court, compliance with regulations and permits, contaminated site cleanup and redevelopment, and transactional due diligence.

Don has tackled a diverse range of environmental law matters, including:

- Serving as lead counsel for clients in administrative proceedings and civil litigation in trial and appellate courts involving state and federal statutes (such as CERCLA/Superfund, RCRA, the Clean Water Act, the Porter-Cologne Water Quality Act, and Proposition 65) and governmental authorities (such as the United States Environmental Protection Agency (EPA), the California Department of Toxic Substances Control (DTSC), the California Regional Water Quality Boards (RWQCBs), and county district attorneys);
- Litigating complex environmental tort and nuisance actions involving personal injury and property damage claims related to contamination;
- Resolving contractual disputes and claims arising from environmental indemnities;
- Ensuring compliance with local, state, and federal regulations and permits pertaining to hazardous materials, hazardous waste, groundwater and stormwater quality, wetlands, and indoor air quality; and;
- Managing sites requiring investigation, risk assessment, and remediation to address vapor intrusion and/or soil and groundwater contamination, including from volatile organic compounds (VOCs) such as PCE and TCE, metals such as lead and hexavalent chromium, PFAS compounds, petroleum products, pesticides, and PCBs.

Don's practice also routinely involves advising clients on the purchase, sale, and redevelopment of brownfields and other properties. He manages all aspects of the environmental due diligence process, negotiates indemnities for environmental liabilities, and assists clients with obtaining insurance coverage for environmental risks. In addition, Don helps developers navigate the California Environmental Quality Act (CEQA) and land use entitlements process, including with respect to general plan amendments, zoning revisions, and conditional use permits. He has significant experience as lead counsel in CEQA and land use litigation in both trial and appellate courts.

Don's clients benefit from his multidisciplinary approach to solving their problems and advancing their goals. By efficiently and effectively collaborating with technical experts with relevant specialties, he ensures that his clients obtain the best possible advice when deciding how to address complex environmental issues.

Active in his community, Don represented pro bono the South Valley Islamic Center (SVIC) in San Martin, California with respect to the CEQA and permit process for SVIC's Cordoba Center—a 16-acre project including a mosque, community center, and cemetery. The project was approved by unanimous vote of the Santa Clara County Board of Supervisors in December 2019.

Distinctions

- *Best Lawyers in America*, Litigation-Environmental (2018-2025), Environmental Law (2022-2025), Litigation—Land Use and Zoning (2025)
- The Lawdragon Green 500: Leaders in Environmental Law (2023-2024)
- Northern California *Super Lawyers* in Environmental Litigation (2014-2024)

Services

- Environmental Law
- Environmental Litigation
- Environmental Regulatory / Compliance
- Appellate Litigation
- Consumer Products + Manufacturing
- Energy + Infrastructure
- Hazardous Substances and Wastes
- Land Use / Development
- Mergers & Acquisitions
- Natural Resource Protection
- Per- and Polyfluoroalkyl Substances (PFAS)
- Product Liability and Stewardship
- Proposition 65 Counseling and Defense
- Real Estate
- Real Estate Litigation and Dispute Resolution

Education

- Harvard Law School (J.D., 1996)
 - *cum laude*
 - managing editor, *Harvard Environmental Law Review*
- University of California, Los Angeles (B.A., 1991)
 - *summa cum laude*, Phi Beta Kappa

Bar Admissions

- California

Court Admissions

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

Memberships and Affiliations

- California Bar Association, Section on Environmental Law
- Bar Association of San Francisco, Environmental Law Section
- Association of Environmental Professionals

Publications

November 22, 2024

Defense Insights As PFAS Consumer Product Claims Rise
Law360

August 22, 2024

CEQA Decoded: Air Quality Analysis for Bay Area Projects

April 22, 2024

New PFAS Listing Under Superfund Will Lead to Major Expansion of Liability

April 18, 2024

New PFAS Federal Drinking Water Standards Create Major Liability and Litigation Risk

November 28, 2022

Regulatory and Litigation Risks From California's New Recycling Laws
Industry Today

September 22, 2022

How New Climate Change CEQA Thresholds Will Impact Bay Area Development Projects
CJ Higley and Don Sobelman

March 10, 2021

New Proposition 65 Warning Requirements for Cannabis and Hemp-Derived Products
Cannabis Industry Education Series

February 22, 2021

Cannabis and Hemp-Derived Products Subject to New Prop. 65 Warning Requirements in California
Cannabis Business Times

January 20, 2021

Cannabis Industry, Including CBD Products, Subject to New Proposition 65 Warning Requirements

June 16, 2020

Key PFAS Regulatory Standards Set in California
Industry Today

June 5, 2020

New Screening Levels for Key PFAS Chemicals Will Spur Regulatory Action at Contaminated Sites

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

Experience

Defense of Cost Recovery Claims at Superfund Sites

Represented defendants in CERCLA litigation matters concerning major Superfund sites across California, including the Mouren-Laurens waste oil site in Los Angeles, the Cooper Drum site in Los Angeles, the Modesto Ground Water Contamination site, and the RFF Superfund Site in Rialto.

Environmental Litigation with Regulatory Overlay

Jointly defended two companies in environmental cost recovery action concerning drilling mud disposal site. Obtained voluntary dismissal of the action following extensive negotiations with Regional Water Quality Control Board concerning the site remedy.

Brownfields Cleanup to Accommodate Development

Represented municipality in negotiations with responsible party and DTSC concerning remediation of former smelter site to accommodate mixed-use development.

Defense of Claims of Groundwater/Water Supply Contamination

Defended client in state court cost recovery action asserting HSAA and common law claims, brought by a California water district concerning aquifer contamination by TCE and other VOCs.

Defense of DTSC Enforcement Actions

Represented client in DTSC enforcement actions related to releases of hazardous waste (air emissions of mercury) and hazardous waste characterization/disposal issues. Included development of responses to detailed DTSC requests for information under Health and Safety Code section 25185.6 and negotiations over timing and process for client's return to compliance.

Successful Defense on Appeal Against Toxic Tort Claims

Successfully defended manufacturer against toxic tort claims in trial court and appellate litigation, resulting in published California Court of Appeals decision limiting application of component parts doctrine.

Defense at Trial of Environmental Toxic Tort Claims

Represented key defendants at trial in a lawsuit brought by more than 2,000 plaintiffs alleging personal injuries and property damage resulting from exposure to hexavalent chromium emanating from a wood treating facility.

CEQA Compliance/Litigation Defense

Acted as lead counsel for a municipality in (1) development and approval of environmental impact report for a large transportation infrastructure project, and (2) defense of city in resulting litigation, resulting in key published CEQA decision.

PCB Cleanup to Facilitate Sale and Residential Redevelopment

Advised client with respect to implementation of TSCA-compliant PCB remediation at former plant site, to facilitate sale and residential redevelopment of property.

Internal Investigation and Negotiation of Settlement with USEPA

Conducted internal investigation for client related to USEPA enforcement action for unpermitted filling of wetlands. Responded to USEPA request for information under Clean Water Act section 308(a) and

negotiated administrative order on consent providing for mitigation and minimal penalty.

Defense and Settlement of Clean Water Act (CWA) Citizen Suits

Representation of numerous clients – including recycling facilities, wineries, and landfills, – with respect to private CWA enforcement of California’s general permit for industrial storm water discharges.

Dry Cleaning Chemicals

Defend commodity chemical manufacturer against design defect and failure to warn claims concerning soil and groundwater contamination from dry cleaners.

South Valley Islamic Center Cordoba Center

With the help of Farella Braun + Martel Partner Don Sobelman, South Valley Islamic Center (SVIC) won approval for its 16-acre Cordoba Center Project in San Martin, California. Learn more [here](#).

Far Niente Family of Wineries & Vineyards

Represented Napa Valley luxury wine producer Far Niente Family of Wineries & Vineyards in its acquisition of the Provenance Vineyards real estate in Rutherford, Calif. from Treasury Wine Estates. Far Niente purchased the property as the new home for its Bella Union brand. Farella also advised Far Niente on the concurrent sale of the Provenance brand and inventory to Lodi, Calif.’s Thomas Allen Vineyard & Wines.

Outside the Office

Ever since he was an English major at UCLA, Don’s favorite downtime activity has been to curl up on the sofa with a novel, play, or book of poetry, preferably while listening to some good music (favorites run from John Coltrane to J.S. Bach to The Smiths). He also spends far too much time indulging his passion for cinema, particularly classic Hollywood movies and foreign films.

Don and his wife live in the Pacific Heights neighborhood of San Francisco, where they enjoy frequenting the many excellent local restaurants and running to the Golden Gate Bridge and back (the latter being necessary due to the frequent meals). They are Medallion Society members with San Francisco Opera, and they always spend one week each year in Paris – the City of Lights being the only place they like as much (okay, maybe more) than the City by the Bay.