

# Gina Nicholls

Counsel | Los Angeles

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Gina Nicholls represents public agency clients and investor-owned utilities. She has litigation, regulatory, and transactional experience. Her practice focuses on water rights, California public agencies, and limitations imposed by the state constitution on water-related rates, fees, and charges. She has been named a Super Lawyers Southern California Rising Star since 2016 by *Los Angeles* magazine.

Prior to joining Nossaman, Gina practiced complex litigation at a large international law firm. She also worked as an attorney in the office of general counsel of a federally funded research laboratory and institute of higher education. Before attending law school, Gina worked as a consulting environmental engineer and served in the United States Navy.

## EXPERIENCE

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**San Lorenzo Valley Water District.** General counsel to the San Lorenzo Valley Water District on all aspects of its operations involving the provision of drinking water and wastewater collection in Santa Cruz County.

**Fox Canyon Groundwater Management Agency.** Representing Fox Canyon in the development and implementation of draft groundwater sustainability plans in multiple basins throughout Ventura County and related litigation, including the first comprehensive adjudication of groundwater rights under SGMA.

**Imperial Irrigation District.** Assisting with the District's defense to a writ of mandate brought by agricultural water users to challenge the District's water distribution plan.

**City of Ontario.** Advising the City on ongoing basis in connection with a wide range of water-related legal issues including regional water and sewer system management and proceedings seeking to amend the Chino basin judgment.

**Goleta Water District.** Assisted with a water rights lawsuit brought by the District in Santa Barbara Superior Court against a private water user.

**California Water Association.** Assisted with the preparation of a template joint powers agreement for use in streamlining the formation of Joint Powers Authorities to serve as groundwater sustainability agencies under SGMA. Assisted with preparing public comment letters to state agencies including the Department of Water Resources and the State Water Resources Control Board.

**Proposition 218.** Provided legal advice to several public agency clients regarding potential changes to water or sewer fees and charges.

## INSIGHTS

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### PUBLICATIONS

Co-Author, "Executive Order that Seeks to Undo Obama Administration's "Waters of the United States" Rule has more Limited Immediate Impacts," *Nossaman White Paper*, 04.01.2017

Co-Author, "California Groundwater Pumpers May Be Subject to Proposed "State Intervention Fees" Under SGMA," *Nossaman eAlert*, 03.20.2017

Co-Author, "Wheeling & Dealing with California Water: "Fair Compensation" under the Wheeling Statute," *Nossaman eAlert*, 02.13.2017

Co-Author, "Newhall Case Applies Proposition 26 to Wholesale Water Rates," *Nossaman eAlert*, 03.03.2016

Author, "Are Groundwater Pumping Fees or Charges Subject to Proposition 218? California Supreme Court to Resolve Conflicting Precedent," *Nossaman eAlert*, 01.14.2016

Co-Author, "Deadlines Fast Approaching to Modify Groundwater Basin Boundaries Under New Regulation," *Nossaman eAlert*, 12.01.2015

### SPEAKING ENGAGEMENTS

Speaker, "Taking the Plunge: Lessons Learned from Water System Consolidations," Nossaman's 2021 Water Webinar Series, 03.23.2021

"Preparedness, Relief, and Recovery: Developments in Disaster Management for California Water Providers," International Right of Way Association/Nossaman Webinar, Webinar, 05.15.2019

Speaker, "Preparedness, Relief, and Recovery: Regulatory Developments in Disaster Management for Water Providers," Nossaman's 2019 Water Webinar Series, 02.28.2019

Speaker, "Groundwater Adjudications and Litigation Alternatives in the Era of the Sustainable Groundwater Management Act (SGMA)," Nossaman's 2018 Water Webinar Series, 06.07.2018

Speaker, "Will Water Rights Conflicts Rupture SGMA Collaboration?," Groundwater Resources Association of California 2017 Fall Conference, 10.03.2017

Speaker, "Where Do We Go From Here? Sustainable Groundwater Management Act (SGMA) Implementation Update," Nossaman Webinar, 08.15.2017

Speaker, "Rate Issues and Design; Proposition 218 and Proposition 26," Nossaman's Drought Solutions Webinar Series, 01.12.2017

Speaker, "Drought, Conservation Pricing, and the Law," Association of California Water Agencies 2016 Fall Conference & Exhibition, 11.30.2016

Speaker, "Stormwater Capture: Water Supply Issues and Opportunities," Nossaman Drought Solutions Webinar Series, 10.13.2016

Speaker, "Implementation of the Sustainable Groundwater Management Act (SGMA)," Nossaman Drought Solutions Webinar Series, 09.20.2016

Speaker, "Water Rights in California," National Business Institute Water Law Conferences, 09.13.2016

Speaker, "The Role of County Counsels in Sustainable Groundwater Management," Nossaman Webinar, 07.28.2016

Speaker, "Proposition 218, Conservation Pricing and SGMA," CLE International's California Water Law Conference, San Francisco, CA, 10.08.2015

## HONORS

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Selected to the Southern California Rising Stars list, 2016-2020

Selected for the California Water Education Foundation's Water Leaders Program, 2017

## PRACTICES

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Water Law

Groundwater Management & SGMA

Water Rights

Public Agency Representation

Litigation

## INDUSTRIES

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Water

## EDUCATION

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University of California, Los Angeles School of Law, J.D., 2009, Senior Editor, *UCLA Law Review*, UCLA Moot Court Honors Advocate

Massachusetts Institute of Technology, B.S., 2000

## ADMISSIONS

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California

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Central District of California