

Farella Braun + Martel Attorneys Nab Prestigious 2010 CLAY Award for Environmental Law

*David Lazerwitz and Sky Stanfield Honored for Federal Ruling Protecting
California Deserts*

SAN FRANCISCO, Feb. 25, 2010 - Farella Braun + Martel partner David J. Lazerwitz and associate Sky C. Stanfield were honored with California Lawyer magazine's Attorneys of the Year (CLAY) Award in the environmental category for their court victory to help protect California's desert from off-highway vehicle (OHV) impacts in *Center for Biological Diversity, et al. v. U.S. Bureau of Land Management, et al.*

Representing seven of the eleven plaintiff environmental organizations, Farella's Lazerwitz and Stanfield, acting as pro bono counsel, along with Robert Wiygul of Waltzer & Associates in Biloxi, Miss., secured a favorable summary judgment ruling in a long-running federal lawsuit against the U.S. Bureau of Land Management (BLM). The other four parties were represented by the Center for Biological Diversity and the Stanford Environmental Law Clinic.

BLM manages 25 million acres of public land in southern California known as the California Desert Conservation Area (CDCA), which is home to numerous critical environmental, recreational and cultural resources, including many protected animal and plant species. The summary judgment ruling, by the Hon. Susan Illston of the U.S. District Court for the Northern District of California, rejected the process BLM used to designate over 5,000 miles of OHV routes in the Western Mojave Desert as not sufficiently protective of the environment.

Following years of litigation, the pro bono legal team demonstrated that BLM's designation of OHV routes in the Western Mojave region of the CDCA violated the Federal Land Policy and Management Act (FLPMA) and the National Environmental Policy Act (NEPA). In the wide-reaching ruling, the Court held that BLM did not adhere to its own regulations, and instead allowed development of hundreds of illegal OHV routes during the last three decades without ensuring that they minimize impacts to important public land resources. The Court also held that OHV route designations developed since 1980 are in violation of the CDCA Plan, which limits route designations to those already in existence in 1980.

As such, the BLM must modify the process used to designate OHV routes, must address the CDCA Plan limitation regarding routes established since 1980, and must adequately analyze the impacts of its decision pursuant to NEPA.

The 2010 CLAY Awards recognize 44 attorneys across the state whose achievements have made a profound impact on the law - by changing the law, substantially influencing public policy or the profession, or achieving a remarkable result. The recipients of the CLAY Awards are featured in the March 2010 issue of California Lawyer.

Farella Braun + Martel represents clients throughout the United States and abroad in sophisticated business transactions and high-stakes commercial, civil and criminal litigation. Founded in 1962, the firm is headquartered in San Francisco and maintains an office in the Napa Valley focused on the wine industry. Farella Braun + Martel lawyers are known for their imaginative legal solutions, dynamism and intellectual creativity. With an unwavering service ethic and interdisciplinary team approach, the firm is committed to advancing clients' objectives in the most effective, coordinated and efficient manner. Farella Braun + Martel is a green business. www.fbm.com