



PARTNER

# Ryan M.F. Baron

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📍 Irvine



Ryan Baron offers strategic counsel to public agencies and private clients on all aspects of utilities law. He provides general counsel services to public agencies and practices in the areas of utilities regulation, administrative law, environmental law and infrastructure development. Ryan regularly advises on business, regulatory and transactional matters related to energy, climate change, stormwater, solid waste and air quality.

Ryan currently serves as chair of the Board of Representatives of the California Lawyer's Association (CLA), the second largest voluntary bar association in the United States. He formerly chaired CLA's Public Law Section Executive Committee and Sustain SoCal, a trade association focused on cleantech and sustainability in Southern California.

## General Counsel

Ryan is general counsel to several joint powers authorities, including San Diego Community Power, Orange County Power Authority, Desert Community Energy and Butte Choice Energy Authority. He has served as agency general counsel for two large county agencies. In this capacity, he advises on all aspects of public law, including agency compliance, public records, open meetings, litigation, crisis and risk management, and public contracting.

## Utilities

Ryan has a breadth of experience in all aspects of

## CORE PRACTICES

- Air Quality
- California Public Utilities Commission
- Environmental Law & Natural Resources
- Renewable Energy
- Water Quality
- Municipal Law
- Special Districts
- Energy

utilities, representing cities, counties, special districts, community choice aggregators, municipal aggregators, municipal utilities, developers and hedge funds. He represents clients on administrative law matters before various public utilities commissions and other federal and state regulatory agencies, and advises on regulated utility rules. He has extensive experience in California's energy market regarding resource adequacy, renewables portfolio standard and resource planning. He has advised clients in Colorado, Virginia and other states on utility regulation and alternatives to traditional retail electric service.

### Environmental Law

Ryan has extensive experience under the Clean Water Act, including stormwater regulation, NPDES permit compliance, total maximum daily loads, and trading and offset programs. He also advises clients on air quality and climate change regulations, such as air permits and California's cap-and-trade program. He previously served as counsel to a large landfill system, and has experience in landfill, solid waste and recycling regulations.

### Contracts, Project Development & Permitting

Ryan counsels clients on all aspects of the development of utility and large-scale infrastructure projects. He has significant experience in contracts and negotiation, including short-term power purchase and sale agreements, long-term power purchase agreements, financial agreements, municipal cooperative agreements and real estate contracts. He has experience with the development of alternative energy projects, such as waste-to-energy, solar, fuel cell, wind, renewable natural gas and battery storage, as well as with the development of flood control and water facilities, transportation corridors and master-planned developments. In total, Ryan has advised on billions of dollars in projects and development.

### Government Service

Ryan is a former senior deputy county counsel to Orange County, California, the sixth largest county in the U.S. with over 3 million residents. In a 70-attorney law office, he advised the Board of Supervisors and department heads on all utilities matters and was general counsel to the public works and landfill agencies, each with over a billion dollars in revenue and funding.

Prior to government service, Ryan practiced in Washington, D.C. with Kellogg, Hansen, Todd, Figel & Frederick: PLLC working on behalf of Fortune 100 companies on regulatory litigation and federal enforcement actions in telecommunications, securities and oil services. During law school, Ryan was a law clerk and junior lobbyist for the global government relations office of an international telecommunications company and a legal intern in the International Bureau of the FCC and for FCC Commissioner Gloria Tristani. Ryan was editor-in-chief of Catholic University's communications law

## EDUCATION & ADMISSIONS

### Education

The Catholic University of America, Columbus School of Law, J.D.

San Diego State University, B.A., communication, with distinction

### Bar Admissions

California

## LANGUAGES

English

French

journal and a graduate of the school's Institute for Communications Law Studies (now the Institute of Law & Technology).

### Teaching

Ryan was an adjunct professor of Administrative Law and Energy Law at Whittier Law School. He has guest lectured at the University of Southern California School of Law, Chapman University School of Law, and in the Advanced Power and Energy Program at the University of California, Irvine.

### Notable Experience

#### Utility Law

- Advise community choice aggregators on feasibility, formation and implementation, including creation of enterprise funds and joint powers agencies, consultant contracts, energy and resource adequacy procurement, and CPUC and CEC regulation. Clients include Western Community Energy, Desert Community Energy, Clean Power Alliance, San Jose Clean Energy, San Jacinto Power, the County of San Diego and various cities and counties exploring CCA or joining an existing CCA.
- Represent clients in CPUC proceedings such as CCA exit fees, resource adequacy, de-energization and wildfire cost recovery, utility undergrounding, Aliso Canyon investigation, PG&E and SDG&E investigations, IOU rate cases and other matters. Clients include CCAs, County of Los Angeles, water districts and private companies.
- Advise on investor-owned utility general rates cases and tariffs including PG&E, SCE SDG&E, SoCalGas and Golden State Water.
- Advise on electric municipalization efforts in California and Colorado.
- Advise development companies on infrastructure and undergrounding disputes with electric and water IOUs.
- Former lead counsel to \$1 billion municipal solid waste enterprise on alternative energy opportunities.
- Negotiate agreements and other project documents for solar, landfill gas and fuel cell facilities.
- Participated in California Air Resources Board rulemakings regarding cap-and-trade application to cogeneration plants and landfills and advised on monetization of carbon allowances and offset programs.
- Draft and negotiate utility franchise and pipeline agreements.
- Represented large county in formation of statewide joint powers agency for natural gas procurement.

#### Environmental Law

- Advised counties, numerous cities, councils of government and developers on Clean Water Act and Porter-Cologne Act compliance and watershed management planning.
- Participated in State and regional Water Board proceedings on stormwater permit issuance, alternative compliance, total maximum daily loads, establishment of water quality standards and beneficial uses.

- Drafted Supreme Court amicus brief and filed test claims with Commission on State Mandates regarding unfunded state mandates associated with MS4 program activities.
- Advised on total maximum daily load compliance issues (bacteria, selenium, organochlorines) involving water quality trading, alternative compliance strategies, TMDL deadlines, basin plan amendments.
- Participated in EPA rulemaking proceedings on Waters of the U.S. and agency restructuring, and negotiated with agency staff.
- Successfully represented clients in Clean Water Act lawsuits, 60-day citizen suit notices and regional Water Board enforcement actions.
- Advised on air permits and variance issues associated with landfill operations, natural gas and landfill gas to energy power plants.
- Advised on solid waste disposal issues including trash importation, tipping fees, California Environmental Quality Act, landfill expansion, landfill closure and conditional use permits.

### Project Development

- Provided strategic counsel on \$165 million P3 development of government civic center.
- Negotiated utility undergrounding disputes with electric IOUs.
- Advised on infrastructure development agreement obligations for 6,000-acre development including transportation obligations, road fees and community facility district finance issues.
- Advised on development and construction of cogeneration, solar, LFGE, biomass, fuel cell and natural gas injection facilities.
- Advised on all aspects transportation corridor improvements and flood control improvements, including CEQA/NEPA, State Fish and Wildlife and regional Water Board permits, design and construction contracts, developer and municipal cooperative agreements, real estate and public funding issues.
- Advised joint powers operation of \$200 million public safety radio communications system between county and more than 130 partner agencies, including \$150 million p25 upgrade.
- Drafted and negotiated \$20 million cooperative agreements between state and local agency partners for water diversion pipelines to remove selenium, nitrogen and trash.
- Led telecommunications site leasing efforts on countywide basis.

### Public Agency Governance

- Former lead counsel to Orange County Public Works, Planning and Waste and Recycling departments on issues involving regulatory, environmental, public works, procurement, real estate, land use, special fund use, public finance, Brown Act, CEQA and conflicts of interest
- Counsel to JPAs and various commissions and committees, including the Orange County Planning Commission, Airport Land Use Commission, Countywide Coordinated Communications System and the County of Orange/City of Santa Ana Civic Center JPA
- Counsel on countywide regional services including water quality, energy, public works and public safety communications

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## Accolades

- Lawdragon, 500 Leading Energy Lawyers, 2024
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## Professional & Community Involvement

- California Lawyers Association Board of Representatives, Chair, 2021-2022
  - California Lawyers Association Board of Representatives, Vice Chair, 2020-2021
  - California's Lawyers Foundation, Treasurer, Board of Directors
  - Sustain SoCal, Board of Directors
  - California Stormwater Quality Association (CASQA); Co-Chair, Policy & Permitting Subcommittee
  - National Municipal Stormwater Alliance (NMSA)
  - California Community Choice Association (CalCCA)
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## Thought Leadership

### Publications

- "Riverside County Issues RFP for Broadband Infrastructure," *BBKnowledge*, April 5, 2017
- "A Critique of the International Cybercrime Treaty," The Catholic University of America Columbus School of Law, *CommLaw Conspectus: Journal of Communications Law and Technology Policy*, 2002

### Presentations

- "Sustain SoCal Board of Directors Welcome," 13th Annual Energy Event, Sustain Southern California, Nov. 2, 2022
- "FDI in the Energy and Environmental Sectors," Webinar, California Lawyers Association, Climate Change, War and Pandemic - Accelerating the Transition to Green Energy and Digital Economy in Italy and California, Oct. 12, 2022
- "The Local Government Start-Up," League of California Cities Annual Conference, Sept. 23, 2021
- "SoCal CCA Update and Introducing the Orange County Power Authority," 11th Annual Energy Conference, Sustain Southern California, Dec. 1, 2020
- "National Policy, Legislative and Legal Hot Issues in Stormwater," National Municipal Stormwater Alliance Conference, Mar. 17, 2020
- "How to Keep the Water Flowing When the Lights Go Out," Association of California Water Agencies Fall Conference & Exhibition, Dec. 4, 2019



- Legal Update, Moderator, 2019 Panel Forum, California Stormwater Quality Association, Oct. 8, 2019
- "CPUC De-Energization Proceeding," Webinar, Association of California Water Agencies Energy Committee Webinar, Aug. 9, 2019
- "Understanding Community Choice Energy," San Joaquin Valley Clean Energy Organization, July 11, 2019
- "CPUC Proceedings of Note: PG&E Restructuring, Undergrounding and Wildfire Mitigation," County Counsels' Association of California Land Use Study Section Spring 2019 Conference, May 2, 2019
- "Introduction to Community Choice Energy," Central Valley CCE Workshop, San Joaquin Valley Clean Energy Organization, Mar. 12, 2019
- "Community Choice Energy: Considerations for Public Agencies," Public Law Section Webinar, California Lawyers Association, Feb. 27, 2019
- Legal Update, California Stormwater Quality Association Annual Conference, Moderator, Oct. 15, 2018
- National Update on Stormwater Regulation, National Municipal Stormwater Alliance Annual Meeting, 2018 91st Annual Water Environment Federation Technical Exhibition & Conference, Oct. 3, 2018
- "Community Choice Aggregation, Considerations for Public Agencies," City of Lake Forest, August 2018
- "Community Choice Aggregation: Considerations for Cities," OC Clean Power, Apr. 11, 2018
- "Community Choice Aggregation," Orange County Council of Governments Board of Directors Meeting, Feb. 22, 2018
- "There's a Lot Going on in Water Quality Law!" California Stormwater Quality Association's 13th Annual Conference, Sep. 25, 2017
- "Community Choice Aggregation: Soup to Nuts," Sustain Orange County's Educational Forum, Sep. 6, 2017
- "Stormwater Capture and Reuse," Law Seminars International's Developing Water Resources in Southern California Seminar, June 8, 2017
- "Applying P3s to Stormwater," Public Private Partnership Conference and Expo's P3 Water Summit, May 5, 2017
- "Community Choice Aggregations: A New Option for Local Governments," Association of California Cities-Orange County, Mar. 20, 2017
- "Show Me the Money: Stormwater Permit Compliance and Unfunded Mandates," City Attorneys of Los Angeles County Annual Retreat, Mar. 18, 2017
- "Getting Energized for Automated Vehicles," International Municipal Lawyers Association Webinar, Mar. 15, 2017
- "Tracking State and Federal Grant Money - Cap and Trade & AB 1613," Sustain OC Annual Conference & Expo, Oct. 13, 2016

- "Energy Reliability: Understanding the Natural Gas and Electricity Nexus," League of California Cities' Annual Conference, Oct. 6, 2016
- "Developments in California Administrative Proceedings," California Stormwater Quality Association's 12th Annual Conference, September 2016
- "Water Quality Projects in Orange County," 2016 Water Seminar, International Right of Way Association, Orange County Chapter, September 2016
- "Current Issues with Utilities," Public Works Contracts & Environmental Law Conference, County Counsel's Association, May 2016
- "Current Issues in Stormwater: Attainable or Bust," moderator, Public Law Section Webinar, State Bar of California, January 2016
- "Water Quality Trading," 11th Annual California Stormwater Quality Association Conference, October 2015
- "County Revenue Basics: Paying for County Services under Propositions 26 and 218," Financial Services Workshop, County of Orange, September 2015
- "San Diego Regional MS4 Permit," Orange County City Manager's Association Meeting, June 2015
- "Utility Undergrounding," Public Works Contracts & Environmental Law Conference, County Counsel's Association, October 2014
- "How Does EPA's Proposed Waters of the U.S. Rule Affect Municipalities?" 79th Annual International Municipal Lawyer's Association Conference, September 2014, Baltimore, MD
- "Landfill Gas to Energy," Advanced Power & Energy Program, University of California, Irvine, November 2013
- "California Municipal Stormwater Permits," Law Seminars Int'l Telebriefing, November 2013
- "Agencies, Permitting & the San Diego Water Board," Water Law Clinic, Whittier Law School, November 2013
- "County Power Plant Partnerships on the Rise," CleanTech OC Annual Conference & Expo, September 2013
- "It's All About Worms! Virginia Dept. of Transportation v. EPA," 10th Annual California Stormwater Quality Association Conference, September 2013
- "Utility Undergrounding," Public Works Contracts & Environmental Law Conference, co-chair, County Counsel's Association, May 2013
- "At Last... A Nationwide Public Safety Wireless Broadband Network: Now What?" moderator, NATOA Annual Conference, September 2012, New Orleans, LA
- "Power Purchase Agreements and Landfill Gas Contracts," Public Works Contracts & Environmental Law Conference, County Counsel's Association, May 2012
- "Energy Law 101," Environmental Law Society, Whittier Law School, April 2012
- "Challenges with Energy, Gas and the Environment," moderator, Environmental Law Symposium, "Looking Forward: The Next Decade in Southern California Environmental Law," Whittier Law School, February 2012