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Los Angeles, CA

## Practice Groups

Academic Institutions

Environmental, Land & Resources

Litigation

Oil & Gas / Energy

Public Entity Law

Real Estate

Water Law

White Collar & Government Investigations

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## Education

University of Chicago, J.D.  
*Phi Delta Phi*

Cornell University, A.B.  
*Phi Beta Kappa*

## Jane Ellison Usher

### OF COUNSEL

Jane Usher is a partner in the Firm's Los Angeles office. She represents private, public, and nonprofit entities in their regulatory affairs. Her work commonly arises out of the use of land and natural resources. For thirty years, Ms. Usher has advised clients on issues of planning, zoning, permitting, subdivisions, title, easements, covenants, real estate development, soil, air, water, energy, recycling, remediation, and the California Environmental Quality Act. Her experience includes the companion fields of the Brown Act, Public Records Act, ethics, ordinances, legislation, community outreach, public hearings, and general municipal and administrative law. Ms. Usher guides her clients from the inception of a matter, through agency hearings and determinations, to the conclusion of any litigation that might result.

Prior to joining Musick Peeler in 2014, Ms. Usher served the City of Los Angeles in a series of appointed roles. These included Counsel to Mayor Tom Bradley (1989-1993), Alternate Board Member of the Los Angeles Transportation Commission (1991-1993), President of the Los Angeles City Planning Commission (2005-2009), and Senior Assistant City Attorney/Executive Management Team (2009-2013). She negotiated the City's complex real estate matters, including for the LA Live football stadium, NBC Universal, and USC; litigated the City's highest profile cases, involving urban renewal, planning and development, building and safety, infrastructure, code enforcement, outdoor advertising and signage, medical marijuana, homelessness, and constitutional questions; and drafted and successfully defended many of the most innovative and ground-breaking ordinances, policies, and actions of the City. For this body of work, she received Tree People's Evergreen Award and the AIA California Council's Presidential Citation.

Formerly, Ms. Usher was the Assistant Dean to the USC Annenberg School. As an adjunct member of the USC Gould School of Law faculty, she taught a "ripped from the headlines" course entitled The Law of the City. Ms. Usher was associate general counsel to the 1984 Los Angeles Olympics, and general counsel to the United States Football League, the America's Cup sailing competition, and the men's and women's professional beach volleyball associations. Ms. Usher began her legal career at the law firm of Manatt, Phelps, Rothenberg & Tunney. Ms. Usher has spoken extensively on zoning, environmental and municipal law, including on the important relationships between property owners, their neighbors and social justice.

## News & Events

- Usher selected as an honoree by the Los Angeles Business Journal in its recognition of the city's most influential women attorneys. 04.19.2023
- Usher moderates at Law & Policy Roundtable: Offshore Wind Energy Comes to California hosted by USC Schwarzenegger Institute for State and Global Policy, the USC Gould School of Law, and the Energy Industries Council at Musick Peeler. 04.19.2023
- Musick Peeler's Jane Usher Named Leading U.S. Energy Lawyer by Lawdragon. 03.27.2023
- Usher presents GWNC Working Group report on future land use planning for Upper Larchmont Boulevard. 02.28. 2023.
- 2023 Subdivision Map Act Guide, annually edited by Usher, is published by ACEC (American Council of Engineering Companies) California. 12.15.2022.

- Usher chairs series of online, pre-election Los Angeles City Council District 13 candidate forums. 04.4. 2022, 10.19.2022, 10.20.2022.
- Usher quoted in the Los Angeles Business Journal article, "Sides Debate Truck Proposal." 10.03.2022.
- East Valley Water District hosts ribbon cutting ceremony for the Usher-led Sterling Natural Resource Center. 07.23.2022.
- Usher recognized as one of top business leaders in Los Angeles by the Los Angeles Business Journal. 07.06.2022.
- Usher joins board of Play Equity Fund, Los Angeles '84 Olympics Foundation, for resumption of its in-person Annual Summit. 06.28.2022.
- Usher interviewed on groundbreaking California hydrogen proposal. 02.25.2022.
- Usher and the City of Los Angeles Planning Department conduct Town Hall on the City's Transportation Oriented Communities (TOC) Guidelines. 06.23.2021.
- Usher and team of Musick Peeler attorneys advise on \$90 million school construction project. 06.01.2021.
- Usher moderates the Westside Urban Forum panel entitled "A New Vision for the Westside" 11.22.2019.
- Usher presents the 2018 State CEQA Guidelines at the LACBA Environmental Law Spring Symposium. 04.12. 2019.
- Usher speaks on best land use strategies and practices to a panel hosted by the California Charter Schools Association Attorney Network. 09.10.2014.

## Community

Ms. Usher is a founding board member of the Play Equity Fund, partner to the LA 84 Foundation, the legacy recipient of the profits from the 1984 Olympic Games. The Fund seeks to level the playing field for underserved student athletes. She serves on the board of the Windsor Square Association, where she was a past president. She is also a founding board member of the Greater Wilshire Neighborhood Council and sits on its Land Use Committee. Ms. Usher's civic commitments include Brown University, the Center for Early Education, the Constitutional Rights Foundation, Cornell University, Harvard-Westlake School, and Wilshire Boulevard Temple.

## Admissions & Associations

State Bar of California

United States District Court for the Central District of California

United States Ninth Circuit Court of Appeal

Los Angeles County Bar Association, Environmental Law Section

Lambda Alpha International

## Representative Matters

Directed team of analysts in the evaluation, testing and preparation of environmental remediation work plan for client's commercial property.

Developed solid waste recycling solutions for agricultural client in response to city entry into exclusive solid waste franchise agreement.

Modernized leases and disclosures for university client to conform to new City and State housing, rent-control, eviction protection and related laws.

Provided series of legal opinions on zoning, housing replacement, and CEQA compliance to lenders in connection with client's housing development projects.

Removed one hundred year old public alley easements from title to client's commercial property.

Resolved permitting dispute and developed IRS-required environmental documentation to support conservation easement granted to California conservation agency.

Ongoing representation of charter school in its CEQA compliance and conditional use permit proceedings.

Led work of federal agency and environmental specialists in continuing effort to evaluate and remediate client's industrial properties.

Evaluated, supervised geotechnical expert, and daily monitoring of demolition and construction project next door to client's priceless art and wine collections.

Continuing representation of mutual water district in well drilling, water infrastructure, and basin adjudication matters.

Negotiated reciprocal easement agreement to resolve client's decades of litigation with adjacent property owner.

Investigated and advised horse riding academy in land use disputes.

Ongoing representation regarding CEQA, street vacation, and eminent domain lawsuits to secure capital funding for charter school.

Prepared and counseled board of directors of water company through contentious election, proxy, annual meeting, and related shareholder matters.

Advised residents on the intersection of State Density Bonus Law with municipal coastal height limitation.

Advised land owners regarding proposed group home facility in gated community of Ventura County.

Represented mineral rights lessee against recent municipal oil well prohibition and in the land use laws of mineral rights holders.

Advised charter school clients regarding revised Covid-leave laws and Covid-related Brown Act obligations.

Negotiated pipeline relocation project, permits and construction with Ventura County and State Water Board for water company.

Represented oil and gas client in preparation of its waste management and landfill plans, including regarding impact of third-party water quality litigation.

Led team of environmental experts in CEQA and well permit proceedings on behalf of water agency.

Preserved client's industrial land use designation placed at issue by city in its local Housing Element Update.

Advised pro bono in homeless lawsuit challenging the lack of action by the City and the County of Los Angeles.

Represented agricultural and mineral rights clients in General Plan Update, including CEQA issues and appropriate mitigations.

Advised oil and gas client in water board matters, including groundwater monitoring issues and waste discharge requirements.

Successfully argued CEQA error, resulting in Caltrans withdrawal of eminent domain action to take client's Malibu beachfront property and attorneys' fees.

Finalized unchallenged CEQA addendum that authorized construction of recharge basins in support of client's wastewater treatment project.

Advised adjacent property owner clients regarding County obligations for closure of Malibu Water Pollution Control Plant.

Prevented improper grant of land use permit to radio station operators and defeated their ant-SLAPP motion in clients' trespass and damage suit.

Successfully settled allegations of groundwater contamination on behalf of water company client.

Prevailed in administrative appeal to planning commission, overturning approval of national automobile dealership's parking lot project near wetlands.

Reached agreement including model short-term rental ordinance following litigation with the City of Anaheim to allow continued short-term rental operations.

Successfully argued before the California Supreme Court, overturning long-standing constitutional precedent regarding groundwater pumping charges on behalf of water agency.

Led the preparation of wastewater treatment plant EIR and obtained victory for water district client in subsequent CEQA lawsuit.

Negotiated acquisition, rights-of-way and access agreements with LADWP on behalf of property owners for Barren Ridge Renewable Transmission Project.

Advised city and joint powers authority in levee reconstruction project, including the work of state and federal permitting.