



# Thierry R. Montoya

## Shareholder

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## Practices & Industries

- Infrastructure & Environmental
- Litigation

## Overview

Thierry Montoya helps clients resolve air, soil, and groundwater disputes. He has significant experience litigating claims under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Clean Water Act, and other State and Federal statutes as well as common law.

Thierry has achieved successful results for his clients – both public and private sector entities – in a variety of complex environmental, land use, construction, and eminent domain matters. In addition, he regularly assists clients on natural resources issues involving water, oil and gas interests, air and water permitting and violations including the National Pollutant Discharge Elimination System (NPDES) and Title V of the Clean Air Act.

Finally, Thierry has an active land use practice, where he advises clients on a broad range of permitting, zoning, California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) matters, and eminent domain expertise.

Thierry has served as Editor for the *Environmental Liabilities and Penalty Reporter* from 2005, and is an Executive Director for the Global Environmental Legacy Foundation, matching science to contamination issues. He is an avid photographer, and publishes his photos at [www.thierrymontoya.com](http://www.thierrymontoya.com).

## Memberships

- Orange County Big Brothers, Big Brother
- Association of Business and Trial Lawyers
- Orange County Bar Assn, Environmental Law Section

## Education / Admissions

### Education:

- J.D., University of Notre Dame, 1992  
-Recipient of the Notre Dame Law Scholarship
- B.A., University of California, Riverside, 1982

### Bar Admissions:

State Bar of California

## Accolades

- Martindale-Hubbell AV® Preeminent™ Rated
- A “Superb” AVVO rating
- OC Metro “Top Land Use” Attorney for 2011-2013
- Selected as a “Rising Star” by Southern California Super Lawyers® in 2004

## Matters

Representative work includes:

- Representing a developer of an eight-story condominium project in a “brownfield” area in a CEQA petition—obtaining a dismissal via a motion challenging writ’s substantive claims, targeted aggressive response resolved in a court dismissal a month into the lawsuit.
- Successfully defending a metal parts stamping company in a state lawsuit brought by neighboring business alleging PCE/TCE contamination from our site to theirs. Argued the neighboring site was a large source of PCE/TCE contamination before the State Regional Water Quality Board—turning its attention on the neighboring business. State lawsuit was eventually tolled.
- Representing a public entity seeking to expand their waste water treatment facility by defeating a challenge brought on by an environmental group alleging that the waste water treatment facility would impact a protected local fish species. Successfully demonstrated that legal and scientific evidence showed species loss due to heron predator.

## Other Publications

### Publications:

- Editor, Environmental Liability, Enforcement & Penalties Reporter (ELEP) since 2005, contributing three articles monthly for publication on new environmental laws and cases
- “New Frontier in Water Rights,” ELEP 2007
- “Regulation of Endocrine Disrupters,” ELEP 2008

**PDF Publications:**

- Environmental Update JUNE 2017
- Environmental Update MAY 2017
- Environmental Update APRIL 2017
- Environmental Update MARCH 2017
- Environmental Update FEBRUARY 2017
- Environmental Update JANUARY 2017
- Environmental Update DECEMBER 2016
- Environmental Update NOVEMBER 2016
- Environmental Update OCTOBER 2016

**Events:**

- Speaker, California Water Law Conference, 2007 – New Frontiers in Water Rights
- Speaker, Rancho Community College District’s Environmental Seminar Series – Emerging Environmental Concerns for California Manufacturers, November, 2012
- Speaker, California Manufacturing Technology Association’s Webinar, Environmental Regulation of Chlorinated Solvents – Tactics for Manufacturers, July 2013.

**Teaching:**

Legal Research & Writing and Tort Law via University of California, Riverside’s Extension Program, 1994, 1995.

**Public Speaking**

- California Water Law Conference, Argent Co.
- California Manufacturing and Technology Association
- Orange County Bar Assn., Corporate and Business Law Section –
- Rancho Community College District