Thierry R. Montoya

Partner

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Industries

Manufacturing

Industrials

Supply Chain

Practice Areas

Environmental

Business & Commercial Litigation

Bar Memberships

California

Thierry is a member of the Environmental Practice Group. He 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 and 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 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.

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.

Other Info About Thierry

Experience

Represented a developer of an eight-story condominium project in a “brownfield” area in a CEQA petition—getting a dismissal via a motion challenging a writ’s substantive claims, targeted aggressive response resolved in a court dismissal a month into the lawsuit.

Defended 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 an enormous source of PCE/TCE contamination before the State Regional Water Quality Board—turning its attention to the neighboring business. Opposing counsel then agreed to toll the state lawsuit.

Represented a public entity seeking to expand their wastewater treatment facility by defeating a challenge brought on by an environmental group alleging that the wastewater treatment facility should heat its reclaimed water discharges into an adjacent stream to protect a protected local fish species' spawning area. The environmental group alleged that the reduced loss of this fish species was because of chilled wastewater releases impacting spawning eggs. Thierry used legal and scientific evidence tying species loss to heron and small mouth bass predation and not his client's wastewater discharges.

Education

University of Notre Dame Law School, J.D., 1991

University of California, Riverside, B.A. Political Science, 1982

Professional Affiliations

Association of Business and Trial Lawyers

Orange County Bar Association, Environmental Law Section

Civic Activities

Environmental Liabilities and Penalty Reporter, Editor

Global Environmental Legacy Foundation, Executive Director

Orange County Big Brothers, Big Brother

Firm Committees

Sustainability Committee, Member

Presentations

"Is it Really Still Possible to Close Environmental Cases in California?," Frost Brown Todd and Murex Environmental, Inc. Technical and Legal Seminar, May 2023

Major Publications

Author, "California Vapor Intrusion Policy Should Focus On Site Risks " Law360, December 4, 2025

Quoted, "California Cases to Watch In 2025," Law360, January 1, 2025

Author, "State Water Resources Control Board's Evolving Role: Balancing Groundwater Sustainability with Property Rights," The Recorder, October 17, 2024

Author, "The Advanced Clean Fleets regulation: Paving the future of zero-emission transportation," *Daily Journal*, August 2024

Author, "The Future of Climate Policy & Corporate Accountability," Practical Guidance: ESG, Professional Perspective, Bloomberg Law, May 2024

Host, *Essential Environmental with Thierry Montoya*, Audio Podcast Series, 2022-Present

Featured Articles

Extended Producer Responsibility: Who Owns the Obligation?

SEC Retreats on Climate Rules, but Not in California

California's New Battery Law Ends Your Weight-Based Exemption

Industrial Dischargers: Which Copper and Zinc Obligations Can the State Water Board's Sept. 1 Draft Reach?

California's Battery Stewardship Rule Is Product Governance, Not a Recycling Program

Intervention Now Carries Fee Risk in California Environmental Litigation

CEQA's Advanced Manufacturing Streamlining Test

Looking Beyond California Climate Laws as New York Bills Advance

CARB's New Climate-Disclosure Rule Drops Property and Payroll — and Catches More Companies

California's Textile EPR Program Is Active: Key Compliance Deadlines and What Producers Should Do Now

CA's Cap-and-Invest Changes Test Business Contract Readiness

How Companies Can Prepare for California's Recycling Label Challenges

As Federal Water Regulations Recede, California's Permitting Tide Rises

California Cracks Down on Landfill Methane With 2027 Compliance Rules

After Ninth Circuit's SB 261 Oral Argument: Where First Amendment Line May Land for Climate-Risk Disclosure

CARB Opens Rulemaking on SB 253 and SB 261: Who's in Scope and What Happens in 2026?

Ninth Circuit's January 9, 2026, Hearing on SB 261 May Define the Constitutional Limits of Climate-Risk Disclosure

California Vapor Intrusion Policy Should Focus on Site Risks

Ninth Circuit Pauses SB 261 Climate-Risk Reporting While SB 253 Emissions Disclosures Move Forward

Regulatory Crosscurrents: PFAS, CEQA, and the Future of Environmental Enforcement

What's Changing For Cos. In New Calif. Hazardous Waste Plan

CARB Posts Draft SB 253 Scope 1 and 2 Reporting Template: What Regulated Companies Should Do Now

Using the GHG Protocol for California Climate Reporting

CARB Clarifies Assurance, Risk Reporting, and Entity-Level Obligations Under California's Climate Disclosure Laws

California Board's Financial-Grade Climate Standards Raise Stakes

Regulatory Risk After Closure: What Benjamin Moore Means for Industrial Property Owners

New California Laws to Help Turn Brownfields Into Buildable Land

CEQA Streamlining Laws Unlock Brownfield Redevelopment in California

California's Climate Disclosure Rulemaking Enters a New Phase

CARB's December 2024 Actions on SB 253 and SB 261 Implementation

State Water Resources Control Board's Evolving Role: Balancing Groundwater Sustainability With Property Rights

The Future of Climate Policy and Corporate Accountability

California's State Water Board Poised to set a Maximum Contaminant Level for Hexavalent Chromium

Stricter Microplastics Regulations Are on the Horizon. Here's How California Manufacturers Should Prepare

How California Warehouse Owners and Operators Can Prepare for Rule 2305 Enforcement

New California Bill Bars Local Agencies from Rejecting Urban Housing Projects by Refusing to Certify a California Environmental Quality Act (CEQA) Compliant Document

California to Require Companies 'Doing Business in California' to Report Climate Impacts

Ninth Circuit Upholds EPA's NPDES Permitting Authority Affecting the Combined Water Sewer Systems Community

Does UC Berkeley's Intention to Transform People's Park into Student Housing Comply with the California Environmental Quality Act?

California Appeals Court Finds in Favor of State Water Board in Dispute Over Wastewater Use

California Institutes New Microplastics Regulations

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