

Mark J. Dillon - *Partner*

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BAR ADMISSIONS

State Bar of California, 1983

COURT ADMISSIONS

United States Court of Appeals, Ninth
Circuit, 1986

United States District Court, Central
District of California, 1992

United States District Court, Eastern
District of California, 1986

United States District Court, Northern
District of California, 1986

United States District Court, Southern
District of California, 1983

EDUCATION

California Western School of Law (J.D.,
1982)

California State University at Fullerton
(B.A., with honors, 1979)

Summary of Practice

Mark J. Dillon devotes a substantial portion of his practice to the representation of public and private sector clients on land use, natural resources, and environmental planning and litigation matters. These practice areas include assisting clients in preparing environmental impact reports and other documents for complex or controversial projects arising under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Mr. Dillon's background also involves substantial experience with issues and litigation arising under:

- Federal and state Endangered Species Acts
- National Historic Preservation Act
- Federal Clean Water Act (section 404), including section 404(b)(1) Guidelines
- Water quality certifications/waste discharge requirements under the Clean Water Act (section 401) and Porter-Cologne Water Quality Act
- Streambed alteration provisions of the California Fish & Game Code
- "Fully-protected" species and "take" provisions of the California Fish & Game Code
- Water supply/resources
- Wetlands and riparian habitat protections/requirements
- Traffic
- Noise and air quality
- Climate change and greenhouse gas emissions
- Land use planning, smart growth, and green building ordinance requirements
- Property development agreements
- General Plan/Specific Plan
- Planning and Zoning law matters
- Land use, legislative, and policy initiatives
- Subdivision Map Act
- Federal and state hazardous waste laws and regulations

Combined with his work in the land use, natural resources, and environmental fields, Mr. Dillon assists other members of the firm on litigation-related matters for public entities that own and operate airports, as well as landowners and real estate development firms on complex construction claims and related litigation involving large-scale residential planned communities and other developments in Los Angeles County, Orange County, and San Diego County. Mr. Dillon is "AV" rated by Martindale-Hubbell, which is the highest rating given to lawyers. The rating means that the legal community has rated Mr. Dillon's legal ability as very high, and has recognized his professional reliability, diligence, and faithful adherence to ethical standards. Mr. Dillon is a member of the State Bar of California, the U.S. Circuit Court of Appeals for the Ninth Circuit, and U.S. District Courts for the Southern, Eastern, Northern and Central Districts of California. Mr. Dillon also has authored publications concerning CEQA and other environmental laws and regulations. He regularly speaks at conferences

regarding land use, environmental, planning, and litigation matters.

Memberships

American Inns of Court

San Diego County Bar Association

Environmental/Land Use Section, San Diego County Bar Association

Orange County Bar Association

Toxics and Environmental Section, Orange County Bar Association

Building Industry Association of San Diego County

Reported Opinions

Friends of the Santa Clara River v. U.S. Army Corp of Engineers
(2018) 887 F.3d 906

Professional Affiliations

August 1982 to December 1987: Associated with Gatzke Dillon & Ballance LLP

January 1988 to present: A member of Gatzke Dillon & Ballance LLP

Awards/Honors

The Daily Journal/California Lawyer named Mr. Dillon a California Attorney of the Year in 2018. The prestigious CLAY (California Lawyer Attorneys of the Year) award was for his outstanding achievements in the field of environmental law.

California Lawyer named Mr. Dillon a California Attorney of the Year in 2004. The prestigious CLAY (California Lawyer Attorneys of the Year) award was for his outstanding achievements in the field of land use/real estate/water law.

Publications

State Bar California Real Property Journal, Governing California's Water Supplies -- An Ever Changing Legal Environment (Vol. 26, Issue No. 4, 2008) (Co-authored)

California Land Use Law & Policy Reporter, Feature Article, Newhall Ranch: A Study in Patience and Compromise in an Open and Exhaustive Planning and Environmental Review Process (December 2003) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 4, CEQA (1997 Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 4, CEQA (1996 Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 4, CEQA (1995 Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 4, CEQA (1994

Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 5, Other Environmental Controls (1993 Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Chapter 4, CEQA (1993 Supplement) (Co-authored)

Longtin's California Land Use, (3d. Ed.) Part J - CEQA Judicial Review (1992 Supplement) (Co-authored)

Speaking Seminars and Conferences

Great Valley Center Conference, Sacramento, California; Speaker. Subject: *Airport Land Use Compatibility Planning*, May 9, 2007.

Advanced Zoning and Land Use in California, Palm Springs, California; Speaker. Subject: *Recent CEQA Case Law Developments*, March 23, 2006.

2005 AEP Fall CEQA Workshop, San Diego, California; Speaker. October 20, 2005.

The California Environmental Trial Academy, San Diego, California; Speaker. Subject: *Mandamus and CEQA Litigation*, May 13, 2005.

Water Supply and Development Seminar; sponsored by Santa Margarita Water District; Speaker. April 11, 2005.

California Water Marketing, Sacramento, California; Speaker. Subject: *Water Supply, Land Use Planning and Development, Newhall Land's Experience*, March 19, 2004.

National Business Institute, San Diego, California; Speaker. Subject: *California Construction Defect and Mold Litigation*, August 13, 2003.

Southern California's Looming Water Challenges: Finding Solutions and Fostering Accountability, Claremont, California; Speaker. Subject: *The Implications of SB 221 on Development in Southern California*, January 25, 2002.

California Land Use: Current Issues in Subdivision Annexation and Zoning Law, San Diego, California; Speaker. Subject: *The General Plan and Land Use Law*, December 11, 2001.

Workshop on CEQA/NEPA Documentation, Encinitas, California; Speaker. Subject: *CEQA Legal Challenges*, December 7, 2001.

California State University, San Diego, California; Speaker. Subject: *Land Use Planning and CEQA Policy Integration*, August 21, 2001.

Update on: Water Law & Policy, San Diego, California; Speaker. Subject: *Truth in Water Planning - Water and Growth*, July 10, 2001.

California Water Law & Policy Conference, San Francisco, California; Speaker. Subject: *Identifying and Securing Water Sources for New Development*, April 5, 2001.

APA 2000 Region VI Conference, Long Beach, California; Speaker. Subject: *California Water Supply and Demand Issues ("Are We Running Out of Water?")*, September 17, 2000.

Recent Developments and Emerging Trends in California Insurance Law, San Diego, California; Speaker. Subject: Mediating Complex Civil Litigation Disputes, August 17, 1999.