

David P. Hubbard - *Partner*

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BAR ADMISSIONS

State Bar of California, 1990

COURT ADMISSIONS

United States Court of Appeals, Ninth
Circuit, 1990

United States District Court, Eastern
District of California, 2003

United States District Court, Central
District of California, 1992

United States District Court, Southern
District of California, 1992

United States District Court, Northern
District of California, 1990

EDUCATION

University of California, at Berkeley,
Boalt Hall School of Law (J.D., 1990)

University of Chicago (M.A. Political
Science, 1987)

Summary of Practice

David P. Hubbard joined Gatzke Dillon & Ballance LLP as a partner in 2007. Mr. Hubbard specializes in the fields of environmental and land use law, with particular emphasis on issues arising under California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), the federal and state Endangered Species Acts, the Federal Lands Policy and Management Act (FLPMA), the federal Clean Water Act, the California Coastal Act, the federal Coastal Zone Management Act, and the California Planning and Zoning law. In the environmental and land use fields, Mr. Hubbard routinely addresses matters involving traffic, air quality, water quality, hydrology, noise, hazardous materials, land use compatibility, aesthetics, sensitive biological resources, including threatened and endangered species, marine resources, and historical resources. His expertise in these areas includes both planning, administrative and litigation matters. A significant portion of Mr. Hubbard's practice includes assisting clients in preparing environmental impact reports, environmental impact statements, and supporting technical studies for complex or controversial projects arising under CEQA, NEPA, FLPMA and the federal Endangered Species Act.

Mr. Hubbard has represented the San Diego Unified Port District on matters related to airport development and management. He has helped to prepare environmental impact reports and Coastal Act consistency documents covering a host of port projects, including the \$900 million Chula Vista Bayfront Master Plan project. Additionally, Mr. Hubbard has worked directly with matters related to the development and management of John Wayne Airport. Mr. Hubbard also has devoted time in representing the County of Orange on major transportation litigation matters, including the Foothills Transportation Corridor, the Eastern Transportation Corridor, and the San Joaquin Transportation Corridor (now known as SR-73). Mr. Hubbard currently represents the County of Imperial on matters relating to the approval and implementation of a wind energy project.

In his role as a land use and environmental adviser, Mr. Hubbard routinely appears before federal, state, and local agencies on behalf of his clients. Such agencies include the U.S. Fish and Wildlife Service; the U.S. Bureau of Land Management; the U.S. Forest Service; the U.S. Army Corps of Engineers; the California Department of Fish and Game; the California Coastal Commission; the California Department of Parks and Recreation; the California Department of Mines; the California Regional Water Quality Control Board; the California Department of Transportation; the California Department of Toxic Substances Control; and numerous counties and municipalities through Southern California.

Prior to joining the firm in 2007, Mr. Hubbard had his own law office. Prior to that, he was affiliated with the firm of Lounsbury Ferguson Altona & Peak, LLP, and with the regional firm of Procopio Cory

University of California at Santa Cruz
(B.A., History, with honors; B.A., Political
Science, with honors, 1985)

Hargreaves & Savitch, LLP, where he assisted public and private sector clients on a variety of environmental and land use issues. Mr. Hubbard was also the lead environmental litigator at both the Lounsbery and Procopio firms where he successfully defended and prosecuted actions arising under CEQA and the federal and state Endangered Species Acts. As an accomplished legal and technical writer, Mr. Hubbard has drafted successful briefs in defense of large scale or controversial projects throughout Southern California. Many of his current clients are private sector project applicants whose development entitlements have been challenged under state and/or federal land use and environmental laws. In addition, however, Mr. Hubbard has successfully represented private parties who have opposed projects for failing to comply with established environmental review and disclosure rules. For example, on behalf of property owners and a community group, Mr. Hubbard recently led a successful legal challenge to the expansion of a landfill in the City of San Diego.

Since 2001, Mr. Hubbard has also been intensely involved in land use and environmental matters relating to public access to public lands. In this regard, he represents some of the largest outdoor recreation organizations in the country as both a litigator and policy strategist. As an advisor to these organizations, Mr. Hubbard has assisted in drafting key recreation legislation at both the state and federal levels.

Mr. Hubbard earned his law degree in 1990 from Boalt Hall School of Law at the University of California, Berkeley, where he was a member of the California Law Review. He holds a Master's degree from the University of Chicago and two Bachelor's degrees from the University of California, Santa Cruz. He is a member of the California Bar, and is licensed to practice in all federal courts in California.

Memberships

State Bar of California Board of Trustees

Vista Chamber of Commerce

Professional Affiliations

1992 to 1997: Associated with Gatzke Dillon & Ballance LLP

1997 to 2003: Associated with Procopio, Cory, Hargreaves & Savitch, LLP

2003 to 2005: A member of Lounsbery, Ferguson, Altona & Peak

2006 to 2007: Principal of the Law Offices of David P. Hubbard

2007 to the present: A member of Gatzke Dillon & Ballance LLP

Reported Opinions

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