



Monica Browner Senior Associate

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Practice Areas

Air Quality & Climate Change | Environmental Enforcement Defense |
Environmental Remediation & Due Diligence | Environmental/Toxics
Litigation | Pipelines & Terminals | Proposition 65 | Recycled Water | Water
Law | Water Quality Law

Clients rely on Monica Browner's pragmatism and dynamic approach to complex environmental issues to minimize uncertainty in a constantly changing regulatory landscape. Using her analytical skills and knowledge of state and federal environmental law, Monica helps them navigate a broad range of legal issues including compliance with various environmental laws and regulations.

Monica guides private and public sector clients through the complex web of federal and state environmental laws and regulations. She litigates in both state and federal court and provides compliance advice involving several environmental statutes, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Air Act (CAA), the Resource Conservation and Recovery Act (RCRA), and the state statutory counterparts. Monica routinely works with various state regulatory agencies, including the State Water Resources Control Board, California Air Resources Board, and the Department of Toxic Substances Control (DTSC), to ensure the best possible outcomes for her clients.

While attending University of Michigan Law School, Monica served as president of the Women Law Students Association and volunteered as a coach for a high school mock trial team. Before law school, Monica helped grow a start-up property management company in the Bay Area from a tiny operation run out of a small garage into a successful 40+ employee company managing millions of dollars in assets throughout California and Washington.

Experience

- Counsels clients regarding the applicability of various environmental laws.
- Assists clients in active litigation, including drafting written discovery, taking and defending depositions, and engaging in pre-trial motion practice.
- Assisted with facilitating a large settlement with the Department of Toxic Substances Control involving claims for recovery of response costs at various landfills in California.
- Assisted in representing a chemical manufacturing company in a breach of contract arbitration.

- Assisted in representing a fireworks company in a complex civil dispute involving allegations of groundwater contamination.
- Litigated and settled various disputes involving Proposition 65 claims.
- Assisted client in conducting an environmental compliance audit.
- Assisted in counseling a client on the current state of water quality trading programs throughout the country.

Professional & Community Service

- Environmental Law Institute
- Chemical Industry Council of California
- Association of Women in Water, Energy and the Environment
- American Bar Association, Environment, Energy and Resources Group
- Sacramento County Bar Association, Environmental Law Section
- California Lawyers Association, Environmental Law Section
- Sacramento Metro EDGE
- University of Michigan Law School, Women Law Students Association, Former President, 2017-2018

Education

- J.D., University of Michigan Law School, 2019
- B.S., *magna cum laude*, Santa Clara University, 2015

Publications

- *Governor Newsom Signs Major Climate Change Disclosure Laws for Corporate Accountability*, California Land Use Law & Policy Reporter, Volume 33, Number 3, December 2023
- *District Court in Washington Affirms Parties Cannot Contractually Avoid CERCLA Liability to the U.S. Government*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 9, June 2023
- *Monsanto Petitions for Eleventh Circuit En Banc Review After Losing FIFRA Preemption Argument Against State Law Failure to Warn Claim*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 3, Number 3, December 2022
- *Tenth Circuit Decision Reinforces Federal Clean Air Act Citizen Suits Against Mobile Sources*, Environmental, Energy, & Climate Change Law and Regulation Reporter, Volume 2, Number 5, February 2022
- *U.S. Supreme Court Decision Broadens Federal Appellate Review of Remand Orders in a Blow to Plaintiffs Bringing Nuisance Actions in Climate Change Cases*, Environmental, Energy & Climate Change Law and

Regulation Reporter, Volume 1, Number 10, July 2021

- *Ruling May Give Oil Companies Upper Hand in Climate Change Cases*, Daily Journal, May 25, 2021
- *U.S. EPA Finalizes Greenhouse Gas Emissions Regulations for Aircraft Engines*, Environmental, Energy & Climate Change Law and Regulation Reporter, Volume 1, Number 5, February 2021
- *DTSC Overhaul, Other Environmental Bills, Await Signature*, Daily Journal, September 15, 2020
- *Climate Change Cases Can Move Forward in State Courts, But Will They Be Successful?*, Daily Journal, June 10, 2020
- *Ruling Creates Certainty and Uncertainty at Current and Future Superfund Sites*, Daily Journal, May 11, 2020
- *Tenth Circuit Affirms U.S. Army Corps of Engineers' Lack of Discretionary Authority to Operate Dams Along the Rio Grande Under the Endangered Species Act*, California Water Law & Policy Reporter, Volume 30, Number 6, March 2020
- *California Heads Into the Next Decade With Over 100 New Environmental Laws*, Daily Journal, December 20, 2019
- *Will Climate Change Nuisance Cases Be Tried in State Court?*, Daily Journal, November 7, 2019

Legal Alerts

- *EPA Adds Extensive New Amendments to its Risk Management Program in Final Rule*, March 22, 2024
- *US EPA Proposes Rules to Expand Cleanup of PFAS at Hazardous Waste Sites*, February 6, 2024
- *Court of Appeal Upholds County of Monterey's Management of Groundwater in Landmark SGMA Case*, November 20, 2023
- *CARB Releases its 2022 Scoping Plan Update to Achieve Ambitious State Goal of Carbon Neutrality*, November 18, 2022
- *U.S. Supreme Court Preserves Potential State Court Superfund Site Claims - But Remedial Actions Requires EPA Approval*, April 21, 2020
- *U.S. Supreme Court Watch (ARCO v. Christian): Can Private Parties Sue For More Clean Up Than EPA Requires?*, December 2, 2019