



Natalie C. Kirkish Senior Associate

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Practice Areas

Appellate & Writ Practice | CEQA / NEPA | Endangered Species | Land Use | Real Property & Land Use Litigation | Water Law

Natalie Kirkish has dedicated her career to environmental law and public service in order to solve complex environmental challenges for her private and public agency clients.

Natalie represents her clients in administrative proceedings on land use issues involving CEQA, NEPA, the public trust doctrine, endangered species, the California Coastal Act, the McAtteer-Petris Act, federal and state laws governing protection of historic and cultural resources, and local zoning codes and general plans. Her litigation practice focuses on federal, state, and local environmental laws, where she has proven success in litigating and settling complaints for declaratory and injunctive relief, writs of mandate, and appeals.

She counsels public agencies and private companies on regulatory and land use entitlement issues governing a diversity of projects including mixed-use real estate developments, recycled water projects, port and waterfront developments, vegetation management plans, and linear energy projects.

Natalie also expertly advises public agency clients on transactional matters. She has served as special counsel and general counsel for government agencies, including special districts. As counsel for these agencies, she provides legal advice on a range of issues including the Brown Act, the Public Records Act, public contracting, land use, elections, and employment issues. Her experience includes the representation of cities, a flood control agency, an open space district, community services districts, a reclamation district, and a housing authority.

Experience

- Successfully defended against a motion for attorneys' fees arising out of the denial of a Petition for Writ of Mandate on behalf of a sand mining company.
- Successfully defended against a Petition for Writ of Mandate in the Third District Court of Appeal and appeal to the Delta Stewardship Council challenging a project to construct a flood control gate on behalf of a flood control agency.
- Contributed to a successful Petition for Writ of Mandate challenging landfill expansions on behalf of a

municipal water and power district.

- Advises an energy company on development of a linear energy project CEQA, NEPA, FAST-41, related environmental review, permitting, and regulatory issues, as well as multiple federal, state, and local agencies.
- Assisted a municipality on achieving approval of permitting and entitlements for a mixed-use development project including environmental impact report, development agreement, and Bay Conservation and Development Commission permit and Bay Plan amendment.
- Natalie successfully represented a community group in a CEQA case before the San Luis Obispo County Superior Court and the Second District Court of Appeal, prevailing on issues related to transportation, noise, water use, and wastewater.
- In her representation of a non-profit association in litigation involving the Watsonville Municipal Airport under CEQA and the State Aeronautics Act, Natalie worked closely with the California Department of Transportation, Division of Aeronautics to negotiate a settlement agreement with a school district.
- In litigation on behalf of a non-profit association, Natalie successfully defended against a motion for summary judgment in a municipal finance case challenging inter-fund transfers between a city's general fund and its airport enterprise fund.
- Natalie assisted a public agency client in resolving ongoing violations of a conservation easement through a lawsuit filed against the encumbered estate by conducting document review, responding to and propounding discovery, and preparing trial documents, leading to a successful settlement agreement.
- Natalie drafted and negotiated a permit agreement with a county on behalf of a community services district to permit the district to construct parks on community medians, navigating issues involving title and liability.
- Natalie represented landowners before their local planning commission, city council, and superior court in an action challenging a city's decision to vacate a neighboring parcel containing in-use public utilities, resulting in the city rescinding its decision.

Professional & Community Service

- California Bar Association, Environmental Law Section, 2014-present
- Bar Association of San Francisco, 2018-present
- Bar Association of San Francisco, Barristers Environmental, Land Use and Real Estate Section, Co-Chair, 2021; CEQA Vice Chair, 2020; Executive Committee, 2019
- Bay Area Legal Aid, Volunteer Attorney, 2014-2015

Education

- J.D., Public Interest and Social Justice Law Certificate with Emphasis in Environmental Law, Santa Clara University School of Law, 2014
- B.A., International Relations, University of California at Davis, 2010

Speaking Engagements / Events

- *The Intersection of CEQA & the Cannabis Industry*, Moderator, Bar Association of San Francisco, CLE Webinar, May 26, 2020

Blogs

- *Governor Newsom Issues Order Requiring Electronic Posting of CEQA Notices and Suspending CEQA Filing, Posting, Notice, and Tribal Consultation Requirements for 60 Days*, April 28, 2020
- *Trump Signs Executive Order Allowing Agencies to Bypass NEPA, ESA, and CWA Requirements*, June 9, 2020
- *To VMT or not to VMT? Third District Says Level of Service No Longer Valid to Measure Traffic Impacts, But Use of Vehicle Miles Traveled is Not Yet Required*, April 23, 2020
- *Two CEQA Statute of Limitations Cases, Two Different Results*, April 21, 2020
- *California Supreme Court Holds Medical Marijuana Zoning Ordinance is a Project Subject to CEQA*, August 22, 2019
- *2019 Amendments to the CEQA Guidelines: Part One – Transportation Impacts*, February 15, 2019
- *Fourth District Upholds Use of Existing Facilities Exemption for San Diego Amusement Park Lease, Finding no Causal Connection Between “Unusual Circumstance” and Potential Impacts*, January 29, 2019
- *Court of Appeal Allows CEQA Challenge to PG&E Tree Removal Project to Proceed, But Finds Claims under Planning & Zoning Law Time-Barred*, November 1, 2018