Holland & Hart



PRACTICES

Environmental Transactions
Environmental Health and Safety
Environmental
Environmental Litigation
Energy Consumers, Developers, and Public Utilities
State and Local Tax

INDUSTRIES

Renewable Energy and Storage
Energy and Resources
Mining
Conventional Power
Oil and Gas Litigation

EDUCATION

University of Montana School of Law, J.D.
With Honors

Montana State University, B.S.
Civil Engineering

BAR ADMISSIONS

Montana
Wyoming
Colorado
Idaho
North Dakota

COURT ADMISSIONS

U.S. District Court for North Dakota
U.S. District Court for the District of Montana
U.S. Court of Appeals for the Ninth Circuit
U.S. Supreme Court

Matthew Dolphay

Partner

401 North 31st Street, Suite 1200, Billings, MT 59101

P 406.896.4628

MHDolphay@hollandhart.com

Matthew provides strategic counsel to mining, energy, and other industry clients in environmental and natural resource litigation and project development.

Matthew represents clients in complex litigation in the Mountain West in cases involving environmental statutes and common law claims. He has particular expertise litigating cases under the Clean Water Act, NEPA, Montana Environmental Policy Act, federal and state Superfund statutes, the Metal Mine Reclamation Act, and the Endangered Species Act. He also has significant experience litigating common law environmental cases involving real property contamination and toxic torts. Matthew represents clients in state and federal court as well as in administrative proceedings before the Montana Board of Environmental Review and Wyoming Environmental Quality Council.

Matthew also has experience permitting large-scale projects in the Mountain West. He has guided clients permit major hard-rock mines; high-voltage electric transmission lines; renewable energy projects; and oil and gas pipelines.

Matthew received his undergraduate degree in civil engineering and consulted for clients on Superfund sites as an environmental engineer before becoming an attorney. Prior to entering private practice, he clerked separately for Montana Supreme Court Justice James Rice and Montana Supreme Court Justice Laurie McKinnon.

EXPERIENCE

Matthew assists clients in litigation, permitting, due diligence, and regulatory compliance issues including:

- Natural Resource and Environmental Litigation
- Environmental Due Diligence and Permitting
- Regulatory Compliance
- Renewable Energy Development
- Environmental Tort Litigation
- Water Rights Litigation
- Public Utilities Regulation

Matthew has represented clients on matters involving:

- Montana Water Quality Act (MWQA)

- Clean Water Act (CWA)
- Montana Environmental Policy Act (MEPA)
- National Environmental Policy Act (NEPA)
- Montana Metal Mine Reclamation Act (MMRA)
- Montana Opencut Mining Act (OMA)
- National Forest Management Act (NFMA)
- Montana Sage-Grouse Habitat Conservation Program (MSGHCP)
- Endangered Species Act (ESA)
- Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA)
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Montana Major Facility Siting Act (MFSA)
- Montana Underground Storage Tank Act (MUST)
- Montana Water Use Act (WUA)

PUBLICATIONS

"Abandoning the APA's Scope of Review in ESA Citizen Suits," *39 Natural Resources & Environment 4*, Spring 2025

"MT Supreme Court Greenlights First New Copper Mine in Decades," *Mining Legal Update*, March 4, 2024

"Montana Court Rules State Agencies Must Consider GHG/Climate Impacts in Fossil Fuel Approvals," *Holland & Hart Environmental Update*, August 15, 2023

RECOGNITION

- *The Best Lawyers in America*®, Environmental Law, 2027
- *Legal 500 US City Elite* - Northern Great Plains, Energy & Natural Resources, 2026
- *Chambers USA*, Natural Resources & Environment, 2026
- *Best Lawyers: Ones to Watch in America*®, Environmental Law, 2022-2025