Holland & Hart



## PRACTICES

Environmental Litigation
Wildlife and Protected Species
Environmental
Climate Change
Site Remediation
Environmental Health and Safety
Federal Lands Permitting
Environmental Transactions
Water Resources

## INDUSTRIES

Energy and Resources
Conventional Power
Fitness and Outdoor Recreation
Renewable Energy and Storage
Mining

## EDUCATION

University of California, Berkeley School of Law, J.D., 1988
Associate Editor, Ecology Law Quarterly

University of Idaho, M.S., 1985
Wildland Recreation Management
(College of Natural Resources)

University of California - Berkeley, B.S., 1982
Conservation of Natural Resources
With High Honors

## BAR ADMISSIONS

California
Colorado
Idaho

# Murray Feldman

Partner

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**With more than 35 years of experience, Murray represents project developers and state and local governments in high-profile Endangered Species Act, National Environmental Policy Act, and other environmental litigation, permitting, and counseling matters.**

Murray advises clients on the major laws affecting natural resources and environmental matters, including the ESA, NEPA, Federal Land Policy and Management Act, National Forest Management Act, National Park Service Organic Act, Clean Water Act, Clean Air Act, and other federal and state environmental programs.

He helps resolve permitting obstacles and defend project approvals and operations. Murray has worked on client projects and federal court cases throughout the Pacific Northwest, and in California, Colorado, Nevada, New Mexico, Texas, Wyoming, Michigan, and Alabama, including mining and oil and gas operations; highway construction projects; water, natural gas, and petroleum products pipelines; water resource development infrastructure; industrial facilities; ranch operations; residential home, resort, and subdivision development; and outfitter and guide operations and facilities.

Previously, Murray served as a law clerk to Justice George Lohr of the Colorado Supreme Court. From 2001-2003, he headed Holland & Hart's firmwide environmental practice group, and from 2009-2012 he was the Boise office administrative partner. He chaired the firm's Partner Responsibility Committee from 2011-2016.

## CLIENT RESULTS

Successfully defended in federal court, state court, and agency proceedings the environmental assessment and wetlands, water quality, lake protection, and other approvals for Idaho's largest highway improvement project.

Represented a state government, regional water supply entity, and private landowners in several federal district court and appellate court lawsuits on endangered species listing, critical habitat, incidental take permitting, and biological opinion issues concerning the polar bear, ribbon seal, Steller sea lion, beluga whale, bearded seal, ringed seal, Moapa dace, Snake River salmon, and Alabama beach mouse.

Obtained the first-ever petitioned redesignation of critical habitat, for Snake River Chinook salmon, for Idaho's all-time record gold-producing mine.

Lead counsel in a federal court case on the environmental analyses and overflight effects considerations for military airspace designations and training on and above over 3.2 million acres of public and private land in southwestern Idaho, as chronicled in the book Desert Wings: Controversy in the Idaho Desert (N. Nokkentved, 2001).

Lead counsel for landowners challenging the Department of Defense's and Department of Transportation's NEPA evaluation for military training activities in west Texas, which resulted in the first U.S. Fifth Circuit Court of Appeals ruling in over 20 years to set aside an agency's environmental impact statement.

Successfully represented a group of ranchers and landowners in obtaining the withdrawal of the U.S. Air Force's application to the FAA to establish a low-level, high-speed military training route for German Air Force training in West Texas and New Mexico.

Worked with a landowner and the Fish and Wildlife Service to permit the first-ever habitat conservation plan for the Great Lakes piping plover.

Worked before Congress to amend the Wild and Scenic Rivers Act to allow the continued permitting and operation of four Idaho backcountry lodges that were to be removed under a federal court order.

Represented clients in several groundwater contamination, remediation, and cost recovery cases.

Represented clients at the administrative level before the FAA, Environmental Protection Agency, Idaho Department of Environmental Quality, Idaho Transportation Board, the Interior Board of Land Appeals, and the United States Forest Service.

## PUBLICATIONS

"Roadless Rule Revocation: Lost in the Wilderness?," *40 Natural Resources & Environment 3*, Winter 2026

"ESA Essentials: Endangered Species Act," *American Bar Association Section of Environment, Energy, and Resources*, Co-Author, October 2025

"FWS Updates Right-of-Way Regulations for National Wildlife Refuge Lands," *Law360*, January 14, 2025

"*Marin Audubon* Should Not Upend the NEPA Process," *Holland & Hart NEPA Update*, November 14, 2024

"Improving Cooperative State and Federal Species Conservation Efforts," *The Codex of the Endangered Species Act—Volume II: The Next Fifty Years*, 2024

"Key Takeaways from Final Revisions to Endangered Species Act Regulations ," *Wildlife and Protected Species Update*, April 15, 2024

"Conservation Plans for Old-Growth Forests May Affect National Forest

Permitting," *Environmental Update*, January 3, 2024

"Restraining ESA Critical Habitat: Ninth Circuit Overturns FWS's Jaguar Critical Habitat Designation," *Holland & Hart Client Alert*, May 25, 2023

"Conserving America the Beautiful – The 30-by-30 Goal and Its Historical Roots," *36 Natural Resources & Environment 4*, Spring 2022

"Biden Administration's 30x30 Conservation Goal: Only the Beginning," *Holland & Hart News Update*, May 14, 2021

"*Cowpasture*s in the Supreme Court: Implications for the Federal Lands," *The Advocate (Idaho State Bar publication)*, March/April 2021

"Assessing Climate Costs in Policy Decisions," *Holland & Hart News Update*, March 22, 2021

"Cultural Resources," *Environmental Aspects of Real Estate and Commercial Transactions, Fifth Edition, American Bar Association, Chapter 27*, 2021

"Answers to Key Questions about the Revised CEQ NEPA Regulations ," *Holland & Hart News Update*, August 19, 2020

"Council on Environmental Quality Issues Final NEPA Rule," *Holland & Hart News Update*, July 17, 2020

"Improving Cooperative State and Federal Species Conservation Efforts," *20 Wyoming Law Review 183*, 2020

"Ecological Succession of National Forest Planning Regulations," *33 Natural Resources & Environment 8*, Winter 2019

"NEPA's Scientific and Information Standards—Taking the Harder Look," *55 Rocky Mountain Mineral Law Foundation 77*, November 2018

"FWS and NMFS Propose Significant Endangered Species Regulatory Overhaul," *American Bar Association, Endangered Species Regulatory Committee Newsletter*, October 25, 2018

"Critical thinking: ESA critical habitat's ongoing redefinition," *Trends, ABA Section of Environment, Energy, and Resources*, November/December 2017

"On Behalf of Their Citizens: The State Role in Federal Environmental Litigation," *32 Natural Resources & Environment 7*, Fall 2017

"Federal Mitigation Policies Revoked: What Will It Mean to Developers?," *Holland & Hart News Update*, April 6, 2017

"Trumping Obama-Era Environmental Policy—What's Next?," *Holland & Hart News Update*, March 30, 2017

"Idaho Wilderness Considered," *Idaho Humanities Council, Co-Editor*, Co-

Editor, 2016

"Federal Wildlife Agencies Finalize Revisions to Critical Habitat Rules," *Holland & Hart News Update*, February 11, 2016

"The Role of Climate Change in ESA Decisions," *53 Rocky Mountain Mineral Law Foundation Journal 67*, 2016

"'Integrating Climate Change Considerations In Endangered Species Act Processes' in The Legal Impact of Climate Change," *Thomson Reuters/Aspatore*, 2014

"Endangered Species Act," *Basic Practice Series book, American Bar Association, 2d. Edition*, 2012

"To Fill, Or Not To Fill: Reclamation and Closure Considerations for Hardrock Open-Pit Mines," *58 Rocky Mountain Mineral Law Institute 15-1*, 2012

"Environmental Law Update: Wildlife, Water, and Warming," *34 Wyoming Lawyer No. 6, pp. 24-27*, 2011

"Photography and the Environment," *The Advocate (Idaho State Bar publication)*, June/July 2007

"Taking A Harder Look At Direct, Indirect, And Cumulative Impacts," *48 Rocky Mountain Mineral Law Foundation Journal 319*, 2011

"Endangered Species Act Law, Policy, and Perspectives (2d edition)," *ABA Section of Environment, Energy, and Resources, Peer Reviewer*, 2010

"Give PECE a Chance: Evaluating Conservation Programs to Avoid Endangered Species Act Listings," *53 Rocky Mountain Mineral Law Institute 21-1*, 2010

"Consideration of Climate Change in NEPA and ESA Processes," *45 Rocky Mountain Mineral Law Foundation Journal 325*, 2008

"Suggestions On How To Improve The Endangered Species Act," *The INGAA Foundation, Inc., Report No. F-2007-06*, November 2007

"Storm Water Enforcement Response and Settlement Strategies," *21 Natural Resources & Environment 17*, Spring 2007

"Of Hard Looks, Reason, and Agency Expertise: Shifting Standards for Implementing NEPA's Scientific Analysis Requirements," *53 Rocky Mountain Mineral Law Institute 8-1*, 2007

"Our National Wild and Scenic Rivers System," *20 Natural Resources & Environment 10*, Fall 2005

"'Environmental Law: Reflections on Representing Private Clients on Issues of Public Interest' *in The Art & Science of Environmental Law* ,"

*Aspatore Books 2004*, 2004

"Application of the 'Best Scientific Data Available' Standard in the Endangered Species Act," *16 Tulane Environmental Law Journal 387*, 2003

"The Growing Importance of Critical Habitat for Species Conservation," *20 Natural Resources & Environment 10*, Fall 2001

"Growing Recreational Conflicts on the Public Lands," *The Advocate (Idaho State Bar publication) at 14-16*, March 2001

"Redefining Critical Habitat for Anadromous Fish in Central Idaho," *Proceedings of High Altitude Revegetation Workshop No. 14, Colorado State University (Info Series No. 91)*, August 2000

"Habitat Conservation Plans: Adequate Protection for Species and Private Property?," *Washington Legal Foundation, Working Paper Series No. 94*, July 1999

"Biodiversity and the Commerce Clause: Endangered Species Regulation Survives Court Challenge, Looking Ahead," *American Bar Association Section of Natural Resources, Energy, and Environmental Law Newsletter*, July/August 1998

"Bennett v. Spear: Supreme Court Confirms Standing to Challenge Excessive Government Regulation Under Endangered Species Act," *The Advocate (Idaho State Bar publication)*, June 1997

"Judicial Application of the Endangered Species Act and the Implications for Takings of Protected Species and Private Property," *26 Environmental Law Reporter 10646 (1996) and 32 Land and Water Law Review 509*, 1997

"The New Public Land Exchanges: Trading Development Rights in One Area for Public Resources in Another," *43 Rocky Mountain Mineral Law Institute 2-1*, 1997

"Legal Landscape of Wetlands Regulation," *Proceedings of Sustaining Rangeland Ecosystems Symposium, Oregon State University Extension Service*, January 1996

"Snake River Salmon and the National Forests: The Struggle for Habitat Conservation, Resource Development, and Ecosystem Management in the Pacific Northwest," *Hastings West-Northwest Journal of Environmental Law and Policy*, 1996

"National Forest Management Under the Endangered Species Act," *Natural Resources & Environment No. 3*, Winter 1995

"Planning Adequate Streamflows for Anadromous Fish in the Columbia River Basin Fish and Wildlife Program," *5 Rivers 208*, 1995

"Using the Endangered Species Act as a Vehicle in the Pursuit of

Ecosystem Management," *Rocky Mountain Mineral Law Institute*, 1995

"Protecting Ground Water Quality Through the Idaho Petroleum Clean Water Trust Fund," *Idaho Law Review*, 1991-1992

"Developing Natural Resource Projects in Wetlands," *Rocky Mountain Mineral Law Institute*, 1992

"National Wildlife Federation v. FERC: Ninth Circuit Rebuke on Hydropower Permitting," *Ecology Law Quarterly*, 1988

## RECOGNITION

- *The Best Lawyers in America*® Lawyer of the Year, Natural Resources Law – Boise, 2020, 2023
- *The Best Lawyers in America*® Lawyer of the Year, Environmental Law – Boise, 2014, 2019, 2023, 2026
- *The Best Lawyers in America*® Lawyer of the Year, Litigation – Environmental – Boise, 2016, 2019, 2025, 2027
- *The Best Lawyers in America*® Environmental Law, 2001-2027; Litigation - Environmental, 2011-2027; Natural Resources Law, 2020-2027
- *Lawdragon*, 500 Leading Energy Lawyers, 2023-2025; 500 Global Leaders in Energy, 2026
- Mountain States Super Lawyers®, Environmental Litigation, 2007-2026
- *Chambers USA*, Natural Resources & Environment, 2006-2024, 2026
    - Murray's clients have (anonymously) reported the following about him in *Chambers USA*:
        - *"The depth of his knowledge is a real comfort to our organization."*
        - *“Really top notch for EPA and endangered species work.”*
        - *“He is encyclopedic—you take a complex issue to him, and 20 minutes later you will receive an incredibly detailed response.”*
        - He has an *“encyclopedic knowledge of environmental law,”* and *“because of his knowledge base, he is able to reply to questions quicker than almost any other attorney.”*
        - He has a *“steady dedication over the years”* to environmental law and public land matters.
- Idaho State Bar, Professionalism Award, 2021
- Idaho Library Association, Idaho Book of the Year 2017 for *Idaho Wilderness Considered* (2016) (Co-Editor)
- U.S. Department of State, Office of Children’s Issues, Certificate of Appreciation, for efforts as a member of the Hague Convention

Attorney Network, 2014

- *Idaho Business Review*, Leaders in Law, 2014
- East Boise Youth Baseball & Softball, 2013 Hall of Fame Inductee (for dedication and service to youth of East Boise)
- Celebrating Natural Resources Award (for contributions to inter-disciplinary natural resource management), University of Idaho College of Natural Resources, 2004
- Land and Water Fund of the Rockies, Volunteer Lawyer of the Year, 1992

## PROFESSIONAL AND CIVIC AFFILIATIONS

- Idaho Humanities Council, Immediate Past Chair, 2020-2021; Chair, 2018-2020; Vice-Chair, 2016-2018; Member, 2012-2016
- The Foundation for Natural Resources and Energy Law, Public Lands Section Chair, 65th Annual Institute, 2019
- American Bar Association, Environment, Energy, and Resources Section, Member
- East Boise Little League, Past President, 2007-2008
- Idaho State Bar, Environment and Natural Resources Law Section, Past Chair, 2020-2021; Chair, 2019-2020, 2007-2008; Council Member, 2017-2019
- University of Idaho College of Natural Resources Alumni Board of Trustees, Former President, 2004-2006