



## Matthew Dolphay

Partner

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

P 406.896.4628

[MHDolphay@hollandhart.com](mailto: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)

### 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. Supreme Court  
U.S. Court of Appeals for the Ninth  
Circuit

- 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**

- *Chambers USA*, Natural Resources & Environment, 2026
- *Best Lawyers: Ones to Watch in America*<sup>®</sup>, Environmental Law, 2022-2025