



SpencerFane®

Matthew L. Rojas

Partner

Contact

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Overview

Matthew Rojas provides a collaborative resource to his clients, preemptively addressing the full range of potential risks related to environmental regulations and associated compliance to keep projects on schedule while avoiding potentially costly missteps. He has experience helping clients address a wide range of issues related to natural resources, especially water.

In particular, Matthew brings extensive litigation and regulatory experience in environmental and natural resource issues related to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and National Environmental Policy Act (NEPA). He also has a proven track record of successfully negotiating resolutions with the U.S. Environmental Protection Agency (EPA), the Arizona Department of Environmental Quality (ADEQ), the Arizona Department of Water Resources (ADWR), and guiding clients on Clean Water Act (CWA) compliance and related state statutes.

Clients benefit from his extensive experience counseling municipal, industrial, and commercial clients through the full process for development projects on public lands, as well as those on private, state, federal, and Native American lands. This includes acquisition, sale, transfer, and wheeling of surface and groundwater rights in the Southwest. He has managed environmental permitting and compliance work for utility and infrastructure projects such as solar and wind farms, power lines, and pipelines.

Many of Matthew's clients operate in the mining, utility, and agricultural sectors and in geographies with numerous water restrictions. In addition to transactional due diligence with developers, he handles the submission of comments on environmental impact statements and environmental assessments and advises on how to leverage water rights. He has guided clients through the sale of excess water to industrial users and for the generation of credits, helping to build resilience and flexibility into water storage and distribution systems.

Prior to entering private practice, Matthew clerked for the Hon. Robert C. Jones in the U.S. District Court for the District of Nevada.

Education

- University of Michigan Law School, 2006 (J.D.)
- Brigham Young University, 2003 (B.S.)

Bar Admissions

- Arizona
- Colorado

Court Admissions

- U.S. District Court for the District of Arizona
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for the Ninth Circuit

Distinctions

- *Chambers USA*, Environment: Water Rights, 2019-2025
- *Best Lawyers in America*, Environmental Law, 2020-2025
- *Southwest Super Lawyers*, Rising Star, 2014-2017

Memberships

- State Bar of Arizona
 - Environmental & Natural Resources Section Council
 - CLE Co-Chair
- American Bar Association
 - Section of Environment
 - Energy and Resources

Related Experience

- Advised a major mining company on cultural resource and historic property issues arising from the exploration and development of mineral interests on public lands.
- Represented the developer of a 140-mile water pipeline on a variety of issues including NEPA review and compliance, water rights, and permitting strategy.
- Analyzed the requirements for consultation with Indian Tribes under NEPA and creating strategies for effective consultation and documentation of same. Assisted the client with the evaluation of consequences and implications of proposed community development agreements.
- Advised client on the closure of a mill adjacent to Indian Country and developing strategy for engagement with Indian Tribe on water quality and community development issues.
- Counseled clients doing business in Indian Country on jurisdictional and environmental issues related to the development of renewable energy facilities and mining projects as well as compliance with NEPA for same.
- Advised a tribe considering the development of renewable energy generation on transmission, siting and federal regulatory issues. Assisted in the creation of related development and operating agreements.

- Counseled the Arizona Navigable Stream Adjudication Commission, an administrative commission charged with gathering evidence and determining the navigability of Arizona's rivers at the time of statehood for purposes of title.
- Counseled a Fortune 50 company on environmental permitting and water rights for the development of a 46-megawatt solar facility in Arizona.
- Represented a Fortune 100 company in the development of multiple renewable energy resources in Arizona to power future industrial facilities.
- Represented North America's leading renewable energy producer on siting and environmental issues pertaining to a 99-megawatt wind farm in Northern Arizona, including successful prosecution of an application for a certificate of environmental compatibility before the Arizona Power Plant and Transmission Line Siting Committee.
- Defended the city of Phoenix in a \$40 million CERCLA cost recovery case brought against Phoenix and 71 other parties by a West Valley irrigation district, alleging that the defendants caused or contributed to groundwater contamination impacting its wells.
- Represented a major U.S. paper company in the remediation of contaminated sites in multiple states and related cost recovery litigation in different jurisdictions under CERCLA.
- Advised on the acquisition, development, and transfer of groundwater interests in Arizona, including the creation of assured water supply credits.
- Defended a major mining company in a toxic tort case in Arizona state court alleging off-site releases of contamination associated with historical copper mining and smelting operations.
- Negotiated an early settlement agreement under CERCLA and related state law with the Arizona Department of Environmental Quality on behalf of a Fortune 500 company and defended that settlement on appeal.