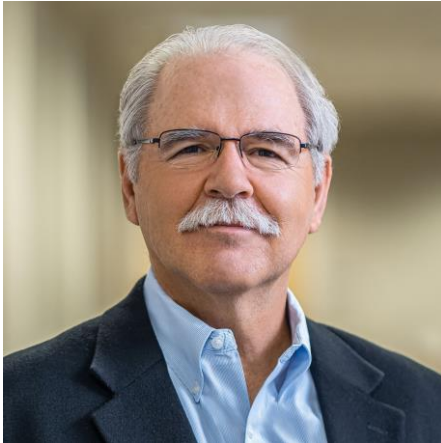


*Mike Malmquist provides a key resource for clients seeking to site, permit, and, if challenged, defend their natural resource projects on both public and private lands. He brings a wealth of experience helping clients obtain and defend permits under federal, state and local law for a range of projects including renewable and traditional energy and mining.*



## Michael J. Malmquist

Shareholder | Salt Lake City

### Biography

Mike Malmquist is a shareholder of Parsons Behle & Latimer and works in the firm's Environmental, Energy and Natural Resources practice group. He helps clients site and develop renewable energy, mining, transportation and other projects by advising them on environmental permitting, land use authorization, public lands and NEPA issues and strategies. He also defends projects against permit appeals and lawsuits involving claims under NEPA, FLPMA, the Endangered Species Act, the Clean Water and Air Acts and other federal and state environmental, wildlife and public land laws. He has performed environmental and title diligence for various energy and natural resource acquisitions and mergers.

Mr. Malmquist was previously with the United States Department of Justice where his practice included trial and appellate litigation of cases involving NEPA, the Clean Air Act and Clean Water Act and various Indian law and water law issues. He also represented the Department's position on legislative and policy issues with a focus on Western natural resources and water rights.

Mr. Malmquist is active in the Rocky Mountain Mineral Law Foundation and served as president of the Foundation during 2017-2018. In the corporate litigation context, Ms. Ferguson has extensive experience handling all phases of litigation including litigation strategy, managing case teams and appearing in court. She has successfully helped clients navigate a variety of matters, including dissenters' rights actions, law firm defense, breach of warranty and breach of contract.

### Contact information

801.536.6658

[mmalmquist@parsonsbehle.com](mailto:mmalmquist@parsonsbehle.com)

### Capabilities

NEPA

Project Permitting & Compliance

Mining & Public Lands

Renewables

### Licensed/Admitted

Utah

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, 10th Circuit

U.S. Court of Federal Claims

U.S. Dist. Court, Dist. of Utah

## Experience

### **Solar Energy Acquisition**

Represented buyer in acquisition of multiple utility scale solar projects totaling over 350MW and involving private, state and BLM land. Since acquisition, finalized permitting, land acquisition, environmental, title, and tax issues.

### **Renewable Energy**

Represented client in securing construction financing and in the sale of equity in multiple utility scale solar projects totaling more than 350MW, and private, state and BLM land.

### **Sale of One of the World's Largest Gold Companies to Junior Mining Company**

Represented client in sale of a gold mine to a junior mining company. Structured the sale, negotiated/documentated all aspects of the transaction, including a private placement and the payment of a mine mortgage.

### **Transactions and Compliance for Multiple Solar Projects**

Represented buyer in a transaction for the acquisition of multiple utility scale solar projects in varying stages of development, totaling over 350 MW and involving private, state and Bureau of Land Management (BLM) land. Performed due diligence; contract and agreement work. Since acquisition, conducted permitting, land acquisition, environmental, title, tax and other work including securing bona fide prospective purchaser protections that involved Brownfields property; EPA support in obtaining a Ready for Reuse determination.

### **Acquisition of Utility Scale Solar Projects**

Solar Permitting

Federal permitting counsel on 165 MW p.v. solar project

### **Mine Tailing Expansion**

Lead NEPA counsel on 1.2 billion ton, 1,200-acre mine tailing expansion project.

### **Freeway Permitting**

Lead permitting counsel on \$1.6 billion 24-mile freeway re-construction project.

### **Power Plant Permitting**

Lead permitting counsel on 1500 MW power plant.

### **Transmission Line Permitting**

Lead permitting counsel on 230 mile 500 kV electric transmission line.

### **Wind Energy Permitting**

Lead permitting counsel on 305 MW wind energy project.

## Accomplishments

### Professional

2010 Lawyer of the Year, Utah Energy, Natural Resources and Environmental Bar Section

AV® Preeminent™ Rating, Martindale-Hubbell

Recognized in *The Best Lawyers in America*, *Utah Business* magazine's Legal Elite, *Chambers USA*, and *Mountain States Super Lawyers*

*Best Lawyers in America* "Lawyer of the Year," Mining Law, Salt Lake City 2017, 2023

*Best Lawyers in America* "Lawyer of the Year," Environmental Law, Salt Lake City, 2021

*Best Lawyers in America* "Lawyer of the Year," Energy Law, Salt Lake City 2016, 2019

Best Lawyers in America, "Best Lawyer," Energy Law, Environmental Law, Mining Law, Natural Resources Law 2005 - 2023

Practices before the Interior Board of Land Appeals and the Utah Board of Oil, Gas and Mining and multiple federal courts

### Academic

University of Utah, College of Law (J.D., 1988)

- Order of the Coif
- University of Utah Law Review
- Co-Chair of Natural Resources Law Forum
- Dewsnap Fellow
- Eccles Fellow

Gustavus Adolphus College (B.A. in Environmental Studies, 1977)

- Honors: Cum Laude

## Associations

### Professional

Rocky Mountain Mineral Law Foundation

President

(2017-2018)

Vice President

(2016-2017)

Board of Directors

(2009 - 2010; 2016 - 2020)

Trustee

(2000 - 2016; 2020 to present)

Utah State Bar, Energy, Natural Resources and Environmental Law Section, Public Lands Committee  
Past Chairman

University of Utah College of Law  
Former Adjunct Professor