

Carolyn L. McIntosh

Senior Partner

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About Carolyn

Carolyn McIntosh counsels clients on complex environmental permitting and compliance matters and environmental, natural resources and commercial litigation.

In addition to her environmental litigation and regulatory work, Carolyn counsels a variety of companies on federal land use approvals and renewable energy matters. She has devoted much of her career to addressing exposure, remediation and cost recovery litigation related to contaminated sites under state and US federal laws in throughout the western US. She has been the lead environmental counsel on dozens of site remediation matters, concerning regulatory compliance, arbitration and litigation.

Carolyn's permitting experience includes state and federal permitting under the Clean Water Act, the Clean Air Act and the Resource Conservation and Recovery Act. Carolyn was selected as the lead litigation counsel by the state of Colorado to defend against Original Action No. 147 filed by the state of New Mexico concerning Gold King Mine discharges to the Animas River. That action was dismissed by the US Supreme Court. She led a multi-year permitting and compliance effort associated with discharges from a railroad tunnel at the continental divide to two separate river systems.

Carolyn has several decades of experience in the extractives industry sector, including copper, gold, silver, iron, potash and lithium mining operations and asset purchase, lease and sales transactions – both in the US and internationally; operational requirements; permitting and compliance; and bonding, reclamation and closure. Her work has included regulatory comments and associated litigation, public lands matters, due diligence, environmental protection review, compliance evaluation, leasing, permitting, operational compliance, reporting, remediation requirements, financial assurance bonding, endangered species impact evaluation and closure.

Previously, Carolyn served as an assistant attorney general for the state of Colorado for Superfund and hazardous waste management and as a special assistant attorney general to the state of Montana, implementing its Superfund program. Carolyn has litigated cases involving the applicability of state hazardous waste management laws to the Rocky Mountain Arsenal, air quality regulatory requirements in Colorado, remediation at radioactive mill processing facilities, zoning land use and the National Environmental Policy Act.

Carolyn is the immediate past President of the Board of Trustees for the American Exploration & Mining Association and has been a member of the board or an officer for seven years. Carolyn has served on a number of local government boards and commissions, including 12 years on the Lafayette City Council, the last four years of which she served as the mayor of Lafayette. Carolyn served for three years on the Boulder County Long Range Planning Commission, and for four years, she participated in the Urban Drainage and Flood Control District. Additionally, Carolyn served on the Denver Regional Council of Governments Board for 10 years, on the Metro Mayor's Council for four years and as a member of the Colorado Law Alumni Board for 10 years, chairing its Nominations Committee and serving on the Diversity Committee. She was also a founding member of the Northwest Parkway Public Highway Authority. She is also a member of the Board of Directors of the Squire Patton Boggs Foundation, which promotes the role of public service and *pro bono* work in the practice of law and the development of public policy.

Credentials

Education

- University of Colorado School of Law, J.D., 1981
- Middlebury College, B.A., *cum laude*, 1978

Admissions

- Colorado, 1981

Courts

- U.S. Supreme Court
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for the 8th, 9th, and 10th Circuits
- U.S. Court of Appeals for the D.C. Circuit

Memberships & Affiliations

- Chair, Audit Committee of the Foundation for Natural Resources and Energy Law
- 2024 President and former trustee, American Exploration & Mining Association
- Adjunct professor, Natural Resources Law, Tulane Master of Jurisprudence in Energy and Environmental Law Program, Tulane Law School, 2022-present
- Member, Rocky Mountain Mineral Law Foundation Audit Committee, former member of the Trustees Council
- Current vice-chair and former chair, American Bar Association, Section on Environment, Energy & Resources, Superfund Committee
- Member, Colorado Law Alumni Board, Diversity and Nominations Committees, 2007-2017
- Member, *Law360*, Environmental Editorial Advisory Board, 2011 and 2016
- Former President of the Board, Connected Organizations for a Responsible Economy (CORE), 2005-2012
- Member, Colorado Water Conservation Board, 2002-2004

- Former managing partner, Denver Office, Patton Boggs LLP, 1993- 2002
- Former adjunct professor, Environmental Law and Permitting, Environmental Policy and Management Program, University of Denver
- Former associate adjunct professor, Environmental Law and Permitting, Environmental Policy and Management Program, Environmental Sciences Department, Colorado School of Mines
- Co-founder, Board of Governors member, instructor and ERM designation recipient, Environmental Risk Management Program, Texas State University

Recognitions

- Recognized in *The Best Lawyers in America* 2021-2024 and 2026 for Environmental Law, Environmental Litigation and Natural Resources Law
- Listed in *Chambers USA* for Environmental law in Colorado since 2012
- Recognized as a Super Lawyer in Colorado for Environmental Litigation, Energy & Natural Resources and General Litigation by *Super Lawyers* (2006-2010, 2018-2025)
- 2022 recipient of the President's Award and 2019 recipient of the Lyle Taylor Starters Award from the American Exploration & Mining Association
- Listed as a key lawyer in *Legal 500 US* 2023 for Environment: Litigation and Environment: Regulatory
- Ranked in *Who's Who Legal: Environment* 2014-2015 and 2022
- Recognized in *Denver Business Journal* as one of 2016's Top Women in Energy
- Recognized as one of the top 40 women influencers in metro Denver's energy sector by the *Denver Business Journal* 2015
- Recognized as one of the Top Women Lawyers by *Law Week Colorado* 2015
- Ranked in *Top Rated Lawyers Guide to Energy, Environmental & Natural Resources Law* 2012
- Recognized as a Super Lawyer by *Super Lawyers Business Edition* 2011
- Nominated a Litigation Commentary & Review Fellow, January/February 2010
- Listed in Women of Accomplishment by *Law Week Colorado* 2009
- Finalist of the Outstanding Women in Business (Professional Division) recognitions by the *Denver Business Journal* 2006
- Named a Litigation Counsel of America Fellow

Expertise

Services

- Litigation
- Environmental, Safety & Health

Industries

- Chemicals
- Energy & Natural Resources
- Mining

Publications & Speaking Engagements

- Speaker and Moderator, "Executive Orders, Laws and Policy Creating New Opportunities," American Exploration & Mining Association, Annual Conference, December 11, 2025.
- Moderator, "Managing Key Players during Environmental Fallout," *American Bar Association*, Fall Conference, October 24, 2024.
- Speaker, "UIC Permitting for Solution Mining" and "NEPA Reform – Permitting for Critical Minerals Production," *American Exploration & Mining Association*, Annual conference, December 2023.
- Speaker and Moderator, "We Believe in You and Your Brownfield Redevelopment, Too: Creative Solutions at Superfund Sites," *American Bar Association*, Superfund Master Class, May 16, 2022.
- Program Co-chair and Speaker, "Engaging and Working with Experts," Foundation for Natural Resources and Energy Law, May 6, 2022.
- Co-author, "Mining Law Fifth Amendment Takings Analysis," submitted to the U.S. Senate Committee on Energy and Natural Resources hearing An Examination and Consideration of Updates to the Mining Law of 1872, October 5, 2021.
- Co-author, "Waters of the United States: Experts' Essays," *American Water Works Association Journal*, Fall 2021.
- Speaker, "Restoring Abandoned Mines: Good Samaritans or Risky Policy," Environmental Law Institute webinar, February 4, 2021.
- Moderator, American Bar Association program "EPA's Financial Assurance Rules for the Mining Industry and Why Every Industry Should Take Note," April 13, 2016.
- Co-author, "Successfully Bringing a Superfund Subrogation Claim," *Superfund and Natural Resources Damages Litigation Committee Newsletter*, Vol. 10, No. 1, Section of Environment, Energy, and Resources, American Bar Association, November 2014.
- Guest, "The Practical Environmental Considerations That Exist in Acquiring or Securing Real Estate Financing," Capital Thinking Radio Show, November 14, 2013.
- Author, "Uncertainty in Clean Water Act Permitting Continues," *Rock Products*, June 2013.
- Author, "Resumption of Mining in the Comstock Historic District of Nevada," *Mining and Mineral Extraction Newsletter*, Vol. 7, American Bar Association, Section of Environment, Energy, and Resources, Spring 2013.
- Author, "Sackett: A Victory, But Not A Solution," *Coal Age*, April 2012.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.