JONES&KELLER
ATTORNEYS AT LAW

Howard Kenison

SHAREHOLDER

Email: hkenison@joneskeller.com

Phone: 303-573-1600



"Knowledgeable, experienced and networked."
Chambers USA

2026 Chambers Ranked in USA
Howard Kenison

Howard Kenison is a former Colorado Deputy Attorney General and nationally recognized attorney in environmental law and litigation. He is a Past Chair of the American Bar Association (ABA) Section of Environment Energy and Resources, an 10,000-plus member forum.

With over four decades of accomplishments, clients trust Howard to represent them in state and federal courts and administrative agency proceedings. He brings experience and practical knowledge assessing environmental risk and resolving legal issues for clients dealing with the complex array of environmental laws that can impact projects and commercial transactions. Howard finds effective solutions that balance economic and environmental interests and achieve client objectives.

Howard's practice includes environmental due diligence in corporate acquisitions and real estate transactions, air quality litigation and permitting, NEPA litigation for utility, water and transportation projects, environmental audits for corporate risk prevention, wetlands permitting and defense of enforcement actions, hazardous and radioactive waste facility litigation, water quality permitting and enforcement actions, superfund and natural resource damage litigation and environmental insurance litigation.

He frequently speaks to business and legal professionals in areas relevant to environmental law.

Significant Representations

SUPERFUND LITIGATION

As Deputy Attorney General, Howard led a team of trial attorneys prosecuting seven major Superfund lawsuits in Colorado federal court.

- Litigation included the Rocky Mountain Arsenal Superfund Site – at the time one of the largest and most contaminated sites in the nation.

In private practice, he has argued Superfund issues before the U.S. Court of Appeals. Howard's extensive experience also includes cost recovery cases and natural resource damage matters.

- Representing a client in a case related to the de-listing of a Superfund landfill.
- Representing a steel mill client, a PRP at a major Superfund Site.
- Represented the City of Lakewood, Colorado, a PRP at the Lowry Landfill Superfund Site.
- Settled EPA Superfund claims against a client at an historic mining site in South Dakota.

ENVIRONMENTAL LIABILITIES AND DUE DILIGENCE

Howard regularly advises clients involved in complex asset, stock purchase transactions, real estate development projects and other business transactions concerning the allocation of environmental risks and liabilities, including environmental representations and warranties, indemnities and due diligence efforts. His experience litigating environmental cases provides a practical aspect to his advice.

- Howard has provided counsel to an electric generating utility concerning the potential environmental liabilities and the allocation of environmental risk arising from the acquisition, development and construction of a new generating facility.
- Provide advice and counsel regarding potential environmental liability for real estate development project to be developed on a closed landfill a on former federal facility.
- Advise client regarding environmental representations and warranties and disclosures in stock purchase transactions.
- Work with client to prepare request for proposals and expert studies to develop environmental baseline in purchase agreement

CLEAN AIR ACT LITIGATION AND PERMITTING

Howard represents utility clients in litigation involving air permits and counsel's clients concerning permitting and compliance with state and federal clean air act laws.

- Howard represented a major electric utility concerning an air permit for a generating facility and was litigation counsel for this utility in lawsuits in appellate court related to the air permit.
- In the past he defended utilities involved in a visibility impact case brought under the federal Clean Air Act.

NEPA LITIGATION

Howard provides strategic advice and counsel to clients involved in preparing and, if needed, litigation of Environmental Impact Statements for utility transmission, highway transportation and water projects, including

litigation-sensitive advice regarding comments for the administrative record involving purpose and need, environmental impacts, noise, air quality, wetlands, air toxics, traffic demand and Section 4(f) parks and historic properties.

- Howard represents the Jefferson Parkway Public Highway Authority as Special Environmental Counsel involving the completion of the transportation beltway around Metro Denver.
- He recently settled litigation involving a Colorado mutual ditch company that challenged the adequacy of an EIS involving a major trans-mountain diversion ditch.
- Howard has represented the E-470 Public Highway Authority and the Northwest Parkway Public Highway Authority as Special Environmental Counsel.

HAZARDOUS WASTE FACILITY LITIGATION AND PERMITTING

Howard successfully represented a county government before the Colorado Supreme Court regarding disposal of low-level radioactive wastes under the Rocky Mountain Low-Level Radioactive Waste Compact. He advised the client on all aspects of Colorado's Hazardous Waste Act and Colorado's radiation control provisions, including the state permitting process and applicable local land use laws.

WETLANDS PERMITTING AND ENFORCEMENT

Howard defends clients in federal wetland enforcement actions and represents developers and others seeking to obtain permits from the United States Army Corps of Engineers under Section 404 of the Clean Water Act.

- Howard has represented developers in EPA and Corps enforcement cases that involve disputes over the agencies' Clean Water Act jurisdiction, negotiations of the terms and conditions of Consent Decrees and Administrative Compliance Orders as well as the amount of civil penalties. Howard has also provided legal strategy concerning the development of alternatives analysis in complex 404 permit applications.

WATER QUALITY PERMITTING AND ENFORCEMENT

In addition to his wetlands practice, Howard provides advice and counsel to utility and other clients concerning NPDES permitting and represents clients where the government has initiated enforcement actions under state and federal water quality laws.

ENVIRONMENTAL AUDITS FOR CORPORATE RISK PREVENTION

To assist clients in avoiding government enforcement actions, Howard routinely advises clients undertaking environmental compliance and environmental management system audits. His counsel involves advice concerning the application of federal and state environmental audit and privilege laws designed to protect clients from environmental liabilities and penalties.

ENVIRONMENTAL INSURANCE LITIGATION

Howard served as environmental counsel for a large multi-state utility in a three-week jury trial seeking insurance recovery for releases of contaminates at three Superfund sites. The trial resulted in a $7.1 million verdict for his client.

Media & Presentations

NEWS RELEASES

- Howard Kenison Honored by 2026 Lawdragon 500 as Leading Environmental Lawyer
- Jones & Keller Attorneys Recognized in 2026 Colorado Super Lawyers
- Howard Kenison Named to 2026 Best Lawyers in America
- Howard Kenison Named to Chambers USA 2021 (May 2021)
- Howard Kenison Named to Inaugural Lawdragon "Environmental and Energy Lawyers" Guide (April 2021)
- Jones & Keller Attorneys Named to Super Lawyers and Rising Stars Lists (March 2020)
- Howard Kenison Named to Who's Who in Energy (November 2019)
- 8 Jones & Keller Attorneys Named 2020 "Best Lawyers in America" (August 2019)
- Howard Kenison Chair-elect of American Bar Association Section of Environment, Energy and Resources (August 2019)
- Howard Kenison Top Ranked in the 2019 Chambers USA Guide (June 2019)
- 14 Jones & Keller Attorneys Named to the Super Lawyers and Rising Stars Lists (May 2019)
- Howard Kenison Named Senior Fellow of Litigation Counsel of America (February 2016)
- Environmental Attorney Howard Kenison Working to Advance Rocky Mountain Greenway (August 2012)
- Howard Kenison Named a 2011 Law Star by University of Denver Sturm College of Law (February 2011)
- Denver Partner Howard Kenison Named Attorney of the Year (January 2010)

MEDIA MENTIONS

- Howard Kenison Quoted in ABA Journal, "A Fresh Approach: ABA steps up efforts to advance environmental justice" (August 2022)
- Cover Photo, Law Week Colorado (September 2013)
- Howard Kenison Quoted in Denver Post Story about low-level radioactive waste (August 2012)
- Howard Kenison Quoted in Denver Post Story (January 2012)
- Howard Kenison Featured in Cover Story Green Envy in Law Week Colorado (June 2009)
- Cover Photo, Colorado Statesman (February 2009)

PRESENTATIONS

- "Environmental Law Update," Colorado Rural Electric Association Annual Legal Seminar, Panelist, Denver, CO May 2026
- "Environmental Law Update," Colorado Rural Electric Association Annual Legal Seminar, Denver, CO May 2025
- "SCOTUS v. Administrative Agencies: The Continuing Battle of Who Decides," Moderator Plenary Panel, ABA SEER 32nd Fall Conference, Seattle WA, October 2024
- "Environmental Law Update," speaker, Colorado Rural Electrical Association Annual Legal Seminar, Denver, CO, May 2024
- "Litigation Issues For Utilities Faced With PFAS Contamination," speaker and panelist, 2024 Multi-State Salinity Coalition Annual Salinity Summit, Las Vegas, NV, February 2024
- "The Rocky Mountain Arsenal and Rocky Flats: From Contamination to Collaboration … or Not," Luncheon Speaker, 52nd Spring Conference on Environmental Law, (ABA SEER), Denver, CO, April 2023
- "Highlights of Environmental Issues in the United States," speaker and international panelist at the United

Kingdom Environmental Law Association (UKELA) 2021 Annual Conference, June 2021

- The U.S. Environment: Highlights from President Biden's First 100 Days," Canadian Bar Association National Energy, Environment and Resource Law Section (NEERLS) Online Symposium, May 2021
- "50 Years of leading Environmental Law and Action and Where We Go from Here," Keynote Panel for the 50th Spring Conference on Environmental Law, moderated by Howard Kenison, chair of the ABA Section of Environment, Energy, and Resources, with former U.S. Environmental Protection Agency Administrator Carol Browner, former U.S. Secretary of the Interior Ken Salazar, and former U.S. Secretary of Energy and Transportation Federico Peña, April 2021
- "Keynote on the Post-Election Environmental and Resource Law Landscape in America," Keynote for the Canadian Bar Association National Energy, Environment and Resource Law Section (NEERLS) and Department of Justice Online Symposium, December 2020
- "Waters of the United States – Update, Colorado Rural Electric Association", Spring Legal Seminar, May 19, 2017, Denver, CO
- Panel Moderator, Rising Superstars: The Tongue is Sharper than the Sword, ABA Section of Environment, Energy and Resources, 2016 Fall Conference, Denver, CO
- "The Clean Water Rule & Waters of the United States: Can EPA Regulate Everything?" Colorado Rural Electric Association, Spring Legal Seminar, May 6, 2016, Denver, CO
- Panel Moderator, Focus on the Third Sovereign: American Indian Tribes, ABA Section of Environment, Energy and Resources, 2016 Spring Conference, Austin, TX
- "The Rocky Mountain Arsenal and the Northeast Greenway Corridor Project: Contamination to Collaboration", Rocky Mountain Land Use Institute's Annual Land Use Conference (2014), Denver, CO
- Environmental Reporting and Disclosure, Colorado Bar Association CLE on Environmental Liability in Real Estate Transactions, February 24, 2006, Denver. CO
- "Governance Through Guidance: Administrative Rulemaking By Interpretation", The Rocky Mountain Mineral Law Foundation's Special Institute on Administrative Law, September 17, 2004, Denver, CO
- Conference on Environmental Priorities in Southeast Asian Nations, Bangkok, Thailand, Rapporteur (1996)
- Conference on Trade and the Environment in Pacific Rim Nations, Hong Kong, China, Panel Moderator (1993)
- "Public Participation and Environmental Management", Silicon Vally Institute Projexpo '92, (1992) San Jose, CA
- "Transportation Agency Environmental Liability" Transportation Agency Environmental Liability, Washington, DC
- "Environmental Regulation for Federal Facilities", Executive Enterprises, Inc. Seminar, Washington, DC
- "NAFTA's Environmental Side Agreements", International Business Association of the Rockies, Denver, CO
- "Superfund and Environmental Lender Liability", American Institute of Banking, Denver, CO
- "Short Course on Management of Hazardous Substances", Rocky Mountain Mineral Law Institute, Colorado Springs, CO
- "Superfund and Mining" Colorado Mining Association, Denver, CO
- Testimony before U. S. House of Representatives Subcommittee on Transportation, Tourism, and Hazardous Materials, on Bill to Clarify Regulations of Hazardous Waste at Federal Facilities under Superfund, March 1988

PUBLICATIONS

- "World Justice Project-Rebuilding Trust in U.S. Rule of Law", Trends, ABA SEER, March/April 2024

- “Lawyers as Public Citizens: The World Justice Project”, Perspectives Column, Natural Resources and Environment, Vol. 37, No. 2, Fall 2022
- “Views from the Chair Column”, Trends, ABA SEER, Sept/Oct. 2020, Nov/Dec. 2020, Jan/Feb 2021, Mar/April 2021, May/June 2021, July/Aug. 2021
- “Environmental Rule of Law Index: A Task Force Pilot”, Natural Resources and Environment, Vol. 33, No. 2, Fall 2018, (with Sarah Chamness Long, Rule of Law Index Director, World Justice Project, Washington, D. C.)
- “Reporting Releases of Contaminants”, Chapter 11, Environmental Regulation of Colorado Real Property, 1st Ed. (2007), 2nd Ed. (2016), 3rd Ed. (2021) Stephen A. Bain Managing Ed., CLE in Colorado)
- “EPAs Evolving Regulation of Greenhouse Gases”, The Colorado Lawyer, Vol 40, No. 10, October 2011 (with Katherine A. Roek)
- “Environmental Issues and the Rule of Law” White Paper presented to International Rule on Law Symposium, April 2007, New York City, NY
- “Governance Through Guidance: Administrative Rulemaking by Interpretation”, Rocky Mountain Mineral Law Foundation (2004)
- “Uncertain Legal Issues: Comments on Chapter 3” (Natural Resource Damages, Superfund, and the Courts), Valuing Natural Assets, The Economics of Natural Resource Damage Assessment (Kopp, Smith, editors, 1993)
- “State Actions for Natural Resources Damages: Enforcement of the Public Trust,” Environmental Law Reporter, November 1987 (co-author)
- “Enforcement of State Environmental Laws Against Federal Facilities,” National Environmental Enforcement Journal, November 1986 (co-author)

COMMUNITY INVOLVEMENT

- Board of Trustees of the Palmer Land Conservancy (2024-present)
- The American Bar Association’s Center for Human Rights, Advisory Council member
- Rocky Mountain Greenway Steering Committee, Member (2013 – present)
- Volunteers for Outdoor Colorado, Board Member (2010 – 2016)
- Sand Creek Regional Greenway Partnership, Board Member, (2009 – 2011)
- Northeast Greenway Corridor Advisory Group, Working Group, Chair (2003 – 2013)
- State Board of the Great Outdoors Colorado Trust Fund, Member (1998 – 2002), Vice-Chair (2001-2002)
- Colorado State Board of Parks and Outdoor Recreation, Member (1995 – 1998)
- Task Force on Environmental Sustainability, City and County of Denver, Co-Chair (1999)
- Colorado Center for Environmental Management, Member (1991 – 1995) Chair (1994 – 1995)
- Board of Trustees Historic Denver, Member (1992 – 1994)
- Metro Denver Chamber of Commerce, Leadership Denver (1990 – 1991)

HONORS & DISTINCTIONS

- Chambers USA: America’s Leading Lawyers for Business, Natural Resources & Environment – Colorado, 2014 – 2026
- Outstanding Alumni Award, “Law Star,” University of Denver Sturm College of Law, 2011
- Distinguished Natural Resources Practitioner-in-Residence, University of Denver Sturm College of Law, 2010
- Attorney of the Year, Law Week Colorado, 2009
- Litigation Counsel of America

- Best Lawyers in America®, Environmental Law and Litigation – Environmental, 2011 – 2027
- Best Lawyers in America®, Denver Litigation – Environmental "Lawyer of the Year", 2016
- Colorado Super Lawyers, 2007 – 2015, 2017 – 2026
- Martindale-Hubbell AV Preeminent® Rated, "Top Rated Lawyer in Denver"
- International Who's Who Legal, Environmental Law
- Super Lawyers®, Environmental
- LawDragon Green 500: Leaders in Environmental Law, 2023
- LawDragon's 500 Environmental and Energy Lawyers guide, 2021

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Board of Trustees of the Palmer Land Conservancy, (2024)
- American Bar Association (ABA) Section of Environment Energy and Resources (SEER), Section Chair (2020-2021). Section Chair-Elect (2019-2020), Section Vice-Chair (2018-2019), Past Council Member (2010-2013)
- ABA Center for Human Rights, Advisory Council, (2021-2024)
- Senior Fellow, Litigation Counsel of America
- SEER's 44th Spring Conference: The ABA Super Conference on Environmental Law, Program Chair (2015)
- Fellows of the American Bar Foundation, Colorado State Past Chair
- ABA Standing Committee on Environmental Law (SCEL), Member (1991-1995, 2004- 2005), Chair (2005-2007)
- ABA SEER, World Justice Project Task Force, Chair (2009-2012, 2017-2019, 2021-2024)
- ABA SEER, Chair Governance Committee (2017-2018)
- ABA SEER representative to World Justice Forum II, Vienna, Austria (2009) and World Justice Forum III, Barcelona, Spain (2011)
- ABA Working Group on Environmental Issues and the Rule of Law, Chair (2007)
- ABA General Practice, Solo and Small Firm Division, Environment, Energy and Natural Resource Committee, Chair (2003-2005)
- National Academy of Science's Transportation Research Board Committee on Environmental Issues in Transportation Law, Past Member
- ABA Superfund Re-Authorization Work Group, Member
- ABA Sections of Litigation and Administrative Law, Member
- Colorado Bar Foundation, Fellow
- Colorado Lawyers Committee, Board Member
- Colorado Bar Association (CBA), Member
- CBA, Environmental Law Section Advisory Council, Past Member
- CBA, Board of Governors (1981 – 1983)
- University of Denver Sturm College of Law, Law Alumni Council, Member (2000 to present) and Chair (2008 – 2010)
- Colorado Journal of International Environmental Law and Policy, University of Colorado Law School, Chair, Advisory Board (1992 – 2010)
- SCEL's 22nd Annual Conference on the Environment, Public Participation in Environmental Decision Making, Program Chair (1993)
- SCEL's 23rd Annual Conference on the Environment, U.S. Implementation of the Rio Agreements and

Agenda 21, Program Co-Chair (1994)

ADMISSION:

U.S. Court of Appeals, Eighth, Tenth and District of Columbia Circuits
U.S. District Court, Colorado
Colorado

LICENSED:

Colorado

EDUCATION

University of Denver Sturm College of Law, Juris Doctor

University of Washington, Bachelor of Arts, Business

National Institute of Trial Advocacy, National Course

PRACTICE AREAS

Environmental
Litigation

BADGES










PROUD FELLOW
of the
FELLOWS
AMERICAN BAR FOUNDATION
AMERICAN BAR
FOUNDATION


RATED BY
Super Lawyers
Howard Kenison
15 YEARS


RATED BY
Super Lawyers
Howard Kenison
2026


ABA
AMERICANBARASSOCIATION
Member 2025