Consent Decree Workshop  
November 3 - 4, 2016  
Intercontinental Kansas City at the Plaza  
Kansas City, MO  

As of October 24, 2016  
(All meeting spaces are on the B Level unless otherwise noted.)  

Agenda  

Thursday, November 3  
Morning  
11:00 - 12:00  Registration  
Ballroom Foyer  

Afternoon  
12:00 – 1:15  Consent Decree Workshop Luncheon  
Rooftop Ballroom, R Level  
Opening Remarks  
Adam Krantz  
Chief Executive Officer  
NACWA  
Washington, DC  
Erica Spitzig  
Deputy General Counsel  
NACWA  
Washington, DC  

Luncheon Address  
Consent Decree Affordability Case Study – Puerto Rico  
Alberto M. Lázaro-Castro  
Executive President  
Puerto Rico Aqueduct and Sewer Authority  
San Juan, PR  

1:30 – 5:00  WORKSHOP SESSION I  
Salon 1A & 1B  Opening Remarks & Workshop Overview  
Hilary Meltzer  
Chair, NACWA Legal Affairs Committee  
Deputy Chief, Environmental Law Division  
New York City Law Department  
New York, NY
Enforcement & Consent Decree Developments
The world of clean water enforcement is always evolving, and utilities need to stay on top of the latest trends. This panel will cover clean water enforcement and consent decree issues from cradle to grave, including developments related to affordability and integrated planning, the fate of the presumptive approach, and EPA’s desire for inclusion of climate change consideration in consent decrees. Speakers will discuss strategies on how clean water agencies can navigate shifting enforcement priorities and tactics throughout the life of a decree. The speakers will also address life after a decree, i.e., what the future may hold once a decree terminates.

Susan Richardson
Counsel
Kilpatrick, Townsend & Stockton, LLP
Atlanta, GA

Nathan Vassar
Attorney
Lloyd Gosselink Rochelle & Townsend, P.C.
Austin, TX

Randy Hayman
Principal
Beveridge & Diamond P.C.
Washington, DC

Roundtable Sessions Overview
Amanda Waters
General Counsel
NACWA
Washington, DC

2:30 -2:45 Break

2:45 – 5:00 Roundtable Sessions – Key Consent Decree Issues
Pavilion Level
This is your chance to engage in the discussion and share with your peers. Sessions will focus on three key topics surrounding enforcement and consent decrees, with an opportunity to participate in each session. Participants will engage in a 45-minute discussion led by experienced peers in the field before rotating to the next table. Use this opportunity to roll up your sleeves, exchange ideas with your colleagues, share experiences and thoughts, network, and learn something new.

Pavilion 5, Pavilion Level
Roundtable One: Determining and Setting the Right Goals for Your Consent Decree:
Understanding Your System, Your Finances, and Appropriate End Targets for a Consent Decree
**Tim Braun**  
Enterprise Architect  
EmNet, LLC  
South Bend, IN

**Andy Lukas**  
Vice President, Wet Weather Leader  
Brown & Caldwell  
Milwaukee, WI

**Susan Myers**  
*Vice Chair, NACWA Legal Affairs Committee*  
General Counsel  
Metropolitan St. Louis Sewer District  
St. Louis, MO

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**Pavilion 6,**  
**Pavilion Level**

**Roundtable Two:** *Effective Negotiation Strategies to Achieve the Best Outcome*

**Misty Brown**  
Assistant Counsel  
Unified Government of Wyandotte County  
Kansas City, KS

**Nathan Vassar**  
Lloyd Gosselink Rochelle & Townsend, P.C.

**MaryLynn Lodor**  
Deputy Director  
Metropolitan Sewer District of Greater Cincinnati  
Cincinnati, OH

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**Pavilion 7,**  
**Pavilion Level**

**Roundtable Three:** *Implementation Opportunities, Challenges and Modification*

**Kellie Rotunno**  
Chief Operating Officer  
Northeast Ohio Regional Sewer District  
Cleveland, OH

**Robin Levine**  
Senior Environmental Counsel  
New York City Department of Environmental Protection  
New York, NY

**Carter Strickland**  
Vice President & Program Manager for Water & Natural Resources Program  
HDR Engineering, Inc.  
New York, NY
Evening
6:00 – 7:00 Reception
Rooftop Bar, R Level

Friday, November 4
Morning
7:30 - 10:00 Registration
Ballroom Foyer

7:30 – 8:30 Continental Breakfast
Ballroom Foyer

8:00 – 12:00 WORKSHOP SESSION II
Salon 1A & 1B Opening Remarks/Consent Decree Handbook Tutorial
Erica Spitzig
NACWA

Successful Advocacy with EPA - An Insider’s Perspective
Ever wonder how to best advocate your position with EPA, including how to effectively influence the Agency’s decisions on key environmental and clean water issues? Well, here’s your chance to find out. This panel featuring current and former officials from EPA’s program, enforcement, and regional offices will provide an insider’s perspective on how the Agency views key clean water issues, how decisions and policies at EPA are made, and how clean water agencies can best advocate their positions to impact EPA deliberations.

Moderator:
Andrew Stewart
Former Acting Division Director of EPA’s Office of Civil Enforcement
Counsel, Environmental and Natural Resources
Vinson & Elkins LLP
Washington, DC

Panelists:
Karen Flournoy
Director
Water, Wetlands, and Pesticides Division
U.S. Environmental Protection Agency, Region 7
Kansas City, KS

Dave Cozad
Regional Counsel
Midwest Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
Kansas City, KS
The Regulated Community’s Perspectives on Enforcement and Implementation

Every enforcement negotiation is different and can be influenced by a variety of factors including the parties involved (including third parties), the facts on the ground, the relief sought, and the strategies employed. Still, there are a number of basic elements and approaches that are common to all consent decree negotiations – both for new and existing decrees. And while goals and implementation will vary by community, we can all benefit from lessons learned and case studies on implementation challenges and opportunities. This panel will engage veteran negotiators as well as those implementing decrees, including discussion leaders from the previous day’s roundtable sessions, who will share takeaways from those sessions as well their experiences and advice on innovative techniques and what works and what doesn’t when it comes to enforcement and implementation.

Moderator:
Andrew Stewart
Vinson & Elkins LLP

Panelists:
Debra Tsuchiyama Baker
Managing Partner
Baker Wotring LLP
Houston, TX

Michele Pla
Senior Project Manager
EPC Consultants, Inc.
San Francisco, CA

Christopher Westhoff
President & Chief Executive Officer
C.M. WESTHOFF, Partners
Glendale, CA

Andy Lukas
Brown & Caldwell
Nathan Vassar  
Lloyd Gosselink Rochelle & Townsend, P.C.

Robin Levine  
New York City Department of Environmental Protection

11:45 – 12:00  Closing Remarks/Adjourn
Susan Myers  
Vice Chair, NACWA Legal Affairs Committee