About the Contributors

Hugh Barroll was a Clean Water Act compliance attorney in EPA's San Francisco office for 28 years. He specialized in wetlands and municipal compliance issues. He was EPA's lead attorney in the Borden Ranch wetlands enforcement case, and municipal enforcement cases involving the cities of Los Angeles, San Diego, and Honolulu as well as the East Bay Municipal Utility Districts. He also worked on the negotiations that established the Bolsa Chica and South Bay Salt Ponds wetland restoration projects. He is currently working as a consultant for the Huffman Broadway Group in San Rafael, California.

David G. Dickman is the general counsel for the District of Columbia Department of Energy and Environment. He has extensive experience in dealing with international, criminal, civil, and administrative law aspects of environmental issues. Before assuming his current position, he was with the firm of Venable LLP, where he represented clients on environmental and transportation-related issues. Dickman also served 24 years on active duty with the U.S. Coast Guard. As a Coast Guard attorney, he advised Coast Guard units and programs on implementation and enforcement of a number of environmental laws, including the Clean Water Act and the Oil Pollution Act, as well as international environmental treaties and conventions. He also served as a commercial vessel inspector, marine casualty investigating officer, and pollution response officer. He graduated with a BS in engineering from the U.S. Coast Guard Academy and received his JD from St. Louis University School of Law.

Donna M. Downing has been jurisdiction team leader in EPA's Office of Wetlands, Oceans, and Watersheds since 2005. Donna works on a variety of issues, with a focus in recent years on the geographic scope of the Clean Water Act (CWA) in light of the U.S. Supreme Court decisions. She also serves as EPA's staff lead for CWA section 401 water quality certification. Donna has been with EPA since 1998. She previously worked for the U.S. Congress Office of Technology Assessment, and in private law practice. She has a BA from Harvard University, an MPP from the University of California at Berkeley, a JD from Georgetown University, and an LLM in environmental law from George Washington University. Donna has been an adjunct professor at George Washington University Law School since 1996. In what’s left of her time, she moonlights as a professional potter and an unprofessional horse trainer.

Alexandra Dapolito Dunn serves as the regional administrator for EPA Region 1 New England. Her responsibilities include overseeing the six New England states and ten tribal nations. Before joining EPA, she served as the executive director and general counsel for the Environmental Council of States (ECOS). Prior to ECOS, she was executive director and general counsel of the Association of Clean Water Administrators.
She has served and taught as dean of Environmental Law Programs at the Elisabeth Haub School of Law at Pace University. She has also taught environmental justice at the Columbus School of Law, Catholic University of America, and the American University’s Washington College of Law. Ms. Dunn earned a BA in political science from James Madison University and a JD from the Columbus School of Law. She is a member of the bar in Washington DC, Maryland, and New York and the U.S. Supreme Court.

**Kelly A. Gable** is with the EPA Region 3 Office of Regional Counsel, where she focuses on Clean Water Act litigation, enforcement, and counseling, including providing counsel on TMDL development and review. Prior to joining EPA, Gable practiced environmental law in the private sector, focusing on TMDLs and federal and state water laws. Gable previously served as an adjunct faculty member with the Earle Mack School of Law at Drexel University in Philadelphia, Pennsylvania. Gable received her BA from the University of Pennsylvania and her JD from Georgetown University Law Center, where she served on the *Georgetown International Environmental Law Review*.

**Nathan Gardner-Andrews** serves as the Chief Advocacy Officer (CAO) for the National Association of Clean Water Agencies (NACWA) in Washington, DC, where he has worked since 2006. In his role as CAO, he is responsible for coordinating all of NACWA’s advocacy initiatives and integrating the association’s legislative, regulatory, and legal advocacy work. He has written articles and spoken nationally on a wide range of clean water issues. Gardner-Andrews previously served as NACWA’s general counsel, advising the association and its municipal clean water utility members on a variety of legal matters and managing NACWA’s litigation portfolio. Gardner-Andrews is a member of the Maryland and District of Columbia bars. He received his BA from Columbia University in 2001 and his JD from the University of Maryland School of Law in 2005.

**Theodore L. Garrett** is senior counsel at Covington & Burling LLP in Washington, DC. His practice involves major regulatory, enforcement issues, and transactions, particularly involving air, water, waste, and natural resource damages. He has been lead industry counsel in numerous lawsuits seeking judicial review of EPA regulations and has represented clients in numerous Superfund matters. He is the editor of the *RCRA Practice Manual*, and is a contributing author to several books including *Environmental Litigation*, *The Clean Water Act Handbook*, and *Litigators on Experts*. He is a former chair of the ABA Section of Environment, Energy and Resources and remains involved in Section activities. Garrett was honored in 2015 with a Lifetime Achievement Award from Who’s Who International. He is a member of the American College of Environmental Law. Garrett served as a law clerk to U.S. Supreme Court Chief Justice Warren E. Burger.
Beth S. Ginsberg is a partner in the Seattle office of Stoel Rives LLP and focuses her practice on complex infrastructure projects, traditional and renewable energy resources, and industrial facilities at the crossroads of an evolving regulatory landscape. She has litigated natural resource, wildlife and environmental cases and counseled clients on the complexities of regulatory compliance and permitting issues under all major federal and state environmental statutes. Prior to joining Stoel Rives, Beth served as senior advisor to the assistant administrator, U.S. Environmental Protection Agency (1993–1995); and was with the U.S. Department of Justice, Honors Program, Lands and Natural Resources Division, Environmental Defense Section (1985–1988). She was named by Best Lawyers® as litigation-environmental Lawyer of the Year for 2014, 2016, and 2018; and as environmental law Lawyer of the Year for 2017. Beth is a fellow of the American College of Environmental Lawyers.

James T. Graves is an attorney in the Seattle office of Stoel Rives LLP, in the firm’s Environment, Land Use, and Natural Resources group. He assists clients with litigation and regulatory compliance matters under a variety of federal and state environmental laws including the CWA, CERCLA, Washington’s Model Toxics Control Act, Endangered Species Act, Marine Mammal Protection Act (MMPA), Magnuson-Stevens Act, and the National Environmental Policy Act (NEPA). Prior to joining the firm, he served as a law clerk at the U.S. Department of the Interior, Office of the Regional Solicitor, in Portland, Oregon. Graves obtained his JD, summa cum laude, from William & Mary Law School, where he served on the William & Mary Law Review and was elected to the Order of the Coif. He obtained an MA (history of religions) from the University of Virginia, and an AB from Princeton University.

Randolph L. Hill has worked for over 30 years at the U.S. Environmental Protection Agency. He currently serves as the acting director of EPA’s Enforcement Targeting and Data Division. Hill has also served as an environmental appeals judge, deputy assistant administrator for International and Tribal Affairs, acting director and deputy director of EPA’s Office of Wastewater Management, and deputy director of EPA’s Office of Civil Enforcement. Hill has taught courses at Tulane Law School, Vermont Law School, and Catholic University of America’s Columbus School of Law. Hill obtained his JD and a Master of Public Policy degree from the University of California, Berkeley, and was elected to the Order of the Coif. He obtained his BA in economics and political science from the University of California, San Diego, and was elected to Phi Beta Kappa; he also attended Dartmouth College.

Sylvia Horwitz served as an attorney in EPA’s Office of General Counsel through May 2017, most recently in the Water Law Office, focusing on Clean Water Act NPDES regulations and permitting. She previously served in the Solid Waste and Emergency Response Law Office, where she was involved in counseling, rulemaking, and litigation
regarding hazardous waste, solid waste, and community right-to-know. She also served as an attorney to EPA’s Office of Inspector General. Horwitz was assistant director of the American Jewish Congress office in Jerusalem, Israel, where she lived from 1983 to 1993. She began her career as an attorney in EPA’s Office of General Counsel in 1979. Horwitz earned a BA in sociology from the George Washington University and a JD from the Catholic University Columbus School of Law in Washington, DC.

**Margaret C. Hupp** is an attorney in the Seattle office of Perkins Coie LLP, where she practices in the firm’s Environment, Energy and Resources group. She assists clients with litigation matters arising under the CWA, CERCLA, and Washington’s Model Toxics Control Act. Her practice includes compliance counseling and permitting, as well as advising on regulatory developments under a variety of environmental laws. She obtained her JD, summa cum laude, from Tulane Law School, with a certificate in environmental law, and her AB, magna cum laude, from Georgetown University.

**Gary A. Jonesi** has worked at EPA since 1985, serving as a staff attorney, senior counsel, hazardous waste enforcement branch chief, Department of Justice special trial attorney, and as the national coordinator for EPA’s E-Discovery, Audit Policy, and Administrative Litigation programs. He has worked on some of the largest and most significant environmental enforcement cases ever brought by the EPA, including as a member of the *Deepwater Horizon* Gulf of Mexico oil spill civil penalty trial team. He has experience with cases across all major EPA statutory programs and all levels of administrative and judicial litigation. Concurrent with his EPA duties, Gary taught environmental law for 15 years at The Catholic University of America, authored numerous environmental enforcement articles, and has been a frequent speaker at environmental conferences. He is a graduate of the Hofstra University School of Law and the University of Illinois.

**Jeanette M. Jungreis** is a graduate of the University of North Carolina School of Law where she served as an articles editor on the *North Carolina Law Review*. She currently serves as a business, real estate, and environmental attorney in San Diego County, focused primarily on providing in-house legal services to Southern California businesses.

**Jeremy N. Jungreis** is a partner in the environmental law practice group at Rutan & Tucker, LLP. His practice focuses on environmental law (compliance and litigation), with emphasis on water quality, water rights, utilities, and federal facility law. He counsels clients on compliance with all major federal environmental laws with emphasis on water quality, air quality, and water/wastewater systems. Prior to joining Rutan, Jungreis directed one of the Department of Defense’s most complex water systems at Marine Corps Base Camp Pendleton. During his years on active duty, Jungreis served as regional environmental counsel for the Marine Corps in the western and eastern United States where much of his practice was focused on Clean Water Act compliance.
and litigation. Jungreis obtained his JD in 1996 from Florida State University College of Law (magna cum laude), and obtained his LLM in environmental law in 2004 from the George Washington University (summa cum laude).

Aubri N. Margason is an attorney at Amazon in Seattle, Washington. Prior to joining Amazon, she was an associate in the Environment, Energy and Resources practice group at Perkins Coie LLP in Seattle, Washington. While in private practice, Margason represented companies in complex environmental litigation and enforcement matters under federal and state environmental laws. Margason received her JD from the University of Washington School of Law, where she was associate editor in chief of the Washington Law Review, and she received her BA from Queen’s University in Kingston, Ontario.

Karen M. McGaffey chairs the national Environment, Energy and Resources practice group at Perkins Coie LLP. For more than 25 years, McGaffey has advised clients on a wide range of environmental and energy matters. Her practice includes litigation, counseling, permitting, and project development, with a significant focus on the Clean Water Act. She represents clients in connection with statutory and regulatory developments, advises clients concerning TMDLs and NPDES permits, litigates citizen suits, and is a frequent speaker on water issues. McGaffey received her JD, cum laude, from Harvard Law School, where she was an editor of the Harvard Law Review, and received her AB, summa cum laude, from Dartmouth College.

Steven T. Miano leads the Environmental Practice Group of Hangley Aronchick Segal Pudlin & Schiller in Philadelphia. His practice includes all facets of environmental law and litigation, including federal and state cases involving the Clean Water Act, hazardous waste laws, Superfund and Brownfields redevelopment. Before entering private practice, Miano was an assistant regional counsel for the U.S. Environmental Protection Agency, Region III. He has taught environmental law as an adjunct professor at Rutgers University Law School. He is a frequent lecturer and has written on various environmental legal issues for a variety of publications. He has also served as a course planner for several national environmental law programs. Miano received his BS in environmental studies from George Washington University and his JD from the University of New Hampshire School of Law. Miano is a past chair of the ABA’s Section of Environment, Energy and Resources.

Jason T. Morgan is a partner in the environmental practice group as well as the appellate law group at Stoel Rives, LLP, in Seattle. Morgan’s practice focuses on environmental, natural resources, fisheries, and wildlife law, and he represents clients in all stages of litigation in state and federal courts. Mr. Morgan has extensive litigation experience involving the Clean Water Act (CWA), Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the National
Environmental Policy Act (NEPA), the Clean Air Act (CAA), and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Mr. Morgan also counsels public and private entities on a variety of regulatory issues involving the Resource Conservation and Recovery Act (RCRA), the ESA, and the CWA. Morgan received his MFA from Central Washington University in 2001, and his JD from the University of Washington in 2006.

Kelly F. Moser is a partner in the Environment, Energy and Resources practice group of Perkins Coie LLP. Moser assists clients with compliance and regulatory matters under state and federal land use and environmental statutes. She counsels clients on NPDES permitting and stormwater compliance issues. She also represents clients in a variety of environmental litigation matters and in energy project development, including the siting of wind power projects. Moser obtained her JD, cum laude, from Georgetown University Law Center; clerked for the Honorable William Benson Bryant on the U.S. District Court for the District of Columbia; and worked as a trial attorney with the U.S. Department of Justice, Environment & Natural Resources Division.

James D. Oesterle is an assistant U.S. attorney for the Western District of Washington where he supervises the General Crimes Unit. He recently led the office’s environmental crimes working group and prosecuted environmental offenses under all of the environmental statutes, as well as fraud crimes in the complex crimes unit. Prior to becoming an assistant U.S. attorney, Oesterle was the regional criminal enforcement counsel for Region X of the Environmental Protection Agency where he also served as a special assistant U.S. attorney in the districts of Alaska, Idaho, and the Western District of Washington. He continues to serve on the Environmental Crimes Policy Committee within the Department of Justice. He is a graduate of the University of Washington School of Law.

Jessica O’Neill is an assistant U.S. attorney for the District of New Jersey in the Camden, New Jersey office. She graduated from Brown University and the Georgetown University Law Center, and clerked for the Honorable Louis H. Pollak of the Eastern District of Pennsylvania and the Honorable Robert K. Kugler of the District of New Jersey. Jessica has worked at the U.S. Environmental Protection Agency in its Region 3 office as well as in private practice as an associate at Hangley Aronchick Segal Pudlin & Schiller.

Kathryn C. Rose is an attorney with Perkins Coie LLP in Denver, in the firm’s Environment, Energy and Resources practice group. Her practice spans a broad range of environmental issues, including representing clients in enforcement and cost recovery actions brought under CERCLA, RCRA, and the Oil Pollution Act of 1990. In addition, she has consulted with clients regarding permitting issues arising under the
Clean Water Act and Clean Air Act, as well as on endangered species issues related to alternative energy development. Rose earned her AB from Princeton University, and obtained her JD and Master of Environmental Management degrees from Duke University, where she was managing editor of the Duke Environmental Law & Policy Forum. During her career, Rose has also spent time in the nonprofit sector raising major gifts for public radio.

S. Wayne Rosenbaum is with Varco & Rosenbaum Environmental Law Group LLP–San Diego, California. His practice focuses in the areas of environment, land use, and natural resources, with an emphasis on water quality and land use laws affecting infrastructure and renewable energy projects. Rosenbaum develops compliance strategies for clients regulated under the stormwater provisions of the Clean Water Act, the Endangered Species Act, the California Environmental Quality Act, and other state and federal resources statutes. Relying on his broad experience with environmental permits and environmental management systems, Rosenbaum helps clients develop and implement solutions to environmental regulations that are both legally defensible and economically sustainable. Rosenbaum also assists his clients in defending their regulatory compliance programs against challenges by regulatory agencies and environmental groups.

Melanie Shepherdson is an assistant regional counsel with EPA's Office of Regional Counsel in San Francisco, California. Melanie works on Clean Water Act (CWA) enforcement, counseling, and defensive litigation. She previously worked in the Air Enforcement Division in the Office of Civil Enforcement at EPA headquarters in Washington, DC, focusing on Clean Air Act enforcement against stationary sources of pollution. Prior to joining EPA, Shepherdson was a staff attorney in the Water Program at the Natural Resources Defense Council in Washington, DC, where she focused on CWA litigation and policy and represented citizen groups. She has also worked as an adjunct professor of law at the University of Maryland School of Law, where she taught an environmental law seminar on the CWA. Melanie received a BA from Bucknell University and a JD from the University of Maryland School of Law with a concentration in environmental law.

Ankur Tohan is a partner at K&L Gates. He is a member of the Environmental, Land and Natural Resources practice group in the Seattle office. Ankur’s practice focuses on complex project and energy infrastructure permitting, natural resource management, compliance counseling, and defense of governmental and citizen enforcement actions. His practice covers a wide range of issues, including regulatory, permitting, cost recovery, and enforcement matters under the Clean Water Act, the Endangered Species Act, CERCLA/Superfund, along with state and local pollution control and land use laws. Prior to joining K&L Gates, Ankur was an attorney for EPA Region 10.
Amanda Waters is general counsel for the National Association of Clean Water Agencies (NACWA). Founded in 1970, NACWA is the nation’s recognized leader in regulatory, legislative, and legal advocacy on the full spectrum of clean water issues. NACWA represents public clean water agencies of all sizes nationwide to help build a sustainable clean water future. Amanda manages NACWA’s litigation portfolio and implements the association’s legal advocacy initiatives. She was previously general counsel and director of Public Advocacy and Outreach for the Water Environment Federation, as well as deputy executive director and general counsel for Sanitation District No. 1 of Northern Kentucky. She has also served as deputy general counsel for the Kentucky Environmental and Public Protection Cabinet and as a staff attorney with the West Virginia Department of Environmental Protection. She received a law degree from Pace University and a BS in biology from Eastern Kentucky University.

Julie A. Wilson-McNerney is an attorney in the Seattle office of Perkins Coie LLP, in the firm’s Environment, Energy and Resources group. She assists clients with compliance, regulatory, and litigation matters under federal and state land use and environmental statutes. Her practice also includes project development and Indian law issues. Wilson-McNerney obtained her JD, summa cum laude, from the University of Arizona, and served as an intern in the Natural Resources Section of the Arizona Attorney General’s Office.

Edward B. Witte is shareholder in the Godfrey & Kahn Environmental Strategies Practice Group, practicing in the areas of water quality and wetlands regulation, including water quality trading. He works extensively with municipalities and businesses on Brownfield and contaminated property remediation. Witte was named the 2016 Best Lawyers® Environmental Law Lawyer of the Year in Milwaukee. Attorneys honored as Lawyers of the Year have received particularly high ratings for their abilities, professionalism, and integrity based on exhaustive peer-review surveys. Ned has been Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell’s peer review rating system. He has been included in the 2010–2017 editions of Chambers USA: America’s Leading Lawyers for Business. He is listed in Best Lawyers (since 2006). Ned was honored by the Wisconsin Law Journal as Leader in the Law 2015.