



Workshop

Guide 2019



KAPLAN KIRSCH
ROCKWELL

AMERICAN ASSOCIATION  OF AIRPORT EXECUTIVES

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GENERAL INFORMATION

WORKSHOP MATERIALS. All presentations and the latest information regarding the workshop are available at www.airportlawworkshop.com. Wi-Fi is available during the workshop for access to presentations and other materials.

WI-FI.

1. Select Network: **Hyatt-Meetings**
2. Password: **aaae2019** (*NOT case sensitive*)

NAME BADGES. Name badges must be worn at all times. Your name badge is your ticket to all sessions and meals. Please visit the registration table if your badge is misplaced.

CLE ACCREDITATION. It is the responsibility of each participant to file the appropriate paperwork with your state bar for continuing legal education credit for this course. We have applied to Colorado, California, Texas, and the state of Washington, and those applications are ***pending approval***. CLE forms for all approved states will be available with the workshop materials at www.airportlawworkshop.com. In the past, we have found that many states have offered CLE credits for this workshop. To obtain such credit, participants have typically provided a copy of the course agenda and speaker biographies. (You should note that IMLA is a certified provider of CLE programs in many states and their co-sponsorship of this program will be useful in securing CLE credits.) If you have questions or need additional documents to assist with your state filing, please contact Jenn Fox with Kaplan Kirsch & Rockwell at the workshop or by e-mail at jfox@kaplankirsch.com.

TRB RESOURCES. Chapter 31 in *The Airport Law Desk Reference* provides a list of the legal research digests that have been prepared under the aegis of the Transportation Research Board's Airport Cooperative Research Program. All these publications are available for download at www.trb.org. QR codes to these materials are printed in Chapter 31, and hyperlinks are available at www.airportlawworkshop.com under the "TRB Publications" link.

AIRPORT LAW DIGESTS. If you would like to stay abreast of airport law developments throughout the year, you may want to subscribe to the semi-annual *Airport Law Digest* that Kaplan Kirsch & Rockwell publishes. Each digest contains a summary of recent regulatory, statutory, policy, and case law developments. If you have not already subscribed, you can sign up at www.kaplankirsch.com/subscribe.

COURSE EVALUATION. At the end of the workshop, you will be asked to fill out a course evaluation. Please take the time to provide us with your feedback – we review the results carefully, and each year, we make changes to the program based upon the evaluation results.

QUESTIONS? If you have questions during the workshop, please contact Justin Barkowski or any of the workshop staff listed on page 35.

SUNDAY, OCTOBER 13

12 – 5:00 PM	REGISTRATION		Capitol Peak Foyer
1:30 – 2:45 PM	SESSION 1 – INTRODUCTION TO AIRPORT LAW		Capitol Peak Room
3 – 3:45 PM	SESSION 2 – A HISTORY OF AIRPORTS IN THE U.S.A.		Capitol Peak Room
4 – 5 PM	SESSION 3 – A LAWYER'S INTRODUCTION TO AIRPORT FINANCES		Capitol Peak Room
5:30 – 7:30 PM	OPENING RECEPTION		Capitol Peak Foyer

MONDAY, OCTOBER 14

8 – 8:45 AM	REGISTRATION AND BREAKFAST		Capitol Peak Foyer
8:30 – 8:45 AM	WELCOME		Capitol Peak Room
8:45 – 10 AM	SESSION 4 – UNDERSTANDING THE FOUNDATION OF AIRPORT LAW: GRANT ASSURANCES		Capitol Peak Room
10:15 – 11 AM	SESSION 5 – AIRPORT CONCESSIONS PROGRAMS: MODELS, FINANCES, AND CONTRACTING (INCLUDING LABOR AND ACDBE ISSUES)		Capitol Peak Room
	SESSION 6 – GROUND TRANSPORTATION, TNCs, AND OTHER NEW TECHNOLOGY		Crystal Peak Room
11 – 11:15 AM	REFRESHMENT AND NETWORKING BREAK		Capitol Peak Foyer
1:15 AM – 12:15 PM	SESSION 7 – ENVIRONMENTAL APPROVALS FOR AIRPORT PROJECTS		Capitol Peak Room
	SESSION 8 – ENVIRONMENTAL CONTAMINATION, PFAS, AND EMERGING ENVIRONMENTAL LIABILITY ISSUES		Crystal Peak Room
12:15 – 1:30 PM	SESSION 9 – KEYNOTE AND LUNCH		Capitol Peak Room
1:45 – 2:45 PM	SESSION 10 – LEGAL ISSUES UNIQUE TO GENERAL AVIATION AIRPORTS		Capitol Peak Room
	SESSION 11 – CONSTRUCTION AND PROFESSIONAL SERVICES CONTRACTS FOR AIP-FUNDED PROJECTS		Crystal Peak Room
2:45 – 3:30 PM	SESSION 12 – INTRO TO NEGOTIATION OF USE AND LEASE AGREEMENTS		Capitol Peak Room
	SESSION 13 – EMERGING TRENDS IN USE AND LEASE NEGOTIATIONS		Crystal Peak Room
3:30 – 4 PM	REFRESHMENT AND NETWORKING BREAK		Capitol Peak Foyer



Basics



Advanced

4 – 5 PM	SESSION 14 – AIRPORTS AND THEIR NEIGHBORS: OBSTRUCTIONS AND HAZARDS		Capitol Peak Room
	SESSION 15 – DEBT AND BOND FINANCING OF AIRPORT PROJECTS		Crystal Peak Room

TUESDAY, OCTOBER 15

8 – 8:30 AM	REGISTRATION AND BREAKFAST		Capitol Peak Foyer
8:30 – 9:30 AM	SESSION 16 – LATEST DEVELOPMENTS IN TSA REGULATIONS AND POLICIES		Capitol Peak Room
9:45 – 10:30 AM	SESSION 17 – SAFETY, SECURITY, AND TORT LIABILITY		Capitol Peak Room
10:30 – 11 AM	REFRESHMENT AND NETWORKING BREAK		Capitol Peak Foyer
11 AM – 12 PM	SESSION 18 – REGULATING DRONES (UAS) AROUND AIRPORTS		Capitol Peak Room
12 – 1:30 PM	NETWORKING LUNCH		Capitol Peak Room
1:30 – 2:15 PM	SESSION 19 – ETHICS: MAINTAINING CONFIDENTIALITY IN A HIGHLY PUBLIC ENVIRONMENT		Capitol Peak Room
2:30 – 3:15 PM	SESSION 20 – SUSTAINABILITY AND RENEWABLE ENERGY		Capitol Peak Room
3:15 – 3:30 PM	REFRESHMENT AND NETWORKING BREAK		Capitol Peak Foyer
3:30 – 4:30 PM	SESSION 21 – AIRPORT SPONSORS AS REAL ESTATE DEVELOPERS: NON-AERONAUTICAL DEVELOPMENT		Capitol Peak Room
4:45 – 5:30 PM	SESSION 22 – PROJECT DELIVERY TOOLS: P3s AND OTHER NEW ARRANGEMENTS		Capitol Peak Room

SUNDAY, OCTOBER 13

12 – 5 PM

REGISTRATION

1:30 – 2:45 PM

GENERAL SESSION

SESSION 1 – INTRODUCTION TO AIRPORT LAW

B

Capitol Peak Room

Nicholas M. Clabbers | Kaplan Kirsch & Rockwell

Catherine M. van Heuven | Kaplan Kirsch & Rockwell

This session provides an introduction both to the workshop and to airport law. Presenters focus on how airport law is different from aviation law, the law governing other transportation modes, or more general municipal law. This session explores the way the federal government (primarily—but not exclusively—the FAA) regulates airports and the activities of airport proprietors. Attendees can expect a discussion about the lines between the authority between the federal government and local governments with an emphasis on understanding where federal regulation is pervasive, where legal authority is shared, and where there is only limited federal regulatory oversight. It introduces common terms and legal relationships among the various stakeholders and provides background for new attendees at the workshop and attendees experienced in airport management but new to the field of airport law.

3 – 3:45 PM

GENERAL SESSION

SESSION 2 – A HISTORY OF AIRPORTS IN THE U.S.A.

B A

Capitol Peak Room

Peter J. Kirsch | Kaplan Kirsch & Rockwell

This session introduces participants to the history of airports and airport regulation in the United States. It explores why this history is valuable for understanding the role of local, state, and federal governments in the airport system. We will explain why a historical context is useful for understanding new concepts of airport law and how the evolution of airport law is unique in the United States.

4 – 5 PM

GENERAL SESSION

SESSION 3 – A LAWYER'S INTRODUCTION TO AIRPORT FINANCES

B

Capitol Peak Room

Nora Richardson | FRASCA & ASSOCIATES

Eric T. Smith | Kaplan Kirsch & Rockwell

Understanding the permissible sources and uses of funds for airports is one of the foundations of airport law. This session offers an introduction to the unique legal constraints under which airports generate revenue and the legal limitations on expenditure of airport funds.

Note: this session is intended to be an introduction to sources and uses of airport funds: airport finance, federal regulation of airport finances, and the legal requirements for documenting the sources and uses of airport funds.

5:30 – 7:30 PM

OPENING RECEPTION

MONDAY, OCTOBER 14

8 – 8:45 AM

REGISTRATION AND CONTINENTAL BREAKFAST

8:30 – 8:45 AM

WELCOME

Capitol Peak Room

Kim Day | Denver International Airport

Justin T. Barkowski | American Association of Airport Executives

8:45 – 10 AM

GENERAL SESSION

SESSION 4 – UNDERSTANDING THE FOUNDATION OF AIRPORT LAW: GRANT ASSURANCES



Capitol Peak Room

Kathleen Brockman | Federal Aviation Administration

W. Eric Pilsch | Kaplan Kirsch & Rockwell

Interactions between airports and the FAA can be complex and even contentious if airport lawyers do not understand the basic principles underlying the FAA programs for compliance with grant assurance obligations. The session first addresses the grant assurance obligations that most commonly trigger legal issues – exclusive rights, unjust discrimination, maintaining sponsor's rights and powers, and preserving good title. Next, presenters dive into grant assurance issues relating to use of airport revenue, use of airport land, obligations to maintain consistency with local plans, establishment of rates and charges, and maintenance of the airport layout plan. This session provides practical guidance on how to maintain compliance with grant obligations and how to advise airport management on the importance of grant assurance compliance.

WORKSHOP AGENDA

10:15 – 11 AM

BREAKOUT SESSION

SESSION 5 – AIRPORT CONCESSIONS PROGRAMS: MODELS, FINANCES, AND CONTRACTING (INCLUDING LABOR AND ACDBE ISSUES)

B

Capitol Peak Room

Gene E. Roth | Federal Aviation Administration
Eric T. Smith | Kaplan Kirsch & Rockwell

This session explores the role of the airport proprietor in the negotiation, regulation, and oversight of concessions and leases. Among the most complex and airport-specific legal issues are contracting, labor, and procurement requirements – which are affected by a web of local, state, and federal law. This session explores several difficult issues airport proprietors confront today in contracting, labor, and procurement, with a focus on how airport requirements may be different from those applicable in other local government contexts. Attendees can expect to dig into proprietor obligations concerning disadvantaged business enterprise regulation, the role of the airport proprietor, and FAA expectations for airport proprietor oversight of these businesses.

BREAKOUT SESSION

SESSION 6 – GROUND TRANSPORTATION, TNCS, AND OTHER NEW TECHNOLOGY

A

Crystal Peak Room

David Y. Bannard | Kaplan Kirsch & Rockwell
Jessica Sampson | Uber Technologies

Ground access to and egress from airports, particularly large and medium hub airports, has become a significant source of tension for airport operators. Federal law designed to protect airports from diverting airport revenues substantially limits airport proprietors' abilities to help fund needed ground access projects. The rise of transportation network companies (TNCs) like Uber and Lyft and rental car alternatives like Turo, has also had a huge impact and has disrupted expectations and important sources of non-aeronautical revenues. Some providers of these disruptive technologies seek to circumvent the ability of airports to regulate and impose fees on them. This session examines the growing body of regulatory and statutory law that influences ground access at U.S. airports, as well as the federal limitations and requirements pertaining to funding ground access improvement projects. We will look ahead and help practitioners begin to identify additional legal and operational issues that may arise in the context of ground transportation at airports, including the potential impact of both land-based and aerial autonomous vehicles.

11 – 11:15 AM

REFRESHMENT AND NETWORKING BREAK



Basics



Advanced

11:15 AM – 12:15 PM

BREAKOUT SESSION

SESSION 7 – ENVIRONMENTAL APPROVALS FOR AIRPORT PROJECTS**B****Capitol Peak Room**Peter J. Kirsch | Kaplan Kirsch & Rockwell, *Moderator*

David J. Full | RS&H

Patrick J. Wells | Federal Aviation Administration

Securing environmental approvals for airport projects often involves the complex interplay of federal, state, and local environmental review processes. These processes provide many traps for the uninformed and opportunities for project opponents to delay or even halt projects. This session examines best practices for navigating the environmental review process and discusses measures to ensure continuing compliance with environmental reporting and monitoring requirements. The speakers will also discuss the highly regulated areas of airport planning and development so airport lawyers can provide counsel on the legal implications of long-term planning decisions.

BREAKOUT SESSION

SESSION 8 – ENVIRONMENTAL CONTAMINATION, PFAS, AND EMERGING ENVIRONMENTAL LIABILITY ISSUES**A****Crystal Peak Room**

John E. Putnam | Colorado Dep't of Public Health and the Environment

Airports are large industrial operations with considerable use and exposure to industrial chemicals in connection with airfield operations. Airport lawyers need to be familiar with the regulatory framework for addressing environmental contamination, airport proprietors' potential liability, and emerging issues on control of groundwater and similar contamination. Recent nationwide attention to the PFAS family of chemicals (required for airport firefighting) has elevated lawyers' concern and the importance of understanding proprietors' obligations. This session delves into best practices for addressing environmental contamination and liability issues, with a focus on the emerging issue of PFAS use and contamination.

12:15 – 1:30 PM

GENERAL SESSION

SESSION 9 – KEYNOTE AND LUNCH**B****A****Capitol Peak Room**

D. Kirk Shaffer | Federal Aviation Administration

WORKSHOP AGENDA

1:45 – 2:45 PM

BREAKOUT SESSION

SESSION 10 – LEGAL ISSUES UNIQUE TO GENERAL AVIATION AIRPORTS

B

Capitol Peak Room

Michelle W. Hammel | Delaware River and Bay Authority
Nicholas M. Clabbers | Kaplan Kirsch & Rockwell

General aviation airports face entirely different constraints from their commercial airport colleagues. Whether it be compliance issues or negotiating agreements for FBOs and other service providers, the legal issues faced by general aviation airports are different but no less complex. This session discusses the role of minimum standards and rules/regulations at general aviation airports and the best practices for negotiation with service providers. The session addresses the increasingly competitive environment wrought by consolidation in the FBO industry and what that means for lease and other negotiations.

BREAKOUT SESSION

SESSION 11 – CONSTRUCTION AND PROFESSIONAL SERVICE CONTRACTS FOR AIP-FUNDED PROJECTS

A

Crystal Peak Room

Polly B. Jessen | Kaplan Kirsch & Rockwell
Catherine M. van Heuven | Kaplan Kirsch & Rockwell

Airport construction and professional services contracts present unique challenges for airport lawyers. Not only are these contracts complicated because of FAA and other federal requirements, but the multiplicity of stakeholders and the pressures imposed by public contracting requirements complicate the drafting tasks. This session explores the unique features of airport contracts that could catch lawyers unaware and will discuss best practices for documentation of contracts, whether federally funded or not.

2:45 – 3:30 PM**BREAKOUT SESSION****SESSION 12 – INTRODUCTION TO NEGOTIATION OF
USE AND LEASE AGREEMENTS**

B

Capitol Peak Room

Bonnie A. Ossege | Ricondo & Associates
Eric T. Smith | Kaplan Kirsch & Rockwell

The structure and length of airline leases have both changed significantly in the last few years. This session explores strategy for negotiation of use and lease agreements with airlines at commercial airports. Attendees can expect information on the legal parameters under which airport negotiations occur and the strategies airlines and others have used in such negotiations. Panelists share best practices for negotiations and address the key legal issues that airport proprietors face in negotiations.

BREAKOUT SESSION**SESSION 13 – EMERGING TRENDS IN USE AND LEASE
NEGOTIATIONS**

A

Crystal Peak Room

David Y. Bannard | Kaplan Kirsch & Rockwell
Sheri L. Ernico | LeighFisher

Airport lawyers already familiar with the basics of airline use and lease agreement negotiations will learn about emerging issues from experts involved in dozens of recent negotiations at large and small airports. This session offers an insider's guide to emerging trends in negotiations, tactics airlines have used, new legal issues being encountered, and problems airport proprietors have encountered. As the airline industry has become more consolidated and, simultaneously, as the legacy and ULCC carriers have competed more aggressively, airlines have become aggressive in negotiation of leases and agreements. This session also explores the circumstances in which the option of rates-by-ordinance is a useful negotiation tool.

3:30 – 4 PM**REFRESHMENT AND NETWORKING BREAK**

WORKSHOP AGENDA

4 – 5 PM

BREAKOUT SESSION

SESSION 14 – AIRPORTS AND THEIR NEIGHBORS: OBSTRUCTIONS AND HAZARDS

B

Capitol Peak Room

Timothy P. Barnes | King County (WA) Prosecutor's Office
Catherine M. van Heuven | Kaplan Kirsch & Rockwell

Airport proprietors have an obligation to protect the airspace around their airport from encroachment by incompatible land uses. This obligation has become increasingly complex and contentious where development creeps closer and closer to the airport. This session discusses the basics of the airport proprietor's obligations and the tools airport proprietors have used to address potential encroachment. We will also discuss the process for review of potential airspace obstructions (known as Part 77) and the legal rights and obligations airport proprietors have in the process.

BREAKOUT SESSION

SESSION 15 – DEBT AND BOND FINANCING OF AIRPORT PROJECTS

A

Crystal Peak Room

David Y. Bannard | Kaplan Kirsch & Rockwell
Brian J. Gallucci | PFM Financial Advisors

Debt and bond financing for airport capital projects is a complex area of the law, requiring familiarity with federal airport, tax and securities law, state and local municipal finance law, and the business and revenues of the airport for which the debt is issued. This session assumes a familiarity with the law applicable to airport finances and, with that background, provides an overview of these complex issues. We will discuss the security and structuring of tax-exempt and taxable bonds for airport projects, general airport revenue bonds (GARBS), special facilities revenue bonds, PFC-backed bonds, variable rate debt, and fixed-rate bonds. We also will discuss the SEC's oversight as well as the federal tax law requirements applicable to both governmental purpose and airport facility private activity bonds, and other legal issues unique to municipal bonds.

TUESDAY, OCTOBER 15

8 – 8:30 AM

REGISTRATION AND CONTINENTAL BREAKFAST

8:30 – 9:30 AM

GENERAL SESSION

SESSION 16 – LATEST DEVELOPMENTS IN TSA REGULATIONS AND POLICIES

B A

Capitol Peak Room

Francine Kerner | Transportation Security Administration

This workshop's annual presentation from the TSA's Chief Counsel on legal issues in airport security is always a workshop highlight. The first and only TSA Chief Counsel provides an update on current legal issues facing the agency and offers an insider's perspective on how the TSA interacts with local law enforcement, airport staff, and airport counsel. This session provides a frank, off-the-record discussion of legal problems facing airport security.

9:45 – 10:30 AM

GENERAL SESSION

SESSION 17 – SAFETY, SECURITY, AND TORT LIABILITY

B A

Capitol Peak Room

Nikki R. Harding | Transportation Security Administration

Steven L. Osit | Kaplan Kirsch & Rockwell

Operating a safe and secure airport is one of an airport sponsor's most important obligations. Airport lawyers must understand the source of these obligations to ensure regulatory compliance, as well as to protect their clients from liability for airfield and other accidents. This session explores airport lawyers' role in ensuring the safety of the airport and how they can prepare for the implementation of safety management systems. On the security front, airports have recently encountered confusion and complications in negotiations with Customs and Border Protection over space and screening for new international service. This session also explores an airport sponsor's role, rights, and responsibilities (including administrative responsibilities) concerning TSA, CBP, and associated agencies. (TSA security requirements are addressed in the following session.)

10:30 – 11 AM

REFRESHMENT AND NETWORKING BREAK

WORKSHOP AGENDA

11 AM – 12 PM

GENERAL SESSION

SESSION 18 – REGULATING DRONES (UAS) AROUND AIRPORTS



Capitol Peak Room

Steven L. Osit | Kaplan Kirsch & Rockwell, *Moderator*
Justin T. Barkowski | American Association of Airport Executives
Eric T. Smith | Kaplan Kirsch & Rockwell

The emergence of drones and their increasing acceptance in the commercial world have posed unexplored problems for airport proprietors. The law in this emerging industry is likewise emerging and the lines of authority among the FAA, the drone operator, the airport proprietor, and local governments (exercising local police powers) are shifting. This session focuses on the rights and obligations of the airport proprietor in the regulation, control, siting, and management of drone operations and discusses best practices from airports throughout the country in addressing drone activity.

12 – 1:30 PM

NETWORKING LUNCH

1:30 – 2:15 PM

GENERAL SESSION

SESSION 19 – ETHICS: MAINTAINING CONFIDENTIALITY IN A HIGHLY PUBLIC ENVIRONMENT



Capitol Peak Room

Robert W. Randall | Kaplan Kirsch & Rockwell

Lawyers for public agencies always face competing pressures from elected officials and professional managers and walk a tightrope in fulfilling their ethical obligations. When disputes—or just policy disagreements—arise between airports and their sponsoring government agencies, these challenges multiply. This interactive session explores ways in which lawyers can fulfill their professional obligations without inadvertently creating ethical problems. We will discuss the potential for conflicts between airport professionals and elected officials and the implications of open records acts for lawyer confidentiality.

2:30 – 3:15 PM

GENERAL SESSION

SESSION 20 – SUSTAINABILITY AND RENEWABLE ENERGY



Capitol Peak Room

Sarah M. Keane | Kaplan Kirsch & Rockwell
Elizabeth Leavitt | Port of Seattle

As airport sponsors seek to make their properties more environmentally and economically sustainable, often in response to local or statewide policy directives, they have both numerous options to explore and obstacles to overcome. This session explores the role of the airport proprietor in pursuing sustainability, environmental, and renewable energy objectives, within the context of federal legal constraints. We will examine adding on-airport solar power generation a case study to focus on the FAA compliance and other legal challenges airport proprietors may encounter when advancing sustainability objectives.

3:15 – 3:30 PM**REFRESHMENT AND NETWORKING BREAK****3:30 – 4:30 PM****GENERAL SESSION****SESSION 21 – AIRPORT SPONSORS AS REAL ESTATE DEVELOPERS: NON-AERONAUTICAL DEVELOPMENT**

B A

Capitol Peak Room

Elliott Black | Federal Aviation Administration

Peter J. Kirsch | Kaplan Kirsch & Rockwell

Lemuel B. Thomas | Federal Aviation Administration

Airport proprietors are increasingly becoming real estate developers and investors, using airport real estate to generate revenue and local economic activity. Airport lawyers need to understand the strategies airports have used to attract non-aeronautical development and the regulatory requirements for such projects. This session focuses on the role of airport proprietors as proponents of non-aeronautical development, whether for development designed for revenue generation or for airport-oriented projects that enhance and complement aeronautical functions. The session explores the unique legal framework for airports when they engage in commercial transactions unrelated to the airport's aeronautical functions. We will discuss in detail Section 163 of the FAA Reauthorization Act of 2018, which modifies the FAA's role in oversight of non-aeronautical development.

4:45 – 5:30 PM**GENERAL SESSION****SESSION 22 – PROJECT DELIVERY TOOLS: PUBLIC-PRIVATE PARTNERSHIPS AND OTHER NEW ARRANGEMENTS**

B A

Capitol Peak Room

Adam M. Giuliano | Kaplan Kirsch & Rockwell

Stephen D. Van Beek | Steer

Public-private partnerships (also known as P3s) are common at airports worldwide and are becoming increasingly common in the United States. We will discuss the legal, policy, and economic reasons why P3s are becoming increasingly attractive as an alternative project delivery tool for airport projects. This session presents the legal framework within which airport sponsors should examine P3s and places this project delivery tool into the context of other more traditional financing and contracting methods. The session examines not only aeronautical projects but also non-aeronautical projects and the law that affects whether and how airport sponsors engage the private sector in airport development and operations.

Denver International Airport (DEN) is the largest airport in the country in terms of land area. The amount of property owned by the airport is large enough to fit the four busiest airports in the nation – Hartsfield-Jackson Atlanta International Airport, O'Hare International Airport, Los Angeles International Airport, and Dallas/Fort Worth International Airport



SPEAKERS + MODERATORS



DAVID Y. BANNARD

Attorney, Kaplan Kirsch & Rockwell LLP
dbannard@kaplankirsch.com

Dave Bannard has 25 years of experience in representing airports on a variety of matters, including regulatory compliance; airport financings; leasing; use and lease agreements and rate-setting ordinances; defense of Part 16 actions; and negotiation of concessions agreements. He counsels airports on federal grant assurances and air service incentive programs and is currently advising several airports on negotiation of new use and lease agreements. Dave has represented airport owners in novel public-private partnerships, including negotiating the agreements relating to a start-up of a privately developed passenger terminal, the private development of a terminal for ultra-low cost carriers, and the privatization of a small county-owned airport. He is an experienced bond attorney, having served as bond counsel to airports and other issuers, counsel to borrowers and underwriters and disclosure counsel, as well as issuer's counsel, in many transactions.

Dave was previously a partner with a large international firm and served as the leader of that firm's airport practice. He also served as the Deputy Chief Legal Counsel for the Massachusetts Port Authority, where he oversaw all transactional legal matters, including debt issuance and financial disclosures; intergovernmental negotiations; and terminal negotiations, permitting, financing, development, construction, and leasing. Dave was also the legal liaison to the "Big Dig" project.

Dave is a past chair of the ACI-NA Associates Board and a former member of the ACI-NA Board and the Legal Steering Committee. He is the immediate past chair of the ACRP's legal committee and the Chair of the Federal Bar Association's Transportation and Transportation Security Law Section. He holds his law degree, *cum laude*, from Boston College Law School where he was an editor of the *Boston College Law Review*. He also holds a Master's in Music from Northwestern University and a Bachelor's of Music Education, with distinction, from the Indiana University School of Music.



JUSTIN T. BARKOWSKI

Vice President of Regulatory Affairs, American Association of Airport Executives
justin.barkowski@aaae.org

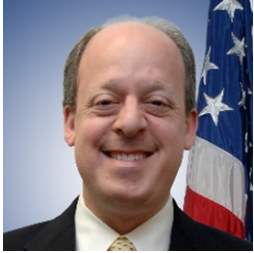
Justin Barkowski is Vice President, Regulatory Affairs for the American Association of Airport Executives. In his role, Justin represents and advocates for AAAE's members before the U.S. Department of Transportation, Federal Aviation Administration, Environmental Protection Agency, and other agencies overseeing U.S. airports. Justin primarily focuses on airport operations and safety issues, unmanned aircraft systems (UAS) integration, commercial space transportation, and environmental matters. Justin is a licensed attorney in the state of California and District of Columbia and is an instrument-rated commercial pilot.



TIMOTHY P. BARNES

Senior Deputy Prosecuting Attorney, King County Prosecutor's Office
timothy.barnes@kingcounty.gov

Timothy Barnes serves as counsel to King County International Airport/Boeing Field in Seattle, Washington, where he specializes in all matters affecting the airport, including leasing, regulatory compliance, real property acquisitions, eminent domain, environmental law, land use, and municipal finance. Prior to representing Boeing Field, he spent almost 20 years practicing real estate and land use, where he litigated numerous cases in administrative forums and state and federal court.



ELLIOTT BLACK

Director, Airport Policy, Federal Aviation Administration
elliott.black@faa.gov

Elliott Black has been active in the aviation industry for nearly 30 years, with nearly half of that time in the FAA.

He is now in his tenth year at Washington Headquarters. He initially served as the Deputy Director of the Office of Airport Planning and Programming and became Director in April 2014.

In December 2018, he became the Director of Airport Policy, a newly-created executive position working closely with all three of the Directorates in the Office of Airports, with a particular focus on cross-cutting policy issues as well as implementation of the various airport-related provisions in the FAA's 2018 reauthorization legislation.

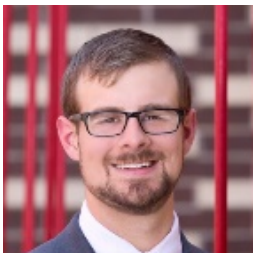
Prior to his appointment to FAA Headquarters in 2010, Elliott worked for more than five years in the FAA's Great Lakes Region as Manager of the Planning and Programming Branch.

He has formal training in architecture, planning and policy, and has held positions at Boston Logan and Chicago O'Hare, as well as experience as a consultant in airport planning, environmental processing, financial planning, and capital program implementation, in such diverse locations as Boston, Chicago, Los Angeles, San Diego, Anchorage, and Toronto.

Elliott has played key roles in airport planning, complex capital and O&M budget planning, financial feasibility studies, airline negotiations, airport operational matters, community relations, airport bond financing, and procurement for large-scale professional services and construction contracts.

KATHLEEN BROCKMAN

Senior Airport Compliance Specialist, Federal Aviation Administration
kathy.brockman@faa.gov



NICHOLAS M. CLABBERS

Attorney, Kaplan Kirsch & Rockwell LLP
nclabbers@kaplankirsch.com

Nick Clabbers' practice encompasses a wide range of airport matters. Nick is heavily involved in the Firm's administrative, regulatory, and litigation practices. He has represented numerous airport sponsors in proceedings before the Federal Aviation Administration and courts on matters of grant compliance, environmental reviews, and airport development. He also has experience drafting and negotiating use and lease agreements and airport development agreements on behalf of airport sponsors. Nick also counsels public and private entities on compliance with local, state, and federal environmental law. Previously, Nick served in two different legal positions at the U.S. Environmental Protection Agency, where he worked on several different matters concerning the Clean Air Act and renewable fuel standards.

SPEAKERS + MODERATORS



KIM DAY

CEO, Denver International Airport
kim.day@flydenver.com

Kim Day has led Denver International Airport (DEN) as CEO since April 2008. Under her guidance, DEN has become the nation's fifth busiest airport, the region's most powerful economic engine, generating more than \$26 billion annually, and the top-rated U.S. airport by passengers, per SkyTrax.

She is heading a redevelopment of DEN's iconic, tented Jeppesen Terminal that will modernize the facility, improve its security model, and increase its capacity. She is also leading the expansion of DEN's concourses, adding 39 new gates.

Day led the completion of the airport's original vision: adding a hotel and train station, including the 519-room Westin hotel and a commuter transit station serving RTD's bus network, as well as the A Line commuter rail, which runs between the airport and Denver Union Station. Under her guidance, DEN has built a robust network of more than 190 non-stop destinations served, including an ever-growing list of international cities.

With more than 35 years of experience, Kim previously served as Executive Director of Los Angeles World Airports. Before assuming the top position, she oversaw the agency's design and construction programs. After receiving a B.A. degree from Cornell University, Kim practiced architecture for more than 20 years.



SHERI L. ERNICO

Director, LeighFisher Inc.
sheri.ernico@leighfisher.com

Sheri Ernico has over 35 years of experience in airport financial and economic analysis, including strategic financial planning; capital program development; financial feasibility studies; rates and charges analyses; airline lease negotiations; passenger facility charge (PFC) programs; benefit/cost analyses; letter of intent grant applications; rental car financing and customer facility charges (CFCs); privatization assessments and analyses; governance reviews; organization and management studies; air cargo financing evaluations; fuel system business planning; aviation market analyses; and forecasts of aviation demand.

Sheri is currently assisting airport clients in the negotiation of airline use and lease agreements for eight different airports around the country.

Sheri was the principal investigator for the ACRP Report: *Considering and Evaluating Airport Privatization* and has conducted numerous seminars on airport finance for ACI-NA, AAAE, FAA, Air Transport Association (now A4A), UC Berkeley, and other groups.

Sheri was the Finance Director for San Francisco International Airport where she was responsible for managing the Airport's capital program, commercial paper program, issuance of revenue bonds, PFC and AIP strategies, airline rates and charges, investment policies, and statistical reporting.

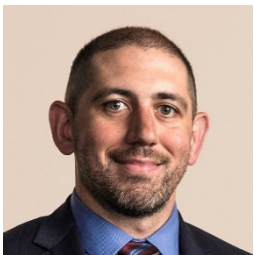
Sheri holds a B.A. in Political Science/Urban Studies, *summa cum laude*, University of Pittsburgh, and a Master of City and Regional Planning, Harvard University, under a National Science Foundation Fellowship.



DAVID J. FULL

Vice President of Aviation Environmental Service Group, RS&H
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Dave Full serves as RS&H's Environmental Planning Service Group Leader for aviation-related environmental projects. He is responsible for the completion of environmental review and analyses and has prepared numerous CATEXes, EAs, EISs, and Part 150 Studies for general aviation and air carrier airports throughout the United States. Dave is a member of the American Institute of Certified Planners and has a Master in Urban Planning from the University of Washington and a Bachelor of Arts in Urban Planning from the University of Illinois at Urbana-Champaign.



BRIAN J. GALLUCCI

Managing Director, PFM Financial Advisors LLC
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Brian Gallucci joined PFM in 2005 and is a leader of PFM's Airport Group. Brian has extensive experience providing technical analysis and strategic financial advice for municipal airports and seaports, as well as other municipal issuers. He assists airports with long-term financial planning, the structuring of debt and other financing solutions, transaction execution, and developing comprehensive credit strategies for rating agency and investor outreach.

Brian's clients include large, international gateways, such as the San Francisco International Airport and Las Vegas McCarran International Airport, and consolidated port entities such as the Massachusetts Port Authority (Boston-Logan International Airport) and Port of Portland, OR (Portland International Airport). Brian also works with a diverse group of large, medium, small, and non-hub airports exploring financing options for critical capital improvements programs.

In his career, Brian helped clients plan, structure, and issue debt to fund prominent aviation and maritime projects including airport and seaport terminal development, runway and airfield projects, rental car facilities, fuel systems, multimodal transportation facilities, and other unique capital projects. He has advised clients on the use of a variety of debt structures, including publicly offered and privately placed bonds; fixed-rate, variable-rate, and synthetic debt; interim financing vehicles; and other creative structures and mechanisms.

SPEAKERS + MODERATORS



ADAM M. GIULIANO

Attorney, Kaplan Kirsch & Rockwell LLP
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Adam Giuliano's practice focuses on the procurement, financing, construction, operations, and maintenance of infrastructure projects. His experience includes work involving airports; highways; roads; bridges and tunnels; parking; transit; commuter rail and high-speed rail; ports; water and wastewater; schools; real estate; district and transit-oriented development; telecommunications; energy and power generation; renewables; and natural resources. He also has experience with asset and business purchases and sales.

Adam regularly advises clients on alternative project delivery methods such as public-private partnerships (P3) and design-build contracting.

Prior to joining the Firm, Adam was a New York based Counsel in the finance practice of a global law firm headquartered in London. Before pursuing his legal career, Adam worked at a nonprofit foundation concentrating on education reform and economic and community development in Newark, New Jersey.



MICHELLE W. HAMMEL

Delaware River and Bay Authority
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Michelle Hammel serves as Counsel and Chief Ethics Officer for the Delaware River and Bay Authority (DRBA), providing legal and business advice in support of a broad range of issues, including UAS operations. The DRBA operates five general aviation airports, a ferry system, and the Delaware Memorial Bridge – vital transportation links in the northeast corridor and centers of economic development in the states of Delaware and New Jersey.

Immediately preceding her tenure at DRBA, Michelle served as the interim CEO for a small start-up company and was instrumental in taking the company through a transition as it was acquired by a larger private company. She also spent ten years in New Jersey state government as a policy advisor to several Cabinet Secretaries with responsibilities that included implementing a new federally funded program, lobbying and administrative rulemaking. Michelle began her career as a civil litigation associate at a small South Jersey firm and handled various matters from inception through trial.

Michelle is currently a member of the Board of Directors for the Association of Corporate Counsel, Greater Philadelphia Chapter. She previously served as an elected member of the Medford Township Board of Education. Michelle earned both her J.D. and B.A. (Political Science) from Villanova University. She is licensed to practice law in Delaware, New Jersey, and Pennsylvania.



NIKKI R. HARDING

Assistant Chief Counsel, Transportation Security Administration
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Nikki Harding is the Assistant Chief Counsel for Civil Enforcement for the Transportation Security Administration. In this capacity, Nikki oversees a group of headquarters-based attorneys who focus on the administrative process for entities and individuals who violate TSA security regulations. She is lead counsel on numerous complex and high profile cases where she has negotiated multi-million-dollar corrective action settlement agreements in furtherance of TSA's mission. Additionally, Nikki provides advice and assistance on civil enforcement administrative actions for attorneys and inspectors assigned to TSA field offices nationwide.

Nikki joined TSA as an Attorney-Advisor at Newark Liberty International Airport in December 2015 and subsequently worked as the Assistant Chief Counsel for Security Threat Assessment Operations.

Prior to TSA, she worked at the Office of the District Attorney, Bronx County, New York for eighteen years. Her last assignment was Supervising Assistant DA assigned to the Narcotics Bureau, where she participated in the supervision of over 40 attorneys, led the Office's response to resentencing motions pursuant to the Drug Law Reform Acts of 2004, 2005 and 2009, and served as faculty with the Litigation Training Unit in numerous CLE qualified trial training programs. Before her position as a supervisor, Nikki worked in Bronx County as a trial assistant in the Narcotics Bureau, the Grand Jury Evaluations Bureau, and the Criminal Court Bureau, where she successfully prosecuted homicides and other violent felonies, felony narcotics and various misdemeanor cases.

Nikki received her J.D. from George Washington University in 1997 and her B.A. from the University of Vermont in 1994. She is admitted to practice in the state of New York.

SPEAKERS + MODERATORS



POLLY B. JESSEN

Attorney, Kaplan Kirsch & Rockwell LLP
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Polly Jessen's practice focuses on the range of contaminated property redevelopment issues, including environmental due diligence, negotiating purchase and sale agreements, cleanup plans, development agreements and environmental insurance policies, obtaining Brownfield grants and state tax credits, severed mineral interests, mine reclamation, and professional service and construction contracting. Polly advises and represents clients before regulatory agencies regarding remedy selection, administrative orders, cleanup standards, institutional controls, redevelopment, and community relations activities under voluntary cleanup agreements and regulatory orders. She has drafted ordinances governing solid waste management and development standards for areas of statewide interest. Polly also has drafted comments to regulatory agencies regarding wetlands permits and endangered species issues and has prepared briefs and other pleadings in environmental and natural resource litigation and mediation proceedings.

Polly's practice also includes drafting and representation of public and private clients in negotiation and administration of construction and professional services contracts for projects of all sizes. In particular, she has assisted clients in complying with the federal procurement and contracting requirements for rail and airport construction projects and drafting and negotiating construction and design contracts for other large bond-financed public infrastructure projects.

Polly's clients include municipalities and quasi-governmental entities, as well as private developers, lenders, and other private entities involved in complex remediation and redevelopment projects. She speaks and publishes frequently on contaminated property redevelopment issues, airport construction requirements, and the environmental and land use issues associated with severed mineral interests.



SARAH M. KEANE

Attorney, Kaplan Kirsch & Rockwell LLP
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Sarah Keane primarily focuses on federal and state regulated transactions, litigation, and policy matters involving power project development and acquisition, clean transportation, facility sustainability, and climate change.

Sarah regularly counsels clients on pertinent legal and regulatory developments in the areas of climate change, electric vehicles, renewable energy, energy storage, microgrids, and electricity grid management. She has particular expertise in planning and developing power projects on airport properties around the Country.

Sarah advises a wide range of airport and other project developers regarding compliance with the National Environmental Policy Act (NEPA) and state counterpart laws. She assists project proponents secure a range of local, state, and federal entitlements and defends those approvals when necessary. On the transactional side, she assists with drafting and negotiating airport consortium and operations agreements, project finance and asset purchase agreements, power purchase agreements, interconnection agreements, and other project-related contracts.

Sarah was previously an attorney at two large international law firms. While attending law school, Sarah collaborated with two faculty members to design and launch Berkeley Law's Energy and Clean Technology Program. She also led the cross-disciplinary organization Berkeley Energy & Resources Collaborative (BERC), where she co-founded Cleantech to Market – a partnership among students, scientists, engineers, and professionals that translates clean technology research into market opportunities.

SPEAKERS + MODERATORS



FRANCINE KERNER

Chief Counsel, Transportation Security Administration

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Francine Kerner was named Chief Counsel in January 2002. In this capacity, she advises senior TSA officials on all legal matters relating to protection of the nation's transportation systems. As TSA's first Chief Counsel, she was responsible for providing legal advice and services in connection with the largest mobilization of a civilian government agency since World War II. This mobilization resulted in the hiring, training, equipping, and deploying of more than 60,000 employees to more than 450 locations in less than a year and the execution of a three-year budget in excess of \$16 billion.

As part of TSA's senior management team, she helped lead the effort to secure and successfully restore confidence in civil aviation following the September 11, 2001, attacks, working with senior Bush Administration officials, Congress, and stakeholders to enhance security in all modes of transportation. As Chief Counsel, Kerner has built a nationwide legal office, hiring attorneys and support personnel from over 56 government agencies, private firms, and corporations.

Before joining TSA, she held a variety of senior legal positions at the departments of Commerce and Treasury. In her previous position as Deputy Assistant General Counsel for enforcement at Treasury, she provided counsel on a wide range of sensitive and complex matters involving Treasury law enforcement agencies.

Before joining the federal government in 1979, Kerner served as an Assistant District Attorney in the Kings County District Attorney's Office in Brooklyn, New York.

In 2001, she received the Presidential Meritorious Executive Rank Award for outstanding contributions as a federal attorney. In 2013, she received the Burton Award for legal achievement in public service and was named as the recipient of the Beatrice Rosenberg Award for Excellence in Government Service by the District of Columbia Bar. She is a graduate of Queens College in New York City and New York University School of Law.



PETER J. KIRSCH

Attorney, Kaplan Kirsch & Rockwell LLP
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Peter Kirsch's practice focuses on regulation and development of transportation infrastructure and other public sector projects. Peter represents clients ranging from local governments to the private sector and public interest groups in negotiations and litigation over land use entitlements, the environmental impacts of infrastructure projects, and compliance with federal transportation law and regulations. He litigates cases before administrative agencies, numerous state and federal trial and appellate courts, and the U.S. Supreme Court. He represents airport sponsors and local governments before Congress and federal administrative agencies.

For 30 years, Peter has been involved in the development of airport infrastructure – including many of the new commercial airports in the U.S. as well as dozens of airport expansions, redevelopment projects, and development of land for non-aeronautical projects. He advises airports on financial matters, regulatory compliance, leasing, land use issues, environmental impacts, and relations with their host communities. He has litigated all these issues in federal and state trial and appellate courts and in Part 16 proceedings before the FAA.

Increasingly, Peter provides counsel to airports on creative and precedent-setting revenue-generating projects in the development of land and in concession arrangements. Public-private partnerships have become a focus on his practice in recent years, and he has represented both airports and private sector investors in airport management and development projects.

For a wide range of infrastructure projects, Peter advises clients on compliance with federal environmental laws, with a particular focus on the National Environmental Policy Act and on the regulatory strings that come attached to federal funding of transportation infrastructure or use of federal lands.



ELIZABETH LEAVITT

Senior Director of Engineering, Environment and Sustainability, Port of Seattle
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Elizabeth Leavitt has almost 40 years of experience in the environmental, port and aviation fields. She is the Port of Seattle's Senior Director of Engineering, Environment, and Sustainability and a member of the Port Executive team. The team leads port-wide environment, sustainability, and planning initiatives and strategic priorities, in addition to design, construction management, survey, and mapping services. This includes leading strategies to green aviation, cruise, commercial fishing, and recreational marinas. Prior to this position, she represented the Port of Seattle as the Director of Aviation Planning and Environmental Programs.

SPEAKERS + MODERATORS



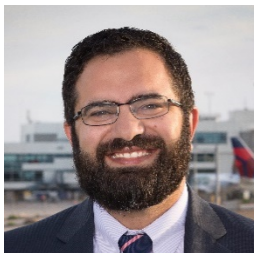
DOLORES P. LEYVA

DBE/ACDBE Program Compliance Specialist, Federal Aviation Administration
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Dolores Leyva is the DBE Compliance Specialist overseeing the Southwest Region. In that capacity, she manages all facets of the DBE and ACDBE program. In this role, she ensures airport compliance with the DOT and FAA civil rights programs. This includes monitoring airport DBE and ACDBE programs, investigating complaints, conducting compliance reviews, as well as delivering technical assistance and training to airport customers. Dolores also serves as the DBE team's national subject matter expert in compliance reviews, DBE/ACDBE certification, and ACDBE joint ventures.

Prior to joining the FAA, she worked at McCarran-Las Vegas International Airport in Construction Engineering, assisting with the coordination of construction projects and in the Office of Business and Development, administering the airport's specialty retail, food and beverage, and ground transportation concession contracts. She was also McCarran's DBE Liaison Officer responsible for the administration of all aspects of the airport's DBE and ACDBE programs.

Dolores holds a Bachelor's degree in Business Economics from the University of California Santa Barbara, a professional certificate in Public Management, and a Masters of Public Administration from University of Nevada Las Vegas.



STEVEN L. OSIT

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Steven Osit primarily represents public entities with respect to the development and operation of airports and rail transit systems. He has served multiple posts within the U.S. Department of Transportation, including the representation of the Federal Aviation Administration in investigations before the National Transportation Safety Board and in litigation, and advising the Office of the Secretary on legal matters pertaining to the economic regulation of airports and air carriers. As a former Honors Attorney with the Department, Steven also gained experience with the Federal Transit Administration and the Federal Railroad Administration.

During law school, Steven worked as a law clerk in the Office of Aviation and Admiralty Litigation in the U.S. Department of Justice. Prior to law school, he was the Director of Information Technology at a prominent college in New York City. Steven is a certificated private pilot.



BONNIE A. OSSEGE

Vice President, Ricondo & Associates, Inc.

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Bonnie Ossege joined Ricondo & Associates, Inc. in 1996 and is a Vice President in the firm's business and financial consulting practice. She has a Bachelor's degree in Accounting from the University of Delaware and an MBA from Concordia University in Montreal.

Throughout her career, Bonnie has assisted airport sponsors with the planning and implementation of their capital development programs, including the development of financial feasibility analyses, the negotiation of and development of airline-airport use and lease agreements, development of airline rates and charges, and revenue bond feasibility studies. She has assisted with the development and submittal of PFC applications and amendments for all size airports including the development of PFC strategy. For many assignments, she has developed or managed the development of computerized airline rates and charges models, which were designed for implementation and use by airports for the ongoing review of their airline rates and charges. She has assisted airport sponsors with developed aviation activity forecasts and evaluated rental car customer facility charge funding strategies.

Bonnie leads Ricondo's efforts to assist AAAE with the planning and execution of the PFC and Rates and Charges workshops. She also serves on the ACI-NA Finance Committee.



W. ERIC PILSK

Attorney, Kaplan Kirsch & Rockwell LLP

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For more than 20 years, Eric Pilsk has represented clients in disputes involving public entities, with a particular emphasis on litigating airport, transit, and land use issues. Eric handles cases involving federal aviation laws and regulations, federal preemption, the ICC Termination Act, the National Trails System Act, NEPA, the APA, Native American trust claims, and a wide range of issues regarding land use and constitutional law at the state and federal levels. He has acted as lead trial counsel in trials in state and federal courts and administrative agencies, including contested evidentiary hearings before the FAA in FAR Part 16 proceedings.

Eric's appellate experience includes drafting numerous briefs to state and federal Courts of Appeals and the U.S. Supreme Court, as well as arguing cases in federal Courts of Appeals. In addition to litigation, Eric counsels clients on a range of regulatory and pre-litigation issues, including FAA AIP grant compliance matters, airport expansion projects, and rail corridor access issues.

SPEAKERS + MODERATORS



JOHN E. PUTNAM

Director of Environmental Programs, Colorado Department of Public Health and Environment

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John Putnam serves as the Director for Environmental Programs for the Department. Prior to joining the Department in 2019, he practiced as an environmental and transportation attorney for 25 years, including at Kaplan Kirsch & Rockwell. He represented states, municipalities, and private entities in Colorado and nationwide on a range of environmental issues under the Clean Air Act, National Environmental Policy Act, Clean Water Act, and other laws.

John also served as the Chair and Member of the Regional Air Quality Council, which is the lead air quality planning agency for the Denver Metropolitan Area and North Front Range. In addition, he has served as Chair of the Boulder Planning Board and Boulder Board of Open Space Trustees, along with service as a consulted expert or committee member for projects for the United States General Accountability Office, United States Transportation Research Board – National Academies, and Airports Council International.

As Director of Environmental Programs, John is responsible for overseeing the air, water, waste, and environmental health and sustainability divisions of the Department, as well as coordination with the Air Quality Control Commission, Solid and Hazardous Waste Commission, and Water Quality Control Commission. He also works with other state agencies and offices on environmental issues affecting the state of Colorado.



ROBERT W. RANDALL

Attorney, Kaplan Kirsch & Rockwell LLP
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Bob Randall has more than 20 years of experience representing and counseling citizens, communities, and advocacy groups on land management and energy development issues in state and federal court litigation, before administrative agencies, and with elected officials.

Bob's career has been at the intersection of public policy and conservation, first as a public interest advocate for resource protection and then as a public servant working towards resource stewardship. He has negotiated interagency agreements with federal agencies; prosecuted federal and state court litigation on behalf of conservation organizations; managed drafting, implementation, and legislative approval of state energy regulations; secured \$36 million to implement Colorado's first-ever Water Plan; managed communications and policy responses to crisis situations; and helped achieve protection of iconic landscapes like the Thompson Divide and the Roan Plateau.

In September 2019, Bob was selected for membership on the National Parks Overflights Advisory Group (NPOAG), a group of representatives advising on commercial air tour operations over and near national parks; quiet aircraft technology; measures to accommodate the interests of Parks visitors; and balancing national park needs and airspace needs to ensure the missions of both the National Park Service (NPS) and the Federal Aviation Administration (FAA) are met in the most protective, efficient, and safe manner possible.

Bob previously served as Executive Director of the Colorado Department of Natural Resources (DNR) from 2016 to 2019, overseeing a \$400 million budget, 2,500 full- and part-time employees, and a portfolio that included all of Colorado's oil and gas, water, wildlife, state trust lands, and state parks. Before that, Bob served as DNR's Deputy Director from 2010 to 2016, as Assistant Director for Energy and Minerals from 2009 to 2010 and, prior to that, as Federal Lands Coordinator.

Prior to joining DNR, Bob was a staff attorney for Western Resource Advocates, a Colorado-based law and policy organization. Before moving to Colorado, Bob spent seven years as a staff attorney for Trustees for Alaska, a public interest environmental law firm in Anchorage, Alaska.

Bob's work in all these posts has focused on natural resources, particularly regarding energy and mineral development, public lands management, water, wildlife, and outdoor recreation.

SPEAKERS + MODERATORS



NORA R. RICHARDSON

Director, Frasca & Associates LLC
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Nora Richardson has 18 years' experience in airport finance, specializing in passenger facility charge applications, financial feasibility analyses, and airline negotiations. She joined Frasca from LeighFisher in March 2017.

Through her work on PFC programs, applications for AIP grants under Letters of Intent (LOIs), and establishing rates by ordinance, Nora has extensive knowledge of the federal laws and policies that pertain to airport funding and rate setting. She has experience in evaluating airport financial data, preparing requests for federal funding, benchmarking cost and staffing indicators, and forecasting financial results.

She has extensive knowledge of airport/airline use agreement development and negotiations and rate-setting methodologies. Nora has recently assisted airport operators in use agreement negotiations at multiple small-, medium-, and large-hub airports through the development of financial forecasts, comparative analysis of airline agreements at other airports, presentations to air carriers, and drafting the agreement.

Her airport consulting work includes a wide range of projects including bond issuances, federal funding applications, and rental car and parking development. Nora has assisted many airport sponsors, including the San Diego County Regional Airport Authority, Maryland Department of Transportation's Maryland Aviation Administration, City of Philadelphia, Los Angeles World Airports, City of Manchester's Department of Aviation, Connecticut Airport Authority, Niagara Frontier Transportation Authority, and City of Boise.

Nora has a B.S. in Management Science and Engineering from Stanford University. Before joining Frasca, Nora worked for LeighFisher, a major investment bank, and Sun Microsystems.



JESSICA SAMPSON

Assistant General Counsel, Uber Technologies
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Jessica Sampson is Senior Counsel for Uber, Inc. She has been with Uber for two years and is the lead attorney for U.S. and Canada Airports. Prior to joining Uber, Jessica was General Counsel for the Chicago Department of Aviation (CDA) where she was responsible for all legal and legislative issues at O'Hare and Midway International Airports. Jessica began her career in public service in Chicago when she joined Mayor Rahm Emanuel's administration as Deputy Chief Operating Officer, overseeing and providing daily management for multiple departments which included airport contracts. Jessica also has experience in private practice as a civil litigator where she successfully tried several multi-million dollar cases to verdict.



D. KIRK SHAFFER

Associate Administrator for Airports, Federal Aviation Administration
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Kirk Shaffer, a native of Bay City, Texas, was reappointed by President Donald Trump and Secretary Elaine Chao as Associate Administrator for Airports on December 17, 2018. He served in this role previously between 2007 and 2009. Kirk has more than 30 years' experience as an entrepreneurial airport executive, advocate, and regulator. He leads more than 500 employees, manages an annual budget of \$3.35 billion (which includes an operating budget of about \$112 million), and is responsible for the Airport Improvement Program grants, which total around \$7 billion annually, as well as two major research programs. He is also responsible for overseeing national airport safety and standards, planning, engineering, environmental processing, financial assistance, and compliance programs for more than 3,320 public-use airports nationwide.

Kirk is the author of the Nation's first Letter of Intent securing a Federal funding commitment for an airport capacity project in advance of appropriations, thus inventing an airport infrastructure finance system, which now yields about \$7 billion in safety, security, and capacity investment annually. Kirk also created the business-based U.S. Customs and Border Protection Service documentation eliminating bureaucratic requirements and facilitating the first-ever public-private partnership airport/landside international border crossing between Tijuana, Mexico and Otay Mesa, California.

Kirk returns to the FAA from service as the principal for D. Kirk Shaffer, PLLC and as senior counsel at an AmLaw 100 international law firm where he provided strategic policy and planning counsel and consensus building among a variety of aviation stakeholders and clients.

From 1986 to 2004, Kirk served simultaneously in positions as executive assistant to the president, director of properties, and general counsel to the Metropolitan Nashville Airport Authority. In those capacities, he worked on a wide range of environmental, construction, and airport funding issues, especially those related to the FAA's Airport Improvement Program and the National Environmental Policy Act. He also served as chairperson and vice chair of the legal committee for Airports Council International-North America.

Kirk is a veteran of the U.S. Army and is Ranger, airborne, jumpmaster, and air assault qualified. He holds a B.S. degree from the United States Military Academy at West Point; a law degree from the University of Texas at Austin; and a Master of Laws degree from The Judge Advocate General's School of the U.S. Army. He is also a private pilot.

Kirk is a certified member of the American Association of Airport Executives and a member of the Aircraft Owners and Pilots Association. He is licensed to practice law in the District of Columbia, the state of Tennessee, and the state of Texas in addition to numerous Federal courts, including the Supreme Court of the United States.

Kirk is married to Dana Brown Shaffer, the Deputy Bureau Chief and Chief of Staff of the Wireless Bureau of the Federal Communications Commission, who is a career member of the Federal Senior Executive Service. His daughter, Leslie Shaffer South, is the Deputy General Counsel of the Tennessee Department of Transportation. His son Jackson is a sophomore majoring in economics at the University of Alabama.

SPEAKERS + MODERATORS



ERIC T. SMITH

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Eric Smith concentrates his practice in the aviation, airport, and aviation-based labor, airport concessions, and bankruptcy arenas. He represents airport owners and operators of all sizes across the U.S., providing legal and practical counsel on a full spectrum of issues that range from drafting large-scale operating agreements, to acquiring federal assistance for obtaining and maintaining air carrier service, to securing federal grants for physical improvements to the airport. Eric is also experienced in labor and employment matters and assists airports in navigating the myriad of issues involving on-airport employment matters, including labor peace agreements, prevailing wage ordinances, and how those issues may impact concessions programs, such as ACDBE programs.

As an experienced litigator, Eric is well equipped to handle airport-based litigation, whether it is suits brought by airlines, tenants, or property owners. His practice covers regulatory and litigation matters proceedings before the U.S. Department of Transportation, Federal Aviation Administration, and in cases filed in both the state and federal courts.

Additionally, Eric has extensive experience structuring and negotiating complex business arrangements, both in the distressed and non-distressed business contexts. He has particular expertise in representing airport operators and aircraft owners and lessees in airline bankruptcies. In recent years, Eric has been deeply involved in all post-9/11 airline bankruptcy cases.



LEMUEL B. THOMAS

Senior Attorney Office of Chief Counsel, Airports & Environmental Division, Federal Aviation Administration
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Lemuel Thomas is a Senior Attorney in the Federal Aviation Administration's Office of Chief Counsel, Airports and Environmental Division. He advises FAA offices—including the Office of Airports, the Air Traffic Organization, and the Office of Commercial Space Transportation—regarding all areas of environmental law. A few of the types of matters on which Lemuel regularly provides counsel are commercial space launch licensing, airport development, and the implementation of air traffic control procedures. Lemuel's practice has also included supporting the FAA in the promulgation of guidance and other policy documents, as well as working with the Department of Justice in representing the FAA in litigation.

Prior to joining the FAA in 2011, Lemuel was a Senior Assistant City Attorney for Environmental Litigation at the City of Dallas, TX. Lemuel began his legal career as a litigation associate at the law firm of Terris, Pravlik, and Millian in Washington, DC, where his practice focused on environmental citizen suits. Lemuel is a graduate of Tulane Law School and the University of Texas at Austin.



STEPHEN D. VAN BEEK, PH.D.

Director and Head of North American Aviation, Steer Group

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Steve Van Beek is the Director and Head of North American Aviation for Steer (formerly Steer Davies Gleave, an international transportation management consultancy). For Steer, he leads consulting assignments on airport business planning, governance and organizational reviews, as well as financial advisory, including private-public partnerships and FAA regulation and grants.

His professional career includes time as Associate Deputy Secretary of the U.S. Department of Transportation, Executive Vice President for Policy at ACI-NA, and as the President/CEO of the Eno Transportation Foundation.

He is a Senior Transport Advisor to the North Atlantic Treaty Organization in Brussels where he advises on emergency preparedness and response. He is also a past member of the FAA Management Advisory Committee where he authored the committee's report recommending reform of the FAA and its programs.

Steve holds a Ph.D. and M.A. in Government and Foreign Affairs from the University of Virginia and a B.A. from the University of California, Santa Barbara. He resides in Fairfax Station, VA, with his wife Elizabeth and his twin daughters, Hope and Skye.



CATHERINE M. VAN HEUVEN

Attorney, Kaplan Kirsch & Rockwell LLP

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Katie van Heuven is an expert on a broad range of environmental and land use issues who specializes in airport and transportation projects. She frequently advises clients on projects involving federal environmental reviews under the National Environmental Policy Act and related local land use regulations.

Katie has extensive experience advising airport sponsors on matters involving compliance with Federal Aviation Administration rules and regulations applicable to planning and environmental review for major airport projects. She provides strategic counsel to numerous airport sponsors on matters related to compliance with federal grant assurances, drafting minimum standards and rules and regulations, and securing FAA approvals related to land acquisition and development. Katie has litigated airport cases in multiple federal courts of appeal.

In addition, Katie has broad experience with projects concerning CERCLA, the Brownfields law, and state voluntary cleanup provisions. She represents and advises clients before various federal agencies and courts, including rulemaking comments and litigation matters, and lobbies members of Congress and senior officials at various federal agencies on behalf of clients regarding land use and natural resources issues.

Katie also has broad public policy experience. She previously served as the senior legislative assistant on environment, energy, and natural resource issues for former U.S. Senator Paul Simon; as a policy analyst for the U.S. Senate Judiciary Committee Constitution Subcommittee; and as a special assistant in the U.S. Department of Justice Office of Legislative Affairs.

SPEAKERS + MODERATORS



PATRICK J. WELLS

*Deputy Assistant Chief Counsel of the Airports & Environmental Law Division,
Federal Aviation Administration*

patrick.j.wells@faa.gov

Pat Wells is the Deputy Assistant Chief Counsel Airports and Environmental Law Division at Federal Aviation Administration. Pat has been an attorney with FAA since 2003 and provides legal advice on all airport and environmental matters. The advice relates to the National Environmental Policy Act (NEPA), airport planning and programs, the Airport Improvement Program, Passenger Facility Charge Program, the Airport Compliance Program, airport noise compatibility planning and programs, and the national program for review of airport noise and access restrictions. The Division supports all of FAA including Office of Airports, Air Traffic Organization, Office of Commercial Space, Office of Energy and Environment, and the Regional Administrators.

The Division reviews projects including environmental documents for runway construction, terminal construction, and air traffic procedure changes. The Division also works closely with the U.S. Department of Justice and the Department of Transportation to represent the FAA in federal court litigation concerning airport and environmental matters.

Pat lives in Chicago with his wife and two children, two bulldogs, and one tortoise. He graduated from American University, Washington College of Law, has a Master's degree from George Washington University, and an undergraduate degree from Marquette University. He grew up in Buffalo, New York.

WORKSHOP STAFF



JUSTIN BARKOWSKI

Vice President of Regulatory Affairs, American Association of Airport Executives
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JENN FOX

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PAULI INGWERSEN

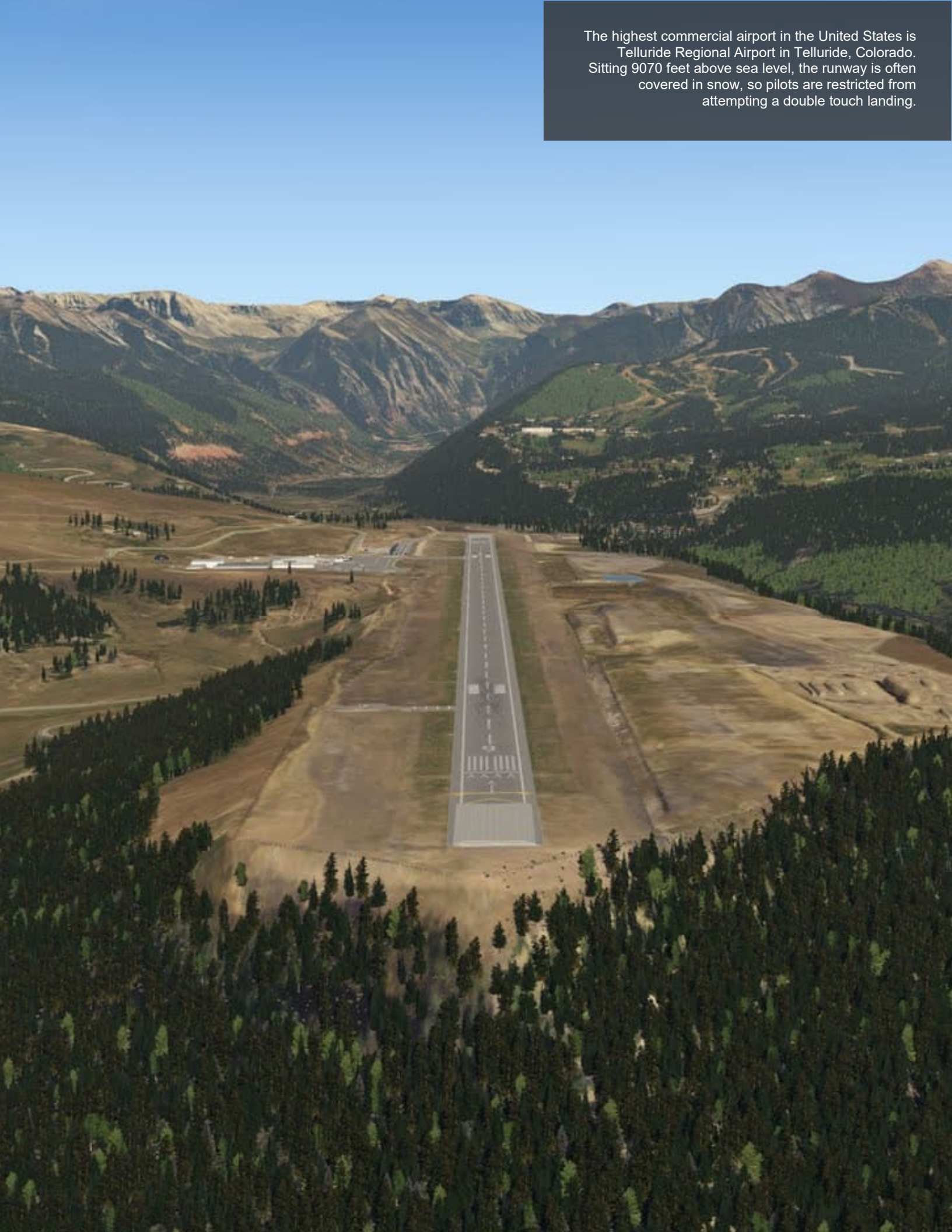
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CHRISTINE MONTGOMERY

Senior Manager of Meetings, American Association of Airport Executives
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The highest commercial airport in the United States is Telluride Regional Airport in Telluride, Colorado. Sitting 9070 feet above sea level, the runway is often covered in snow, so pilots are restricted from attempting a double touch landing.



DINING NEARBY

WALKING DISTANCE

AMERICAN

Henry's Tavern	500 16th Street, #184b	720.399.8466	4 minutes
5280 Burger Bar	500 16th Street, #160	303.825.1020	5 minutes
range	918 17th Street	720.726.4800	5 minutes
Stout Street Social	1400 Stout Street	720.214.9100	9 minutes
Vesta	1822 Blake Street	303.296.1970	14 minutes
Avelina	1550 17th Street	720.904.6711	15 minutes
Lower48 Kitchen	2020 Lawrence Street, A	303.942.0262	15 minutes
Avenue Grill	630 E. 17th Avenue	303.861.2820	16 minutes
Steuben's	523 E. 17th Avenue	303.830.1001	16 minutes
The Kitchen	1560 Wazee Street	303.623.3127	17 minutes

ASIAN

Ace Eat Serve	501 E. 17th Avenue	303.800.7705	14 minutes
ChoLon	1555 Blake Street, #101	303.353.5223	15 minutes

GERMAN

Euclid Hall Bar & Kitchen	1317 14th Street	303.595.4255	17 minutes
Rhein Haus	1415 Market Street, #1706	303.800.2652	18 minutes

ITALIAN

Panzano	909 17th Street	303.294.3057	6 minutes
Osteria Marco	1453 Larimer Street	303.534.5855	15 minutes
Jovanina's Broken Italian	1520 Blake Street	720.541.7721	16 minutes
Venice	1700 Wynkoop Street	720.234.7091	16 minutes

SPANISH / LATIN

Otra Vez Cantina	610 16th Street	303.226.1567	3 minutes
La Loma	1801 Broadway	303.433.8300	5 minutes
Blue Agave	1201 16th Street, #104	720.550.8389	12 minutes
Tamayo	1400 Larimer Street	720.946.1443	16 minutes
Machete	1730 Wynkoop Street	720.612.7698	17 minutes

STEAK AND SEAFOOD

Guard & Grace	1801 California Street	303.293.8500	4 minutes
Elways	1881 Curtis Street	303.312.3135	8 minutes
EDGE	1111 14th Street	303.389.3050	13 minutes
Oceanaire	1400 Arapahoe Street	303.991.2277	13 minutes
The Capital Grille	1450 Larimer Street	303.539.2500	15 minutes
Ocean Prime	1465 Larimer Street	303.825.3663	15 minutes

BREWERIES

10 Barrel Brewing Co.	2620 Walnut Street	Odell Brewing	2945 Larimer Street
Cerveceria Colorado	1635 Platte Street	Oskar Blues	1624 Market Street
Crazy Mountain Brewery	471 Kalamath Street	Ratio Beerworks	2920 Larimer Street
Denver Beer Co.	1695 Platte Street	Renegade Brewing Co.	925 W. 9th Avenue
Epic Brewing Co.	3001 Walnut Street	Spangalang Brewery	2736 Welton Street
Great Divide Brewing Co.	2201 Arapahoe Street	Stem Ciders	2811 Walnut Street, #150
Infinite Monkey Theorem	3200 Larimer Street	TRVE Brewing Co.	227 Broadway, #101
Jagged Mountain	1139 20th Street	Woods Boss Brewing	2210 California Street

NOTES



KAPLAN KIRSCH
ROCKWELL

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