



Erika Powers' practice is focused on nationwide water quality issues. Her ability to understand the most complex details of a matter without losing sight of the macro agenda and big-picture client objectives is critical when analyzing the intersection of science and law surrounding water quality regulation.

Erika's clients include municipalities, utility districts, trade organizations and other regulated parties across the country. She advises on a wide variety of Clean Water Act (CWA) issues, including wet weather management and wastewater treatment. She also assists clients with matters involving water quality standards, the listing and delisting of impaired water bodies, TMDL development and implementation, effluent limitations guidelines for wastewater discharges, and water permitting, compliance and enforcement.

Notably, Erika provides veteran legal counsel regarding regulatory matters involving state and federal environmental agencies, as well as CWA administrative and judicial litigation. She advocates to support her clients' interests in water quality rulemaking and policy development, crafts strategies to achieve client objectives while maintaining compliance with water quality regulations, helps clients contest agency decisions in federal and state courts, and defends clients against citizen suits and agency enforcement actions seeking damages and penalties.

Listed among The Best Lawyers in America in environmental law, Erika is valued for her ability to balance national water policy with the daily challenges of managing local, regional and multistate water-related initiatives. She helps clients achieve their goals while addressing agency concerns in the decision-making process. Because many of Erika's clients are at the forefront of innovation in water quality law and face the challenge of budgetary constraints, she remains steadfastly dedicated to helping them maximize their results with limited resources while adhering to state and federal regulations.

Erika is a regular invited speaker and educator on municipal and industrial Clean Water Act issues at legal and professional associations and community groups across the country. Erika assists clients with:

Erika K. Powers

Partner

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EDUCATION

University of Michigan Law School,
(J.D.), cum laude, 1994

Alma College, (B.A.), summa cum laude,
1990

BAR ADMISSIONS

Illinois

Michigan

COURT ADMISSIONS

U.S. District Court for the Northern
District of Illinois

U.S. District Court for the Eastern
District of Michigan

U.S. District Court for the Northern
District of Indiana

LANGUAGES

English

PRACTICES

Airport Environmental Counseling

Climate Change

Compliance and Monitorships

Construction

Environmental

- Negotiating and modifying wet weather consent decrees between public utilities and state and federal agencies
- Developing combined sewer overflow (CSO) long-term control plans (LTCPs) and separate sewer overflow (SSO) minimization plans
- Developing integrated plans to prioritize municipal investments in water-related obligations
- Working collaboratively with clients and regulators to achieve strategic municipal and business objectives while fully complying with Clean Water Act requirements
- Participating in federal and state water policy development and rulemaking efforts
- Challenging environmental rules promulgated by U.S. EPA and state agencies, including water quality standards and effluent limitations guidelines
- Providing advice on obtaining, complying with, and appealing NPDES wastewater discharge permits
- Defending against U.S. EPA and state enforcement actions and citizen suit
- Developing and modifying municipal pretreatment programs
- Developing site-specific water quality criteria
- Developing, negotiating and appealing total maximum daily loads (TMDLs) established by state and federal agencies

Professional and Community Involvement

Fellow, American Bar Foundation

Fellow, The American College of Environmental Lawyers Class of 2023

Member, American Bar Association Section of Environment, Energy and Resources

Council member, State Bar of Michigan Environmental Law Section

Vice chair, Alma College Board of Trustees

Former chair, Chicago Bar Association Environmental Law Committee

Environmental Crimes and Investigations

Environmental Litigation

Environmental, Social and Governance

Water

INDUSTRIES

Colleges and Universities

Honors

Illinois Super Lawyers, 2021-2024; Rising Star, 2008-2009

The Best Lawyers in America, 2017-2024

Chambers USA, 2022-2023