



Ad-Hoc INDUSTRY

NATURAL RESOURCE
MANAGEMENT GROUP

CLIMATE CHANGE/NRD BEST PRACTICE APPROACH FRAMEWORK WORKSHOP

Wednesday, June 26, 2024

SPEAKER BACKGROUNDS

MICHAEL ANDERSON, Resource Restoration Program Branch Chief, Office of Spill Prevention and Response, CA Department of Fish and Wildlife

Dr. Anderson leads the Natural Resource Damage Assessment (NRDA) and Base Realignment and Closure (BRAC) Units within the California Dept. of Fish and Wildlife, Office of Spill Prevention and Response (OSPR). He received his bachelors degree in aquatic biology from UC Santa Barbara, masters degree in zoology from the University of Hawaii, and doctorate in pharmacology and toxicology from UC Davis. Mike's state service spans over 25 years, first acting as a Dept. of Toxic Substances Control ecotoxicologist, before joining OSPR in 2007. Prior to state service, he held positions in both academia and in consulting. His expertise focuses on the harmful effects of oil and other hazardous substances on wildlife. Mike has served as State Lead Representative for several California multi-agency NRDA's, including the Cosco Busan, Dubai Star, Refugio Beach, and Huntington Beach Pipeline P00547 Oil Spills.

PAUL BOEHM, PH.D., Principal Scientist, Exponent, Inc.

As an environmental scientist and strategic advisor on environmental issues, Dr. Paul Boehm has conducted investigations for, consulted with, and advised industrial, legal, and government clients on scientific matters involving regulatory issues and legal claims associated with chemical contaminants in the environment. The main pillars of his professional work include analyzing and explaining the environmental distributions and fates hazardous chemical and petroleum releases, and ecological effects from chemical exposures. His work also includes the evaluation risks and damages due to climate change factors and extreme weather events. Dr. Boehm is a leading practitioner and a recognized expert in the fields of natural resource damage assessments (NRDA) for oil spills and contaminated sites; maritime environmental incidents; natural gas geochemistry; and the environmental and forensic chemistry of crude and refined petroleum; polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), and other organic chemicals; and natural gas geochemistry. Dr. Boehm received his B.S. from the University of Rochester and his M.S. and Ph.D. from the University of Rhode Island.

MONICA BROWNER, J.D., Associate, Downey Brand LLP

Monica Browner is an Associate with Downey Brand LLP. She guides private and public sector clients through the complex web of federal and state environmental laws and regulations. Ms. Browner litigates in both state and federal court and provides compliance advice involving several environmental statutes, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Air Act (CAA), the Resource Conservation and Recovery Act (RCRA), and the state statutory counterparts. She routinely works with various state regulatory agencies, including the State Water Resources Control Board, California Air Resources Board, and the Department of Toxic Substances Control (DTSC), to ensure the best possible outcomes for her clients. Ms. Browner holds a B.S., *magna cum laude*, Santa Clara University and a J.D. from the University of Michigan Law School.

GARY FREMERMAN, Senior Counsel, US Department of Agriculture

Gary Fremerman is a Senior Counsel with the US Department of Agriculture's Office of the General Counsel. Prior to joining the USDA in 1999, he was a partner in private practice with the Environmental Law Group of Kelley Drye & Warren LLP in Washington, D.C. He specializes in hazardous waste cleanup and liability issues, and has been actively involved in a wide range of environmental law practice, including litigation/enforcement proceedings, compliance counselling, and asset/land transactions. He is a graduate of Stanford University (1981) and the University of Michigan Law School (1984).

STEVEN GOLDBERG, Partner, Downey Brand

Steven Goldberg is a partner with Downey Brand and has served as one of the leading environmental litigation and compliance attorneys in California for more than thirty-five years. Known as a strategic, effective, and responsive advocate with exceptional communication skills, Steven negotiates and resolves complex disputes, often selected by other attorneys and their clients as common counsel or liaison counsel for multiple-party lawsuits. With a special focus on groundwater contamination and [CERCLA matters](#), he has handled some of the largest contamination cases in California. He has won dismissals, handled appeals before the Ninth Circuit, and settled dozens of cases through mediation. In such cases, Steven has worked with technical experts throughout the United States on contamination matters involving solvents, petroleum products, perchlorate, PCBs, asbestos, natural resource damages, and sediment contamination. Mr. Goldberg received his B.A. from the University of Rochester and his J.D. Washington University in St. Louis School of Law.

BARBARA J. GOLDSMITH, Executive Director, Ad-Hoc Industry Natural Resource Management Group; President, Barbara J. Goldsmith & Company LLC

Barbara J. Goldsmith is Executive Director of the Ad-Hoc Industry Natural Resource Management Group and facilitated its founding in 1988 with a group of major multinational corporations. She is also President of [Barbara J. Goldsmith & Company LLC](#), which has provided consulting services to major companies, law firms and others for over 25 years on high-level national and international energy and environmental policy matters and corporate environmental management strategy. In 2005, Ms. Goldsmith was appointed by the Interior Secretary to serve on the Department's Natural Resource Damage Assessment and Restoration (NRDAR) Advisory Committee. The seminal book, [The EU Environmental Liability Directive: A Commentary](#), of which she was co-editor and a co-author, was published by Oxford University Press. Ms. Goldsmith has had substantial experience with business and industry associations, major companies in all industrial sectors, the US Government, international agencies, EU Member States and other countries worldwide. She is a frequent speaker on environmental, energy, and natural resource topics

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and collaborates with a wide set of both public and private sector entities. Ms. Goldsmith was a Delegate to the United Nations Rio +20 Corporate Sustainability Forum and participated in the BASD Business Day Rio +20. She has worked for the Organization for Economic Cooperation and Development (OECD) in Paris, France, and she is the author of numerous publications on environmental regulatory issues affecting industry. She holds a Bachelor of Arts degree from The George Washington University and a Master of City Planning in Environmental Analysis from Harvard University, a joint degree program between the Harvard Schools of Public Health and Design and she is also an alumna of Harvard's Kennedy School of Government.

JEAN MARTIN, J.D., Senior Counsel, BP Legal

Jean Martin, J.D. is Senior Counsel, Litigation and Dispute Resolution with BP. Ms. Martin advises the company's in-house remediation management team, collaborating with in-house specialists, external experts, and legal counsel to evaluate, litigate, and resolve environmental remediation and natural resource damage claims against bp and its subsidiaries. She has defended the company against some of the largest and most complex natural resource damage claims brought in the US, including claims arising from the Deepwater Horizon oil spill in the Gulf of Mexico. She also defends the company against remediation and restoration claims at complex mega-sites, including mining, smelting, refining and multi-party river contamination sites. Ms. Martin has negotiated several settlements that coordinated remedy and restoration, in circumstances where coordination provided a cost-effective solution to disputed claims that also enabled restoration to begin at an earlier date. Ms. Martin has been providing legal advice on remediation and natural resource damage issues to bp and its subsidiaries for over 20 years, working in their Los Angeles, Chicago, London and Houston offices. Before that, she was an associate attorney at Sidley Austin and at Pillsbury Madison & Sutro (now Pillsbury Winthrop). Ms. Martin received her undergraduate degree in history from Cornell University and her J.D. from Harvard Law School.

THOMAS PEARCE, Associate, Latham & Watkins LLP

Thomas Pearce is an associate in the New York office of Latham & Watkins. Mr. Pearce is a member of the Environment, Land & Resources Practice and Litigation & Trial Department. He represents clients in environmental, commercial, products liability, and toxic tort litigations. He also advises clients on environmental regulatory and transactional issues relating to federal environmental laws, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Air Act (CAA) and the Resource Conservation and Recovery Act (RCRA), as well as their state equivalents. He has represented clients across a variety of sectors, including manufacturing, chemicals, paint and coatings, and oil and gas. Mr. Pearce is also an active member of the firm's pro bono program and was a recipient of the firm's 2020 Robert M. Dell Prize for Extraordinary Pro Bono Service as part of a team that successfully litigated Voting Rights Act claims in the East Ramapo Central School District in New York. He holds a B.A. from the University of North Carolina and a J.D. from the New York University School of Law.

JAY PENDERGRASS, Senior Advisor and Former Vice President for Programs and Publications, Environmental Law Institute

John Pendergrass is a Senior Advisor and former Senior Vice President with the Environmental Institute (ELI). Prior to his role as Senior Vice President, Mr. Pendergrass served as ELI's Vice President for Programs and Publications, where he lead the Institute's Educational Programs, numbering more than 100 each year, and the Institute's Publications Division, which produces the Environmental Law Reporter, the

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Environmental Forum, and books. Mr. Pendergrass has researched and written on a broad range of legal and policy issues focusing on what works in practice and how to improve the implementation of law. He was among the first to address improving legal and administrative mechanisms for protecting public health and the environment from the risks at contaminated sites where some hazardous substances are left in place. His research and writing on such institutional controls and long-term stewardship have led to changes in national policy and in the laws of many states. He has also written extensively about innovative state environmental and natural resource programs as well as federal preemption of state laws. Since 1997, Pendergrass has been a member of the accreditation council overseeing environmental and other management systems certification bodies in the United States. Mr. Pendergrass has been with ELI since 1988. He earned his B.S. in environmental science from Michigan State University and his J.D. from Case Western Reserve University.

RYAN STIFTER, Principal, Economic & Complex Analytics, Roux

Ryan Stifter, M.S., is a Principal in Roux's Economic & Complex Analytics practice based in Oakland, California. Mr. Stifter has nearly 20 years of experience conducting applied economic analysis for complex litigation, insurance coverage, environmental regulation and enforcement, natural resource damage assessment (NRDA), and strategic business decisions. His NRDA expertise is in the application and interpretation of market and nonmarket economic valuation methods, service equivalency analysis, and statistical modeling for injury quantification. His damage assessment experience includes major oil releases to marine environments, legacy hazardous substance releases, groundwater contamination, PFAS releases, nitrate pollution, and wildfires. Mr. Stifter obtained a B.S. in Managerial Economics and an M.S. in Agricultural and Resource Economics from the University of California, Davis.

THEODORE "TED" TOMASI, Ph.D., Managing Principal, Integral Consulting Inc.

Theodore (Ted) Tomasi, Ph.D. is Managing Principal with Integral Consulting Inc. He has more than 30 years of experience as a natural resource economist, specializing in the valuation of natural resources and environmental changes, risk management in the context of use decisions regarding resource use, and benefit-cost analysis. Before beginning his consulting career, he served on the faculties of the University of Minnesota, University of Michigan, and Michigan State University, where he taught and conducted research on environmental policy analysis, decision-making under uncertainty, and methods for valuing ecosystem services. For the past 20 years, Dr. Tomasi has been a consultant to large private companies on environmental decision-making, including issues related to net environmental benefits of remedial decisions, the value of information in managing risks, and liability management in environmental damage cases. He has provided litigation support and expert testimony on natural resource values in numerous such matters, large and small. Dr. Tomasi received his B.A. in Environment and Public Policy and M.A. in Economics from the University of Colorado, Boulder and his Ph.D. in Natural Resource Economics from the University of Michigan.

PATRICK VEASY, J.D., Counsel, Downey Brand LLP

Patrick Veasy is a Counsel with Downey Brand LLP. He has represented and assisted a variety of public and private sector clients in environmental compliance and enforcement matters before state agency hearing boards, as well as before state and federal courts. Mr. Veasy routinely works on water quality matters under

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the California Porter-Cologne Water Quality Control Act and federal Clean Water Act in relation to administrative and judicial enforcement matters, as well as petitions challenging final agency actions. His experience includes working on environmental review and permitting projects involving the California Environmental Quality Act, the National Environmental Policy Act and the Fixing America's Surface Transportation Act or FAST-41. Mr. Veasy also has experience working on environmental compliance and enforcement matters under the Clean Air Act. Finally, he frequently assists clients on other matters involving environmental site remediation issues and toxic tort litigation, including under California's Proposition 65. Mr. Veasy holds a B.A. from the University of Michigan and a J.D., *cum laude* from University of California College of the Law, San Francisco.

RICHARD J. WENNING, Senior Principals & Director Advisory Services - Ecosystem Economics, Montrose Environmental Solutions Inc.

Richard Wenning is an ecotoxicologist and environmental risk/impact assessment specialist with 40 years of experience using environmental impact assessment and ecological and health risk assessment to quantify environmental injuries, damages, and risks attributed to chemical contamination, industrial accidents, resource development projects, and natural disasters. His expertise includes using decision analysis tools such as net environmental benefits analysis (NEBA), multi-criteria decision analysis (MCDA), cost-benefit analysis (CBA), and comparative risk and technologies alternatives analysis (CRA/TAA) to advise companies and governments on pollution response and recovery strategies for restoring damaged aquatic and terrestrial ecosystems. He has advised clients on some of the most notable human-caused pollution incidents and natural disasters, such as the 2010 Deepwater Horizon oil spill in the northern Gulf of Mexico, Brazil's 2015 Samarco mine tailing dam failure, and the 2023 East Palestine Ohio rail accident. In addition to working throughout North and South America, he has assisted clients on matters in Asia/Pacific, Australia, Europe, the Middle East, and southern Africa. He has participated in scientific review panels for U.S. and international organizations and government agencies. He co-edited the first scientific book in 2004 describing international methods for sediment quality assessment and is preparing a second edition of the book. He was the first editor-in-chief of the journal *Environmental Forensics* and served for 20 years until 2022 as Editor-in-Chief of the SETAC peer-reviewed science journal, *Integrated Environmental Assessment and Management (IEAM)*.