



**Ad-Hoc INDUSTRY**

**NATURAL RESOURCE  
MANAGEMENT GROUP**

## **EMERGENCY RESPONSE/RESTORATION BEST PRACTICE APPROACH FRAMEWORK WORKSHOP**

**Wednesday, July 24, 2024**

### **SPEAKER BACKGROUNDS**

#### **GREG CHALLENGER, M.S., Marine Ecologist, Polaris Applied Sciences**

Mr. Challenger helped form Polaris Applied Sciences in 1998 and is currently President. He is a marine scientist with extensive oil and chemical spill natural resource damage assessment, habitat restoration. Mr. Challenger has responded to over 150 shipwrecks, oil spills and major maritime incidents in the past 30 years, working with government and industry to find restoration-based solutions to environmental casualties. He was the lead investigator for the Shoreline Natural Resource Damage Assessment (NRDA) for BP during the Deepwater Horizon Oil Spill in the Gulf of Mexico in 2010 and is currently involved in NRDA for the 2019 M/V GOLDEN RAY casualty and oil spill in Brunswick, Georgia and the 2021 Huntington Beach, California oil spill. Mr. Challenger has also attended over 60 shipwrecks on coral reefs and has overseen more than a dozen major coral reef restoration projects. Prior to forming Polaris, Mr. Challenger taught marine resource management and coral reef ecology at the Center for Marine Resource Conservation in the Turks and Caicos, BWI, the Newfound Harbor Marine Institute in the Florida Keys, and aboard the SSV Westward in the Eastern Caribbean for the Semester at Sea program accredited by Boston University. Mr. Challenger is a frequent speaker on environmental injury and restoration and published author on numerous topics in marine science.

#### **VINCENT FOLEY, Partner, Holland & Knight LLP**

Vincent J. Foley is a New York attorney in Holland & Knight's Maritime Practice Group. Mr. Foley advises clients on a wide variety of transportation, maritime, intermodal and logistics contracts. He represents clients in high-profile marine casualty litigation and arbitration of charter-party disputes, and he has experience with vessel regulations, environmental liabilities, oil spills, limitation of liability, salvage and general average issues. Mr. Foley represents clients in U.S. Coast Guard Marine Board of Investigation hearings involving marine casualties and oil pollution events, including investigations of shipboard practices involving the International Convention for the Prevention of Pollution from Ships (MARPOL) violations and the Act to Prevent Pollution from Ships (APPS). Mr. Foley also advises clients in connection with joint investigations by the U.S. Coast Guard and other flag state authorities for international casualties. He has prosecuted claims and defended clients in federal litigation matters, including handling trials at the district court level and appeals in the various circuits of the U.S. Court of Appeals.

**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 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.

**LAWRENCE MALIZZI, Senior Consultant, CTEH LLC**

Lawrence Malizzi has over 30 years of experience in disaster response, insurance loss control, litigation support, spill planning, drills, and response, Natural Resource Damage Assessment (NRDA), endangered species, and habitat restoration. Recently, he was the EUL for a train derailment in CA and involved in several confidential NRDAs. Recent projects include roles on Hurricanes Beryl, Idalia, Ida, Ian, and Nicole responses and the Bayport Channel Collision and other vessel matters. He was a SCAT Team Lead on the Dublin Express and B235 responses and he managed the staff on the ITC Fire response, St. Simon Sound Incident response, the TPC Explosion response, and the Hurricane's Florence, Michael, Irma, and Harvey responses, as well as, numerous small events. Previously, he was involved on the Bay Long response in Grand Isle, LA, the Avian Influenza response in Iowa, and was a SCAT Team Lead on the Bayonne 2015 spill response in Bayonne, NJ. Mr. Malizzi also managed staff on the Exxon Mayflower, Hurricane Isaac, Superstorm Sandy, Boston 30, and Texas City "Y" responses. He served as the Program Manager for the Natural Resource Advisor Program, among other tasks, in support of the MC252 Deepwater Horizon Response (BP Spill) in the Gulf of Mexico. Mr. Malizzi is on the Board for the Spill Control Association of America and was and is on the Planning Committees for the International Oil Spill Conference 2024 and 2027. He has spoken extensively on spill planning, NRDA, and response and other environmental topics in both the U.S., Canada, Middle East, and the EU.

**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

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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.

**TONY PENN, Chief, Assessment and Restoration Division, US Department of Commerce/National Oceanic & Atmospheric Administration (NOAA)**

Tony Penn is the Chief of NOAA's Assessment and Restoration Division (ARD) and the co-lead of NOAA's Damage Assessment, Remediation, and Restoration Program. As the Chief of ARD, Mr. Penn leads NOAA's nation-wide group of professionals, including scientists and economists, who are responsible for evaluating coastal habitats and resources injured by hazardous waste releases, oil spills, and vessel groundings. He has been with NOAA working on damage assessment issues since 1997. Until assuming the Chief role in December, 2015, Mr. Penn was the Deputy Division Chief of the Assessment and Restoration Division for the prior eight years. Formerly, Mr. Penn managed ARD's SE Region where he worked directly with scientists and economists to address coastal pollution and physical impacts from waste sites, oil spills, and vessel groundings. He started his career as a natural resource economist conducting damage assessment work primarily in the Gulf Coast and Caribbean regions with a focus on restoration scaling, including Habitat Equivalency Analysis, and recreational impact assessment. Mr. Penn received his B.S. in Economics from the University of Wisconsin and M.S. in Agricultural and Resource Economics from the University of Maryland.

**BRIAN REILLY, Senior Scientist, CSA Ocean Sciences Inc.**

Mr. Reilly is a landscape ecologist and natural resource damage assessment (NRDA) specialist who understands how to design and implement restoration solutions to improve local environments following oil spills, chemical releases, and other events. He has led large-scale and small-scale restoration planning efforts, using landscape ecology to guide the creation of new natural areas. Mr. Reilly manages large, complex projects involving hundreds of people working across large geographic regions. While working on the *Deepwater Horizon* oil spill, he managed teams of scientists across the southeastern United States, assessing impacts to birds and coastal wildlife. He also coordinated efforts across multiple consulting firms to prepare damage assessment reports and restoration plans for the Gulf of Mexico. He has managed NRDA projects on behalf of the Responsible Party, cooperatively working with the Trustees to fairly assess injury and find cost-effective restoration options to compensate for lost ecological services. Employing his experience in land conservation, Mr. Reilly helps clients identify opportunities to use existing holdings to offset environmental liabilities while producing financial, environmental, and social benefits. Mr. Reilly has led negotiations to permit new energy projects, settle NRDA litigation, create new wildlife refuges, and acquire land for National Parks.

**MARK ROCKEL, Senior Principal, Montrose Environmental**

Mark Rockel, Senior Principal at Montrose Environmental, has over 40 years of experience as an environmental economist in academia, government and for industry. He has served as a natural resource economist in over 40 NRDA cases and is currently serving as an expert testifier in several Clean Water Act, IRS and the International Centre for Settlement of Investment Disputes cases.

**JEFFREY TALBERT, J.D., Partner, Arnold & Porter Kaye Scholer LLP**

Jeffrey Talbert is a Partner with Arnold & Porter in their Boston, MA office. He is accomplished trial attorney and environmental lawyer who focuses on environmental litigation, permitting, and risk management. Mr. Talbert also serves as a mediator and allocator of costs at Superfund Sites and has significant experience in all major environmental statutes. Prior to joining the firm, he led the environmental group at a *Chambers*-ranked law firm and was a Trial Attorney at the U.S. Department of Justice's Environmental Enforcement Section. At the U.S. DOJ, he led one of the largest Clean Water Act cases in U.S. history, the first Clean Air Act case under EPA's pulp and paper initiative related to New Source Review, the largest Natural Resource Damages case under the Park Service Resource Protection Act, and numerous CERCLA and RCRA cases. Mr. Talbert received numerous awards for his work, including EPA's Gold Medal for exceptional service.

**JESSICA WHITE, Acting Chief, Emergency Response Division, US Department of Commerce/National Oceanic & Atmospheric Administration (NOAA)**

Jessica White is the acting Chief of the Emergency Response Division and Deputy Director/Operations Manager for NOAA's Office of Response and Restoration (OR&R) Gulf of Mexico Disaster Response Center, located in Mobile, Alabama. Prior to this position, she was a Regional Resource Coordinator in the Assessment and Restoration Division of NOAA OR&R working primarily on CERCLA sites in Texas and Louisiana. Through nearly eight years in that job, she participated in the Remedial Investigation and Natural Resource Damage Assessment processes with co-trustees to reach cooperative, restoration based settlements. Working on the Gulf coast, she has supported post-hurricane Stafford Act removal of hazmat and marine debris, emergency response to oil spills, and restoration of coastal habitats. Her education includes a BS in Biology from Texas Tech University (1998) and MS in Environmental Science from the University of North Texas (2003).