



Ad-Hoc INDUSTRY

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Key Government and Private Sector “Reformers” Reveal New Ways of Managing Natural Resource Issues

Washington, DC – *September 28, 2018* – The George Washington University Law School hosted a unique conference this week, featuring industrial company managers, government decision-makers, faculty and other academic researchers and others to examine the law and the science of current practice under US laws and ways to enhance efficiency, maximize benefits, foster private/public partnerships, support innovation and more. Over 100 persons participated.

The 11th Natural Resources Symposium: “*A Blue Print for Change: New Approaches and Needed Changes to Manage Natural Resource Risks, Liabilities and Opportunities*”, included a multi-stakeholder examination of the progress and the diversity of natural resource liability cases in the US - via some specific case/site reviews and corresponding lessons learned, as well as identification of actions needed to promote an effective national practice, with associated implications for global practice.

In a panel discussing case law with former high ranking government officials, John Cruden, former Attorney General for the Environment and Natural Resources Division said it “makes no sense” to have remediation and restoration separate and two sets of regulations governing restoration.

Steven Cook, head of EPA's Superfund Task Force, is working to streamline the cleanup process so more sites can be returned to communities. "Tough decisions do not get easier when they sit around for many years. We need to move forward. These communities deserve these sites healthy and safe." Mr. Cook also noted the quickest way to clean up a site is to have a community vision and that the EPA is also working on communicating risks to newcomers in growing communities.

Scott Cameron, Principal Deputy Assistant Secretary of Interior for Policy, Management, and Budget, outlined the ways in which the Department of Interior has already and continues to improve its resource restoration and management practices. Cameron is hoping for input from "the full breadth of the stakeholder community" in response to the Department's recent solicitation of comments on its Natural Resource Damage Assessment regulations.

The Symposium, convened by the Ad-Hoc Industry Natural Resource Management Group (Group) in cooperation with The George Washington University Law School, Environmental Law Institute and the George Washington University Environmental and Energy Management Institute, focused on policies and practices under US laws (CERCLA, OPA, Clean Water Act, state statutes) and analogous laws elsewhere. Barbara J. Goldsmith, the Group's Executive Director, explains that a key goal of the Symposium was to identify a specific set of recommendations for current and near-term opportunities for change and innovation. By focusing on better policy for better outcomes, such actions can benefit a diverse set of private sector and public sector stakeholders by conserving, managing and restoring natural resources quickly and efficiently with fairness and transparency.

The Symposium featured a wide array of public and private sector policy and decision makers at national level. Keynote Speakers included Allyson Anderson Book, Executive Director of the American Geosciences Institute; Andrew Mangan, Executive Director of the U.S. Business Council for Sustainable Development; and Andrew Revkin, Strategic Advisor for Science and Environmental Journalism for the National Geographic Society and a former staff reporter at The New York Times.

Allyson Anderson Book focused on the critical role good science plays in responding to natural disasters and managing resources. Andrew Mangan spoke about his organization's effort to

create an engaged, cross-industry network to lead to a new circular economy and move waste up the value chain to its highest and best use.

Andrew Revkin, in closing the Symposium, described “disruption as the new normal—in science, politics, journalism, activism, and transparency. A challenge moving is how will environmental law be disrupted? Can it be possible?”

Panelists emphasized creativity and consensus in regards to restoration projects. Brian Israel, a partner at Arnold & Porter, pointedly said “good projects close hard cases. When there are projects that trustees (for natural resources) can get excited about, they are more flexible and communities have something to look forward to. Consensus is then easier to achieve.”

A focus on early restoration was another central element woven through many presentations, particularly in response to oil spills. Greg Baker, Regional Resource Coordinator at the National Oceanic and Atmospheric Administration, said “it is critical to focus on early restoration, even before the injury is clearly defined. While we may be uncertain about the impact in the aquatic zone, we know how to handle shoreline contamination and can speed up the process.”

Another key theme was the emphasis on the “economics of ecosystems.” Jim South, Director of Corporate Engagement at The Nature Conservancy, described how companies across the country are “investing in nature, and identifying and implementing business-driven projects to improve conservation outcomes along with business performance.” Likewise, Neal Kemkar, Senior Counsel & Director of Environmental Policy at GE, noted that “to resonate with corporate executives now, you have to be doing good and doing well.”

The Ad-Hoc Industry Natural Resource Management Group, found in 1988, is comprised of multinational industrial companies in all industry sectors. It is the only industry group worldwide that is exclusively focused on the interface between natural resources and energy, transportation and industrial activities. In working to achieve sound policies and practices covering legal, scientific, economic and other dimensions, it partners with a broad spectrum of entities within industry and outside it including government authorities, academia, and research and conservation organizations – pursuant to a reasonable, balanced, predictable, and transparent practice arena.

Further information on the Symposium program and its key sponsors can be found at www.naturalresourcesymposium.com.

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