

COMMITTEE ON NATURAL RESOURCES
115th Congress Disclosure Form
As required by and provided for in House Rule XI, clause 2(g)(5)

“Deficiencies in the Permitting Process for Offshore Seismic Research”

January 19, 2018

For Individuals:

Name:
Address:
Email Address:
Phone Number:

* * * * *

For Witnesses Representing Organizations:

Name: Ryan Steen
Name of Organization(s) You are Representing at the Hearing: International Association of Geophysical Contractors (IAGC)
Business Address: [REDACTED]
Business Email Address: [REDACTED]
Business Phone Number: [REDACTED]

* * * * *

For Nongovernment Witnesses ONLY:

1. Please attach/include current curriculum vitae or resume.
2. Please list any federal grants or contracts (including subgrants or subcontracts) related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the source and amount of each grant or contract.

None

3. Please list any contracts or payments originating with a foreign government related to the subject matter of the hearing that were received in the current year and previous two calendar years by you or the organization(s) you represent at this hearing, including the amount and country of origin of each contract or payment.

None



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ABOUT RYAN

Ryan Steen is a partner in the Environment, Land Use and Natural Resources group, and focuses his practice on environmental litigation and regulatory counseling. Ryan has extensive experience litigating high-stakes natural resources disputes, particularly those involving claims asserted under the Endangered Species Act, the National Environmental Policy Act, the Clean Water Act, the Magnuson-Stevens Act, and the Marine Mammal Protection Act. In addition to his litigation practice, Ryan advises clients on a variety of regulatory matters including ESA listings, 4(d) rules, and the designation of critical habitat; ESA Section 7 consultation; incidental take authorization under the ESA and the MMPA; NEPA review; federal management of fisheries and hatcheries; forest practices; authorization of offshore oil and gas activities; and CWA discharge and fill permitting. Ryan's clients include trade associations and individual organizations in the oil and gas, fisheries, forestry, hydroelectric power, mining, tourism, and geophysical exploration industries.

Before starting his legal career, Ryan worked as a fisheries biologist for the University of Washington. In that position, he managed a large-scale salmon research program in Southwest Alaska, studied salmon habitat and ecology, and advised a commercial fishery on the population dynamics and run timing of Bristol Bay sockeye salmon.

EXPERIENCE

Recent or Pending Litigation

- *Alaska Oil and Gas Association v. Pritzker*, No. 13-00018 (D. Alaska) – Counsel to the Alaska Oil and Gas Association and the American Petroleum Institute in the successful challenge to the ESA listing of Arctic bearded seal stocks, resulting in vacatur of the unlawful listing rule.

Districts of Oregon, Alaska and the Western District of Washington

U.S. Courts of Appeals for the Ninth Circuit and the District of Columbia

U.S. Supreme Court

Education

Northwestern School of Law of Lewis and Clark College, J.D., 2003, magna cum laude

University of Washington, B.S. Fisheries, 1998

- *Alaska Oil and Gas Association v. Salazar*, no. 3:11-cv-00025-RRB (D. Alaska) – Counsel to the Alaska Oil and Gas Association and the American Petroleum Institute in the successful challenge to the polar bear ESA critical habitat designation, resulting in vacatur of the unlawful designation.
- *In re Polar Bear ESA Listing and 4(d) Rule Litigation*, MDL Docket No. 1993 (D.D.C.) – Counsel to the Alaska Oil and Gas Association in the successful defense of challenges by various advocacy groups to the polar bear ESA listing and 4(d) rule.
- *Turtle Island Restoration Network v. NMFS*, No. 12-00594 (D. Hawaii) – Counsel to the Hawaii Longline Association in the successful defense of claims by two advocacy groups that authorization of fishery violates ESA Sections 7 and 9 and other federal statutes.
- *Shell Oil Company v. Greenpeace, USA* – Counsel to Shell Oil Company in successful lawsuit seeking preliminary injunctive relief enjoining environmental activists from interfering with Arctic exploration vessels and activities. 863 F. Supp. 2d 839 (D. Alaska 2012), *aff'd*, 2013 WL 936586 (9th Cir. Mar. 13, 2013).
- *Native Village of Point Hope v. U.S. EPA*, No. 11-00200 (D. Alaska) – Counsel to an Alaska Native regional corporation in the successful defense to plaintiffs' claims that a CWA site-specific water quality criterion harmed native fish stocks.
- *Center for Biological Diversity v. Salazar*, No. 10-35123 (9th Cir.), No. 08-00159 (D. Alaska) – Counsel to the Alaska Oil and Gas Association in the successful defense of regulations authorizing the incidental take of polar bear and Pacific walrus in and near the Chukchi Sea against ESA, MMPA, and NEPA claims.
- *Center for Biological Diversity v. Salazar*, No. 08-35402 (9th Cir.) – Counsel to the Alaska Oil and Gas Association in the successful defense of regulations authorizing the incidental take of polar bear and Pacific walrus in and near the Beaufort Sea against MMPA and NEPA claims.
- *Hui Malama I Kohola v. NMFS*, No. 09-00112 (D. Hawaii) – Counsel to the Hawaii Longline Association in the successful defense of claims by advocacy groups concerning the formation of a take reduction team under the MMPA to address fisheries interactions with marine mammals.
- *Center for Biological Diversity v. EPA*, No. 13-08166 (W.D. Wash.) – Counsel to the American Petroleum Institute as an amicus participant in defense to claims challenging EPA's approval of Oregon and Washington's impaired waters lists under the CWA.
- *Freezer Longline Coalition v. Lubchenco*, No. 3:11-cv-00004-TMB (D. Alaska) – Counsel to the Freezer Longline Coalition in litigation involving state and industry challenges to the Steller sea lion biological opinion and associated regulations in the Bering Sea and Aleutian Islands, resulting in court-ordered remand to remedy NEPA violations.
- *Lennox v. DNR*, No. 12-038 (Wash. PCHB) – Counsel to Longview Timber Corp. in the successful defense of an administrative appeal of a forest practices authorization raising issues of statewide importance regarding road maintenance and abandonment plans.

Regulatory Advice and Permitting

- Assist a number of clients on a wide variety of ESA rulemaking and permitting processes including the listing of species, designation of critical habitat, formulation of 4(d) rules to limit the Section 9 take prohibition, habitat conservation planning, and generally applicable regulatory changes to the Section 7 consultation and Section 4 critical habitat designation processes.
- Counsel to the oil and gas industry on matters involving the leasing and permitting of exploration and development activities in Alaska under applicable federal laws, including providing advice regarding ESA listing petitions, critical habitat designation, climate change issues, and offshore permitting.
- Advise commercial fishing associations regarding compliance with federal laws such as the ESA, Magnuson Act, MMPA, Migratory Bird Treaty Act, and NEPA, as well as with other U.S. and international fisheries conservation and management laws.
- Advise developer regarding federal environmental law compliance for the development of a first-of-its-kind LNG conversion, storage and marine LNG fueling facility in the Port of Tacoma, Washington.
- Counsel to the oil and gas and geophysical exploration industries regarding the regulation of seismic exploration activities in the Arctic Ocean, the Atlantic Ocean, and the Gulf of Mexico.
- Represent a public utility district in the development and implementation of ESA permitting strategies related to hydropower projects' habitat conservation plans and associated hatchery mitigation programs, including the successful development of Hatchery Genetic and Management Plans and obtaining ESA Section 10 incidental take permits.
- Counsel to an oil and gas company regarding the procurement of ESA and MMPA authorizations associated with a seismic exploration program in Cook Inlet, Alaska.
- Counsel to an entity formed by the Alaska State Legislature on matters involving the NEPA review and associated permitting of a 737-mile natural gas pipeline project designed to bring North Slope natural gas to south-central Alaska.
- Serve as a fishing industry representative on the federal False Killer Whale Take Reduction Team, which was initiated by NMFS to address interactions between Hawaii commercial longline fisheries and false killer whales.
- Advised a Washington State port regarding the federal, state, and local environmental permitting requirements for the potential development of a 500-acre port terminal and industrial facility, including preparation of a NEPA/SEPA Draft Environmental Impact Statement, ESA Section 7 consultation, and CWA Section 404 permitting.
- Assisted a major forest products company with the development and implementation of a compliance system to satisfy certification requirements for controlled wood.

HONORS & ACTIVITIES

- Named a Top 50 Energy & Environmental Trailblazer, *National Law Journal*, 2016
- Included in *The Best Lawyers in America*® (currently: Litigation-Environmental, Natural Resources Law), 2015-2018
- Selected as one of "America's Leading Lawyers for Business" (Washington) by *Chambers USA* (currently: Environment), 2015-2017
- Listed in *Washington Super Lawyers*® (Environmental Litigation, Environmental, Energy & Natural Resources), 2013-2014, 2016-2017
- Member, Executive Committee, Alaska Bar, Environmental and Natural Resources Section, 2013-present
- Listed among *Rising Stars* (Environmental Litigation), *Washington Super Lawyers*®, 2012
- Member, Attorney Advisory Committee, Western Resources Legal Center, 2015-present
- Vice Chair, American Bar Association, Section of Environment, Energy, and Resources, Endangered Species Committee, 2009-2012

INSIGHTS & PRESENTATIONS

- Panelist, "Unlocking Natural Resources—An Exploration of Environmental Regulatory Challenges to Development in the Arctic," 4th Annual Arctic Encounter Symposium, Seattle, WA, April 2017
- Presenter, "Introduction to the Endangered Species Act," Endangered Species Act Conference, Seattle, WA, The Seminar Group, Jan. 2017
- Co-chair, Presenter, "Key Litigation and Regulatory Developments," Moderator, "ESA Recovery Planning in Alaska," Permitting Strategies in Alaska, Anchorage, AK, The Seminar Group, April 2016
- Presenter, "Introduction to the Endangered Species Act," Endangered Species Act Conference, Seattle, WA, The Seminar Group, Jan. 2016
- Presenter, "The Marine Mammal Protection Act: A Looming Giant for Offshore Permitting," National Ocean Industries Association, Scottsdale, AZ, Oct. 2015
- Presenter, "Managing Interactions between Commercial Fisheries and Marine Mammals, Sea Turtles and Sea Birds," Endangered Species Act Conference, The Seminar Group, Honolulu, HI, April 2015
- Presenter, "Introduction to the Endangered Species Act," Endangered Species Act Conference, Seattle, WA, The Seminar Group, Jan. 2015
- Panelist, "Acoustic Permitting for Ocean Activities," Environmental Law Institute, Oct. 2014
- "Succeeding in Today's Litigious Regulatory Landscape," *Resource Review*, Resource Development Council for Alaska, April 2014
- Featured Speaker, "New Frontiers: Environmental Considerations for US Geological & Geophysical Activities Workshop," International Association of Geophysical Contractors, Houston, TX, Mar. 2014
- "Oceans and Ice: Scientific Uncertainty in the Regulation of Protected

Species,” (coauthor) ABA Section of Environment, Energy, and Resources, Summer 2013

- Presenter on emerging ESA topics, “Pacific Northwest Timberlands Management” seminar, Portland, OR, The Seminar Group, 2012 and 2014
- Program co-chair and speaker, “Annual Permitting Strategies in Alaska” seminar, Anchorage, AK, The Seminar Group, 2013 and 2014
- Speaker, “Fisheries & Hatcheries - Legal and Regulatory Frameworks” seminar, Seattle, WA, The Seminar Group, 2009, 2010, and 2013
- Speaker, “The Preoccupation of NGOs with Alaska Resources: Past, Present, and Future,” 34th Annual Alaska Resource Development Council Conference, Anchorage, AK, Nov. 2013
- Speaker, “Arctic Issues: Polar Bear, Ice Seals and Walrus Listing Decisions and Oil and Gas Drilling,” 19th Annual Endangered Species Act Conference, Seattle, WA, The Seminar Group, Jan. 2012
- Presenter, “Managing Interactions between Commercial Faculty Fisheries and Marine Mammals - Perspectives from the Commercial Longline Industry and Federal Regulators,” Endangered Species Act Conference, Honolulu, HI, The Seminar Group, April 2013
- Program co-chair and speaker, “Annual Regulation of Water in Alaska” seminar, Anchorage, AK, The Seminar Group, 2011 and 2012
- Speaker, “ESA on the Hot Seat: Climate Change, Species and Petroleum,” Fifteenth Institute for Natural Resources Law Teachers, Rocky Mountain Mineral Law Foundation, Skamania, WA, May 2011
- “The Status of Environmental Litigation Affecting Alaska Development,” Energy in Alaska, Anchorage, AK, Law Seminars International, Dec. 2011
- “District Court Upholds Federal Rule Listing the Polar Bear as Threatened Under the Endangered Species Act,” *Environmental & Land Use Law Newsletter*, Washington State Bar Association, 2011
- “ESA and Climate Change,” ESA: Emerging Issues in Alaska, Anchorage, AK, Law Seminars International, Feb. 2010
- “Oil and Gas in Alaska: Legal Developments and the Ongoing OCS Debate,” Alaska Oil and Gas Congress, Anchorage, Alaska, 2009
- “The Polar Bear Listing Story: Efforts to Regulate GHG Emissions Using the Endangered Species Act” (coauthor), presented at the 39th Annual American Bar Association Conference on Environmental Law, Keystone, Colorado, Mar. 12-15, 2009
- “Egg Burial Depth by Sockeye Salmon (*Oncorhynchus nerka*): Implications for Survival of Embryos and Natural Selection on Female Body Size” (coauthor), *Canadian Journal of Zoology*, 1999