

## **Chapter 11. List of Preparers/Conflict of Interest and Disclosure Forms**

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## **11 LIST OF PREPARERS/CONFLICT OF INTEREST AND DISCLOSURE FORMS**

### **11.1 List of Preparers**

#### ***11.1.1 U.S. Department of Energy, National Energy Technology Laboratory***

Mark L. McKoy, DOE Environmental Manager

Jason Lewis, DOE Project Manager

Steve Mascaro, DOE Project Engineer

#### ***11.1.2 Lucinda Low Swartz, Esq.***

Lucinda Low Swartz, Esq., Environmental Consultant

J.D., Washington College of Law

B.A., Political Science and Administrative Studies (joint major)

30 years of experience in environmental law and regulation, focusing on all aspects of NEPA compliance and leading teams in the preparation of EIS and environmental assessments for federal agencies and in the preparation of NEPA-related environmental reports for private industry.

#### ***11.1.3 SWCA Environmental Consultants***

Cara Bellavia, Environmental Planner

M.U.E.P., Master of Urban and Environmental Planning

B.A., Anthropology

13 years of experience in environmental consulting, cultural resources management, and environmental planning for NEPA documentation.

Brian Brettschneider, GIS Specialist

Ph.D., Environmental Geography

B.S., Geography

17 years of GIS-related experience performing analysis, map making, data entry, and programming. 11 years of experience with environmental data collection, wetland delineation, agency coordination, and NEPA project management.

Kari Chalker, Managing Editor

B.A., Anthropology

M.A., Liberal Education

More than 10 years of experience as a writer and editor specializing in archaeology, environmental sciences, and NEPA documents, especially EISs tailored for a broad spectrum of readers.

Jeff Connell, Senior Planner

M.A., Public Administration

B.S., Urban and Regional Studies

30 years of experience managing and implementing numerous planning and NEPA projects that address a variety of environmental issues. Completed socioeconomic and land use studies and impacts analyses for numerous EISs. Experienced in socioeconomic modeling, including use of the IMPLAN and REMI modeling platforms.

Charles Coyle, Senior Project Manager, NEPA Principal

M.A., English

B.A., English

15 years of experience in research and development of baseline environmental studies and impacts analyses to meet the requirements of NEPA; management and coordination of EISs, EAs, and other large, complex projects; and technical writing and editing.

Kensley Greuter, TCEP Assistant Project Manager/Biologist

M.S., Biology

B.S., Wildlife and Fisheries Sciences

Eight years of experience in environmental regulatory compliance, wildlife biology, and technical writing for and management of NEPA and Endangered Species Act documents, as well as endangered species issues, wetland delineations, noise analyses, and ecological investigations on projects for federal agencies.

Janet Guinn, Planning Specialist

B.S., *magna cum laude*, Psychology and Anthropology

Eight years of experience as a NEPA planning specialist and project manager in the environmental/engineering fields. Experience includes NEPA analysis and public involvement activities, including public comment analysis.

David Harris, Visual Resource Specialist/Transportation Specialist

M.S., Environmental Science

B.A., English

13 years of experience, including visual analysis and fieldwork; visual simulations preparation and oversight; NEPA project management and quality control/quality assurance oversight; NEPA analysis, technical writing, and documentation, including recreation, transportation, noise, air quality, livestock and grazing, geology, soils, and wild horses; and environmental compliance project management, regulatory compliance, and monitoring.

Andrew Hultgren, Sustainability Project Manager

BSE, Chemical Engineering, Minor Materials Science

Four years of experience in project management and technical leadership of GHG inventories and reporting, GHG regulatory awareness and compliance, climate change risk and opportunity analysis, GHG and sustainability planning, and climate and air quality NEPA analysis.

Dustin Jones, Environmental Scientist

M.S., studies, Wildlife Ecology

B.S., Wildlife Ecology

Eight years of experience in regulatory compliance, permitting, ecological investigations for federal agencies, technical writing, GIS, and environmental management and policy.

James O. Jones, TCEP Project Manager/Subject Matter Expert  
M.S., Environmental Management  
B.S., Oceanographic Technology  
35 years of experience in NEPA documentation, application of environmental policy, regulatory compliance, and ecological investigations on projects for federal agencies.

Greg Larson, Planning Specialist  
M.S., Watershed Science  
B.A., Physical Geography  
Seven years experience in hydrologic and geomorphic studies, restoration planning, Clean Water Act permitting, and NEPA documentation and project management.

Staci K. MacCorkle, PMP/Natural Resource Scientist/Project Manager  
B.S., Environmental Science  
10 years of experience in natural resource studies and analyses, NEPA documentation, and project management.

Olivia Munzer, Wildlife Ecologist/Project Manager  
M.S., Ecology and Organismal Biology  
B.S., Biology  
Nine years of experience in ecological surveys and studies for federal and state agencies, regulatory compliance, EAs, and NEPA documentation

Matthew Petersen, Senior Ecologist  
M.S., Aquatic Ecology  
B.S., Wildlife and Fisheries  
18 years of experience in NEPA EISs. Acted as both a project manager and resource specialist on many NEPA projects and also has familiarity with related environmental regulatory processes such as the Endangered Species Act, the Clean Water Act, the Clean Air Act, and the National Historic Preservation Act.

Steven O'Brien, Environmental Specialist  
B.A., Biology and Chemistry  
14 years of experience in technical writing, soil/air/ground water monitoring, environmental site assessments, wetland and soil delineation and permitting, stream and riparian restoration, construction oversight, hazardous materials, project management, soil and hazardous materials resource sections for NEPA/environmental assessment/EIS reports, and biological evaluations for threatened and endangered species.

Abigail Peyton, Cultural Resources Specialist  
M.A., Archaeology  
B.A., Anthropology  
Nine years of experience in conducting archaeological investigations, including survey, NRHP testing, and data recovery; artifact analysis; technical reporting; and compliance with state and federal cultural resource regulations.

John Pecorelli, Technical Editor

B.S., Physical Anthropology

B.S., Journalism and Mass Communication

15 years of experience at all levels in popular and publishing—from the *Los Angeles Times* to the Annenberg Foundation. Experience includes seven years of technical writing, editing, and illustrating for such clients as Microsoft Corporation, Fujitsu, and Intel. Recognition includes first place awards from the Society of Professional Journalists and the Society for Technical Communication.

Ryan Rausch, Environmental Planner

M.S., Environmental Law and Policy

B.S., Biology

Six years of experience in land use, recreation, and utility systems analysis for NEPA documentation, application of environmental policy, regulatory compliance, conservation, and ecological investigations on projects for federal agencies.

Linda Tucker Burfitt, Technical Editor and Publications Specialist

B.A., Communications

A.S., Ecosystem Management and A.F. Forestry

Seven years of experience in technical editing, formatting, and technical writing; three years of experience editing, formatting, and publishing NEPA documents (e.g., EISs, EAs, and resource management plans); and seven years of experience in forest management, specifically forest health (entomology and pathology).

Christina White, Environmental Planner

M.P.P., Economics

B.S., Sociology and Public Relations

Six years of experience in socioeconomic resources, training in input/output econometric modeling systems, and project coordination/management.

Kemble White IV, Regional Scientist

Ph.D., Geology

M.S., Engineering Geology

B.A., Geology and Journalism

10 years of experience as a licensed professional geoscientist (Texas), TCEQ Edwards Aquifer rules compliance investigations, and cave and karst resource compliance investigations under the Endangered Species Act.

Susan Wilmot, Environmental Specialist

Ph.D., Human Dimensions of Ecosystem Science and Management

M.E.M, Environmental Management

B.S., Biology

Nine years of experience in environmental analysis and technical writing for NEPA documentation and research for federal agencies.

## **11.2 Conflict of Interest and Disclosure Forms**

DOE contractors who prepared this draft EIS were required to execute a disclosure specifying that they have no financial or other interest in the outcome of the project. Signed disclosure statements from Lucinda Low Swartz, Esq. and SWCA are shown in Figures 11.1 and 11.2, respectively.

DISCLOSURE STATEMENT  
LUCINDA LOW SWARTZ, ESQ.  
ENVIRONMENTAL IMPACT STATEMENT  
TEXAS CLEAN ENERGY PROJECT – IGCC WITH CARBON CAPTURE & SEQUESTRATION

**Regulatory Requirement**

Council on Environmental Quality (CEQ) Regulations at 40 CFR 1506.5(c), which have been adopted by the Department of Energy (DOE) at 10 CFR 1021, require contractors who will prepare an Environmental Impact Statement (EIS) to execute a disclosure specifying that they have no financial or other interest in the outcome of the project. The term “financial interest or other interest in the outcome of the project” for the purposes of this disclosure is discussed in the March 23, 1981 guidance “Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations,” 46 FR 18026-18038 at question 17a and b.

“Financial interest or other interest in the outcome of the project” includes “any financial benefits such as a promise of future construction or design work in the project, as well as indirect benefits the contractor is aware of (e.g. if the project would aid proposals sponsored by the firm’s other clients).” 46 FR 18026-18031.

**Disclosure Statement**

In accordance with the requirements set forth above, Lucinda Low Swartz, Esq. (Swartz) hereby makes this disclosure statement and certifies that Swartz has no past, present or currently planned financial or other interest in the outcome of the Texas Clean Energy Project, an IGCC with carbon capture and sequestration facility. Swartz agrees that should she become aware of any facts giving rise to a potential future conflict of interest, she will promptly notify the DOE NEPA Director and take any steps necessary to mitigate the conflict.

For the purposes of complete disclosure, Swartz makes the following representations:

1. Swartz has no interest in the Project other than NEPA related work. The Project proponent, Summit Texas Clean Energy, LLC (STCE) has advised that STCE may conduct a competition for a subcontractor to develop NEPA related environmental monitoring plans and perform post-ROD monitoring, if applicable. Swartz may have an interest in submitting a proposal against the subcontract competition.
2. Swartz is not currently performing any environmental work for STCE or its affiliates.
3. Swartz is not currently engaged to perform any future work for STCE or its affiliates or promised any such engagement by STCE or its affiliates. Given that STCE’s affiliates develop energy projects, it is possible that Swartz may be engaged to





perform similar work, such as due diligence studies, site feasibility assessments and permitting work, but no such arrangements exist at this time.

Certified by:

Lucinda Low Swartz 7/1/2010  
SIGNATURE DATE

Lucinda Low Swartz, Environmental Consultant  
NAME & TITLE (PRINTED)

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COMPANY

**Figure 11.1.** Disclosure statement from Lucinda Low Swartz, Esq.

DISCLOSURE STATEMENT  
SWCA INCORPORATED  
ENVIRONMENTAL IMPACT STATEMENT  
TEXAS CLEAN ENERGY PROJECT – IGCC WITH CARBON CAPTURE & SEQUESTRATION

**Regulatory Requirement**

Council on Environmental Quality (CEQ) Regulations at 40 CFR 1506.5(c), which have been adopted by the Department of Energy (DOE) at 10 CFR 1021, require contractors who will prepare an Environmental Impact Statement (EIS) to execute a disclosure specifying that they have no financial or other interest in the outcome of the project. The term “financial interest or other interest in the outcome of the project” for the purposes of this disclosure is discussed in the March 23, 1981 guidance “Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations,” 46 FR 18026-18038 at question 17a and b.

“Financial interest or other interest in the outcome of the project” includes “any financial benefits such as a promise of future construction or design work in the project, as well as indirect benefits the contractor is aware of (e.g. if the project would aid proposals sponsored by the firm’s other clients).” 46 FR 18026-18031.

**Disclosure Statement**


In accordance with the requirements set forth above, SWCA Incorporated (SWCA) hereby makes this disclosure statement and certifies that SWCA has no past, present or currently planned financial or other interest in the outcome of the Texas Clean Energy Project, an IGCC with carbon capture and sequestration facility. SWCA agrees that should it become aware of any facts giving rise to a potential future conflict of interest, it will promptly notify the DOE NEPA Director and take any steps necessary to mitigate the conflict.

For the purposes of complete disclosure, SWCA makes the following representations:

1. SWCA has no interest in the Project other than NEPA related work. The Project proponent, Summit Texas Clean Energy, LLC (STCE) has advised that STCE may conduct a competition for a subcontractor to develop NEPA related environmental monitoring plans and perform post-ROD monitoring, if applicable. SWCA may have an interest in submitting a proposal against the subcontract competition.
2. SWCA is not currently performing any environmental work for STCE or its affiliates.
3. Given that STCE’s affiliates develop energy projects, it is possible that SWCA may be engaged to perform environmental work for a project in which STCE’s affiliates are also involved, but SWCA has not been promised any such engagement by STCE, its affiliates, or third parties by virtue of its work for the Project.

4. SWCA is not currently engaged to perform any future work for STCE or its affiliates or promised any such engagement by STCE or its affiliates. It is possible that SWCA may be engaged to perform similar work, such as due diligence studies, site feasibility assessments and permitting work, but no such arrangements exist at this time.

Certified by:

 5/4/2010

SIGNATURE DATE

James O. Jones; Natural Resources Program Director

NAME & TITLE (PRINTED)

SWCA Environmental Consultants

COMPANY

**Figure 11.2.** Disclosure statement from SWCA Environmental Consultants.

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