

## Kevin A. Ewing

Of Counsel

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Kevin Ewing helps clients with federal natural resources law and policy. He advises chiefly energy and infrastructure companies pursuing development projects, federal authorizations, or changes in agency policy, and in responding to federal enforcement and incident investigations. His clients are involved in offshore wind and O&G development, natural gas and liquids pipelines, LNG, power transmission, and urban park renewal. Kevin has almost thirty years of experience helping clients bring infrastructure projects online. He has frequently been involved in efforts to improve federal policies governing infrastructure and related permitting and agency reviews. Kevin's work extends to many statutes, including the major pollution control statutes, NEPA, NHPA, the Natural Gas Act, the Pipeline Safety laws, and federal laws governing urban parks, such as LWCFA and UPARR.

An area of special focus for more than twenty years is corporate disclosure concerning environmental, social, and governance issues (ESG) and related shareholder demands and governmental inquiries (including under the Martin Act) about climate change, hydraulic fracturing, and similar topics. He advises publicly-traded energy companies on mandatory reporting, sustainability reporting, and related litigation and policy issues.

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## Experience

### Invenergy and energyRe

- as project sponsors, in forming a consortium of investors that secured one of six leases in the New York Bight offshore wind auction

## Industries

[Energy](#)

## Practices

[Carbon Capture Utilization and Storage](#)

[Environmental, Social & Governance \(ESG\)](#)

[Environment, Lands and Resources](#)

[Government Enforcement & Investigations](#)

[Incident Prevention & Response](#)

[Oil & Gas](#)

[Public Lands & Resources](#)

[Renewable Energy](#)

[Environmental Litigation](#)

[Downstream Transactions](#)

[Midstream Transactions](#)

[Upstream Transactions](#)

[Environmental Litigation & Enforcement Defense](#)

[Natural Resource Protection](#)

[Environmental Permitting &](#)

# BRACEWELL

## **Equinor**

- \$1.1 billion sale to bp plc of a 50 percent interest in Equinor's U.S. offshore wind development portfolio, including formation of a partnership to develop and operate the Empire Wind project offshore New York and Beacon Wind project offshore Massachusetts, which together could generate over 4 GW of power

## **City of Chicago**

- federal permitting, environmental impact assessment, historic preservation, and related litigation for projects in support of The Barack Obama Presidential Center and other urban park initiatives

## **Project Development**

### **Equinor**

- federal leasing, permitting, and environmental impact analyses to support multiple utility-scale projects forming the U.S. offshore wind portfolio of the company, in addition to related federal litigation

### **Multiple LNG projects (import and export)**

- environmental aspects of LNG storage, regasification, and liquefaction projects, including siting, permit strategy, and environmental impact assessment

### **Offshore LNG facility**

- defense of the Deepwater Port Act license (Gulf Restoration Network v. U.S. Department of Transportation, 452 F.3d 362 (5th Cir. 2006))

### **Pipeline developers and anchor shippers**

- permitting, environmental impact assessment, FERC environmental requirements and related litigation for proposed natural gas and liquids pipelines

### **Nonprofit developer**

- NEPA litigation defending against challenges to federal approvals for an urban park project supporting underserved environmental justice communities in southwestern Michigan

### **Multiple trade associations and business groups, and their member companies**

- advise and advocate on modernizing federal policy under NEPA, Clean Water Act, Natural Gas Act, and the pipeline and LNG safety statutes aimed at improving permitting and safety of energy and other infrastructure

## **Safety and Incidents**

### **LNG developer and operator**

- federal safety requirements and governmental inspections for developing and operating LNG assets, including an LNG release and related administrative actions by U.S. DOT/PHMSA

### **Halliburton Energy Services, Inc. / Macondo**

- federal government investigations concerning the Macondo well control incident

### **Oilfield services and E&P companies**

- post-Macondo federal policy and regulatory developments affecting energy development; permitting and financial assurance requirements; liability and enforcement; federal land policies; and the requirements of NEPA and species protection

### **Energy companies operating offshore**

- development risk analysis associated with numerous proposed and operating offshore and nearshore energy facilities in the Northeastern U.S., Mid-Atlantic, and Gulf of Mexico n/k/a Gulf of America

### **Midstream and downstream energy companies**

- compliance support concerning pipeline safety, Presidential and other federal permitting, jurisdictional issues for offshore and onshore gathering and transmission pipelines, and regulatory support in A&D

## **Corporate Disclosures**

### **Publicly-traded upstream energy company**

- securing SEC Staff no-action letter concerning shareholder climate proxy proposal

### **Publicly-traded energy companies**

- response to shareholder proxy proposals on environmental issues and advice on long-term strategies for shareholder engagement
- mandatory and voluntary disclosure to shareholders concerning environmental matters under Regulation S-K
- defense of Martin Act investigation concerning shareholder disclosure relating to climate change
- defense of Martin Act investigation concerning shareholder disclosure relating to hydraulic fracturing

## Credentials

### Education

- University of Heidelberg, Master of Laws, 1993
- Georgetown University Law Center, J.D., 1991
- Yale University, B.A., 1988, *cum laude*

### Bar Admissions

- Maryland
- District of Columbia

### Affiliations

- Women's Council on Energy and the Environment, Past Chair, Advisory Council
- Washington Institute of Foreign Affairs
- AmericaSpeaks, Former Member, Board of Directors
- Decatur House of the National Trust for Historic Preservation, Former Member, Board of Directors

### Languages

- German

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## Recognition

### ***Chambers USA***

- Nationwide Offshore Energy, 2023 – 2025
- District of Columbia Environment, 2017 – 2025

### ***The Legal 500 United States***

- Environment: Regulatory, 2019 – 2025
- Environment: Litigation, 2017 – 2019, 2022 – 2024
- Environment: Transactional, 2022 – 2025
- Energy: Renewable/Alternative Power, 2023 – 2024
- Energy Regulatory: Oil and Gas, 2017, 2023
- Energy: Regulatory, 2016

# BRACEWELL

## **Portfolio Media, Inc.**

- *Law360*, MVP of the Year: Environmental, 2017

## **ALM Media Properties**

- *National Law Journal*, Energy & Environmental Trailblazer, 2017

## **BL Rankings**

- *Best Lawyers*, Energy Law, 2023 – 2025

## **Delinian Limited**

- *IFLR1000 Financial & Corporate and M&A Guide*, 2021 – 2024

## **Lawdragon Inc.**

- *Lawdragon 500 Leading US Energy Lawyers*, Energy Development, 2024

## **Law Business Research Ltd.**

- *Lexology Index's Thought Leaders: USA*, Environment, 2025

## **Women's Council on Energy and the Environment**

- Champion Award

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## **Resources**

### **Environmental Justice**

Podcast

### **Trump Administration Publishes Final Revisions to NEPA Regulations**

Blog Post

### **California: Planning its Offshore Wind Future**

Blog Post

### **ESG Seminar: ESG Fundamentals and Litigation**

Video

### **The Administration's Environmental Justice Focus**

Video

### **Climate Change on Every Menu**

Video

## **Change at the Interior Department: A Look Ahead**

Video

## **ESG/SEC Disclosure and Implications**

Video

## **Infrastructure Under the Biden Administration**

Video

## **ESG – A Look Ahead**

Video

## **Déjà Vu: CEQ to Reset NEPA Regulations, and Then Some**

Update

## **Under the Sea: Congress Amends OCSLA to Provide for Offshore CCS**

Update

## **Litigation and Enforcement Impact of the SEC’s Proposed Rules on Climate-Related Disclosure**

Update

## **Attestation: Practical Reflections on What the SEC Climate Proposal Will Require**

Update

## **Summary Outline of SEC’s Proposed Rule on Climate-Related Disclosure and Accounting**

Update

## **New Climate Guidance Issued to Federal Agencies Conducting Environmental Impact Analyses**

Update

## **BOEM Proposes to Modify its Offshore Renewable Energy Regulations**

Update

## **Offshore Wind Litigation: Court Dismisses Challenge to BOEM’s Process to Identify the New York Bight Lease Areas**

Blog Post

## **Offshore Wind Litigation: Court Denies Challenge to Major Offshore Wind Project**

Update

## **Congress Amends NEPA in Effort to Reform Federal Permitting**

Update

## **Offshore Wind Litigation: Court Denies Fishing Groups' Challenge to Major Offshore Wind Project**

Blog Post

## **Update on Securities and Exchange Commission's Landmark Proposed Climate-Change Disclosure Rulemaking**

Update

## **Hurdles Ahead for the SEC's New Climate Disclosure Proposal**

Update

## **Environmental Essentials Webinar Series – SEC Climate Disclosure Rule**

Video

## **Chevron Overturned: No Judicial Deference to Agencies in Interpreting Statutes**

Update

## **Environmental Essentials Webinar Series – Greenwashing and Carbon Targets: A Prosecutor's Perspective**

Video

## **Unpacking the NEPA Ruling: Marin Audubon Society v. the FAA**

Podcast

## **The Reasonably Foreseeable Effects of Seven County Infrastructure Coalition**

Update