



24th Annual Meeting of the Canadian Bar Association and Justice Canada: National Environment, Energy and Resources Law Section

October 18-19, 2012
Sheraton Hotel | Ottawa, ON

Conference Co-Chairs

CBA: **Charles Birchall**, Folger, Rubinoff LLP
DOJ: **Kathleen Roussel**, Environment Canada Legal Services
Gord Hill, Environment Canada Legal Services

Thursday, October 18

12:00 | 12:30 Registration & Refreshments

12:30 | 1:15 Keynote Speaker

The Assistant Deputy Minister responsible for the Meteorological Service of Canada will discuss the impact of weather on the environment and discuss Environment Canada's mandate, and how it relates to the rest of the work of the Department.

David Grimes, Assistant Deputy Minister of the Environment, Meteorological Service of Canada (Environment Canada) and President, World Meteorological Association

1:15 | 2:00 The New CEAA

Panelists will outline the main changes to the federal Environmental Assessment process, following the re-enactment of the Canadian Environmental Assessment Act, and discuss the anticipated impacts of those changes for industry, other stakeholders and the environment.

Charles Birchall, Fogler, Rubinoff LLP
Stephen Hazel, Ecovision
Natalie Turmel, Justice (Environment)

2:00 | 2:40 Update on the Canada Consumer Product Safety Act

The Canada Consumer Product Safety Act came into force on June 20, 2011. The panelists will discuss the roll-out and implementation of the Act, as well as how it is currently playing out on the ground for industry stakeholders.

Rosalind Cooper, Fasken Martineau LLP
John Morales, Justice (Health)
Tina Green, Director General, Consumer Product Safety Directorate

2:40 | 3:30 The Siloxane Board of Review under CEPA, 1999
The Board of Review was the first ever convened under the Act. The panelists represented either one of the parties, or the Board itself. The Board raised a number of novel legal issues, which will be canvassed by the panel.

Harry Dahme, Gowling, Lafleur, Henderson LLP

Gerry Stobo, Borden, Ladner, Gervais LLP

Helene Robertson, Justice (Litigation)

3:30 | 3:45 Refreshment Break

3:45 | 4:20 Fisheries Act Amendments
The last budget bill made amendments to the Fisheries Act, notably to the habitat provisions, and to the various penalty provisions. The panel will canvass the changes made and the impact they can be expected to have on the management of fisheries and on the protection of the marine environment.

Jim Thistle, McInnes Cooper LLP

Tony Crossman, Miller Thomson LLP

4:20 | 5:00 ABA/SEER Rio Plus 20 Update
The Chair of the American Bar Association Delegation to the United Nations Conference on Sustainable Development (Rio +20) will review the Delegation's participation and outcomes at Rio +20, as well as the follow-up work that is being undertaken by the ABA to foster and support sustainable development.

Lee DeHihns III, Alston & Bird LLP

5:00 | 7:00 Networking Reception Sheraton Hotel

7:00 Informal Dinner Tosca Ristorante | 144 O'Connor Street | Ottawa, ON | 613-565-3933

Friday, October 19

7:30 | 8:30 Registration and Breakfast

8:30 | 9:00 Welcome and Networking

9:00 | 10:00 Environmental Trade Law Issues
The panel will discuss the obligations and exceptions arising out of Canada's trade agreements that relate to the environment, as well as the various challenges brought under them.

Scott Little, DFAIT Trade Law

Torsten Strom, DFAIT Trade Law

10:00 | 10:15 Refreshment Break

10:15 | 11:30 Roles, Responsibilities and Challenges of an Environmental Law Lawyer
The panelists will bring forward different perspectives, related to the work of an environmental lawyer, based on their respective roles as public sector, private sector or non-government organization lawyers.

The presenters will discuss different types of environmental practice, the challenges and pitfalls, with a view to providing audience participants with a better understanding of the different areas of practice. It is anticipated that attendees will come away with some best practices and some tips on how to provide quality legal advice despite the challenges and pressures associated with the different areas of practice.

Sarah Powell, Davies, Ward, Phillips & Vineberg LLP

Barry Weintraub, Rueter, Scargall, Bennett LLP

Theresa McClenaghan, CELA

Joanne Kellerman, Justice (NRCan)

11:30 | 12:30

Keynote Speaker

The Deputy Minister of the Environment will address the attendees, and provide them with some thoughts on the recent accomplishments, priorities and challenges at Environment Canada.

Bob Hamilton, Deputy Minister of the Environment (*time to be confirmed*)

12:30 | 1:30

Luncheon

1:30 | 2:30

Environmental Emergencies: Just Who is Doing What to Whom?

The panel will use a fictional example to outline the roles of the federal and provincial governments, industry and their respective legal counsel in the event of a spill or other environmental emergency.

Alex Pike, Davies Ward Phillips & Vineberg LLP

Stella Couban, Ontario Ministry of the Attorney General

Louise McIsaac, Justice (Environment)

2:30 | 4:00

Other Hot Topics in Environmental Law

Panelists will discuss various interesting issues, including the implications of litigation in respect of the interaction of bankruptcy laws and environmental orders; an update on prosecutions; the potential implications of a constitutional challenge to the Renewable Fuels Regulations; and updates from the provinces and territories.

- i. Abitibi and Nortel Bankruptcy Litigation*
- ii. Increased Environmental Penalties*
- iii. Updates from the Provinces and Territories*
- iv. Syncrude v. the Minister of Environment*
- v. Intersection of cumulative effects assessment and Aboriginal consultation*
- vi. Great Lakes Water Quality Agreement*

Paul McCulloch, Ontario AG, Legal Services Branch, Environment

Michael Hebert, Beament Green LLP

Linda Tingley, Justice

Dan Blasioli, Justice

Juli Abouchar, Willms & Shier LLP

4:00 | 4:15

Closing Remarks

For more information, or to register for this program, please visit the meeting website:

http://www.cba.org/pd/details_en.aspx?id=NA_doj2012