



## Environmental Law for Consultants and Industry – Hot-Topics Roundtable

Join leading environmental legal practitioners from private practice as they review latest developments and discuss what consultants and industry need to know. This session will include a moderated panel discussion with audience questions welcome.

### Moderator:

**Anand Srivastava**  
**Willms & Shier Environmental Lawyers LLP**

Anand Srivastava's legal practice focuses on contaminated land and environmental risk management, environmental civil litigation, defence of environmental regulatory prosecutions, administrative appeals and hearings, environmental transactional advice, regulatory compliance, and environmental insurance. By understanding the science that underpins environmental legal issues, Anand is able to ask the right questions to efficiently determine the key factors and expected outcomes for a matter. He roots his legal approach in his background in environmental toxicology to provide a unique viewpoint on complex matters. Anand understands that each client has specialized needs and he prides himself on applying his subject matter knowledge and expertise in his practice. Ultimately, Anand's objective is to counsel clients about minimizing environmental risk, seeking recovery from others, where necessary, and concurrently achieving their individual or business objectives.

### Panelists:

**Sean Parker**  
**McLennan Ross LLP**

Prior to his legal career, Sean Parker worked in the environmental consulting field. This has given him a practical understanding of environmental issues and deep technical knowledge that now forms the foundation of his environmental and regulatory law practice.

As Co-Chair of the firm's Environmental & Energy Practice Group, he provides legal advice on environmental issues relating to various matters including commercial transactions and litigation.

Sean advises on environmental management projects, with a focus on brownfield redevelopment and contaminated site issues. Sean acts for a wide variety of clients that include large industry players, municipalities, government departments, small independent operators, and individual landowners. He has the technical background, legal knowledge, and a genuine interest in this area to help his clients navigate the complex process successfully.

In regulatory matters, Sean handles the defence of enforcement actions and is well-versed in the legislative framework and processes, including those involved in governmental authorizations. He is proficient in communicating with the technical experts and consultants

required in these matters and has developed many strong relationships in the industry.

In his commercial litigation practice, Sean handles a variety of matters, including contaminated site litigation, construction disputes, landlord-tenant issues, and professional negligence claims.

Sean has earned a reputation for being innovative, yet practical. He helps his clients achieve their objectives by understanding their needs and never losing sight of important business considerations. Working closely with his clients to achieve their goals, Sean values practicality and efficiency. He considers situations where he has found early-stage solutions for his clients as some of his biggest successes.

**Jacquelyn Stevens**  
**Willms & Shier Environmental Lawyers LLP**

Jacquelyn Stevens, with thoughtful insight, she studies the details of client matters and fully considers both the legal and business implications for clients. As both a litigation lawyer and a geologist, she understands the complexities of the science involved in environmental law which helps her assess the need for and engage with environmental experts who assist Jacquie in developing solutions for clients.

As a Law Society of Ontario Certified Specialist in Environmental Law, Jacquie practices civil litigation before the courts, regulatory litigation before courts and administrative tribunals, and undertakes transactional and permitting work. She prosecutes and defends environmental lawsuits, and acts for clients in the defence of environmental prosecutions by regulatory authorities, and on appeals of regulatory orders and approvals. Jacquie is a trusted advisor whom clients turn to for forthright guidance and advice about their environmental

matters. She advises on a broad range of environmental matters and assists with environmental due diligence and compliance. Her significant experience representing clients in environmental civil and regulatory litigation spans from individuals to large corporations, and across many sectors. Jacquie also advises Indigenous communities and private-sector clients about Indigenous environmental law issues. Persistent and pragmatic, Jacquie analyzes problems to find the most logical paths to solutions, assessing all options along the way. She is a creative and practical problem solver, always seeking efficient and effective ways to resolve legal situations. Although she is a litigator, her goal is to find the best possible solution for each unique client and situation, whether or not that involves resorting to the courts and tribunals.

**Matt Gardner**  
**Willms & Shier Environmental Lawyers LLP**

Matthew is a boots-on-the-ground advocate, helping clients comply with the law. He handles environmental legal issues and environmental litigation with a focus on defending regulatory prosecutions (by federal, provincial, and municipal regulators), appealing environmental orders and litigating environmental claims.

Matthew is a Certified Specialist in Environmental Law by the Law Society of Ontario. Matthew has expertise in excess soil, contaminated land, waste management, environmental insurance, species-at-risk, storage tanks, and on-road vehicle emissions. He helps clients navigate complex environmental regulatory requirements. Matthew provides advice and solutions to clients about environmental due diligence, environmental management systems, and day-to-day environmental compliance.



He also represents intervenors before the Ontario Energy Board in natural gas and electricity matters.

An experienced litigator, Matthew regularly appears before the Ontario Superior Court of Justice, the Ontario Court of Justice, the Ontario Land Tribunal and the Ontario Energy Board. Always focused on a client's best interests, Matthew will negotiate settlements before or in the early stages of litigation wherever possible. Clients count on his guidance to navigate inspections and investigations by environmental regulatory authorities, appeal environmental orders and defend environmental regulatory prosecutions with the vigour and passion that Matthew brings to his work.

Working well with other lawyers, environmental and planning consultants, and subject-matter experts, Matthew assembles the best team for any situation. He is frank, straightforward and clear in his communications and comes prepared for conversations with clients with an innate sense of what they need to achieve their objectives.

### **Annemarie Clark Witten LLP**

Annemarie Clarke is an experienced litigator with a focus on Environmental Law, Employment Law, Indigenous Law and Commercial Litigation. She has successfully represented clients at all levels of court in Alberta, the Federal Court of Canada and the Supreme Court of Canada, as well as before numerous administrative boards and tribunals. In her Environmental Law practice, Annemarie provides comprehensive advice on complex environmental issues. She acts for a wide range of clients including commercial parties, lenders, government departments, and Indigenous clients. Annemarie advises clients on all matters of an environmental nature, including regulatory and civil matters,

contaminated sites and brownfield redevelopment, and business transactions such as the purchase, sale, financing and leasing of lands and businesses.

In her Employment Law practice, Annemarie provides advice to a diverse range of private and public clients on employment law issues, including dismissals, human rights claims, employment contracts and policies, and other employment-related matters. Annemarie also maintains a diverse Indigenous Law and Commercial Litigation practice.

Annemarie has held significant leadership roles both within and outside of Witten. She serves as a member of Witten's Management Committee and is the Chair of the Articling Committee. In addition, Annemarie has made substantial contributions to the CBA Environmental, Energy & Resources (North) Executive, where she was a Chair and Executive member. Her leadership extends beyond professional circles as she is also a past board member for the Confederation Hockey Club and the Student's Union & Community Early Learning Centre at the University of Alberta.

Outside of her professional life, Annemarie enjoys spending time running the trails in Edmonton's River Valley and keeping up to her three active sons.

## Panel Discussion



### How Mutual Economic Opportunities Supports the Path to Truth and Reconciliation

The focus of the panel discussion is to help understand how mutual economic opportunities supports the path to truth and reconciliation. The panelists' expertise stems from government, industry and local Indigenous communities. They will offer their own firsthand experiences, to advance the discussion.

#### **Moderator:**

#### **Brad Spence Trace Associates**

Brad Spence is the Principal, Indigenous Advisory at Trace. At Trace we work hard to support and train our clients about Indigenous inclusivity as a component of reconciliation efforts. We use the "Two-Eyed Seeing" approach, which includes the four components of Indigenous Inclusion: Education; Awareness, Engagement, Employment, and Business Partnerships. These components serve as our foundation to engaging and building relationships, and creating respectful, inclusive space. Indigenous Inclusion has no boundaries. Elder Albert Marshall describes Two-Eyed Seeing as learning to see from your one eye with Indigenous ways of knowing and using your other eye to see the Western approach for the benefit of all. Brad helps our clients understand there are two perspectives, and to see both for the greater good of all.

#### **Panelists**

#### **Shaleigh Raine Louis Bull Tribe**

Shaleigh Raine is a citizen of the Louis Bull Tribe (Kispatinaw) located in Maskwacis Alberta. She holds a Bachelor of Arts in Native Studies, with a minor in History as well as a certificate in Aboriginal Governance from the University of Alberta (class of 2014). Shaleigh has spent the last 10 years working in the consultation field, first starting her career with the Government of Alberta where she spent 4 years working in Indigenous Relations. Shaleigh's current position is the Lands, Consultation and Economic Development manager for home community of the Louis Bull Tribe. Shaleigh works to protect her communities inherent and Treaty rights as they related to resource development for the future generations of kispatinahk citizens.

#### **Michelle Cotton Solstice Environmental Management**

Michelle Cotton has over 35 years of experience in environmental management as an environmental consultant. The first half of her career, Michelle focused primarily on assessment, remediation, and reclamation activities for upstream oil & gas activities. Based on some important learnings from working in remediation and reclamation activities, Michelle has put a huge emphasis during the



last 15 years of her career on baseline ecological assessments, conservation and reclamation planning, and liability assessments, in order to help her clients, plan better developments and reduce their future liabilities. Her experience with full life cycle oil and gas environmental activities allows her to support her clients to develop and to operate in an environmentally sustainable way. It has also driven her to try to understand the relationship of Indigenous people and communities to responsible resource development. She is also interested in the integration of traditional knowledge and western science particularly in relation to the prevention and management of environmental impacts and to sustainable land use management. Michelle is an advocate for local land users who are in the best position to understand and manage the use of the land and build a better future together. Michelle believes that by protecting inherent Indigenous and Treaty Rights, we protect the environment.

**Brandon Spiller**  
**Sublatus Environmental**

With extensive experience in the environmental sector, Brandon Spiller has a proven history of leadership in business development, operations, and strategic partnerships. As the CEO of Sublatus, he directs a team that consistently delivers high-quality services in demolition, decommissioning, remediation, and environmental construction. Brandon's commitment to sustainability, fostering collaborative relationships, and working closely with First Nations communities drives the company's success across the Oil & Gas, Midstream, and Mining industries. His leadership is not solely about achieving business goals, but also about creating lasting, positive impacts for clients, First Nations partners, and the communities the company serves.

**Joel Gervias**  
**Indigenous Services Canada**

Joël Gervais is a Senior Environment Officer with Indigenous Services Canada – Environment & Natural Resources group responsible for working with First Nations to advance infrastructure and economic initiatives through federal environmental assessment, contaminated sites, and solid waste management programs. Joël primarily works with Treaty 8 Nations but also advises on projects in Treaty 6 and 7 areas of Alberta. Joël is Professional Biologist working with ISC since March 2020. His prior experience includes a decade consulting in the engineering / environmental management sector. When he isn't working, he can be found cross country skiing, mountain biking, or trail running.

# Workshop



## Protecting the Business of Environmental Remediation: Insurance, Contracts & Liability

This workshop is designed to equip attendees with the tools and knowledge they need to minimize liability exposures in their environmental remediation projects. Kicking off with an overview of risk management strategies, participants will learn how insurance, contracts, and executive liability play a vital role in safeguarding their organizations. Through interactive discussions, attendees will dive into real-world claims case studies, exploring various types of claims while discovering practical lessons and best practices to effectively reduce their own risk.

The session will then guide attendees through a hands-on review of critical contract clauses that directly impact their liability in remediation projects. Participants will learn how to identify and negotiate key elements like indemnification clauses, limitation of liability, and insurance requirements to better protect their interests. The presentation also addresses executive liability, teaching attendees how to shield themselves from personal exposure by understanding the importance of Directors and Officers insurance and staying compliant with regulatory requirements. Finally, the session will conclude with an engaging Q&A, giving attendees the opportunity to ask questions and discuss liability concerns specific to their own projects and challenges.

1. Introduction
  - Brief overview of Lloyd Sadd and the importance of organizational risk management in environmental remediation projects
  - Introduction to key areas: insurance, contracts, and executive liability
2. Claims Case Studies
  - Present 3-4 real-world case studies relevant to environmental remediation projects
  - Focus on different types of claims: property damage, bodily injury, pollution liability
  - Discuss lessons learned and best practices for risk mitigation
3. Contract Review and Critical Clauses
  - Identify key clauses in remediation contracts that impact risk and liability
  - Discuss indemnification clauses, limitation of liability, and insurance requirements
  - Provide examples of well-crafted contract language vs. problematic wording
4. Executive Exposure and Liability
  - Explain potential personal liability for executives in environmental projects
  - Discuss Directors and Officers (D&O) insurance and its importance
  - Address regulatory compliance and its impact on executive liability



5. Emerging Risks in Environmental Remediation

- Discuss new and evolving risks in the industry, such as:
- Climate change impacts on remediation projects
- Cyber risks in environmental monitoring and data management
- Emerging contaminants and potential changing regulations

6. Interactive Q&A Session

- Open floor for questions from the audience
- Address specific concerns related to their projects or experiences

**Speakers:**

**Andrea Phillips**  
**Senior Advisor, Lloyd Sadd**

Andrea is a Senior Advisor at Lloyd Sadd in Edmonton specializing in tailor-made insurance programs for the environmental services industry. Andrea takes a strategic approach to risk management, working closely with clients to identify potential exposures and implement effective mitigation strategies. She leverages her industry knowledge and technical expertise to provide clients with unparalleled support, ensuring that their insurance programs are not only comprehensive but cost-effective. Andrea is at the forefront of developing innovative insurance solutions that address the unique challenges faced by companies in the environmental services field.

**Magdalena Cammidge**  
**Partner, Professional Lines**  
**Team Lead, Lloyd Sadd**

Magdalena joined Lloyd Sadd in 2005, bringing with her varied and extensive experience in commercial insurance. She has been in the industry since 2000, working on complex commercial accounts in large brokerage firms. With over 20 years of technical experience in insurance and risk management, Magdalena specializes in the direction, development and delivery of insurance and risk management services to her clients. Magdalena's role includes gaining an intimate understanding of the clients' business and working with them to create effective Risk Management solutions, ultimately helping clients in building an even stronger organization. Magdalena heads up the Professional Services Practice at Lloyd Sadd specializing in Professional Liability and Risk Management for Consultants.



Louisa Ramsey, Veolia  
The Johnson Multi-trail Invermere, BC has spectacular views.



Christina Colenutt, SWAT Consulting Inc  
Dry Island Buffalo Jump Provincial Park

