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I. QUALIFICATIONS AND EDUCATION

Member in Good Standing, Law Society of Upper Canada (2007 – present)

Master of Laws (Specialization in Environmental Law), University of California at Berkeley (2011)

Bachelor of Laws (*Distinction*), University of Saskatchewan (2006)

Bachelor of Science (Biology) (*Distinction*), University of Saskatchewan (2002)

II. WORK EXPERIENCE

Associate Professor – University of Calgary Faculty of Law (2018 – Present)

Courses taught: Tort Law, Administrative Law, and Water Law

Assistant Professor – University of Calgary Faculty of Law (2013 – 2018)

Courses taught: Tort Law, Administrative Law, Environmental Law, and Water Law

Part-time Professor – University of Ottawa Faculty of Law (2011 – 2013)

Courses taught: Environmental Law

Counsel – Department of Justice, Fisheries and Oceans Canada Legal Services (2007 – 2013)

Policy Analyst – Environment Canada, Legislative and Regulatory Affairs Division (secondment, 2009)

Law Clerk – Honourable Justice Denis Pelletier, Federal Court of Appeal (2006 – 2007)

III. JOURNAL ARTICLES

"The Role of Science in Contemporary Canadian Environmental Decision-Making: The Example of Environmental Assessment" (2019) UBC L. Rev. (with Alana Westwood, Aerin Jacob, Caroline Fox, JW Moore, Wendy Palen and Adam Ford) (*forthcoming*)

"*Dunsmuir* is Dead – Long Live *Dunsmuir*! An Argument for a Presumption of Correctness" (2018) Can. J. Admin. L. & Prac. (*forthcoming*)

"Testing the Jurisdictional Waters: The Provincial Regulation of Interprovincial Pipelines" (2018) Review of Constitutional Studies (*forthcoming*) ([SSRN](#))

"A(nother) New Federal Regime for Assessing Interprovincial Pipeline Projects: The Proposed *Impact Assessment Act*" (2018) 6:2 Energy Reg. Q. 11 ([SSRN](#))

"Towards Linking Environmental Law and Science" (2018) 3 Facets 375 (with JW Moore, Linda Nowlan, Aerin Jacob, Brett Favaro, Lynda Collins, GLT-L Williams-Davidson, and Jill Weitz) ([Link](#))

"From Smokes to Smokestacks: Lessons from Tobacco for the Future of Climate Change Liability" (2018) 30:1 Georgetown Env. L. Rev. 1 (with Sharon Mascher and Meinhard Doelle) ([Link](#)) ([SSRN](#))

"Failed Experiments: An Empirical Assessment of Adaptive Management in Alberta's Energy Resources Sector" (2017) 50:3 UBC L Rev 657 ([SSRN](#))

"Authorized Net Losses of Fish Habitat Demonstrate Need for Improved Habitat Protection in Canada" (2017) 74 Can. J. Fish. Aquat. Sci. 285-291 (with Dr. Brett Favaro) ([Link](#))

- “Does Slow and Steady Win the Race? Ecosystem Services in Canadian and Chilean Environmental Law and Policy” (2018) 29:B Ecosystem Services 240 (with Justices Roberto Pasten and Michael Hantke-Domas) ([Link](#))
- “From ‘Badly Wrong’ to Worse: An Empirical Analysis of Canada’s New Fish Habitat Protection Laws” (2015) 28(1) J. Env. L. Prac. 1 ([SSRN](#))
- “Environmental Assessment as Planning and Disclosure Tool: *Greenpeace Canada v. Canada (Attorney General)*” (2015) 38(1) Dalhousie L. J. 207 ([SSRN](#))
- “Ancient Maxim, Modern Problems: *De Minimis*, Cumulative Environmental Effects and Risk-based Regulation” (2015) 40(2) Queen's L. J. 705 ([SSRN](#))
- “Can Environmental Laws Fulfill their Promise? Stories from Canada” (2014) 6(9) Sustainability pp.6024-6048 (with Nigel Bankes and Sharon Mascher) ([Link](#))
- “Environmental Monitoring and Ecosystem Management in the Oil Sands: Spaceship Earth or Escort Tugboat?” (2014) 10(1) McGill JSDLP 1 ([SSRN](#))
- “Environmental Damages after the Federal *Environmental Enforcement Act*: Bringing Ecosystem Services to Canadian Environmental Law?” (2012) 50(1) Osgoode Hall L. J. 129 ([SSRN](#))
- “Old Puzzle, New Pieces: *Red Chris* and *Vanadium* and the Future of Federal Environmental Assessment” (2011) 89 Can. Bar. Rev. 445 (with Marie-Ann Bowden) ([SSRN](#))
- “Adaptive Management in Canadian Environmental Assessment Law: Exploring Uses and Limitations” (2010) 21 J. Env. L. & Prac. 1 ([SSRN](#))
- “The Commodification of Canadian Water: Exploring International Trade Implications” (2006) 68 Sask. L. Rev. 221 ([SSRN](#))
- “*Hoffman v. Monsanto Canada Inc.*: Looking for a Generous Approach to the Elephant in the Garden” (2006) 16 J. Env. L. & Prac. 53
- “The Assessment of Environmental Damages Following the Supreme Court’s Decision in *Canfor*” (2005) 15 J. Env. L. & Prac. 257 ([SSRN](#))

IV. PRESENTATIONS AND OTHER PUBLICATIONS

- “Bill C-68: Amendments to the *Fisheries Act*” Submission to the House of Commons Standing Committee on Fisheries and Oceans (Ottawa, ON, April 2018) ([Brief](#))
- “Bill C-69: The Proposed *Impact Assessment Act*”: Submission to the House of Commons Standing Committee on Environment and Sustainable Development (Ottawa, ON, April 2018) ([Brief](#))
- “Bills C-68 and C-69: Amendments to the *Fisheries Act* and a new *Impact Assessment Act*” presented at *Symposium on Environment in the Courtroom (VII): Enforcement Issues in Canadian Wildlife Protection*, Canadian Institute of Resources Law (CIRL) (Calgary, AB, February 2018)
- “Has Trudeau Delivered? A Discussion of Bills C-68 and C-69” York University's Sustainable Energy Initiative's Seminar Series (webcast, March 2018) ([Link](#))
- “The Trudeau Administration on Water: Restoring (Improving?) Protections for Fish and Fish Habitat” presented at the University of Toledo's *Great Lakes Water Conference* (Toledo, OH, November 2017)
- “Federal Environmental and Regulatory Review,” York University's Sustainable Energy Initiative's Seminar Series (webcast, November 2017) ([Link](#))
- “Reconsidering Federal Environmental Jurisdiction,” presented at Canada 150 - Constitutional Law Symposium, Legal Education Society of Alberta (Edmonton, AB, 2017)

"Strengthening Canada's Environmental Assessment and Regulatory Processes: Recommendations and Model Legislation for Sustainability," Response to the Government of Canada's Discussion Paper on Environmental and Regulatory Reform (August, 2017) (with Jocelyn Stacey, Jason MacLean, Arlene Kwasniak and Robert Gibson) ([Link](#))

"Education and Awareness Initiatives to Encourage Zero Emission Vehicles Adoption": Submission to the Federal Zero Emission Vehicles Advisory Panel (June, 2017) (with Sharon Mascher and Meinhard Doelle)

"Energy and the Environment: Are Our Laws Keeping Up?" University of Calgary webinar (Calgary, AB, June 2017) ([Link](#))

"From Smokes to Smokestacks: Lessons from Tobacco for the Future of Climate Change Liability" presented at *We'll always have Paris: Climate Change Law & Policy following the Paris Agreement*, the Journal of Environmental Law and Practice's 6th Biennial Conference (Halifax, NS, 2017)

"Reconsidering Red Chris: Federal Environmental Decision-Making after *MiningWatch Canada v. Canada (Fisheries and Oceans)*," a forthcoming chapter in Lucas and Tilleman, *Litigating Canada's Environment: Leading Canadian Environmental Cases by the Lawyers Involved* (2018) ([SSRN](#))

"Should Courts Act as 'Academies of Science'" presented at the Canadian Society for Ecology and Evolution's (CSEE) 2017 Meeting (Victoria, BC, May 2017)

"The Great Canadian Pipeline Debate – What Is It Really About?" presented at the Canadian Association of Members of Public Utility Tribunals (CAMPUT) 2017 Annual Conference (Vancouver, BC, May 2017)

"The Federal Environmental and Regulatory Review Processes: Integration or Disconnection?" York University's Sustainable Energy Initiative's Seminar Series (webcast, March 2017) ([Link](#))

"Recent Research Insights: Adaptive Management in the Oil Sands" presented at the Canadian Energy Research Institute's (CERI) 2017 Oil and Gas Symposium, *Where Do We Go From Here?* (Calgary, AB, March 2017)

"Keynote Panel Debate" at *Making Waves: Environmental Policy and Practical Change*, the 5th Conference of the Canadian Association of Environmental Law Societies (CAELS) (Ottawa, ON, February 2017)

"Avoiding the 'Tyranny of Small Decisions': A Canadian Environmental Assessment Regime for the 21st Century": Submission to the Federal Expert Panel Review of Environmental Assessment Processes (Calgary, AB, November 2016)

"Fisheries Act Review: An Empirical Analysis of the Section 35 Regime and Recommendations for Reform": Submission to the House of Commons Standing Committee on Fisheries and Oceans (Ottawa, ON, October 2016)

"The Duty to Consult and Accommodate: An Overview and Discussion" prepared for the Canadian Chamber of Commerce (September, 2016) ([Link](#))

"Experiments Gone Wrong? An Empirical Analysis of Adaptive Management in Canada's Energy Resources Sector" presented at the *Sabin Colloquium on Innovative Environmental Law Scholarship*, Columbia Law School (New York, NY, May 2016)

"Compliance and Enforcement in Canadian Environmental Law: A Crisis in the Making?" presented at *Symposium on Environment in the Courtroom (V): Inspections and Enforcement Issues: Onsite and in Court*, Canadian Institute of Resources Law (CIRL) (Ottawa, ON, February 2016)

"The Past, Present and Future of Environmental Assessment in Canada" presented at *Environmental and Social Assessment Forum*, Columbia Mountains Institute for Applied Ecology (Cranbrook, BC, February 2016)

“Recognizing and Protecting Ecosystem Services” presented at *Imagineering a Compassionate Calgary, Change-Makers for a Healthier Future* (Calgary, AB, November 2015)

“Ecosystem Services in the Courts and other Adjudicative Contexts: The Canadian Experience” presented at *Adjudication of Environmental Disputes*, a conference organized by Chile’s 3rd Environmental Court (Valdivia, Chile, November 2015)

“An Abdication of Responsibility: Assessing Canada’s Habitat/Fisheries Protection Regime” presented at *‘Après...le Déluge’: Future Directions for Environmental Law and Policy in Canada*, the Journal of Environmental Law and Practice’s 5th Biennial Conference (Calgary, AB, June 2015)

“The Horse is There But Will it Ever Drink? Environmental Damages and Bill C-46” *The Negotiator* (Canadian Association of Petroleum Landmen) (June, 2015 at 11 – 15)

“Environmental Damages under Bill C-46 (*Pipeline Safety Act*)”: Formal Briefs to the House of Commons Standing Committee on Natural Resources (Ottawa, ON, April 2015) and the Senate Committee on Energy, the Environment and Natural Resources (via webconference, May, 2015)

“Tort Liability of Public Authorities: ‘Chaotic and Uncertain, with No End in Sight,’” presented to the Environmental Law section of the CBA-Alberta South Section meeting (Calgary, AB, April 2015)

“Hydraulic Fracturing: A Primer and Overview of Western Canadian Regimes,” presented at *Igniting a Spark*, the 3rd Conference of the Canadian Association of Environmental Law Societies (CAELS) (Calgary, AB, February 2015)

“Revisiting Regulatory Negligence: The *Ernst* Fracking Litigation” *The Negotiator* (Canadian Association of Petroleum Landmen) (December, 2014 at 11 – 15)

“Keeping the Rivers Flowing: The Potential Role of the *Fisheries Act*” presented at *As Long as the Rivers Flow: Coming Back to the Treaty Relationship in our Time* (Fort McMurray, AB, June 2014)

“Getting a Perspective on Project Proposals in a Shifting Regulatory Landscape: The Federal Regime” presented at the Pacific Business Law Institute’s (PBLI) conference on Aboriginal Law 2014 (Vancouver, BC, June 2014)

“The Trend Towards ‘Adaptive Management’” *Lawyer’s Weekly* Vol. 33, No. 34 (January 24, 2014)

“The Law and Economics of Environmental Harm: A Primer and Update for Environmental Sentencing” presented at *Symposium on Environment in the Courtroom (III): Environmental Sentencing*, Canadian Institute of Resources Law (CIRL) (Halifax, NS, February 2014) (with Peter Boxall)

“Who Should Prosecute II: Intragovernmental Issues” presented at *Symposium on Environment in the Courtroom (II): Environmental Prosecutions*, CIRL, (Ottawa, ON, February 2013)

“Recognizing the Value of Nature in Environmental Sentencing: Applying the Ecosystem Services Framework” (with Andrew Kadykalo) presented at *Thinking Big and Small: Inaugural Conference of the Canadian Association of Environmental Law Students* (CAELS) (Ottawa, ON, February 2013)

“The Alberta Oil Sands: Fuelling Innovation in Environmental Law and Policy?” presented at the 23rd Annual Meeting of the Canadian Bar Association – National Environment, Energy and Resources Law Section (NEERLs) and Justice Canada (Ottawa, ON, November 2011)

“Thirty Years after Berger Report, Joint Review Panel Gives MGP Green Light” *Eco-bulletin*, Canadian Bar Association – NEERLs Newsletter (March 2010)

“Recent Developments in Environmental Assessment” (co-panellist with John Dodsworth, Department of Justice, Canada), presented at the 19th Annual Meeting of the Canadian Bar Association – NEERLs and Justice Canada (Ottawa, ON, November 2009)

V. PROFESSIONAL AND VOLUNTEER ACTIVITIES

Panel Member, “The Expert Panel on the State of Knowledge and Practice of Integrated Approaches to Natural Resource Management in Canada” Canadian Council of Academies (2017 – 2019)

Member of the Board, Canadian Institute for Resources Law (2013 – Present)

Co-Editor, *Journal of Environmental Law and Practice* (2011 – Present)

VI. LANGUAGES

English (Fluent)

French (Fluent) (Federal government classification: C/C/E)

Polish (Fluent)

Spanish (Intermediate)

VII. REFERENCES

Available upon request.