



Clifford G. Proudfoot

Cliff's practice is focused on environmental and aboriginal litigation. His clients include companies in the forestry, manufacturing, mining, real estate development, hydro-electric power generation industries. Cliff has represented his clients in environmental prosecutions, administrative actions, permit appeals, environmental assessments and has helped clients respond to a wide variety of environmental investigations and prosecutions.

Cliff advises clients respecting compliance with environmental laws and regulations, due diligence and environmental auditing. He also assists clients in developing corporate environmental policies, contingency plans, operating manuals, and standard operating procedures. Cliff advises clients faced with a variety of issues surrounding contaminated sites including those clients in the oil and gas, forestry, mining and chemical industries as well as private landfill operations.

He has successfully defended clients against numerous regulatory and environmental prosecutions and has appeared as counsel in British Columbia, Ontario, Alberta, Saskatchewan and Manitoba and before the Supreme Court of Canada. In addition to this court work, Cliff has also conducted administrative hearings before the BC Environmental Appeal Board, BC Forest Appeals Commission, the Natural Resources Conservation Board of Alberta, the Alberta Energy and Utilities Board, the Workers Compensation Appeal Tribunal of BC, and the BC Tobacco Control Act Administrative Board.

Cliff acts for resource developers in a number of major aboriginal litigation cases including actions involving land claims and the infringement of treaty and aboriginal rights. Cliff has also acted for industry on numerous court and administrative actions in which First Nations are challenging regulatory permits or appeals. He also has extensive experience in negotiating and drafting co-operation agreements, consultation protocols and impact benefit agreements.

Cliff was the Head of the Litigation Group at Lawson Lundell in 2011. He is currently a member of the firm's Executive Committee.

Recognition And Ranking

- *Best Lawyers in Canada*: recognized for Environmental Law

Professional Activities

- BC Oil and Gas Commission, Statutory Advisory Committee Member (current)
- CBA Environmental Law Subsection, Executive Member (past)
- Environmental Law for Environmental Specialists Douglas College, Lecturer (past)

Community Activities

- Metro Vancouver Crime Stoppers, Board Member and Corporate Secretary (current)



Vancouver • Calgary • Yellowknife



Clifford G. Proudfoot

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Practices

- Aboriginal Law
- Administrative, Constitutional and Public Law
- Environmental
- Environmental Prosecutions
- Litigation & Dispute Resolution
- Regulatory Compliance

Clifford G. Proudfoot (Cont.)

- Integrated Vegetation Management Association, Board Member (current)
- Mount Seymour Little League, Coach and Manager (8years) (past)
- North Vancouver Minor Hockey Association, Coach (past)
- Seycove Secondary School, Cross Country Coach (current)
- Seycove Secondary School, Track Coach (current)

Bar Admissions

- Manitoba (1990)
- British Columbia (1992)

Education

- University of Manitoba (LL.B, 1988)
- University of Cambridge (LL.M., 1989)

Personal Interests

Cliff is married with two boys and is very active coaching and managing various sporting activities that his sons participate in.

Cliff is also a lifelong runner and ran competitively for two universities. Other interests include: music, wine, cooking and walking his two English Springer Spaniels, Phoebe and Farley.

Experience

Cliff has had considerable experience in complex litigation and was one of four trial counsel in one of the longest trials in B.C. history, *Privest Properties Ltd. et al. v. W.R. Grace & Co. of Canada Ltd. et al.* in which Lawson Lundell successfully defended W.R. Grace & Co. in a products liability suit.

Cliff also acts for industry clients in a number of major aboriginal litigation cases including actions involving land claims and the infringement of treaty and aboriginal rights.

Conferences

- "Environmental Enforcement and Penalties", Environmental Law: Managing Risk, (November 18, 2011)
- "First Nation Consultation", (September 20-21, 2011)
- "Dealing with Contaminated Sites", (February 2 - 4, 2011)
- "Core Legislation and Cornerstone Caselaw", (April 28, 2010)
- "Inter Provincial Water Regulation, Jurisdiction and Disputes", (December 7 – 8, 2009)
- "The Energy and Mining Sectors: Evolution of the Duty and Practical Insight", (October 8, 2009)
- "Successful Strategies for Navigating Through the Minefield of Inter-jurisdictional Water Disputes", (September 29 – 30, 2009)
- "Recent Contaminated Sites Case Law in British Columbia", (February 23 – 24, 2009)
- "Spills", (February 4 – 6, 2009)
- "BC and Alberta: Federal Jurisdiction Over Water and Interprovincial Water Aspects", (December 8 – 9, 2008)
- "The Duty to Consult", (November 19 – 20, 2008)



Clifford G. Proudfoot (Cont.)

- “Updates on Consultation Developments Across Canada”, (October 22, 2008)
- 4th Annual Western Canada Contaminated Sites, Insight Information, (June 12 – 13, 2008)
- Fundamentals of Environmental Law and Regulation, (May 15 – 16, 2008)
- “Resolving Past Grievances: Managing the Impact of Past Breaches on Agreements, Permit and License Renewals”, (September 18 – 19, 2007)
- “Accommodation: Agreements between Industry and First Nations: A Primer”, (December 4 – 5, 2006)
- “Industry’s Role in Consultation Under the New Relationship Document”, (November 6 – 7, 2006)
- “Accomplishing Shared Decision Making”, (June 23, 2006)
- Environmental Management and Compliance, (November 24 – 25, 2005)
- Aboriginal Law and Natural Resource Use, (October 7, 2005)
- “Legal Perspective of the IPM Act”, (November 18 – 19, 2004)
- “The Duty to Consult With First Nations Regarding Pest Management Plan on Private and Public Lands”, (November 4 – 5, 2004)
- “Working with the Community on Environmental Issues”, (May 17 – 18, 2004)
- “The New Act: Changes of Control and Tenure Transfers”, (May 17 – 18, 2004)
- “Environmental Case Law Update”, (February 5, 2004)
- “Professional Practice Under the New Code”, (October 23 – 25, 2003)
- “Case Study-Inspection, Investigation, & Defense”, (April 23 – 24, 2001)

News / Publications

- "Environmental Law: Managing Risk - 'I Done What He Told Me To' - What to Do (and Not to Do) When the Regulator Calls", (November 21, 2011), Co-Author
- Forestry Law: Recent Developments of Importance, (July 30, 2007)
- Inspection, Investigation and Defence Materials (July 5, 2001)

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