



# Energy Resource Appeal Tribunal

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## Energy Resource Appeal Tribunal Member Biographies

### Maureen Baird, K.C.

After a long career in private practice, Maureen Baird was appointed Merit Commissioner in 2020. She served in that role for over three years.

In her private legal practice, Maureen focused on administrative law by advising regulators and acting for them in disciplinary matters and judicial reviews. She also practiced in the area of constitutional law including appearing before the Supreme Court of Canada on a Reference.

More recently, Maureen's attention has been focused on using her skills as an adjudicator for a variety of provincial and Federal boards and tribunals.

### David Bird (Vice Chair/Registrar)

David Bird joined the Environmental Appeal Board, Forest Appeal Commission and the Oil and Gas Appeal Tribunal as a Vice Chair and Registrar in June 2020. His career began in 1994, as a case manager with the Saskatchewan Workers' Compensation Board. In 2003, David moved to British Columbia to join the Workers' Advisers Branch (Ministry of Labour) as a Workers' Adviser representing injured workers with their workers compensation claims. In 2006, he became an Arbitrator/Dispute Resolution Officer with the Residential Tenancy Branch, resolving disputes between landlords and tenants. In 2011, David joined the Ministry of Indigenous Relations and Reconciliation as an Implementation Manager where he developed and negotiated solutions to implement tripartite treaties with First Nations communities. In 2014, David was appointed as a Vice Chair of the Workers' Compensation Appeal Tribunal (WCAT). In 2016, he was also appointed Deputy Registrar of WCAT. David is highly involved with the BC Council of Administrative Tribunals as a Board member since 2020, and is currently co-chair of the membership and conference committees, and a BCCAT course instructor.

### James Carwana

James Carwana holds his Bachelor of Arts and Bachelor of Laws degrees from the University of Toronto. In 1985, he was called to the Bar of British Columbia and practised labour, employment, and administrative law in Vancouver. He has worked with a broad

group of clients in both the private and public sectors and has provided advice in many areas including workplace reorganizations, collective bargaining, and legislative changes. James has appeared before Committees of the House of Commons and Senate in Ottawa and acted as legal counsel in matters before all levels of court and various administrative bodies. His work has earned him a peer review legal rating of "Distinguished for High Professional Achievement with High Ethical Standing".

From 2012 to 2018 Mr. Carwana served as Vice Chair at the BC Labour Relations Board, where he adjudicated and mediated many disputes. He has been involved in the writing of approximately 200 published Labour Board decisions and is the author of over 40 published articles on Risk Management topics. Active in his community, Mr. Carwana has previously volunteered at the Salvation Army Pro Bono Legal Clinic; been a Director and Past President of the Crescent Beach Swimming Club in Surrey; and is currently a Director of the Beach House Theatre Society in Surrey, and a Director of the Surrey Police Board.

### **Subodh Chandra**

Subodh Chandra has been practicing law since May 2005. He has worked for ICBC for 15 years and, in that time, has taken on numerous leadership roles mentoring, coaching, training, and educating teams of lawyers, as well as litigating at various counsel levels regarding personal injury matters. He has volunteered with the Law Students' Legal Advice Program since 2001, first as a student and now as a supervising lawyer.

Before becoming a lawyer, Subodh practiced as an Occupational Therapist in Canada, UK, USA, and India. This experience gives him a unique perspective on the multifaceted, diverse, and particular challenges faced by different people. Coupled with his empathy and ability to relate to multiple perspectives, this varied work history informs his distinctive and valuable point of view.

### **Jeffrey Hand**

Jeffrey Hand is a practicing lawyer and has been a member of the Law Society of British Columbia since 1990. He has a wide range of experience in civil litigation matters including construction claims, insurance, professional liability, strata claims, and environmental matters.

Jeffrey is both a Chartered Arbitrator and Mediator and a Distinguished Fellow of the International Academy of Mediators. In that capacity he has resolved in excess of 700 disputes. He has acted as Fairness Advisor on several major infrastructure projects in British Columbia and is frequently retained as a contract referee on major works contracts.

Mr. Hand has also worked as the Chair of the Safety Standards Appeal Board.

### **Darrell Le Houillier (Chair)**

Darrell Le Houillier has been Chair of the Environmental Appeal Board, Forest Appeals Commission, and Energy Resource Appeal Tribunal since 2019. Before then, he was a member of those appeal bodies, a member of the Civil Resolution Tribunal, and a Vice Chair of the Workers' Compensation Appeal Tribunal. Before then, he worked in administrative law for the Ministry of Labour, providing legal services to injured workers and their dependents, including in high-complexity and high-sensitivity matters, as a Worker's Advisor.

Darrell holds a law degree (LL.B.) from the University of British Columbia, and completed a specialized certificate (DART) in natural resource and environmental law. He also holds a degree in Geological (Environmental) Engineering from Queen's University in Kingston, Ontario.

Darrell lives in Vancouver, British Columbia with his wife and two school-aged children. He volunteers with the British Columbia Council of Administrative Tribunals (BCCAT), the Canadian Council of Administrative Tribunals (CCAT), and other local bodies in his neighbourhood.

### **Dr. Kuo-Ching (Gary) Lin, P.Eng.**

Gary Lin holds a doctoral degree in Civil and Environmental Engineering from Duke University. He is a professional engineer registered in British Columbia and, formerly, Alberta. For the past 20 years, Dr. Lin has provided technical guidance, expert opinions, and regulatory review for hundreds of environmental projects. He has participated in several court cases regarding disputes on environmental/hydrological/hydro-geological issues. As a Contaminated Sites Approved Professional (CSAP) appointed by B.C. Ministry of Environment and Climate Change Strategy (MOE), Gary has successfully obtained numerous contaminated site legal instruments under *Environmental Management Act*, provincial approvals under the *Water Sustainability Act*, as well as MOE release notices for municipality permits. Gary has also enjoyed serving on several non-profit boards, such as EGBC Benevolent Fund Society and Metro Vancouver Colony Farm Community Garden Club.

### **Cynthia Lu, R.P.F., P.Ag. (Vice Chair)**

Cynthia Lu is a practicing Registered Professional Forester and Professional Agrologist. She holds a Master's degree in Conflict Analysis and Management from Royal Roads University and a Bachelor's degree in Natural Resources Conservation (with Honours) from the University of British Columbia. Cynthia is experienced in forest development planning, performance auditing, and working with First Nations' communities. With previous experience in both industry and government, Cynthia currently works as a consultant. Her work has taken her to several unique and remote landscapes on the BC coast, including Haida Gwaii and the Great Bear Rainforest.

### **Linda Michaluk, R.P.Bio.**

Linda Michaluk retired in 2012 as the Executive Director of the College of Applied Biology of BC, a position she held since the inception of the College in 2002. A Registered Professional Biologist since 1981, Linda held elected office as Mayor of North Saanich and presently sits on provincial tribunals including the Environmental Appeal Board, Forest Appeals Commission, Energy Resource Appeal Tribunal, and the Agricultural Land Commission. She holds a B.Sc. from the University of Alberta, a Certificate in Conflict Resolution from the Justice Institute of BC, and is a public member of the BC Law Society Hearing Panel Pool.

### **Ian Miller, R.P.F.**

Ian Miller is now a consulting forester after a varied 31-year career with the Ministry of Forests, Lands and Natural Resource Operations. As a former millworker, logger and forest technician, he has seen forest management from the ground up, all across the province.

As a forest professional, Ian was part of the policy team that created the Forest and Range Practices Act, and is known as a provincial expert on B.C.'s forest practices legislation and policies. He was also a respected strategic and hands-on leader to many programs including forest hydrology, biodiversity, visual resources, wildlife habitat, fish passage, ecosystem-based management, effectiveness monitoring and certification.

Ian brings considerable expertise in working with, and providing guidance to, a wide range of practitioners, stakeholders, elected officials and the public at both provincial and local levels.

## **Nancy Moloney**

Nancy Moloney is an Independent Director with two decades of international leadership, governance, business, and environmental experience. She was the CEO of the Jane Goodall Institute Australia as well as Board Director and F&A Chair at Greenpeace Australia Pacific. Before then, she was a strategy, operations and climate change Management Consultant at EY and Deloitte. She is a Graduate of the Australian Institute of Company Directors (ICD.D equivalent) and trained as one of Al Gore's Climate Reality Project Leaders.

Nancy holds an MBA from the University of New South Wales as well as an MSc (Ecology) from l'Université de Sherbrooke. She also holds a BSc (Natural Resources Conservation) from the Faculty of Forestry at the University of British Columbia (UBC). She lives in Vancouver BC and volunteers as a mentor to university students at both UBC and the Greater Vancouver Board of Trade.

## **Bijan Pourkarimi, P.Eng.**

Bijan Pourkarimi is an energy and sustainability executive with over 35 years of business and management experience in small, medium, and large businesses in a wide range of areas including strategic planning, business development and planning, regulatory, financial analysis, technology, sales and marketing, operations, and customer service.

Bijan is the founder and president of Energitix Management & Consulting Corporation, an energy management and sustainability consulting company. He also co-founded an international energy consulting company and grew the business from a start-up to an international consulting company focused on emerging markets by partnering with a large international company to expand the company's international reach and financial strength. He has worked on international projects in 8 countries.

Prior to founding Energitix, Bijan held a number of management positions with one of Canada's leading utilities and in the technology sector. He is a professional engineer with a bachelor of applied science in mechanical engineering from the University of British Columbia.

Mr. Pourkarimi has a keen interest in community involvement and supporting future generations. He was a mentor to young CEOs and founders of start-up companies through Futurpreneur Canada for 5 years and was a board member of the Earth.IT Organization, an international, EdTech organization offering a project-based after school learning platform for the world's future leaders and changemakers. He is member of the board of directors of Deh Tai LP, the economic development corporation for the Fort

Nelson First Nations and is a member of the board of directors of a number of non-profit organizations.

### **Daphne Stancil**

Daphne Stancil was Assistant Deputy Minister of Strategy and Policy for the Ministry of Agriculture. Ms. Stancil also was an Executive Director of Policy and Legislation for the Ministry of Agriculture and a Project Assessment Director for the BC Environmental Assessment Office. Active in her community, she was Chair of the BC Chicken Marketing Board, a Member of the BC Farm Industry Review Board, and a Director of the BC Council of Appeal Tribunals. Ms. Stancil holds a Bachelor of Laws, Master of Science in Biology and a Bachelor of Science with Honours in Biology from the University of Victoria.

### **Norman Tarnow**

Norman Tarnow holds a B.A. in Canadian Political Science, Canadian Government and Public Administration (York University) and a Juris Doctor (Osgoode Hall Law School). His work experience includes legislative drafting, legal counsel, and work as Director of Constitutional Affairs in the B.C. Ministry of Intergovernmental Relations. This experience included work on major intergovernmental, jurisdictional, policy, and Constitutional reforms.

His work also includes 28 years of work with and advice to ministers and senior government officials. He has served as Assistant Deputy Minister of Justice, Deputy Minister of Justice, and Deputy Attorney General in Nunavut. In this role, he oversaw a budget of \$100 Million and a staff of 335.

Mr. Tarnow has been a practicing lawyer in B.C. and Nunavut. He retains membership in the law societies of both jurisdictions. Mr. Tarnow has appeared in all levels of Court, including the Supreme Court of Canada, and before federal and provincial administrative tribunals. He has provided legal advice to various tribunals and has taken part in Aboriginal self-government negotiations in the Northwest Territories. Mr. Tarnow also has four years' experience serving on the B.C. Arbitration Review Panel.

### **R. Michael Tourigny**

Michael Tourigny obtained his LLB degree from UBC in 1978, was called to the bar of BC in 1979 and retired from the private practice of law in 2015. During his more than 30 years of private practice as a litigation partner in the Vancouver office of a large Canadian law firm, Mike acted on an ongoing basis for major forestry and mining entities with operations in

BC, elsewhere in Canada, and abroad. In the process, he acquired a specialized knowledge of those industries.

Michael has extensive trial court, appeal court and administrative tribunal counsel experience and through that experience developed a broad and strong base of expertise in numerous environmental matters dealing with regulatory compliance, contaminated site remediation, and related regulatory proceedings under both provincial and federal legislation.

From 2015 until 2021 Michael was an appointed member of the Board of Governors and the elected Chair of the Audit Committee of Vancouver Community College. Michael also serves as a member of the Financial Services Tribunal and served as Acting Chair of that body in 2018 and 2019.

### **Diana Valiela**

Diana Valiela is a member of the Environmental Appeal Board, Forest Appeals Commission, and Energy Resource Appeal Tribunal. She owns Enviroadvice, an environmental consulting and law practice. Previously, Dr. Valiela was a Partner at Lawson Lundell LLP and served as a Member of the National Energy Board. She is a member of the Law Society of British Columbia and is a B.C. Registered Professional Biologist. She holds a Doctor of Philosophy and a Master of Arts in Zoology from Duke University. Dr. Valiela also holds a Bachelor of Laws from the University of British Columbia and a Bachelor of Arts in Biological Sciences from Rutgers University.

### **Reginald (Reg) Whiten, P.Ag.**

Reg Whiten is a stewardship agrologist, planner and extension specialist with InterraPlan Inc. and an environmental farm plan advisor and agricultural enterprise consultant for First Nations around BC. Mr. Whiten has served as Land Use Advisor to the Treaty 8 Tribal Association, Senior Planner with Peel Watershed Planning Commission, and Watershed Program Coordinator with the City of Dawson Creek. Previously he served as Regional Director on the BC Agroforestry Committee and the BC Lake Stewardship Society, and as Chair on the Water Sustainability Committee of the BC Water and Wastewater Association. Long active in his community, Reg serves as Executive Director with the Boreal Centre for Sustainability and as a volunteer firefighter. Mr. Whiten holds a Master of Environmental Design in Urban and Regional Planning from the University of Calgary and a Bachelor of Science in Agriculture from the University of Guelph.