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Proceedings of the 43rd CUSLI Annual Conference on the State of Out Nations: Cooperating on Climate Change - Conference Speakers

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PROCEEDINGS OF THE 43RD
CANADA-UNITED STATES LAW INSTITUTE
ANNUAL CONFERENCE:
CAN THE UNITED STATES AND CANADA
COOPERATE ON CLIMATE CHANGE?

MARCH 21-22, 2019

TABLE OF CONTENTS

Table of Contents	1
Conference Speakers.....	1
Welcome and Opening of the 43 rd CUSLI Annual Conference	10
Opening Lecture –Climate Change: The Facts.....	12
Ambassadors’ and Ministers’ Roundtable – What are the Prospects for High-Level Coordination?	22
Panel Discussion – Climate Change, Policy, and Law	40
Greetings from Ohio Senator Sherrod Brown	60
Keynote Speaker –The Honorable John McKay	62
Panel Discussion – Climate Change and Economy	72
Panel Discussion – Regional Efforts on Climate Change.....	94

CONFERENCE SPEAKERS

The Hon. James J. Blanchard

Partner and Chair Emeritus, Government Affairs Practice Group
Former Governor of Michigan
U.S. Representative
U.S. Ambassador to Canada

Governor James Blanchard joined DLA Piper upon the conclusion of his duties as United States ambassador to Canada in April 1996. In recognition of his outstanding performance as ambassador, Secretary of State Warren Christopher presented Governor Blanchard with the Foreign Affairs Award for Public Service in a ceremony at the Department of State, making him one of only a handful of ambassadors to receive this prestigious award. James was named ambassador to Canada in May 1993, after serving two terms as governor of Michigan (1983 – 1991) and four terms as a member of the United States Congress (1975 – 1983). In 1992, he chaired President Bill Clinton's successful campaign in Michigan. Governor Blanchard is also former chairman of the Democratic Governors

Association and the National Democratic Platform Committee, as well as a former member of the National Governors Association's executive committee. Prior to his election to Congress, from 1969 to 1974 Governor Blanchard was assistant attorney general of Michigan.

Chios Carmody

Associate Professor, Western University Faculty of Law
Canadian National Director, Canada-United States Law Institute

Chi Carmody has taught at the University of Western Ontario Faculty Of Law since 1999, where he teaches courses in public international law, international trade law and international business transactions. He also serves as Canadian Director of the Canada-United States Law Institute. He has been a visiting professor at Georgetown University Law Center and an Emile Noël Fellow at the Jean Monnet Center for Regional and International Economic Law & Justice, NYU Law School. He received his LL.B. (Ottawa), LL.M. (Michigan), S.J.D. (Georgetown), and is a member of the Bars of Ontario and New York.

Joseph Comartin

Consul General of Canada in Detroit

As the Consul General of Canada in Detroit, Comartin is responsible for the States of Michigan, Ohio, Kentucky and Indiana. Comartin is a Canadian lawyer and politician. Comartin joined the New Democratic Party in 1969 and represented the party in the House of Commons of Canada from 2000 to 2015. A civil litigation lawyer based in Windsor, Ontario, Comartin enjoyed strong support from local union members when he ran for a seat in the House of Commons. He won the seat in the 2000 election. He was re-elected in 2004, 2006, 2008, and 2011. He was the Opposition House Leader from October 18, 2011 to April 19, 2012.

Richard O. Cunningham

Partner, Steptoe & Johnson LLP

Dick Cunningham has been recognized for more than 40 years as one of America's leading international trade lawyers. His practice includes the handling of antidumping and countervailing duty cases for both petitioning US industries and respondent exporters and governments, as well as advising corporate and governmental clients in trade negotiations and other trade policy matters. Dick also litigated some of the most significant WTO dispute settlement cases. Dick has helped numerous US and foreign companies develop and implement international trade strategies to overcome market access barriers, to use US and international trade laws to address competitiveness issues, to maximize the benefits of intellectual property rights and to obtain assistance (including relief from imports) in competing with international rivals.

Marc DeBlois

Senior Advisor, Ministère de l'Environnement et de la Lutte contre les changements climatiques / Ministry of the Environment and the Fight against climate change

Co-Chair, Climate Change Steering Committee of the Coalition of the New England Governors and Eastern Canadian Premiers

M. Marc DeBlois, a native of Québec City, holds a Baccalaureate in Geography from Laval University and a Master's degree in Geography and Remote Sensing from the University of Sherbrooke. Marc worked for a forestry consulting firm for six years using his remote sensing expertise to help forest companies before joining Québec's government. In 2000, he joined the Ministry of the Environment, Wildlife, and Parks, and although the Ministry has changed names over times, he has maintained a strong interest in climate change issues. Currently, M. DeBlois works in the Section for International and Canadian Relations. In this capacity, Marc oversaw the creation of the regional Climate Change Plan of the Conference of New England Governors and Eastern Canadian Premiers (NEG-ECP) in 2000. Since 2006, he has been co-Chair of the Climate Change Steering Committee, which is responsible for implementing the plan. Since 2008, he also has been a member of the NEG-ECP Transportation and Air Quality Committee, responsible for implementing the regional Transportation and Air Quality Action Plan, the offspring of the regional Climate Action Plan. Marc has particular expertise on the NEG-ECP Climate Change Action Plan and how a similar climate change plan could be considered in the Great Lakes region.

Martha Hall Findlay

President and CEO, Canada West Foundation

Member, Minister of International Trade's Trade Expert Advisory Council

Former Member of Parliament

Martha Hall Findlay is President and CEO of the Canada West Foundation, an independent, non-partisan public policy think tank that focuses on the policies that shape the West, and by extension, Canada. Through evidence-based research and commentary, the Canada West Foundation provides practical solutions to tough public policy challenges at home and on the global stage. As a corporate lawyer, senior business executive and successful entrepreneur, Martha has more than 25 years of domestic and international experience with major multinationals as well as start-ups, primarily in telecommunications and technology. She was a Member of Parliament from 2008 to 2011, serving in several capacities in the Shadow Cabinet, and as a member of the House of Commons Standing Committees for Finance; Transport, Infrastructure and Communities; Government Operations; and International Trade. She is currently a member of the Minister of International Trade's Trade Expert Advisory Council.

Mark Fisher

CEO, Council of the Great Lakes Region

Mark Fisher was appointed Chief Executive Officer of the Council of the Great Lakes by the Council's board in 2014. Mark is a seasoned professional with 13 years of experience in policy-making, strategic business planning, corporate communications, stakeholder engagement, public advocacy, and issues management. He brings a wealth of experience in international affairs, with a focus on advancing the United States-Canada relationship in the areas of trade, security, natural resource development and environmental protection. He also brings extensive experience providing advice to key decision-makers and influencers, including the Prime Minister of Canada, provincial premiers and ministers, parliamentarians, and C-level executives from the private and not-for-profit sectors.

Terrance J. Fitzpatrick

President and CEO, Energy Association of Pennsylvania

From 1999 to 2007, he was a Commissioner of the Pennsylvania Public Utility Commission, serving as Chairman from 2003 to 2004. From 1995 to 1997, he served as Counsel to the Environmental Resources and Energy Committee in the Senate of Pennsylvania, and helped to draft Pennsylvania's electricity competition law. During his career, he has also served as legal counsel with the PUC, with the Insurance Department, with two private law firms, and with the Electric Power Generation Association. He has authored articles on administrative law and energy topics, and a white paper on improving infrastructure in Pennsylvania.

The Hon. John Godfrey

John Godfrey Climate Change Consulting

Former Member of Parliament

Former Special Advisor for Climate Change and Chair, Climate Action Group

John Godfrey has had an extensive and accomplished career dedicated to public service that spans over 30 years. He was first elected to the federal House of Commons as the Member of Parliament for Don Valley West in 1993. He was re-elected four times, holding the position until 2008. From 2003-04, Godfrey was the parliamentary secretary to the prime minister and from 2004-06, he served in cabinet as Minister of State for Infrastructure and Communities. In that role, he was responsible for overseeing the distribution of \$5.6 billion for strategic, municipal, rural and border infrastructure programs. Mr. Godfrey also oversaw pioneering policy regimes related to climate change. Prior to being elected to Parliament, Godfrey served as vice-president of the Canadian Institute for Advanced Research. He was also editor of the Financial Post for four years and spent 14 years in academia, holding various positions at the University of Kings College, including associate professor, president and vice-chancellor.

Grant Goodrich

Director, Great Lakes Energy Institute on CWRU

Grant Goodrich is a nonprofit organization leader with a passion for the environment and public service, and for making Northeast Ohio a great place to live, work, and raise a family. A decorated veteran of the U.S. Marine Corps with a deployment to Iraq, Grant served for fourteen years as an infantry officer and Foreign Affairs specialist. He is a graduate of the U.S. Naval Academy and of U.S. Marine Corps Command and Staff College. He is an Olmsted Scholar, and studied international relations in Slovenia. Grant received his MPA degree in Environmental Science and Policy from Columbia University in New York. Grant is currently the Director of the Great Lakes Energy Institute at Case Western Reserve University, where he works to grow the energy-related research efforts of the University. Previously, Grant led efforts to attract and grow businesses in Greater Cleveland while serving as the interim CEO of Team NEO. Earlier, he managed the international research projects of the Earth Institute at Columbia University.

Lawrence L. Herman

Herman & Associates

Lawrence L. Herman is a graduate of the University of Saskatchewan (B.A., 1966) and the University of Toronto Law Faculty (1969). After being called to the Bar in 1970, he served in the Canadian Foreign Service in the 1970's in a variety of posts, at the United Nations in Geneva and in Ottawa, representing Canada in numerous international conferences and meetings, including the GATT, OECD and the UN Conference on the Law of the Sea. Prior leaving the External Affairs Department in 1980, he was the head of the Department's Economic and Treaty Law Section in the Legal Bureau. In private law practice, Mr. Herman appeared on behalf of Canada in the International Court of Justice in the Gulf of Maine boundary case in 1984.

For many years, he has concentrated his legal practice on international trade and business transactions, representing private sector clients, governments and international agencies, dealing particularly with the GATT/WTO, FTA and NAFTA (where he acts as counsel before dispute-resolution bodies). He regularly represents clients at the Canadian International Trade Tribunal (CITT), in the courts and before Parliamentary committees.

Mr. Herman is Chair of the CITT's National Advisory Committee and a member of the Trade Expert Advisory Council of the Canadian Department of International Trade. He had been a member of the Market Access Advisory Group (MAAG) of the International Trade Department providing advice on business issues in the WTO Doha Round negotiations. He has been a member the Executive Board of the Canada-US Law Institute since 2009.

Mr. Herman was on the Council of the International Bar Association's Energy Section for many years and served as chair of the Trade Policy Committee of the Canadian Manufacturers and Exporters and a member of the International Affairs Committee of the Canadian Chamber of Commerce and several other business and government trade policy organizations. From 1990-1993, he was the Chairman of the Canada-Taiwan Business Association.

In 2007, he was appointed Director, Task Force on Trade and Investment Rules of the World Energy Council, London, UK. He was named a Senior Fellow of the C.D. Howe Institute in 2011 and sits on the International Economic Policy Council and the National Policy Council of that well-respected think-tank. Lawrence Herman has been recognized as a leading lawyer by the Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada, the Canadian Legal Lexpert Directory, the Lexpert Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada, Best Lawyers in Canada and Chambers Global.

Together with numerous articles in legal and business journals, Lawrence Herman has written several text books: *Canadian Trade Remedy Law & Practice* (1997), *Canadian Trade Law* (2008) and, most recently, *Export and Import Controls, Sanctions and Other Trade Restrictions* (2010).

The Hon. Peter MacKay

Partner, Baker & McKenzie LLP

Former Canadian Minister of Foreign Affairs, Minister of Defence, Minister of Justice, and Attorney General

Peter MacKay is a Partner in the Baker McKenzie Toronto office. Prior to joining the Firm in 2016, he served in the Parliament of Canada for over 18 years. During that time, Mr. MacKay served in several important ministerial positions, including as Canada's Attorney General and Minister of Justice, Minister of National Defence, and Minister of Foreign Affairs and Minister for the Atlantic Canada Opportunities Agency. In May 2003, Mr. MacKay became the Progressive Conservative Party of Canada's 23rd leader, and played a pivotal role in the reunification of the Conservative movement in Canada and the formation of the Conservative Party of Canada, serving as its 1st deputy leader. Before embarking on a political career, Mr. MacKay served as a Crown prosecutor in Nova Scotia, and spent time in private practice and in Germany as lawyer at Thyssen Henchel. He is the founder of the highly regarded Halifax International Security Forum, which he hosted beginning in 2009. He currently serves on numerous volunteer boards and Not for Profits: the National Board of Special Olympics Canada, Boost Child Youth Advocacy Centre and Wounded Warriors Canada, and supports Children's Aid Society, Big Brothers Big Sisters, Acadia U, and the Canada-United States Law Institute.

The Hon. John McKay

Member of Parliament

The Honourable John McKay was first elected as Member of Parliament in 1997. He was re-elected in October 2015 to serve his seventh term in the House of Commons. He currently represents the constituency of Scarborough-Guildwood. Minister McKay is currently Chair of the Standing Committee on Public Safety and National Security, Canadian Co-Chair of the Canada-United States Permanent Joint Board on Defence, Chair of the Canada-United Kingdom Inter-Parliamentary Association, and Vice-Chair of the Canada-United States Inter-Parliamentary Association. Minister McKay received his Bachelor of Laws from Queen's University in Kingston, Ontario.

The Hon. James S. Peterson

Of Counsel, Fasken Martineau Dumoullin LLP

Former Minister of International Trade for Canada

Former Secretary of State

Jim has extensive knowledge and first-hand experience in government affairs, having served in the Government of Canada as Minister of International Trade, Secretary of State (International Financial Institutions), and Chair of the House of Commons Standing Committee on Finance. As a former Minister of International Trade between 2003 and 2006, Jim has expertise in trade policy and experience in trade disputes. While Minister, he represented Canada at the World Trade Organization's Doha round of negotiations which focused on expanding trade and investment in leading emerging markets including Brazil, Russia, India and China, and dealt with complex issues related to trade with Canada's NAFTA partners, the European Union, the Middle East and the Americas. As Secretary of State (International Financial Institutions) from 1997 to 2002, Jim was instrumental in piloting significant financial institution reforms through Parliament including legislation permitting foreign bank branching and aligning Canada with international standards in the fight against money laundering and terrorism.

Steve J. Petras, Jr.

Partner, BakerHostetler LLP

Steve Petras practices international business transactions as a partner in the Business Group. He has facilitated commercial and corporate transactions in most countries throughout the world. When representing companies seeking to expand operations in foreign jurisdictions or in business transactions with parties from different countries, Steve seeks to create effective and efficient corporate and tax structures and enforceable agreements in the multiple jurisdictions involved. Furthermore, he advises on the compliance of the business activities and the parties with the applicable U.S. and foreign laws and regulations. Steve has deep experience representing clients in the manufacturing and technology industries,

where his technical background and interest enable him to better fit each transaction with the underlying technology of his clients' businesses.

Steve led BakerHostetler's International Industry team from 1998 through 2012. He is actively engaged in the international community of Cleveland and Northeast Ohio, having served as president of the Greater Cleveland International Lawyers Group, chair of the International Section of the Cleveland Metropolitan Bar Association, chair of the board of the Cleveland Council on World Affairs and president of the Cleveland World Trade Association. He is also a member of the board of directors of the World Affairs Councils of America. Additionally, Steve is an adjunct professor in the International LL.M. program at Case Western Reserve University School of Law. Dedicated to increasing international business in the U.S. and Ohio, Steve had been appointed by the U.S. Secretary of Commerce as a member of the Northern Ohio District Export Council and by Governor George Voinovich as an Ohio Commodore. Steve is the USA National Director of the Canada – United States Law Institute and is also a member of the board of directors of the Council of the Great Lakes Region.

Commissioner Lana Pollack

Chair of the U.S. Section, International Joint Commission

Lana Pollack was appointed Chair of the U.S. Section, International Joint Commission, by President Barack Obama, effective June 26, 2010. Throughout a diverse career in public office, education and the public interest sector, Ms. Pollack has demonstrated leadership on a range of public policy issues. She served from 1996-2008 as president of the Michigan Environmental Council, a coalition of 70 environmental organizations working to protect the Great Lakes and Michigan's environment. She was elected three times to the Michigan legislature, serving as a state senator from 1983-1994. As a state senator, Ms. Pollack became a leading advocate for women, children and the environment. Ms. Pollack, who grew up on the shore of Lake Michigan in Ludington, earned a BA in political science from the University of Michigan (U-M) in 1965 and an MA from U-M in 1970.

Dr. Eugene Takle

Professor of Atmospheric Science, Iowa State University

Co-Chair, Board on Oceans, Atmosphere and Climate Association of Public and Land-Grant Universities.

Dr. Takle's research emphasizes the use of climate science, both modeling and analysis, for investigating the causes and future impacts of climate change. I also lead a team that conducts meteorological measurements and analysis of data taken at the surface and from tall towers within and near utility scale wind farms. The objectives of this research are: 1) Improve the predictive skill of wind forecast models; 2) Understand wind-farm power reduction due to turbine wakes; and 3) Evaluate the impact of wind farms on crops.

David Terry

Executive Director, National Association of State Energy Officials

David Terry is the Executive Director of the National Association of State Energy Officials and has worked with NASEO in a variety of capacities since 1996. Mr. Terry leads NASEO's programs in support of the nation's 56 State and Territory Energy Offices. The organization communicates the states' views on virtually all national energy issues, including electricity policy, energy efficiency market transformation, renewable energy commercialization and deployment, industrial energy efficiency, energy assurance and reliability, building codes and efficiency, and climate oriented energy programs. Mr. Terry has 20 years of experience working on a range of energy issues for such organizations as the Association of State Energy Research Institutions, Governors' Biofuels Coalition, National Academy of Sciences, and the U.S. Department of Energy. Prior to working in the energy area, Mr. Terry was a statistical analyst for a market research firm, an analyst with the National Academy of Sciences, and a researcher for The Washington Post. He received a BA degree from Bowling Green State University, Bowling Green, Ohio, and he has completed graduate coursework in statistics and marketing at Virginia Tech, Blacksburg, Virginia.

Karlis Vasarais

President and CEO, Imtex Membranes

Mr. Vasarais is currently head of Imtex Membranes, a petrochemical industry technology company. He is a devoted low-carbon economy entrepreneur focused on financing and commercializing emerging process efficiency technologies, along with innovative fuels and specialty chemicals from waste. With several commercialized companies under his belt, Karlis has shaped a unique combination of business strategy, policy formation and capital mobilization expertise for low-carbon technologies in the energy and resources industries. Karlis was recently appointed Honorary Consul for Latvia in Southern Ontario. He serves as Vice-Chair of the Board for the Latvian Credit Union. Karlis earned his Bachelor degree in Commerce from Queen's University and a Master's degree in Public Policy from Johns Hopkins University's School of Advanced International Studies.