



Myriam Fortin

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Myriam Fortin is a senior associate in the Environment and Energy Groups, and heads our environmental practice in Montreal. She acts on a wide range of corporate, transactional and environmental litigation matters of a business clientele and advises and represents clients in their dealings with both private parties and governmental authorities with respect to all regulatory and contractual environmental issues which may arise in the context of new projects, ongoing operations, purchase and sale transactions, reorganizations, leases, financing, change in land use or the cessation of activities. Her practice notably includes all questions relating to environmental authorizations, environmental impact assessment, hazardous materials, land contamination, off-site migration, site remediation and restoration, water withdrawals, effluent discharges, air emissions, noise, and other environmental regulatory requirements, climate change, greenhouse gas emissions and cap and trade systems, and public environmental disclosure.

She has represented businesses operating in a wide variety of industry sectors, including mining, energy, chemicals manufacturing, metal transformation, waste management, contaminated soil treatment, forestry, pulp and paper, petroleum products, textiles, aerospace, communications, real estate, financing, PPPs, hydro and wind generation, food, agriculture, pharmaceutical products and numerous other product manufacturing industries.

Accolades

- *Chambers Canada 2020* as a leading lawyer in Environment.
- *The Best Lawyers in Canada 2020* in Environmental.
- *The Canadian Legal Lexpert Directory 2019* as a lawyer in Environmental Law.
- *Lexpert/ROB Special Edition: Canada's Leading Energy Lawyers*, August 2019.
- *Who's Who Legal: Environment 2019*.
- *The Best Lawyers in Canada 2018* in Environmental Law.
- *Lexpert/ROB Special Edition: Canada's Leading Energy Lawyers*, November 2016.
- *Lexpert Leading Canadian Lawyers in Global Mining*, October 2016.

Representative Work

- Shawcor Ltd. in its C\$305M acquisition of all of the issued and outstanding common shares of ZCL Composites Inc., pursuant to a plan of arrangement.

- Les Viandes Lacroix Inc. in connection with the acquisition by Exceldor Coopérative of a majority stake in Les Viandes Lacroix.
- Advising clients regarding compliance of their operations with environmental laws, including the generation, discharge, use, handling, management, transportation, import and export of hazardous materials or waste.
- Providing legal opinions to clients on all environmental legislation applicable to specific sectors of activity or on specific environmental issues.
- Advising clients on their obligations relating to the environment and on the protection of their interests in commercial transactions, including share and asset purchase transactions, reorganizations, leases, acquisition financing or refinancing, and public offerings.
- Drafting and negotiating environmental representations, warranties, indemnification provisions and remediation agreements in the context of commercial transactions or claims settlement.
- Engaging and overseeing the conduct by environmental consultants environmental investigation and remediation works, air emission, effluent or groundwater monitoring studies, environmental compliance reviews, and other environmental studies, and advising clients on the conduct and results of such studies.
- Advising clients and participating in discussions with environmental authorities in connection with the regulatory process applicable in case of the permanent ceasing or change of use of lands where activities listed by regulation have been conducted.
- Leading discussions and proceedings with environmental authorities regarding the compliance of clients' activities with environmental laws (effluents, air emissions, noise, etc.) and the issuance of environmental permits.
- Drafting and providing advice on required environmental disclosure by issuers in connection with annual reports, public offerings and the creation of income funds.
- Due diligence review of environmental documents relating to entities and properties under consideration for proposed transactions by clients, in a wide range of sectors, including the industrial, energy, mining, and natural resources areas.
- Advising clients on and handling all environmental issues relating to mining projects, including environmental permits and federal and provincial environmental impact assessment processes.
- Advising clients on and handling all environmental issues relating to wind farm projects, including environmental permits and federal and provincial environmental assessment processes.
- Advising clients on the application of provincial environmental law to activities conducted on Crown land.
- Addressing all environmental questions raised in the context of calls for tenders for public private partnerships (PPPs).
- Providing legal advice regarding the interpretation of various clauses in energy supply contracts.
- Drafting and negotiating a water management agreement relating to the operation of hydro-electric power plants.

- Acting as Quebec legal advisor on environmental issues in major national and international transactions.

Speaking Engagements

- "Enjeux environnementaux en contexte d'insolvabilité", PwC, Montréal, December 7, 2016 (panelist).
- "Législation fédérale et provinciale applicable dans le domaine des matières dangereuses", Le Conseil du Patronat de l'Environnement du Québec's Formation sur la législation relative aux matières dangereuses et gestion de risque, April 2014.

Professional Activities

Myriam is a member of Quebec Bar and of the Canadian Bar Association, and a substitute delegate for Stikeman Elliott to the Business Council on the Environment (CPEQ). She is also co-chair of the Montréal office's Green Committee.

Education

The Canadian Securities Institute (Canadian Securities Course 2000)
McGill University (B.C.L. & LL.B. 1997)

Bar Admission

Québec, 1999