

From: [Down, Ted ENV:EX](#)
To: [Cottam, Nick ENV:EX;](#)
Subject: FW: Coordinated Provincial Responses to Cohen Commission Final Report
Date: Friday, January 18, 2013 4:07:46 PM
Attachments: [BC List for recommendations updated.xlsx](#)

Ted Down

Manager, Conservation Science Section
250-387-9715

From: Neilson, Larry AGRI:EX
Sent: Tuesday, November 6, 2012 12:25 PM
To: Wilson, Andrew S FLNR:EX; Witt, Andy FLNR:EX; Down, Ted ENV:EX; Marty, Gary D AGRI:EX; Herbert, Sean FLNR:EX; Williams, Duncan FLNR:EX; Evans, Kathy FLNR:EX; Marshall, Vicki FLNR:EX; Peterson, Don; Davidson, Glen W FLNR:EX; Campbell, David FLNR:EX; Williams, Bob G AGRI:EX; Twaddle, Charlie AGRI:EX; Cheesman, Sean AGRI:EX; Graham, Bud AGRI:EX; Simonson, Terry ABR:EX; Davis, Celine ENV:EX; Graeme, Ian ENV:EX; Miller, Ian C FLNR:EX; Knox, Graham ENV:EX; Barber, Brian FLNR:EX; Nickel, Ken AGRI:EX; Dolhaine, Daphne ENV:EX; Hill, Douglas J ENV:EX; Grace, Bob ENV:EX; Sabourin, Justin ENV:EX; Jenkins, Chris ENV:EX; Koncohrada, Karen EMNG:EX; Howard, Sara ENV:EX; Malkinson, Leah FLNR:EX; Blair, Tammy ENV:EX; Hoyt, Jeff S ENV:EX; Russell, Jim AGRI:EX; Tschaplinski, Peter J ENV:EX; Wilkerson, Stacey L FLNR:EX
Cc: Carswell, Barron AGRI:EX; Craven, Paul IGRS:EX; Haney, Donald IGRS:EX; Paquin, Lisa C ENV:EX; Goad, Jennifer FLNR:EX; Danks, Anthony ENV:EX; Last, Gavin AGRI:EX; Thompson, Grant AGRI:EX; Prowse, Clifton JAG:EX; Tyzuk, Boris JAG:EX; Callan, Tara JAG:EX
Subject: Coordinated Provincial Responses to Cohen Commission Final Report

Good Morning:

On behalf of my Ministry, we are responsible for coordinating the Provincial response to the Cohen Commission Final Report recommendations. You were identified as a contact by your Ministry Coordinator, on one or more of the Cohen recommendations, or as a reference source or subject area expert.

The Cohen report includes recommendations with respect to areas for which we are seeking your input and views. Our intention is to have the overarching Provincial analysis and potential responses reviewed by the Deputies of the Natural Resource Board. We are working toward a **November 26th deadline** so

your cooperation is much appreciated.

Please find attached a spreadsheet with the 75 Cohen recommendations, and suggested Ministries/subject area expert:

Request:

For this first round of our Provincial review we are seeking your input on the identified Cohen recommendations by providing short responses to the following three questions:

S12

We recognize that there is much overlap on some of these recommendation, so we encourage you to work together on this, and/or with your Ministry coordinator:

ENV Lisa Paquin

FLNR Jennifer Goad

ARR Terry Simonson

EMNG Karen Konchorada

AGRI Barron Carswell/Larry Neilson

Please send your response to Larry Neilson Larry.Neilson@gov.bc.ca , and, Barron.Carswell@gov.bc.ca , by the end of day on November 14th.

Your co-operation is very much appreciated. Thank you in advance,

Larry Neilson, on behalf of,

Barron Carswell

Senior Manager, Marine Fisheries and Seafood Policy Unit

Larry Neilson

Marine Fisheries and Seafood Policy

Agrifoods Policy and Legislation Branch

Ministry of Agriculture

New Phone (250) 387-7172 Fax (250) 387-0357

S17

Larry.Neilson@gov.bc.ca

Pages 4 through 15 redacted for the following reasons:

S12

Davis, Kerri G ENV:EX

From: Prowse, Clifton JAG:EX
Sent: Wednesday, October 31, 2012 2:11 PM
To: Prowse, Clifton JAG:EX; Wilkerson, Stacey L FLNR:EX; Witt, Andy FLNR:EX; Walters, Peter ABR:EX; Paquin, Lisa C ENV:EX; Marty, Gary D AGRI:EX; Last, Gavin AGRI:EX; Davidson, Glen W FLNR:EX; Kriwoken, Lynn ENV:EX; Graeme, Ian ENV:EX; Hill, Douglas J ENV:EX; Berardinucci, Julia F FLNR:EX; Tschaplinski, Peter J ENV:EX; Miller, Ian C FLNR:EX; Goad, Jennifer FLNR:EX; Paquin, Lisa C ENV:EX; Sabourin, Justin ENV:EX; Jenkins, Chris ENV:EX; Davis, Celine ENV:EX
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Subject: RE: Cohen report release 1230 Wednesday -- witness update

The Cohen report is now on line

Findings on riparian areas, water use, and forestry are at volume 1 pages 289-291

There are recommendations at volume 3

It seems respectful of our witnesses generally

Clif

From: Prowse, Clifton JAG:EX
Sent: Tuesday, October 30, 2012 10:07 AM
To: Wilkerson, Stacey L FLNR:EX; Witt, Andy FLNR:EX; Walters, Peter ABR:EX; Paquin, Lisa C ENV:EX; Marty, Gary D AGRI:EX; Last, Gavin AGRI:EX; Davidson, Glen W FLNR:EX; Kriwoken, Lynn ENV:EX; Graeme, Ian ENV:EX; Hill, Douglas J ENV:EX; Berardinucci, Julia F FLNR:EX; Tschaplinski, Peter J ENV:EX; Miller, Ian C FLNR:EX; Goad, Jennifer FLNR:EX; Paquin, Lisa C ENV:EX; Sabourin, Justin ENV:EX; Jenkins, Chris ENV:EX; Davis, Celine ENV:EX
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S14

S14

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Thanks.

Clif

Davis, Kerri G ENV:EX

From: Miller, Ian C FLNR:EX
Sent: Wednesday, October 31, 2012 2:22 PM
To: Prowse, Clifton JAG:EX
Cc: Tschaplinski, Peter J ENV:EX
Subject: RE: Cohen report release 1230 Wednesday -- witness update

Thanks for the notification Clif. and for your commentary.....I'll try to read the salient parts of the report soon.

Not Responsive

Do you see any burning issues/red flags that I should see and/or attend to immediately?

Thanks
Ian

Ian Miller, RPF
Resource Practices Branch
Phone: 250-387-8398 S17

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Sent: Wednesday, October 31, 2012 2:11 PM
To: Prowse, Clifton JAG:EX; Wilkerson, Stacey L FLNR:EX; Witt, Andy FLNR:EX; Walters, Peter ABR:EX; Paquin, Lisa C ENV:EX; Marty, Gary D AGRI:EX; Last, Gavin AGRI:EX; Davidson, Glen W FLNR:EX; Kriwoken, Lynn ENV:EX; Graeme, Ian ENV:EX; Hill, Douglas J ENV:EX; Berardinucci, Julia F FLNR:EX; Tschaplinski, Peter J ENV:EX; Miller, Ian C FLNR:EX; Goad, Jennifer FLNR:EX; Paquin, Lisa C ENV:EX; Sabourin, Justin ENV:EX; Jenkins, Chris ENV:EX; Davis, Celine ENV:EX
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AGRI:EX; Klassen, Emily JAG:EX

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Some recommendations "that DFO "encourage" the province at volume 3 pages 45 – 53

-- including pesticides

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Cc: Callan, Tara JAG:EX; Tyzuk, Boris JAG:EX; Rowbotham, Elizabeth J JAG:EX; Carswell, Barron AGRI:EX; Neilson, Larry AGRI:EX; Klassen, Emily JAG:EX; Payne, Lisa EAO:EX
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Davis, Kerri G ENV:EX

From: Neilson, Larry AGRI:EX
Sent: Wednesday, October 31, 2012 2:43 PM
To: Prowse, Clifton JAG:EX; Wilkerson, Stacey L FLNR:EX; Witt, Andy FLNR:EX; Walters, Peter ABR:EX; Paquin, Lisa C ENV:EX; Marty, Gary D AGRI:EX; Last, Gavin AGRI:EX; Davidson, Glen W FLNR:EX; Kriwoken, Lynn ENV:EX; Graeme, Ian ENV:EX; Hill, Douglas J ENV:EX; Berardinucci, Julia F FLNR:EX; Tschaplinski, Peter J ENV:EX; Miller, Ian C FLNR:EX; Goad, Jennifer FLNR:EX; Paquin, Lisa C ENV:EX; Sabourin, Justin ENV:EX; Jenkins, Chris ENV:EX; Davis, Celine ENV:EX
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Subject: RE: Cohen report release 1230 Wednesday -- witness update

And implementation of DFO's 1986 Habitat Policy...with lots of references to BC

Lots regarding implementation of the Wild Salmon Policy (connect to BC's Steelhead Conservation Policy)

Wastewater effluents

Definition of FSC fisheries

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Sent: Wednesday, October 31, 2012 2:25 PM
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Clif

Davis, Kerri G ENV:EX

From: Miller, Ian C FLNR:EX
Sent: Wednesday, October 31, 2012 3:10 PM
To: Bedford, Lorne FLNR:EX; Thomas, Vivian P GCPE:EX
Cc: Witt, Andy FLNR:EX; Tschaplinski, Peter J ENV:EX
Subject: FW: Cohen recommendations that specifically reference the Province.
Attachments: Cohen Commission Recommendations that reference the Province.docx

Hi Vivian....thanks very much for this quick summary, as I won't have opportunity to dig into the full report and recommendations until next week.

Hi Lorne....at first glance, I don't see much here that directly/immediately impacts RPB.....

The Riparian Areas Reg is administered Andy's shop, and mostly applied in municipal settings (FRPA regs prevail for forestry operations). However, we should be plugged into that work on RAR as there are obvious linkages to FRPA reg requirements.

The recommendations on pesticide use in forestry is another topic that has some implications for us...

Ian

Ian Miller, RPF
Resource Practices Branch
Phone: 250-387-8398 S17

From: Thomas, Vivian P GCPE:EX
Sent: Wednesday, October 31, 2012 2:35 PM
To: Ethier, Tom FLNR:EX; Wilson, Andrew S FLNR:EX; Sutherland, Craig FLNR:EX; MacKnight, Heather FLNR:EX; Miller, Ian C FLNR:EX; Berardinucci, Julia F FLNR:EX; Davidson, Glen W FLNR:EX
Cc: Crebo, David GCPE:EX; Konkin, Doug FLNR:EX; Goad, Jennifer FLNR:EX
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fyi

Cohen Commission Recommendations that reference the Province

With recommendation section and number taken from the executive summary @

http://www.cohencommission.ca/en/pdf/FinalReport/CohenCommissionFinalReport_Vol03_04.pdf#zoom=100

Riparian Areas Regulation

43) The Department of Fisheries and Oceans should encourage the Province of British Columbia to resolve differences of interpretation on the application of section 9 of the provincial Water Act and the provincial Riparian Areas Regulation to ensure that there are no physical gaps in coverage of the Water Act and the Riparian Areas Regulation.

- 44) The Department of Fisheries and Oceans should encourage the Province of British Columbia
- to continue to monitor compliance with the provincial Riparian Areas Regulation;
 - to conduct effectiveness monitoring of projects completed in compliance with the Riparian Areas Regulation; and
 - to consider DFO's input into the impact of Riparian Areas Regulation setback variances on fish and fish habitat.
- 45) The Department of Fisheries and Oceans should work with the Province of British Columbia to achieve the Riparian Areas Regulation target of 90 percent compliance with 90 percent confidence levels.
- 46) The Department of Fisheries and Oceans should encourage the Province of British Columbia to amend the Riparian Areas Regulation
- to require provincial approval of setback variances; and
 - to require local governments to enforce compliance with the assessment reports on which development proposals are approved.

Water use in the Fraser River watershed

- 47) The Department of Fisheries and Oceans should encourage the Province of British Columbia to complete modernization of the Water Act, which would include the following points:
- regulation of groundwater extraction in a manner that addresses the needs of Fraser River sockeye;
 - increased reporting and monitoring of water use; and
 - allocation of sufficient resources to complete the modernization process.

Marine habitat spill response

- 52) The Department of Fisheries and Oceans should identify an individual in DFO who has regional responsibility to act as a liaison with the Canadian Coast Guard, Environment Canada, and the Province of British Columbia on marine habitat spill response.

Pesticides

- 54) The Department of Fisheries and Oceans should encourage the Province of British Columbia
- to require users of pesticides in forestry and agriculture to record, and report annually to the province, the areas where pesticides were applied and the amounts used; and
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Pulp and paper, metal mining, and municipal wastewater effluents

- 55) The Department of Fisheries and Oceans and Environment Canada should co-operatively
- ensure that environmental quality monitoring and environmental effects monitoring related to pulp and paper, metal mining, and municipal wastewater discharges include consideration of Fraser River sockeye salmon, and the two federal departments should work with the Province of British Columbia and with regional and municipal governments to that end;
 - work with BC municipalities on a public education campaign aimed at reducing toxicants in municipal wastewater, especially pharmaceuticals and personal-care products;

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S14, S22

From: Zacharias, Mark ENV:EX
Sent: Wednesday, October 31, 2012 3:33 PM
To: Murphy, Bernadette GCPE:EX; Loiacono, Sabrina ENV:EX; Wright, Jenn ENV:EX
Cc: Johnston, Karen GCPE:EX; Cotton, Brian GCPE:EX; Shoemaker, Wes ENV:EX; Danks, Anthony ENV:EX
Subject: RE: Cohen recommendations that specifically reference the Province.

S22

S22 read the Cohen report and two sections that reference / refer to provincial activities are missing in the summary from Agr. Here they are:

Forestry

While DFO is responsible for protecting fish and fish habitat, the Province of British Columbia has the exclusive authority to make laws for the development, conservation, and management of forestry resources, which it does under the *Forest and Range Practices Act* and the *Forests Act*. DFO's role in forestry issues and in fish-forestry interaction has decreased in recent years. Given the importance of fish habitat to the health of Fraser River sockeye salmon and other species, DFO needs to re-engage with the Province of British Columbia and to identify an individual to serve as the forestry contact person for the entire Pacific Region. DFO also needs to resume its review of proposed forestry activities that may harm fish habitat.

Gravel removal

It is unlikely that gravel removal will have a negative effect on Fraser River sockeye and the sockeye habitat. However, there are gaps in the data, and I note that DFO is aware of the need for long-term planning, comprehensive monitoring, and adequate habitat compensation from the gravel developers. I encourage DFO to support research on the annual pattern of fish activities within the gravel reach.

From: Murphy, Bernadette GCPE:EX
Sent: Wednesday, October 31, 2012 2:34 PM
To: Loiacono, Sabrina ENV:EX; Wright, Jenn ENV:EX
Cc: Johnston, Karen GCPE:EX; Cotton, Brian GCPE:EX; Shoemaker, Wes ENV:EX; Zacharias, Mark ENV:EX
Subject: FW: Cohen recommendations that specifically reference the Province.

FYI from Agriculture

Bernadette Murphy
Communications Manager, GCPE
Ministry of Environment
Phone: 250-356-0202

S17

Bernadette.Murphy@gov.bc.ca

From: Boelens, Robert GCPE:EX
Sent: Wednesday, October 31, 2012 2:32 PM
To: Murphy, Bernadette GCPE:EX; Thomas, Vivian P GCPE:EX
Cc: Crebo, David GCPE:EX
Subject: Cohen recommendations that specifically reference the Province.

Fyi ...

Robert Boelens
Government Communications and Public Engagement
Ministry of Agriculture

Cohen Commission Recommendations that reference the Province

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