

Page 001 to/à Page 003

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s.12;s.13

Corporate Transition Briefing Note

Prepared in Response to 2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus

Issue: *Address failures in the professional reliance model in BC so that British Columbians' faith in resource development can be restored (pg. 6, S3, 2I).*

Ministry: *Environment and Forests, Lands and Natural Resource Operations*

Background Information:

Professional reliance (PR) is the specific requirement to use a qualified professional (QP), meaning the use of a person registered with a legally established self-governing body that holds members accountable to known work standards and independently responsible for their actions. Use of QPs is a long standing practice within a number of statutes including Forest and Range Practices Act, Environmental Management Act, Land Act and Water Sustainability Act. The primary benefits of the PR model are: the shifting of costs from the taxpayer onto project proponents, the ability to require specific expertise that government staff may not have, and faster and more durable decisions.

Currently, 27 natural resource sector (NRS) regulatory regimes rely on QPs to provide information to government decision-makers and in certain situations QPs are delegated the authority and associated responsibilities to make statutory decisions on government's behalf.

Since 2013, the Environmental Appeal Board, Forest Practices Board, Office of the Auditor General and Office of the Ombudsperson have investigated how well the PR model provides independent, objective advice to government regulators. While acknowledging the overall value of the PR model these investigations highlight the need for adequate oversight of QPs both by government and licensing and regulatory bodies. Specific concerns include inadequate work (competency), need for improved guidance, and better follow-up and monitoring (accountability).

Since 2013, government has actioned many of the recommendations from these investigations. For example, the government recently completed an audit looking specifically at the use of QPs in BC's mining and municipal wastewater sectors in order to determine if they are in compliance with current regulatory requirements. There are other examples of changes government has implemented to the use of professional reliance in the forestry sector related to monitoring, guidance, and how to further leverage the model in response to issues identified. Recently, government has requested licensing and regulatory bodies to look into actions of their members (e.g. the Province contacted APEGBC regarding Active Earth's undisclosed financial interests in the South Island Aggregates contaminated soil facility which has resulted in the current investigation).

Page 005

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s.12,s.13

Prepared by:

Wes Shoemaker, Deputy Minister
250-516-6892

Date note prepared: 23 06 16

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: Speaking notes for MGH brief
Date: Friday, July 28, 2017 11:03:48 AM

Sure - thanks

-----Original Message-----

From: Gaber, Leon ENV:EX
Sent: Friday, July 28, 2017 11:02 AM
To: McGuire, Jennifer ENV:EX
Subject: Speaking notes for MGH brief

Hi Jennifer. Would you like me to put together speaking notes for the most recent EEP slide deck for MGH?

Leon Gaber
250-812-1809

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: PR review support
Date: Tuesday, August 1, 2017 11:02:04 AM

Nothing additional at this point – when you get back – there may some assistance sought from you re: working with the Env Law Clinic. Still under discussion .. s.22

From: Gaber, Leon ENV:EX
Sent: Tuesday, August 1, 2017 11:01 AM
To: McGuire, Jennifer ENV:EX
Subject: PR review support

Hi Jennifer. Let me know if there's anything else I can do to support you s.22
s.22

FYI that Q and A's document I quickly populated has some intentional holes I had left for discussion (e.g. who beyond our staff will be involved? JAG, contractors, etc).

Cheers
Leon

Leon Gaber
250-812-1809

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Cc: [Miller, Mary ENV:EX](#)
Subject: Professional reliance
Date: Tuesday, August 22, 2017 12:39:39 PM

Hi Leon,

Things are moving along on the PR review. Wondering if you had a bit of time to connect this week about helping to get a TOR and project charter drafted.

I'll ask MM to find us some time.

Thanks

JLM

Sent from my iPad

From: [Freedman, Rebecca ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: FW: SIA and Professional Reliance
Date: Tuesday, August 22, 2017 2:57:07 PM

Hi Leon,

Maureen has suggested that you may be a better person to talk to initially to get a sense of the issues at play with the SIA file and professional reliance. Please let me know if you'd be willing and able to meet with me in the next few weeks to discuss and I'll line something up for us.

Cheers,
Rebecca

From: Freedman, Rebecca ENV:EX
Sent: Monday, August 21, 2017 2:28 PM
To: Bilawchuk, Maureen ENV:EX
Subject: SIA and Professional Reliance

Hi Maureen,

You may know that I'm doing a review of professional reliance under the EMA framework to document where use of QPs is benefiting environmental management in BC and where improvements could be made. (Separate but related to the professional reliance review mentioned in the Minster's mandate letter). I'm looking at the development of CSAP model as well as how the use of QPs has evolved under several regulated sectors (MWR, HWR, OMRR, and landfill OCs) to determine what is working well, where there are challenges, and what could be envisioned for the future re professional reliance.

I'd like to get a sense of the SIA story from the perspective of how QPs were involved/how their advice was used by the Ministry, and what were some of the lessons learned. I'm wondering if you'd be able to speak generally to provide some context on SIA and professional reliance (if I should be speaking to others as well please let me know). I've been scheduling ~ 1 hour interviews with folks for this project - I'm fairly flexible with timing so please let me know if you'd be available in the next few weeks. Looking forward to chatting with you.

Rebecca Freedman
Policy Specialist, Clean Technologies
BC Ministry of Environment and Climate Change Strategy
PO Box 9341 Stn Prov Govt, Victoria BC V8W 9M1
Ph: 778-698-4862 Fax: 250-356-7197

From: [Balcaen, Trish L IRR:EX](#)
To: [McGuire, Jennifer ENV:EX](#)
Cc: [Holmes, Rachel IRR:EX](#); [Mayhew, Neilane IRR:EX](#)
Subject: RE: Professional Reliance Review and UNDRIP
Date: Sunday, August 27, 2017 3:57:42 PM

Hi Jennifer,

I wish I had an answer at this point but I don't yet.

s.12,s.13

Given the time sensitivity you're working with, I'm copying in Rachel and Neilane to see if they have any further insight to offer you. At ADMs NRS last week, many agencies were asking the same question you are....

Cheers,
Trish

-----Original Message-----

From: McGuire, Jennifer ENV:EX
Sent: Saturday, August 26, 2017 3:19 PM
To: Balcaen, Trish L ABR:EX
Subject: Professional Reliance Review and UNDRIP

Hi Trish

Minister Heyman's mandate letter includes a requirement for conducting a professional reliance review. The exact statement in the letter is "Revitalize the Environmental Assessment process and review the professional reliance model to ensure the legal rights of First Nations are respected, and the public's expectation of a strong, transparent process is met."

I made a presentation to NR Board last week - to outline the draft scope for the review. A few questions were raised about First Nations involvement ...specifically how does UNDRIP apply? Encouraged to include/involve First Nations in the oversight or delivery of the review? As a co-administrator of the review?

Given the mandate commitment - do you have any suggestions on how to meaningfully and effectively seek First Nation participation in the PR review? s.12,s.16

s.12,s.16

Thanks

Jennifer

Sent from my iPad

Recalibrate.com
Discussion Paper: The Concept of “Knowledgeable Owner”

ISSUE:

Determining the extent to which:

1. A public sector organization collectively understands the concept of “knowledgeable owner” (KO); and,
2. An public sector organization may wish to formally recognize/promote the concept and actively pursue being a KO in its critical business areas.

BACKGROUND:

The Corporate Human Resource Plan of the Provincial Government cites several significant workforce challenges facing the public service – i.e., by 2015 it is projected that 45% of managers and 35% of bargaining unit staff will retire. Further, by 2011, exits from the provincial workforce will outnumber entrants. The goals of the Corporate Human Resource Plan include building internal capacity, improving competitiveness, and managing for results. Specific strategies focus on limiting the use of external consultants in order to create meaningful training and promotional opportunities for staff; expediting learning and knowledge transfer through job shadowing; and, creating greater awareness within ministries of particular job skills and areas of expertise recognized to be at risk due to anticipated attrition.

All ministries are expected to “*develop and maintain specific internal expertise in key streams.*”¹ This relates to the concept of ministries each being a “knowledgeable owner” (KO) in their business areas. Meeting this expectation will be challenging due to the implications of several events and trends over recent years, including but not limited to:

- workforce changes resulting from two rounds of “voluntary departures” from government, the increasing rate of “baby boomer” retirements, and intergenerational differences between the career expectations of “boomers” and those in Generations “X” and “Y”; and,
- implications of the 2002 Core Review, which resulted in many changes to what government focuses on and how it conducts its business.

DISCUSSION:

The most straightforward way to explain the concept of “Knowledgeable Owner” is this – Mike Holmes’ award winning home renovation disaster show “Holmes on Homes” would not be on television but for the tendency of well-intentioned, but uninformed, homeowners to entrust their cash and greatest asset (their home) to “professional” contractors on whom they blindly rely. In this admittedly simplistic example, Mike Holmes has made it his career to find and fix inadequate work in the home construction and renovation industry. He explains his mission is to prevent or expose inadequate work and help homeowners make informed decisions. He can only do this as he is a qualified, skilled, and experienced knowledgeable owner in all areas of building construction and renovation. Based on his training, skill level, experience and expertise he is qualified to review and expertly assess the work of his “professional peers”, and to know when to bring in other qualified professionals to assist him.

¹ Goal 1 of Corporate HR Plan Report – Building Our Internal Capacity, February 2007

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Discussion Paper: The Concept of “Knowledgeable Owner”

The KO concept is explored here in detail, *using the Ministry of Forests and Range (MFR) as an example*. Since its establishment in 1912 as the Forests Branch, MFR has been the main agency responsible for the stewardship of 47 million hectares of provincial forest land and fire protection services for 84 million hectares. The ministry's role also includes maintaining a policy and regulatory framework that creates competitive forest and range industries. Being a knowledgeable owner is important for MFR in all its core program areas such as Silviculture, Inventory, Research, Tenure Administration, Protection, Compliance & Enforcement etc. *Although the concept of KO is highly relevant and applicable throughout MFR in all its critical business areas, the ministry's Engineering Program is used here simply as an illustrative example.*

MFR Engineering Program History

As an integral function of the ministry, engineering has had a long and successful history of contributing to the achievement of Forest Service goals and objectives. In the early 1950s, the Engineering Program had "own forces" capability – i.e., its own heavy equipment and engineering crews for capital-intensive forest road and bridge construction. The in-house capability of the BC Forest Service at that time was often praised for its professionalism, effectiveness (i.e., what we now refer to as “knowledgeable owner”), and for its esprit de corps. Internal expertise was readily available to ensure appropriate engineering design solutions were developed, as well as the knowledge needed to assess competitive bids on contracted work. During this period, Forest Rangers in the districts interacted with the public as the ministry's expert, the local authority and manager in-charge.

In the 1980s, the Engineering Program lost its Branch status with government decentralization and the advent of Section 88 (which gave all responsibility for road and bridge building to forest companies for their forest development operations). This is when the Forest Service began a process of shifting its engineering program focus away from the physical activities associated with FS road and bridge planning, construction, maintenance and deactivation, toward an oversight and contract management role. In 2002 came the Core Review, and a move away from a prescriptive Code of Forest Practices to results-based legislation, giving even more responsibility to forest companies and professionals. With these shifts, and despite ever greater reliance being placed on Forest Service professionals and technologists to ensure that sound forest engineering practices are carried out to protect the environment and public safety, the districts' function has been reduced to primarily a monitoring role.

For a period of time, this new focus offered substantial cost savings to government as the ministry was able to substantially reduce its workforce and sell its construction equipment and materials inventory. It no longer needed to bear the costs associated with owning/maintaining heavy equipment and paying the annual salary of equipment operators, survey and design crews, and support staff. Instead, MFR was able to hire the necessary manpower and equipment on an as-needed contract basis. The remaining technical and professional engineering staff, who possessed proven knowledge, expertise and technical competency in all phases of road and bridge construction, became contract managers and project advisors. Over the next several years, due to their technical proficiency and expertise, they were able to assure MFR managers, financial auditors, politicians and the public that MFR was receiving

Discussion Paper: The Concept of “Knowledgeable Owner”

appropriate value for money, and that the ministry was not assuming inordinate risk to human life or the environment through its engineering activities (or lack thereof).

Current Situation

However, over the ensuing years, many of those experienced, skilled staff moved away from engineering and into other MFR management positions, and/or have retired. The issue now facing MFR is that, more often than not, staff promoted or hired to replace those technical experts do not and will not have nearly the same “hands on” learning opportunities as their predecessors had in the past. As a result, MFR is at risk of not receiving the same value for money via the contracting out process, and/or may be assuming a much greater risk to human life or the environment through the ministry’s current engineering activities. Any staff lacking the appropriate competencies and experience may not have enough knowledge/expertise to assess risk or value for money or, even worse, they may not know when, where, and how to request appropriate help or secure the appropriate expertise (i.e., simply expressed, they don’t know what they don’t know).

A few illustrative examples of areas of concern/risk in forest sector engineering due to not being a KO include:

- To ensure value for money, professionals² require the knowledge, including practical skills and experience, to carry out/review Engineering Cost Estimates (ECEs), including knowledge of heavy equipment productivity, and appropriateness of bridge construction techniques/design etc.
- Concerns regarding “project durability” and being confident that the most practical and effective design prescription is adapted from the outset.
- MFR unknowingly incurring unacceptable environmental, legal, and professional risk through adoption of an incorrect planning, design/construction solution, legislative regime, business practice, or via actions of their contractors.
- Professionals² not having the required knowledge, including practical skills and experience, to comprehend their own, or others’, professional limitations.

The issue of professional reliance and professional responsibility, as related to all forestry professionals and occupational health and safety in the BC forest industry, was the subject of a presentation made at MFR’s 2008 Provincial Engineering Meeting by Jeff Waatainen, Barrister and Solicitor with Westhaven Forestry Law. Key points from this presentation included:

- A “professional” has specialized education, knowledge, training and experience.
- A “professional” possesses specialized knowledge that is unknown to the average person.
- Through legislation, society recognizes various groups of persons who possess specialized knowledge, and bestows “professional status” upon them.

² Note: “professionals” includes Professional Engineers, P. Eng, and professional Engineering/Forest Technologists.

Discussion Paper: The Concept of “Knowledgeable Owner”

- In exchange for their agreement to exercise their knowledge and expertise responsibly, i.e., in accordance with the public good – the public grants special authority upon professionals within their field of knowledge and expertise.
- The public then presumes professional ability and responsibility respecting these professionals, i.e., they presume they can rely on them (“professional reliance”).
- Society as a whole is reliant upon professionals to ensure that complex projects are undertaken in accordance with approved plans and regulatory requirements.
- Both the planning and implementing of complex endeavours require professional expertise.

In the context of “practice of engineering and engineering technology,” the key principles for MFR to be a knowledgeable owner were outlined in a document entitled *“The Expectations that Affect the Management of Public Forest and Range Lands in British Columbia: Looking Outside the Legislation”* (Reader, 2006).

In this work, Mme. Reader noted that: *“In the forest and range management context, it is important to remember that **professional reliance does not mean “blind reliance.”**”* [emphasis added]. *Reliance on resource management professionals is justified only if these professionals have demonstrated that their advice is reliable.”* (p. 221).

This means that an “owner” (e.g., MFR Engineering Program staff) cannot assume the advice it receives is adequate, acceptable and can be relied upon by virtue of being provided by a professional. As a professional’s work can only truly be scrutinized by a peer professional, it follows that an owner has to have a requisite level of expertise in-house to provide that professional evaluation. As much as professional reliance depends on knowledgeable and experienced people to provide advice, it also requires that owner must be knowledgeable to know when the advice is appropriate.

Therefore, for the Ministry of Forests & Range to be a knowledgeable owner in terms of engineering and engineering services, it must:

- understand what constitutes the “practice of engineering” and “practice of engineering technology” and the critical linkage to operational practices;
- be capable of internal implementation of engineering practice with competent understanding of “practice of engineering” and “practice of engineering technology” through the project conceptualization/construction continuum;
- be aware of the limitations inherent in applying engineering judgment that is fully within the context of “the practice of engineering” and “practice of engineering technology”;
- be familiar with the liabilities and risks associated with its road network (e.g. industrial user and public safety, environmental, financial, etc.);
- be aware of need for continual professional training to maintain professional competence and value of succession development (e.g. EIT program and mentoring to develop internal capacity and carry on the cultural strengths of our organization);
- be aware of the necessity to undertake research and development in applied science (engineering) to provide the necessary support to engineering decision making when current applicable understanding is unavailable or unsuitable;

Discussion Paper: The Concept of “Knowledgeable Owner”

- be aware when to seek specialist advice, know what specialist is required and their requisite qualifications, know what to ask for, know how to contract such expertise, and be able to evaluate the delivered product;
- be fully knowledgeable and conversant in issues associated with risk analysis, risk assessment; risk control; and risk acceptability;
- be fully aware of value for money (funding constraints vs. engineering risk); and,
- be recognized as a “knowledgeable owner” by internal staff, stakeholders, clients, etc.

Mme. Reader’s analysis and recommendations to MFR are further supported by the work in this area undertaken by the Ministry of Transportation (MOT). MOT is a predominantly engineering-oriented organization which has re-embraced the importance of being a knowledgeable owner through articulating a set of key principles outlined in the section below.

MOT’s purpose in developing these principles was to ensure they meet their statutory requirements as an “owner.” They committed themselves to applying engineering judgment and assessing acceptable risk, including strategically determining who does the work, by assessing the current value versus the future value (i.e., contractor vs. EIT – investment in the future), and to carrying on the cultural strengths of their organization.

To MOT, being a knowledgeable owner involves the ability and capacity to do the following:

- Apply engineering judgment.
- Apply business judgment.
- Understand the owner’s interests over and above technical requirements including:
 - o Value for money (available budget);
 - o Risk tolerance;
 - o Non technical considerations (community, economic, etc.); and,
 - o Legislative requirements/protection – non-delegable duties.
- Understand government administrative process.
- Attract and retain technical in-house expertise in core engineering program areas.
- Ensure linkage between engineering and operation of the highway system.
- Ensure engineering continuity through different phases of the project.
- Commit to research and development responsibility, being on the forefront of industry knowledge.

Many MFR Engineering Community of Practice members support the KO concept and believe MOT is on the appropriate track, and that MFR as a whole has not had the opportunity to understand, acknowledge and endorse the concept of knowledgeable owner. They believe this has serious implications for the entire ministry, let alone the future relevance of MFR’s Engineering Program. There are many benefits to being a KO, including the ability to:

- Retain and attract employees to an organization that promotes being the best and offers desirable career paths and recognition;

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- Determine the appropriate solution for projects in the short and long term, adequately considering risk, safety and economics (value for money);
- Solicit, understand and validate appropriate expertise (internal and external); and,
- Become a high performing organization that is respected by clients, colleagues, and partners.

NEXT STEPS

Should an organization choose to formally adopt and actively pursue a “Knowledgeable Owner” culture, potential next steps would be to undertake the following:

- Brief your leadership on the KO concept and seek leadership endorsement to pursue the following steps:
- Assign a “KO Sponsor” to champion and lead the formation of a steering committee and task team(s) with appropriate cross-program representation to pursue the following activities (to be laid out in a Terms of Reference);
- Develop KO definitions for each key business area (e.g., see page 4 KO definition for an Engineering example);
- Investigate and assess the current state respecting program staff expertise and experience (i.e., knowledgeable ownership and technical competencies) in the organization’s key business areas;
- Target key business areas identified as “at risk” and determine to what extent those risks exist, and design/implement appropriate KO mitigation;
- Develop recommended plans of action to ensure staff have the requisite knowledge, skills and abilities (KSA) to meet required competencies (technical and behavioural) of their position, and to actively support ongoing learning, development and KSA training;
- Investigate and identify short, medium and longer term opportunities to carry out selected projects in key business areas with the organization’s own staff (as opposed to contracted resources) in order to build required in-house expertise and competencies via hands-on experience; and,
- Develop appropriate KO performance measures to be embedded into personnel performance plans and the organization’s business plan.



**Forest
Practices
Board**

District Managers' Authority Over Forest Operations

Special Report

FPB

CONFIDENTIAL

FPB/SR/52

December 2015

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Introduction

District managers for the Ministry of Forests, Lands and Natural Resource Operations (FLNR) are the government decision-makers who are “closest to the ground.” These are the government officials who review and approve resource development on public land.

In recent years, the Forest Practices Board has seen situations arise where forestry development was putting local environmental and community values at risk, yet district managers could do little to affect the development and protect the public interest. The Board has also encountered situations where conflicts between resource-users could have been avoided if district managers had the authority to intervene to ensure operations would meet local management objectives and respect tenured interests.

These situations have led the Board to conclude that there is a need for district managers to have authority over operational decision-making by giving them conditional discretion over the issuance of cutting permits and road permits. This discretion, which district managers currently do not have, would only be used in specific and limited circumstances. It would strengthen the district manager’s role in safeguarding the public interest when dealing with matters such as logging on steep slopes, cumulative effects management, visual quality, conservation of species at risk or conflicts between tenure holders.

In an increasingly complex economic and ecological operating environment, district managers will need this authority in the future to ensure that decisions consider landscape-level conditions, including cumulative effects.

This special report is intended to draw attention to an important issue identified by the Board, to encourage discussion and to suggest a possible solution. The report is based on previously published Board reports, supplemented by interviews with district managers.

Background

British Columbia’s forest practices legislation—the *Forest and Range Practices Act* (FRPA)—is designed to give forest licensees flexibility to manage, within a framework of government objectives and results-based practice requirements. Government has established objectives for a variety of forest values such as ungulate winter range and old growth. These objectives place restrictions on logging in certain locations, but licensees are free to operate elsewhere, as long as they comply with FRPA and the *Forest Planning and Practices Regulation*. It is licensees and their professionals who make the final decisions about how to balance resource values and minimize risks.ⁱ

If a problem occurs, government officials are restricted to dealing with it after the fact, yet situations can arise at the operational level where it is essential to be able to prevent problems before they occur, rather than respond after they have occurred. An ability for government officials to intervene in some circumstances is consistent with results-based legislation, which cannot be expected to anticipate every contingency at an operational level.

The only planning document that requires approval by government officials is the forest stewardship plan. Yet these plans only set the legal parameters for practices broadly over vast areas. They do not

contain specific information about what licensees are planning to do. Within the current legislative framework, normally the first opportunity for government officials to see what and where logging and road-building are proposed is when licensees apply for a cutting permit or road permit. However, government officials have very limited authority to intervene at this stage to protect the public interest.

Forest licences and tree farm licences make it clear that, as long as certain simple administrative requirements have been met, district managers have no discretion to refuse to issue a cutting permit or road permit, even if they have significant concerns about the proposed activity.¹

In the Board's experience, the current system works reasonably well, most of the time. Licensees and their professionals, for the most part, are diligent when planning activities. District managers are often able to establish expectations and act as facilitators. In the course of preparing this report, we spoke with several district managers who confirmed this.

Nonetheless, there are situations where district managers need legal authority to back up their efforts. In the Board's observation, many members of the public are surprised to learn that district managers do not already have this authority. Wholesale change is not needed but incremental improvement is. This is part of full implementation of FRPA and will be increasingly necessary in the future.

Discussion

The Board has encountered numerous situations that illustrate the need for district managers to be able to intervene. These include situations of:

- significant risk to public health or safety;
- significant risk to forest resources or values – this includes situations where there is a lack of coordination of activities among licensees operating on the same ground; and
- conflict between forest licensees and non-forestry tenured users, such as guide outfitters, ranchers and tourism operators.

Illustrations From Previous Board Work

In *Haida Gwaii Visual Quality Objectives*, for example, the Board investigated a complaint concerning visual quality and logging on Haida Gwaii. Even though FLNR staff and a municipality raised concerns about the likely visual impact of planned logging on Haida Gwaii, the licensee would not discuss its visual impact assessment and insisted on getting its cutting permit. The district manager had no choice but to issue the permit. The logging went ahead and the Board found that it did not meet the legally-required visual quality objective, contrary to FRPA. In spite of the valid concerns raised before harvesting took place, the district manager was required to issue the cutting permit as submitted. If he had the authority to delay issuing the permit, pending clarification of the concerns, it is likely that the problem could have been resolved through discussion among professionals.

¹ Administrative requirements include submission of appraisal information and a map. Where the district manager has concerns about the impact on aboriginal rights, the manager may impose conditions or refuse to issue a cutting permit.

In *Meadow Creek Cedar Ltd. Forest Practices and Government Enforcement*, a licensee decided not to implement plans, prescriptions and recommendations made by its professional foresters and professional engineers. This resulted in unsound forest practices that put forest resources at unnecessary risk. The Board report noted that the government is a trustee of public lands and needs to take action when harm (environmental or otherwise) may occur. Failure to do so undermines public confidence in FRPA. Again, if the district manager had the authority to withhold cutting permits or road permits, many of the problems might have been avoided. In acknowledging the government response to the Board's recommendations, the Board Chair stated the following:

. . . the Board is concerned that legislation and government policy does not afford a district manager sufficient ability to proactively address situations where an imminent risk to the environment or a forest resource is apparent . . . government, as the trustee of public lands, needs to assess forest practices and be prepared to take action when harm to the environment or a forest resource is likely to occur, rather than as a reaction to an event.

Other examples from previous Board work are set out below. In these examples, if the district manager had been able to intervene, it is likely that public confidence would have been enhanced, risk to public safety or the environment would have been scrutinized by a government official, agreed plans or guidelines would have been followed, chief forester guidance would have been followed, or disputes between tenured users of Crown land could have been resolved more fairly.

- *Timber Harvesting and Potential Impacts to the Duhamel Creek Alluvial Fan* – At Duhamel Creek, residents were concerned about the *potential for a catastrophic landslide* due to proposed logging. Although the Board concluded that the licensee had carried out appropriate assessments, the inability of the district manager to intervene weakened public confidence in the process at the time.
- *Laird Creek Landslide* – At Laird Creek, residents were concerned about a proposal by the BCTS program to *log on steep slopes with a history of landslides*. A few years after the logging and road-building took place, a landslide occurred, disrupting the residents' drinking water supply for a week. The slide was caused by a change in subsurface drainage caused by road construction, combined with an unusually high snowpack and a rapid spring snowmelt. The Board report noted that, even with sound technical practices, risks taken by one resource user can harm another. Giving district managers the ability to intervene in cases of this nature would help to ensure that the public interest is being adequately addressed.
- *Hydrologic Assessments Completed in the Tranquille Community Watershed* – Risks to public safety, private property and infrastructure were identified in a 2009 watershed risk analysis, making it important to assess the cumulative risks of proposed logging activities. Yet, as of May, 2013, the effects of proposed development were considered in isolation by each of several forest licensees operating in the drainage.ⁱⁱ Giving district managers the ability to be proactive and refuse a cutting permit or road permit would help to facilitate coordinated effort among licensees.

- Logging and Lakeshore Management near Vanderhoof – A lack of process for dealing with conflict between a forest licensee and a group of wilderness resort businesses concerning logging in lakeshore management areas led to an erosion of trust. The Board report noted that:

FRPA gives considerable advantage to forest licensees which, unless there is generous goodwill, could lead to decisions unfavourable to the interests of other businesses. No legislation can avoid such inequity unless it is also set up to deal with conflict between the bona fide users of Crown land operating on the same landscape. FRPA contains no such mechanism.
- Goshawk Foraging Habitat on Haida Gwaii – There was no mechanism to protect a newly-discovered northern goshawk nest on Haida Gwaii, when a licensee applied for a cutting permit that would impact foraging habitat near the nest.ⁱⁱⁱ
- Davidson Creek Access Management – There was no mechanism to implement an access management plan^{iv} when a licensed guide outfitter was concerned that a forest licensee was not seasonally-blocking motorized access to a road system. The guide outfitter feared losing a key business opportunity guiding hunters by horse in a non-motorized area. If the district manager had authority to refuse a cutting permit or road permit in such situations, negotiated access management plans could be given their intended effect.
- Aspen Logging - Grazing Conflict in the Dawson Creek TSA – There was no mechanism to implement guidelines when logging of aspen in the Dawson Creek area led to reduced opportunities for cattle grazing, due to dense regeneration. As with the previous example, if the district manager had authority to refuse a cutting permit or road permit in such situations, negotiated guidelines could be given their intended effect.
- Timber Harvesting in Beetle-Affected Areas: Is it meeting government's expectations? – There was no mechanism to enforce the chief forester's partition of the allowable annual cut, limiting the amount of non-pine harvest. Individual licensees acted independently and their combined actions resulted in overcutting of non-pine, further threatening the future timber supply. Where there is a lack of coordination among licensees that could compromise government objectives, district managers need the authority to refuse a cutting permit or road permit.
- Biodiversity Conservation during Salvage Logging in the Central Interior of BC – In areas of large-scale salvage of timber damaged by mountain pine beetle, there was no response to the chief forester's landscape-level guidance to conduct cooperative planning for biodiversity and the desired 'conservation uplift' was not achieved. As with the previous example, where there is a lack of coordination among licensees that could compromise government objectives, district managers need the authority to refuse a cutting permit or road permit.
- Salvage Logging and Water Flows at Cooper Creek – A complaint investigation about salvage logging upstream from a ranch, found that a lack of coordination between forest licensees increased the likelihood of flooding on the ranch.
- Pine Beetle Salvage Logging and Water Flows near Williams Lake, BC; Logging and Winter Streamflow in Twinflower Creek – Two reports about the cumulative effects of salvage logging, climate change and mountain pine beetle highlighted the Board's concern about

cumulative effects. The Board noted again the *inequity in the decision making authority of one tenure holder over another* and said that a system of objectives and regulation coupled with respectful, mediated solution-seeking would be more equitable for the people involved, and more effective for stewardship of the many tenured interests that the province has vested on the landscape.

One way to provide such a mediation mechanism would be through district managers, who would need the authority to refuse cutting permits or road permits. Mediation would only be applied in certain circumstances and must be time limited.

- *Eagle Creek Pine Salvage* – The impact of mine tailings and salvage harvesting left *downstream water users at risk*, but no single government agency was responsible for managing the combined effect.

These examples, in the Board's view, illustrate the need for improvements in the policy and regulatory framework.

Looking to the Future

It is important to look forward, as well, to the increasingly challenging environment for natural resource officials. As noted in the FLNR Service Plan (February 2015), the Ministry operates in a complex economic and ecological operating environment. The Service Plan notes the challenges of multiple interests and overlapping demands, along with the influence of factors such as habitat fragmentation, invasive species, climate change, wildfires, floods, landslides and debris flows, droughts, and pest outbreaks. Solidifying the integrated delivery of natural resource management through the one-land manager model and designing new approaches and tools to better manage the cumulative effects of multiple activities are identified as key ministry priorities.

One of the Ministry's strategies to achieve sustainable natural resource management through effective policy, legislation and external relationships is to:

Improve the ability to make durable decisions on the land base that consider landscape-level conditions, climate change, and cumulative effects on key environmental, social and economic values, including historic and archaeologically significant places.

In the Board's view, this can only be achieved by giving conditional discretion to district managers, as representatives of the public interest, to actually make decisions.

Possible Solutions

As the landowner (subject to First Nations interests) and the representative of the public interest in the management of Crown forest land, government needs to reserve to itself, in FRPA, the right to act when necessary to protect the public interest. In the Board's view, there is a gap in implementation of FRPA in that this has not yet been achieved. Of course, government officials will need to exercise caution and the authority to intervene should only be exercised under certain conditions and in clear cases where there is a pressing public interest.

It is the Board's view that district managers need the authority to delay issuing—or refuse to issue—a cutting permit or road permit, where necessary. This authority would be triggered if the district manager believes:

- there is clearly significant risk to public health or safety;
- there is clearly significant risk to forest resources or values;
- there is likely to be a contravention of legislation; or
- the interests of another tenure holder have not been adequately addressed (if that tenure holder requests district manager intervention).

The necessary authority could possibly be granted under existing legislation, as discussed below, and should be seen as part of full implementation of the results-based legislative framework.

The Board recognizes the challenge of ensuring that district managers are only called on to invoke this authority in cases where it is truly needed. It should be possible, through regulation and policy, to make sure this is the case. The greatest benefit of such authority would be in strengthening the ability of district managers to actively facilitate discussion, cooperation and solutions to potential problems during the planning phase, before permits are issued.

BC Timber Sales (BCTS) Program

Consideration should also be given to providing district managers with authority in relation to the BCTS program, the operations of which give rise to similar concerns. Nineteen per cent of the provincial allowable annual cut is allocated to the BCTS program. In this program, harvesting is done under timber sale licences issued by timber sales managers. BCTS and its licensees do not need to obtain cutting permits in order to harvest timber, so the solution suggested above would not work for the BCTS program. However, it should be possible to put in place a policy framework to allow the district manager to intervene if needed, without the necessity of legislation.

Implementing Section 81.1 of the *Forest Act*

Section 81.1 of the *Forest Act* requires district managers to refuse to issue a cutting permit or road permit if the minister determines that the issuance “would compromise government objectives as specified by regulation.” There is currently no regulation implementing section 81.1.^v A regulation could be introduced authorizing district managers to be proactive in the circumstances listed above. The regulation could, for example, specify that government objectives, for the purpose of the *Forest Act* section 81.1, include avoiding significant risk to public health or safety, avoiding significant risk to forest resources or values, preventing contravention of legislation and achieving fair resolution of disputes between tenure holders.

The Board is not suggesting a change in the routine process of issuing permits. Rather, the suggestion is that the district manager would have authority to intervene where necessary. The circumstances where this authority would be exercised should be defined in a general sense in regulations and guided by policy.

FRPA Section 77

In addition, it would be desirable to expand the reach of intervention orders under FRPA section 77 and the *Administrative Orders and Remedies Regulation*, section 6. Section 77 authorizes, the minister,² subject to regulation, to order a person to stop an activity that the minister believes will result in a contravention of forest legislation and will or probably will cause a catastrophic impact on public health or safety, an adverse impact on the environment or a failure to achieve a free growing stand.

Section 77 currently has only limited usefulness for the purposes of this report because it only applies if activities “will” contravene legislation, and “will or probably will” cause a “catastrophic impact” on public health or safety. Consideration should be given to amending section 77 to remove the requirement for the minister to believe that the act or omission “will result in a contravention.” After all, if the minister believes something will probably cause a catastrophic impact on public health or safety, the minister should be able to take preventive action.

Amending Licence Documents

Finally, the obligation of district managers to issue cutting permits if certain administrative requirements have been met is set out in licence documents. One way to provide greater discretion to district managers would be to amend licence documents to provide for such discretion.

Conclusion

Sometimes there is a public interest that only government can address. District managers are the public’s representatives on the ground. They are aware of issues that individual licensees may not be aware of and they can look “down the road” to emerging issues that may not yet be impacting the land.

In the view of the Forest Practices Board, improvement is needed in the policy and legislative framework to reduce risk to public safety and important resource values and to improve public confidence in forest management on Crown land. The Board recommends giving conditional discretion to district managers to act in the public interest. District managers will need this authority in future to help them manage in an increasingly complex environment.

The benefits of doing so include:

- reduced risks to public health and safety;
- increased public confidence in forest management;
- a level playing field for licensees operating on Crown land;
- better management of cumulative effects; and
- reduced economic costs resulting from landslides, excessive sedimentation and overharvesting.

² This authority has been delegated to district managers and regional executive directors.

The Board believes the best option would be to introduce a regulation to implement *Forest Act* section 81.1. As long as this proposed district manager authority is used judiciously and within parameters that can be established by policy, it would not increase industry costs or red tape. The mere existence of this authority would help district managers to facilitate resolutions to issues without the necessity of invoking the authority. This proposal is consistent with a results based regime in which professional reliance plays a significant role, in that it recognizes that there are many situations where results have not been defined or where professional reliance does not adequately address the situation.

Recommendation

In accordance with section 131(3) of the *Forest and Range Practices Act*, the Board recommends that government introduce a regulation to implement *Forest Act* section 81.1. The regulation should authorize district managers to refuse a cutting permit or road permit if the minister determines that any of the following applies:

- there is clearly significant risk to public health or safety;
- there is clearly significant risk to forest resources or values;
- there is likely to be a contravention of legislation; or
- the interests of another tenure holder have not been adequately addressed (if that tenure holder requests district manager intervention).

In accordance with section 132 of FRPA, the Board requests a response to this recommendation by March 31, 2016.

Endnotes

ⁱ *Professional Reliance in BC Forests: Is it really the issue?* and *Balancing Risk Across Resource Values in Forest Operations*

ⁱⁱ Analysis prepared for the Board during the community watershed investigation. More recently, the Board has been advised that information on potential risk is being used as background information for a Stewardship Pilot Project and will help inform landscape-level strategies for the pilot area.

ⁱⁱⁱ <https://www.bcfpb.ca/sites/default/files/pdfs/IRC143-Subsequent-Issues.pdf>

^{iv} See also Toba Inlet <<https://www.bcfpb.ca/reports-publications/reports/toba-inlet-complaint-111005/>>

^v In addition, *Forest Act* section 81 provides authority, to the extent provided in regulations, for district managers to refuse to issue a cutting permit if the licensee has failed to comply with a requirement of the *Forest Act* or FRPA under a previous cutting permit or road permit. However, there is no regulation to implement this.

Page 028 to/à Page 036

Withheld pursuant to/removed as

s.12;s.13

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: PR Review: Follow up from a meeting with Sonia re. PR
Date: Sunday, August 27, 2017 9:04:54 PM

Hi Leon,
Here is another email for consideration in the PR Review work.
Thanks
Jennifer

-----Original Message-----

From: Frampton, Caelie PREM:EX
Sent: Friday, August 25, 2017 12:54 PM
To: McGuire, Jennifer ENV:EX; Standen, Jim ENV:EX
Subject: Follow up from a meeting with Sonia re. PR

Hi Jennifer,

MGH and I met with Sonia from the Greens this week to talk PR.

She had two key recommendations for us to consider in this process.

First, she wanted us to consider having early recommendations while we proceed with the review.

Second, she recommended an independent body to oversee enforcement and compliance. I believe this was a recommendation from the AG report on mining.

I'm hoping we can follow up on these issues next time we meet to talk PR.

Thanks,
Caelie

Sent from my iPad

From: [Swan, Trevor OGC:IN](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: Professional Reliance Review - update
Date: Monday, August 28, 2017 4:31:27 PM

We use lots of QPs including PEngs, RPFs, geologists, hydrogeologists and hydrologists.



Trevor Swan RPF, LLB, C.Dir.
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From: Gaber, Leon ENV:EX [mailto:Leon.Gaber@gov.bc.ca]
Sent: Monday, August 28, 2017 4:11 PM
To: Swan, Trevor <Trevor.Swan@BCOGC.ca>
Subject: RE: Professional Reliance Review - update

Hi Trevor. As I'm working on terms of reference and project charter I'm wondering whether you guys use QPs for any piece of OGAA? If so, what professional association would they fall under? Trying to create as comprehensive picture as possible for the scoping discussion.

Thanks
Leon

Leon Gaber
250-812-1809

From: Swan, Trevor [mailto:Trevor.Swan@bcogc.ca]
Sent: Monday, August 28, 2017 12:23 PM
To: Gaber, Leon ENV:EX
Cc: McGuire, Jennifer ENV:EX
Subject: RE: Professional Reliance Review - update

Thanks Leon.

I look forward to chatting soon.

Bye for now.

Trev.



Trevor Swan RPF, LLB, C.Dir.
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Regulatory Officer
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From: Gaber, Leon ENV:EX [<mailto:Leon.Gaber@gov.bc.ca>]
Sent: Monday, August 28, 2017 12:01 PM
To: Swan, Trevor <Trevor.Swan@BCOGC.ca>
Cc: McGuire, Jennifer ENV:EX <Jennifer.Mcguire@gov.bc.ca>
Subject: RE: Professional Reliance Review - update

Hi Trevor.

I've been digging into all of the background material this morning and based on the comments we've received from MGH and the Board I agree with your assessment (which is a significant increase in scope). Unless I hear otherwise from Jennifer I intend to include that detail in the draft TOR and charter I'll send to all of you later this week.

Cheers
Leon

Leon Gaber
250-812-1809

From: Swan, Trevor [<mailto:Trevor.Swan@bcogc.ca>]
Sent: Monday, August 28, 2017 11:50 AM
To: Gaber, Leon ENV:EX
Cc: McGuire, Jennifer ENV:EX
Subject: RE: Professional Reliance Review - update

Hi Leon.

Jennifer kindly provided me with her synopsis of both the NR Board's and the Minister's comments on the forthcoming professional reliance review.

It would appear that the Minister's direction envisions a review which is potentially significantly more broad than that which was outlined in the materials presented to the NR Board. In addition to assessing

whether or not the various professional associations are meeting their mandates to ensure that their members protect the public interest, it seems to also involve an assessment of

- the various operational statutes (under different Ministries) to determine the nature and context of the various decisions which involve qualified professionals, and
- whether or not the current use of qualified professionals (as practiced under those statutes) is effectively protecting the public interest.

This would suggest that perhaps the Minister has an interest in looking at the context of the decisions to be made (i.e. the nature, timing, scope etc. of the statutory decision itself) which involve qualified professionals, rather than strictly focusing on whether or not the respective professional associations are ensuring that their members are performing appropriately within that context.

Having not been present at the discussions with the Minister or at the NR Board, it is easy to mistakenly read in inferences which were not, in fact, intended. Please feel free to correct me on the intended scope of the review.

Bye for now.

Trev.



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From: McGuire, Jennifer ENV:EX [<mailto:Jennifer.McGuire@gov.bc.ca>]

Sent: Sunday, August 27, 2017 8:51 PM

To: Avison, Claire AVED:EX <Claire.Avison@gov.bc.ca>; Robb, Peter L. MEM:EX <Peter.Robb@gov.bc.ca>; Lalani, Arif AGRI:EX <Arif.Lalani@gov.bc.ca>; Swan, Trevor <Trevor.Swan@BCOGC.ca>; Ellis, Rose FLNR:EX <Rose.Ellis@gov.bc.ca>; McReynolds, Tom W FLNR:EX <Tom.McReynolds@gov.bc.ca>

Cc: Miller, Mary ENV:EX <Mary.Miller@gov.bc.ca>

Subject: Professional Reliance Review - update

s.12,s.13

Page 041

Withheld pursuant to/removed as

s.12;s.13

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Fw: Meeting with MLA Furstenau Re: Professional Reliance
Date: Tuesday, August 29, 2017 8:20:35 AM

Additional info for context

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Tony Chong <tchong@egbc.ca>
Sent: Monday, August 28, 2017 5:25 PM
To: Minister, ENV ENV:EX
Cc: Frampton, Caelie PREM:EX; McGuire, Jennifer ENV:EX; Deputy Minister ENV:EX
Subject: Meeting with MLA Furstenau Re: Professional Reliance

Dear Minister Heyman,

As we indicated to your office earlier this month, the Association of Professional Engineers and Geoscientists of BC (APEGBC) had the opportunity to meet with MLA Sonia Furstenau on August 16 to discuss the professional reliance model and the recent investigation we conducted on Active Earth Engineering related to a contaminated soil facility near Shawnigan Lake. We look forward to the opportunity to meet with you on this and other matters on which we collaborate with your ministry.

We had a wide ranging discussion on the professional reliance model and I believe that we concurred on a number of points including:

1. There are challenges and opportunities for change with the professional reliance model in BC as it currently stands.
2. Public trust in government, professionals and their regulators has been eroded due to incidents like the contaminated soil facility near Shawnigan Lake.
3. APEGBC as a professional regulator could provide valuable input into discussions on enhancing the professional reliance model and would appreciate the opportunity to do so.
4. We want to work with the BC Government to improve the professional reliance model by better government/professional regulations and professional practices/standards to regain public trust.

MLA Furstenau had many questions and comments regarding the investigation conducted by APEGBC into the contaminated soil facility near Shawnigan Lake. Under section 46 of the Engineers and Geoscientists Act there is a requirement to keep information related to investigations confidential unless they proceed to a disciplinary hearing which limits the amount of information that can be shared. APEGBC sought the agreement of the members involved in the investigation to make public the outcome of the investigation due to the enhanced public interest in the file. We have also advised all complainants of specific details related to their complaint as direct by the Engineers and Geoscientists Act. It is understood that MLA Furstenau would have like to have seen a different outcome in this matter.

I should note that as of August 23, 2017, APEGBC has rebranded as Engineers and Geoscientists BC to better reflect our role as a progressive regulator that works in the public interest. As per the Engineers and Geoscientists Act, our legal name continues to be the Association of Professional Engineers and Geoscientists of BC.

Again, we are most interested in working with government to continue to improve the professional reliance model so it best serves the people of BC.

Sincerely,

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar
Engineers & Geoscientists of BC
200-4010 Regent Street, Burnaby, BC V5C 6N2
Direct: 604-412-6058 / **Toll-Free:** 1-888-430-8035 ext. 6058
Web: egbc.ca

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From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Re: some Q's
Date: Tuesday, August 29, 2017 11:52:40 AM

I am free for a call now.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Tuesday, August 29, 2017 11:44 AM
To: McGuire, Jennifer ENV:EX
Subject: RE: some Q's

Thanks Jennifer. Two follow-ups.

1. If Mark Haddock will co-chair the steering committee with you I don't think it will be very feasible to have a FN rep chairing too. If you had to choose between Mark and a FN rep who should we prioritize to co-chair?
2. For case studies I see a forestry case study under FRPA is absent. Is this by design? If not I'd suggest we add this as one of the case studies.

I'm tied up with my day job all today but will work on the ToR tonight and will have something to you and MZ tomorrow.

Leon Gaber
250-812-1809

From: McGuire, Jennifer ENV:EX
Sent: Tuesday, August 29, 2017 7:55 AM
To: Gaber, Leon ENV:EX
Subject: Re: some Q's

Hi Leon,

See my responses below...thanks for your thoughtful work on this.

JLM

Sent from my iPad

On Aug 28, 2017, at 5:36 PM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:

Hi Jennifer.

We don't necessarily have to chat (unless it's easier for you) but here are some questions/suggestions I'd like feedback from you as I'm putting these docs together.

1. Scope

- a. Is the intent to include every act in the NRS (e.g. OGAA, GGRTA, etc)? I think we need to limit the scope to a handful of key statutes or regs ^{s. 12}
s.13

s.13

- b. I see 2 streams of inquiry here. Just want to confirm we see things the same:
- i. The first is to assess what statutes are using QPs, if that's working out, and whether using QPs is appropriate given the public interest (this is more what MGH added to the scope). s.13
 - ii. The PR review by the ELC is relevant to this stream. They list 27 different PR functions in NRS regs, have a 9 factor test for whether a statute should use QPs and for those that should have a list of 10 criteria for how well that's working. My suggestion would be to use the ELCs work and apply to all our statutes (their review only did a subset). s.13
 - iii. The second is to review the associations themselves and the acts that govern them (this is more the original scope). s.13
s.13

2. Roles and responsibilities

- a. What role would you like Mark Haddock to have in the review? s.13
s.13
- b. With respect to First Nations, I certainly don't have anything brilliant to add but if it were me I'd go to the FNLC and ask them to select someone to co-chair the steering committee and select several people to sit on the steering committee (maybe from the 3 NR councils under them – e.g fisheries, energy and mining) s.13
s.13
- c. Given the above 2 points, suggest rebranding the ADMs steering committee to just steering committee and include Mark (unless he'll have another role) and FN reps.
s.13

3. Constraints

- a. At this point should I try to put together a budget for having this review done by a contractor? Would involve me reaching out to some contacts at larger firms (may be a sensitivity in advance of MGH announcement) s.13

s.13

- b. There's a relationship between timelines and budget (i.e. with a higher budget tighter timelines can be met). Are the timelines you laid out being pushed by the MO? If we want to stay close to those dates it's doable, will just increase the cost.

s.13

Leon Gaber
250-812-1809

From: [Zacharias, Mark ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Cc: [McGuire, Jennifer ENV:EX](#)
Subject: Re: PR Tor
Date: Tuesday, August 29, 2017 12:02:12 PM

Formal is good so long as we don't change content from the original intent. Thx

Regards, Mark
250-415-6466

> On Aug 29, 2017, at 12:01 PM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:
>
> Got it. Jennifer and I both agree a formal ToR is needed here rather than just that 2 pager that was shown to MGH. I'm working on that formal ToR (will be longer than 2 pages). Would you like me to update that 2 pager MGH saw to condense the ToR details or are you ok with showing him the formal ToR (probably around 4 pages)?
>
>
> Leon Gaber
> 250-812-1809
>
>
>
> -----Original Message-----
> From: Zacharias, Mark ENV:EX
> Sent: Tuesday, August 29, 2017 11:39 AM
> To: Gaber, Leon ENV:EX
> Cc: McGuire, Jennifer ENV:EX; Ord, Kris ENV:EX; Smith, Curtis ENV:EX; Gooderham, Coleen E ENV:EX
> Subject: Re: PR Tor
>
> Thanks Leon. We will need a clean and track changes version for MGH's review and will likely need to grab 15 mins with him this week.
>
> Sent from my iPad
>
>> On Aug 29, 2017, at 11:21 AM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:
>>
>> Hi Mark. Jennifer met with MGH on the 25th and based on that meeting I'm working on creating a ToR. Should have something to share tomorrow.
>>
>>
>> Leon Gaber
>> 250-812-1809
>>
>>
>> -----Original Message-----
>> From: Zacharias, Mark ENV:EX
>> Sent: Tuesday, August 29, 2017 11:11 AM
>> To: McGuire, Jennifer ENV:EX; Ord, Kris ENV:EX
>> Cc: Gaber, Leon ENV:EX; Smith, Curtis ENV:EX
>> Subject: PR Tor
>>
>> Jennifer / Kris (depending on vacation schedules)
>>
>> If there are any changes to the PR ToR subsequent to MGH signing them off before I left can I get a track

changes version? MGH wants to see if we made changes and, if so, what those might be.

>>

>> Regards, MZ

>>

>> Sent from my iPad

From: [Lalani, Arif AGRI:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Fwd: PR review & AGRI
Date: Tuesday, August 29, 2017 2:51:04 PM

Leon let's confirm we do not use QP's. If we were too they would be professional Agrologists.

Arif Lalani, ADM, Agriculture

Begin forwarded message:

From: "Austin, Matt AGRI:EX" <Matt.Austin@gov.bc.ca>
Date: August 29, 2017 at 12:21:51 PM PDT
To: "Lalani, Arif AGRI:EX" <Arif.Lalani@gov.bc.ca>
Cc: "Cameron, Sandra AGRI:EX" <Sandra.Cameron@gov.bc.ca>
Subject: RE: PR review & AGRI

Hi Arif,

I have asked a few key staff and I am not aware of any instances of our Ministry using PR in the context of authorizations. I'm not certain if there is anything on the food safety or possibly even plant and animal health sides that might be relevant but my guess is no.

Cheers,

Matt

From: Lalani, Arif AGRI:EX
Sent: Tuesday, August 29, 2017 11:22 AM
To: Austin, Matt AGRI:EX
Cc: Cameron, Sandra AGRI:EX
Subject: FW: PR review & AGRI

Do we know Matt?

Arif Lalani | ADM | Business Development Division | Agriculture
5th Floor, 808 Douglas Street, V8V 9B4 | T 250.356.1122 | F 250.356.7279
arif.lalani@gov.bc.ca

From: Gaber, Leon ENV:EX
Sent: Tuesday, August 29, 2017 11:20 AM
To: Lalani, Arif AGRI:EX
Subject: RE: PR review & AGRI

Hi Arif. I know what that's like.

Would be ideal if you can confirm by tomorrow. Just a high level, general sense is all I need at this point. Also to think on is if there is an Ag case study you think we should be using in the review (e.g. south island aggregates being used for EMA).

Cheers
Leon

Leon Gaber
250-812-1809

From: Lalani, Arif AGRI:EX
Sent: Monday, August 28, 2017 8:27 PM
To: Gaber, Leon ENV:EX
Subject: Re: PR review & AGRI

Hello Leon. Just got back today **s.22** and was on briefings all day with my Minister. I have asked my folks to assist. I suspect we do not use a lot of QP services like Environment. But we do contract for certain types of services. In almost all cases they are members of the BC Institute of Agrologists. When do I need to confirm by?

Arif Lalani, ADM, Agriculture

On Aug 28, 2017, at 4:27 PM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:

Hello Arif. Following up on Jennifer McGuire's email about moving forward with the PR review. I'm currently putting together a ToR and project charter (which I'll share later this week) and have a question from a scoping perspective. Can you tell me in general terms whether and for what your ministry uses QPs and under what act? Would these QPs belong to the BC Institute of Agrologists? Any other professional associations that might be involved?

Thanks in advance

Leon

Leon Gaber
250-812-1809

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#); [Zacharias, Mark ENV:EX](#)
Subject: Re: PR Review ToR draft
Date: Wednesday, August 30, 2017 10:30:17 AM

Thanks Leon,

s.22

..so I suggest we carry on.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Wednesday, August 30, 2017 10:28 AM
To: Zacharias, Mark ENV:EX; McGuire, Jennifer ENV:EX
Subject: PR Review ToR draft

Morning Mark and Jennifer. Attached is a draft ToR for the review. I assume you'd both like to review before going to the steering committee and Mark Haddock. Throughout the doc I've highlighted sections for your attention where I'd appreciate your feedback on. Tried to keep as close to Jennifer's original doc as possible with adding NR Board and MGH feedback. I'm working on the project charter now and will send as soon as it's ready.

Cheers

Leon

Leon Gaber
250-812-1809

From: [White, Norah FLNR:EX](#)
To: [Gaber, Leon ENV:EX](#)
Cc: [McReynolds, Tom W FLNR:EX](#)
Subject: RE: PR Review & FLNR
Date: Wednesday, August 30, 2017 1:39:40 PM

Leon,

Further to our call, below are a few published case studies in how professionals work within the FRPA framework. There are many others that I can provide that are documented from the work of my branch (e.g., reliance upon professional foresters for appropriate reforestation (stocking standards)).

2 high-profile reports within the forest resource management community:

- [Bridge Planning, Design and Construction](#) (March 2014)
- [Haida Gwaii Visual Quality Objectives](#) (Nov 2014)

From: White, Norah FLNR:EX
Sent: Tuesday, August 29, 2017 1:07 PM
To: McReynolds, Tom W FLNR:EX; Gaber, Leon ENV:EX
Subject: RE: PR Review & FLNR

Hi Tom and Leon,

The short answer is that the FRPA model relies on a wide range of QPs, each to a different degree. FRPA is designed to complement the various acts that establish the self-regulating professions, most notably for the professions that have the right to practice (foresters, engineers). FRPA implies the need for a member of the ABCFP or APEGBC to carry out various functions (e.g., to sign an FSP), but it is also assumed that forest tenure holders will utilize the members of a wide range of professional bodies in managing the FRPA values.

As an example, some of the QPs the Act would involve include:

- Foresters
- Engineers
- Biologists
- Agrologists
- Landscape architects
- Hydrologists

Happy to discuss further anytime.
Norah

Norah J. White, R.P.F.
Manager, Sustainable Resource Management
Resource Practices Branch
Ministry of Forests, Lands & Natural Resource Operations
Norah.White@gov.bc.ca | Desk: (250) 387-8398 | Fax: (250) 387-1467
Location: 727 Fisgard Street, 8th Floor
Mail: PO Box 9513 Stn Prov Gov't, Victoria BC, V8W 1R9

From: McReynolds, Tom W FLNR:EX
Sent: Tuesday, August 29, 2017 12:55 PM
To: White, Norah FLNR:EX
Subject: FW: PR Review & FLNR

Hi Norah, Do you happen to have a general document that would answer Leon's question below?
Thanks

From: Gaber, Leon ENV:EX
Sent: Monday, August 28, 2017 4:32 PM
To: Ellis, Rose FLNR:EX; McReynolds, Tom W FLNR:EX
Subject: PR Review & FLNR

Hello Rose & Tom. Following up on Jennifer McGuire's email about moving forward with the PR review. I'm currently putting together a ToR and project charter (which I'll share later this week) and have a question from a scoping perspective. Can you tell me in general terms whether and for what your ministry uses QPs under FRPA? Would these QPs belong to the Association BC Forest Professionals? Any other professional associations that might be involved?

Thanks in advance

Leon

Leon Gaber
250-812-1809

Page 054 to/à Page 055

Withheld pursuant to/removed as

DUPLICATE

From: [Ord, Kris ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: PR Review ToR - draft v2 (MZ)
Date: Thursday, August 31, 2017 8:31:12 AM

Leon can you send me the latest attachment. I have been asked to attend the meeting with Mark at 9. thanks



KRIS ORD

Executive Director
Environmental Standards Branch
Ministry of Environment and Climate Change Strategy
☎ 778-698-4870 | 📠 250-356-7197 | ✉ Kris.Ord@gov.bc.ca

From: Gaber, Leon ENV:EX
Sent: Thursday, August 31, 2017 8:25 AM
To: McGuire, Jennifer ENV:EX
Cc: Zacharias, Mark ENV:EX; Ord, Kris ENV:EX; Smith, Curtis ENV:EX
Subject: Re: PR Review ToR - draft v2 (MZ)

Will add

Leon Gaber
250-812-1809

On Aug 31, 2017, at 8:05 AM, McGuire, Jennifer ENV:EX <Jennifer.Mcguire@gov.bc.ca> wrote:

s.12,s.13

Sent from my iPad

On Aug 31, 2017, at 7:49 AM, Zacharias, Mark ENV:EX <Mark.Zacharias@gov.bc.ca> wrote:

Good morning:

To inform our discussion this morning. Looking good...

Regards, MZ

<PR Review ToR - draft v2 (MZ).docx>

Page 057 to/à Page 063

Withheld pursuant to/removed as

s.12;s.13

From: [Cox, Brad MEM:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Re: PR Review - QPs & MEM
Date: Friday, September 1, 2017 11:43:02 AM
Attachments: [image001.png](#)

Great - thanks!

Sent from my iPhone

On Sep 1, 2017, at 11:41 AM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:

s.12,s.13

Cheers
Leon

Leon Gaber
250-812-1809

From: Cox, Brad MEM:EX
Sent: Friday, September 1, 2017 10:50 AM
To: Gaber, Leon ENV:EX
Subject: RE: PR Review - QPs & MEM

Hi Leon

Can you give me a sense of when the review is supposed to be completed? Is there a timeframe/target?

Thanks

From: Gaber, Leon ENV:EX
Sent: Tuesday, August 29, 2017 11:18 AM
To: Amann-Blake, Nathaniel MEM:EX
Cc: Demchuk, Tania MEM:EX; Cox, Brad MEM:EX
Subject: RE: PR Review - QPs & MEM

That's perfect, thanks Nate.

Cheers
Leon

Leon Gaber
250-812-1809

From: Amann-Blake, Nathaniel MEM:EX
Sent: Tuesday, August 29, 2017 10:59 AM
To: Gaber, Leon ENV:EX
Cc: Demchuk, Tania MEM:EX; Cox, Brad MEM:EX
Subject: FW: PR Review - QPs & MEM

Hi Leone,

There's a bunch of QPs used in mining from engineering to restoration/reclamation work. See below and note reference in Mines Act too. Looking forward to seeing the draft TOR etc for the review.

Nate

From: Cox, Brad MEM:EX
Sent: Tuesday, August 29, 2017 10:12 AM
To: Demchuk, Tania MEM:EX; Amann-Blake, Nathaniel MEM:EX
Subject: RE: PR Review - QPs & MEM

I couldn't find anything we did previously.

In addition to professional engineers, the Mines Act and Code refer to "qualified professionals" – defined in the Code as:

"qualified professional" means an individual who (a) is registered, and in good standing, with a professional organization in British Columbia governed under an enactment, and (b) is acting within his or her area of professional expertise.
[Part 10]

So it can be pretty wide open depending on the circumstances. What will satisfy MEMPR will depend on the circumstances of course. I'm sure they are on to the older FLNRO QP Framework stuff but here is a list from that work - for mines, you can imagine most of these potentially being used depending on the circumstances. Maybe not the accountants

<image001.png>

From: Demchuk, Tania MEM:EX
Sent: Monday, August 28, 2017 5:48 PM

To: Amann-Blake, Nathaniel MEM:EX; Cox, Brad MEM:EX
Subject: RE: PR Review - QPs & MEM

Professional Agrologists should be on the list for MEMPR. Maybe also Professional Foresters.

From: Amann-Blake, Nathaniel MEM:EX
Sent: Monday, August 28, 2017 5:13 PM
To: Cox, Brad MEM:EX; Demchuk, Tania MEM:EX
Subject: FW: PR Review - QPs & MEM

Brad, further to my earlier note re any existing backgrounder... Anything to add?

From: Gaber, Leon ENV:EX
Sent: Monday, August 28, 2017 5:03 PM
To: Amann-Blake, Nathaniel MEM:EX
Subject: RE: PR Review - QPs & MEM

Hi Nate. Thanks for the reply. I'm just trying to get a full list of the qualified professionals and professional associations that are going to be looped into this review. So for instance, under EMA for certain land use applications proponents will hire professional biologists (Association of Professional Biology) and engineers (Association of Professional Engineers and Geoscientists of BC) to complete their applications. Our SDMs then rely on that QP information in making decisions about an application.

That's about as detailed as I'm getting right now.

Cheers
Leon

Leon Gaber
250-812-1809

From: Amann-Blake, Nathaniel MEM:EX
Sent: Monday, August 28, 2017 4:57 PM
To: Gaber, Leon ENV:EX
Subject: RE: PR Review - QPs & MEM

Hi Leon,

I'll be leading for MEM and will get back to you tomorrow. Do you have an example of what you're looking for?

Nate

Begin forwarded message:

From: "Gaber, Leon ENV:EX" <Leon.Gaber@gov.bc.ca>

Date: August 28, 2017 at 4:24:18 PM PDT

To: "Robb, Peter L. MEM:EX" <Peter.Robb@gov.bc.ca>

Subject: PR Review - QPs & MEM

Hello Peter. Following up on Jennifer McGuire's email about moving forward with the PR review. I'm currently putting together a ToR and project charter (which I'll share later this week) and have a question from a scoping perspective. Can you tell me in general terms whether and for what your ministry uses QPs under the mines act? Would these QPs belong to the Mining Association of BC, Association of Mineral Exploration BC, other?

Thanks in advance

Leon

Leon Gaber
250-812-1809

From: [Visco, Greg ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: Professional Reliance Model Review
Date: Friday, September 1, 2017 1:27:16 PM

Sounds good – thanks Leon!

Greg

From: Gaber, Leon ENV:EX
Sent: Friday, September 1, 2017 1:19 PM
To: Visco, Greg ENV:EX
Cc: Float, EPD ENV:EX
Subject: RE: Professional Reliance Model Review

Hi Greg. We still don't know where this review will be led out of **s.13**). For now you can send correspondence to me and once the structure has been sorted out I'll let you know.

Cheers
Leon

Leon Gaber
250-812-1809

From: Visco, Greg ENV:EX
Sent: Friday, September 1, 2017 11:57 AM
To: Gaber, Leon ENV:EX
Cc: Float, EPD ENV:EX
Subject: FW: Professional Reliance Model Review
Importance: High

Hi Leon,

Is your shop going to be leading the review of the professional reliance model for our Ministry? We are trying to get that sorted out for our issues list so we know who to send correspondence too when it comes in.

Cheers,

Greg

Greg Visco

A/Senior Writer | Correspondence Unit
Ministry of Environment and
Climate Change Strategy
778-698-4835

From: Forster, Arielle M ENV:EX
Sent: Friday, September 1, 2017 11:54 AM
To: Neilson, Kirsten EAO:EX; Visco, Greg ENV:EX
Subject: RE: Professional Reliance Model Review
Importance: High

Hi Greg,

This isn't SPB either but our ED suggests Leon Gaber as the best contact.

Thank you,

Arielle Forster

Administrative Assistant – Compliance Policy and Planning
Environmental Sustainability & Strategic Policy Division
Strategic Policy Branch | Telephone: 778-698-4378

From: Neilson, Kirsten EAO:EX
Sent: Friday, September 1, 2017 11:22 AM
To: Visco, Greg ENV:EX; Forster, Arielle M ENV:EX
Subject: RE: Professional Reliance Model Review

Hi Greg,

This is not us.

Thanks,
Kirsten

From: Visco, Greg ENV:EX
Sent: Friday, September 1, 2017 10:09 AM
To: Forster, Arielle M ENV:EX; Neilson, Kirsten EAO:EX
Subject: Professional Reliance Model Review

Hi Arielle and Kirsten,

We are getting correspondence on the review of the professional reliance model and are wondering where this issue stands with our Ministry (EAO or perhaps strategic policy?). It's one of those issues that crosses over to the entire NRS, but just looking for who at ENV is leading.

Any info you could provide would be helpful to us.

Thanks!

Greg

Greg Visco

A/Senior Writer | Correspondence Unit
Ministry of Environment and
Climate Change Strategy
778-698-4835

From: [Hurrell, Lara GCPE:EX](#)
To: [Gaber, Leon ENV:EX](#)
Cc: [Cotton, Brian GCPE:EX](#); [Bell, Danielle L GCPE:EX](#)
Subject: Re: PR Review news release
Date: Friday, September 1, 2017 2:32:29 PM

Hi Leon,

I will mention this to Dave Crebo Tuesday morning. Brian never mentioned a comms plan. David Crebo will make that decision.

Lara

Sent from my iPhone

> On Sep 1, 2017, at 2:24 PM, Gaber, Leon ENV:EX <Leon.Gaber@gov.bc.ca> wrote:

>

> Hi Lara. Sending this to you **s.22** . See below regarding the PR review. I just talked to MZ and he said the comms plan for this is something you guys would put together (and basically just reference the NR which would be attached). **s.12**

s.12

>

>

>

>

> Leon Gaber

> 250-812-1809

>

>

>

> -----Original Message-----

> From: Cotton, Brian GCPE:EX

> Sent: Thursday, August 31, 2017 3:10 PM

> To: Gaber, Leon ENV:EX

> Subject: RE: PR Review news release

>

> Hi Leon,

>

> The PR news release was just a draft in case we were going to announce it a couple weeks ago but I've attached it anyways. No specific template I'm aware of that your supposed to be using. We usually just do something along lines of: any potential challenges, key audience, key messages, strategic approaches, materials required and a brief roll-out/timeline.

>

> On a related note, can you share the ELUC package with me because the MO has asked GCPE to do an issues note and the info I have on this is limited to what's in the draft release.

>

> Thanks,

> Brian

>

>

> -----Original Message-----

> From: Gaber, Leon ENV:EX

> Sent: Thursday, August 31, 2017 2:49 PM

> To: Cotton, Brian GCPE:EX

> Subject: PR Review news release

>

> Hey Brian. I'm putting together the ELUC package for the professional reliance review ENV is doing. MZ said it's already done. Are you able to share it with me? I need to put it at the back of the comms plan that needs to be completed (on a related note, don't suppose you know whether there is a template comms plan we're supposed to be using?).

>

> **s.12**

>

> Cheers

> Leon

>

>

> Leon Gaber

> 250-812-1809

Page 073 to/à Page 109

Withheld pursuant to/removed as

s.12;s.13

From: [Boyd, Wes CSNR:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: RE: Revised PR ToR and ELUC materials
Date: Tuesday, September 5, 2017 8:58:54 AM

Hi Leon, free now if you want. I can give you a call?

From: Gaber, Leon ENV:EX
Sent: Tuesday, September 5, 2017 8:58 AM
To: Boyd, Wes CSNR:EX
Subject: RE: Revised PR ToR and ELUC materials

Morning Wes. Let me know when you've got a bit of time to chat this morning.

Leon Gaber
250-812-1809

From: Boyd, Wes CSNR:EX
Sent: Monday, September 4, 2017 11:04 AM
To: Zacharias, Mark ENV:EX
Cc: Gaber, Leon ENV:EX; McGuire, Jennifer ENV:EX; Finkel, Paul PREM:EX; Smith, Curtis ENV:EX; Lewis, Cameron F ENV:EX
Subject: Re: Revised PR ToR and ELUC materials

hi Leon, I have some time tomorrow. I understand the issue that Mark is referring to re growth of public service. Let's have a short chat (10 mins) if we can tomorrow.

Wes B

Sent from my iPad

On Sep 4, 2017, at 10:56 AM, Zacharias, Mark ENV:EX <Mark.Zacharias@gov.bc.ca> wrote:

Hi Leon:

s.12,s.13

Page 111 to/à Page 130

Withheld pursuant to/removed as

s.12;s.13

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Re: Professional Reliance ToR
Date: Thursday, September 7, 2017 9:20:06 AM

Ok...as long as I still have cell coverage. s.22

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Thursday, September 7, 2017 9:14 AM
To: McGuire, Jennifer ENV:EX
Subject: RE: Professional Reliance ToR

What I assumed, s.22
to you by 11ish. Need approval by noon.

Estimates note coming

Leon Gaber
250-812-1809

From: McGuire, Jennifer ENV:EX
Sent: Thursday, September 7, 2017 9:13 AM
To: Gaber, Leon ENV:EX
Subject: Re: Professional Reliance ToR

No - PR is staying with me.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Thursday, September 7, 2017 8:39 AM
To: McGuire, Jennifer ENV:EX
Cc: Llewellyn-Thomas, Marnie ENV:EX
Subject: RE: Professional Reliance ToR

Either works for me. Should Kris be reviewing and approving the PR review estimates note I'm putting together this morning?

Leon Gaber
250-812-1809

From: McGuire, Jennifer ENV:EX
Sent: Thursday, September 7, 2017 8:31 AM
To: Gaber, Leon ENV:EX
Cc: Llewellyn-Thomas, Marnie ENV:EX
Subject: Re: Professional Reliance ToR

How about tomorrow? Or Monday? M - can you find some time?

Thx

JLM

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Thursday, September 7, 2017 8:25 AM
To: McGuire, Jennifer ENV:EX
Subject: RE: Professional Reliance ToR

Let's chat when you're back ^{s.22}

Cheers

Leon

Leon Gaber
250-812-1809

From: Ellis, Rose FLNR:EX
Sent: Wednesday, September 6, 2017 12:26 PM
To: Gaber, Leon ENV:EX
Cc: McGuire, Jennifer ENV:EX
Subject: FW: Professional Reliance ToR

Hi Leon and Jennifer,

Thanks for the opportunity to review this version. Tom McReynolds has updated me on the work over the last couple of weeks and I've reviewed this version in FLNRO with key folks on our Exec team, many of whom participated in the recent discussion at the NRS ADMs and NRB and have commented on the different iterations.

I see this work has evolved quite a bit over the last couple weeks. Overall, FLNRO supports the general approach, but there is concern that this version could be interpreted as being broader in scope. In the last TOR, the work was clearly staged. But in this one, it looks to us that changes to the current legislative regime may be brought into scope.

I've made some suggestions in the document (particularly with component 2 and 3) to manage this potential risk of scope creep to keep it in line with what we understood the objectives, based upon board direction. If direction has changed and this is no longer the intended scope, we will need a conversation to ensure that legislative review component is clearly spelled out and FLNRO is engaged in leading appropriate pieces for forestry with advice and direction from MDD.

Thanks and please feel free to give me a call to discuss

Page 133 to/à Page 134

Withheld pursuant to/removed as

s.12;s.13

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: Re: PR review estimates note
Date: Thursday, September 7, 2017 11:12:51 AM

That should work

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Thursday, September 7, 2017 11:08 AM
To: McGuire, Jennifer ENV:EX
Subject: RE: PR review estimates note

Here's my proposed bullet on Mark in the background:

- The review will be co-led by Mark Haddock who has significant experience assessing professional reliance in the natural resource sector through the University of Victoria Environmental Law Centre and as general counsel for the Forest Practices Board.

Thoughts?

Leon Gaber
250-812-1809

From: McGuire, Jennifer ENV:EX
Sent: Thursday, September 7, 2017 11:01 AM
To: Gaber, Leon ENV:EX
Subject: Re: PR review estimates note

Looks great..^{s.13}

^{s.13}

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Gaber, Leon ENV:EX
Sent: Thursday, September 7, 2017 10:26 AM
To: McGuire, Jennifer ENV:EX
Subject: PR review estimates note

Here you go Jennifer. Let me know if you'd like anything changed.

Leon Gaber
250-812-1809

Page 136 to/à Page 159

Withheld pursuant to/removed as

s.12;s.13

Page 160 to/à Page 162

Withheld pursuant to/removed as

s.13

Page 163 to/à Page 217

Withheld pursuant to/removed as

s.12;s.13

Page 218 to/à Page 224

Withheld pursuant to/removed as

s.12

Page 225 to/à Page 256

Withheld pursuant to/removed as

s.12;s.13

From: [McGuire, Jennifer ENV:EX](#)
To: [Gaber, Leon ENV:EX](#)
Subject: FW: Professional Reliance Review and UNDRIP
Date: Tuesday, September 12, 2017 5:04:16 PM
Attachments: [UNDRIP MessagingGuidanceforProvincialStaff Aug212017FINAL.docx](#)

Hi,
Here is some additional info - UNDRIP messaging from MIRR.
JLM

-----Original Message-----

From: Miles, Barbara S ABR:EX
Sent: Tuesday, September 5, 2017 8:55 AM
To: McGuire, Jennifer ENV:EX
Cc: Puggioni, Giovanni ABR:EX; Wheler, Francesca M ABR:EX
Subject: FW: Professional Reliance Review and UNDRIP

Hi Jennifer,

Attached is the UNDRIP Messaging Guidance mentioned in Neilane's email. We will be revising it based on further discussions at the FN Leaders Gathering and the Throne Speech.

Cheers,
Barb

-----Original Message-----

From: Nash, Laurel ABR:EX
Sent: Monday, September 4, 2017 2:02 PM
To: Mayhew, Neilane ABR:EX; Balcaen, Trish L ABR:EX; McGuire, Jennifer ENV:EX; Puggioni, Giovanni ABR:EX
Cc: Holmes, Rachel ABR:EX
Subject: RE: Professional Reliance Review and UNDRIP

Thanks. Yes I'll ask Gio to reach out to Jennifer on Tuesday.

Laurel Nash
Assistant Deputy Minister
Strategic Partnerships and Initiatives Division Ministry of Indigenous Relations and Reconciliation
250 953 4004 or 250 508 1670

-----Original Message-----

From: Mayhew, Neilane ABR:EX
Sent: Monday, September 4, 2017 12:48 PM
To: Balcaen, Trish L ABR:EX; McGuire, Jennifer ENV:EX
Cc: Holmes, Rachel ABR:EX; Nash, Laurel ABR:EX
Subject: RE: Professional Reliance Review and UNDRIP

Some general comments. **s.12,s.16**

s.12,s.16

s.12,s.16

therefore ministries
should continue to look for opportunities to engage with Indigenous people as they develop policies and strategies.
We have developed some messaging in relation to UNDRIP which Laurel can track down from staff and in addition,
we have some previous guidance documents that were developed around engaging with FNs and some of the

principles in there should still assist. MIRR can provide some advice along the way as well. Laurel's team should be able to assist.

Neilane

-----Original Message-----

From: Balcaen, Trish L ABR:EX
Sent: Sunday, August 27, 2017 3:58 PM
To: McGuire, Jennifer ENV:EX
Cc: Holmes, Rachel ABR:EX; Mayhew, Neilane ABR:EX
Subject: RE: Professional Reliance Review and UNDRIP

Hi Jennifer,

I wish I had an answer at this point but I don't yet.

s.12,s.13

Given the time sensitivity you're working with, I'm copying in Rachel and Neilane to see if they have any further insight to offer you. At ADMs NRS last week, many agencies were asking the same question you are....

Cheers,
Trish

-----Original Message-----

From: McGuire, Jennifer ENV:EX
Sent: Saturday, August 26, 2017 3:19 PM
To: Balcaen, Trish L ABR:EX
Subject: Professional Reliance Review and UNDRIP

Hi Trish

Minister Heyman's mandate letter includes a requirement for conducting a professional reliance review. The exact statement in the letter is "Revitalize the Environmental Assessment process and review the professional reliance model to ensure the legal rights of First Nations are respected, and the public's expectation of a strong, transparent process is met."

I made a presentation to NR Board last week - to outline the draft scope for the review. A few questions were raised about First Nations involvement ...specifically how does UNDRIP apply? Encouraged to include/involve First Nations in the oversight or delivery of the review? As a co-administrator of the review?

Given the mandate commitment - do you have any suggestions on how to meaningfully and effectively seek First Nation participation in the PR review? s.12,s.16

s.12,s.16

Thanks

Jennifer

Sent from my iPad

From: George Heyman
To: [Heyman, George ENV:EX](#)
Subject: CASA
Date: Monday, July 24, 2017 14:48:54
Attachments: [WebPage.pdf](#)
[ATT00001.htm](#)

http://bcndpcaucus.ca/wp-content/uploads/sites/5/2017/05/BC-Green-BC-NDP-Agreement_vf-May-29th-2017.pdf

2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus

This agreement between the BC Green Caucus and the BC New Democrat Caucus is effective _____, 2017, for four years, or until the next fixed date election as set by the *BC Constitution Act*.

Section 1 – Foundation of Relationship

This agreement establishes the basis for which the BC Green Caucus will provide confidence in a BC New Democrat Government. It is not intended to lay out the full program of a New Democrat Government, nor is it intended to presume BC Green support for initiatives not found within this agreement.

Both the BC New Democrats and the BC Greens campaigned for a government that put people at the centre of their decision-making. Our policy proposals included many points of agreement, including:

1. Making democracy work for people
2. Creating jobs, acting on climate change, and building a sustainable economy that works for everyone
3. Fixing the services people count on
4. Making life more affordable for people

This agreement sets out a new relationship between the two parties, founded on the principle of “good faith and no surprises”.

Both parties agree that the legislature works best when all MLAs are able to put forward good ideas – and come together – to support those that advance the public good.

Subject to the terms of this agreement, we undertake that:

1. Should the Lieutenant Governor invite the Leader of the BC New Democrats to form a new government, this agreement will continue until the next scheduled election.
2. The Leader of the New Democrats will not request a dissolution of the Legislature during the term of this agreement, except following the defeat of a motion of confidence.
3. The BC Green MLAs will neither move, nor vote non-confidence during the term of this agreement, so long as the principle of good faith and no surprises has been observed.
4. Both parties will ensure that they have all their elected members at all sittings of the House as reasonable, and will vote in favour of the government on confidence motions.
5. While individual bills, including budget bills, will not be treated or designated as matters

of confidence, the overall budgetary policy of the Government, including moving to the committee of supply, will be treated as matters of confidence.

6. BC Green support for policy and legislation which does not relate to confidence or supply is not subject to this agreement and will be decided on an issue by issue basis.

This agreement establishes a dispute resolution process (see Appendix A).

Both caucuses recognize that, in order to promote greater stability, the government must be able to negotiate with the three BC Green Party MLAs as a single, recognized caucus. Similarly, to be a credible partner and fulfill the responsibilities that will be required of them, the BC Green MLAs require access to legislative tools that are only available to recognized political parties and sufficient support staff.

A foundational piece of this relationship is that both caucuses support the adoption of the UN Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission calls-to-action and the Tsilhqot'in Supreme Court decision. We will ensure the new government reviews policies, programs and legislation to determine how to bring the principles of the Declaration into action in BC.

This agreement shall only be amended by mutual consent.

Section 2 – Consultation Arrangements

Consultation will occur in a timely fashion to ensure BC Green Caucus views can be incorporated into final decision-making. Formal consultation will be managed between the Premier's Office and the BC Green Caucus office. Regular meetings will also be established between the Premier and the BC Green Party Leader.

1. Overall Consultation

The BC New Democrat Government will consult the BC Green Party Caucus on:

- Broad outline of the government's legislative programme;
- Legislation to be introduced in the House;
- Major policy issues;
- Broad budget parameters;
- Events/policy changes with provincial or budgetary implications.

To ensure that the BC Green Party Caucus is informed about the policy agenda of the government, the BC New Democrat Government agrees to provide access to key documents and officials.

Both parties agree to establish a process to manage and coordinate the external communication of policy initiatives covered in this agreement, ensuring the principle of good faith and no surprises is maintained through communications.

2. Budget

The BC New Democrat Government will ensure the BC Green Caucus is afforded meaningful consultation on provincial budget priorities in advance of being finalized.

3. Confidentiality

Where briefings or other consultations have been provided to the BC Green caucus in respect to legislation, policy or budgetary matters, all discussions shall be confidential unless otherwise agreed, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Section 3 – Policy Initiatives

A BC New Democrat Government agrees to advance the following legislative and policy initiatives identified as a condition of support by the BC Green Caucus. These objectives are not an exhaustive list of the policy initiatives the BC New Democrat Government or BC Green Caucus will advance, but are areas where we agree on shared values and outcomes for the people of British Columbia.

1. Making democracy work for people

- a. The Legislature shall be recalled within one month of the swearing in of a BC New Democrat Government.
- b. Proportional Representation
 - i. Both the BC New Democrat Government and the BC Green Caucus are committed to proportional representation. Legislation will be introduced in the 1st sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government establishing that:
 - (1) A referendum on proportional representation will take place in the fall of 2018, concurrent with the next municipal election; and
 - (2) The form of proportional representation approved in the referendum will be enacted for the next provincial election.
 - ii. The parties agree that they will work together in good faith to consult British Columbians to determine the form of proportional representation that will be put to a referendum.
 - iii. The parties agree to both campaign actively in support of the agreed-upon form of proportional representation.

c. Electoral Finance

- i. The parties agree that legislation will be introduced in the 1st sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to:
 - (1) Ban corporate and union donations and contributions from non-residents of British Columbia;
 - (2) Place limits on individual contributions;
 - (3) Accept loans only from banks or recognized financial institutions;
 - (4) Eliminate any other means by which individuals or entities may wield undue influence over government; and
 - (5) Conduct a review of campaign finance and the Elections Act.

d. Lobbying Reform

- i. The parties agree that legislation will be introduced in the 1st sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to:
 - (1) Institute a multi-year prohibition on lobbying for former Senior Public Office Holders;
 - (2) Increase penalties for violations of the *Lobbyists Registration Act*;
 - (3) Initiate a comprehensive review of the *Lobbyists Registration Act*, including the Office of the Registrar of Lobbyists' mandate, to ensure our democratic institutions and the interests of British Columbians are adequately protected from the influence of special interests.

e. Respect the integrity and independence of a professional public service.

f. Ensure more public input into decision-making by making more effective use of committees of the legislature and allowing MLAs an opportunity to have input on policy decisions.

g. The parties agree that legislation will be introduced in the 1st sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to shift the formula for the fixed election date from May, to a date in the fall of 2021, and every 4 years after that to provide a more transparent budget process and the passage of a budget prior to an election.

h. Require Spring and Fall sittings of the legislature every year.

2. Jobs, climate and a sustainable economy that works for everyone

a. Climate Action

- i. Implement an increase of the carbon tax by \$5 per tonne per year, beginning April 1, 2018 and expand the tax to fugitive emissions and to slash-pile burning.
- ii. Deliver rebate cheques to ensure a majority of British Columbians are better off

- financially than under the current carbon tax formula.
- iii. Implement a climate action strategy to meet our targets.
- b. Immediately refer the Site C dam construction project to the BC Utilities Commission on the question of economic viability and consequences to British Columbians in the context of the current supply and demand conditions prevailing in the BC market.
- c. Immediately employ every tool available to the new government to stop the expansion of the Kinder Morgan pipeline, the seven-fold increase in tanker traffic on our coast, and the transportation of raw bitumen through our province.
- d. Improve fairness for workers, ensure balance in workplaces, and improve measures to protect the safety of workers at work so that everyone goes home safely and that workers and families are protected in cases of death or injury.
- e. Immediately establish an at-arm's-length Fair Wages Commission that will be tasked with establishing a pathway to a minimum wage of at least \$15 per hour and overseeing regular rate reviews. The commission will bring forward recommendations regarding strategies to address the discrepancy between minimum wages and livable wages. The commission will make its first report on a new minimum wage within 90 days of its first meeting.
- f. Act immediately to improve transit and transportation infrastructure in cooperation with the Mayors' Council and the federal government to reduce emissions, create jobs and get people home faster.
- g. Work with the Mayors' Council consultation process to find a more fair and equitable way of funding transit for the long term.
- h. Invest over four years to support co-op, apprenticeship and work experience programs for high-school and undergraduate students.
- i. Establish an Emerging Economy Task Force (EETF) to address the changing nature of business over the next 10 to 25 years. The EETF will be charged with developing "made-in-BC" solutions that keep our government, our policies and our thinking on the cutting edge. The task force will report to the government within one year of the 1st sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government.
- i. The mandate and funding of the EETF will be jointly established by representatives of both the BC Green Caucus and the BC New Democrat Government.
- j. Establish an Innovation Commission to support innovation and business development in the technology sector, and appoint an Innovation Commissioner with a mandate to be an advocate and ambassador on behalf of the BC technology sector in Ottawa and abroad.

- i. The mandate and funding of the Innovation Commission will be jointly established by representatives of both the BC Green Caucus and the BC New Democrat Government.
- ii. The Innovation Commission will be created in the 1st provincial budget tabled by the BC New Democratic Government.
- k. Reinvigorate our forest sector to improve both environmental standards and jobs for local communities.
- l. Revitalize the Environmental Assessment process in BC and review and address failures in the professional reliance model in BC so that British Columbians' faith in resource development can be restored.
- m. Build needed hospitals, schools and other infrastructure that reduce emissions and increase energy efficiency throughout BC.

3. Fixing the Services People Count on

- a. Promote and protect the public healthcare system.
- b. Increase the emphasis on preventative health initiatives and services.
- c. In the first provincial budget tabled by the BC New Democratic Government, develop a proposal to implement an essential drugs program, designed to reduce the costs of prescription drugs and ensure the cost of drugs is not a barrier to health management.
- d. Provide seniors with the right care at the right time to improve health and reduce costs in hospitals.
 - i. Invest in home care to enable seniors and other people who need assistance to stay in their own homes.
 - ii. Ensure the staffing of public and private care homes meets government guidelines, and provide additional funding to address staffing levels in public facilities.
 - iii. Ensure that clear, measurable and enforceable staffing standards for residential care facilities are implemented. Standards will be supported by monitoring and enforcement to ensure they are being met, and there will be annual public reporting.
- e. Expand the use of team-based health care to ensure that people have better access to the type of care they need, including access to services from physiotherapists, nurse practitioners, midwives, dieticians, pharmacists and other health professionals.
- f. Respond to the crisis in mental health and addictions with a dedicated Minister

responsible for developing and implementing a Mental Health and Addiction Strategy and a Youth Mental Health Strategy.

- i. Ensure that the Ministry has sufficient funding to provide frontline services, including funding for early intervention, youth mental health initiatives, supervised injection sites, and community-based centres for mental health and rehabilitation.
 - ii. Develop an immediate response to the fentanyl crisis based on successful programs that invest in treatment-on-demand, drug substitution, early-warning monitoring systems, and coordinated response.
- g. Recognize that education is about lifelong learning and make post-secondary education more accessible and affordable.
 - i. Restore funding to Adult Basic Education and English language learning.
 - ii. Implement an agreed upon approach to improving access and reducing the cost of post-secondary education for students.
 - iii. Allocate funding for in-service skills training for workers in small and medium-sized enterprises, and for retraining for those displaced by automation or changing markets.
- h. Fast track enhancement to K-12 education funding to restore faith in public schools after a decade and a half of a government that shortchanged a generation of students.
 - i. Priorities for funding include early intervention and Healthy Starts programs.
 - ii. Review the funding model for the K-12 education system with a view to ensuring equitable access for students.
- i. Invest in childcare and early childhood education to improve quality, expand spaces, increase affordability and ensure childcare is accessible for all families, with a focus on early childhood education.
- j. Enhance and improve child protection services to ensure that all children grow up in safe and nurturing environments.
 - i. Invest in child protection to hire additional social workers and staff to support social workers, and to implement incentives to attract social workers to rural and underserved regions.
- k. Tighten the rules that protect good landlords and tenants and ensure the resources necessary exist to resolve disputes fairly and in a timely way.

4. Making life more affordable

- a. Design and implement a province-wide poverty reduction strategy that includes addressing the real causes of homelessness, including affordable accommodation, support for mental health and addictions and income security.
 - i. One aspect of the poverty reduction strategy is to design and implement a basic

income pilot to test whether giving people a basic income is an effective way to reduce poverty, improve health, housing and employment.

(1) This pilot should be funded in the first provincial budget tabled by the BC New Democratic Government.

- b.** Develop a genuine progress indicator for British Columbia covering a range of indicators.
 - i.** The indicators will be developed in consultation with business and industry, communities, not-for-profit organizations and individuals.
- c.** Eliminate regressive MSP premiums.
- d.** Make housing more affordable by increasing supply of affordable housing and take action to deal with the speculation and fraud that is driving up prices.

Section 4 – Signatures

This agreement is signed by the Leaders of the BC Greens and the BC New Democrats on behalf of their caucuses.

Leader of the BC New Democrats (Signature)

Leader of the BC Greens (Signature)

Leader of the BC New Democrats (Print)

Leader of the BC Greens (Print)

Signed this ____ day of _____, 2017

Signed this ____ day of _____, 2017

APPENDIX A - Consultation and Dispute Resolution between the BC Green Caucus and the BC New Democrat Government

This agreement is governed by the principle of good faith and no surprises found within the “2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus”. In practice, this requires both parties to work together in good faith to:

1. Consult on policy initiatives detailed within the “2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus” and other policy initiatives agreed upon by both parties. Consultation will:
 - a. Occur before final policy decisions have been made to ensure that the BC Green Caucus can contribute to the policy development process;
 - i) Notice of forthcoming issues requiring consultation is given through the Consultation Committee (see below for details regarding the Consultation Committee).
 - b. Commence with adequate time for the BC Green Caucus to review the necessary information and canvass the caucus for positions, taking into consideration the financial and human resource limitations of the BC Green office.
 - c. Include consultation on senior Order-in-Council (OIC) appointments.
2. Guarantee that the BC New Democrat Government will gauge support from the BC Green Caucus for proposed legislative action through the Consultation Committee before legislation is introduced.
3. Ensure that the BC Green Caucus is informed about the policy agenda of the government. The BC New Democrat Government agrees to provide access to:
 - a. Deputy minister and ministry staff briefings;
 - b. Executive summaries and full briefings on key issues as requested by the BC Green Caucus, and 30-60-90 briefing notes;
 - c. Adequate background documents and support information used in the preparation of initiatives;
 - d. Other resources as necessary to enable informed participation by the BC Green Caucus;

The BC Green Caucus and BC New Democrat Government establish three levels to consultation/dispute resolution under the broader “2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus”.

1. Where an issue is identified for consultation by the BC Green Caucus, a member of the BC Green Caucus will be identified to the BC New Democrat Government as the point person on the issue. Consultation on the issue occurs directly between the Minister and the BC Green Caucus point person.
2. A Consultation Committee will be established to consider any issues needing consultation, including parliamentary aspects that have not been dealt with in consultations between the Minister and the BC Green Caucus point person. This committee will meet regularly and will have 3 members from each party, including at least one member of caucus.
3. Regular meetings between the Premier and the Leader of the BC Green Party will take place and can dispense of any remaining issues.

In addition to the process laid out above, the following access is provided to the BC Green Caucus:

Representatives from the BC Green Caucus and the BC New Democrat Government will meet frequently to establish the formal and informal methods through which consultation takes place. Both parties acknowledge that consultation will form the basis of ensuring that good relationships can be built, that the principle of good faith and no surprises can be followed, and that a strong, stable and effective minority government can exist.

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Page 024 to/à Page 028

Withheld pursuant to/removed as

s.13

Page 029 to/à Page 034

Withheld pursuant to/removed as

s.3

From: [Ethier, Tom FLNR:EX](#)
To: [Zacharias, Mark ENV:EX](#)
Cc: [Sheldan, Tim FLNR:EX](#); [Nicholls, Diane R FLNR:EX](#)
Subject: Review of Professional Reliance
Date: Monday, August 14, 2017 11:06:18

Hi Mark

Is there any background material on how the review of PR is going to be conducted? Just wondering what role FLNRO might have in this work? Thanks.



Tom Ethier

Assistant Deputy Minister

Resource Stewardship Division

Ministry of Forests, Lands, Natural Resource Operations and Rural
Development

From: [Crozier, Bev PREM:EX](#)
To: [Gooderham, Coleen E ENV:EX](#); [Zacharias, Mark ENV:EX](#)
Subject: FW: Professional Reliance Review
Date: Monday, August 14, 2017 12:23:20
Attachments: [MZacharias Letter 14AUG2017.pdf](#)

Hardcopy coming shortly.

Bev

From: Admin Assist [mailto:adminassist@cab-bc.org]
Sent: Monday, August 14, 2017 12:13 PM
To: Crozier, Bev ENV:EX
Cc: Executive Director; President; Brian Clark; Alexandra Tait; Llewellyn-Thomas, Marnie ENV:EX;
Gooderham, Coleen E ENV:EX
Subject: Professional Reliance Review

Hard copy letter to follow by mail.

Jillian Stewart, BIT, B.Tech

Administrative Assistant

College of Applied Biology

Email: adminassist@cab-bc.org

Phone: 250-383-3306 ext 3

Fax: 250-383-2400

[Save the date!](#) The College of Applied Biology 2018 AGM & Conference will be held on April 6, 2018..

Disclaimer Statement: This message is intended only for the use of the individual or entity to which it is addressed and contains information that is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at 250-383-3306 and delete the original message. If you are the intended recipient of this message, we remind you that electronic mail on the Internet may not be secure and that this message was not and future messages will not be encrypted or otherwise protected



Dr. Mark Zacharias, RPBio
Deputy Minister, Environment
PO Box 9339 Stn Prov Govt
Victoria, BC
V8W 9M1

August 14, 2017

Dear Mark;

I was pleased to see this weekend's announcement from the Minister regarding moving forward with the review of the "professional reliance" model. At this time, it is critical to re-establish confidence in the institutions that are entrusted with managing British Columbia's resources.

As the College articulated in our recent letter to the Minister (July 26, 2017), we fully support the objective of reviewing and improving the model as there is always room for improvement in any system.

I would like to reiterate that the College is eager to work with you and your colleagues on advancing this process. It is important that we reinforce what is working well, and fix what is not working by identifying the necessary improvements to structures and processes to ensure responsiveness, transparency and accountability.

I would like to meet with you or a delegate to start the discussion on how the College can support your efforts in fulfilling the directive announced by the Minister.

Best regards,

C. Christine Houghton
Executive Director

Cc: Kaaren Lewis, ADM Environmental Sustainability and Strategic Policy
Jennifer McGuire, A/ADM Environmental Protection
Dr. Vanessa Craig, RPBio, President
Brian Clark, RPBio, Executive Vice-President
Alexandra Tait, RPBio, Vice-President

Page 038 to/à Page 042

Withheld pursuant to/removed as

s.13

From: s.22
To: [George Heyman](#); [Heyman, George](#)
Subject: Peart, touch base...
Date: Tuesday, August 15, 2017 08:58:53

Hey George a good series of announcements (Site C, KM, GBears, professional reliance, etc...). Congrats.

I look forward to our meeting. Has a time been set, I was hoping to see you before the end of August? In your office, coffee, lunch....whatever works for you.

My best,

s.22

From: [Jeakins, Paul OGC:IN](#)
To: [Zacharias, Mark ENV:EX](#)
Cc: [Swan, Trevor OGC:IN](#)
Subject: Re: Professional Reliance Review: Draft Overview and NR
Date: Tuesday, August 15, 2017 10:00:50
Attachments: [image002.png](#)

Hi Mark. Trevor Swan will be our contact. He is well versed on this topic.

Paul

From: Mark.Zacharias@gov.bc.ca
Sent: August 15, 2017 8:50 AM
To: Tim.Sheldan@gov.bc.ca; Paul.Jeakins@bcogc.ca; Dave.Nikolejsin@gov.bc.ca; Bobbi.Plecas@gov.bc.ca; Kevin.Jardine@gov.bc.ca; Grant.Main@gov.bc.ca; Wes.Shoemaker@gov.bc.ca
Cc: Shannon.Baskerville@gov.bc.ca; Jennifer.Mcguire@gov.bc.ca
Subject: Professional Reliance Review: Draft Overview and NR

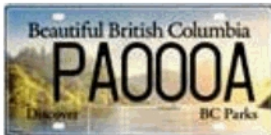
Good morning:

Our Minister – as part of the Confidence and Supply Agreement – would like to announce a review of Professional Reliance next Wednesday and we’re holding this time in the corporate calendar. I’ve attached a draft NR and project outline, which are broadly consistent with what was proposed in the transition note provided to the incoming government.

s.12,s.13

Regards,

Mark Zacharias | Deputy Minister, Environment
BC Ministry of Environment and Climate Change Strategy
5th Floor, 2975 Jutland Road | Victoria, BC | V8W 9M1 | 778-698-4908 | 250.415.6466



From: [Swan, Trevor OGC:IN](#)
To: [Zacharias, Mark ENV:EX](#); [Jeakins, Paul OGC:IN](#)
Cc: [McGuire, Jennifer ENV:EX](#)
Subject: Re: Professional Reliance Review: Draft Overview and NR
Date: Tuesday, August 15, 2017 14:30:20
Attachments: [image002.png](#)

Hi Mark and Jennifer.

Please let me know if I can be of any assistance with this important initiative.

Bye for now.

Trev.

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Zacharias, Mark ENV:EX
Sent: Tuesday, August 15, 2017 1:01 PM
To: Jeakins, Paul
Cc: Swan, Trevor; McGuire, Jennifer ENV:EX
Subject: Re: Professional Reliance Review: Draft Overview and NR

Thanks Paul.

Sent from my iPad

On Aug 15, 2017, at 10:00 AM, Jeakins, Paul <Paul.Jeakins@bcogc.ca> wrote:

Hi Mark. Trevor Swan will be our contact. He is well versed on this topic.

Paul

From: Mark.Zacharias@gov.bc.ca
Sent: August 15, 2017 8:50 AM
To: Tim.Sheldan@gov.bc.ca; Paul.Jeakins@bcogc.ca;
Dave.Nikolejsin@gov.bc.ca; Bobbi.Plecas@gov.bc.ca;
Kevin.Jardine@gov.bc.ca; Grant.Main@gov.bc.ca; Wes.Shoemaker@gov.bc.ca
Cc: Shannon.Baskerville@gov.bc.ca; Jennifer.Mcguire@gov.bc.ca
Subject: Professional Reliance Review: Draft Overview and NR

Good morning:

Our Minister – as part of the Confidence and Supply Agreement – would like to announce a review of Professional Reliance next Wednesday and we're holding this time in the corporate calendar. I've attached a draft NR and project outline, which are broadly consistent with what was proposed in the transition note provided to the incoming government.

s.12,s.13

s.12,s.13

Regards,

Mark Zacharias | Deputy Minister, Environment

BC Ministry of Environment and Climate Change Strategy

5th Floor, 2975 Jutland Road | Victoria, BC | V8W 9M1 | 778-698-4908 | 250.415.6466



From: [Baskerville, Shannon AVED:EX](#)
To: [Zacharias, Mark ENV:EX](#)
Cc: [Avison, Claire JTST:EX](#)
Subject: RE: Professional Reliance Review: Draft Overview and NR
Date: Tuesday, August 15, 2017 15:04:06
Attachments: [image001.png](#)

Hi Mark,
Claire Avison is the lead for AVED.
Shannon

From: Zacharias, Mark ENV:EX
Sent: Tuesday, August 15, 2017 8:48 AM
To: Sheldon, Tim FLNR:EX; Jeakins, Paul OGC:IN; Nikolejsin, Dave MNGD:EX; Plecas, Bobbi ENV:EX; Jardine, Kevin EAO:EX; Main, Grant TRAN:EX; Shoemaker, Wes AGRI:EX
Cc: Baskerville, Shannon AVED:EX; McGuire, Jennifer ENV:EX
Subject: Professional Reliance Review: Draft Overview and NR

Good morning:

Our Minister – as part of the Confidence and Supply Agreement – would like to announce a review of Professional Reliance next Wednesday and we're holding this time in the corporate calendar. I've attached a draft NR and project outline, which are broadly consistent with what was proposed in the transition note provided to the incoming government.

s.12,s.13

Regards,

Mark Zacharias | Deputy Minister, Environment
BC Ministry of Environment and Climate Change Strategy
5th Floor, 2975 Jutland Road | Victoria, BC | V8W 9M1 | 778-698-4908 | 250.415.6466



From: [Brosz, Corinne M ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: FW: MEETING REQUEST
Date: Tuesday, August 15, 2017 16:17:00

Shall I go ahead and book this?

Corinne

From: Mulloy, Eleanor FIN:EX
Sent: Tuesday, August 15, 2017 4:16 PM
To: Brosz, Corinne M ENV:EX
Subject: MEETING REQUEST

As per our phone call, Minister Heyman would like to meet with Suzanne Christensen, ADM, Priorities and Accountabilities Office, for 30 minutes tomorrow (August 16) to discuss Professional Reliance.

Thank you in advance.

Eleanor Mulloy, Executive Administrative Assistant
Priorities & Accountabilities Office
Office of the Premier
Phone: 778-698-8971

From: [Brosz, Corinne M ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: RE: MEETING REQUEST
Date: Tuesday, August 15, 2017 16:24:00

Does the meeting have to happen tomorrow, or is Thursday ok? I ask because the only 30 mins window for this meeting is at noon, **s.22**

From: Frampton, Caelie PREM:EX
Sent: Tuesday, August 15, 2017 4:22 PM
To: Brosz, Corinne M ENV:EX
Subject: Re: MEETING REQUEST
Yes please

Sent from my iPhone

On Aug 15, 2017, at 4:17 PM, Brosz, Corinne M ENV:EX <Corinne.Brosz@gov.bc.ca> wrote:

Shall I go ahead and book this?
Corinne

From: Mulloy, Eleanor FIN:EX
Sent: Tuesday, August 15, 2017 4:16 PM
To: Brosz, Corinne M ENV:EX
Subject: MEETING REQUEST

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Thank you in advance.

Eleanor Mulloy, Executive Administrative Assistant
Priorities & Accountabilities Office
Office of the Premier
Phone: 778-698-8971

From: [Brosz, Corinne M ENV:EX](#)
To: [Mulloy, Eleanor FIN:EX](#)
Subject: RE: MEETING REQUEST
Date: Tuesday, August 15, 2017 16:26:00

Hi Eleanor,

I have availability at noon, or at 5PM. I hope one of these times works with Suzanne's schedule.

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Mulloy, Eleanor FIN:EX
Sent: Tuesday, August 15, 2017 4:16 PM
To: Brosz, Corinne M ENV:EX
Subject: MEETING REQUEST

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Thank you in advance.

Eleanor Mulloy, Executive Administrative Assistant
Priorities & Accountabilities Office
Office of the Premier
Phone: 778-698-8971

From: [Brosz, Corinne M ENV:EX](#)
To: [Mulloy, Eleanor FIN:EX](#)
Subject: RE: MEETING REQUEST
Date: Tuesday, August 15, 2017 16:37:00

Perfect

From: Mulloy, Eleanor FIN:EX
Sent: Tuesday, August 15, 2017 4:35 PM
To: Brosz, Corinne M ENV:EX
Subject: RE: MEETING REQUEST
Noon would be great! I will put in her calendar for 12:00 tomorrow in Room 112. Thank you!
Eleanor Mulloy, Executive Administrative Assistant
Priorities & Accountabilities Office
Office of the Premier
Phone: 778-698-8971

From: Brosz, Corinne M ENV:EX
Sent: Tuesday, August 15, 2017 4:26 PM
To: Mulloy, Eleanor FIN:EX
Subject: RE: MEETING REQUEST
Hi Eleanor,
I have availability at noon, or at 5PM. I hope one of these times works with Suzanne's schedule.
Cheers,
Corinne Brosz
Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Mulloy, Eleanor FIN:EX
Sent: Tuesday, August 15, 2017 4:16 PM
To: Brosz, Corinne M ENV:EX
Subject: MEETING REQUEST
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Thank you in advance.
Eleanor Mulloy, Executive Administrative Assistant
Priorities & Accountabilities Office
Office of the Premier
Phone: 778-698-8971

From: [McGuire, Jennifer ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Cc: [Standen, Jim ENV:EX](#); [Zacharias, Mark ENV:EX](#)
Subject: Professional Reliance - update
Date: Wednesday, August 23, 2017 15:43:17

s.12,s.13

Jennifer McGuire, P.Ag.
A/Assistant Deputy Minister
Environmental Protection Division

Office: 778-698-5821
Cell: 250-361-5944

Page 053 to/à Page 055

Withheld pursuant to/removed as

DUPLICATE

From: Anthony Britneff
To: [Heyman, George](#)
Subject: Professional reliance failure re. FPB Kettle-Granby Complaint Investigation
Date: Thursday, August 24, 2017 11:32:02

FYI — Anthony

Begin forwarded message:

From: "Clarke, Dave FPB:EX" <Dave.Clarke@bcfpb.ca>
Subject: Kettle-Granby Complaint Investigation
Date: August 24, 2017 at 10:56:41 AM PDT
To: "britneff@telus.net" <britneff@telus.net>

Good morning Anthony,

This is a link to our complaint investigation report [Forest Roads and Grizzly Bear Management in the Kettle-Granby Area](#).

Regards,

Dave Clarke

Executive Director

FOREST PRACTICES BOARD

310 – 1675 Douglas St.

Victoria, B.C. CANADA

Phone: 250-213-4702

Mobile: 250-889-8220

www.bcfpb.ca

From: [McGuire, Jennifer ENV:EX](#)
To: [Frampton, Caelie PREM:EX](#)
Cc: [Standen, Jim ENV:EX](#); [Zacharias, Mark ENV:EX](#)
Subject: follow-up to Minister's question : if professional reliance on industry foresters is explicitly authorized or mandated under FRPA.
Date: Thursday, August 24, 2017 20:25:10

Hello Caelie,

The following information is compiled from our colleagues at FLNR:

FRPA and the associated regulations don't explicitly grant too much discretion to professions. However, by omission, FRPA and the regulations provide district managers with insufficient authority to compel licensee coordination, manage conflicts and prevent contraventions. This gap may provide licensees and the professions they engage with too much latitude.

- In a 2015 report, the Forest Practices Board identified examples from past investigations where (in the Board's view) forest operations were putting environmental and community values at risk, yet district managers had limited authority to directly influence (prevent or stop) those operations.
- For example, the Board indicates that district managers lack a mandate or authority to:
 1. Compel licensees to **coordinate** their operational **planning at the landscape level** to enable effective planning for (a) cumulative hydrological risks, and (b) biodiversity, wildlife and other landscape-level objectives;
 2. **Mediate conflicts** between forest licensees and other tenured users or stakeholders over proposed harvesting and road building; and,
 3. **Prevent contraventions** from occurring *prior to* harvesting or road building.
- The Board notes that the current system works reasonably well most of the time, as licensees and their professionals are generally diligent when planning operations and district managers are often able to establish expectations of licensees and facilitate resolution of conflicts.

• s.13

- The Board notes that an important underlying issue is the inability of the district manager to anticipate and prevent unintended outcomes (such as cumulative effects, conflicts, or risks to the environment or public safety) at the forest stewardship planning stage. When Forest Stewardship Plans (FSPs) contain vague unenforceable content, this further weakens the district manager's ability to influence forest operations at the CP/RP stage or to take enforcement action during operations.

s.13

Jennifer McGuire, P.Ag.
A/Assistant Deputy Minister
Environmental Protection Division

Ministry of Environment and Climate Change Strategy
Cell : 250-361-5944

Page 059 to/à Page 060

Withheld pursuant to/removed as

DUPLICATE

From: Tony Chong
To: [Minister, ENV ENV:EX](#)
Cc: [Frampton, Caelie ENV:EX](#); [McGuire, Jennifer ENV:EX](#); [Deputy Minister ENV:EX](#)
Subject: Meeting with MLA Furstenau Re: Professional Reliance
Date: Monday, August 28, 2017 17:25:19

Dear Minister Heyman,

As we indicated to your office earlier this month, the Association of Professional Engineers and Geoscientists of BC (APEGBC) had the opportunity to meet with MLA Sonia Furstenau on August 16 to discuss the professional reliance model and the recent investigation we conducted on Active Earth Engineering related to a contaminated soil facility near Shawnigan Lake. We look forward to the opportunity to meet with you on this and other matters on which we collaborate with your ministry.

We had a wide ranging discussion on the professional reliance model and I believe that we concurred on a number of points including:

1. There are challenges and opportunities for change with the professional reliance model in BC as it currently stands.
2. Public trust in government, professionals and their regulators has been eroded due to incidents like the contaminated soil facility near Shawnigan Lake.
3. APEGBC as a professional regulator could provide valuable input into discussions on enhancing the professional reliance model and would appreciate the opportunity to do so.
4. We want to work with the BC Government to improve the professional reliance model by better government/professional regulations and professional practices/standards to regain public trust.

MLA Furstenau had many questions and comments regarding the investigation conducted by APEGBC into the contaminated soil facility near Shawnigan Lake. Under section 46 of the Engineers and Geoscientists Act there is a requirement to keep information related to investigations confidential unless they proceed to a disciplinary hearing which limits the amount of information that can be shared. APEGBC sought the agreement of the members involved in the investigation to make public the outcome of the investigation due to the enhanced public interest in the file. We have also advised all complainants of specific details related to their complaint as direct by the Engineers and Geoscientists Act. It is understood that MLA Furstenau would have like to have seen a different outcome in this matter.

I should note that as of August 23, 2017, APEGBC has rebranded as Engineers and Geoscientists BC to better reflect our role as a progressive regulator that works in the public interest. As per the Engineers and Geoscientists Act, our legal name continues to be the Association of Professional Engineers and Geoscientists of BC.

Again, we are most interested in working with government to continue to improve the professional reliance model so it best serves the people of BC.

Sincerely,

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar
Engineers & Geoscientists of BC
200-4010 Regent Street, Burnaby, BC V5C 6N2
Direct: 604-412-6058 / **Toll-Free:** 1-888-430-8035 ext. 6058
Web: [egbc.ca](#)

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From: [Sheldan, Tim FLNR:EX](#)
To: [Jones, Lisa FLNR:EX](#)
Cc: [Caul, Doug D IRR:EX](#); [Jardine, Kevin FAO:EX](#); [Jeakins, Paul OGC:IN](#); [Moyse, Geoff JAG:EX](#); [Nikolejsin, Dave MNGD:EX](#); [Plecas, Bobbi ENV:EX](#); [Shoemaker, Wes AGRI:EX](#); [Zacharias, Mark ENV:EX](#)
Subject: Re: NRB professional reliance mtg material (Aug 22)
Date: Tuesday, August 29, 2017 22:39:28

On quick review I don't see anything that talks about excluding forestry. What am i missing?

Sent from Tim Sheldan's iPad

On Aug 29, 2017, at 9:15 PM, Jones, Lisa FLNR:EX <Lisa.Jones@gov.bc.ca> wrote:

Hi,
As requested yesterday, here is the Professional Reliance Aug 22 NRB mtg material.
Lisa.

<8.0 PR review project outline.docx>

<8.1 Professional Reliance_NRB.pptx>

From: [Sheldan, Tim FLNR:EX](#)
To: [Zacharias, Mark ENV:EX](#)
Subject: Re: NRB professional reliance mtg material (Aug 22)
Date: Wednesday, August 30, 2017 07:35:21

Ok. The feedback I got from the NRB meeting that I missed was that forestry was not in scope. I appreciate the correction.

Sent from Tim Sheldan's iPhone

On Aug 30, 2017, at 6:28 AM, Zacharias, Mark ENV:EX <Mark.Zacharias@gov.bc.ca> wrote:

Tim. Forestry was always meant to be included, as per the original June transition note and the ToR I flipped to the NRB two weeks ago. MGH has confirmed this week with MDD, Donna S and Don W that forestry is in scope. Drop me a line to chat anytime.

Regards, Mark
250-415-6466

On Aug 29, 2017, at 10:39 PM, Sheldan, Tim FLNR:EX
<Tim.Sheldan@gov.bc.ca> wrote:

On quick review I don't see anything that talks about excluding forestry. What am i missing?

Sent from Tim Sheldan's iPad

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<8.1 Professional Reliance_NRB.pptx>

From: [Jardine, Kevin EAO:EX](#)
To: [Zacharias, Mark ENV:EX](#)
Subject: Re: NRB professional reliance mtg material (Aug 22)
Date: Wednesday, August 30, 2017 08:21:31

As Bobbi may have mentioned, Mark, there was quite a discussion about this earlier this week, as neither Dave nor Tim were at the NRB were Jennifer presented the draft ToR.

Happy to fill you in this AM, provided we have time.

Rgds,

K.

250-361-6753

Please note: This email is intended for the addressee(s) only and may contain legally privileged information. Any unauthorized use, disclosure or reproduction is strictly prohibited.

On Aug 30, 2017, at 8:10 AM, Zacharias, Mark ENV:EX <Mark.Zacharias@gov.bc.ca> wrote:

Apologies for any confusion **s.22** but just to confirm: Forestry is
scoped into the professional reliance review. Amended ToR coming shortly.
[Regards, Mark](#)

From: Sheldon, Tim FLNR:EX

Sent: Tuesday, August 29, 2017 10:39 PM

To: Jones, Lisa FLNR:EX

Cc: Caul, Doug D ABR:EX; Jardine, Kevin EAO:EX; Jeakins, Paul OGC:IN; Moyse, Geoff JAG:EX; Nikolejsin, Dave MNGD:EX; Plecas, Bobbi ENV:EX; Shoemaker, Wes AGRI:EX; Zacharias, Mark ENV:EX

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<8.1 Professional Reliance_NRB.pptx>

From: J Leus
To: [Minister, ENV ENV:EX; Frampton, Caelie ENV:EX](#)
Cc: [Jared Basil](#)
Subject: Urgent Meeting Request
Date: Wednesday, August 30, 2017 11:39:44
Attachments: [YCA Letter of Support MGH.pdf](#)
[RDCK letters of support.pdf](#)
[Quartz Referral Map_email.pdf](#)

Minister Heyman,

This is an urgent request for a meeting in person regarding imminent danger to a community's only and precarious water supply. A community water planning process needs to happen before harvesting of any kind takes place.

I am one of 6 members of the Ymir Watershed Action Team (YWAT): tasked with the protection of our community by ensuring that our only viable and historically precarious water source is not negatively impacted by any kind of development. **Our community supports responsible logging: 30% of our adult population works in the forestry industry.**

Currently, we are doing everything we can to halt the current "Quartz Operating Plan" proposed by BCTS. The BCTS plan involves carving 5.6km of new road, crossing tributaries to our supply creek 45 times, on its way to 36 Hectares of cut-block logging on the highest-water-yielding North-facing aspect of our watershed (the darkest, wettest side). The damage to the existing canopy will result in increased water evaporation, faster snow-melt, and new dry open areas primed to accelerate forest fire travel. **Our watershed can not support this type of development.**

The Ymir (Quartz) Community Watershed is a tiny 600 Hectare surface-collection-only, low-elevation, horseshoe-shaped bowl that supplies our community of 400 with our only drinking, household, and fire hydrant water. Our watershed has no lake, pond, or high-elevation snowmelt to supply it: all of our water comes exclusively from the sky. **Studies and exploration in the early 2000's found no other viable sources of water for the community.** All other sources have been contaminated beyond treatment by early mining practices. **The Ymir (Quartz) Watershed is all we have, and the supply gets LOW during hot and dry summer months (see attached photos comparing May 2017 and August 2017 flows).**

YWAT has been involved in earnest and diplomatic "consultations" with BCTS since May. To date BCTS representatives have been polite, informative and completely unwilling to alter the "Quartz Operating Plan" despite YWAT repeatedly emphasizing the severity of the situation. It has become obvious that "duty to consult stakeholders" has become an ineffective process that more closely resembles "duty to inform stakeholders".

YWAT has offered BCTS a counter-proposal involving the use of existing roads on an adjacent ridge to access and log a fire-break all around the outside of our community watershed: creating jobs, acquiring timber and protecting the communities only water source. The counter-proposal was dismissed as "not practicable". Despite this setback, YWAT is still willing to engage in a collaborative planning effort with BCTS and the Ktunaxa Lower Kootenay Band **if all our voices** are able to influence the trajectory of subsequent proposals. We are solution-oriented and are confident there is a way forward.

YWAT has been busy forming a growing coalition of supporters for the community of Ymir's position. To date we have the support of the **Ktunaxa Lower Kootenay Band Council**, Unanimous support from **all Area Directors of the Regional District of the Central Kootenay**, support from local MLA NDP **Michelle Mungall** (now MEM), **Kim Chalesworth**, and the combined voices of **over 5000 referral process letters** decrying the "Quartz Operating Plan". We have been active on local radio (and 1 regional radio CBC spot), in the local newspaper, and online. We have our first interview on Vancouver Co-op radio this Thursday. We have been sending Ministers letters and emails before and since the change of Provincial Government.

All stakeholders except BCTS are screaming "no" to the "Quartz Operating Plan", but BCTS is not listening: during meetings between YWAT and BCTS reps, the sub-text from BCTS is always "we hold the timber rights so we are going to carry out our plan regardless". **This is unacceptable.**

Stakeholders need to reacquire the ability to change the trajectory of proposals for development projects that may pose a danger to them. In our case, there needs to be meaningful collaboration between BCTS, the community, and the Ktunaxa Lower Kootenay Band: as it stands, the current "consultation" process requires nothing more than lip service by BCTS, and is a completely ineffective way to protect BC communities.

BCTS's attempt to push through its "Quartz Operating Plan" based on an inadequate 6 page(!) preliminary hydrological assessment by long term contractee (since 2005) Streamworks Consulting is **a clear example of BC's professional reliance gone wrong**. The "report" had no mention of our community's historic water supply issues, our collection pond limitations, nor the fact that there are NO other viable water sources available to us.

Representatives from the community of Ymir and the Ktunaxa Lower Kootenay Band Council are willing to come to Victoria to meet with you in person.

Please telephone me with any questions you may have, and to schedule a meeting.

Sincerely,

-Jason Leus

Ymir Watershed Action Team

s.22

Our website: <https://www.protectymirwatershed.com>

FB page: <https://www.facebook.com/Protect-Ymir-Watershed-234701143673504/>

Newspaper articles:

May 15th: <http://www.nelsonstar.com/news/ymir-residents-decry-planned-watershed-logging/>

May 18th: <http://www.nelsonstar.com/news/ymir-mobilizes-against-logging-plan/>

Aug 24th: <http://www.nelsonstar.com/news/lower-kootenay-band-pledges-support-for-ymir-watershed/>

Ymir Community Association
7210 First Avenue
Ymir, BC
V0G 2K0

August 18st, 2017

Minister Heyman,

We are writing to you on behalf of the Community to voice our great concern with the impending damage to our watershed and resulting loss of our only supply of clean, safe drinking, household and fire hydrant water for homes and businesses in the area.

BCTS has targeted our Community's only water source in the form of the "Quartz Operating Plan" they released to us June 25th, 2017. The document outlines plans for 5.6km of road building that crosses tributaries to our supply creek 45 times, and 36 hectares of cut-block logging in the heart of the highest water-yielding North aspect of our watershed. As 100% of our water supply comes from surface-collection, any additional sun exposure within our watershed will result in decreased supply during hot and dry months – when we need our water most.

BCTS cites a 6 page document produced by long-term contractee Streamworks Consulting (since 2005) as evidentiary for moving ahead with their "Quartz Operating Plan" (attached). The document does not include any reference to the historic water supply issues in our watershed, the collection pond limitations (Quartz is a "Fish-Bearing Stream"), or the fact that there is no other viable water source available to the community.

The past government's "professional reliance" system is certainly in question here.

Due to months of earnest and diplomatic emails and meetings with representatives at BCTS since late April of this year, they now aware of all of the Quartz Community Watershed's challenges, but still refuse to alter their "Quartz Operating Plan".

The Community of Ymir supports responsible logging, as 30-40% of our working population is directly supported by the logging industry in some capacity, and 100% of our population is indirectly supported by portions of logging revenues flowing back into the community in the form of occasional provincial government funding/granting.

The Community of Ymir does not support bad decision-making.

BCTS decision to jeopardize the only and precarious water source available to our community is a bad decision. One that seems more motivated by bad business ethics than preserving human rights to water.

The Community of Ymir and the Ymir Watershed Action Team have offered BCTS a solution-oriented counter-proposal to extend some existing roads outside the Quartz Community Watershed in order to log a wide fire-break around the outside of the watershed's perimeter: creating jobs, revenue, and fire protection for our most valuable resource – our water. The proposal was quickly dismissed by BCTS.

The Community has been building a growing coalition of supporters since April including: unanimous RDCK Area Director support, NDP MLA Michelle Mungall, Green Party member Kim Charlesworth, the Ktunaxa Lower Kootenay Band Council (Ymir, BC falls within their Traditional Territory), and the voices of over 5000 referral process letters against the "Quartz Operating Plan".


Please be a Minister who choses to intervene, and help us protect our Community from the residual effects of the Liberals' political-calculations-before-principles era of resource management in BC.

Sincerely,



Janice Perello
President, Ymir Community
Association

Jane Lyon
Director, Ymir Community
Association





Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
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Email: info@rdck.bc.ca
Fax: (250) 352-9300

File No. 0450-20-2017-15

August 1, 2017

Jason Leus
Via email: [s.22](#)

Dear Mr. Leus:

**Re: Freedom of Information and Protection of Privacy Act (the "Act")
Release of Records**

I am writing in response to your request dated July 27, 2017 for copies of records, specifically:

"...the RDCK letter with all area directors unanimously supporting a stop to the planned logging and road building within the Quartz Community Watershed."

Enclosed are copies of all responsive records.

I trust these are the records you requested. If I have misunderstood your information request, or you require further assistance, please do not hesitate to contact me directly.

Under Section 52 of the *Freedom of Information and Protection of Privacy Act*, you may ask the Information and Privacy Commissioner to review any matter concerning this response to your request for access to information. The Act allows you 30 days from the date you receive this notice to request a review by writing to:

Office of the Information and Privacy Commissioner
P.O. Box 9038, Stn. Prov. Govt.
Victoria, BC V8W 9A4
Tel. (250) 387-5629 Fax (250) 387-1696

If you request a review, please provide the Commissioner's office with:

1. Your name, address and telephone number;
2. The file number assigned to your request – File No. 0450-20-2017-15;
3. A copy of your original request for information;
4. A copy of this letter; and
5. The detailed reasons or grounds upon which you are seeking the review.

Please contact me at 250.352.8167 or bbird@rdck.bc.ca if you have any questions in this regard.

Yours truly,

Bronwen Bird

Records and Information Management Analyst and FOI Coordinator





Regional District of Central Kootenay

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File No. 5700-YMR-01

July 18, 2017

Tim Sheldon, Deputy Minister
Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
PO Box 9352, STN PROV GOVT
Victoria, BC V8W 9M1

Dear Tim Sheldon:

RE: QUARTZ CREEK WATERSHED PROPOSED LOGGING

On behalf of the Regional District of Central Kootenay (RDCK) Board of Directors and the users of the RDCK-owned and operated Ymir Water System, I am writing to formally request that BC Timber Sales immediately cease its preparation of operation plans for the Quartz Creek watershed. We are concerned that this operation will have a serious negative impact on the already vulnerable Quartz Creek water source that serves Ymir residents and visitors.

The community of Ymir benefits greatly from the reliable supply of domestic water provided by Quartz Creek. The RDCK holds a water licence to divert 75,000 gallons per day from this designated 'Community Watershed.' The water system serves approximately 233 residents and includes a water treatment plant (constructed in 2009) with multi-level filtration, UV treatment and chlorination. To date, this watershed with an estimated overall area of 6 km² only has seen very little to no logging. The very low turbidity in the creek enables the current filtration system as a remarkably cost efficient treatment option.

We have several concerns that any proposed logging in this watershed will have direct impacts on the water quantity and quality available to the Ymir users and will also result in an increase in water system operating costs, including an increase in required filter backwash frequency and in cartridge filter exchanges. Inadequate information is currently available in regards to flow volumes in the creek. Further studies are required. The only reliable data available is flow data recorded at the Ymir Water Treatment plant which shows flows during peak demand periods in dry years that are unable to sustain current licenced water amounts on the creek.

We object to having any harvesting activity occur in the sensitive Quartz Creek watershed that supplies water to the vibrant Ymir community and ask that you reconsider your plans for this area. During peak demand periods and through the summer months, low flow periods exist in the creek and water volumes on occasion fall below our daily licenced amount. With forestry activity in the watershed these low flows could persist and worsen, further negatively impacting the Ymir Water system and our ability to serve the community with safe and reliable drinking water. In addition, logging activities will result in reduced water holding capacity and an increase in evapotranspiration, leading to further detrimental impacts on this vital water source.

We thank you in advance for your consideration of our concerns and welcome a continued dialogue regarding this matter.

Sincerely,

Karen Hamling
Chair, Regional District of Central Kootenay Board of Directors

KH/tz

cc: Loreen Hodgkinson, RPF, BC Timber Sales
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations, and Rural Development
Renee Ansel, Environmental Health Officer, Interior Health Authority
Paul Rasmussen, Executive Director, Kootenay Boundary, FLNRORD





Regional District of Central Kootenay

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File No. 5700-YMR-01

July 18, 2017

Loreen Hodgkinson, RPF, BC Timber Sales
BC Timber Sales, Kootenay Business Area
845 Columbia Avenue
Castlegar, BC V1N 1H3

Dear Loreen Hodgkinson:

RE: QUARTZ CREEK WATERSHED PROPOSED LOGGING

On behalf of the Regional District of Central Kootenay (RDCK) Board of Directors and the users of the RDCK-owned and operated Ymir Water System, I am writing to formally request that BC Timber Sales immediately cease its preparation of operation plans for the Quartz Creek watershed. We are concerned that this operation will have a serious negative impact on the already vulnerable Quartz Creek water source that serves Ymir residents and visitors.

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We thank you in advance for your consideration of our concerns and welcome a continued dialogue regarding this matter.

Sincerely,

Karen Hamling
Chair, Regional District of Central Kootenay Board of Directors

KH/tz

cc: Tim Sheldan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations, and Rural Development
Renee Ansel, Environmental Health Officer, Interior Health Authority
Paul Rasmussen, Executive Director, Kootenay Boundary, FLNRORD





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File No. 5700-YMR-01

July 18, 2017

Honourable Doug Donaldson, Minister
Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Parliament Buildings
Victoria, BC V8V 1X4

Dear Honourable Doug Donaldson:

RE: QUARTZ CREEK WATERSHED PROPOSED LOGGING

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Chair, Regional District of Central Kootenay Board of Directors

KH/tz

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Tim Sheldan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Renee Ansel, Environmental Health Officer, Interior Health Authority
Paul Rasmussen, Executive Director, Kootenay Boundary, FLNRORD





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File No. 5700-YMR-01

July 18, 2017

Renee Ansel, Environmental Health Officer
Interior Health, Nelson Health Protection Office
333 Victoria Street
Nelson, BC V1L 4K3

Dear Renee Ansel:

RE: QUARTZ CREEK WATERSHED PROPOSED LOGGING

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Sincerely,

Karen Hamling
Chair, Regional District of Central Kootenay Board of Directors

KH/tz

cc: Loreen Hodgkinson, RPF, BC Timber Sales
Tim Sheldan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations, and Rural Development
Paul Rasmussen, Executive Director, Kootenay Boundary, FLNRORD





Regional District of Central Kootenay

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File No. 5700-YMR-01

July 18, 2017

Paul Rasmussen
Regional Executive Director, Kootenay Boundary
Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
1902 Theatre Road
Cranbrook, BC V1C 7G1

Dear Paul Rasmussen:

RE: QUARTZ CREEK WATERSHED PROPOSED LOGGING

On behalf of the Regional District of Central Kootenay (RDCK) Board of Directors and the users of the RDCK-owned and operated Ymir Water System, I am writing to formally request that BC Timber Sales immediately cease its preparation of operation plans for the Quartz Creek watershed. We are concerned that this operation will have a serious negative impact on the already vulnerable Quartz Creek water source that serves Ymir residents and visitors.

The community of Ymir benefits greatly from the reliable supply of domestic water provided by Quartz Creek. The RDCK holds a water licence to divert 75,000 gallons per day from this designated 'Community Watershed.' The water system serves approximately 233 residents and includes a water treatment plant (constructed in 2009) with multi-level filtration, UV treatment and chlorination. To date, this watershed with an estimated overall area of 6 km² only has seen very little to no logging. The very low turbidity in the creek enables the current filtration system as a remarkably cost efficient treatment option.

We have several concerns that any proposed logging in this watershed will have direct impacts on the water quantity and quality available to the Ymir users and will also result in an increase in water system operating costs, including an increase in required filter backwash frequency and in cartridge filter exchanges. Inadequate information is currently available in regards to flow volumes in the creek. Further studies are required. The only reliable data available is flow data recorded at the Ymir Water Treatment plant which shows flows during peak demand periods in dry years that are unable to sustain current licenced water amounts on the creek.

We object to having any harvesting activity occur in the sensitive Quartz Creek watershed that supplies water to the vibrant Ymir community and ask that you reconsider your plans for this area. During peak demand periods and through the summer months, low flow periods exist in the creek and water volumes on occasion fall below our daily licenced amount. With forestry activity in the watershed these low flows could persist and worsen, further negatively impacting the Ymir Water system and our ability to serve the community with safe and reliable drinking water. In addition, logging activities will result in reduced water holding capacity and an increase in evapotranspiration, leading to further detrimental impacts on this vital water source.

We thank you in advance for your consideration of our concerns and welcome a continued dialogue regarding this matter.

Sincerely,

Karen Hamling
Chair, Regional District of Central Kootenay Board of Directors

KH/tz

cc: Loreen Hodgkinson, RPF, BC Timber Sales
Tim Sheldan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations, and Rural Development
Renee Ansel, Environmental Health Officer, Interior Health Authority

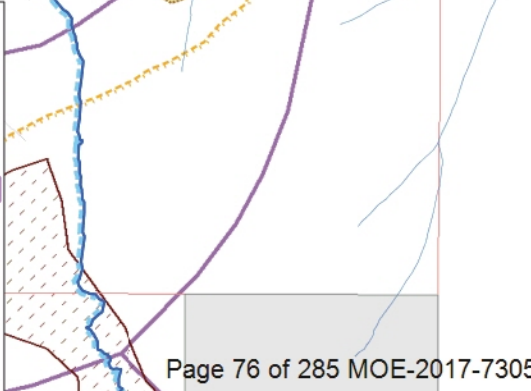
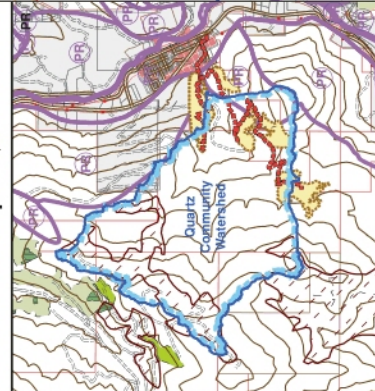


Operating Plan #15 Referral Map

Review and Comment Period:
June 27, 2017 - September 1, 2017

Important: Proposed blocks and roads are preliminary planning shapes only; final block boundaries and road locations, shape, size and reserve timber will be determined following field work and assessments.

Inset Map 1:50,000



From: [Brosz, Corinne M ENV:EX](#)
To: [Gooderham, Coleen E ENV:EX](#)
Cc: [Cao, Shihang ENV:EX](#)
Subject: RE: Request: For Minister Review & Approval: Service Plan
Date: Wednesday, August 30, 2017 16:25:00
Attachments: [FINAL ENV EAO Service Plan 2017-18 2019-20 \(Sept 2017\) with esig.docx](#)

From: Gooderham, Coleen E ENV:EX
Sent: Wednesday, August 30, 2017 2:16 PM
To: Brosz, Corinne M ENV:EX; Gooderham, Coleen E ENV:EX
Cc: Cao, Shihang ENV:EX
Subject: Request: For Minister Review & Approval: Service Plan
Hi can you pls apply his e-sig.. I do not have that.. or send me his e-sig and I can do this..
Thank you Coleen

From: Smith, Curtis ENV:EX
Sent: Wednesday, August 30, 2017 1:53 PM
To: Cao, Shihang ENV:EX; Gooderham, Coleen E ENV:EX
Cc: Sullivan, Megan ENV:EX
Subject: FW: For Minister Review & Approval: Service Plan
Minister has signed off, can one of you please apply his e-sig and send to Megan Sullivan?

From: Smith, Curtis ENV:EX
Sent: Friday, August 25, 2017 12:11 PM
To: Frampton, Caelie PREM:EX
Cc: Cao, Shihang ENV:EX; Standen, Jim ENV:EX; Plecas, Bobbi ENV:EX; Brosz, Corinne M ENV:EX; Hansen, Erin ENV:EX
Subject: FW: For Minister Review & Approval: Service Plan
Caelie,

Please see attached the Service Plan with new CARO revisions attached for Minister's review and sign off. I've been informed we do not expect any further changes from CARO or TB. The content has been approved by both DMs (Jim on behalf of Mark).

Thanks,

Curtis Smith

Manager Executive Operations

Deputy Minister's Office

Ministry of Environment and Climate Change Strategy

New Office: 778 698-4830 | Mobile: 250 580-1532

**Ministry of Environment and
Climate Change Strategy
and the
Environmental Assessment Office**

**2017/18 – 2019/20
SERVICE PLAN**

September 2017



For information on the British Columbia Ministry of Environment and
Climate Change Strategy contact:

**Ministry of Environment and
Climate Change Strategy**
PO BOX 9335
STN PROV GOVT
VICTORIA, B.C.
V8W 9M1

General Enquiries: 1-800-663-7867

Or visit our website at
<http://www.gov.bc.ca/env>

Published by the Ministry of Environment and Climate Change Strategy

Minister Accountability Statement



The *Ministry of Environment and Climate Change Strategy and the Environmental Assessment Office 2017/18 - 2019/20 Service Plan* was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

A handwritten signature in blue ink that reads "G. Heyman".

Honourable George Heyman
Minister of Environment and Climate Change Strategy
August 30, 2017

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Purpose of the Ministry

The Ministry of Environment and Climate Change Strategy is responsible for the protection, management and conservation of B.C.'s water, land, air and living resources and for setting strategic direction for government's climate change agenda. Its expertise in policy, science, research and analysis are central to supporting all its responsibilities. Ministry legislation, regulations, and public outreach activities ensure a sustainable and prosperous environment for British Columbians.

Key Ministry functions include:

- Leading action on climate change
- Regulating discharges to the environment
- Proactively responding to environmental risks
- Conserving B.C.'s biodiversity including ecosystems, native species and natural habitats
- Managing the province's parks and protected areas
- Developing legislation, regulations and policies based on sound scientific knowledge and expertise
- Environmental monitoring, data management and reporting
- Monitoring and enforcing compliance with environmental laws and regulations

The Ministry strives to ensure that all British Columbians will continue to benefit from the effective and prudent management of natural resources, allowing future generations to enjoy a safe and healthy environment.

Purpose of the Environmental Assessment Office

The Environmental Assessment Office (EAO) neutrally administers the environmental assessment (EA) process as defined in the [*Environmental Assessment Act*](#), which requires proposed major projects be assessed for potentially significant adverse environmental, social, economic, health and heritage effects. The EAO seeks to meaningfully engage the public and Aboriginal groups in the EA process and is responsible for overseeing compliance and enforcement of reviewable projects throughout the life of the project. Additional information regarding the EA process can be found on the [EAO website](#).

Ministry Goals, Objectives and Performance Measures

The Ministry of Environment and Climate Change Strategy, and the Environmental Assessment Office's goals are to help government achieve the following three commitments to British Columbians:

- The first commitment is to make life more affordable. British Columbians are counting on government to make their lives easier by containing costs and service fees.
- The second commitment is to deliver the services that people count on. Government services touch the lives of British Columbians every day, and there is so much more that we can – and must – do to provide these services where and when people need them. Additionally, in many cases, critical programs and services are delivered by Crown Corporations, and our Ministry will work with Board Chairs to improve levels of service to citizens.

- The third commitment is to build a strong, sustainable, innovative economy that works for everyone. Our government believes that all ministries and public sector organizations have a role to play in supporting broad-based economic growth, developing poverty reduction strategies, and helping create good-paying jobs in every region of the province.

Integrating with these priorities is government's commitment to true, lasting reconciliation with First Nations in British Columbia, as we move towards fully adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples and the Calls to Action of the Truth and Reconciliation Commission.

Beyond our work in supporting these commitments, the Minister of Environment and Climate Change Strategy has been tasked in the mandate letter to achieve the following specific objectives and performance targets:

- Renew the Climate Leadership Team within the first 100 days of receiving our mandate;
- Implement a comprehensive climate-action strategy that provides a pathway for B.C. to prosper economically while meeting carbon pollution reduction targets, including setting a new legislated 2030 reduction target and establishing separate sectoral reduction targets and plans;
- Work with the Minister of Finance to implement an increase of the carbon tax by \$5 per tonne per year, beginning April 1, 2018 to meet the federal government's carbon-pricing mandate. Take measures to expand the carbon tax to fugitive emissions and to slash-pile burning;
- Revitalize the Environmental Assessment process and review the professional reliance model to ensure the legal rights of First Nations are respected, and the public's expectation of a strong, transparent process is met;
- Employ every tool available to defend B.C.'s interests in the face of the expansion of the Kinder Morgan pipeline, and the threat of a seven-fold increase in tanker traffic on our coast; and
- Enact an endangered species law and harmonize other laws to ensure they are all working towards the goal of protecting our beautiful province.

Our Ministry and Office will continue to develop specific objectives and performance measures for inclusion in our 2018/19 Service Plan, which will be released with *Budget 2018*.

Resource Summary: Ministry of Environment and Climate Change Strategy

Ministry of Environment and Climate Change Strategy	2016/17 Restated Estimates ¹	2017/18 Estimates	2018/19 Plan	2019/20 Plan
Operating Expenses (\$000)				
Environmental Protection	8,560	11,531	11,726	11,488
Environmental Sustainability	22,687	22,730	22,972	22,972
BC Parks ²	31,158	49,266	39,669	39,578
Conservation Office Services	15,284	15,476	15,676	15,676
Climate Action ³	17,526	16,535	14,645	12,845
Executive and Support Services	21,967	23,069	23,123	23,099
Sub-Total	117,182	138,607	127,811	125,658
Park Enhancement Fund ⁴	1,800	3,675	1,800	1,800
Sustainable Environment Fund	18,935	18,935	18,935	18,935
Total	137,917	161,217	148,546	146,393
Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)				
Executive and Support Services ⁵	17,537	22,085	24,409	18,043
Park Enhancement Fund	400	400	400	400
Total	17,937	22,485	24,809	18,443
Other Financing Transactions (\$000)				
Climate Action Greenhouse Gas Emissions offsets				
Disbursements ⁶	13,000	10,000	10,000	10,000
Net Cash (Requirements)	(13,000)	(10,000)	(10,000)	(10,000)
Total Disbursements	13,000	10,000	10,000	10,000
Total Net Cash Source (Requirements)	(13,000)	(10,000)	(10,000)	(10,000)

Notes:

¹ For comparative purposes, amounts shown for 2016/17 are consistent with the presentation of the 2017/18 Estimates.

² BC Parks increase from 2016/17 is related to new investments in the provincial parks system.

³ Climate Action decreases of \$1.8 million each year related to scheduled industry program development payments.

⁴ Park Enhancement Fund expenditures increase in 2017/18 resulted from increased revenues.

⁵ Ministry Capital Expenditures, Executive and Support Services increase related to expansion of campsites within BC Parks.

⁶ Other Financing Transactions decrease of \$3.0 million commencing in 2017/18 resulted from a scheduled reduction of contractual obligations to purchase Greenhouse Gas Emissions offset for inventory.

Further information on program funding and vote recoveries is available in the [Estimates and Supplement to the Estimates](#).

Resource Summary: The Environmental Assessment Office

Environmental Assessment Office	2016/17 Restated Estimates ¹	2017/18 Estimates	2018/19 Plan	2019/20 Plan
Operating Expenses (\$000)				
Environmental Assessment Office	11,828	11,870	11,882	11,773

Notes:

¹ For comparative purposes, amounts shown for 2016/17 are consistent with the presentation of the 2017/18 Estimates.

Appendix A: Ministry of Environment and Climate Change Strategy Contact Information

Headquarters

Victoria Office

Telephone: 250 387-9886

Fax: 250 387-6003

Website: www.gov.bc.ca/env/

Additional contact information can be found at www.gov.bc.ca/env/contacts.html

Regional Offices

Coast Region

West Coast

Nanaimo Office:

Telephone: 250 751-3100

Fax: 250 751-3103

Website: www.env.gov.bc.ca/van-island/

Other offices: Black Creek, Duncan, Goldstream Park, Queen Charlotte City, Parksville, Port Alberni, Port Hardy, Ucluelet

South Coast

Surrey Office:

Telephone: 604 582-5200

Fax: 604 930-7119

Website: www.env.gov.bc.ca/lower-mainland/

Other offices: Brackendale (Squamish), Cultus Lake, Maple Ridge, North Vancouver, Sechelt, Powell River

Southern Interior Region

Cariboo/Thompson

Kamloops Office:

Telephone: 250 371-6200

Fax: 250 828-4000

Website: www.env.gov.bc.ca/thompson/

Williams Lake Office:

Telephone: 250 398-4530

Fax: 250 398-4214

Website: www.env.gov.bc.ca/cariboo/

Other offices: Clearwater, Lillooet, Merritt, Kelowna, Oliver, Princeton, Vernon, 100 Mile House, Quesnel

Kootenay/Okanagan

Nelson Office:

Telephone: 250 354-6333

Fax: 250 354-6332

Website: www.env.gov.bc.ca/kootenay/

Other offices: Castlegar, Creston/West Creston, Fernie, Grand Forks, Invermere, Golden, Revelstoke

Penticton Office:

Telephone: 250 490-8200

Fax: 250 490-2231

Website: www.env.gov.bc.ca/okanagan/

Cranbrook Office:

Telephone: 250 489-8540

Fax: 250 489-8506

Northern Region

Skeena

Smithers Office:

Telephone: 250 847-7260

Fax: 250 847-7591

Website: www.env.gov.bc.ca/skeena/

Other offices: Atlin, Burns Lake, Dease Lake, Terrace/Lakelse Lake

Omineca

Environmental Protection Division

Conservation Officer Service

Prince George Office:

Telephone: 250 565-6135

Fax: 250 565-6629

Website: www.env.gov.bc.ca/omineca/

Other offices: Vanderhoof, Mackenzie, Mount Robson, Fort St. James

Environmental Sustainability

Parks and Protected Areas Division

Prince George Office:

Telephone: 250 565-6135

Fax: 250 565-6940

Peace

Fort St. John Office:

Telephone: 250 787-3411

Fax: 250 787-3490

Website: www.env.gov.bc.ca/peace/

Other offices: Chetwynd/Moberly Lake Park, Dawson Creek, Fort Nelson/Liard Hotsprings

Water Stewardship Division:

Phone: 250 565-6135

Fax: 250 565-6629

Report all Poachers and Polluters

Telephone: Dial Toll-Free 1-877-952-7277

Website: <http://www.env.gov.bc.ca/cos/rapp/form.htm>

Appendix B: Environment Assessment Office Contact Information

Victoria Office

836 Yates Street

PO Box 9426 Stn Prov Govt

Victoria B.C. V8W 9V1

Email: eaoinfo@gov.bc.ca

Website: www.eao.gov.bc.ca

Additional contact information can be found at http://www.eao.gov.bc.ca/contact_us.html

From: s.22
To: [Heyman, George](#)
Cc: doug.donaldson@leg.bc.ca
Subject: K-G grizzlies and professional reliance
Date: Thursday, August 31, 2017 09:50:42

Hi George,

Professional reliance has put the residents of British Columbia in this awful place whereby they have to go to enormous lengths and expense of effort, time and money to correct in forest management what government could achieve relatively effortlessly through law and enforcement.

See the attached clipping from the Grand Forks Gazette

s.22

Copyright

Page 090

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s.13

Page 091 to/à Page 103

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Page 104 to/à Page 140

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Page 141

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s.12;s.13

Page 142

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s.12

Page 143 to/à Page 148

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s.12;s.13

Page 149 to/à Page 151

Withheld pursuant to/removed as

DUPLICATE

Page 152 to/à Page 188

Withheld pursuant to/removed as

s.12

From: [Plecas, Bobbi ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: Fwd: George Heyman
Date: Monday, September 11, 2017 10:45:51

This was the meeting we were discussing last week between MGH and John L from ASTT.

I recommend MGH meet as his calendar permits.

Begin forwarded message:

From: MJ Whitemarsh <mj@whitemarsh.ca>
Date: September 8, 2017 at 9:25:03 AM PDT
To: "Plecas, Bobbi Env:Ex" <bobbi.plecas@gov.bc.ca>
Subject: Fwd: George Heyman

Good morning Bobbi

Below is the response from John to my inquiry.

Please let me know if you require anything else.

Enjoy your day

M.j.

Begin forwarded message:

From: "John Leech, ASCT, CAE" <jleech@asttbc.org>
Subject: George Heyman
Date: September 8, 2017 at 8:19:10 AM PDT
To: MJ Whitemarsh <mj@whitemarsh.ca>
Cc: "John Leech, ASCT, CAE" <jleech@asttbc.org>

Topics :

- . Climate action strategy - how might ASTTBC and its 10,500 members assist?
- . Environmental Assessment - ASTTBC members are involved and can assist
- . Professional Reliance - several issues require attention. ASTTBC is working with other professional associations to sort out and work toward best practices. Concern re need to recognize and include ALL qualified professionals

Plse pass this along and I will too.

Thx

John Leech, ASCT, CAE
Chief Executive Officer
ASTTBC
From iPhone

Page 191

Withheld pursuant to/removed as

s.12;s.13

From: [Brosz, Corinne M ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: RE: Briefing with Sonia on PR
Date: Monday, September 11, 2017 12:24:00

Set up for 11-1130 on Thursday Sept 14

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 12:12 PM
To: Brosz, Corinne M ENV:EX
Subject: RE: Briefing with Sonia on PR
Hi Corinne,

I called Sonia and left a voice message but can you connect with her admin to see if she's free either tomorrow from 2:30 till 3:00 pm or Thursday 11-11:30.

Caelie

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 8:38 AM
To: Brosz, Corinne M ENV:EX
Subject: Briefing with Sonia on PR
Hi Corinne,

Can you please work with Sonia and Donna for a briefing on Professional Reliance.

I was thinking Thursday at 11 am. I know that Donna is already available.

Thanks,

Caelie

Caelie Frampton

Ministerial Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: [Brosz, Corinne M ENV:EX](#)
To: [Bhikha, Jaymini LASS:EX](#)
Subject: Professional Reliance w MGH and Sonia F
Date: Monday, September 11, 2017 12:27:00

Hi Jaymini,

Confirmed that the Professional reliance meeting between MGH, Sonia F, and Donna S is Sept 14, 1100-1130 in our office, Room 112.

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**

Minister of Environment and Climate Change Strategy

Room 112, Parliament Buildings

Victoria, B.C. V8V 1X4

P: 250-387-1187

F: 250-387-1356

From: [Brosz, Corinne M ENV:EX](#)
To: [Sanford, Donna L GCPE:EX](#)
Subject: Meeting on Professional Reliance
Date: Monday, September 11, 2017 12:28:00

Hello Donna,

I am setting up a professional reliance meeting with MGH, Sonia F, and yourself. If you are free, the meeting will happen Sept 14, 1100-1130 in our office, Room 112.

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**

Minister of Environment and Climate Change Strategy

Room 112, Parliament Buildings

Victoria, B.C. V8V 1X4

P: 250-387-1187

F: 250-387-1356

From: [Brosz, Corinne M ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: RE: Briefing with Sonia on PR
Date: Monday, September 11, 2017 12:42:00

Already done

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 12:36 PM
To: Brosz, Corinne M ENV:EX
Subject: Re: Briefing with Sonia on PR
Thank you! Can you let Donna know as well. She's invited.

Sent from my iPhone

On Sep 11, 2017, at 12:24 PM, Brosz, Corinne M ENV:EX <Corinne.Brosz@gov.bc.ca> wrote:

Set up for 11-1130 on Thursday Sept 14

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 12:12 PM
To: Brosz, Corinne M ENV:EX
Subject: RE: Briefing with Sonia on PR
Hi Corinne,

I called Sonia and left a voice message but can you connect with her admin to see if she's free either tomorrow from 2:30 till 3:00 pm or Thursday 11-11:30.

Caelie

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 8:38 AM
To: Brosz, Corinne M ENV:EX
Subject: Briefing with Sonia on PR
Hi Corinne,

Can you please work with Sonia and Donna for a briefing on Professional Reliance.

I was thinking Thursday at 11 am. I know that Donna is already available.

Thanks,

Caelie

Caelie Frampton

Ministerial Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: s.22
To: [Furstenau.MLA, Sonia](#); [Furstenau.MLA, Sonia](#)
Cc: andrew.weaver@leg.bc.ca; adam.olsen@leg.bc.ca; [Heyman, George](#)
Subject: Professional reliance failures
Date: Monday, September 11, 2017 14:06:38

Hi Sonia Furstenau,

All of the articles listed below relate to the failure of professional reliance in forestry in one way or another.

The court challenge mounted by Martin Watts can also be viewed as an illustration of failure in professional reliance.

As with your own experience at Shawnigan Lake, under the present of system of professional reliance, the only option is to go to court, which is difficult owing to the lack of of legislation due to de-regulation — a classic Catch22.

s.22

Newspaper articles:

<http://vancouversun.com/opinion/op-ed/opinion-policies-work-against-sound-forest-management>
<http://theprovince.com/opinion/op-ed/martin-watts-allowing-unsustainable-logging-worse-for-grizzly-bears-than-hunt>
<http://www.timescolonist.com/opinion/op-ed/comment-forester-pays-high-price-for-doing-honest-job-1.19956225>
<http://www.focusonvictoria.ca/mayjune2017/an-orwellian-path-to-fraud-in-bcs-forests-r10/>
<https://www.desmog.ca/2017/05/12/civil-suit-alleges-b-c-blacklisting-forestry-consultant-who-warned-timber-overcutting-faulty-data>
<https://www.desmog.ca/2017/07/27/forestry-consultant-who-warned-timber-overcutting-continues-court-battle>
<http://vancouversun.com/opinion/opinion-vital-information-missing-for-sound-forest-management>
<http://www.nationalobserver.com/2017/08/25/forest-and-its-keepers>
<http://www.focusonvictoria.ca/septoct-2017/new-government-will-review-professional-reliance-r11/>

s.22

From: [Brosz, Corinne M ENV:EX](#)
To: [Neilson, Kirsten EAO:EX](#)
Subject: FW: George Heyman
Date: Monday, September 11, 2017 15:40:00

Cheers,

Corinne Brosz

Administrative Assistant to the **Honourable George Heyman**
Minister of Environment and Climate Change Strategy

From: Frampton, Caelie PREM:EX
Sent: Monday, September 11, 2017 11:36 AM
To: Neilson, Kirsten EAO:EX
Cc: Brosz, Corinne M ENV:EX
Subject: FW: George Heyman

Hi Kirsten,

Here is one meeting that we'd like to set up when possible.

Thanks,

Caelie

From: Plecas, Bobbi ENV:EX
Sent: Monday, September 11, 2017 10:46 AM
To: Frampton, Caelie PREM:EX
Subject: Fwd: George Heyman

This was the meeting we were discussing last week between MGH and John L from ASTT.
I recommend MGH meet as his calendar permits.

Begin forwarded message:

From: MJ Whitemarsh <mj@whitemarsh.ca>
Date: September 8, 2017 at 9:25:03 AM PDT
To: "Plecas, Bobbi Env:Ex" <bobbi.plecas@gov.bc.ca>
Subject: Fwd: George Heyman

Good morning Bobbi

Below is the response from John to my inquiry.

Please let me know if you require anything else.

Enjoy your day

M.j.

Begin forwarded message:

From: "John Leech, ASCT, CAE" <jleech@asttbc.org>
Subject: George Heyman
Date: September 8, 2017 at 8:19:10 AM PDT
To: MJ Whitemarsh <mj@whitemarsh.ca>
Cc: "John Leech, ASCT, CAE" <jleech@asttbc.org>

Topics :

- . Climate action strategy - how might ASTTBC and its 10,500 members assist?
- . Environmental Assessment - ASTTBC members are involved and can assist
- . Professional Reliance - several issues require attention. ASTTBC is working with other professional associations to sort out and work toward best practices.
- Concern re need to recognize and include ALL qualified professionals

Plse pass this along and I will too.
Thx

John Leech, AScT, CAE
Chief Executive Officer
ASTTBC
From iPhone

Page 199 to/à Page 270

Withheld pursuant to/removed as

s.12

From: Heyman, George
To: [Frampton, Caelie ENV:EX](#)
Subject: RE: Professional reliance failures
Date: Tuesday, September 12, 2017 09:53:00

Please reply to [s.22](#) on my behalf as follows:

Hi [s.22](#) - MGH wanted you to know that he's receiving and reviewing your forwards. Often don't reply because of the volume of correspondence. As you know acting on PR is in mandate letter.

From: [s.22](#)
Sent: Monday, September 11, 2017 2:06 PM
To: Furstenau.MLA, Sonia; Furstenau.MLA, Sonia
Cc: andrew.weaver@leg.bc.ca; adam.olsen@leg.bc.ca; Heyman, George
Subject: Professional reliance failures
Hi Sonia Furstenau,

All of the articles listed below relate to the failure of professional reliance in forestry in one way or another.

The court challenge mounted by Martin Watts can also be viewed as an illustration of failure in professional reliance.

As with your own experience at Shawnigan Lake, under the present of system of professional reliance, the only option is to go to court, which is difficult owing to the lack of of legislation due to de-regulation — a classic Catch22.

[s.22](#)

Newspaper articles:

<http://vancouver.sun.com/opinion/op-ed/opinion-policies-work-against-sound-forest-management>

<http://theprovince.com/opinion/op-ed/martin-watts-allowing-unsustainable-logging-worse-for-grizzly-bears-than-hunt>

<http://www.timescolonist.com/opinion/op-ed/comment-forester-pays-high-price-for-doing-honest-job-1.19956225>

<http://www.focusonvictoria.ca/mayjune2017/an-orwellian-path-to-fraud-in-bcs-forests-r10/>

<https://www.desmog.ca/2017/05/12/civil-suit-alleges-b-c-blacklisting-forestry-consultant-who-warned-timber-overcutting-faulty-data>

<https://www.desmog.ca/2017/07/27/forestry-consultant-who-warned-timber-overcutting-continues-court-battle>

<http://vancouver.sun.com/opinion/opinion-vital-information-missing-for-sound-forest-management>

<http://www.nationalobserver.com/2017/08/25/forest-and-its-keepers>

<http://www.focusonvictoria.ca/septoct-2017/new-government-will-review-professional-reliance-r11/>

[s.22](#)

From: [Heyman, George ENV:EX](#)
To: [Frampton, Caelie ENV:EX](#)
Subject: FW: Professional Reliance
Date: Tuesday, September 12, 2017 10:25:00

[Acknowledge – thank – PR review coming](#)

From: s.22
Sent: Sunday, September 10, 2017 10:51 AM
To: Heyman, George PREM:EX
Subject: Professional Reliance
Dear John Horgan/ George Heyman

s.22

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Withheld pursuant to/removed as

s.22

From: [Frampton, Caelie ENV:EX](#)
To: [Xia, Eveline ENV:EX](#)
Subject: FW: Background document for this morning
Date: Tuesday, September 12, 2017 13:48:52
Attachments: [MGH check in.docx](#)

For your reference.

-----Original Message-----

From: Zacharias, Mark ENV:EX
Sent: Tuesday, August 29, 2017 6:50 AM
To: George Heyman; Frampton, Caelie PREM:EX
Cc: Smith, Curtis ENV:EX
Subject: Background document for this morning

Good morning Minister / Caelie:

Hopefully we will have time to catch up this morning on a number of issues. [s.22](#) so the attached is not work of art but should guide our conversation on what briefings you would like or what questions you may have.

Caelie: If you are at the CO can you print copies?

Regards, MZ

August 29th MGH / MO briefing

s.12,s.13

Mandate commitments:

- Species at risk legislation
- Professional reliance
- K-M handoff

Projects:

- Hullcar review
- South Okanagan
- Flathead

Issues:

- South Island Aggregates / Shawnigan Lake
- Newspapers and Recycle BC (formerly Multi-Materials BC)
- Tulsequah Chief and AK

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Withheld pursuant to/removed as

s.12;s.16;s.13