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A-2003-00534 / sd

FEB 12 2004

Mr. John Cummins  
Member of Parliament  
Room 548, Confederation Building  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Dear Mr. Cummins:

This letter is in response to your request under the *Access to Information Act* for:

**"...Copy of all documents prepared for or received by the Minister in December 2003 regarding the status of environmental assessments and approvals of fish farm sites or any approvals required by or associated with the Canadian Environmental Assessment Act, the Fisheries Act and the Navigable Waters Protection Act."**

After our original release package was forwarded to you, additional records were found by program staff. Attached please find the supplementary information with respect to the request.

The *Access to Information Act* grants you the right to file a complaint with the Information Commissioner if you are not satisfied with our handling of your request. The address is:

Office of the Information Commissioner  
112 Kent Street, 22<sup>nd</sup> Floor  
Place de Ville, Tower B  
Ottawa, Ontario  
K1A 1H3

If you have any questions regarding this request, do not hesitate to contact Suzanne DuPont-Leboeuf, at (613) 991-4493.

Yours sincerely,

Gary Lacey  
Director  
Access to Information and Privacy

Attach.

200 Kent Street  
Ottawa, Canada  
K1A 0E6

Canada

To: Larry Murray  
A: Deputy Minister  
Date: December 17, 2003  
CT# 386054v1

Subject:  
Objet:

**MINISTER'S MEETING WITH MARY ELLEN WALLING, BC SALMON  
FARMERS ASSOCIATION, DECEMBER 22, 2003  
MINISTER'S VISIT TO REGION, DECEMBER 22, 2003  
(For Minister's Information)**

Via: S. Kirby, Assistant Deputy Minister, Oceans

From: P. Macgillivray, A/Regional Director General

<input type="checkbox"/>	For Signature/Pour Signature Votre signature	<input checked="" type="checkbox"/>	Information
<input type="checkbox"/>	For Comments/Pour commentaires Observations	<input type="checkbox"/>	Material for the Minister/Documents à l'intention du ministre

Remarks: Susan Farlinger, Regional Director, Habitat and Enhancement

**DISTRIBUTION**

Mr./M. P. Macgillivray, A/Regional Director General, Pacific Region  
Ms./M<sup>me</sup> S. Farlinger, Regional Director, Habitat and Enhancement Branch

Drafting Officer / Rédacteur : A. Thomson (604) 666-7009 / S. Farlinger (604) 666-6532 /  
P. Macgillivray (604) 666-6098 / S. Kirby / L. Murray

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BRIEFING NOTE FOR THE MINISTER

MINISTER'S MEETING WITH MARY ELLEN WALLING, BC SALMON  
FARMERS ASSOCIATION, DECEMBER 22, 2003

(Information Only)

**SUMMARY**

- The BC Salmon Farmers Association (BCSFA) continues to express concern with the time required to conduct CEEA screenings in BC and the failure of the Department to meet time commitments set by Minister Thibault at the Boston Seafood Show in March 2003.
- While DFO has undertaken some significant structural changes within the Aquaculture Division aimed at clearing the backlog of aquaculture sites, the BCSFA is not satisfied at the current rate of progress.
- The BCSFA is interested in the development of a blanket bond as a replacement for individual company letters of credit for authorisations or mitigation and monitoring agreements.

**Background**

- There are a large number of finfish aquaculture sites at DFO awaiting an assessment pursuant to the *Canadian Environmental Assessment Act*. Industry is concerned about the delays regarding these sites and conversely other interested parties such as First Nations, ENGOs and the general public are equally concerned that these files be handled with rigour and intense scrutiny.
- DFO Pacific Region Aquaculture Action Plan has been developed including structural changes to the Regional Aquaculture Coordination Office (RACO), and progress has been made in the last few months including the approval of 6 sites and the imminent completion of another 4 sites.

- In a related matter, the industry through the BCSFA wants to develop a blanket bond for its member companies for authorisations and mitigation and monitoring agreements. The bonds are required by DFO to ensure the monitoring or compensation is completed regardless of the fiscal health of the company.
- DFO has recently made plans with BCSFA representatives to implement a framework for managing older "renewals."

**Analysis / DFO Comment**

- Substantive effort has been invested by senior management in Pacific Region to diagnose the systemic issues related to this file and an appropriate action plan has been developed to address these key barriers to progress.
- The Pacific Region Aquaculture Action Plan is focussed on completing outstanding and new CEEA screenings and on developing a streamlined decision-making framework for future screenings, as well as identifying requirements for science advice, piloting Area Management Agreements, and managing First Nations issues.
- A framework for processing the large backlog of renewals has been developed jointly with NHQ and Pacific Region and approved nationally. Implementation is proceeding.
- Proposals by industry for finfish farm sites are often lacking crucial information which leads to delays in completion of the CEEA screening. Additionally the requirement for DFO to consult with affected First Nations can further delay the process.
- Recent litigation by First Nations who were opposed to site approvals highlight the need to complete consultations in a way that meets our fiduciary and legislative obligations.
- DFO is continuing to consult with the BCSFA over the terms of the blanket bond. DFO is supportive of such an arrangement and believes that this can be resolved in a positive manner for both parties in the near term.

**Recommendation / Next Steps**

- Maintain current structure of BC RACO office to ensure CEAA screenings are completed in as timely a fashion as possible.
- Continue to work to implement the Pacific Region Action Plan including the implementation of the framework for renewals.
- Continue to develop blanket bond proposal with BCSFA.
- Schedule an information session for BCSFA and DFO with the Province to assist industry in understanding our information requirements under CEAA and the renewals framework.

Attachment (2)

A. Thomson / S. Farlinger / P. Macgillivray / R. Wex / S. Kirby / L. Murray

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**SPEAKING NOTES:**

- I understand the concerns of the industry regarding the delays in processing the CEAA screenings. The Department has made significant change to address those delays while maintaining adherence to our regulatory requirements. The changes have resulted in 6 screenings approved and the imminent completion of another 4 sites.
- A framework for expediting assessments of the renewal applications will be implemented early in the new year.
- DFO will continue to work with the BCSFA on issues that are critical to the industry, including blanket bond agreements for authorizations and collaborative research programs.
- Last week my officials from both coasts met to develop consistent standards across the country.

MEETING WITH BC SALMON FARMERS ASSOCIATION

**Overview**

- Minister to meet with Mary Ellen Walling, Executive Director of the BC Salmon Farmers Association (BCSFA) to discuss the backlog of Canadian Environmental Assessment Act (CEAA) screenings of Fin-fish sites.
- The meeting will be held at DFO-RHQ Vancouver, 2<sup>nd</sup> Floor Boardroom, and will commence at 3:45 pm.
- The BCSFA represents all major salmon producers in BC, and is a valuable coordinating body for the industry and a liaison with DFO.
- Delays in processing the CEAA screenings are perceived to be the primary obstacle to the expansion of the salmon aquaculture industry in BC. The delays have been the result of a number of factors including; development of consistent policy application within DFO, lengthy First Nations consultations and a misunderstanding within the industry of the information requirements for site approvals.
- Significant structural changes have occurred in the Pacific Region RACO office in the fall of 2003. Up to 14 staff have been reassigned to complete the outstanding CEAA reviews.

**Minister's Objectives**

- To listen to the industry's concerns regarding the timeliness of the CEAA approval process.
- To assure them that the changes that have occurred this fall in the Pacific region RACO office are designed to expedite the CEAA process by committing more staff resources to conduct screenings, provide science advice and aid in First Nations consultations.
- To inform the industry that a framework for dealing with the large number of finfish site renewals has been developed and will be presented to them early in the new year.