

**Sadaka, Jennifer -JLT**

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**From:** Roy,Rachelle [CEAA] on behalf of Gagnier,Nicole [CEAA]  
**Sent:** September 15, 2003 4:28 PM  
**To:** Gershberg,Sid [CEAA]  
**Cc:** Bernier,Paul [CEAA]; Young,Bruce [CEAA]; Gagnier,Nicole [CEAA]  
**Subject:** FW: Sid meeting with Ron L'Espérance - tomorrow

Sid,  
See Paul's note, please let Paul know if you wish to have something more on the Whites Point or if this will suffice.  
Thank you.  
Rachelle

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

**From:** Bernier,Paul [CEAA]  
**Sent:** September 15, 2003 3:52 PM  
**To:** Gagnier,Nicole [CEAA]  
**Subject:** FW: Sid meeting with Ron L'Espérance - tomorrow

Nicole

I have consulted with Bruce and Steve. Bruce flagged the matter below, which concerns Whites Point and is not in the current briefing note.

*"One issue that Ron may raise relates to Whites Point Quarry and Marine Terminal. As you recall, we could not put a clause in the draft agreement regarding coordinated decision making following the submission of the joint panel report. The issue is that DFO is the federal "decision maker" by leading the Cabinet response process and by taking a s.37 decision, therefore our Minister could not bind them in an agreement not signed or agreed to by DFO. This was a major concern for Nova Scotia, and they have informed me that if some commitment is not made, they will NOT sign the agreement.*

*The solution that we came up with was an exchange of letters between the Agency, NS Environment and Labour and DFO, essentially committing to coordinated decision making post joint panel report submission. I discussed with DFO, their preference would be to have the letter come from Sid to Larry Murray, with Larry Murray responding in the affirmative on his commitment to coordinate decision making, to the extent possible, with NS. I received an e-mail from NS with the sort of wording that they were looking for, will draft something and share with DFO to see if it will work. Hopefully, I could have this all pulled together by the end of week or start of next, in time for our next steps on finalizing and signing off on the agreement."*

Do you consider it OK to pass this on to Sid as an addendum to the Whites Point PRB note, or do you think he would much prefer a revised PRB note?

Paul

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

**From:** Gagnier,Nicole [CEAA]  
**Sent:** September 15, 2003 11:16 AM  
**To:** Coulter,Bill [CEAA]  
**Cc:** Bernier,Paul [CEAA]; Burgess,Steve [CEAA]; Giroux,Carole [CEAA]; Roy,Rachelle [CEAA]; Medjovic,Corinne [CEAA]; Gaudreau,Christine [CEAA]  
**Subject:** Sid meeting with Ron L'Espérance - tomorrow  
**Importance:** High

Sid will be meeting with Ron L'Espérance tomorrow from 10:30 to 11am -- I have provided him with the notes prepared for his Kelowna trip -- one on Sydney Tar Ponds (dated Aug. 26) and Whites Point Quarry (dated Aug. 27). He will also have an updated note on the bilateral EA agreement (Policy sector is finalizing).