

Johnston, Darren

From: Fagen, David
Sent: March 17, 2020 2:22 PM
To: Marshall, Deborah
Cc: Johnston, Darren; James, Leslie
Subject: Re: media request from the Wall Street Journal regarding a Google AI program for orcas

We can have her connect with Leslie James.

I suspect she is referring to the active pass incident recently with whale watchers and Orcas. Our crews did everything right in the situation. Leslie is fully versed on the incident. We have asked TC and DFO to consider keeping whale watchers out of active pass. They make it difficult to have maneuvering options when they clutter the pass with boats watching the whales.

Regards,

David

On Mar 17, 2020, at 2:09 PM, Marshall, Deborah <Deborah.Marshall@bcferries.com> wrote:

See note. Who should speak with this journalist re: SRKW?

From: Babin, Janet [mailto:] FOIPP Act, s. 22
Sent: March-17-20 1:17 PM
To: Marshall, Deborah
Cc: Janet Babin; Jennababin
Subject: Fwd: media request from the Wall Street Journal regarding a Google AI program for orcas

Re-sending this email - I need to speak with a representative from BC Ferries.
Please let me know the best person to contact.

----- Forwarded message -----

From: Babin, Janet < > FOIPP Act, s. 22
Date: Wed, Feb 19, 2020 at 5:33 PM
Subject: media request from the Wall Street Journal regarding a Google AI program for orcas
To: <deborah.marshall@bcferries.com>

Greetings:

I'm a reporter with the *Wall Street Journal* working on a story about Google AI's new model in beta to track and ID orcas, especially Southern Resident orcas, along with the Canadian DFO, and how it may affect the shipping industry.

I'm hoping to talk with BC Ferries about the proposed slow down and the Google AI and DFO orca network.

Additionally I witnessed a BC Ferry/small boat and Southern Resident orca situation, or close call, last week during a visit to Vancouver, and would like to follow up, again with a representative from BC Ferries.

Please let me know when you might be available to discuss.

Thanks,
Janet

Janet Babin
WSJ

Johnston, Darren

From: Grewal, Captain Hardeep
Sent: March 19, 2020 12:07 PM
To: James, Leslie
Cc: Fagen, David; Johnston, Darren
Subject: RE: Master of SOBC March 10 (isail incident 244157)

Good day Leslie,

FOIPP Act, s. 22

I am on board the SOBC now and same Captain is in command. It's Capt. [REDACTED]

He will be on board till 2:45 today and on PM shift on Saturday, Sunday and Monday.

Regards,
Hardeep

Marine Superintendent, South Coast

From: James, Leslie <Leslie.James@bcferries.com>
Date: Thursday, Mar 19, 2020, 11:53 AM
To: Grewal, Captain Hardeep <Hardeep.Grewal@bcferries.com>
Cc: Fagen, David <David.Fagen@bcferries.com>, Johnston, Darren <Darren.Johnston@bcferries.com>
Subject: Master of SOBC March 10 (isail incident 244157)

Hi Capt. Grewal,

I hope this email finds you well in these challenging times. Could you tell me who the Master was on this day? TC Marine Safety wants to speak with them as DFO observed the incident and there were a number of concerns with the behaviour of the whale watcher (directing the ferry, not moving, safety and risk to SRKW etc). There happened to be a reporter from the Wall Street Journal on the DFO vessel who interviewed Deborah and I yesterday about our operations and SRKW and this incident came up.

To be clear DFO has no concerns with the action SOBC took ("they did everything they could") and not pleased with the Whale watcher, DFO stated that they believe this is a reoccurring issue for the ferries (trying to navigate around the whale watchers in Active Pass).

Thanks

Leslie James
Director, Environment and Sustainability
Safety, Health and Environment
British Columbia Ferry Services Inc.

[REDACTED]
leslie.james@bcferries.com
bcferries.com | [Facebook](#) | [Twitter](#)

FOIPP Act, ss. 15, 19 and 22

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Marshall, Deborah

From: Marshall, Deborah
Sent: August 11, 2020 1:31 PM
To: Babin, Janet
Subject: RE: Media request from the Wall Street Journal regarding March 2020 incident in Active Pass

Hi Janet,

We reported the incident you are referring to Transport Canada. They were going to investigate the incident so I would suggest that you follow up with Transport Canada.

I can tell you that our deck crews are always on the lookout for whales and marine mammals and have standing permission to deviate away from whales at the captain's command when safe to do so. Our ships can also slow down, especially if course deviation is not possible in confined waters.

Deborah Marshall
Executive Director, Public Affairs
Marketing & Customer Experience
British Columbia Ferry Services Inc.

[REDACTED] FOIPP Act, ss. 15, 19 and 22
deborah.marshall@bcferries.com

From: Babin, Janet [mailto:[REDACTED]] FOIPP Act, s. 22
Sent: August 10, 2020 3:58 PM
To: Marshall, Deborah
Subject: Media request from the Wall Street Journal regarding March 2020 incident in Active Pass

Hi Deborah - I wanted to alert you that the story about the orcas is being published this week. We wanted to reach out and offer BC Ferry a chance to comment on an incident that occurred in Active Pass in early March 2020 with your ferry boat and the [REDACTED] whale watching boat, and the DFO Canada research vessel with Paul Cottrell.
FOIPP Act, ss. 15, 19 and 21

We are not saying the ferry did anything wrong, but would like the comments of the ferry boat captain or a general quote on the incident.

Please let me know if you can comment - our deadline is Wednesday end of day.

Thanks so much.

Best,

Janet

On Mon, Jul 20, 2020 at 3:14 PM Marshall, Deborah <Deborah.Marshall@bcferries.com> wrote:

Can you refresh our memories and send us the current version of the story?

Deborah Marshall

Marshall, Deborah

From: James, Leslie
Sent: August 10, 2020 4:13 PM
To: Marshall, Deborah
Subject: RE: Media request from the Wall Street Journal regarding March 2020 incident in Active Pass

Hi Deborah,

I suggest she reach out to TC as the incident was reported to TC and was supposed to be investigated. The Master may have some thoughts as DFO (Paul Cottrell) did call the bridge to speak to them after the Whale Watching vessel tried to direct the ferry (incorrectly) into the SRKW which is what she witnessed.

From: Marshall, Deborah <Deborah.Marshall@bcferries.com>
Sent: August 10, 2020 4:00 PM
To: James, Leslie <Leslie.James@bcferries.com>
Subject: FW: Media request from the Wall Street Journal regarding March 2020 incident in Active Pass

See note below. Anything we want to email her about the incident she is referring to?

Deborah Marshall
Executive Director, Public Affairs
Marketing & Customer Experience
British Columbia Ferry Services Inc.

[REDACTED] FOIPP Act, ss. 15, 19 and 22
deborah.marshall@bcferries.com

From: Babin, Janet [mailto:[REDACTED]] FOIPP Act, s. 22
Sent: August 10, 2020 3:58 PM
To: Marshall, Deborah
Subject: Media request from the Wall Street Journal regarding March 2020 incident in Active Pass

Hi Deborah - I wanted to alert you that the story about the orcas is being published this week. We wanted to reach out and offer BC Ferry a chance to comment on an incident that occurred in Active Pass in early March 2020 with your ferry boat and the [REDACTED] whale watching boat, and the DFO Canada research vessel with Paul Cottrell.

[REDACTED] FOIPP Act, ss. 15, 19 and 21

We are not saying the ferry did anything wrong, but would like the comments of the ferry boat captain or a general quote on the incident.

Please let me know if you can comment - our deadline is Wednesday end of day.

Thanks so much.

Best,

Janet

On Mon, Jul 20, 2020 at 3:14 PM Marshall, Deborah <Deborah.Marshall@bcferries.com> wrote:

Can you refresh our memories and send us the current version of the story?

Hartnell, Martene

From: James, Leslie
Sent: March 10, 2020 10:15 PM
To: Operations and Security Centre
Cc: Spirit of British Columbia, Deck; Fagen, David
Subject: Re: CCTV from interaction in Active Pass

Thank you!

Sent from my iPhone

On Mar 10, 2020, at 9:59 PM, Operations and Security Centre wrote:

Hi Leslie,
iSail 244157, we are working on capturing the video.
Regards,
Bradford

From: James, Leslie
Sent: March 10, 2020 9:56 PM
To: Operations and Security Centre
Cc: Spirit of British Columbia, Deck ; Fagen, David
Subject: Re: CCTV from interaction in Active Pass

Ok, thanks.

SOBC, can you please report the incident (I haven't seen an isail notice on this but I may have missed it). DFO is dealing with the whale watching company and TC is aware of this incident as well. Our bridge team did a stellar job, and cctv would be helpful for DFO if they need it to manage the whale watching company.

Sent from my iPhone

FOIPP Act, ss. 15 and 19

On Mar 10, 2020, at 4:24 PM, Operations and Security Centre [REDACTED] wrote:

Hi Leslie,
We will need the Spirit of British Columbia to report this incident first with the standard information, including time, location, distance etc.– as we are required to have an iSail incident in order to pull CCTV.

Cheers

Operations & Security Centre
British Columbia Ferry Services Inc.
Suite 500-1321 Blanshard St, Victoria, BC, V9A 6W9

[REDACTED] FOIPP Act, ss. 15 and 19

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From: James, Leslie <Leslie.James@bcferries.com>

Sent: March 10, 2020 4:15 PM

To: Spirit of British Columbia, Deck [REDACTED]

Cc: Operations and Security Centre [REDACTED]

FOIPP Act, ss. 15 and 19

Subject: CCTV from interaction in Active Pass

Hi Folks,

Great job in avoiding the whales, hopefully Paul Cottrell got hold of you.

OSC; can you pull the CCTV from this. This would have been the 3pm sailing.

Leslie James

Director, Environment and Sustainability

Safety, Health and Environment

British Columbia Ferry Services Inc.

[REDACTED] FOIPP Act, ss. 15, 19 and 22

leslie.james@bcferries.com

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From: James, Leslie
To: Grewal, Captain Hardeep; MacKay, Captain Lewis; Fagen, David
Subject: Active Pass - Navigational Channel
Date: November 12, 2020 4:11:00 PM

Good Day Everyone,

I just had a call from Michelle Sanders, she would like to have a call with us either towards the end of next week or early the following week, MCTS, TC Marine Safety and herself to discuss challenges with Active Pass and the possibility of having it made a navigational channel. Michelle raised the incident back in March (as it was witnessed by DFO and the reporter from the Wall Street Journal), but it would seem MCTS was unable to find any records of further incidents in Active Pass.

Hardeep; would you or folks from the bridge teams, be able to be on the call?

Lewis; can I request OSC do a data pull going back to 2018 for incidents in Active Pass involving vessels (whale watching or otherwise).

David, as DPA do you want to be on the call?

As an FYI, right now all day Friday (November 20), is open for me. Have I missed anyone else who should be included?

Thank you,

Leslie James
Director, Environmental Sustainability
Safety, Health and Environment
British Columbia Ferry Services Inc.

leslie.james@bcferries.com

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From: James, Leslie
To: [Spirit of British Columbia, Deck](#)
Cc: [Operations and Security Centre](#)
Subject: CCTV from interaction in Active Pass
Date: March 10, 2020 4:14:00 PM

Hi Folks,

Great job in avoiding the whales, hopefully Paul Cottrell got hold of you.

OSC; can you pull the CCTV from this. This would have been the 3pm sailing.

Leslie James
Director, Environment and Sustainability
Safety, Health and Environment
British Columbia Ferry Services Inc.

FOIPP Act, ss. 15, 19 and 22

leslie.james@bcferries.com

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From: James, Leslie
To: Sanders, Michelle
Subject: Re: Whale Watchers In Active Pass - causing a navigational hazard
Date: March 10, 2020 9:37:00 PM

The whale watchers were not moving, they told the ferry to go in the wrong direction on the radio (into the pod of whales), Paul Cottrell jumped onto the radio and told the ferry to go in the opposite direction (because the whales were there). The ferry did 5 short blasts on the horn to get the WW to shake a leg. It's an American WW company.

I am On the call (not there in person) and I have to get onto another call part way through. DFO is following up about this, and we are not very happy either.

Sent from my iPhone

> On Mar 10, 2020, at 8:30 PM, Sanders, Michelle <michelle.sanders@tc.gc.ca> wrote:

>

> Hi Leslie - thanks for this. So when you say they directed the vessel into the path of the whales, do you mean the ferry, or their own vessel?

>

> Will I see you at IMAG tomorrow?

>

> Sent from my BlackBerry 10 smartphone on the Rogers network.

> From: James, Leslie

> Sent: Tuesday, March 10, 2020 4:06 PM

> To: Sanders, Michelle

> Subject: Whale Watchers in Active Pass - causing a navigational hazard

>

>

> Hi Michelle,

>

> Paul Cottrell (DFO) just called me. Approximately 15-20 minutes ago, the SOBC was transiting through Active Pass, Paul Cottrell was on the water (on his radio), and there were about 16 SRKW there, the whale watching vessel [REDACTED] was in the middle of Active Pass and he could hear them telling the vessel to go the wrong direction (which from where Paul was would have put them right on top of the whales). The vessel did not listen to the [REDACTED] and altered course as far as they safely could to get around the SRKW and the whale watchers.

>

> Again, I would like to emphasize the importance of making Active Pass a navigational channel and not permitting the whale watchers in there. I would also like to point out that I thought the WW were supposed to be leaving the SRKW alone?

>

> Leslie James

> Director, Environment and Sustainability

> Safety, Health and Environment

> British Columbia Ferry Services Inc.

>

> [REDACTED] FOIPP Act, ss. 15, 19 and 22

> leslie.james@bcferries.com<mailto:leslie.james@bcferries.com>

> bcferries.com<<http://www.bcferries.com/>> | Facebook<<https://www.facebook.com/pages/BC-Ferries/119019564797374>> | Twitter<<https://twitter.com/BCFerries>>

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the sender. If you are not an authorized recipient, please notify the sender immediately and permanently destroy all copies of this message any attachments.

From: James, Leslie
To: [Sweet, Captain Derek](mailto:Derek.Sweet@bcferries.com)
Cc: [MacKay, Captain Lewis](mailto:Lewis.MacKay@bcferries.com)
Subject: RE: Active Pass vessel interactions
Date: October 27, 2020 1:01:00 PM

Thanks Derek! And uhmm that's AWESOME you saw that new youngster!

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

From: Sweet, Captain Derek <Derek.Sweet@bcferries.com>
Sent: October 27, 2020 12:29 PM
To: James, Leslie <Leslie.James@bcferries.com>
Cc: MacKay, Captain Lewis <Lewis.MacKay@bcferries.com>
Subject: Re: Active Pass vessel interactions

Thanks Leslie, I will definitely discuss with our group and inform them that efforts are underway by your team to assist, thank you!!)

Did I tell you I had a chance to call Paul Cottrell a few weeks back when we spotted the newest orcas on the coast, between pender and prevost island? Had a good chat with him. He was very interested in our sighting. We of course warned all other VL's in the area. I figure the poor little calf's need all the help they can get!

Cheers

Derek

Sent from my iPhone

> On Oct 27, 2020, at 9:37 AM, James, Leslie <Leslie.James@bcferries.com> wrote:

>

> All good Derek,

>

> It is busy times. Efforts are underway to make Active Pass a "navigational channel", which would mean the WW would not be allowed to go in there are hang around watching the whales. As you know, when the WW are in there, it also tends to attract pleasure craft and the next thing you know we are trying to navigate small craft, whales, and whale watchers in Active Pass, which I would think makes it a somewhat stressful for the bridge teams. If your teams are meeting anytime soon, perhaps if this message could be shared it may help your plight long term..

>

> Thanks,

>

> Leslie

>

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

> **From:** Sweet, Captain Derek <Derek.Sweet@bcferries.com>

> **Sent:** October 27, 2020 9:31 AM

> **To:** James, Leslie <Leslie.James@bcferries.com>

> **Cc:** MacKay, Captain Lewis <Lewis.MacKay@bcferries.com>

> **Subject:** Re: Active Pass vessel interactions

>

> Good Morning Leslie,

>

> My apologies, this item fell off the side of my desk when things got super busy in the OSC last week. I had searched this item in isail using " whale watcher" as key phrase.

>

> I found six items that came up in total , that had anything to do with whale watchers/whale watching VL S. The

>>
>> Hi Derek,
>>
>> Could the OSC please search how many isail reported interactions there have been between ships in Active Pass and whale watchers?
>>
>> Thanks Jan
>>
>>
>> Captain Jan Brockhausen
>> Director, Nautical Standards
>> Fleet Operations
>> British Columbia Ferry Services Inc.
>> [REDACTED] FOIPP Act, ss. 15, 19 and 22
>> jan.brockhausen@bcferries.com
>> bcferries.com | Facebook | Twitter
>>
>> Notice:
>> This communication is intended only for the use of the person or entity named above and may contain information that is confidential or legally privileged. If you are not the intended recipient named above or a person responsible for delivering messages or communications to the intended recipient, you are hereby notified that any use, distribution, or copying of this communication or any of the information contained in it is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and then destroy or delete this communication, or return it to us by mail if request by us. BC Ferries thanks you for your attention and co-operation.
>>
>>
>> -----Original Message-----
>> From: James, Leslie <Leslie.James@bcferries.com>
>> Sent: October 13, 2020 2:38 PM
>> To: Brockhausen, Captain Jan <Jan.Brockhausen@bcferries.com>; Grewal, Captain Hardeep <Hardeep.Grewal@bcferries.com>; MacKay, Captain Lewis <Lewis.MacKay@bcferries.com>
>> Subject: Active Pass vessel interactions
>>
>> Good day Captains,
>>
>> As you may recall there was a less than positive interaction with one of our vessels and a whale watching vessel in March 2020. DFO witnessed it, reported it to me, spoke to the bridge and and reported the incident to TC, (and gave the WW vessel an earful) as they were quite disappointed in the WW vessel. The topic of Active Pass being made a "navigational channel" has come up again, DFO is approaching TC about this and I was wondering if you may be able to share the frequency we have these challenges with vessels in Active Pass (whale watchers or otherwise).
>>
>> If you could share this with me in the next week, that would be a huge help.
>>
>> Thank you,
>>
>> Leslie
>>
>>
>>
>> Sent from my iPhone

From: James, Leslie
To: Grewal, Captain Hardeep
Cc: Fagen, David; Johnston, Darren
Subject: Re: Master of SOBC March 10 (isail incident 244157)
Date: March 19, 2020 12:22:12 PM

Thank you, I will pass this information over to the TC safety inspector.

Sent from my iPhone

On Mar 19, 2020, at 12:07 PM, Grewal, Captain Hardeep
<Hardeep.Grewal@bcferries.com> wrote:

Good day Leslie,

I am on board the SOBC now and same Captain is in command. It's Capt. [REDACTED]

[REDACTED] FOIPP Act, s. 22

He will be on board till 2:45 today and on PM shift on Saturday, Sunday and Monday.

Regards,
Hardeep

Marine Superintendent, South Coast

From: James, Leslie <Leslie.James@bcferries.com>
Date: Thursday, Mar 19, 2020, 11:53 AM
To: Grewal, Captain Hardeep <Hardeep.Grewal@bcferries.com>
Cc: Fagen, David <David.Fagen@bcferries.com>, Johnston, Darren
<Darren.Johnston@bcferries.com>
Subject: Master of SOBC March 10 (isail incident 244157)

Hi Capt. Grewal,

I hope this email finds you well in these challenging times. Could you tell me who the Master was on this day? TC Marine Safety wants to speak with them as DFO observed the incident and there were a number of concerns with the behaviour of the whale watcher (directing the ferry, not moving, safety and risk to SRKW etc). There happened to be a reporter from the Wall Street Journal on the DFO vessel who interviewed Deborah and I yesterday about our operations and SRKW and this incident came up.

To be clear DFO has no concerns with the action SOBC took ("they did everything they could") and not pleased with the Whale watcher, DFO stated that they believe this is a reoccurring issue for the ferries (trying to navigate around the whale watchers in Active Pass).

Thanks

Leslie James
Director, Environment and Sustainability
Safety, Health and Environment
British Columbia Ferry Services Inc.

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leslie.james@bcferries.com

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From: Clackson, Gregg
To: Irani, Khushru
Cc: James, Leslie; Wilson, John; Siddique, Abdulla Omar; Gomes, Cipriano; Smith, Justin
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard
Date: March 20, 2020 1:20:16 PM

We will give you a copy but most likely will be next week due to the other events happening within the company. Only my staff have seen the incident nobody else.

Gregg

Gregg Clackson
Director, Operations & Security Centre
Company Security Officer
British Columbia Ferry Services Inc.

gregg.clackson@bcferries.com
bcferries.com

FOIPP Act, ss. 15, 19 and 22

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

From: Irani, Khushru [mailto:khushru.irani@tc.gc.ca]
Sent: March 19, 2020 6:09 PM
To: Clackson, Gregg
Cc: James, Leslie; Wilson, John; Siddique, Abdulla Omar; Gomes, Cipriano; Smith, Justin
Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard

Hi Gregg,

Reference the captioned subject, I understand from Leslie that you would be able to provide me (TCMS), with a copy of the CCTV which presumably has captured some thing of what transpired in this incident. I am presuming that it had audio and video content.

Could you please make a copy on DVD and send it to our Vancouver address marked for my attention. Kindly retain the original on your possession, if required in the future.

I would also like to know if you or your staff have given this CCTV to anyone else outside your organisation.

If the CCTV has not captured the radio/VHF conversation, then please advise on which channel did this conversation take place and which of your officers were involved or witnessed this incident.

Thanks.

Best regards,
Capt. Khushru Irani
Senior Marine Inspector
TCMS Vancouver.
Tel: 604-775 7080.
Cell: 604-323 6409.

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "James, Leslie" <Leslie.James@bcferries.com>
Date: 2020-03-19 12:04 PM (GMT-08:00)

To: "Irani, Khushru" <khushru.irani@tc.gc.ca>
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

Good Day Capt. Irani,

Paul Cottrell was the DFO employee who observed the incident first and contacted me to get the phone number for the bridge.

Our Operations and Security Center (OSC) has the CCTV (Gregg Clackson in the Director of OSC) OSC Clackson, Gregg <Gregg.Clackson@bcferries.com>

[REDACTED] FOIPP Act, ss. 15, 19 and 22

I will send you the Master who was on the vessel that day when I confirm who it was (as I am not sure which watch it was at this time).

Leslie James

Director, Environment and Sustainability Safety, Health and Environment British Columbia Ferry Services Inc.

[REDACTED] leslie.james@bcferries.com bcferries.com

FOIPP Act, ss. 15, 19 and 22

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

From: Irani, Khushru <khushru.irani@tc.gc.ca>

Sent: March 19, 2020 10:36 AM

To: James, Leslie <Leslie.James@bcferries.com>

Cc: Smith, Justin <justin.smith@tc.gc.ca>; Gomes, Cipriano <cipriano.gomes@tc.gc.ca>; Wilson, John <John.Wilson@tc.gc.ca>; Siddique, Abdulla Omar <abdullaomar.siddique@tc.gc.ca>; Henneman, Sonja <sonja.henneman@tc.gc.ca>

Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard

Good morning Leslie,

Reference the incident described below,
I have been asked to look into this matter.

I would need all the relevant documentation and evidence to asses this allegation. Can you please put me in contact with the person in your organisation who will be able to assist me to do so. I will then list out what I am looking for.
Thanks.

Best regards,
Capt. Khushru Irani
Senior Marine Inspector
TCMS Vancouver.
Tel: 604 775 7080.

Sent from my Bell Samsung device over Canada's largest network.

> On Mar 18, 2020, at 15:23, Sanders, Michelle <michelle.sanders@tc.gc.ca> wrote:
>
> John, Diana,
> Just wanted to bring this incident to your attention. Apologies I should have done so earlier. In short, DFO was in Active Pass last week and there was a pod of SRKW. There was a whale watching vessel there as well and a ferry was coming through. It appears the whale watching vessel communicated with the ferry captain and essentially directed them into the whales. The captain did not follow the direction, but it was flagged as concerning that they were trying to direct them. They apparently have CCTV of the interaction.
>
> Leslie came back to me on this today because it turns out DFO had a reporter on board who is now doing a story on this and has called BCF for an interview. They also know that TC has been informed of this (through me). So there is a chance this will come back to us. [REDACTED] Is this the type of thing we would respond to/look into?

FOIPP Act, s. 22

> Thanks!
> Michelle
>
> -----Original Message-----
> From: Sanders , Michelle
> Sent: Wednesday, March 11, 2020 4:33 PM
> To: Henneman, Sonja <sonja.henneman@tc.gc.ca>
> Subject: Fw: Whale Watchers in Active Pass - causing a navigational hazard

> Exchange with Leslie on the srkw in Active Pass....
>
> Sent from my BlackBerry 10 smartphone on the Rogers network.
> Original Message
> From: James, Leslie <Leslie.James@bcferries.com>
> Sent: Wednesday, March 11, 2020 10:44 AM
> To: Sanders , Michelle
> Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

> Not yet, I am on another call now, I had to step out at 10am for another call. I will be back at 11. Someone texted me saying [REDACTED] had commented about "notifying ferries" in the last week about whales.

FOIPP Act, s. 22

> -----Original Message-----
> From: Sanders , Michelle <michelle.sanders@tc.gc.ca>
> Sent: March 11, 2020 10:39 AM
> To: James, Leslie <Leslie.James@bcferries.com>
> Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

> Thanks, have you shared with DFO?

> -----Original Message-----
> From: James, Leslie [mailto:Leslie.James@bcferries.com]
> Sent: Wednesday, March 11, 2020 10:34 AM
> To: Sanders , Michelle <michelle.sanders@tc.gc.ca>
> Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard

> We have CCTV of the event with WW.

> Sent from my iPhone

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>> On Mar 10, 2020, at 9:47 PM, Sanders, Michelle <michelle.sanders@tc.gc.ca> wrote:

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>> Thanks for the clarification. Will chat with DFO tomorrow (just got landed this eve).

>>
>> Technically the agreement is no longer in place - expired with the Interim Order.

FOIPP Act, ss. 13 and 22

>>
>> Sent from my BlackBerry 10 smartphone on the Rogers network.

>> Original Message

>> From: James, Leslie

>> Sent: Tuesday, March 10, 2020 9:41 PM

>> To: Sanders, Michelle

>> Subject: Re: Whale Watchers in Active Pass - causing a navigational

>> hazard

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>> Follow up question

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>> Sent from my iPhone

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>>>> From: James, Leslie

>>>> Sent: Tuesday, March 10, 2020 4:06 PM

>>>> To: Sanders, Michelle

>>>> Subject: Whale Watchers in Active Pass - causing a navigational

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>>>> Hi Michelle,

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>>>> Again, I would like to emphasize the importance of making Active Pass a navigational channel and not permitting the whale watchers in there. I would also like to point out that I thought the WW were supposed to be leaving the SRKW alone?

>>>>

>>>> Leslie James

>>>> Director, Environment and Sustainability Safety, Health and

>>>> Environment British Columbia Ferry Services Inc.

>>>>

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>>>> leslie.james@bcferries.com<mailto:leslie.james@bcferries.com>

>>>> bcferries.com<<http://www.bcferries.com/>> |

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ss. 15, 19
and 21

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>>>

From: Sanders, Michelle
To: James, Leslie
Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard
Date: March 18, 2020 2:57:54 PM

Got it. K. Will flip to them now and advise a call may come in.

As is no surprise, they are a little pre-occupied right now....

Sent from my BlackBerry 10 smartphone on the Rogers network.

Original Message
From: James, Leslie
Sent: Wednesday, March 18, 2020 5:49 PM
To: Sanders, Michelle
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

FOIPP Act, s. 13

I was not there and cannot speak to how close they were, you would have to ask DFO. The WSJ reporter is aware the TC has been told, so they may reach out to TC about it.

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

From: Sanders, Michelle <michelle.sanders@tc.gc.ca>
Sent: March 18, 2020 2:00 PM
To: James, Leslie <Leslie.James@bcferries.com>
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

I did not....yikes! Re the CCTV, unless they were violating a marine reg, not sure we can do anything with it. However...DFO could under SARA re harming, harassing, disturbing an endangered species...Thoughts if it amounted to that?

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

From: James, Leslie [mailto:Leslie.James@bcferries.com]
Sent: Wednesday, March 18, 2020 1:30 PM
To: Sanders, Michelle <michelle.sanders@tc.gc.ca>
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard
Importance: High

Hi Michelle,

Did you send this information to anyone in Marine Safety? I ask as unbeknownst to me (until yesterday) a reporter with the Wall Street Journal was with Paul Cottrell when that incident occurred who is interviewing me today. As I said we do have CCTV from the event, but a request will have to come from TC for it.

Regards,

Leslie James
Director, Environment and Sustainability Safety, Health and Environment British Columbia Ferry Services Inc.
leslie.james@bcferries.com bcferries.com

FOIPP Act, ss. 15, 19 and 22

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

From: James, Leslie <Leslie.James@bcferries.com>

Sent: March 11, 2020 10:34 AM

To: Sanders, Michelle <michelle.sanders@tc.gc.ca>

Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard

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Sent from my iPhone

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> To: Sanders , Michelle

> Subject: Re: Whale Watchers in Active Pass - causing a navigational

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>> To: Sanders , Michelle

>> Subject: Whale Watchers in Active Pass - causing a navigational

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FOIPP Act,
ss. 15, 19
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>> Again, I would like to emphasize the importance of making Active Pass a navigational channel and not permitting the whale watchers in there. I would also like to point out that I thought the WW were supposed to be leaving the SRKW alone?

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>> Leslie James

>> Director, Environment and Sustainability Safety, Health and

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>>

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>> leslie.james@bcferries.com<<mailto:leslie.james@bcferries.com>>

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>>

From: Irani, Khushru
To: James, Leslie
Subject: Re: Whale Watchers In Active Pass - causing a navigational hazard
Date: March 19, 2020 3:37:27 PM

Thanks Leslie. I will contact him tomorrow.
Stay safe.
Best regards,
Capt. Khushru Irani
Senior Marine Inspector
TCMS Vancouver.

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "James, Leslie" <Leslie.James@bcferries.com>
Date: 2020-03-19 1:45 PM (GMT-08:00)
To: "Irani, Khushru" <khushru.irani@tc.gc.ca>
Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

Hi Capt. Irani,

FOIPP Act, s. 22

The Master on board that day was Capt. [REDACTED]. He will be on board till 2:45 today and on PM shift on Saturday, Sunday and Monday.

FOIPP Act, s. 22

[REDACTED]
@bcferries.com

Bridge of SOBC [REDACTED]

FOIPP Act, ss. 15, 19 and 22

Kind Regards,

Leslie

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

From: Irani, Khushru <khushru.irani@tc.gc.ca>
Sent: March 19, 2020 10:36 AM
To: James, Leslie <Leslie.James@bcferries.com>
Cc: Smith, Justin <justin.smith@tc.gc.ca>; Gomes, Cipriano <cipriano.gomes@tc.gc.ca>; Wilson, John <John.Wilson@tc.gc.ca>; Siddique, Abdulla Omar <abdullaomar.siddique@tc.gc.ca>; Henneman, Sonja <sonja.henneman@tc.gc.ca>
Subject: Re: Whale Watchers in Active Pass - causing a navigational hazard

Good morning Leslie,

Reference the incident described below,
I have been asked to look into this matter.

I would need all the relevant documentation and evidence to assess this allegation. Can you please put me in contact with the person in your organisation who will be able to assist me to do so. I will then list out what I am looking for.
Thanks.

Best regards,

Capt. Khushru Irani
Senior Marine Inspector
TCMS Vancouver.
Tel: 604 775 7080.

Sent from my Bell Samsung device over Canada's largest network.

> On Mar 18, 2020, at 15:23, Sanders, Michelle <michelle.sanders@tc.gc.ca> wrote:

>

> John, Diana,

> Just wanted to bring this incident to your attention. Apologies I should have done so earlier. In short, DFO was in Active Pass last week and there was a pod of SRKW. There was a whale watching vessel there as well and a ferry was coming through. It appears the whale watching vessel communicated with the ferry captain and essentially directed them into the whales. The captain did not follow the direction, but it was flagged as concerning that they were trying to direct them. They apparently have CCTV of the interaction.

>

> Leslie came back to me on this today because it turns out DFO had a reporter on board who is now doing a story on this and has called BCF for an interview. They also know that TC has been informed of this (through me). So there is a chance this will come back to us. [REDACTED] Is this the type of thing we would respond to/look into?

>

FOIPP Act, s. 22

> Thanks!

> Michelle

>

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

> From: Sanders, Michelle

> Sent: Wednesday, March 11, 2020 4:33 PM

> To: Henneman, Sonja <sonja.henneman@tc.gc.ca>

> Subject: Fw: Whale Watchers in Active Pass - causing a navigational hazard

>

> Exchange with Leslie on the srkw in Active Pass....

>

> Sent from my BlackBerry 10 smartphone on the Rogers network.

> Original Message

> From: James, Leslie <Leslie.James@bcferries.com>

> Sent: Wednesday, March 11, 2020 10:44 AM

> To: Sanders, Michelle

> Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

>

>

> Not yet, I am on another call now, I had to step out at 10am for another call. I will be back at 11. Someone texted me saying [REDACTED] had commented about "notifying ferries" in the last week about whales.

>

FOIPP Act, s. 22

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

> From: Sanders, Michelle <michelle.sanders@tc.gc.ca>

> Sent: March 11, 2020 10:39 AM

> To: James, Leslie <Leslie.James@bcferries.com>

> Subject: RE: Whale Watchers in Active Pass - causing a navigational hazard

>
> Thanks, have you shared with DFO?

>
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> Sent: Wednesday, March 11, 2020 10:34 AM
> To: Sanders , Michelle <michelle.sanders@tc.gc.ca>
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>> [REDACTED] FOIPP Act, ss. 13 and 22

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ss. 15, 19
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>>> Director, Environment and Sustainability Safety, Health and

>>> Environment British Columbia Ferry Services Inc.

>>> [REDACTED] FOIPP Act, ss. 15, 19 and 22

>>> leslie.james@bcferries.com<mailto:leslie.james@bcferries.com>

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