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May 23, 2008

Information and Privacy Commissioner
Commissioner for British Columbia
P.O. Box 9038, Stn. Prov. Govt.
Victoria, B.C. V8W 9A4

by fax to (250) 387-1696

Dear Commissioner:

Re: Reference No. 292-30\MOE08.025

I request a review of a refusal to disclose information.

I enclose the following documents:

- 1) My request dated February 7, 2008,
- 2) The Ministry of the Environment's confirmation dated February 8, 2008,
- 3) The Ministry of the Environment's notice that the time limit would be extended, dated March 17, 2008, and
- 4) The Ministry of the Environment's letter dated May 21, 2008 stating that records would not be provided as they are exempted by reason of being Cabinet documents, Section 12(1) of the Act.

Also enclosed is a copy of the article I posted to my website on February 7, 2008 which puts my request for information in context.

A group of forest companies made a submission to the body that is considering a cap and trade system for greenhouse gases. They argued that the new system should follow the model used by the BC Ministry of the Environment for other gases which industry must report. My request for information is simply for examples of the system that the forest companies held out as a model and for any discussion of that existing reporting and audit system. The Ministry claims that any such documents would reveal the substance of deliberations of the Executive Council. It is inconceivable that documents that discuss something like routine reports on industrial gases could be captured by Section 12 of the Act. I am requesting your review of the Ministry's refusal to provide information.

The Ministry's refusal is particularly troubling in light of your Investigation Report F080-01, in which you dealt with the Ministry of the Environment's failure to abide by the Act.

I look forward to your assistance in resolving this appeal.

Sincerely,

David D. Schreck

cc: Peter J. Smith, by fax to 250-356-3036