

March 29, 2017

Dear Applicant:

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: FA/06/2017]**

As per our telephone conversation March 30<sup>th</sup>, 2017. Our revised response is as follows:

On March 1, 2017, the Department of Fisheries and Land Resources (formerly the Department of Fisheries, Forestry and Agrifoods) received your request for access to the following records/information:

*“1) Confirmation of the what the current, official Provincial Species Status is, for the George River Caribou Herd (GRCH). Please identify the category under which the GRCH is currently listed and/or assessed. (ie...Not at Risk, Of no Concern etc.)*

The official status for Woodland Caribou is listed as Threatened and can be found via the following link: [http://www.ecc.gov.nl.ca/wildlife/endangeredspecies/woodland\\_caribou.pdf](http://www.ecc.gov.nl.ca/wildlife/endangeredspecies/woodland_caribou.pdf)

Eastern Migratory Unit has not yet been assessed, the unit will be assessed at the COSEWIC Species Assessment Meeting to take place in the Yukon, between April 23-28<sup>th</sup>, 2017. Without an assessment the species is not listed as at risk in the province. George River Caribou was assessed along with all Woodland Caribou populations during the 2015 Wild Species General Status Assessments as S1-S2 Critically Imperiled-Imperiled. These ranks are scheduled to be released nationally very soon by the Canadian Endangered Species Conservation Council (CESCC).

And

*2) Any and all records which pertain to any reviews/discussions/reports/legal inquiries and/or recommendations relating to any changes in the official Provincial Species Status for the GRCH. (ie...Threatened, Endangered, Vulnerable etc.)”*

Please be advised that the Department of Fisheries and Land Resources has no records responsive to part two of your request.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal. The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-4797 or by email at [rhondahickey@gov.nl.ca](mailto:rhondahickey@gov.nl.ca).

Sincerely,



Rhonda Hickey  
ATIPP Coordinator

Enclosures

#### **Access or correction complaint**

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

- (2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
  - (b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).
- (3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.
- (4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.
- (5) The commissioner may allow a longer time period for the filing of a complaint under this section.
- (6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.
- (7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.
- (8) A complaint shall not be filed under this section with respect to
- (a) a request that is disregarded under section 21 ;
  - (b) a decision respecting an extension of time under section 23 ;
  - (c) a variation of a procedure under section 24 ; or
  - (d) an estimate of costs or a decision not to waive a cost under section 26 .
- (9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

[2015 cA-1.2 s42](#)

#### **Direct appeal to Trial Division by an applicant**

**52.** (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

- (2) An appeal shall be commenced under subsection (1) not later than 15 business days
- (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
  - (b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).
- (3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

[2015 cA-1.2 s52](#)