

Final Response

June 19, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 - FLR-47-2019

On May 22, 2019, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

“Any information pertaining to Bottomless Pond , Division No.5, NL Crown land lease rejections and reason.”

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Redactions have been made under Section 40 – Personal Privacy of the **Access to Information Protection of Privacy Act, 2015**. You will find a copy of responsive material attached.

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 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 this letter 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 Office of Public Engagement's 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 709-637-2354 or by email at Lisaneville@gov.nl.ca .

Sincerely,



Lisa Neville
ATIPP Coordinator

Right of access

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25 , of the costs of reproduction, shipping and locating a record.

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.

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).

Lands Branch
Western Regional Lands Office

In Reply Please Quote
File Reference No.

April 15, 2010

3016578



40(1)

COPY

Dear Sir:

RE: APPLICATION NO.: 136026
TYPE: Licence
PURPOSE: Remote Cottage
LOCATION: Bottomless Pond

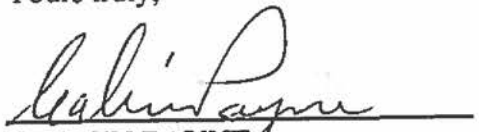
Based on the recommendations received, your application cannot be approved for the following reason(s):

- *Corner Brook Pulp and Paper Ltd. has informed this office that they have refused your application due to the site is located adjacent to a main access road and there is a potential safety conflict.*

Therefore, application number 136026 is deemed cancelled and the file closed.

If you require any additional information concerning this application we suggest you contact the referral agency listed above at 729-3090.

Yours truly,


CALVIN PAYNE
REGIONAL LANDS MANAGER

~ 1 ~



RECEIVED MAR 25 2010
Government of Newfoundland and Labrador
Department of Environment and Conservation

Lands Branch
Western Regional Lands Office

In Reply Please Quote
File Reference No.

MAR 19, 2010

3016578

CORNER BROOK PULP AND PAPER
Steve Balsom, Woodlands Dept.
P.O. Box 2001
Corner Brook NL
A2H 6J4

This referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies on the attached schedule. **YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION.**

Please be advised that the site on the attached map cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant:

40(1)

Telephone: (H): 709
Application Number: 136026
Application Type: Licence
Purpose: Remote Cottage
Location: Bottomless Pond
Area (hectares): 0
Frontage (metres): 0
Map Number: 12H05
Comments:

(O): 40(1)

Use:

RECOMMENDATION:

Approval Refusal Held for further investigation

COMMENTS: This application is located adjacent to a main access road. Potential safety conflict.

Signature

637-3314
Phone No.

March 31, 2010
Date

Please Return Only The Cover Sheet With Recommendations And Any Attachments You May Have.

COPY

In Reply Please Quote
File Reference No.

MARCH 5, 2018

3012893



40(1)

Dear Sir/Madam

**RE: APPLICATION NO.: 125073
TYPE: Grant Pursuant
PURPOSE: Cottage
LOCATION: Bottomless Pond**

Based on the recommendations received, your application cannot be approved for the following reason(s):

- Corner Brook Pulp and Paper Limited have informed this office that there was no reply to their request to compensation.

As a result, your application is cancelled and your file closed. Should you become aware that the circumstances pertaining to this refusal have changed and you wish to re-apply for this land, you will be required to submit a new application form, together with the applicable application fee.

If you require any additional information concerning this application we suggest you contact the referral agency listed above.

Yours truly


Fr. **JEFFREY BANNISTER**
Regional Lands Manager

Lands Branch
Western Regional Lands Office

This e-referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies as per the List of Referrals document included in the e-referral. **YOU HAVE TWENTY-ONE (21) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION. IF NO RESPONSE IS RECEIVED BY THE END OF 21 DAYS, IT SHALL BE ASSUMED THAT THERE ARE NO OBJECTIONS/RESTRICTIONS TO THIS APPLICATION.**

Please be advised that the site on the map, also included in the e-referral, cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS – REFERRAL

Applicant:



40(1)

Telephone: (H):



40(1)

Application Number: 125073

Application Type: Grant Pursuant

Purpose: Remote Recreational Cottage

Use: Cottage

Location: Bottomless Pond

Area (hectares): 0.2

Frontage (metres): 48

Map Number: 12H05

Comments:

REFERRAL AGENCY ONLY

Date: 1/28/2018

Department/Agency: CBPPL

Address: Corner Brook

RECOMMENDATION: Refusal (add comments)

COMMENTS: Inactive file – no reply to compensation request.

Name of Respondent: Barry Elkins

Phone No.: 709-637-3445

PLEASE RETURN, ELECTRONICALLY, THIS FORM AS A PDF WITH RECOMMENDATIONS AND ANY ATTACHMENTS YOU MAY HAVE.

In Reply Please Quote
File Reference No.

FEBRUARY 26, 2018

3020709

COPY

40(1)

Dear Sir/Madam

RE: APPLICATION NO.: 151833
TYPE: Licence
PURPOSE: Cottage
LOCATION: Bottomless Pond


Based on the recommendations received, your application cannot be approved for the following reasons(s):

Corner Brook Pulp and Paper Limited have informed this office that your proposed area is in conflict with Forest Management activities.

As a result, your application is cancelled and your file closed. Should you become aware that the circumstances pertaining to this refusal have changed and you wish to re-apply for this land, you will be required to submit a new application form, together with the applicable application fee.

If you require any additional information concerning this application we suggest you contact the referral agency listed above.

Yours truly


JEFFREY BANNISTER
Regional Lands Manager

Lands Branch
Western Regional Lands Office

This e-referral has been sent to you for your recommendation. Other referrals have been sent to the Department(s) and/or agencies as per the List of Referrals document included in the e-referral. **YOU HAVE TWENTY-ONE (21) DAYS FROM THE DATE OF THIS REFERRAL TO PROVIDE YOUR RECOMMENDATION ON THIS APPLICATION. IF NO RESPONSE IS RECEIVED BY THE END OF 21 DAYS, IT SHALL BE ASSUMED THAT THERE ARE NO OBJECTIONS/RESTRICTIONS TO THIS APPLICATION.**

Please be advised that the site on the map, also included in the e-referral, cannot be altered or relocated in any way without the prior approval of the Regional Lands Office.

APPLICATION FOR CROWN LANDS - REFERRAL

Applicant:

[REDACTED] 40(1)

Telephone: (H):

[REDACTED] 40(1)

Application Number: 151833

Application Type: Licence

Purpose: Remote Cottage

Location: Bottomless Pond

Area (hectares): 0

Frontage (metres): 0

Map Number:

Comments:

REFERRAL AGENCY ONLY

Date: 8/6/2017

Department/Agency: CBPPL

Address: Corner Brook

RECOMMENDATION: Refusal (add comments)

COMMENTS: Conflict with future forest management activities.

Name of Respondent: Barry Elkins

Phone No.: 709-637-3445

PLEASE RETURN, ELECTRONICALLY, THIS FORM AS A PDF WITH RECOMMENDATIONS AND ANY ATTACHMENTS YOU MAY HAVE.

All redactions on this page fall under S40(1)

ST.LAWRENCE TIMBER PULP & STEAMSHIP
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Vol - TL6 Fol - 336

