February 7, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act FLR/06/2019

On January 14, 2019, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

"Any and all records related to Mr. John Allan or Mr. Glenn Barnes in the crown lands division (Anyone below ADM level). This includes, but is not limited to, text messages, BBMs, hand written notes, emails, calendar requests, etc. The date range is December 1, 2015 to Present Day."

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Reactions have been made under section 40 – Personal Privacy of the Access to Information Act. 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 709.729.3730 or by email at hollywarford@gov.nl.ca.

Sincerely,

Holly Warford
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).
Warford, Holly

From: Grace, Tony
Sent: Monday, December 19, 2016 2:39 PM
To: Moore, Darren E.
Subject: FW: Application for Crown Lands
Attachments: 201608011820.pdf

From: Grandy, Jonathan
Sent: Monday, December 19, 2016 2:37 PM
To: Grace, Tony <TonyGrace@gov.nl.ca>
Subject: RE: Application for Crown Lands

Hi Tony,

I have been asking Darren about this file for a long time now. Technically there is nothing on the Lands Use Atlas preventing the acceptance of a Crown lands application. However there was once an agreement with Corner Brook Pulp and Paper for planned cottage development in this exact area. The attached application was accepted by the Eastern Regional Office and is outside of the planned development for that area. There have only been a few lots remaining in this area (which are now full) and many people have been turned away due to the agreement. I have been trying to get an answer from LMD to see if we can process the application or not and never did receive a response. I wrote Darren as recently as Dec. 8/16 asking for an update but I still have not received a response.

Thank you,

JONATHAN GRANDY | REGIONAL LANDS MANAGER
CROWN LANDS ADMINISTRATION DIVISION, LANDS BRANCH
DEPARTMENT OF MUNICIPAL AFFAIRS
SIR RICHARD SQUIRES BUILDING – 84 MOUNT BERNARD AVENUE
P.O. BOX 2006, CORNER BROOK, NL, CANADA A1H 6J8
T 709.637.2390 | F 709.637.8032

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From: Grace, Tony
Sent: Monday, December 19, 2016 1:56 PM
To: Grandy, Jonathan
Subject: FW: Application for Crown Lands

From: Dogurga, Sherrie-Lynn
Sent: Monday, December 19, 2016 10:59 AM
To: Grace, Tony <TonyGrace@gov.nl.ca>
Subject: FW: Application for Crown Lands

Hi Tony,
Wonder if you could take a look at this one, please.
Thanks,
Sherrie

From: Worthman, Matthew  
Sent: Monday, December 19, 2016 10:58 AM  
To: Dogurga, Sherrie-Lynn  
Subject: FW: Application for Crown Lands

Sherrie:  
As discussed.

Thanks.

MATTHEW WORTHMAN, B.Ed. | Executive Assistant to the Minister  
Hon. Steve Crocker  
Fisheries, Forestry and Agrifoods  
Petten Building  
30 Strawberry Marsh Road  
P.O. Box 8700, St. John's, NL A1B 4J6  
t 709-729-7967 | f 709-729-0360 | e matthewworthman@gov.nl.ca

From: Crocker, Steve  
Sent: Monday, December 19, 2016 10:34 AM  
To: Worthman, Matthew <MatthewWorthman@gov.nl.ca>  
Subject: Fw: Application for Crown Lands

Sent from my BlackBerry 10 smartphone on the Bell network.

From: [deleted]  
Sent: Monday, December 19, 2016 10:28 AM  
To: Crocker, Steve  
Subject: Application for Crown Lands

Good day Minister Crocker,

I am [deleted] son in law; I met you a couple weeks ago at the ASP function held at Yellow Belly.

I was speaking to John Allan this morning about an ongoing Crown Land application (see attached) I have been waiting to hear about for over a year. John mentioned that I should send you an email asking you to forward to Minister Joyce for a follow up.

The story with the land as I can best understand is that there was a freeze on this particular area due to the new hydro line. The new hydro line is cut and they have went in a different direction, thus, not using the land. If you
could please forward this to Minister Joyce so I can get an answer on this application. I see no reason why this application shouldn’t or can’t be approved.

I appreciate your time and I’m sure we will cross paths again in the near future.

Thanks,

[Signature]

Sec 40(1)
See below. We need this done. Mitch has a new value. Darren will send this.

Milly Meaney
Director, Crown Lands Administration
Department of Municipal Affairs
87-113 Higgins Line
Howley Building
St. John’s, NL. A1B 4J6

t: 709-729-3174
f: 709-729-4361
millymeaney@gov.nl.ca

Sent from my BlackBerry 10 smartphone on the Bell network.

We are aware of this issue.

Darren / Milly, Please pull together an information note quickly.

Thanks.

Sent from my BlackBerry 10 smartphone on the Bell network.

Peter,
The minister inquired about the land where the former circle square ranch used to be. He said someone has taken it over and wants to develop it (maybe?). There also may be an addictions recovery centre going on the site? Do you know anything about this? The minister would like a note done up and a briefing on it (I believe he wants this soon).

Thanks,
Heather
**Newfoundland Labrador**
Municipal and Intergovernmental Affairs

**APPLICATION FOR CROWN LANDS**

**FOR DEPARTMENT USE ONLY**

<table>
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<tr>
<th>APPLICATION NO.</th>
<th>RECEIPT NO. 078191</th>
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**APPLICANT INFORMATION**

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<th>SURNAME</th>
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<th>MIDDLE NAME</th>
<th>AGE</th>
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**MAILING ADDRESS**

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**BUSINESS TELEPHONE**

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**ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR?**

- [ ] YES
- [ ] NO

**ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS?**

- [ ] YES
- [ ] NO

**HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN?**

- [ ] YES
- [ ] NO

**IF YES, SPECIFY TITLE NO(s):**

**PROPOSED TENURE AND USE**

**TYPE OF APPLICATION**

- [ ] LEASE
- [ ] GRANT
- [ ] LICENCE TO OCCUPY

**LAND USE**

- [ ] RESIDENCE
- [ ] COTTAGE
- [ ] AQUACULTURE
- [ ] AGRICULTURE (provide details below)
- [ ] COMMERCIAL (provide detailed description below)
- [ ] OTHER (provide details below)

**DESCRIBE BUILDINGS TO BE ERECTED (if applicable)**

- DIMENSIONS: LENGTH 20\(\text{ft}\) WIDTH 30\(\text{ft}\)

**PROPOSED WATER AND SEWAGE FACILITIES (if applicable)**

- [ ] WELL
- [ ] SEPTIC
- [ ] MUNICIPAL WATER
- [ ] MUNICIPAL SEWER
- [ ] OTHER (provide details below)
LAND DESCRIPTION

1. THE LAND IS LOCATED AT Taylor's Brook Rd area.

IN THE ELECTORAL DISTRICT OF
Humber - Gros Morne

2. IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☐ YES ☐ NO

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM
NOTICE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

3. APPROXIMATE DIMENSIONS OF THE LAND

| FRONTAGE | 45 metres |
| DEPTH | 90 metres |

4. DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

5. IS THE SITE ACCESSIBLE BY ROAD? ☐ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☐ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? ____________ metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION:
☐ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

6. IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? ☐ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

7. ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☐ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUND ON NORTH BY Sec 40(1)

BOUND ON SOUTH:

BOUND ON EAST BY Sec 40(1)

BOUND ON WEST:

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME - FIRST SERVED BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, ________________________________________________________________________________ do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.

(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 2, where applicable).

(c) I am not aware of any adverse claim to the land applied for by any person(s).

(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.

(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.

(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.

(g) I FULLY UNDERSTAND THAT UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS OR THE LIEUTENANT-GOVERNOR IN COUNCIL MAY CANCEL, AMEND OR OTHERWISE DEAL WITH THE GRANT, LEASE, LICENCE OR EASEMENT AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At ____________________________ this 15 day of December 20__

Official Administering Oath

MS. ELEANOR KIELLY-GULLIVER

NOTE: A Commissioner for Oaths is required to swear or affirm the veracity of the above.
A copy of the original of this document is now on file in the Land Registry Office, Corner Brook, Labrador.
Commission expires on December 31, 20__
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<th>Agency Name</th>
<th>Approved</th>
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Officers Comments: ____________________________________________________________

Recommendation of Regional Office:
- □ Approved (Complete section below)
- □ Refused (Give reason)

This section to be completed by Regional Office when approval is recommended.
Area approved _______ Frontage _______ Consideration/Rental _______ Back/Rental _______
- □ Lease
- □ Grant
- □ Licence
- □ Other
- □ Type
Cabinet approval required □ Yes □ No
Special instructions to surveyor (if any): __________________________________________

Departmental decision:
- □ Approved
- □ Refused
- □ Deferred
- □ To Cabinet
Special instructions: ____________________________________________________________

Date: ___________________________ Lands Management/Lands Officer: ___________________

Date: ___________________________ Regional Lands Manager: __________________________

Date: ___________________________ Director of Lands Management: _____________________
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