

NOTICE OF REQUEST FOR REVIEW
Freedom of Information and Protection of Privacy Act

June 24, 2020

To: The Applicant

Tyra Henderson
Corporate Officer
Peace River Regional District
By Email tyra.henderson@prrd.bc.ca

**To: The Public Body (Ministry of Energy,
Mines and Petroleum Resources)**

Melissa Boyd
FOI Specialist
Information Access Operations
By Email IAOResourceTeam@gov.bc.ca

The applicant has requested that this Office ("OIPC") review the public body's decision to withhold information under section 15 of the *Freedom of Information and Protection of Privacy Act* ("FIPPA") in response to the applicant's request of December 19, 2019 under section 5 of FIPPA. As required by section 54 of FIPPA, I am enclosing a copy of the applicant's request for review for the public body.

OIPC Procedure

We opened this case as of April 27, 2020 and have assigned it to Senior Investigator Monique LeBlanc. The investigator will conduct a mediation of the request for review. The intent of the mediation process is to facilitate a settlement of the issues and to ensure that the applicant has received access to all records to which the applicant is entitled under FIPPA. If the parties are unable to reach a settlement, we may hold an inquiry. The investigator has the delegated authority to decide whether or not all or part of a matter should proceed to inquiry. If an inquiry is held, an adjudicator will decide the issues in dispute and issue an order.

Records in Dispute

I request that the Ministry of Energy, Mines and Petroleum Resources produce an **unsevered** copy of the records in dispute to the attention of Senior Investigator Monique LeBlanc. Please prepare the records as follows:

1. The pages of disputed records must be numbered clearly.
2. Information that has been severed and withheld must be highlighted, boxed or otherwise clearly marked to show that it has been withheld or severed.

3. The section number (and subsection where applicable) of FIPPA that is relied upon for each severance must be clearly indicated next to the withheld information.
4. We also request public bodies, wherever practicable, to provide a table listing the records in dispute by record or page number and listing the section of FIPPA applied by record or page number.

Please forward a copy of the records in dispute to the OIPC within 15 business days of the date of this letter.

As records often contain personal information or other sensitive information, the OIPC suggests that electronic records be sent using a secure method of transmission. Sending unencrypted records by email attachment is not considered a secure method of transmission. Files attached to an email should be encrypted and sent to ***info@oipc.bc.ca***. Files can also be encrypted and saved on mobile storage devices such as flash drives or DVDs, and sent by post or courier. The encryption key should be sent by a different method.

If sending paper records ensure the method of delivery includes the ability to track the package through the delivery process.

If you are attempting to send a large volume (10-20MB) of records by email our firewall may reject it. Please ask us about our secure file transfer application for large files.

Contact Information

If you have questions regarding this office's review and other processes, please see our FIPPA Guide to OIPC Processes, available on our website at <http://www.oipc.bc.ca/guidance-documents/1599>.

Please address future correspondence to Senior Investigator Monique LeBlanc. You may contact Senior Investigator LeBlanc directly at (250)387-0354, or by using the toll-free Enquiry BC phone line, which is (604) 660-2421 if you are calling from the Greater Vancouver area, or 1-800-663-7867 if you are calling from elsewhere in the province. A telephone operator will transfer your call free of charge.

Sincerely,

Ania Kokas
Case Review Officer

Encl.



PEACE RIVER REGIONAL DISTRICT

April 27, 2020

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street,
Victoria, BC V8W 9A4

Via Fax: (250) 387-1696

Dear Sir/Madam:

Re: Request for Review – FOIPPA Request to Province - File EMP-2019-98491

The Board of the Peace River Regional District would like to request the Information and Privacy Commissioner to review the February 28, 2020 decision from the Ministry of Citizens Services to withhold “all relevant reports related to the Old Fort Landslide”, pursuant to section 15 (Disclosure harmful to law enforcement) of the *Freedom of Information and Protection of Privacy Act*.

We have enclosed:

- a) A copy of the Peace River Regional District’s original request;
- b) A copy of Ministry of Citizens Service’s response

The Regional Board was disappointed that no information held by the Province was able to be shared, as there are residents in the vicinity of the slide who often ask if the cause of the slide is known, and if the mining operation above the slide is going to recommence. There are some properties that remain under evacuation alert and order due to the landslide, and the PRRD is interested in fully understanding the situation in order to be able to consider lifting these alerts.

If you have any questions or require additional information, please direct your written response to Tyra Henderson, Corporate Officer at tyra.henderson@prrd.bc.ca or by fax to (250) 784-3201.

Yours truly,

Tyra Henderson

Tyra Henderson
Corporate Officer

Enc.

c. Melissa Boyd, FOI Specialist, IAOResourceTeam@gov.bc.ca

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PLEASE REPLY TO:

☒ Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca
☐ Box 1003, 1003 St. Charles, Prince George, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: prrd.fsj@prrd.bc.ca



ARCS: 292-30
File: EMP-2019-98491

February 28, 2020

Sent via email: tyra.henderson@prrd.bc.ca

Tyra Henderson
Peace River Regional District
Box 810, 1981 Alaska Ave.
Dawson Creek BC V1G 4H8

Dear Tyra Henderson:

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Energy, Mines and Petroleum Resources. You narrowed your request on January 17, 2020 through email with Melissa Boyd. Your request is for:

All relevant reports related to the Old Fort Landslide.

Please be advised the records you requested are withheld in their entirety pursuant to section 15 (Disclosure harmful to law enforcement) of FOIPPA. A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Your file is now closed.

If you have any questions regarding your request, please contact Melissa Boyd, the analyst assigned to your request, at 778 698-2867. This number can be reached toll-free by calling from Vancouver, 604 660-2421, or from elsewhere in BC, 1 800 663-7867 and asking to be transferred to 778 698-2867.

.../2

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "M Boyd". The signature is written in a cursive, flowing style.

Melissa Boyd, FOI Specialist
On behalf of Matthew Prodan, Manager
Resource Team, Information Access Operations

Enclosures



PEACE RIVER REGIONAL DISTRICT

December 19, 2019

Information Access Operations
Ministry of Citizens' Services

Via Email: FOI.Requests@gov.bc.ca

Dear Sir/Madam:

**Re: *Freedom of Information and Protection of Privacy Act*
Request for Access to Records**

The Board of the Peace River Regional District, at its meeting held on November 28, 2019, passed the following resolution:

"That the Regional Board submit a Freedom of Information request to the Province of BC and all Ministries involved in the Old Fort Landslide event Requesting all relevant reports, statistics and assessments related to the Old Fort Landslide."

Please direct your written response to Tyra Henderson, Corporate Officer at tyra.henderson@prrd.bc.ca or by fax to (250) 784-3201.

Please contact me by phone at 250-784-3216 or tyra.henderson@prrd.bc.ca if you have any questions in this regard or if you require anything further.

Yours truly,

Tyra Henderson
Corporate Officer

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PLEASE REPLY TO:

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☐ 9905 100 St, Fort St John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1128 Email: prrd.fsj@prrd.bc.ca