



ARCS: 292-30
File: FNR-2011-00153

November 9, 2011

Sent via email:

Dear

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 Forests, Lands and Natural Resource Operations. Your request is for:

All documented communications made by Justine Batten and the Snaw'Naw'As First Nation.

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to section(s) 13 (Policy advice or recommendations), 14 (Legal advice), 16 (Disclosure harmful to intergovernmental relations or negotiations), 17 (Disclosure harmful to the financial or economic interests of a public body), and 22 (Disclosure harmful to personal privacy) of FOIPPA. A complete copy of FOIPPA is available online at:

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

The Heritage Conservation Act also applies to portions of the records. I have enclosed the section of the Act which applies.

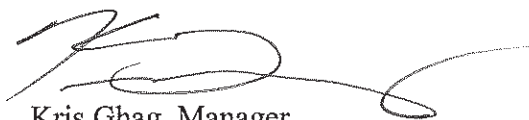
Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after it is released electronically or a minimum of five business days after it has been released by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Rhiannon Hamdi, the analyst assigned to your request, at (250) 387-1437. This number can be reached toll-free by calling from Vancouver, 604-660-7867, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to (250) 387-1437.

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 'Kris Ghag', with a long horizontal flourish extending to the right.

Kris Ghag, Manager
Resource Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.

Heritage Conservation Act***Provincial heritage register***

3 (1) The minister must establish and maintain one or more registers, to be known collectively as the Provincial heritage register, for the recording of the following:

- (a) Provincial heritage sites;
- (b) Provincial heritage objects;
- (c) heritage sites and heritage objects that are included in a schedule under section 4 (4) (a);
- (d) other known heritage sites and heritage objects that are, in the opinion of the minister, protected under section 13;
- (e) buildings, structures and sites for which the minister has received notice from a local government under section 977 (1) of the *Local Government Act* or section 602 (1) of the *Vancouver Charter*;
- (f) other prescribed heritage property.

(2) Subject to subsections (3) and (4), information in the Provincial heritage register must be available for inspection by any person during regular business hours.

(3) Despite the *Freedom of Information and Protection of Privacy Act*, the minister may refuse to disclose information in the Provincial heritage register and other information obtained in the administration of this Act or the *Museum Act* if any of the following apply:

- (a) disclosure of the information could, in the opinion of the minister, result in damage to or interfere with the conservation of a heritage site or heritage object;
- (b) disclosure of the information would violate an agreement made under section 4;

(c) anthropological information that is of traditional social, spiritual or other cultural importance to a living community

(i) was obtained under conditions of confidentiality, or

(ii) is confidential at the request of representatives of the community whose heritage is represented by the information.

(4) The inspection of information in the Provincial heritage register is subject to reasonable conditions the minister may impose.

(5) Without limiting subsection (4), the minister may require payment of a prescribed fee to inspect the information in the Provincial heritage register.

(6) Protection of a heritage site or heritage object is not affected by an error or omission in the Provincial heritage register or, except for a Provincial heritage site or Provincial heritage object, by a failure to register property in the Provincial heritage register.

