



File: 292-30/FNR-2021-11206

May 20, 2022

**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, Natural Resource Operations and Rural Development. Your request is for:

*All correspondence including the permit, permit application and reports regarding Heritage Inspection Permit 2009-0349 (Date Range for Record Search: From 1/1/2009 To 12/31/2013)*

Some information has been withheld pursuant to section(s) 15 (Disclosure harmful to law enforcement), 16 (Disclosure harmful to intergovernmental relations or negotiations), 18 (Disclosure harmful to the conservation of heritage sites, etc.), and 22 (Disclosure harmful to personal privacy) of FOIPPA. A complete copy of FOIPPA is available online at:

[http://www.bclaws.ca/civix/document/id/complete/statreg/96165\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00)

Please be advised that access to some of the records you have requested is denied pursuant to section 3(3) of the *Heritage Conservation Act* (HCA), which contains a provision that expressly provides that it applies despite FOIPPA. Section 3(7) of FOIPPA provides for this override.

A complete copy of FOIPPA and HCA are available online at:

[http://www.bclaws.ca/civix/document/id/complete/statreg/96165\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00)  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96187\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96187_01)

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We have provided you with the best available copy, although you may find that some pages are in poor condition.

These records will be published on the BC Government's Open Information website a minimum of ten business days after release. To find out more about Open Information, please access the Open Information website at: [www.gov.bc.ca/openinformation](http://www.gov.bc.ca/openinformation)

The records located in response to your request will be delivered through the BC Secure File Transfer Service. Separate emails will follow from the BC SFT Notification Service directing you how to set up an account and where to obtain your records. A guide for using the SFTS is enclosed for your convenience.

If you have any questions regarding your request, please contact Kimberly Kennedy, the analyst assigned to your request, at 250 704-3032. 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 250 704-3032.

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,

K.K.

Kimberly Kennedy, FOI Specialist  
On behalf of Francoise Robinson, Manager  
Resource Team, Information Access Operations

Enclosures

### **From the *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 12.1;

(e) buildings, structures and sites for which the minister has received notice from a local government under section 595 (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, information in the digital archives under the [Information Management Act](#) 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.

# BC Government Secure File Transfer Service

## Information Access Operations Ad-Hoc User Guide

### Returning Users

If you are a returning user, please use your existing username and password. Passwords expire after 90 days. You can update your password at anytime.

### New Users

Your records are provided to you via the Secure File Transfer Service (SFTS). You will need to setup a User Account to access to the STFS site.

You must log in to your temporary SFTS account within 7 days. After 7 days, your temporary SFTS account will expire and will no longer be accessible. If you are no longer able to access your account or records, please contact the FOI Analyst identified in your Response Letter for assistance.

### Email Communication

1. The first email has your Response Letter attached.
  - This email is from the FOI Analyst at Information Access Operations who processed your file.
  - If your records are password protected, the response letter will contain your **password to open your records**.
2. The second email is the *New Package is Waiting* notification email.
  - This email will be received at the same time as the third email.
  - A hyperlink to the SFTS is contained in this email.
3. The third email is the *New User Account for the BC Secure File Transfer Service*
  - This email is sent only to users who are required to setup a STFS User Account.
  - If you are an existing user and your account is still active, you will not receive this email.
  - This email contains the following:
    - a **Hyperlink** to the SFTS site
    - a **Username** to access the SFTS site
    - a **temporary Password** to access the SFTS site
  - If you are unable to locate this email, please check your junk/spam folder. It is from BC Secure File Transfer Notification Service <DONOTREPLY>@gov.bc.ca.

### Accessing Your Records

1. Setup your SFTS account.

- Click on the URL hyperlink provided in your third email.
  - You will be redirected to the SFTS site.
  - If you are not redirected to SFTS site, it is accessible at: [filetransfer.gov.bc.ca](http://filetransfer.gov.bc.ca).
2. Enter your *Username* and *Password*.
    - These are provided in your third email.
  3. Change your SFTS account password.
    - You will be required to do this as soon as you login.
    - Follow the instructions provided to you after you login to SFTS for the first time.
    - After you change your password, select "Finish." This will redirect you to your STFS Inbox.
  4. Your records are now accessible.
    - Records will be available in SFTS for 35 days.
    - You can download your records up to 5 times.
    - To download your records:
      - Click on the records package
      - Click on the *Download* button beside the file(s)
    - If your records are password protected, you will require a password to open the pdf document.
      - *The password to open the pdf is located in your first email's Response Letter.*
    - It is recommended that you download and save your records so you do not have to return to the SFTS each time to view.
  5. If your records are password protected, please consult your .pdf software's user manual on how to remove the password/encryption.
  6. If your records are contained within a zipped file, you may need to download a zip program onto your computer in order to open and extract the records. There are free zip programs available to download, such as 7-Zip for Windows, or BetterZip for Mac.

### **Troubleshooting**

- If the hyperlink to the SFTS site does not open, try to access the site on a different web browser such as Chrome, or Firefox or Safari.
- Your temporary SFTS account expires after 7 days unless the account is logged into again or receives a new package. Your account will be deleted 7 days after it has been marked as expired. Once it is deleted, you will need to have a new ad-hoc account created - contact the FOI Analyst identified in the response letter.
- If you have forgotten your password but your account is still active:
  - You can use the "Request a password change" link on the Login page.

- An email will be sent to you providing you the URL to confirm the password change.
  - Passwords expire after 90 days.
- If you encounter technical issues, please call the technical support line at 250-387-7000 and select option 3. You will need to advise the representative that you are requesting assistance as an ad-hoc user of the BC Secure File Transfer Service.

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| <p>How to Request a Review with the<br/>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.