



Fontaine Building
200 Sacré Coeur Blvd. 13th Floor
Gatineau, Québec
K1A 0H3

Your File Votre référence

2021-008846 / Two billion
tree commitment (Part one)

Our File Notre référence

A-2021-00305

June 3, 2021

Mr. David McKie
2011 Woodglen Crescent
Ottawa, Ontario
K1J 6G7

Dear Mr. McKie,

This is further to your request under the *Access to Information Act* (the Act) for:

“I would like access to final versions of internal briefing notes prepared for officials occupying the level of director general and above from Nov 20, 2019, to March 20, 2020, on progress of the two billion tree commitment. Please feel free to excluded material considered to be matters of cabinet confidence.”

Pursuant to paragraphs 9(1)(a) and (b) of the Act (copy attached), an extension of 120 days is required beyond the statutory 30-day limit allowed for the processing of your request. Due to the significant search of records involved, meeting the original time limit would unreasonably interfere with the operations of the Department. Consultations with other government institutions are also required and cannot reasonably be completed within the original time limit.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Information Commissioner of Canada
30 Victoria Street
Gatineau, Québec K1A 1H3

.../2

If you have any questions regarding this request, please contact Marla Komadina (Intake Officer) by email at ec.aiprp-atip.ec@canada.ca.

Yours sincerely,

Original signed by:

Shelley Emmerson
Director, Access to Information and Privacy

c.c. Information Commissioner of Canada

Access to Information Act

EXTENSION OF TIME LIMITS

9.(1) The head of a government institution may extend the time limit set out in section 7 or subsection 8(1) in respect of a request under this Act for a reasonable period of time, having regard to the circumstances, if

(a) the request is for a large number of records or necessitates a search through a large number of records and meeting the original time limit would unreasonably interfere with the operations of the government institution,

(b) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or

(c) notice of the request is given pursuant to subsection 27(1)

by giving notice of the extension and, in the circumstances set out in paragraph (a) or (b), the length of the extension, to the person who made the request within thirty days after the request is received, which notice shall contain a statement that the person has a right to make a complaint to the Information Commissioner about the extension.

Notice of extension to Information Commissioner

(2) Where the head of a government institution extends a time limit under subsection (1) for more than thirty days, the head of the institution shall give notice of the extension to the Information Commissioner at the same time as notice is given under subsection (1).



Fontaine Building
200 Sacré Coeur Blvd. 13th Floor
Gatineau, Québec K1A 0H3

Your File / Votre référence

2021-008849 / Two billion
tree commitment (Part two)

Our File / Notre référence

A-2021-00306

June 4, 2021

Mr. David McKie
2011 Woodglen Crescent
Ottawa, Ontario K1J 6G7

Dear Mr. McKie,

This is further to your request under the *Access to Information Act* (the Act) for:

“I would like access to final versions of internal briefing notes prepared for officials occupying the level of director general and above from March 7, 2020, to May 7, 2021, on progress of the two billion tree commitment. Please feel free to excluded material considered to be matters of cabinet confidence.”

Pursuant to paragraphs 9(1)(a) and (b) of the Act (copy attached), an extension of 120 days is required beyond the statutory 30-day limit allowed for the processing of your request. Due to the significant search of records involved, meeting the original time limit would unreasonably interfere with the operations of the Department. Consultations with other government institutions are also required and cannot reasonably be completed within the original time limit.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Information Commissioner of Canada
30 Victoria Street
Gatineau, Québec K1A 1H3

If you have any questions regarding this request, please contact Emily Robinson by email at ec.aiprp-atip.ec@canada.ca.

Yours sincerely,

Original signed by:

Shelley Emmerson
Director, Access to Information and Privacy

c.c. Information Commissioner of Canada

Access to Information Act

EXTENSION OF TIME LIMITS

9.(1) The head of a government institution may extend the time limit set out in section 7 or subsection 8(1) in respect of a request under this Act for a reasonable period of time, having regard to the circumstances, if

(a) the request is for a large number of records or necessitates a search through a large number of records and meeting the original time limit would unreasonably interfere with the operations of the government institution,

(b) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or

(c) notice of the request is given pursuant to subsection 27(1)

by giving notice of the extension and, in the circumstances set out in paragraph (a) or (b), the length of the extension, to the person who made the request within thirty days after the request is received, which notice shall contain a statement that the person has a right to make a complaint to the Information Commissioner about the extension.

Notice of extension to Information Commissioner

(2) Where the head of a government institution extends a time limit under subsection (1) for more than thirty days, the head of the institution shall give notice of the extension to the Information Commissioner at the same time as notice is given under subsection (1).



National Defence Défense nationale
National Defence Headquarters
Ottawa, Ontario
K1A 0K2

DND is now offering epost Connect™ services

The Department of National Defence's Access to Information and Privacy (ATIP) Office is now providing responses to requests submitted under the *Access to Information Act* and the *Privacy Act* via epost. EPOST Connect is a service that allows you to receive documents digitally in a safe, secure and timely manner **at no cost.**

What is epost?

EPOST Connect is a secure messaging service that offers protection for documents, files and messages under the *Canada Post Corporation Act* and the *Criminal Code of Canada*. This means that any information being shared remains secure and supports compliance with federal privacy regulations.

For more information about epost Connect, please visit:

<https://www.canadapost.ca/web/en/pages/epost/default.page>

New to epost? Simply:

Open a free account at www.epost.ca using the email address that was used to submit your Access to Information Act request / Privacy Act request.

Already have an epost account? Simply:

Wait for an email from the Department of National Defence indicating that you have epost mail and follow the steps provided in the email.

Accessing Documents in the epost Portal

Once uploaded, the records will remain available in the epost portal for 60 days. We recommend that you save the document(s) to your computer once you access the attachment(s).

What is Portable Document Format (PDF)?

This is a universal file format that allows users to read, print, or download an online document while maintaining the fonts, graphics, and general layout of that document. To view a PDF document, users must have Adobe Acrobat Reader installed. Adobe Acrobat Reader is available for free download from the Adobe website (<https://get.adobe.com/reader/>)



Natural Resources
Canada

Ressources naturelles
Canada

ATIP Secretariat
580 Booth Street, 11th Floor
Ottawa, ON K1A 0E4
Facsimile: (613) 995-0693

Secrétariat de l'AIPRP
580, rue Booth, 11^e étage
Ottawa ON K1A 0E4
Télécopieur: (613) 995-0693

Our file: A-2021-00084 /CP

June 7, 2021

Mr. David McKie
Canada's National Observer
2011 Woodglen Crescent
Ottawa, ON K1J 6G7

Dear Mr. McKie:

Re: Access to Information Act request

This refers to your request made pursuant to the *Access to Information Act*, which was received in our Department on May 7, 2021, and reads as follows:

“Access to final versions of internal briefing notes prepared for officials occupying the level of director general and above from Nov 20, 2019, to March 20, 2020, on progress of the two billion tree commitment.”

A preliminary review of the requested documents indicates that consultations will be required. Therefore, under section 9(1)(b) of the *Act* (copy enclosed), an extension of up to 170 days is required for consultations with other government departments. In addition, we are taking an extension under section 9(1)(c) of the *Act* (copy enclosed) to complete third party consultations. However, we plan to release documents to you as soon as they become available.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within 60 days after the day that you become aware that grounds for a complaint exist. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

The Information Commissioner of Canada
30 Victoria Street
Gatineau, Quebec K1A 1H3
Telephone: (613) 995-2410 (National Capital
Region)
1-800-267-0441 (Toll-free)

Should you have any questions, please do not hesitate to contact Chantal Pierre at 343-543-6282 or by e-mail at chantal.pierre@canada.ca.

Sincerely yours,

Ami Najm

Ami Najm
Director
Access to Information and Privacy

Enclosures
cc. Information Commissioner

ACCESS TO GOVERNMENT RECORDS

Requests for Access

Extension of time limits

9.(1) The head of a government institution may extend the time limit set out in section 7 or subsection 8(1) in respect of a request under this Act for a reasonable period of time, having regard to the circumstances, if

(a) the request is for a large number of records or necessitates a search through a large number of records and meeting the original time limit would unreasonably interfere with the operations of the government institution,

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by giving notice of the extension and, in the circumstances set out in paragraph (a) or (b), the length of the extension, to the person who made the request within thirty days after the request is received, which notice shall contain a statement that the person has a right to make a complaint to the Information Commissioner about the extension.

Notice of extension to Information Commissioner

(2) Where the head of a government institution extends a time limit under subsection (1) for more than thirty days, the head of the institution shall give notice of the extension to the Information Commissioner at the same time as notice is given under subsection (1).
R.S. 1985, c. A-1, s.9.



Natural Resources
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ATIP Secretariat
580 Booth Street, 11th Floor
Ottawa, ON K1A 0E4
Facsimile: (613) 995-0693

Secrétariat de l'AIPRP
580, rue Booth, 11^e étage
Ottawa ON K1A 0E4
Télécopieur: (613) 995-0693

Our file: A-2021-00106 / JOB

June 16, 2021

Mr. David McKie
Canada's National Observer
2011 Woodglen Crescent
Ottawa, ON
K1J 6G7

Dear Mr. McKie:

Re: Access to Information Act request

This refers to your request made pursuant to the *Access to Information Act*, which was received in our Department on May 18, 2021, and reads as follows:

“Docket 187904: DM/DMA Meeting With Transalta Regarding Net Zero and the Associated Policy Work (Pumped Hydro and Electricity Decarbonization).”

Pursuant to paragraph 9(1)(c) of the Access to Information Act, we wish to notify you that a time extension is required to comply with your request because notice to a third party was given pursuant to subsection 27(1) of the Act. An Information Sheet on section 9 and subsection 27(1) is enclosed for your convenience.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within 60 days after the day that you become aware that grounds for a complaint exist. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

The Information Commissioner of Canada
30 Victoria Street
Gatineau, Quebec K1A 1H3
Telephone: (613) 995-2410 (National Capital Region)
1-800-267-0441 (Toll-free)

Should you have any questions regarding the foregoing, please do not hesitate to contact Julie O'Bryan at 343-543-6290 or by e-mail at julie.obryan@canada.ca

Sincerely yours,

Ami Najm

Ami Najm
Director
Access to Information and Privacy

Enclosures
cc: Information Commissioner

ACCESS TO GOVERNMENT RECORDS

Requests for Access

Section 9 of the *Access to Information Act*

Extension of time limits

9(1) The head of a government institution may extend the time limit set out in section 7 or subsection 8(1) in respect of a request under this Act for a reasonable period of time, having regard to the circumstances, if

- a) the request is for a large number of records or necessitates a search through a large number of records and meeting the original time limits would unreasonably interfere with the operations of the government institution,
- b) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or
- c) notice of the request is given pursuant to subsection 27(1)

By giving notice of the extension and, in the circumstances set out in paragraph (a) or (b), the length of the extension, to the person who made the request within thirty days after the request is received, which notice shall contain a statement that the person has a right to make a complaint to the Information Commissioner about the extension.

Notice of extension to Information Commissioner

(2) Where the head of a government institution extends a time limit under subsection (1) for more than thirty days, the head of the institution shall give notice of the extension to the Information Commissioner at the same time as notice is given under subsection (1).

R.S., 1985, c. A-1, s. 9; 2019, c. 18, s. 41(E).

Section 27 of the *Access to Information Act*

Notice to third parties

27 (1) If the head of a government institution intends to disclose a record requested under this Act that contains or that the head has reason to believe might contain trade secrets of a third party, information described in paragraph 20(1)(b) or (b.1) that was supplied by a third party, or information the disclosure of which the head can reasonably foresee might effect a result described in paragraph 20(1)(c) or (d) in respect of a third party, the head shall make every reasonable effort to give the third party written notice of the request and of the head's intention to disclose within 30 days after the request is received.

R.S., 1985, c. A-1, s. 27; 2007, c. 15, s. 9; 2019, c. 18, s. 41(E).

from: **David McKie** <davidmckiec@gmail.com>

to: "Comor-Subotich, Rose (NRCAN/RNCAN)" <rose.comor-subotich@canada.ca>

date: Jun 7, 2021, 1:22 PM

subject: Re: NRCan ATIP A-2021-00075

Re: NRCan ATIP A-2021-00075



David McKie <davidmckiec@gmail.com>

1:22 PM (0 minutes ago)

to Rose

Yes, Rosey. That would be fine.

Thanks,
David

On Mon, Jun 7, 2021 at 10:55 AM Comor-Subotich, Rose (NRCAN/RNCAN) <rose.comor-subotich@canada.ca> wrote:
Good morning David,

Hope all is well.

Further to your conversation with my colleague Paul Jonah last week, another one of your NRCan ATIP files (A-2021-00075) is also classified and cannot be processed at this time.

Would you be willing to also put this one on hold until we can complete processing?

Apologies for not including it with the others last week!

Thanks very much,
Rosey

Rosey Comor-Subotich
A/ Team Leader
ATIP Secretariat | Secrétariat de l'AIPRP
Natural Resources Canada | Ressources naturelles Canada
T: 343-543-6429

Pierre, Chantal
(NRCAN/RNCAN) <chantal.pierre@canada.ca>

from:

to: David McKie
<davidmckiec@gmail.com>
date: Jun 4, 2021, 2:45 PM
subject: RE: Update Regarding
Your Requests

RE: Update Regarding Your Requests

Inbox



Pierre, Chantal (NRCAN/RNCAN)

Fri, Jun 4, 2:45 PM (3
days ago)

to me

Good afternoon Mr. McKie,

Sorry for the delay in my reply. My TL Paul Jonah tried to connect with you this afternoon in order to provide you with some more clarification.

This is correct that the below requests would be on hold for an undetermined amount of time as there is no set time for when departmental employees will be able to return to the office.

Please be advised that it has come to our attention that in addition to the three requests listed below, A-2021-00070 "Docket 190436: Deputy Minister Meeting with the Board of Directors of Invest in Canada." is also classified Secret. Please advise if we can put this file on hold as well.

Thank you,

Chantal Pierre

ATIP Analyst

ATIP Secretariat/Secrétariat de l'AIPRP

Natural Resources Canada/Ressources naturelles Canada

580 Booth Street, 11th Floor Ottawa, Ontario K1A 0E4/

580, Booth Street, 11e étage Ottawa (Ontario) K1A 0E4

Tel: (343) 543-6282

From: David McKie <davidmckiec@gmail.com>

Sent: June 3, 2021 2:15 PM

To: Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca>; David McKie <davidmckiec@gmail.com>

Subject: Re: Update Regarding Your Requests

Thanks. So, am I to understand that this request is on untold until an undetermined time?
David

On Thu, Jun 3, 2021 at 1:57 PM Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca> wrote:
Good afternoon,

Unfortunately at this time no timeline has been established for when departmental employees will be permitted back into the office. We are awaiting guidance from the department for when a safe re-entry into the workplace can take place.

Thank you,

Chantal Pierre

ATIP Analyst
ATIP Secretariat/Secrétariat de l'AIPRP
Natural Resources Canada/Ressources naturelles Canada
580 Booth Street, 11th Floor Ottawa, Ontario K1A 0E4/
580, Booth Street, 11e étage Ottawa (Ontario) K1A 0E4
Tel: (343) 543-6282

From: David McKie <davidmckiec@gmail.com>
Sent: June 3, 2021 1:01 PM
To: Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca>; David McKie <davidmckiec@gmail.com>
Subject: Re: Update Regarding Your Requests

Hi, Chantal. That's good news that you'll be able to -- eventually -- review the files. I can appreciate the fluidity of office arrangements, but do you have an idea when you might be able to review the briefing notes?
Thanks,
David

On Wed, Jun 2, 2021 at 7:39 AM Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca> wrote:
Good morning,

Thank you we will proceed with putting the files on hold.

The "Secret" classification is purely a security classification, and is not indicative of whether or not the department will be able to disclose the information. As department employees are all currently working from home, we are just unable to process these documents as they must be reviewed in a secure network due to the security standards described in the links below. Once we are able to re-enter the office we will finish the processing of these requests.

Thank you,

Chantal Pierre

ATIP Analyst
ATIP Secretariat/Secrétariat de l'AIPRP
Natural Resources Canada/Ressources naturelles Canada
580 Booth Street, 11th Floor Ottawa, Ontario K1A 0E4/
580, Booth Street, 11e étage Ottawa (Ontario) K1A 0E4
Tel: (343) 543-6282

From: David McKie <davidmckiec@gmail.com>
Sent: June 1, 2021 3:44 PM
To: Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca>; David McKie <davidmckiec@gmail.com>
Subject: Re: Update Regarding Your Requests

Please put them on hold, though I'm curious why they were on the list if the intention was to keep them secret?

Thanks,
David

On Tue, Jun 1, 2021 at 1:07 PM Pierre, Chantal (NRCAN/RNCAN) <chantal.pierre@canada.ca> wrote:
Good afternoon,

This is in regards to the following requests:

A-2021-00077: *Docket 190198: Pathway to Net-Zero Oil Sands.*

A-2021-00080: *Docket 190751: Update on the Status of the Atlantic Loop and Lower Churchill.*

A-2021-00081: *Docket 190452: Growing Canada's Forests: Thresholds on Ministerial Authorities.*

Following the tasking of the briefing notes related to your requests, we were informed that these records are in fact classified as "Secret". As we are expected to comply with the [Directive on Security Management](#) and the [Standard on Security Categorization](#), we are unable to process the briefing notes from a remote location - these records (and all classified documents) must be processed using a secure network and in a secure area. At this time, there is no set time for when departmental employees will be able to return to the office as we wait on direction from the government. Can you please advise if you would be willing to put these requests on hold until we are able to process the records in the office?

We continue to work on your other outstanding requests in the meantime.

Thank you,

Chantal Pierre

ATIP Analyst

ATIP Secretariat/Secrétariat de l'AIPRP

Natural Resources Canada/Ressources naturelles Canada

580 Booth Street, 11th Floor Ottawa, Ontario K1A 0E4/

580, Booth Street, 11e étage Ottawa (Ontario) K1A 0E4

Tel: (343) 543-6282

from: **Sewell McPherson, Janet (HC/SC)** <janet.sewellmcperson@canada.ca>
to: Rachel Laurin <Rachel.Laurin@oic-ci.gc.ca>
cc: "Richardson, Cynthia (HC/SC)" <cynthia.richardson@canada.ca>,
"Fowler, Kelly (HC/SC)" <kelly.fowler@canada.ca>,
"Nadon2, Vicky (HC/SC)" <vicky.nadon2@canada.ca>
date: May 25, 2021, 3:21 PM
subject: HC ATI A-2018-000166 - OIC Complaint file
3218-01553 - NOTICE OF APPLICATION FOR
JUDICIAL REVIEW

HC ATI A-2018-000166 - OIC Complaint file 3218-01553 - NOTICE OF APPLICATION FOR JUDICIAL REVIEW

Inbox



Sewell McPherson, Janet (HC/SC) <janet.sewellmcperson@canada.ca>
to Rachel, Cynthia, Kelly, Vicky

Tue, May 25, 3:21 PM (23
hours ago)

Good afternoon,

This is to let you know, pursuant to s. 44(2) of the *Access to Information Act*, that **PFM Medical Incorporated**, has provided us proof that they have taken steps to file an application for judicial review on records pertaining to your request.

As there were a total of 21 third parties that were consulted on the records for this request. Prior to releasing the information to you, the requester, we sought confirmation from the Federal Court of Canada to validate that no other applications for judicial review had been submitted. As of today the Federal Court was unable to confirm as of today, in writing, whether any of the 20 other third parties had filed an application for judicial review.

As such, we are unable to proceed with any disclosure of any records until we have confirmation which third parties have filed any application for judicial review.

Once we have clear confirmation of which third parties have filed for a judicial review, we will assess the disclosure of the records at that time, and where possible, we will proceed to release the information in the form of an interim release.

Sincerely,

Janet Sewell McPherson

(she / elle)

Manager, Access to Information and Privacy

Health Canada and Public Health Agency of Canada / Government of Canada

janet.sewellmcperson@canada.ca / Tel: 613-793-2582