

Directive No. 97-18 **Date** July 29, 1997

Subject **Release of Timber Information**

Purpose

To maintain a database of information required for managing provincial forest resources in a sustainable manner.

To support integration of planning and operations by resource users sharing a common land base.

Policy

Promoting wide-spread access to the best available resource information supports responsible management by all users and reduces costly duplication of effort. Considerable information about Crown lands is available to the public through inventory maps, aerial photos and associated computer files, offering information regarding the resource quality and quantity. The government's policy of open access by the public to government records, subject to well-defined limitations, is established in the Freedom of Information and Protection of Privacy Act (FOIPPA). Under this legislation, the government will make its own data readily available, either free of charge or at a listed or negotiated price.

Third parties, such as disposition holders, often collect similar resource related information for their operating areas. Considerable expense is incurred by the parties in collecting and maintaining such data. The government will only release data owned by other parties, if the release is authorized under the terms of a Data Sharing Agreement (DSA) or by the Department's FOIPPA office. The third party may however release this information if they so choose. Data Sharing Agreements exist between the government and many disposition holders that may allow the government to release certain third party information. These agreements must be reviewed to determine what, if any, information may be released. Where a DSA is not in place, requests for information should be directed to the Department's FOIPPA Office in Edmonton.

Procedure

Forest Inventory DSA

Alberta Sustainable Resource Development (ASRD) staff are negotiating DSAs with disposition holders who have completed Alberta Vegetation Inventory (AVI) coverage for all or part of their operating area. The data, once received, will be stored in the provincial database with a copy provided to the appropriate Forest Area office(s). Where a DSA is in place, the agreement must be reviewed to determine what information can be released and distributed to whom, and how that release may take place. It is the intent of the Department to distribute all data in a manner consistent with existing DSAs.

Third Party Access to Information

Resource Data Division (RDD) maintains the digital forest and vegetation inventory data for ASRD. Standardized products (such as AVI in paper and

digital formats) are available for distribution at a reasonable fee, while the production of non-standard, customized data or reports may be provided at a price negotiated between RDD and the customer. Any requests for data generated by the government should be directed to that Division. Some data generated by non-government sources is copyright protected and therefore all requests for this type of data should first be directed to the owner of the data (i.e. disposition holder).

Under Section 15 of FOIPPA, the Crown may deny requests for the release of records that would:

1. reveal specific commercial, scientific or technical information of a third party (i.e. disposition holder); or would
2. reasonably be expected to significantly harm the competitive position of a third party;

If, however, the third party consents to the disclosure, the release will be permitted.

Those requesting information that is currently available for purchase or that is to be made available to the public within 60 days will not be afforded any further right to access.

Competitive or Restricted Commercial Timber Permit Sales

The Notice of Sale states that “No warranty is given as to the quantity or quality of the timber.” All government information that would reasonably be relevant to prospective bidders will be made available in bidding packages. This disclosure will ensure that interested bidders are provided with information that will allow them to establish the most informed bid possible. Interested parties are however encouraged to make their own inspections and evaluations in advance of submitting their bid.

Questions regarding the release of information should be directed to the Department’s FOIPPA Office in Edmonton.

Authorities

Section 7 of the Forests Act - The Minister is responsible for administration and management of Crown timber.

Section 15 of the Freedom of Information and Privacy Protection Act - specifies information that type of information where disclosure may be refused.

Section 28 of the Freedom of Information and Privacy Protection Act - allows the Crown to deny requests for information that is already available or that will be released within 60 days of the request.

Applicable Data Sharing Agreement(s).

Contacts

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