



Department of Environment
PO Box 2703, Whitehorse, Yukon Y1A 2C6

December 10, 2021

Applicant c/o
Jeffrey Sunstrum, Access and Privacy Officer,
Corporate Information Management, ATIPP Office

RE: Final Response Access Request #21-359

Decision

The Department of Environment has searched the Deputy Minister's Office, Assistant Deputy Minister's Offices, Conservation Officer Services and Fish and Wildlife branch and has identified records responsive to Access Request #21-359. The final response to the information request is as follows:

Records Withheld in Full

The Department of Environment is withholding the information relating to the request noted below:

All GPS collar data for Yukon North Slope Grizzly Bears, in full, including all data fields (e.g., coordinates, time, PDOP, temperature, motion, accelerometer, etc...). Data range from 2003 to 2011. Data was provided to non-government organizations and contractors in 2015 and 2016. I am requesting the data be sent to me in electronic Excel file format.

ADDITIONAL INFORMATION:

Clarification#1: There is data within this request that may cause harm to the bear populations if released. In light of this, the Department of Environment would like to know if the applicant is willing to narrow the scope of the coordinates field to exclude bear denning locations?

Answer#1: I am actually interested in the full data set and concerned that the exclusion of data that might reveal a den location might be liberally applied to any spring and fall location. It

would be best if the public body did not exclude this data. The data I am requesting is greater than 10 years old, and given the dynamics of permafrost and the soil in this region, and the denning behaviour of bears, any of the den locations that could be discerned from this data set have no probability of being currently used or used in the future. Hopefully, that ameliorates the public body's concern about implications to conservation of bears.

Clarification#2: We would like to note a few corrections regarding the timeframe for the applicant's consideration. Based on our records, the timeframe for the data are from 2004 to 2011, and this data did not include collar data but rather grid information. The data was released to a third party in 2017. This is just to let the applicant know as this may affect their request. We also would like to confirm if the applicant is looking for data between January 1 2003 (or 2004) to December 31, 2011? Or are they looking for a different timeframe instead of a full year between the years identified? We received information about bear behaviours regarding den locations. It appears that bear den locations remain fairly consistent, and it is expected that den locations from 10 years ago would still be used presently. Considering this new information, we would like to confirm if the applicant would be willing to exclude den locations?

Answer#2: Using GPS collars, the Yukon Government appears to have collared and tracked grizzly bears on Yukon's North Slope between January 1, 2004, and December 31, 2010. I am seeking all the data from these collars. I am not seeking information on a 'grid.' I am not sure what 2017 request the public body is referencing and have no knowledge of this request, nor have I been able to find any information on it. Regardless, the information I am after appears to be different from the information they are referencing. I am requesting all data from this data set, including spring and fall locations of collared bears or locations that the public body may reveal potential den sites.

The records being withheld are listed in the attached Schedule of Records. The records have been withheld pursuant to the following sections under the Access to Information and Protection Privacy Act (ATIPP Act):

ATIPP Act Sections	Explanation
Section 78(b)	Disclosure may result in damage to, or interference with, the conservation or preservation of a species of plant or animal that is endangered, threatened or vulnerable.

Section 76(1)	Disclosure could harm relations between the Government of Yukon and another government or organization.
Section 75(a)(iii)	Disclosure harmful to economic or financial interests of the public body: commercial, financial, scientific or technical information of the Government of Yukon or a public body and that has or is reasonably likely to have monetary value, that, if disclosed, may harm the financial or economic interests of the Government of Yukon, or the ability of the Government of Yukon to manage the economy
Section 75(a)(iv)	Disclosure harmful to economic or financial interests of the public body: a position, plan, procedure or instruction, or estimates or criteria, developed for the purpose of contractual or other negotiations (including land claims and self-government negotiations, and labour relations negotiations) by or on behalf of the Government of Yukon or a public body, that, if disclosed, may harm the financial or economic interests of the Government of Yukon, or the ability of the Government of Yukon to manage the economy

The detailed sections supporting the decision to withhold the information are available online at https://laws.yukon.ca/cms/images/LEGISLATION/PRINCIPAL/2018/2018-0009/2018-0009_1.pdf.

Pursuant to the ATIPP Act s.78(b) regarding animal species that are threatened, endangered or vulnerable; grizzly bears are identified as an animal species that is vulnerable. In order to protect the conservation of this species, the records are being withheld. The status of grizzly bears are determined from: i) the federal Species at Risk Act (SARA), Schedule 1, Part 4: Special Concern, and ii) the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). Grizzly bears are identified as a species of special concern under SARA and COSEWIC.

The Department of Environment works closely with other governments and agencies, including the Government of Canada, the Inuvialuit Game Council, Aklavik Hunters and Trappers Committee, and the Wildlife Management Advisory Council (North Slope), in order to manage the Yukon North Slope grizzly bear population in a manner that reflects and implements the Inuvialuit Final Agreement.

The records that were requested contain scientific or technical information of the Department of Environment. The scientific or technical information assists in the conservation and management of the grizzly bear population in Yukon North Slope.

There will be no charge to the applicant.

Right to Complain

Pursuant to section 66 of the ATIPP Act, you may complain to Yukon's Information and Privacy Commissioner in respect of this response within 30 business days of receiving this notice by contacting:

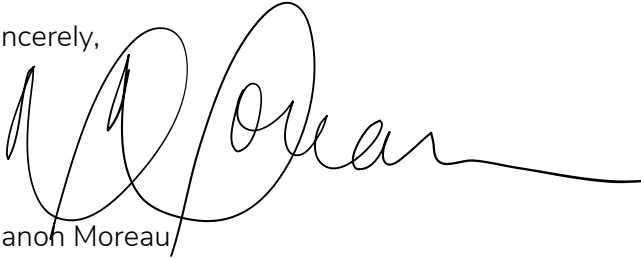
Yukon Information and Privacy Commissioner

3162 Third Avenue, Main Floor
Whitehorse, YT Y1A 1G3
Phone: (867) 667-8468
Email: intake@ombudsman.yk.ca
Fax: (867) 667-8469

Contact Person in Department

If you feel that your request has not been answered completely or that you require further clarification, please contact Surene Pretorius, Access and Privacy Analyst, at (867)667-3642 or env-atipp@yukon.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Manon Moreau', with a long horizontal flourish extending to the right.

Manon Moreau/
Deputy Minister of Environment