

January 3, 2023

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

Final Response ATIPP Access Request 22-451

Decision

The Executive Council Office has searched the Premier's Office and the Deputy Minister's Office and has located records responsive to Access Request #22-451. Our final response on the information is as follows:

Access Granted in Part

Executive Council Office has provided partial access to information relating to the request noted below:

1. All documents authored by the Executive Council Office (collectively, including its Minister, Deputy Minister, Assistant Deputy Ministers, directors, delegates, employees, and representatives, "ECO"), including internal communications, memorandums, presentation slides, briefing notes, and the like, relating to: • ECO's consideration of the Screening Report and Recommendation (the "Report") issued by the Executive Committee of the Yukon Environmental and Socio economic Assessment Board (the "Committee") on October 21, 2020 (dated October 13, 2020) for the Kudz Ze Kayah Project, YESAB Project Number 2017-0083 (the "Project"); • ECO's consideration of the Referral Conclusion issued by the Committee regarding the Project on March 29, 2021 (the "Referral Conclusion"); or • the decision by ECO Deputy Minister Stephen J. Mills (and others) to issue a decision document approving the Project on June 15, 2022 (the "Decision Document"), or how the decision contained in the Decision Document was reached. 2. All written communications and correspondence (including e-mail, letters, and any forms of text-based messages), regarding the Report, the Project, the Referral Conclusion, or the Decision Documents (or drafts of the Decision Document) exchanged between ECO and: • Natural Resources Canada (including its Minister, Deputy Minister, Associate Deputy Ministers, Assistant Deputy Minister(s), directors, delegates, employees, and representatives); or • Fisheries and Oceans Canada (including its Minister, Deputy Minister, Associate Deputy Ministers, Assistant Deputy Minister(s), directors, delegates, employees, and representatives). 3. All drafts of Decision Document. Timeframe: March 15, 2021 - June 16, 2022

ADDITIONAL INFORMATION:

NARROWED SCOPE #1: 1. All documents authored by, or sent to, the Premier of Yukon (the “Minister”), being the Minister responsible for the Executive Council Office (“ECO”), including internal communications, memorandums, presentation slides, briefing notes, and the like, relating to: • ECO’s consideration of the Screening Report and Recommendation (the “Report”) issued by the Executive Committee of the Yukon Environmental and Socio economic Assessment Board (the “Committee”) on October 21, 2020 (dated October 13, 2020) for the Kudz Ze Kayah Project, YESAB Project Number 2017-0083 (the “Project”); • ECO’s consideration of the Referral Conclusion issued by the Committee regarding the Project on March 29, 2021 (the “Referral Conclusion”); or • the decision by ECO Deputy Minister Stephen J. Mills (and others) to issue a decision document approving the Project on June 15, 2022 (the “Decision Document”), or how the decision contained in the Decision Document was reached. 2. All written communications and correspondence (including e-mail, letters, and any forms of text-based messages), regarding the Report, the Project, the Referral Conclusion, or the Decision Documents (or drafts of the Decision Document) exchanged between the Minister and any representative of the federal government or BMC Minerals. 3. All drafts of the Decision Document. Timeframe: March 15, 2021 - June 16, 2022.

RESPONSE FROM DEPT #1: Based on the wording of the narrowed request below I think the records could be limited to the amount on the AIS from the DM’s Office. All records to or from the Premier would be filtered through the DM’s office. The revised page count will be 3,543.

NARROWED SCOPE #2: I’ve included a clean copy of the new further revised request below. As stated above, the only change in the language of the request is to the timeframe.

1. All documents authored by, or sent to, the Premier of Yukon (the “Minister”), being the Minister responsible for the Executive Council Office (“ECO”), including internal communications, memorandums, presentation slides, briefing notes, and the like, relating to: • ECO’s consideration of the Screening Report and Recommendation (the “Report”) issued by the Executive Committee of the Yukon Environmental and Socio economic Assessment Board (the “Committee”) on October 21, 2020 (dated October 13, 2020) for the Kudz Ze Kayah Project, YESAB Project Number 2017-0083 (the “Project”); • ECO’s consideration of the Referral Conclusion issued by the Committee regarding the Project on March 29, 2021 (the “Referral Conclusion”); or • the decision by ECO Deputy Minister Stephen J. Mills (and others) to issue a decision document approving the Project on June 15, 2022 (the “Decision Document”), or how the decision contained in the Decision Document was reached. 2. All written communications and correspondence (including e-mail, letters, and any forms of text-based messages), regarding the Report, the Project, the Referral Conclusion, or the Decision Documents (or drafts of the Decision Document) exchanged between the Minister and any representative of the federal government or BMC Minerals. 3. All drafts of the Decision Document. Timeframe: March 1, 2022 - June 16, 2022. Thanks for your help throughout this scoping process!

RESPONSE FROM DEPT #2: Unfortunately, the page count is still over 3,000.

NARROWED SCOPE #3: Can you ask the public body if it would cut down document volume to only request documents authored by the Premier, instead of both documents authored by, or sent to, the Premier?

RESPONSE FROM DEPT #4: I specifically reached out to the Premier's office and they provided 4 pages and confirmed that everything would be filtered through the DM's office. I searched the records from the DM's office for "Sandy" there are about 17 pages from one of the Premier's Advisor's and some public Media Statements from the Premier.

Third party personal information consisting of a name and employment status has been redacted using section 70(1) of the ATIPP Act to protect personal privacy.

Advice or recommendations prepared by or for a public body or a minister have been redacted under section 74(1)(a) of the ATIPP Act.

Information which disclosure would be harmful to intergovernmental relations has been redacted using section 76(1) of the ATIPP Act.

Third party business information that could result in undue financial loss or gain, similar information no longer being supplied or could significantly harm the competitive or negotiating position of the third party has been redacted under section 77(1)(a)(b)(c) of the ATIPP Act to protect the third party's information.

There is no charge for this request.

Right to Complain

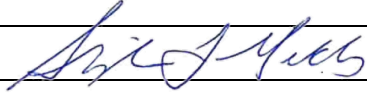
You have the right to make a complaint in respect of this response to the Yukon Information and Privacy Commissioner under Section 66 of the ATIPP Act, no later than 30 business days after you receive this response. To make a complaint, contact:

Yukon Information and Privacy Commissioner
3162 3rd Ave.
Whitehorse, YK Y1A 1G3
E-mail: intake@yukonombudsman.ca
Phone: (867) 667-8468; toll free (in Yukon) 1-800-661-0408 (ext. 8468)

Contact Person in Department

If there are any questions, please contact Mia Archambault, Access and Privacy Analyst for the Executive Council Office at (867) 667-9448 or eco.atipp@yukon.ca

Reviewed by:	Signature:
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Stephen Mills, Deputy Minister, ECO	
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