

June 6, 2019

Privacy Commissioner of Ontario (IPC)
Suite 1400, 2 Bloor Street East
Toronto, Ontario M4W 1A8

Re: MNR Reference Number: A-2019-00047 / JTG

Dear Commissioner,

We wish to appeal the decision as per the attached letter from the Ministry of Natural Resources & Forestry (MNR) dated April 25, 2019 denying our Freedom of Information (FOI) request submitted on March 12 for the fire investigation report for the 2018 Parry Sound 33 fire (“fire report”).

We understand that, in issuing this denial, the MNR Director of Enforcement exercised his discretionary powers. Therefore, the contents of the fire report do not trigger a mandatory denial. Accordingly, we question whether this discretion was properly applied given:

- That there was no breach of the Forest Fires Prevention Act and no charges have been laid with regard to the fire, therefore release will not prejudice any law enforcement action;
- The significant public interest in the cause of this fire;
- The extent of the property damage/destruction;
- The devastating loss of business for small local seasonal businesses;
- The destruction of ~12,000 hectares of ecologically significant forest that was home to numerous endangered species; and
- The anecdotal evidence that we and others assembled of irresponsible activity at the Henvey Inlet Windpower project site where the fire started, including eyewitness reports of daily fires at the project site leading up to the “one that got away”.

We would suggest that it might be in the best interest of the Ontario government to agree to release this report to avoid any perception of covering up the actions of the developer, main contractor and various sub-contractors involved with this project, who have been the subject of significant attention and criticism by the media and local residents for the reasons set out above.

Furthermore, understanding the causes of this fire will be important for efforts to identify sound practices that should be followed to prevent such fires from recurring. In this respect we have taken steps to recommend to our members and wider audience fire prevention measures they could adopt, see:


<https://georgianbay.ca/boating/fire/>

Please find attached the following:

- The appeal fee of \$25;
- Our letter and FOI request form dated March 12, 2019;
- MNR letter dated March 29, 2019 confirming an agreed amendment to our FOI request; and
- The decision letter from MNR dated April 25, 2019.

We look forward to hearing from you in this respect

Yours sincerely

A handwritten signature in blue ink that reads "Rupert Kindersley". The signature is written in a cursive style with a horizontal line underneath the name.

Rupert Kindersley
Executive Director