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<i>Species and Ecosystems Data and Information Security Policy</i>			

**Ecosystems Program**

**Replaces:**

Access to Sensitive Information on Species at Risk

**Application:**

This policy applies to all government staff in natural resource sector Ministries who create, handle, and distribute species and ecosystems data and information.

**Purpose:**

1. To identify circumstances when the province will accept and release secure species and ecosystems data and information;
2. To identify categories of species and ecosystems data and information that would be deemed secure;
3. To provide open, transparent, and accountable policy on the management of species and ecosystems data and information.

**Definitions:**

**Area of Interest** – spatially defined area(s) where a party or their representative has a clearly established ownership, management responsibility or economic interest.

**Confidentiality and Non-reproduction Agreement (ConA)** – an agreement that outlines the access, constraints, and distribution of Secure Data and Information.

**Custodian** – the Executive Director of a provincial ministry with custodial authority for data and information, or their designate. For the purposes of this policy these include: Executive Directors of Ecosystem Branch - MoE, Knowledge Management Branch – MoE, and Fish and Wildlife Branch - FLNRO.

**Data and Information Sharing Agreement (DISA)** – an agreement that outlines the ownership, control, access, and possession of data and information and governs its collection, provision, processing, and dissemination.

**Need-to-Know** – a party has a demonstrated Need-to-Know if they pass the test(s) in the Criteria for Assessing Secure Data and Information Requests in the *Species and Ecosystems Data and Information Security Procedures*.

**Open Information and Open Data Policy** – government policy to increase the accessibility of government data and information, improve the transparency of government decision making and improve the engagement with BC citizens in policy and decision making discussions. Among other things this policy directs that data and information should be made available to the public in open, machine-readable formats, under an open data license. It also states that data and information should be made open unless there are policy or legal reasons not to do so.

**Secure Data and Information** – for the purpose of this policy and the associated procedures, Secure Data and Information will refer to one or more of the categories defined in Part A of this policy.

PREPARED BY		AUTHORIZATION	
NAME David Tesch	NAME Eric Lofroth	See last page for signature block: AD, RDT and DP  SIGNATURE	
POSITION Executive Director, KMB	POSITION Manager CDC		
		DATE EFFECTIVE April 8, 2015	REVISION NO

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**Species and Ecosystems Data and Information Security Procedures** – the procedural document for this policy entitled *Species and Ecosystems Data and Information Security Procedures*.

**Time-limited** – data and information whose distribution is secured for a specified duration defined or agreed to in a Data and Information Sharing Agreement.

### Policy:

#### It is the Policy of the province:

1. To make data and information as freely and openly available as possible, consistent with government's Open Data and Information Policy. ("Ministries must take steps to expand public access to government data by making it available online unless restricted by law, contract or policy" *Premier Christy Clark, Open Information and Open Data Policy, version 1.0, July 2011*).
2. To accept species and ecosystems data and information only where its collection is consistent with federal and provincial statutes and regulations, and appropriate documented permissions are obtained and submitted to the province.
3. To routinely disclose species and ecosystems data and information held under the custodial responsibility of the Executive Directors – Ecosystems Branch – Ministry of Environment, Knowledge Management Branch – Ministry of Environment, and Fish & Wildlife Branch – Ministry of Forests, Lands and Natural Resource Operations except those portions of the data and information categorized as Secure Data and Information as described in Part A below.
4. To make the *Species and Ecosystems Data and Information Security Policy* publicly available.

#### Part A Categories of Secure Data and Information

The species and ecosystems data and information categorized as secure under this policy includes data and information that: pertains to Species and Ecosystems Susceptible to Persecution or Harm; is Proprietary in nature; is protected by Federal and/or Provincial Statute; or, whose disclosure poses a risk to Government Interests.

#### 1. Species and Ecosystems Susceptible to Persecution or Harm

- 1.1 Data and information of a biological or ecological nature that places populations, residences of species, or occurrences of species or ecosystems at risk of persecution or harm, or interferes with their conservation or recovery.
- 1.2 Parties may request data and information for Species and Ecosystems Susceptible to Persecution or Harm and the province may choose to release the requested data and information if:
  - a) Those parties requesting the information demonstrate a Need-to-Know;
  - b) Lack of disclosure could reasonably be expected to place individuals, populations, or residences of a species, or occurrences of species or ecosystems at risk of persecution, or interferes with their conservation or recovery; or,
  - c) The province is obligated to release the data or information by federal or provincial statute.

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- 1.3 Data and information under Section 1 will be released to parties subject to completion of an "Access to Species and Ecosystems Secure Data and Information" training module and a signed Confidentiality and Non-Reproduction Agreement.
- 1.4 A list of Species and Ecosystems Susceptible to Persecution or Harm will be maintained, made publicly available, and reviewed every two years.

## 2. Proprietary

- 2.1 Species and ecosystems data and information that is pertinent to private or First Nations lands, where collection of that data has required access to those lands and where the land owners or First Nations have specifically requested the data and information not be distributed; or, Data and information whose distribution is restricted on a time-limited basis;
- 2.2 The province may choose to release Proprietary species and ecosystems data and information if:
- The relevant landowners or First Nations consent to its distribution;
  - The appropriate Data Custodian(s) determines it is necessary to distribute the data and information to parties that share information management applications; or,
  - Distribution is required by federal and/or provincial statute.
- 2.3 Data and Information Sharing Agreements (DISAs) may be established to define the terms of routine disclosure or time limits regarding distribution of data and information.

## 3. Statutory Constraints

- 3.1 Data and information that cannot be publicly released due to federal or provincial statute.

## 4. Government Interests

- 4.1 Data and information whose disclosure poses a substantive risk to government programs and activities.

### Procedure Manual Cross-Reference:

Species and Ecosystems Data and Information Security Procedures.

### Other Cross-References:

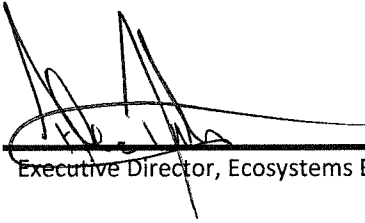
Freedom of Information and Protection of Privacy Act SBC 1996 c.165

BC Open Information and Open Data Policy [http://www.cio.gov.bc.ca/local/cio/kis/pdfs/open\\_data.pdf](http://www.cio.gov.bc.ca/local/cio/kis/pdfs/open_data.pdf)

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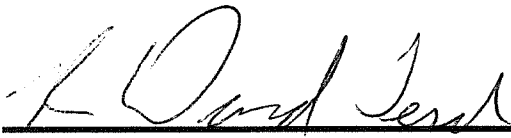
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**Signed by the Director, Ecosystems Branch**

  
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Executive Director, Ecosystems Branch, ENV


April 8, 2015  
Date

**Signed by the Director, Knowledge Management Branch**

  
\_\_\_\_\_  
Executive Director, Knowledge Management Branch,  
ENV

April 7, 2015  
Date

**Signed by the Director, Fish, Wildlife and Habitat Management Branch**

  
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Executive Director, F&W Branch, FLNRO

Apr 8, 2015  
Date