June 30, 2014

Dear [Name] - s.30(1)

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (the Act) [Our File #: FA/11/2014]

On May 29, 2014, the Department of Fisheries and Aquaculture received your request for access to the following records/information:

I am requesting, under the Access to Information Act, the number of farmed fish placed in the ocean (by species) and number taken out and sold (versus what died or was rendered) per year for 2011, 2012 and 2013.

I am pleased to inform you that the department is able to provide you with partial access to the information that you have requested. The attached records were prepared specifically in response to your request. The information has been provided in two charts, one indicating the number of farmed fish placed in the ocean (by species) and the second indicating the number of farmed fish harvested. Each chart is representative of years 2011, 2012, and 2013.

Please note that the time from stocking to harvesting can vary from 18 – 20 months. Stockings are made twice a year (spring and fall) and harvesting is market driven. Therefore, there is no direct correlation between the number of fish stocked in one year to the number of fish harvested in that same year.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with section 4 of the Fisheries Act, subsection 6(2) of the Access to Information and Protection of Privacy Act, and section 5(i) of the Access to Information Guidelines. Subsection 4(2) of the Fisheries Act requires that information not be disclosed, which can be identified with or related to an individual return or individual person. In 2013, there were only two companies involved in the steelhead trout sector. As such, the department cannot release information without identifying the information and the individuals that it relates to. Therefore, in order to comply with the Act, the department is unable to release the information.
Fisheries Act
Secrecy

4. (1) The minister shall keep every return secret and, except for the purpose of a prosecution under this Act, shall not permit a person other than an employee of the department to have access to a return.

(2) An employee of the department shall not disclose or permit to be disclosed to a person other than the minister or another employee of the department a return or part of a return coming to his or her knowledge which can be identified with or related to an individual return or individual person.

(3) Notwithstanding subsections (1) and (2), the minister may, with the written consent of the person from whom a return is obtained, disclose information in that return.

(4) In this section and section 5, "return" means information, oral or written, obtained as a result of a request under this section or section 5.

ATIPPA
Conflict with other Acts

6. (2) Notwithstanding subsection (1), where access to a record is prohibited or restricted by, or the right to access a record is provided in a provision designated in the regulations made under section 73, that provision shall prevail over this Act or a regulation made under it.

Access to Information Guidelines
Designation of legislation

5. For the purpose of subsection 6(2) of the Act, the following provisions shall prevail notwithstanding another provision of the Act or a regulation made under the Act:

(i) section 4 of the Fisheries Act;

As required by subsection 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner are as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P. O. Box 13004, Stm. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500
In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact Ms. Beth Bartlett, ATIPP Coordinator, by phone at 709-729-4797 or email at elizabethbartlett@gov.nl.ca.

Sincerely,

[Signature]

David Lewis
Deputy Minister (A)

Attachment
### Total Introduction Numbers by Year

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<thead>
<tr>
<th>Year</th>
<th>Atlantic Salmon</th>
<th>Steelhead Trout</th>
<th>Charr</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>8,235,988</td>
<td>1,761,719</td>
<td>40,000</td>
</tr>
<tr>
<td>2012</td>
<td>7,443,328</td>
<td>1,609,355</td>
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</tr>
<tr>
<td>2013</td>
<td>6,038,971</td>
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<td>-</td>
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</table>

### Total Harvest Numbers by Year

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<th>Year</th>
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<th>Steelhead Trout</th>
<th>Charr</th>
</tr>
</thead>
<tbody>
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<td>5,154,206</td>
<td>967,585</td>
<td>9,007</td>
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<tr>
<td>2012</td>
<td>3,683,172</td>
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<td>2013</td>
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<td>Total</td>
<td>11,900,618</td>
<td>1,761,719</td>
<td>25,668</td>
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