May 11, 2018

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act FLR/43/2018

On March 28, 2018, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

“May I have a copy of all the permits and leases for the open net pen sites issued to Gray’s Aqua (now owned by Marine Harvest subsidiaries) and Northern Sea Harvest and its subsidiaries.”

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Redactions have been made under Section 39 Disclosure harmful to business interests of a third. You will find a copy of responsive material attached.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P.O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500
You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that this letter 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 contact me by telephone at 709-729-3730 or by email at hollyphilpott@gov.nl.ca

Sincerely,

Holly Philpott
ATIPP Coordinator

**Right of access**

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25, of the costs of reproduction, shipping and locating a record.

**Access or correction complaint**

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).
(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the
head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act

This authorizes Northern Harvest Sea Farms NL Ltd. or their designates to transfer Steelhead Fingerling, Average Weight: 0.175 kg, Minimum Weight: 0.1 kg, Diploid, Female from the site located at Dartek Hatchery, NS to the site located at Lou Cove, subject to the following conditions:

1. This Permit to Transfer and Transport is valid from April 15, 2017 to August 01, 2017.

2. A maximum of Steelhead Fingerling, to be transferred from Dartek Hatchery, NS, as noted above.

3. This Permit to Transfer and Transport must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

4. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Department of Fisheries and Land Resources by August 15, 2017.

5. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

6. Mortality and morbidity events greater than 0.05% per day for three consecutive days or greater than 4000 kg or 2% of the inventory over a 24 hour period or greater than 10,000 kg or 5% of the inventory over a 5 day period are to be immediately reported to the AAHD.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Required to indicate the method of mortality disposal and work with Dr. Nicole O'Brien to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

8. If diagnostic results detect pathogen or disease of concern at the originating facility, either during or post transfer, the AAHD and the attending Veterinarian must be notified immediately. Transfer may be halted if necessary.
9. The licensee is required to comply with wellboat/transfer vessel biosecurity protocols that are required prior to transfer and during transfer into NL. Please contact the Biosecurity Auditor at 538-3988 if you do not have a copy of these protocols. Please contact the Biosecurity Auditor if you do not have a copy of these protocols. Please contact the Biosecurity Auditor or Chief Aquaculture Veterinarian to arrange the audits of wellboats and transport trucks prior to offloading to NL sites.

10. The licensee is required to notify, seven days, forty eight hours and just prior to transfer, the Biosecurity Auditor and Chief Aquaculture Veterinarian.

[Signature]

Elizabeth Barlow
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act
Section 39(1)(a)(i), 39(1)(c)(i), 39(1)(c)(iii), 34(1)(b), 35(1)(g)

This authorizes Northern Harvest Sea Farms NL Ltd. or their designates to transfer Atlantic Salmon Smolt, Average Weight: 0.130 kg, Minimum Weight: 0.06 kg, Diploid, Both Sexes from the site located at Dartek Hatchery, NS to the site located at Magraths Cove North, subject to the following conditions:

1. This Permit to Transfer and Transport is valid from May 20, 2017 to August 31, 2017.

2. A maximum of Atlantic Salmon Smolt, to be transferred from Dartek Hatchery, NS, as noted above.

3. This Permit to Transfer and Transport must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

4. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Department of Fisheries and Land Resources by September 14, 2017.

5. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

6. Mortality and morbidity events greater than 0.05% per day for three consecutive days or greater than 4000 kg or 2% of the inventory over a 24 hour period or greater than 10,000 kg or 5% of the inventory over a 5 day period are to be immediately reported to the AAHD.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Required to indicate the method of mortality disposal and work with Dr. Nicole O'Brien to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

8. If diagnostic results detect pathogen or disease of concern at the originating facility, either during or post transfer, the AAHD and the attending Veterinarian must be notified immediately. Transfer may be halted if necessary.
9. The licensee is required to comply with wellboat/transfer vessel biosecurity protocols that are required prior to transfer and during transfer into NL. Please contact the Biosecurity Auditor at 538-3988 if you do not have a copy of these protocols. Please contact the Biosecurity Auditor or Chief Aquaculture Veterinarian to arrange the audits of wellboats and transport trucks prior to offloading to NL sites.

10. The licensee is required to notify, seven days, forty eight hours and just prior to transfer, the Biosecurity Auditor and Chief Aquaculture Veterinarian.

Authorized Signature: Elizabeth Barlow

Date: May 19/17
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act

This authorizes Cold Ocean Salmon Inc. or their designates to transfer Steelhead Smolt, (Minimum Weight: .05 kg), Diploid, from the site located at Little Harbour Hatchery, NS, to the site located at Cold Ocean Salmon Inc., Muddy Hole, Bay d'Espoir, subject to the following conditions:

1. This licence is valid from June 26, 2012 to July 31, 2012.

2. The terms and conditions noted in the Transfer Licence NL-1142-12 issued by the Department of Fisheries and Oceans dated April 10, 2012.

3. The licence holder is to notify Dr. John Brattey, Science Branch, Dept. of Fisheries and Oceans, St. John's, NL, of any outbreak of disease within 6 months of moving the Smolt.

4. A maximum of Steelhead Smolt, to be transferred from Little Harbour Hatchery, NS, as noted above.

5. This licence must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

6. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Dept. of Fisheries & Aquaculture, at the address below, attention Aquaculture Inspection Coordinator, by August 15, 2012.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Please contact Dr. Nicole O'Brien for further information regarding these protocols.

8. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

9. All Mortalities (including the number of mortalities) are to be reported to the Provincial Aquaculture Veterinarian, within 48 hours, after detection by the aquaculture site licensee.

10. Required to indicate the method of mortality disposal and work with the Provincial Aquaculture Veterinarian, Dr. Nicole O'Brien, to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

PO Box 679 58 Hardy Avenue Grand Falls-Windsor NL Canada A2A 2K2 Telephone (709) 292-4100, Fax (709) 292-4113
11. Required to notify seven days, forty eight hours and just prior to transfer Mr. Trevor Rose or Dr. Daryl Whelan.

12. Transfer may be halted if further diagnostic results are unsatisfactory. If diagnostic results detect pathogen or disease at the origination facility, after transfer to NL, the provincial aquaculture Veterinarian and the attending Veterinarian must be notified immediately.

13. Required to conduct frequent water quality testing at the marine cage site. Please monitor for harmful algal blooms.

14. Attached are the wellboat/transfer vessel audit information and transport truck biosecurity requirements that are required prior to transfer and during transfer into NL fresh or sea water. Please note the audit requirements. Please contact the Biosecurity Auditor, 538-3988, or Dr. Daryl Whelan to arrange the audits of the wellboats and transport trucks prior to offloading to NL sites.

15. The maximum number of fish for the site, Muddy Hole AQ 500, must not be exceeded.
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act

This authorizes Northern Harvest Sea Farms NL Ltd. or their designates to transfer Atlantic Salmon Smolt, Average Weight: 0.100 kg, Minimum Weight: 0.06 kg, Diploid, Both Sexes from the site located at Dartek Hatchery, NS to the site located at Spyglass Cove, subject to the following conditions:

1. This Permit to Transfer and Transport is valid from October 16, 2017 to November 30, 2017.

2. A maximum of Atlantic Salmon Smolt, to be transferred from Dartek Hatchery, NS, as noted above.

3. This Permit to Transfer and Transport must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

4. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Department of Fisheries and Land Resources by December 14, 2017.

5. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

6. Mortality and morbidity events greater than 0.05% per day for three consecutive days or greater than 4000 kg or 2% of the inventory over a 24 hour period or greater than 10,000 kg or 5% of the inventory over a 5 day period are to be immediately reported to the AAHD.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Required to indicate the method of mortality disposal and work with Dr. Nicole O'Brien to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

8. The licensee is required to comply with wellboat/transfer vessel biosecurity protocols that are required prior to transfer and during transfer into NL. Please contact the Biosecurity Auditor at 538-3988 if you do not have a copy of these protocols. Please contact the Biosecurity Auditor or Chief Aquaculture Veterinarian to arrange the audits of wellboats and transport trucks prior to offloading to NL sites.
9. If diagnostic results detect pathogen or disease of concern at the originating facility, either during or post transfer, the AAHD and the attending Veterinarian must be notified immediately. Transfer may be halted if necessary.

10. The licensee is required to notify, seven days, forty eight hours and just prior to transfer, the Biosecurity Auditor and Chief Aquaculture Veterinarian.
This authorizes Northern Harvest Sea Farms NL Ltd. or their designates to transfer Atlantic Salmon Smolt, Average Weight: 0.100 kg, Minimum Weight: 0.6 kg, Diploid, Both Sexes from the site located at Dartek Hatchery, NS to the site located at McGrath's Cove South, subject to the following conditions:

1. This Permit to Transfer and Transport is valid from October 16, 2017 to November 30, 2017.

2. A maximum of Atlantic Salmon Smolt to be transferred from Dartek Hatchery, NS, as noted above.

3. This Permit to Transfer and Transport must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

4. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Department of Fisheries and Land Resources by December 14, 2017.

5. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

6. Mortality and morbidity events greater than 0.05% per day for three consecutive days or greater than 4000 kg or 2% of the inventory over a 24 hour period or greater than 10,000 kg or 5% of the inventory over a 5 day period are to be immediately reported to the AAHD.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Required to indicate the method of mortality disposal and work with Dr. Nicole O'Brien to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

8. If diagnostic results detect pathogen or disease of concern at the originating facility, either during or post transfer, the AAHD and the attending Veterinarian must be notified immediately. Transfer may be halted if necessary.
9. The licensee is required to comply with wellboat/transfer vessel biosecurity protocols that are required prior to transfer and during transfer into NL. Please contact the Biosecurity Auditor at 538-3988 if you do not have a copy of these protocols. Please contact the Biosecurity Auditor or Chief Aquaculture Veterinarian to arrange the audits of wellboats and transport trucks prior to offloading to NL sites.

10. Mortality and morbidity events greater than 0.05% per day for three consecutive days or greater than 4000 kg or 2% of the inventory over a 24 hour period or greater than 10,000 kg or 5% of the inventory over a 5 day period are to be immediately reported to the AAHD.

Elizabeth Barlow
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act

This authorizes Cold Ocean Salmon Inc. or their designates to transfer Atlantic Salmon fry, (Average Weight: .015 kg), (Minimum Weight: .005 kg), Diploid, from the site located at Little Harbour Hatchery, Building B, NS to the site located at Cold Ocean Salmon Inc., Swanger Cove, Bay d’Espoir, subject to the following conditions:

1. This licence is valid from December 14, 2012 to January 31, 2013.

2. The terms and conditions noted in the Transfer Licence NL-1582-12 issued by the Department of Fisheries and Oceans dated November 16, 2012.

3. The licence holder is to notify Dr. John Brattey, Science Branch, Dept. of Fisheries and Oceans, St. John’s, NL, of any outbreak of disease within 6 months of moving the fry.

4. A maximum of Atlantic Salmon fry, to be transferred from Little Harbour Hatchery, as noted above.

5. This licence must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

6. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Dept. of Fisheries & Aquaculture, at the address below, attention Aquaculture Inspection Coordinator, by February 15, 2013.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Please contact Dr. Nicole O'Brien for further information regarding these protocols.

8. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

9. All Mortalities (including the number of mortalities) are to be reported to the Provincial Aquaculture Veterinarian, within 48 hours, after detection by the aquaculture site licencee.
10. Required to indicate the method of mortality disposal and work with the Provincial Aquaculture Veterinarian, Dr. Nicole O'Brien, to establish the vaccination and biosecurity protocols. Dr. O'Brien can be reached at 709-729-5195.

11. Required to notify seven days, forty eight hours and just prior to transfer Mr. Trevor Rose or Dr. Daryl Whelan.

12. Transfer may be halted if further diagnostic results are unsatisfactory. If diagnostic results detect pathogen or disease at the origination facility, after transfer to NL, the provincial aquaculture Veterinarian and the attending Veterinarian must be notified immediately.

13. Required to conduct frequent water quality.

14. Attached are the wellboat/transfer vessel audit information and transport truck biosecurity requirements that are required prior to transfer and during transfer into NL fresh or sea water. Please note the audit requirements. Please contact the Biosecurity Auditor, 538-3988, or Dr. Daryl Whelan to arrange the audits of the wellboats and transport trucks prior to offloading to NL sites.

15. The maximum number of fish for the site, Swanger Cove Hatchery AQ 1067, must not be exceeded.
PERMIT TO TRANSFER AND TRANSPORT

Subject to Section 8 of the Aquaculture Act

This authorizes Cold Ocean Salmon Inc. or their designates to transfer Atlantic Salmon Fry, (Average Weight: .015 kg), (Minimum Weight: .005 kg), Diploid, from the site located at Little Harbour Hatchery, Building A, NS, to the site located at Cold Ocean Salmon Inc., Swanger Cove, Bay d'Espoir, subject to the following conditions:

1. This licence is valid from December 14, 2012 to January 31, 2013.

2. The terms and conditions noted in the Transfer Licence NL-1581-12 issued by the Department of Fisheries and Oceans dated November 16, 2012.

3. The licence holder is to notify Dr. John Brattey, Science Branch, Dept. of Fisheries and Oceans, St. John’s, NL, of any outbreak of disease within 6 months of moving the Fry.

4. A maximum of Atlantic Salmon Fry, to be transferred from Little Harbour Hatchery, as noted above.

5. This licence must be carried at all times while transfers are taking place and must be available for inspection upon request of a Federal or Provincial Fisheries Officer or an Aquaculture Inspector.

6. Following transfer, a report on the actual number of each species of plant and/or animal transferred and the immediate mortalities must be reported to the Dept. of Fisheries & Aquaculture, at the address below, attention Aquaculture Inspection Coordinator, by February 15, 2013.

7. Must adhere to biosecurity and disinfection protocols established for equipment and product. Please contact Dr. Nicole O'Brien for further information regarding these protocols.

8. Required to have routine diagnostics performed on moribund fish by site veterinarian post transfer.

9. All Mortalities (including the number of mortalities) are to be reported to the Provincial Aquaculture Veterinarian, within 48 hours, after detection by the aquaculture site licencee.
10. Required to indicate the method of mortality disposal and work with the Provincial Aquaculture Veterinarian, Dr. Nicole O’Brien, to establish the vaccination and biosecurity protocols. Dr. O’Brien can be reached at 709-729-5195.

11. Required to notify seven days, forty eight hours and just prior to transfer Mr. Trevor Rose or Dr. Daryl Whelan.

12. Transfer may be halted if further diagnostic results are unsatisfactory. If diagnostic results detect pathogen or disease at the origination facility, after transfer to NL, the provincial aquaculture Veterinarian and the attending Veterinarian must be notified immediately.

13. Required to conduct frequent water quality testing at the marine cage site. Please monitor for harmful algal blooms.

14. Attached are the wellboat/transfer vessel audit information and transport truck biosecurity requirements that are required prior to transfer and during transfer into NL fresh or sea water. Please note the audit requirements. Please contact the Biosecurity Auditor, 538-3988, or Dr. Daryl Whelan to arrange the audits of the wellboats and transport trucks prior to offloading to NL sites.

15. The maximum number of fish for the site, Swanger Cove Hatchery AQ 1067, must not be exceeded.

December 14, 2012
DATE

Elizabeth Barlow

AUTHORIZED SIGNATURE