Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MIGA/80/2015]

On December 14, 2015, the Department of Municipal Affairs received your request for access to the following records/information:

“All briefing materials prepared for and/or provided to Minister Eddie Joyce upon assuming the role of minister of municipal affairs. Where possible, electronic copies of all records are preferable to print copies.”

I am pleased to inform you that a decision has been made by the Deputy Minister of the department to grant access in part to the requested records/information. Please be advised that some information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

Section 27 – Cabinet confidences:

s.27(1)(i): “that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h).”

s.27(2)(a): “a cabinet record.”

s.27(2)(b): “information in a record other than a cabinet record that would reveal the substance of deliberations of Cabinet.”

Section 29 – Policy advice or recommendations:

s.29(1)(a): “advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.”

Section 30 – Legal advice

s.30(1)(b): “that would disclose legal opinions provided to a public body by a law officer of the Crown.”

Section 34 – Disclosure harmful to intergovernmental relations or negotiations

s.34(1)(a): “harm the conduct by the government of the province of relations between that government and the following or their agencies.”
Section 40 - Disclosure harmful to personal privacy:
s.40(1): “The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.”

Please note that the following pages have been redacted in their entirety in accordance with section 34(1)(a)(i) and 34(1)(a)(ii): Pages 258-265.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

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 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 me by telephone at 729-6528 or by e-mail at scottwinters@gov.nl.ca.

Sincerely,

[Signature]

Scott Winters
Manager of Accountability / ATIPP Coordinator
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Mandate:
The mandate of the Department is derived from the following legislation:

- The Department of Municipal and Provincial Affairs Notice, 2003, under the *Executive Council Act*, and is informed by the legislation set out in the Schedule which outlines the powers, duties and functions of the minister, who is also appointed Registrar General (see attached note).

Vision (*as per the former department’s Strategic Plan)*:
The vision of the Department of Municipal and Intergovernmental Affairs is of sustainable communities led by strong local governments within a self-reliant province that advances its interests in Confederation and abroad.

Mission (*as per the former department’s Strategic Plan)*:
By March 31, 2017, the MIGA will have strengthened infrastructure investments and supports to local governments, as well as promoted NL’s interests with sovereign governments in Canada and abroad.

Departmental Overview:
The Department of Municipal Affairs provides programs, services and supports that help contribute to the overall governance and sustainability of the province's communities. The Department supports municipalities in their delivery of efficient and effective municipal services by providing financial and administrative tools to support development of community capacity, regional cooperation, sound municipal governance, and infrastructure.

With respect to Crown Lands, the Department is responsible for the lease, licence, grant, reservation and protection of provincial Crown, public and other lands in accordance with the Act.

Interdepartmental Initiatives
MA supports a number of key cross-department initiatives, including the Provincial Waste Management Strategy (MA leads on implementation), the Drinking Water Safety Initiative (Environment and Conservation leads), and the Climate Change Action Plan (Office of Climate Change and Energy Efficiency leads).
Staffing
As of March 31, 2015, the Department payroll statistics indicate the Department has 189 employees (85 females and 104 males). This marks a significant increase over fiscal 2013-14 as Crown Land employees have joined the Department since that time. This also includes 16 financial management positions that provide support to four other government departments and two agencies.

The Department’s headquarters is located in St. John’s and regional offices are located across the province.

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. John’s – Confederation and Howley Buildings</td>
<td>133</td>
</tr>
<tr>
<td>Clarenville</td>
<td>9</td>
</tr>
<tr>
<td>Gander</td>
<td>18</td>
</tr>
<tr>
<td>Grand Falls-Windsor</td>
<td>2</td>
</tr>
<tr>
<td>Corner Brook</td>
<td>17</td>
</tr>
<tr>
<td>Happy Valley – Goose Bay</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>189</strong></td>
</tr>
</tbody>
</table>

Entities that report to the Minister:
- Municipal Assessment Agency
- Eastern Newfoundland Regional Appeal Board
- Central Newfoundland Regional Appeal Board
- West Newfoundland Regional Appeal Board
- Northeast Avalon Regional Plan Oversight Committee
- Humber Valley Regional Planning Advisory Authority Leadership Committee
- Newfoundland and Labrador Geographical Names Board

Lines of Business:
- Local Governance And Support
- Municipal Infrastructure And Engineering Services
- Lands
- Employment Support

Overview of Clients and Stakeholders:
MA’s primary clients at the municipal affairs level include NL’s 271 municipalities, five Inuit Community Governments and 172 local service districts. MA also provides support to six
regional service boards, which provide municipal services on a regional basis. Lands clients include the GNL and the general public.

**Key stakeholder groups include:**
- Municipalities Newfoundland and Labrador (MNL)
- Professional Municipal Administrators (PMA)
- Combined Councils of Labrador (CCL)

Further information on the department can be found in the Department’s 2014-2017 Strategic Plan (please refer to Tab 5.2).
Great Seal Policy

Policy and Strategic Planning Division
Department of Municipal Affairs

P.O. Box 8700
St. John’s, NL A1B 4J6
(709) 729-5677
Subject: Great Seal Policy
Effective: July 2013
Revised:

1.0 Policy Statement:

Any document requiring the application of the Great Seal will be brought to the Department of Municipal Affairs Minister’s Suite where it will be countersigned by the Registrar General and the Seal applied.

2.0 Purpose:

The objective of this policy is to create a clear and consistent process pertaining to the proper management and use of the Great Seal. The intent of the procedure is to provide general guidance on the business processes and related timing.

3.0 Background:

- The Great Seal of Newfoundland and Labrador is the provincial seal adopted and used by the Government of Newfoundland and Labrador to authenticate and execute official and legal records. The Great Seal received royal approval in 1827 and is one of the most venerated instruments of our government. It has both ceremonial and administrative purposes. The province’s most important documents have been made official through its imprint. The Great Seal is used to signify that a document carries the force of the Crown with all its power, authority, and prerogative; through its representative the Lieutenant Governor and his Honour’s appointed keeper of the Seal, the Registrar General.

- The Great Seal’s current design includes the provincial coat of arms, with “Newfoundland and Labrador” written on the bottom and “Elizabeth II D.G. Canadae Regina” (latin, translated: “Elizabeth II by the grace of God, Queen of Canada”) on the top. All text appears in an enclosed circular scroll around the coat of arms.

- As per the Executive Council Act, SNL 1995 cE-16.1 s4, the Registrar General, who is also the Minister of the Department of Municipal Affairs, shall be the keeper of the Great Seal of the province and shall issue all documents under the Great Seal and countersign them.

- As per the Executive Council Act, SNL 1995 cE-16.1 s12, and the Interpretation Act, RSNL 1990 cl-19 s21, the Minister of the Department of Municipal Affairs may delegate the power to administer the Great Seal by providing written authority to a person employed under them, subject to the restrictions of the authorization. Further consultation with the Department of Justice is recommended when/if considering delegating the power of the Registrar General. Where a delegation has not been made in writing, either another minister acting for the Minister of the Department of Municipal Affairs or the
Deputy Minister of the Department of Municipal Affairs can exercise the power of the Registrar General.

- The Great Seal is routinely used on the following legal instruments:
  - the Auditor General appointment documents;
  - Cabinet Appointment Certificates;
  - Executive Appointment Certificates;
  - Proclamations;
  - Queen’s Counsel Certificates;
  - Officers’ Commission Certificates;
  - Writs of Election; and
  - other official documents where legislation specifies that the Great Seal be applied.

- It is prohibited to use the Great Seal on documents other than those described in legislation or listed above, except following consultation with and approval from Executive Council.

- The Great Seal should not be confused with the Government Brand. The Government Brand is a different entity, the use of which is governed by different policies through Executive Council – Communications and Consultations. For information on the Government Brand, visit the Public Service Network at http://www.intranet.gov.nl.ca/brand/default.asp or email brand@gov.nl.ca.

4.0 Definitions:

The **Great Seal** refers to the physical seal itself and/or the design impressed upon it.

**Requestor** refers to the person delivering the records to the Minister’s Suite, wishing to obtain embossing of the Great Seal.

5.0 Requirements:

- The Great Seal will be kept in the Minister’s Suite and secured to a table. It is not to be removed from the Minister’s Suite and will remain locked when not in use.

- There are two keys to the Great Seal. One will be kept with the Deputy Minister. The other will be kept by the Department Secretary to the Minister and/or Secretary to the Deputy Minister.

- Documents should be hand delivered to the Minister’s Suite. All documents requiring application of the Great Seal must be signed by the Registrar General, or Deputy Minister in absence of the Registrar General, and this signature must be obtained BEFORE the application of the Great Seal. It is the responsibility of the requestor to acquire all appropriate signatures.

- No appointment is necessary and documents which are not time-sensitive should be left with the Minister’s or Deputy Minister’s secretaries during regular business
hours. However, for documents requiring immediate action during or after business hours, the Great Seal will be made available. Under such circumstances, the Deputy Minister should be contacted.

- Requestors are advised to bring their government IDs with them as confirmation of their identity and department. Requestors should also be prepared to identify to Municipal Affairs staff the proper authority for the use of the Seal (Eg., relevant legislation).
- A log book will be kept to document the name of the requestor, the requesting department/division, the type and number of documents being embossed, and the date.
- The Great Seal will be embossed on the official document as required, either over a gold seal/sticker which has been affixed to the official document or directly on to the document. The requestor will advise accordingly.
- A second Great Seal may be kept for emergency requests at an alternate offsite location, to be determined at the discretion of the Registrar General.

6.0 Application:

This policy applies to all staff of the Department of Municipal Affairs, in particular Minister’s Suite staff. It also applies to any other body appointed or elected to request the application of the Great Seal.

7.0 Accountability:

The Executive of the Department of Municipal Affairs will ensure compliance with this policy.

8.0 References:

Executive Council Act [http://www.assembly.nl.ca/legislation/sr/statutes/e16-1.htm](http://www.assembly.nl.ca/legislation/sr/statutes/e16-1.htm)


9.0 Contacts:

Department of Municipal Affairs
P.O.Box 8700
St. John’s, NL A1B 4J6
(709) 729-5677
[MAinfo@gov.nl.ca](mailto:MAinfo@gov.nl.ca)

Deputy Minister
(709) 729-3049
Department Secretary to Minister
(709) 729-3046

Secretary to Deputy Minister
(709) 729-3052
Department of Municipal Affairs
Overview of Legislation

Outlined below are the 33 statutes for which the department is responsible:

1. **Assessment Act, 2006**: Details the procedures surrounding real property assessments, undertaken by both the City of St. John’s and the Municipal Assessment Agency, for the purpose of imposing property taxes. Includes provisions for supplemental assessments and special purpose property considerations.

2. **Avian Emblem Act**: Establishes the Atlantic Puffin as the official bird of the province.

3. **Building Standards Act**: Provides for regulating building standards outside of cities, municipalities, and local service districts. The Act is administrated jointly with Service Newfoundland and Labrador (SNL); however, to date, no regulations have been passed.

4. **City of Corner Brook Act**: Prescribes how this city may conduct its affairs with regards to: council, staff, finance, taxes, services, controls, expropriation, receivership, and offences. Virtually identical to the **City of Mount Pearl Act**.

5. **City of Mount Pearl Act**: Prescribes how this city may conduct its affairs with regards to: council, staff, finance, taxes, services, controls, expropriation, receivership, and offences. Virtually identical to the **City of Corner Brook Act**.

6. **City of St. John’s Act**: Prescribes how this city may conduct its affairs with regards to: council, staff, finance, services, controls, expropriation, and offences. It also delineates specific land use and dictates how lands inside the city are to be dealt with.

7. **City of St. John’s Municipal Taxation Act**: Provides this city with its taxation authority and procedures.

8. **Coat of Arms Act**: Establishes the province’s Coat of Arms and outlines its appropriate use; requiring ministerial permission for its use by anyone other than the provincial government.

9. **Commemoration Day Act**: Establishes the Sunday on or nearest to July 1st as Commemoration Day in remembrance of World War I.
10. **Crown Corporations Local Taxation Act**: Exempts Crown corporations from local taxation, unless otherwise directed by the Lieutenant-Governor in Council.

11. **Evacuated Communities Act**: Allows the Minister to declare a community to be a vacated community following relocation, and to issue permits to build and occupy buildings in vacated communities.

12. **Family Homes Expropriation Act**: Provides for the procedure for payment of compensation to owners of family homes expropriated under other Acts. The Act is administered jointly with Transportation and Works.

13. **Firefighters’ Protection Act**: Provides firefighters with protection from personal liability in the performance of their duties, and indemnifies them from costs related to any proceedings where they are found not guilty or not liable. The Act is administered jointly with Justice and Public Safety (JPS).

14. **Floral Emblem Act**: Establishes what is commonly known as the Pitcher Plant as the official flower of the province.

15. **Geographical Names Board Act**: Gives authority to an appointed Board to officially name all geographical features and places in the province. The Board is further appointed as the final authority on the spelling and pronunciation of geographical features and places.

16. **Housing Act**: Authorizes the Minister, alone or in conjunction with a municipal authority, the federal government, or any other entity, to consider the undertaking of housing development projects in the province. This legislation is distinct from the **Housing Corporation Act** which establishes the Newfoundland and Labrador Housing Corporation.

17. **Housing Association Loans Act**: Details how the Minister, with the approval of the Lieutenant-Governor in Council, may make loans to a housing association.

18. **Land Surveyors Act, 1991**: Details the regulation and registration of land surveyors operating in the province. Establishes an oversight body called the Association of Newfoundland Land Surveyors of the Province of Newfoundland.

19. **Lands Act**: Establishes the policies and procedures for the management, utilization and allocation of Crown lands within the province.
20. **Mineral Emblem Act**: Establishes labradorite as the official mineral of the province.

21. **Municipal Affairs Act**: Allows the Minister to review and intervene in the administration of a municipal authority. Allows the department to inspect municipal records to ensure a municipality is not being managed in an irregular, improper, or impertinent manner. The Minister has the power under this Act to dismiss a member of, or an entire municipal authority.

22. **Municipal Authorities Amendment Act, 1991**: Amends other pieces of legislation to facilitate the amalgamation of certain municipal authorities and services within the Northeast Avalon region.

23. **Municipal Elections Act**: Details the requirements for municipal elections in the province and sets out procedures for municipal general elections, special elections and by-elections.

24. **Municipalities Act, 1999**: Prescribes the legislative authority of towns, regions, and local service districts, including council, staff, finance, taxes, services, controls, expropriation, receivership, and offences. This is the primary piece of legislation governing incorporated communities that are not cities. The Act is administered jointly with JPS.

25. **Provincial Anthem Act**: Establishes the Ode to Newfoundland as the official anthem of the province.

26. **Provincial Flag Act**: Establishes the official flag of the province.

27. **Regional Service Boards Act, 2012**: Allows for the establishment and operation of regional service boards. Currently there are seven regional service boards: Northern Peninsula; Eastern; Central; Western; Burin Peninsula; Discovery; and Coast of Bays.

28. **Remembrance Day Act**: Establishes November 11th as a provincial holiday of remembrance and the poppy as its official symbol.

29. **St. John's Centennial Foundation Act**: Creates the St. John’s Centennial Foundation as a charitable organization to promote the well-being of the city’s inhabitants, and sets out the functions, objectives, and procedures of the Foundation.

30. **St. John's Municipal Council Parks Act**: Provides for the creation, regulation and operation of public parks in the City of St. John’s.
31. **Standard Time Act**: Establishes the Newfoundland Standard Time zone, and allows for standard time and daylight time in the province.

32. **Taxation of Utilities and Cable Television Companies Act**: Prescribes the municipal and provincial taxation of utilities and cable television companies in the province. Limits the amount municipalities may tax utilities and exempts certain property, such as utility poles, from taxation. The Act is administered jointly with Finance.

33. **Urban and Rural Planning Act, 2000**: Establishes the province’s land use planning system, how land uses may be controlled and who may control them. It allows for a range of planning documents (mainly municipal and regional plans), and provides for their approval and implementation. This Act also provides a framework for expropriations by municipalities. The Act is administered jointly with SNL.
POLICY AND STRATEGIC PLANNING DIVISION

Profile

- The division is responsible for the review and coordination of cabinet submissions and other briefing materials, development of departmental policies, and strategic planning initiatives to aid the department in realizing its mandate. The division also oversees the departmental information management program.

- The division is comprised of 10 positions, of which one is vacant. Four positions are assigned to the departmental registry. The division is headed by a Director who reports to the Assistant Deputy Minister of Corporate Services and Policy.

Programs & Services

Policy Advice and Development:

- Coordinates and analyzes departmental and inter-departmental cabinet submissions, briefing materials, program evaluation. Researches, prepares, and reviews briefing material for the minister and Executive.

- Researches and analyzes program and policy matters and formulates policy direction.

- Supports the Provincial and Territorial Officials Committee (PTOC). The PTOC supports inter-jurisdictional research and the annual Ministers of Local Government meeting.

Accountability and Transparency:

- Coordinates and manages the development of the department’s strategic and operational planning, business continuity planning and departmental and agency reporting processes.

- Supports the planning and reporting requirements of seven entities reporting to the department.

- Coordinates the department’s Occupational Health and Safety program.

Information Management:

- Manages and coordinates departmental data and municipal information, including file storage and registry operations.

- Leads the development of all new information management initiatives (e.g., the Municipal Support Information System (MSIS) and project costing); and maintains and coordinates the Municipal Information Management System (MIMS).
• Coordinates departmental responses to Access to Information requests and privacy breaches.

Contact: Tara Kelly, Director, 729-2787
EMPLOYMENT SUPPORT DIVISION

Profile

- The Employment Support Programs Division delivers short-term employment programs for persons in rural communities facing significant employment challenges. Programming is delivered through partnerships with local governments and non-profit community groups which sponsor employment projects. Priority is placed on projects that provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure.

- The division is headed by a Director who reports to the Assistant Deputy Minister of Corporate Services and Policy. The division includes eight positions, of which three are currently vacant.

Programs and Services

Community Enhancement Employment Program (CEEP)

- CEEP has two objectives:
  - fund short-term employment projects to help workers qualify for Employment Insurance
  - provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure

- CEEP is the department’s primary employment support program. This program provides a maximum of 400 hours employment, less any insurable hours a person has already accumulated during the current year. The program pays minimum wage (currently $10.50 / hour).

- In 2014-15, the CEEP funded approximately 248 projects in rural communities, employing approximately 1,500 workers.

Fish Plant Workers Employment Support Program (FPWESP):

- Once a fish plan has been deemed permanently closed, Municipal Affairs and partner departments are responsible for coordinating delivery of a suite of transitional support services to the permanently displaced workers.

- The partner departments in this initiative are Fisheries and Aquaculture; Advanced Education and Skills; Business, Tourism, Culture and Rural Development; Education and Early Childhood Development; and Municipal Affairs. The transitional adjustment services include transitional employment
counseling, short-term employment support, intensified regional economic diversification efforts, and a wage subsidy to help displaced workers permanently transition to other employment. The FPWESP provides a maximum 560 hours employment less any insurable hours a person has already accumulated during the current year at a minimum wage rate.

Contact: Sandy Hounsell, Director, 729-6766
STRATEGIC FINANCIAL MANAGEMENT DIVISION

Profile

- The division functions as a shared service and performs financial analysis and provides strategic financial advice to the Departments of Business, Tourism, Culture and Rural Development, Environment and Conservation, Municipal Affairs, Seniors Wellness and Social Development and Service NL and also to the Government Purchasing Agency and Labour Relations Agency.

- The division is headed by the Departmental Controller who reports to this department through the Assistant Deputy Minister of Corporate Services and Policy. The division has 21 positions, of which four are vacant. One Manager of Financial, Budgeting and General Operations is assigned exclusively to the Department of Municipal Affairs.

Programs & Services

The key functions of the Strategic Financial Management Division include:

- Contribution to departmental financial strategies;
- Contribution and review of financial components of cabinet paper process;
- Coordination of budget preparation;
- Budget and salary monitoring;
- Expenditure forecasting;
- Financial reporting;
- Assessment and implementation of internal controls;
- Management of the delegations of authority process;
- Monitoring departmental compliance with Government financial policies;
- Compliance with public sector accounting board standards;
- Liaison with office of the auditor general and office of the comptroller general;
- Revenue management;
- Various accounts receivable functions;
- General operations functions; and
- Management of the department’s Administration Support budget.

Contact: Robyn Hayes, Departmental Controller, 729-0851
**MUNICIPAL FINANCE DIVISION**

**Profile**

- The division is responsible for the development, implementation and maintenance of municipal finance programs, including the:
  - Provision of Municipal Operating Grants and shared Provincial Gas Tax revenues to municipalities;
  - Implementation of the accountability measures framework announced as part of Budget 2015;
  - Provision of Special Assistance Grants to communities and to non-profit entities;
  - Assessment and approval of requests from municipalities and Local Service Districts to borrow funds from banking institutions; and
  - Payment of the province’s outstanding debt contributions to past municipal infrastructure projects.

- The division is also responsible for the administration of the Canada/NL Federal Gas Tax Program.

- The division is headed by a Director who reports to the Assistant Deputy Minister of Municipal Support. The division has 11 positions, of which two are currently vacant.

**Programs & Services**

**Municipal Operating Grants (MOGs) Program**

- MOGs are unconditional grants provided to Inuit Community Governments (ICGs) and municipalities with population of less than 11,000 to assist with operational and administrative needs.

- Municipalities not receiving an MOG allocation include: Conception Bay South, Corner Brook, Gander, Grand Falls-Windsor, Mount Pearl, Paradise and St. John’s.

- Annual MOG allocations are disbursed through two payments (one in April and one in October) to eligible municipalities in compliance with applicable criteria.

- Funds are held and carried over until compliance is achieved. Once compliance on all criteria is met, funds are released.

- The Province has committed to maintaining the current $22M in total funding for MOGs through 2017-18 with a review of grant amounts in 2016-17.
• MOG allocations are determined by a weighted-average formula that incorporates the number of occupied dwellings from the 2011 census plus a remoteness index that considers accessibility to various provincial and community services.

Shared Provincial Gas Tax Revenues:

• As part of Budget 2015, the Province is sharing Provincial Gas Tax revenues with municipalities. All municipalities and ICGs are eligible for a share of provincial gas tax revenues.

• For 2015-16, Government is sharing provincial revenue from gasoline tax with municipalities at 0.50 cents per litre providing $3.6 million in new revenue. That share will increase to 0.75 cents per litre providing $5.3 million in new funding in 2016-17 and one cent per litre from 2017-18 onwards at $7.1 million annually.

• Municipal allocations are based on a 50% base and 50% capita in accordance with the 2011 census.

• Annual allocations are disbursed through two payments (one in May and one in November) to eligible municipalities in compliance with applicable criteria.

• Shared provincial gas tax revenues are not carried over to successive fiscal years. Municipalities not meeting compliance criteria, forfeit these revenues for that year.

Accountability Measures Framework:

• To access municipal operating grants and the provincial gas tax revenues, each municipality must meet the required accountability requirements including the submission of an annual municipal budget, annual audited financial statements, an annual Taxes Receivable Summary and a Tax Recover Plan identifying a plan to adequately collect those taxes receivable.

• Effective 2016, Municipalities must also maintain own source revenue levels on a per capita basis.

• Municipal Finance Division is responsible for implementation of this framework, including assessment of submissions from municipalities, providing feedback to municipalities, providing guidance to municipalities and monitoring municipal compliance.

Special Assistance Program:

• This program provides funding to communities and other entities, primarily in response to unforeseen costs associated with life, health, and safety issues and other special purposes.
Approval to Borrow (ATB)

- Under the *Municipalities Act, 1999* (and the three Cities Acts) all municipalities and local service districts require the approval of the Minister to borrow from a financial institution. The division administers such approval requests.

Debt Servicing

- Prior to 2007 capital projects were financed by the Department through loans from financial institutions, rather than direct grants. The Province’s contribution was through agreements to pay a portion of loans for capital projects obtained by municipalities.

- 603 such provincial loans are outstanding; 534 held by the Newfoundland Municipal Financing Corporation (NMFC) and 69 held by various banking institutions.

- The balance for these loans is $65.8M and is projected to be paid in full by 2027 (NMFC loans will all mature by 2021).

Gas Tax Program

- The Canada/NL Federal Gas Tax Program is a 100% federally funded program, which is administered by the Province; Municipal Affairs being the administrative department. The goal of the Gas Tax Program is to help communities build and revitalize their public infrastructure.

- A new ten year Gas Tax Agreement was signed on July 15, 2014 which provides funding of $155.3M over a five year period from 2014-15 to 2018-19 (Amount for subsequent five years is not yet determined).

- The annual budget allocation for municipalities and ICGs is $20.7M and the funds are allocated on a 10% base plus per capita basis.

Contact: Scott Jones, Director, 729-5381
LOCAL GOVERNANCE DIVISION

Profile

- The division is responsible for supporting communities in having viable sustainable municipal services and strong local governments.
- To assist with this goal, the Local Governance division provides the following programs/services:
  - Facilitation of regional cooperation initiatives;
  - Provision of authoritative interpretation, application and development of municipal legislation;
  - Provision of municipal training opportunities and materials;
  - Administration of the community relocation policy.
- The division is comprised of five positions, one of which is currently vacant. It is headed by a Director who reports to the Assistant Deputy Minister of Municipal Support.
- All positions within the division are based at headquarters. The division provides advice to the Regional Offices (who have the primary responsibility for interaction with stakeholders) and other department/government employees, as required.

Programs & Services

Regional Cooperation

- The division supports regional cooperation initiatives at the request of communities. Initiatives may include sharing of services, amalgamation of or annexation to existing local government entities, or the incorporation of new local government entities.
- Upon receipt of a written request from a community/ies, the division commences discussions with the interested parties, appoints persons to assess the needs of the communities involved, and creates Terms of Reference for a feasibility study. Upon completion of the feasibility study, the department oversees any required negotiations with the parties and assists the parties with any required transition.

Legislation

- The department is responsible for 33 statutes and hundreds of regulations related (but not limited) to: cities, towns, local service districts, regional service boards, property assessments, provincial emblems/symbols, Crown land and land-use planning.
• The division is primarily responsible for the review, development, amendment and application of municipal-related legislation and legislation respecting the provincial affairs of the province.

**Municipal Training**

• The division is responsible for the development and delivery of training programs to enhance the knowledge, skills, abilities, and capacity of municipal staff and elected officials.

• The division offers various training opportunities across the province depending on need and interest. Examples of recent courses include: municipal budgeting; councillor orientation; cash handling; conducting council meetings; and conflict of interest.

• The division provides a Matched Training Financial Assistance Fund, which assists elected municipal officials, municipal employees and municipal volunteers attending municipal training by subsidizing their related travel expenses.

• The division coordinates training opportunities in consultation with Municipalities Newfoundland and Labrador, Professional Municipal Administrators, and the Combined Councils of Labrador, as well as other municipal stakeholders, as required.

• The division is also responsible for developing and distributing supporting information which assists municipalities in understanding their legislative, administrative, operational and financial responsibilities. This would include information circulars and guides, such as the Municipal Council Handbook and the Municipal Elections Guide.

**Community Relocation**

• The division administers the community relocation policy and provides information to communities upon request as to the policy specifics and processes.

• Budget 2013 announced an increase in the maximum financial assistance offered to permanent residential property owners from $100,000 to $270,000.

• The community relocation policy requires that a formal vote on relocation should demonstrate that at least 90% of permanent residents and permanent residential property owners wish to receive relocation financial assistance.

• The division currently has five active relocation files at various stages as per the steps in the policy.

**Contact:** Andy Morgans, Director, 729-5539
COMMUNITY SUSTAINABILITY PARTNERSHIP

Profile

- The Community Sustainability Partnership was announced in budget 2015 as a broad-based set of measures spanning revenues, capacity supports, and additional initiatives aimed at enhancing supports to communities and strengthening the social and economic foundation of regions. The budget provided for CSP is at a cost of $46 million in additional funding to communities over the next three years, annualized at approximately $25 million thereafter.

- Government established a temporary division within the Department of Municipal Affairs to oversee implementation of the partnership initiative.

- The division includes a Director and a Policy and Program Development Specialist (currently vacant), whom report to the Assistant Deputy Minister of Municipal Support.

Programs & Services

- The CSP includes the following initiatives which span several branches of the Department of Municipal Affairs, the Department of Environment and Conservation, and the Department of Finance and impacts municipalities, local service districts and Inuit Community Governments throughout the province:
  - provincial Harmonized Sales Tax (HST) rebates;
  - provincial gasoline tax revenue sharing;
  - water and wastewater improvement supports including contracting a boil water advisory consultant and a pilot project to hire three water/waste water operators in the Eastern, Central and Western regions (2015-2019);
  - creation of Crown lands reserves within municipalities (2015);
  - new accountability measures for municipalities;
  - development of a Provincial-Municipal Asset Management Framework (2015-2017);
  - development and implementation of a public consultation plan to explore a new regional governance structure including the formation of an advisory committee (2015-2016); and
  - a targeted stakeholder consultation to assess the potential expansion of authority for municipalities to allow for business and realty tax blending (completed in September/October 2015).

Contact: Lorelei Roberts-Loder, Director, 729-3061
REGIONAL MUNICIPAL SUPPORT

Profile

- Regional Municipal Support are responsible for the provision of ongoing support and advice on local government issues and municipal infrastructure applications and development to 271 municipalities and 172 local service districts. Support is also provided to the 5 Inuit Community Governments comprising the Nunatsiavut Government. Regional offices serve as the primary contact between the Department and local governments.

- Regional Municipal Support operates out of four regional offices, located in St. John’s (Eastern Region), Gander (Central Region), Corner Brook (Western Region) and Happy Valley-Goose Bay (Labrador Region), which have both local government staff and engineering staff.

- Regional Municipal Support in Eastern Region report to a Director of Eastern Regional Office while the remaining offices report to the Director of Western Regional Office. Both directors report to the Assistant Deputy Minister of Municipal Support.

Programs & Services

Local Government Support

- Local government staff provides legislative interpretation, administrative and financial advice and training, dispute resolution interventions, and investigations. Local government staff works with municipal councilors and administrators to promote sound municipal financial management and administrative practices by local governments. Staff is also involved with community sustainability through community capacity assessments, regional and or amalgamation initiatives as brought forth by the incorporated bodies. Staff also assists and interacts regularly with other stakeholders to address provincial and/or municipal issues. Local government staff provides the necessary financial information to fully assess municipal capital infrastructure requests.

Engineering Support

- Engineering staff support the implementation of the municipal capital works and other various infrastructure programs through the provision of project management, assistance and oversight on municipal infrastructure projects, the management of the tendering process, contract awards, construction and inspection of projects, monitoring and control of expenditures, invoice processing, and ensuring annual audits and program evaluations are completed in a timely and effective manner. The regional engineering staff is also involved
as frontline responders to local and provincial disaster events and assists and or manages the recovery work associated with municipal and private infrastructure. Regional staff also provides direct assistance to communities in regards to system/infrastructure operations and assists other government departments.

Contact: Heather Tizzard, ADM, 729-6832
        Dan Hynes, Regional Director, Western/Labrador/Central, 637-2337
SURVEYS AND MAPPING DIVISION

Profile

- The Surveys and Mapping Division (SMD) is headed by the Director of Surveys and Mapping (currently vacant).
- The Director of Land Management Division is currently the Acting Director of Surveys and Mapping. This position reports directly to the Assistant Deputy Minister (Lands Branch).
- The division includes 13 positions (twelve permanent, one temporary). Three are currently vacant.
- SMD is a central service group to government and the public that is responsible for coordinating the Provincial Geomatics Strategy and facilitating integration of geo-spatial data by providing standard services in: topographic mapping, geodesy, aerial photography, geographical names and geomatics support services.

Programs and Services

Topographic Mapping

- The Surveys and Mapping Division (SMD) is the primary producer of geomatics data and services used by other provincial government departments and agencies, and by the general public. Our primary responsibility is to map the land base.
- All of the base maps created by SMD are created to a mapping standard which lends them to being used by a wide audience. This is consistent with the principals of the Provincial Geomatics Strategy.
- Maps are an integral part of the core mandate of the Department of Municipal Affairs and other departments throughout government. Mapping is the fundamental building block of any Geographic Information System (GIS) application.
- With changing technologies and expanding needs from the GIS user community, SMD began partnering with the Newfoundland Forest Service to create high resolution ortho-rectified imagery and digital elevation models (DEM) for the island of Newfoundland.
- This data follows strict mapping and Photogrammetry standards. The results are products that can be used by a wide audience, instead of just servicing the needs of an individual department or division.
- SMD is now capable of using the high resolution imagery to update existing mapping, instead of remapping an entire area;
Geodetic Surveys

- Geodetic Survey Markers are the basis for all engineering, construction, mapping, aerial photography work, etc. that happens in the world today.
- There are approximately 7000 precise survey markers established in the province.
- In order to take full advantage of evolving GPS technology, federal and provincial agencies established three layers of control survey networks:
  - The continuously operated GPS sites of the Canadian Active Control System (CACS).
  - The federal high accuracy Canadian Base Network (CBN).
  - The High Precision Networks (HPN’s).
- These three new layers of control networks together form the Canadian Spatial Reference System (CSRS) and are supported by the various federal and provincial agencies.
- The federal government established a high precision network across Canada known as the Canadian Base Network (CBN). They established six CBN points in our Province.
- The Surveys and Mapping Division (SMD) established 448 high precision markers across the province, it is known as the NL High Precision Network (NLHPN). It is comprised of six CBN points and 442 NLHPN points.
- The maintenance that is required on the NLHPN is far less than what was required on the network of 7000 survey markers and at substantial savings.

Aerial Photography:

- SMD provides aerial photographs (digital, negatives and contact prints), high resolution scanning and enlargement services to provincial government departments, public and private sector clients.
- Lands Branch houses a library of aerial photographs. The inventory of Aerial Photography dates back to 1941 and covers different areas of the land mass of Newfoundland and Labrador over time.
- Aerial photographs dated up until the mid-1960s are available only in hardcopy contact prints. Aerial photographs from after this period are available as film based photography. In 2008, the Surveys and Mapping Division switched from film based acquisition of aerial photography to digital photography.
- This information provides a significant historical record of land use and land occupation. The Crown Lands Administration Division regularly refers to it in its day to day operations and for court proceedings.
- The Department’s Business Continuity Plan has identified a need to preserve the rolls of film which are reaching life expectancy.
The Surveys and Mapping Division (SMD) is currently scanning the film in-house using two high precision photogrammetric scanners. The scanners are operating 24/7 with downtime allotted for maintenance.

Geographical Names

- The Surveys and Mapping Division (SMD) provides secretariat support to the Newfoundland and Labrador Geographical Names Board (NLGNB), which is mandated under the Geographical Names Board Act to record and collect the names of geographical features within the Province.
- The provinces, territories and federal naming authorities have representation on the Geographical Names Board of Canada (GNBC) which is responsible for the establishment and maintenance of national standards in toponymy.

Geomatics Support Services

- Geomatics Support Services is one of SMD’s lines of business. Standardized base maps are provided to the geomatics community as the foundation for which all GIS thematic layers and applications can be built.
- A recent example would be SMD’s involvement with the Electoral Boundary Commission in the development of the new Electoral District Boundaries, legal descriptions for the new boundaries and the creation of the new Electoral District Maps.
- SMD is a central service group to government and the public that is responsible for coordinating the Provincial Geomatics Strategy.
- The Strategy is a corporate direction with evolving policies that foster the following ideals:
  - Efficient sharing of geospatially referenced data.
  - Partnerships and cooperation.
  - Standards that ensure the alignment and connectivity of data.
  - Internet/intranet data directories, access and visualization of data layers.
  - Standard base maps.
  - Collection and maintenance of data at the responsible source agency;
  - Eliminating duplication of effort and
  - Fostering public/private partnerships.

- Data is freely distributed within government and sold to external users at a reasonable cost to encourage the private sector to use our common base to build their GIS/applications.

Contact: Darren Moore, 729-3844
LAND MANAGEMENT DIVISION

Profile

- The division promotes orderly and efficient use and allocation of land through development and administration of Crown lands policies; provides technical and administrative support to other divisions and departments of government with respect to Crown lands use; and generates revenue to government through the cottage development program.

- The Land Management Division (LMD) is headed by a Director who reports directly to the Assistant Deputy Minister of Lands. The division is comprised of nine positions, of which two are vacant.

Programs and Services

Land Use Planning and Allocation

- Provides advice on land use planning, policy and procedures.
- The Lands Branch Policy Manual contains policies and/or procedures for administration of the Provincial Crown lands resource.
- Establishes and administers Crown land reserves.
- Establishes and administers community Infill Limits.
- Operates cottage planning and development program.
- Selects areas for cottage development; conducts field work; prepares cottage proposal documents for regulatory approval (environmental assessment; ILUC).
- Prepares tender documents and oversees contracts for cottage lot development projects (roads/surveys/septic evaluations).
- Coordinates public draws for Crown lands cottage lots.

Resource Evaluation and Policy Integration

- Established in 1983, the Interdepartmental Land Use Committee (ILUC) co-ordinates government’s review of land use development and policy proposals (average 50/year). Projects are referred to 33 ILUC members who identify potential land use conflicts and land use restrictions.

Maintains the Provincial Land Use Atlas GIS

- Records jurisdictions of government depts.
- Records Crown land title information.
• Provides comprehensive land use information to the public and government agencies.
• Contains over 145 land use classifications in 13 layers of information in a geographical information system format. Information is obtained from other Government Departments.
• New layers of information are continually being adding while work continues within the Lands Branch to ensure the reliability and accuracy of layers presently contained in the GIS. Currently, the Crown Lands GIS is available to all government users via the new Land Use Atlas application. http://lua.gov.nl.ca/gnl/Default.htm
• With the Office of the Chief Information Officer (OCIO), work has been completed to improve real time use in Regional Lands Offices and throughout government. Development of a web portal viewer was completed in 2014 and is now being used throughout the Provincial Government. The next phase of this project is to make land use information available to the public through a similar viewer.

Market Value Pricing Program
• Provides market valuation for Crown lands sales
• Provincial pricing policy is based on a two tiered approach (combined flat rates and market value), which has been in effect for the past 19 years.
• Market values are primarily for grant allocations for recreational cottage, residential, commercial/industrial, resorts, subdivision developments and other miscellaneous uses (eg. private land extensions).
• Commercial developments where a grant cannot be issued are subject to an annual rental of 7% of market value. All other uses that are allocated by lease or licence are based on flat rate fees (eg. agriculture, aquaculture, remote cabins, outfitting lodges, etc.).
• Market values are established by the Coordinator of Land Evaluation who utilizes standards established by the Appraisal Institute of Canada.
• Annual revenue from land title and administration fees in 2014-2015 totaled $10,821,779.

Crown Lands Application Review
• Review commercial, industrial and all other Crown lands application that the Regional Offices are not authorized to approve.
• Resolves land use conflicts and issues.
• Liaises with Crown Land Administration Division and regional lands offices and other divisions and departments to address issues affecting the management and disposition of Crown lands.

Contact: Darren Moore, Director, 729-3844
CROWN LANDS ADMINISTRATION DIVISION

Profile

- The Crown Lands Administration Division (CLAD) is headed by a Director who reports directly to the Assistant Deputy Minister of Lands. The division is comprised of 73 positions, of which 16 are currently vacant.

- The division is responsible for regional services operations; protecting Crown lands from unlawful alienation through the enforcement of the Lands Act, processing disposition requests for Crown lands; securing and guaranteeing titles to Crown lands; maintaining a Crown Lands Registry and Crown titles mapping system; and investigating conflicts in land use and ownership to support Crown lands dispositions.

Programs and Services

Administration of Acts

- CLAD carries out its mandate under the authority of the Lands Act, Chapter 36 of SNL 1991, as amended. The Act empowers the Minister to dispose of Crown lands, protect Crown lands from unlawful alienation through appropriate enforcement mechanisms and reacquire abandoned lands.

- CLAD has a statutory role when applications for certificates of title are submitted to the Supreme Court of Newfoundland and Labrador, Trial Division, under the Quieting of Titles Act, 1990. This statute provides for persons to have their land claim judicially investigated. Occasionally, applications to the court encompass lands which were not alienated from the Crown. Applications are referred to the Department to determine whether the Crown’s rights to the subject lands have been extinguished. Interventions are filed with the Court if the Crown claims any interest in the land or a portion of the lands. Claims to Crown lands are recognized in accordance with section 36 of the Lands Act (“squatter’s rights”), which confers entitlement to receive a nominal fee Crown grant.

- The practice of land surveying in the province is regulated under the Land Surveyors Act, 1991. Responsibility for administering the Land Surveyors Act rests with the CLAD; however, the Association of Newfoundland and Labrador Land Surveyors is a self-governing body.

Administration of Standards

- In March 2009, the Lands Branch implemented new Standards for the surveying of Crown lands by licenced surveyors with the Association of Newfoundland Land Surveyors (ANLS). The Branch collaborated extensively with the ANLS in the development of the new Standards. The purpose of the new Standards was to bring them up-to-date with today’s land surveying technology (i.e., GPS surveys), eliminate
overlap with ANLS survey guidelines, provide clearer direction to land surveyors in the performance of Crown lands surveys and to reduce the number of unsatisfactory land surveys submitted to the Branch for review.

Contact: Milly Meaney, Director, 729-1513
LAND USE PLANNING SECTION

Profile

- The Land Use Planning Section is currently headed by the Manager of Land Use Planning and reports directly to the Assistant Deputy Minister (Lands).
- The section includes 12 positions, of which three are currently vacant.
- The section promotes the growth of sustainable and attractive communities through its administration of provisions under Urban and Rural Planning Act, 2000.
- The section oversees development of plans and regulations, required under the Act, ensuring orderly and well-planned community development.

Programs and Services

- The Land Use Planning Section administers the Urban and Rural Planning Act, 2000 through:
  - reviewing and registering plans, development regulations and amendments;
  - advising municipalities in the preparation of municipal plans and development schemes;
  - enabling municipalities to interpret and use their municipal plans and development regulations to make decisions about the development of land by providing hands-on training along with technical and administrative advice;
  - preparing regional, protected area, protected road zoning and local area plans;
  - operating the feasibility process under the Municipalities Act, 1999 for the alteration of municipal boundaries;
  - administering the expropriation provisions of the Urban and Rural Planning Act, 2000;
  - developing and assisting in administering a number of province-wide regulations related to development including the Highway Sign Regulations, 1999 and Protected Road Zoning Regulations; and
  - providing advice to the departmental executive on land use planning and the orderly use of land throughout the province.

- The section provides professional support and administration services to the three Regional Appeal Boards.

Contact: Corrie Davis, Manager, 729-5409
ENGINEERING AND WASTE MANAGEMENT DIVISION

Profile

- The Engineering and Waste Management Division is responsible for providing professional engineering, administrative and technical support services to facilitate the provision of sustainable, suitable and affordable municipal infrastructure in a manner that will result in greater autonomy for communities.

- The division is also responsible for the implementation of the Provincial Waste Management Strategy through engineering, administrative and technical support services to community groups and Regional Service Boards.

- The division is headed by a Director who reports to the Assistant Deputy Minister of Infrastructure and Engineering Services. The division includes 16 positions, of which two are currently vacant. There are also regional engineering staff who report to the Regional Directors for day-to-day business but have significant interaction with engineering staff in the Engineering and Waste Management Division.

Programs & Services

Infrastructure Programs

The division is responsible for development and implementation of the Department’s Municipal Infrastructure Programs including those programs cost shared with the Federal Government. This includes:

- evaluating capital works applications submitted by municipalities, Local Service Districts and Regional Service Boards;

- preparing a recommended list of potential projects for funding approval for the Executive and Minister’s consideration;

- providing technical support to the regional engineering staff during the execution of individual projects.

- maintenance of engineering standards to which municipal infrastructure is to be constructed;

- development and coordination of internal and external policy and procedures related to the implementation of infrastructure programs and projects;

- communication with communities and consultants on matters related to implementation of infrastructure programs and provision of technical advice related to the same; and

- provision of project management oversight on all infrastructure projects to ensure government and the communities receive the best value for money with its infrastructure investment.
Industrial Water Supply Systems

The division is responsible for the operations and maintenance of six Industrial Water Supply systems currently owned by the Department.

Provincial Solid Waste Management Strategy

In addition to the provision of municipal infrastructure to communities, the division has a group of 4 staff that is responsible for the implementation of the Provincial Solid Waste Management Strategy. Responsibilities include:

- working with communities to encourage regional cooperation in the delivery of waste management services;
- providing guidance to committees and Regional Service Boards in the development of waste management solutions that support the goals of the provincial strategy;
- developing policies related to waste management;
- evaluating and recommending funding requests;
- providing technical and engineering support for waste management infrastructure projects; and
- ensuring projects meet departmental engineering standards; and reviews tenders documents and approves contract awards.

Contact: Ian Duffett, Director, 729-7482
COMMUNICATIONS DIVISION

Profile

- Within the department, the division reports directly to the Deputy Minister. The division also provides direct support to the Minister and acts as a liaison with the Communications Branch of Executive Council.
- The division has a staff complement of one Director and one Media Relations Manager.
- A Media Relations Manager for Fire and Emergency Services, NL also reports to the Communications Director.

Programs & Services

The division is responsible for:

- developing and implementing the strategic management framework, policies and plans governing all communications advice, standards, programs and services for the department, consistent with government-wide policies and priorities,
- providing advice on communications matters to the Minister, Executive and all levels of staff,
- preparing communications strategies and plans for Cabinet submissions, consultation plans for government policy and other major departmental programs, and initiating a strategy for interacting with all stakeholders including the general public and the media,
- preparing news releases, messaging, speeches, ministerial statements, special reports and presentations and text for pamphlets, booklets and brochures,
- organizing news conferences and events to support departmental announcements or initiatives,
- participating in the development and implementation of the department’s internet and intranet framework and structure,
- liaising with the news media, business, community and other governments, and
- coordinating departmental advertising.

Contact: Kevin Guest, Director, 729-1983
Municipal Assessment Agency

- The Municipal Assessment Agency (MAA) is a Crown-owned corporation responsible for providing real property valuations for property tax purposes under the Assessment Act, 2006. MAA is governed by a 12-member board, comprised of six elected municipal officials, two taxpayer representatives, two Government representatives, a Municipalities Newfoundland and Labrador (MNL) representative, and a representative from the Professional Municipal Administrators Association (PMA).

- The Minister of Municipal Affairs is its sole shareholder.

- The six municipal representatives are elected for a four year term, through a balloted election by each municipal region and urban municipality group. The MNL and PMA representatives are put forth by each respective organization on an annual basis. The two taxpayer representatives are appointed by the Province for a two year term. The Board members are remunerated at a Level 1 according to the guidelines for rates of remuneration for Boards, Commissions and Agencies.

**MAA Board of Directors**

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
<th>Town</th>
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</thead>
<tbody>
<tr>
<td>Mayor Dean Ball</td>
<td>Chairperson</td>
<td>Deer Lake</td>
</tr>
<tr>
<td>Mayor Betty Moore</td>
<td>Vice-Chair/Avalon Director</td>
<td>Clarke’s Beach</td>
</tr>
<tr>
<td>Mayor Robert Hobbs</td>
<td>Central Director</td>
<td>Bishop's Falls</td>
</tr>
<tr>
<td>Councilor Deb Barney</td>
<td>Labrador Director</td>
<td>L'Anse au Loup</td>
</tr>
<tr>
<td>Mayor Paul Pike</td>
<td>Eastern Director</td>
<td>St. Lawrence</td>
</tr>
<tr>
<td>Councilor Peggy Roche</td>
<td>Urban Municipalities Director</td>
<td>Torbay</td>
</tr>
<tr>
<td>Mayor Al Hawkins</td>
<td>MNL Representative</td>
<td>Grand Falls-Windsor</td>
</tr>
<tr>
<td>Mr. David Denine</td>
<td>Taxpayer Representative</td>
<td>Mount Pearl</td>
</tr>
<tr>
<td>Mr. David Blundon</td>
<td>Taxpayer Representative</td>
<td>Gander</td>
</tr>
<tr>
<td>Ms. Vida Greening</td>
<td>PMA Representative</td>
<td>Port Blandford</td>
</tr>
</tbody>
</table>

**Contact Information**

Sean Martin, CEO  
75 O’Leary Avenue  
St. John’s, NL A1B 2C9  
Phone: 724-1532
**REGIONAL APPEAL BOARDS**

- Regional Appeal Boards hear appeals by aggrieved individuals relating to a Council decision to refuse a permit; add conditions to a permit; issue an order; or issue a permit.

- The Boards also hear appeals resulting from orders issued by Councils under Section 404 of the *Municipalities Act, 1999*. The Boards can also hear appeals related to decisions of Service NL to refuse a permit, add conditions to a permit or approve a permit under the *Protected Road Zoning Regulations* and the *Highway Sign Regulations*.

- Section 40 of the *Urban and Rural Planning Act, 2000* provides for the creation of Regional Appeal Boards by order of the Minister of Municipal Affairs. Regional Appeal Boards currently active are:
  
  - the Eastern Newfoundland Regional Appeal Board, which covers the area including the Avalon, Bonavista and Burin Peninsulas;
  
  - the Central Newfoundland Regional Appeal Board, which covers the area between Terra Nova National Park and the intersection of the Baie Verte Highway and the Trans Canada Highway;
  
  - the West Newfoundland Regional Appeal Board, which extends from Channel-Port-aux-Basques to St. Anthony.

- The West Newfoundland Regional Appeal Board traditionally acts in place of the Labrador Regional Appeal Board with regards to appeals from Labrador.

- The *Urban and Rural Planning Act, 2000* allows the three cities to establish local boards of appeal. The City of St. John’s is the only city currently exercising that right. Appeals filed against decisions of the Cities of Mount Pearl and Corner Brook are heard by the appropriate regional board.

- Current membership of the Regional Appeal Boards is as follows:

<table>
<thead>
<tr>
<th>Eastern Newfoundland Regional Appeal Board</th>
<th>Community</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Member</strong></td>
<td><strong>Community</strong></td>
</tr>
<tr>
<td>Chair - Vacant</td>
<td></td>
</tr>
<tr>
<td>Harold Porter</td>
<td>Conception Bay South</td>
</tr>
<tr>
<td>Mary Thorne Gosse</td>
<td>Torbay</td>
</tr>
<tr>
<td>Michelle Downey</td>
<td>St. John’s</td>
</tr>
<tr>
<td>Bruce Strong</td>
<td>Clarenville</td>
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</tbody>
</table>
## Central Newfoundland Regional Appeal Board

<table>
<thead>
<tr>
<th>Member</th>
<th>Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sam Gibbons, Chair</td>
<td>Centreville-Wareham-Trinity</td>
</tr>
<tr>
<td>Fred Parsons</td>
<td>Grand Falls-Windsor</td>
</tr>
<tr>
<td>Shawn Feener</td>
<td>Grand Falls-Windsor</td>
</tr>
<tr>
<td>Wes Harris</td>
<td>Hermitage – Sandyville</td>
</tr>
<tr>
<td>Norm Austin</td>
<td>Lewisporte</td>
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</table>

## West Newfoundland Regional Appeal Board

<table>
<thead>
<tr>
<th>Member</th>
<th>Community</th>
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</thead>
<tbody>
<tr>
<td>Chair - Vacant</td>
<td>Corner Brook</td>
</tr>
<tr>
<td>Bill Madore</td>
<td>Corner Brook</td>
</tr>
<tr>
<td>Walter Sheppard</td>
<td>Corner Brook</td>
</tr>
<tr>
<td>Bill Parsons</td>
<td>Corner Brook</td>
</tr>
<tr>
<td>Joe Guinchard</td>
<td>Corner Brook</td>
</tr>
</tbody>
</table>

- The department provides secretariat support to the Regional Appeals Boards.

**Contact information**

Corrie Davis, 729-5409
The North East Avalon Regional Plan Development Oversight Committee (NEAR) was established in February 2012, to oversee work associated with the preparation of a Regional Land Use Plan which will lead future growth and development in the area from and including the Towns of Witless Bay and Holyrood and all lands north from there to Cape St. Francis.

The committee is chaired by the Minister of Municipal Affairs. MA officials will provide secretariat support (e.g. preparation of agendas, recording of the discussions).

The Minister has appointed the mayors of the region’s 15 municipalities as committee members.

NEAR is responsible for:

- Approving the terms of reference/call for proposals to engage a consultant for preparation of a draft Regional Plan;
- Reviewing the recommendations of a review committee comprised of representatives of Municipalities NL (MNL), MA, and three technical staff from the region regarding the proposals and making a final recommendation to the Minister of Municipal Affairs with regard to the preferred consultant;
- Directing the work of MNL, who serve as project management lead, with regards to needed engagement of individuals and organizations to learn about current issues within the Regional Planning Area;
- Advising the planning consultant, through or in conjunction with MNL, on issues within the Regional Planning Area;
- Providing available background material or studies to the planning consultant, through MNL;
- Reviewing and approving an appropriate public consultation process, based on recommendations from MNL, its project management consultant, MA, and the planning consultant;
- Communicating progress on the regional plan development to municipal councils and provincial departments, as applicable to the individual committee members;
o Reviewing drafts of the Regional Plan and providing comments to the consultant, through or in conjunction with MNL and their project management consultant;

o Recommending to the Minister of Municipal Affairs approval of the final version of the draft Regional Plan; and

o Working with the Department of Municipal Affairs to organize statutory public hearings on the draft Regional Plan, as required by the *Urban and Rural Planning Act, 2000.*

**Contact Information**

Peter Howe, ADM Lands, 729-3236
Humber Valley Regional Planning Advisory Authority Leadership Committee

- The Humber Valley Regional Planning Advisory Authority Leadership Committee is an entity under the Urban and Rural Planning Act, 2000 mandated to facilitate the development of the Humber Valley Region, regional land use plan for recommendations to government. In accordance with Section 9 of the Urban and Rural Planning Act, 2000, the Minister has the ultimate authority over the regional plan.

- The Advisory Authority has representation from the seven participating municipalities and the five government departments with a mandate in land use. The Advisory Authority has a leadership committee and a technical team. The Authority is led by an independent chair, Don Downer, appointed in March 2009.

- The Leadership Committee facilitates the development of the regional plan and is comprised of the mayor or a councilor from each of the seven municipalities within the region.

<table>
<thead>
<tr>
<th>Leadership Committee</th>
<th>Municipality</th>
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<tbody>
<tr>
<td>Member</td>
<td></td>
</tr>
<tr>
<td>Mayor Peter Rowsell</td>
<td>Town of Steady Brook</td>
</tr>
<tr>
<td>Mayor Otto Goulding</td>
<td>Town of Pasadena</td>
</tr>
<tr>
<td>Councilor Elmo Bingle</td>
<td>Town of Deer Lake</td>
</tr>
<tr>
<td>Mayor Melvin Rideout</td>
<td>Town of Cormack</td>
</tr>
<tr>
<td>Mayor Roger Barrett</td>
<td>Town of Reidville</td>
</tr>
<tr>
<td>Councilor Mary Ann Murphy</td>
<td>City of Corner Brook</td>
</tr>
<tr>
<td>Mayor Gordon Davis</td>
<td>Town of Massey Drive</td>
</tr>
</tbody>
</table>

- The Technical Team is composed of a town office representative from each of the seven municipalities and a representative from each of the five participating government departments.

<table>
<thead>
<tr>
<th>Technical Team</th>
<th>Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td></td>
</tr>
<tr>
<td>Paul Barnable</td>
<td>City of Corner Brook</td>
</tr>
<tr>
<td>Tracey Hewitt</td>
<td>Town of Cormack</td>
</tr>
<tr>
<td>Maxine Hayden</td>
<td>Town of Deer Lake</td>
</tr>
<tr>
<td>Rodger Hunt</td>
<td>Town of Massey Drive</td>
</tr>
<tr>
<td>Connie Reid</td>
<td>Town of Reidville</td>
</tr>
</tbody>
</table>
**Technical Team**

<table>
<thead>
<tr>
<th>Representative</th>
<th>Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candace Austin</td>
<td>Town of Steady Brook</td>
</tr>
<tr>
<td>Brian Hudson</td>
<td>Town of Pasadena</td>
</tr>
<tr>
<td>Paul Taylor</td>
<td>Business, Tourism, Culture and Rural Development</td>
</tr>
<tr>
<td>Christa Ramsay</td>
<td>Environment and Conservation (Water Resources)</td>
</tr>
<tr>
<td>Corrie Davis</td>
<td>Municipal Affairs (Land Use Planning)</td>
</tr>
<tr>
<td>Jonathan Grandy</td>
<td>Municipal Affairs (Crown Lands)</td>
</tr>
<tr>
<td>Bert Frampton</td>
<td>Natural Resources (Forestry)</td>
</tr>
<tr>
<td>Jennifer Eustace</td>
<td>Natural Resources (Agrifoods)</td>
</tr>
<tr>
<td>Butch Vardy</td>
<td>Service Newfoundland and Labrador</td>
</tr>
</tbody>
</table>

**Contact Information**

**Humber Valley Regional Planning Advisory Authority**

19-21, Suite 25, West Street  
Corner Brook, NL  A2H 2Y6  
Tel: (709) 632-2922  
Email: info@wrwm.ca  
Website: [www.cbhvregionalplan.ca](http://www.cbhvregionalplan.ca)

**Department of Municipal Affairs**

P.O. Box 8700  
St. John’s, NL  A1B 4J6  
Tel. (709) 729-5677  
Email: MAinfo@gov.nl.ca
NEWFOUNDLAND AND LABRADOR GEOGRAPHICAL NAMES BOARD

- The Newfoundland and Labrador Geographical Names Board (NLGNB) is the main authority for recommending to government, through the Minister of Municipal Affairs, the proper status of, and all changes related to, names of places and geographical features in the Province. The main responsibility of the NLGNB is to administer the Geographical Names Board Act.

- The NLGNB consists of the provincial secretary, a permanent staff member with the title Administrative Officer I assigned by the Department, and five other members appointed by the Minister. Members are appointed for a term of three years. The NLGNB operates under the departmental budget. The current NLGNB was appointed on October 19, 2015.

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Gordon Handcock</td>
<td>Chair</td>
</tr>
<tr>
<td>Mr. Gary N. Smith</td>
<td>Vice-Chair</td>
</tr>
<tr>
<td>Mr. Randy Hawkins</td>
<td>Secretary</td>
</tr>
<tr>
<td>Mr. Edward Tuttauk</td>
<td>Member</td>
</tr>
<tr>
<td>Ms. Franca Smith</td>
<td>Member</td>
</tr>
<tr>
<td>Ms. Cheryl Brown-McLean</td>
<td>Member</td>
</tr>
</tbody>
</table>

- The vision of the NLGNB is to record and preserve geographical names for functional use and as an important part of the province’s cultural heritage.

- In 2014-2015 the NLGNB recommended a total of 785 geographical feature and place names for ministerial approval. NLGNB reviewed 573 names submitted by the Innu Nation of Labrador and a total of 448 of these names submitted were recommended for Ministerial approval. The remaining 125 names required further investigation and consultation with the Nunatsiavut Government. This accomplishment marked a significant milestone in the partnership between Aboriginal governments/organizations and the Province of Newfoundland and Labrador as it is the completion of a process begun over two decades ago.

Contact Information

Jeff Wood, Manager of Geomatics, 729-6810
Municipalities Newfoundland and Labrador (MNL) is the department’s primary stakeholder which advances considerable advocacy and policy efforts on behalf of its members.

One of the main functions of MNL is to lobby on issues that affect municipalities throughout the province. MNL provides a variety of services to its members. Focused on helping member municipalities govern more effectively, MNL strives to provide current, pertinent and readily available information.

There are 276 incorporated municipalities representing 89 percent of the provincial population. Over 97 percent of these councils are paying members of MNL and drive advocacy and policy efforts.

An eleven-member Board of Directors representing seven regions as well as small town and urban constituencies governs MNL. Directors are elected from among the delegates at their Annual General Meeting.

MNL activities are coordinated by a staff of seven professionals based largely in the organizational headquarters on Torbay Road in St John’s.

The department does not provide operational funding to MNL, but has historically provided funding for specific events including:

- MNL spring symposium;
- MNL Fall Convention - banquet and entertainment;
- Tidy Town Program;
- Municipal Awareness Day; and
- Training subsidies for councilors / staff (under the Matched Training Fund) for council / staff to attend eligible training courses and professional development events.

The department has historically had a significant presence at the MNL events: Minister, Executive, relevant directors, regional engineers and managers attend the Symposium each year; Minister, Executive and relevant directors attend the Convention.
### MNL Board of Directors

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Karen Oldford</td>
<td>President</td>
<td>Town of Labrador City</td>
</tr>
<tr>
<td>Mayor Tony Keats</td>
<td>Vice-President</td>
<td>Town of Dover</td>
</tr>
<tr>
<td>Mayor Sheila Flannigan</td>
<td>Small Town Director</td>
<td>Town of Roddickton-Bide Arm</td>
</tr>
<tr>
<td>Mayor Dale Colbourne</td>
<td>Northern Director</td>
<td>Town of St. Lunaire-Griquet</td>
</tr>
<tr>
<td>Mayor Roger Barrett</td>
<td>Western Director</td>
<td>Town of Reidville</td>
</tr>
<tr>
<td>Mayor Wayne Power</td>
<td>Avalon Director</td>
<td>Town of Placentia</td>
</tr>
<tr>
<td>Mayor Claude Elliott</td>
<td>Central Director</td>
<td>Town of Gander</td>
</tr>
<tr>
<td>Mayor Betty Fitzgerald</td>
<td>Eastern Director</td>
<td>Town of Bonavista</td>
</tr>
<tr>
<td>Mayor Wilson Belbin</td>
<td>Labrador Director</td>
<td>Town of Forteau</td>
</tr>
<tr>
<td>Councillor Art Puddister</td>
<td>St. John’s Director</td>
<td>City of St. John’s</td>
</tr>
<tr>
<td>Mayor Dean Ball</td>
<td>Urban Municipalities Director</td>
<td>Town of Deer Lake</td>
</tr>
</tbody>
</table>

### Contact Information

Craig Pollett, Chief Executive Officer  
Municipalities Newfoundland and Labrador  
460 Torbay Road  
St. John's NL A1A 5J3

Phone: 709-753-6820 Bus  
709-738-0071 Fax  
800-440-6536 Toll Free  
E-mail info@municipalnl.ca
Professional Municipal Administrators – Newfoundland and Labrador

- Professional Municipal Administrators – Newfoundland and Labrador (PMA) is a professional organization comprised of municipal administrators, town/city managers, town/city clerks that are committed to improving the quality of administration in local government in Newfoundland and Labrador.

- Its mission is to enhance and promote professional management and leadership excellence in local government through professional development, the exchanging of ideas and information, for the continued recognition of PMA as an authority on municipal government.

- PMA currently works with the Department to develop and deliver training programs and administers the Matched Training Fund for municipalities to attend training and professional development courses offered by the Department, PMA and MNL.

- The Department currently provides financial support to PMA through: an annual operating grant of $25,000; $7500 towards the cost of the annual convention; and an additional $25,000 for the administration of the Matched Training Fund.

PMA Board of Directors

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derrick Bragg (currently inactive due to candidacy in provincial election)</td>
<td>President</td>
<td>Town Clerk/Manager, Town of Greenspond</td>
</tr>
<tr>
<td>Brian Peckford</td>
<td>Vice-President</td>
<td>Town Manager, Town of Lewisporte</td>
</tr>
<tr>
<td>Rodney Cumby</td>
<td>Treasurer</td>
<td>CAO - Town of Paradise</td>
</tr>
<tr>
<td>Nigel Black</td>
<td>Avalon Director</td>
<td>CAO - Town of Bay Roberts</td>
</tr>
<tr>
<td>Vida Greening</td>
<td>Eastern Director</td>
<td>Town Clerk/Manager - Town of Port Blandford</td>
</tr>
<tr>
<td>Michelle Brown</td>
<td>Central Director</td>
<td>Town Clerk - Town of Centreville, Wareham, Trinity</td>
</tr>
<tr>
<td>Hayward Broomfield</td>
<td>Northern Director</td>
<td>Town Clerk, Town of Happy Valley-Goose Bay</td>
</tr>
<tr>
<td>Curtis Richards</td>
<td>Western Director</td>
<td>Town Manager, Town of St. Anthony</td>
</tr>
</tbody>
</table>
Contact Information

Krista Planke, Executive Director
460 Torbay Road
St. John's, NL A1A 5J3
Phone: 726-6405
Email: ex.dir@nlama.ca
A Regional Service Board (RSB) is an incorporated entity mandated under the *Regional Service Boards Act, 2012* (the Act), which provides a regional approach to municipal service delivery within a designated regional boundary.

Section 3 of the *Act* authorizes the Lieutenant-Governor in Council, on the recommendation of the Minister, by order, to create a region, establish a regional service board, designate the boundaries and select a name for the region. Section 6 (2) authorizes the Minister to determine the number of members, other than the chairperson, to be appointed to a board.

Sections 5 and 6 of the *Act* were amended in 2015 and future Chairpersons will be elected by members of the board. As well, members of the board will now be nominated and/or elected by the respective local governments as outlined in the approved governance models. Chairpersons and board members were previously appointed by government.

Under section 19 of the *Act* the Minister may, by regulation, prescribe the powers that a board may have for a region or a portion of the region governed by the board, including powers regarding the construction and operation of regional solid waste disposal sites.

Services that can be provided by a RSB include, but are not limited to:

- water supply systems;
- waste disposal systems and sites;
- police, fire protection and ambulance services;
- animal control;
- public transportation systems; and
- recreational facilities.

The Board also assumes the responsibility for regional waste management planning. At present, most of the Boards are involved in waste management as their sole activity; however, NorPen also provides fire protection services and Central, Western and Eastern are now involved in the new regional water and wastewater pilot.

User fees may be charged to a municipality, local service district (LSD) or unincorporated area in each region, persons who occupy real property or to users of a facility or service provided by the RSBs.

There are currently seven RSBs established in the province.
**Northern Peninsula Regional Service Board (NorPen)**

The Board was established in December 2004 to oversee a region that includes the portion of the Northern Peninsula Region from Eddies Cove in the north to Anchor Point in the south. This Board also provides fire protection services to part of the region.

<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doug Mills</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Iris Decker</td>
<td>Sub-region 1 Ship Cove</td>
</tr>
<tr>
<td>Gerald Hillier</td>
<td>Sub-region 1 St. Lunaire-Griquet</td>
</tr>
<tr>
<td>Leander Pilgrim</td>
<td>Sub-region 2 Main Brook</td>
</tr>
<tr>
<td>Ralph Hedderson</td>
<td>Sub-region 1 St. Anthony</td>
</tr>
<tr>
<td>Rudy Porter</td>
<td>Sub-region 2 Englee</td>
</tr>
<tr>
<td>Meggie Chambers</td>
<td>Sub-region 3 Flower's Cove</td>
</tr>
<tr>
<td>Kirby Spence</td>
<td>Sub-region 4 Port au Choix</td>
</tr>
<tr>
<td>Tony Ryan</td>
<td>Sub-region 4 Port Saunders</td>
</tr>
<tr>
<td>Lynn Decker</td>
<td>Sub-region 2 Roddickton</td>
</tr>
<tr>
<td>Andre Myers</td>
<td>Sub-region 3 Bird Cove</td>
</tr>
<tr>
<td>Cecil Hughes</td>
<td>Sub-region 3 Green Island Brook</td>
</tr>
<tr>
<td>Lloyd Bennett</td>
<td>Sub-region 4 Hawke's Bay</td>
</tr>
</tbody>
</table>

**Eastern Regional Service Board**

The Board was established in February 2008 to oversee the region that includes the towns, local service districts (LSDs) and unincorporated areas from the area of the Town of Clarenville east (including Random Island to the east and Swift Current to the west).

<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ed Grant</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Bill Bailey</td>
<td>Clarenville and Isthmus</td>
</tr>
<tr>
<td>Harold Mullowney</td>
<td>Southern Shore</td>
</tr>
<tr>
<td>Joy Dobbie</td>
<td>Trinity Bay South/Isthmus East</td>
</tr>
<tr>
<td>Sterling Willis</td>
<td>Town of Paradise</td>
</tr>
<tr>
<td>Bruce Tilley</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Danny Breen</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Tom Hann</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Wally Collins</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Sandy Hickman</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Gordon Stone</td>
<td>Trinity Conception North</td>
</tr>
<tr>
<td>Peggy Roche</td>
<td>Metro Area</td>
</tr>
<tr>
<td>William Woodman</td>
<td>Southwest Avalon</td>
</tr>
<tr>
<td>Dave Aker</td>
<td>City of Mount Pearl</td>
</tr>
<tr>
<td>Member</td>
<td>Region / Community Represented</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td>Dennis O'Keefe</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Dave Lane</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Art Puddister</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Jonathan Galgay</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Bernard Davis</td>
<td>City of St. John's</td>
</tr>
<tr>
<td>Gerard Tilley</td>
<td>Town of Conception Bay South</td>
</tr>
<tr>
<td>Sam Whalen</td>
<td>Bay Roberts Area</td>
</tr>
</tbody>
</table>

**Burin Regional Service Board**

The Board was established in July 2013 to oversee a region that encompasses the area of the Island of Newfoundland situated on the Burin Peninsula and Fortune Bay East, including all lands south of where Provincial Highway Route Number 214 intersects with Provincial Highway Route Number 210, along with all communities and areas accessed by Provincial Highway Route Number 211.

<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harold Murphy</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Charles Penwell</td>
<td>Director, Fortune Ward</td>
</tr>
<tr>
<td>Jim Mullett</td>
<td>Director, Burin Exterior</td>
</tr>
<tr>
<td>Kevin Lundrigan</td>
<td>Director, Burin Ward</td>
</tr>
<tr>
<td>Leonard Pittman</td>
<td>Director, Marystown Ward</td>
</tr>
<tr>
<td>Mike Geraghty</td>
<td>Director, Central Ward</td>
</tr>
<tr>
<td>Rick Grikis</td>
<td>Director, Grand Bank Ward</td>
</tr>
<tr>
<td>Harold Kenway</td>
<td>Director, Placentia West Ward</td>
</tr>
<tr>
<td>Lisa Slaney</td>
<td>Director, Marystown Ward</td>
</tr>
<tr>
<td>Neil Edwards</td>
<td>Director, Greater Lamaline Ward</td>
</tr>
<tr>
<td>James Levhey</td>
<td>Director, Fortune Bay East</td>
</tr>
<tr>
<td>Jack Walsh</td>
<td>Director, St. Lawrence Ward</td>
</tr>
</tbody>
</table>

**Central Regional Service Board**

The Board was established in February 2008 to oversee a region that includes the towns, LSDs, and unincorporated areas within the boundaries of Buchans in the west, Salvage in the east, north to and including Fogo Island, and Glovers Harbour in the northwest.
<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Scott</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Angus McLoughlin</td>
<td>Norris Arm/Norris Arm North</td>
</tr>
<tr>
<td>Bruce Moores</td>
<td>Town of Grand Falls-Windsor</td>
</tr>
<tr>
<td>Robert Elliott</td>
<td>Zone 2 Point Leamington</td>
</tr>
<tr>
<td>Sam Winsor</td>
<td>Gander Bay (Zone 5)</td>
</tr>
<tr>
<td>Derrick Luff</td>
<td>Local Service District – Centroid Area</td>
</tr>
<tr>
<td>Glenn Arnold</td>
<td>Terra Nova Area (Zone 7)</td>
</tr>
<tr>
<td>Claude Elliott</td>
<td>Town of Gander</td>
</tr>
<tr>
<td>Michael Patey</td>
<td>Buchan’s Junction (Zone 1)</td>
</tr>
<tr>
<td>Andrew Shea</td>
<td>Zone 4 Fogo Island</td>
</tr>
<tr>
<td>Winston Perry</td>
<td>New-Wes-Valley/Indian Bay (Zone 6)</td>
</tr>
<tr>
<td>Terry Breault</td>
<td>New World Island/Twillingate (Zone 3)</td>
</tr>
<tr>
<td>Robert Hobbs</td>
<td>Towns of Bishops Falls/ Botwood/ Lewisporte</td>
</tr>
</tbody>
</table>

**Discovery Regional Service Board (Bonavista Peninsula)**

The Board was established in July 2013 to oversee a region that encompasses all area of the Island of Newfoundland situated north and east of a line drawn from Port Blandford to Morley’s Siding and then onwards to New Bonaventure and including those communities.

<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Jim Miller</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Mr. Cyril Bennett</td>
<td>Town of Port Blandford</td>
</tr>
<tr>
<td>Mr. Dennis Penney</td>
<td>Canning's Cove LSD</td>
</tr>
<tr>
<td>Mr. Derek Martin</td>
<td>Town of Elliston</td>
</tr>
<tr>
<td>Vacant</td>
<td>Town of Trinity Bay North</td>
</tr>
<tr>
<td>Mr. Roy Holloway</td>
<td>Lethbridge &amp; Area LSD</td>
</tr>
<tr>
<td>Ms. Margaret Ducey</td>
<td>Town of Keels</td>
</tr>
<tr>
<td>Mr. Melvin Humby</td>
<td>Town of Musgravetown</td>
</tr>
<tr>
<td>Mr. Paul Mouland</td>
<td>Town of Bonavista</td>
</tr>
<tr>
<td>Ms. Shirley Clarke</td>
<td>Town of Port Rexton</td>
</tr>
<tr>
<td>Ms. Mary Batterton</td>
<td>Town of King’s Cove</td>
</tr>
</tbody>
</table>

**Western Regional Service Board**

The Board was established in January 2013 to oversee a region that includes the city, towns, local service districts and unincorporated areas in the western portion of the Island of Newfoundland situated south and west of a line drawn from Belburns to Jackson’s Arm to The Beaches to Ramea, as well as the local service district of Grey River.
<table>
<thead>
<tr>
<th>Member</th>
<th>Region / Community Represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don Downer</td>
<td>Independent Chair</td>
</tr>
<tr>
<td>Ms. Barbara Barter</td>
<td>Burgeo</td>
</tr>
<tr>
<td>Mr. Eli Bishop</td>
<td>White Bay South</td>
</tr>
<tr>
<td>Ms. Leona Gillette</td>
<td>Humber Valley Communities</td>
</tr>
<tr>
<td>Mr. Roger Barrett</td>
<td>Deer Lake Area</td>
</tr>
<tr>
<td>Mr. Joe Reid</td>
<td>Long Range</td>
</tr>
<tr>
<td>Mr. Ken Meade</td>
<td>Bay St. George</td>
</tr>
<tr>
<td>Mr. Anthony Blanchard</td>
<td>North/South Bay of Islands</td>
</tr>
<tr>
<td>Mr. Keith Cormier</td>
<td>Corner Brook</td>
</tr>
<tr>
<td>Mr. Bruce J. Burton</td>
<td>Southwest Coast</td>
</tr>
<tr>
<td>Mr. Robert Cormier</td>
<td>Bay St. George</td>
</tr>
<tr>
<td>Mr. Bernd Staeben</td>
<td>Corner Brook</td>
</tr>
</tbody>
</table>

**Coast of Bays Regional Service Board**

This Board has recently been established to oversee a region that includes the towns, local service districts and unincorporated areas situated in the Coast of Bays area including the isolated communities of Gaultois, McCallum and Rencontre East. The regional committee will begin the process for the nomination and/or election of the board members and chairperson in the near future.
The Combined Councils of Labrador (CCL) was formed in 1972 when the communities of Nain, Makkovik, Davis Inlet and Hopedale met for an inaugural conference to address issues that were similar in each municipality. Together as a united voice they lobbied government officials for improvements in their region.

In 1979, the CCL met in North West River and expanded to include all communities in Labrador.

From its early beginnings the CCL has grown in scope and capacity to acknowledge municipal governance as the vehicle of choice for economic development, community living, social challenges, infrastructure activities and thrives for leadership in advocacy, policy development, research and municipal training.

The CCL normally hold the AGM in January/February of each year in Labrador. The Minister of Municipal Affairs participates in the annual meeting of the Combined Councils, as well as other Ministers and MHA’s.

### Executive

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
<th>Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Didier Naulleau</td>
<td>President</td>
<td>Pinware</td>
</tr>
<tr>
<td>Deputy Mayor Sheila Chubbs</td>
<td>Secretary/Treasurer</td>
<td>L'Anse au Claire</td>
</tr>
<tr>
<td>Mayor Art Williams</td>
<td>VP Labrador Central</td>
<td>North West River</td>
</tr>
<tr>
<td>Councillor Clarence Rogers</td>
<td>VP Labrador West</td>
<td>Labrador City</td>
</tr>
<tr>
<td>VACANT</td>
<td>VP Labrador Southeast</td>
<td></td>
</tr>
<tr>
<td>Mayor Nath Moores</td>
<td>VP Labrador Straits</td>
<td>L'Anse au Claire</td>
</tr>
<tr>
<td>Angajukkak Jim Tuttauk</td>
<td>VP Labrador North</td>
<td>Hopedale</td>
</tr>
</tbody>
</table>

### Contact Information

**Margaret Rumbolt, Executive Director**

32-34 Lodge Bay Road  
P. O. Box 132  
Mary's Harbour NL A0K 3P0  
(709) 921-6836 Telephone  
(709) 921-6835 Facsimile  
(709) 454-5045 Cell Phone  
execdir@combinedcouncils.ca
MULTI-MATERIALS STEWARDSHIP BOARD

- The Multi Materials Stewardship Board (MMSB) is a self-financed Crown agency of the Government of Newfoundland and Labrador, reporting to the Minister of Environment and Conservation. It was established in 1996 to develop, implement and manage waste diversion and recycling programs on a province-wide basis for specific waste streams designated by the government.

- Recycling initiatives lead by MMSB includes the Used Beverage Container Recycling Program, the Tire Recycling Program, Used Oil Recycling Program, Household Hazardous Waste Collection Program, Residential Backyard Composting Program and Public Education Programs.

- MMSB revenues are derived from levies applied on various waste streams as authorized and prescribed under provincial legislation (presently beverage containers and tires), as well as from the sale of recyclable materials it collects under its various programs.

- MMSB is governed by a Board of Directors appointed by the Minister of Environment and Conservation. The Board is responsible and accountable for the overall business affairs of MMSB.

- MMSB supports the implementation of the Provincial Waste Management Strategy (led by the Department of Municipal Affairs) through the administration of the Newfoundland and Labrador Waste Management Trust Fund.

- MMSB develops and implements province-wide public education initiatives to promote more progressive waste management practices in Newfoundland and Labrador.

**Board of Directors**

<table>
<thead>
<tr>
<th>Member</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leigh Puddester</td>
<td>Chair</td>
</tr>
<tr>
<td>Colleen Janes</td>
<td>Department of Environment and Conservation Representative</td>
</tr>
<tr>
<td>John Patten</td>
<td>Beverage Industry Representative</td>
</tr>
<tr>
<td>Neville Greeley</td>
<td>Municipalities Newfoundland and Labrador Representative</td>
</tr>
<tr>
<td>Maisie Clark</td>
<td>Consumer Representative</td>
</tr>
<tr>
<td>Member</td>
<td>Position</td>
</tr>
<tr>
<td>-----------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>David Robbins</td>
<td>Newfoundland Environmental Industries</td>
</tr>
<tr>
<td></td>
<td>Association Representative</td>
</tr>
<tr>
<td>Edward Delaney</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Catherine Barrett</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Derm Flynn</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Don Hann</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Hal Cormier</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Jocelyn Perry</td>
<td>Member-at-large</td>
</tr>
<tr>
<td>Reg Bowers</td>
<td>Member-at-large</td>
</tr>
</tbody>
</table>

**Contact Information**

6 Mount Carson Avenue,  
Mount Pearl, NL  
A1N 3K4  
(709) 753 0948  
inquiries@mmsb.nl.ca
MINISTER’S OFFICE

Current

1.01. MINISTER’S OFFICE
Appropriations provide for the operating costs of the Minister’s Office.

<table>
<thead>
<tr>
<th>Description</th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>242,700</td>
<td>242,200</td>
<td>236,700</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>1,000</td>
<td>2,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>45,900</td>
<td>35,000</td>
<td>45,900</td>
</tr>
<tr>
<td>Supplies</td>
<td>5,400</td>
<td>4,000</td>
<td>5,400</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>8,700</td>
<td>900</td>
<td>8,700</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>61,000</td>
<td>41,500</td>
<td>61,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>303,700</td>
<td>283,700</td>
<td>297,700</td>
</tr>
<tr>
<td>Total: Minister’s Office</td>
<td>303,700</td>
<td>283,700</td>
<td>297,700</td>
</tr>
<tr>
<td>TOTAL: MINISTER’S OFFICE</td>
<td>303,700</td>
<td>283,700</td>
<td>297,700</td>
</tr>
</tbody>
</table>

GENERAL ADMINISTRATION

Current

1.2.1. EXECUTIVE SUPPORT
Appropriations provide for the senior planning and direction of the Department, including the establishment and evaluation of policies and objectives.

<table>
<thead>
<tr>
<th>Description</th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>1,089,400</td>
<td>1,107,100</td>
<td>1,004,200</td>
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<tr>
<td>Operating Accounts:</td>
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<td></td>
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<tr>
<td>Employee Benefits</td>
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<td>1,400</td>
<td>2,000</td>
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<tr>
<td>Transportation and Communications</td>
<td>62,500</td>
<td>39,500</td>
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<tr>
<td>Supplies</td>
<td>9,000</td>
<td>4,000</td>
<td>9,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>9,000</td>
<td>12,900</td>
<td>9,000</td>
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<tr>
<td>02. Operating Accounts</td>
<td>82,500</td>
<td>57,800</td>
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<tr>
<td>Amount to be Voted</td>
<td>1,171,900</td>
<td>1,164,900</td>
<td>1,086,700</td>
</tr>
<tr>
<td>Total: Executive Support</td>
<td>1,171,900</td>
<td>1,164,900</td>
<td>1,086,700</td>
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</table>
## EXECUTIVE AND SUPPORT SERVICES

<table>
<thead>
<tr>
<th></th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL ADMINISTRATION (Cont’d)</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td><strong>CURRENT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2.2. ADMINISTRATIVE SUPPORT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations provide for the administrative activities of the Department.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01. Salaries</td>
<td>92,200</td>
<td>92,900</td>
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<td>Operating Accounts:</td>
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<td>Employee Benefits</td>
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<td>Transportation and Communications</td>
<td>42,900</td>
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<td>42,900</td>
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<tr>
<td>Supplies</td>
<td>25,900</td>
<td>25,900</td>
<td>25,900</td>
</tr>
<tr>
<td>Professional Services</td>
<td>-</td>
<td>100</td>
<td>-</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>30,600</td>
<td>42,000</td>
<td>30,600</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>10,500</td>
<td>5,500</td>
<td>10,500</td>
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<tr>
<td>02. Operating Accounts</td>
<td>117,900</td>
<td>116,900</td>
<td>117,900</td>
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<tr>
<td><strong>Amount to be Voted</strong></td>
<td>210,100</td>
<td>209,800</td>
<td>219,700</td>
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<tr>
<td>02. Revenue - Provincial</td>
<td>(5,000)</td>
<td>(5,000)</td>
<td>(5,000)</td>
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<tr>
<td>Total: Administrative Support</td>
<td>205,100</td>
<td>204,800</td>
<td>214,700</td>
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<tr>
<td>1.2.3. STRATEGIC FINANCIAL MANAGEMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations provide for the operation of the Strategic Financial Management Division within the Department, which functions as a shared service providing financial management and general operations services to the Departments of Municipal &amp; Intergovernmental Affairs, Environment and Conservation, Business, Tourism, Culture and Rural Development, Service NL and Seniors Wellness &amp; Social Development and to the Government Purchasing Agency and Labour Relations Agency.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01. Salaries</td>
<td>1,199,600</td>
<td>934,900</td>
<td>1,147,200</td>
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<td>Operating Accounts:</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>7,000</td>
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<tr>
<td>Transportation and Communications</td>
<td>10,000</td>
<td>6,500</td>
<td>14,000</td>
</tr>
<tr>
<td>Supplies</td>
<td>11,500</td>
<td>3,700</td>
<td>11,500</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>6,500</td>
<td>5,800</td>
<td>6,500</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>3,000</td>
<td>1,800</td>
<td>3,000</td>
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<tr>
<td>02. Operating Accounts</td>
<td>38,000</td>
<td>19,700</td>
<td>42,000</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
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<td>954,600</td>
<td>1,189,200</td>
</tr>
<tr>
<td>Total: Strategic Financial Management</td>
<td>1,237,600</td>
<td>954,600</td>
<td>1,189,200</td>
</tr>
</tbody>
</table>
## GENERAL ADMINISTRATION (Cont'd)

### CAPITAL

1.2.4. ADMINISTRATIVE SUPPORT

Appropriations provide for the purchase of tangible capital assets.

Operating Accounts:

<table>
<thead>
<tr>
<th>Description</th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>$8,700</td>
<td>-$</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>$8,700</td>
<td>-$</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
<td>$8,700</td>
<td>-$</td>
</tr>
<tr>
<td><strong>Total: Administrative Support</strong></td>
<td>$8,700</td>
<td>-$</td>
</tr>
</tbody>
</table>

**TOTAL: GENERAL ADMINISTRATION**

<table>
<thead>
<tr>
<th>Amount</th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,623,300</td>
<td>$2,324,300</td>
<td>$2,490,600</td>
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</tbody>
</table>

**TOTAL: EXECUTIVE AND SUPPORT SERVICES**

<table>
<thead>
<tr>
<th>Amount</th>
<th>2015-16 Estimates</th>
<th>2014-15 Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,927,000</td>
<td>$2,608,000</td>
<td>$2,788,300</td>
</tr>
</tbody>
</table>
## REGIONAL AND FINANCIAL SUPPORT SERVICES

### 2.1.1. REGIONAL SUPPORT

Appropriations provide for the provision of various support services to municipalities including inspections of municipalities and local service districts to ensure sound financial management and administration practices, and support regarding interpretation and compliance with legislation.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>01. Salaries</strong></td>
<td>1,165,200</td>
<td>1,161,000</td>
<td>1,128,400</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Employee Benefits</strong></td>
<td>2,700</td>
<td>-</td>
<td>2,700</td>
</tr>
<tr>
<td><strong>Transportation and Communications</strong></td>
<td>90,000</td>
<td>87,700</td>
<td>106,700</td>
</tr>
<tr>
<td><strong>Supplies</strong></td>
<td>5,200</td>
<td>7,100</td>
<td>5,200</td>
</tr>
<tr>
<td><strong>Purchased Services</strong></td>
<td>63,100</td>
<td>49,700</td>
<td>63,100</td>
</tr>
<tr>
<td><strong>Property, Furnishings and Equipment</strong></td>
<td>-</td>
<td>100</td>
<td>-</td>
</tr>
<tr>
<td><strong>02. Operating Accounts</strong></td>
<td>161,000</td>
<td>144,600</td>
<td>177,700</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
<td>1,326,200</td>
<td>1,305,600</td>
<td>1,306,100</td>
</tr>
<tr>
<td><strong>02. Revenue - Provincial</strong></td>
<td>(169,000)</td>
<td>(160,000)</td>
<td>(169,000)</td>
</tr>
<tr>
<td><strong>Total: Regional Support</strong></td>
<td>1,157,200</td>
<td>1,145,600</td>
<td>1,137,100</td>
</tr>
</tbody>
</table>

### 2.1.2. MUNICIPAL FINANCE

Appropriations provide for the administration of programs such as municipal operating grants, special assistance grants, the review of municipal budgets and financial statements and the administration of capital debt.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>01. Salaries</strong></td>
<td>385,300</td>
<td>383,100</td>
<td>416,200</td>
</tr>
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<td></td>
</tr>
<tr>
<td><strong>Employee Benefits</strong></td>
<td>100</td>
<td>-</td>
<td>100</td>
</tr>
<tr>
<td><strong>Transportation and Communications</strong></td>
<td>7,500</td>
<td>2,800</td>
<td>7,500</td>
</tr>
<tr>
<td><strong>Supplies</strong></td>
<td>4,600</td>
<td>400</td>
<td>4,600</td>
</tr>
<tr>
<td><strong>Professional Services</strong></td>
<td>15,000</td>
<td>-</td>
<td>15,000</td>
</tr>
<tr>
<td><strong>Purchased Services</strong></td>
<td>1,000</td>
<td>-</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>02. Operating Accounts</strong></td>
<td>28,200</td>
<td>3,200</td>
<td>28,200</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
<td>413,500</td>
<td>386,300</td>
<td>444,400</td>
</tr>
<tr>
<td><strong>Total: Municipal Finance</strong></td>
<td>413,500</td>
<td>386,300</td>
<td>444,400</td>
</tr>
</tbody>
</table>
## Services to Municipalities

### Regional and Financial Support Services (Cont'd)

#### Current

**2.1.3. Local Governance**

Appropriations provide for support to communities considering regional cooperation initiatives including amalgamation, as well as community relocation requests; administration of the Department's legislative program and provides interpretative advice on the various legislation to the Department and local governments; and administration of the Municipal Training Program.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries</td>
<td>523,600</td>
<td>371,900</td>
<td>443,800</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>1,000</td>
<td>-</td>
<td>1,000</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>12,000</td>
<td>7,000</td>
<td>20,200</td>
</tr>
<tr>
<td>Supplies</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Professional Services</td>
<td>-</td>
<td>28,900</td>
<td>-</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>15,500</td>
<td>6,000</td>
<td>15,500</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>30,500</td>
<td>43,900</td>
<td>38,700</td>
</tr>
<tr>
<td>10. Grants and Subsidies</td>
<td>119,500</td>
<td>46,500</td>
<td>119,500</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>673,600</td>
<td>462,300</td>
<td>602,000</td>
</tr>
<tr>
<td>Total: Local Governance</td>
<td>673,600</td>
<td>462,300</td>
<td>602,000</td>
</tr>
</tbody>
</table>

**Total: Regional and Financial Support Services** | **2,244,300** | **1,994,200** | **2,183,500**
## POLICY AND STRATEGIC PLANNING

### CURRENT

Appropriations provide for the policy and planning function of the Department.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Accounts:</td>
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<tr>
<td>Employee Benefits</td>
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<td>Transportation and Communications</td>
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<td>20,100</td>
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<tr>
<td>Supplies</td>
<td>8,100</td>
<td>900</td>
<td>8,100</td>
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<tr>
<td>Professional Services</td>
<td>5,000</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>2,500</td>
<td>200</td>
<td>2,500</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>-</td>
<td>100</td>
<td>-</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Grants and Subsidies</td>
<td>10,000</td>
<td>9,700</td>
<td>10,000</td>
</tr>
</tbody>
</table>

Amount to be Voted: 681,800

Total: Policy and Strategic Planning: 681,800

TOTAL: POLICY AND STRATEGIC PLANNING: 681,800
## SERVICES TO MUNICIPALITIES

### ENGINEERING AND INFRASTRUCTURE

#### CURRENT

### 2.3.1. MUNICIPAL INFRASTRUCTURE AND WASTE MANAGEMENT

Appropriations provide for technical and administrative assistance, supervision of engineering design, project implementation as well as direction on municipal capital works projects, industrial and community water services and other engineering activities.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries</td>
<td>516,200</td>
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<tr>
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<tr>
<td>Employee Benefits</td>
<td>1,500</td>
<td>-</td>
<td>1,500</td>
</tr>
<tr>
<td>Transportation and Communications</td>
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<td>22,500</td>
<td>46,900</td>
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<tr>
<td>Supplies</td>
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<td>4,000</td>
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<tr>
<td>Professional Services</td>
<td>450,800</td>
<td>-</td>
<td>50,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>5,000</td>
<td>600</td>
<td>5,000</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>1,500</td>
<td>-</td>
<td>1,500</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>492,800</td>
<td>25,600</td>
<td>108,900</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
<td><strong>1,009,000</strong></td>
<td><strong>478,300</strong></td>
<td><strong>628,600</strong></td>
</tr>
<tr>
<td>02. Revenue - Provincial</td>
<td>(4,000)</td>
<td>(100)</td>
<td>(4,000)</td>
</tr>
<tr>
<td>Total: Municipal Infrastructure and Waste Management</td>
<td>1,005,000</td>
<td>478,200</td>
<td>624,600</td>
</tr>
</tbody>
</table>

### 2.3.2. INDUSTRIAL WATER SERVICES

Appropriations provide for the maintenance and operation of Provincially-owned industrial fresh and salt water systems in the Province and are partially recovered through the collection of associated fees.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries Operating</td>
<td>75,900</td>
<td>70,500</td>
<td>174,100</td>
</tr>
<tr>
<td>Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>300</td>
<td>200</td>
<td>300</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>26,300</td>
<td>18,000</td>
<td>26,300</td>
</tr>
<tr>
<td>Supplies</td>
<td>1,000</td>
<td>600</td>
<td>1,000</td>
</tr>
<tr>
<td>Professional Services</td>
<td>94,800</td>
<td>67,000</td>
<td>94,800</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>490,000</td>
<td>550,000</td>
<td>490,000</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>612,400</td>
<td>635,800</td>
<td>612,400</td>
</tr>
<tr>
<td><strong>Amount to be Voted</strong></td>
<td><strong>688,300</strong></td>
<td><strong>706,300</strong></td>
<td><strong>786,500</strong></td>
</tr>
<tr>
<td>02. Revenue - Provincial</td>
<td><em>(390,700)</em></td>
<td><em>(378,500)</em></td>
<td><em>(340,700)</em></td>
</tr>
<tr>
<td>Total: Industrial Water Services</td>
<td>297,600</td>
<td>327,800</td>
<td>445,800</td>
</tr>
</tbody>
</table>

**TOTAL:** ENGINEERING AND INFRASTRUCTURE 1,302,600 806,000 1,070,400

**TOTAL:** SERVICES TO MUNICIPALITIES 4,228,700 3,382,300 3,915,600
## LANDS

### 3.1.1. CROWN LAND

Appropriations provide for the management of records pertaining to Crown Titles, Crown Titles Mapping, Crown Land Registry and the Air Photo and Map Library, as well as the operation of the Regional Lands Offices.

<table>
<thead>
<tr>
<th>Accounts:</th>
<th>2015-16</th>
<th>2014-15</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Benefits</td>
<td>7,400</td>
<td>700</td>
<td>7,400</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>77,600</td>
<td>67,600</td>
<td>77,600</td>
</tr>
<tr>
<td>Supplies</td>
<td>114,700</td>
<td>75,000</td>
<td>114,700</td>
</tr>
<tr>
<td>Professional Services</td>
<td>17,500</td>
<td>82,800</td>
<td>17,500</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>270,100</td>
<td>265,600</td>
<td>265,600</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>14,500</td>
<td>900</td>
<td>14,500</td>
</tr>
</tbody>
</table>

**02. Operating Accounts**

<table>
<thead>
<tr>
<th>Amount to be Voted</th>
<th>4,490,000</th>
<th>3,658,800</th>
<th>4,612,300</th>
</tr>
</thead>
</table>

02. Revenue - Provincial

| (150,000) | (40,000) | (150,000) |

**Total: Crown Land**

| (4,340,000) | 3,618,800 | 4,462,300 |

### 3.1.2. LAND MANAGEMENT AND DEVELOPMENT

Appropriations provide for the development of policies and programs aimed at satisfying existing and future demand for land and the coordination of resource-based land-use planning in the Province. Appropriations also provide for the Land Development Program which is responsible for the planning and development of recreational, residential and commercial Crown lands throughout the Province.

<table>
<thead>
<tr>
<th>Accounts:</th>
<th>2015-16</th>
<th>2014-15</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Benefits</td>
<td>2,500</td>
<td>700</td>
<td>2,500</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>25,000</td>
<td>8,000</td>
<td>38,000</td>
</tr>
<tr>
<td>Supplies</td>
<td>16,700</td>
<td>13,000</td>
<td>16,700</td>
</tr>
<tr>
<td>Professional Services</td>
<td>115,000</td>
<td>36,800</td>
<td>115,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>250,200</td>
<td>295,200</td>
<td>250,200</td>
</tr>
</tbody>
</table>

**02. Operating Accounts**

<table>
<thead>
<tr>
<th>Amount to be Voted</th>
<th>992,000</th>
<th>873,600</th>
<th>1,003,500</th>
</tr>
</thead>
</table>

02. Revenue - Provincial

| (5,335,000) | (5,420,000) | (5,335,000) |

**Total: Land Management and Development**

| (4,343,000) | (4,546,400) | (4,331,500) |
LANDS

3.1.3. SURVEYING AND MAPPING
Appropriations provide for a Provincial central service agency responsible for geodetic surveys, topographic base mapping, aerial photography, development of standards in geomatics and digital property mapping, and for the administration of the Newfoundland and Labrador Geographical Names Board.

01. Salaries
686,600
395,800
664,000

Operating Accounts:

Employee Benefits 4,000 - 4,000
Transportation and Communications 42,900 35,900 42,900
Supplies 29,000 9,000 29,000
Professional Services 50,000 4,900 50,000
Purchased Services 64,000 25,000 64,000

02. Operating Accounts
189,900
74,800
189,900

10. Grants and Subsidies - - 4,500

Amount to be Voted 876,500 470,600 858,400

02. Revenue - Provincial (70,000) (20,000) (70,000)

Total: Surveying and Mapping 806,500 450,600 788,400

3.1.4. GEOMATICS AGREEMENTS
Appropriations provide for the continuance of cost-shared programs which produce maps in digital format.

Operating Accounts:

Professional Services 150,000 75,000 150,000

02. Operating Accounts 150,000 75,000 150,000

Amount to be Voted 150,000 75,000 150,000

Total: Geomatics Agreements 150,000 75,000 150,000
3.1.5. LAND USE PLANNING

Appropriations provide for developing and implementing policies, providing advice and training to municipalities, preparing municipal and other plans, undertaking research and planning studies, and investigating boundary changes and incorporations.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries</td>
<td>728,800</td>
<td>597,900</td>
<td>624,600</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>5,000</td>
<td>2,900</td>
<td>5,000</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>23,600</td>
<td>25,600</td>
<td>23,600</td>
</tr>
<tr>
<td>Supplies</td>
<td>8,000</td>
<td>3,500</td>
<td>8,000</td>
</tr>
<tr>
<td>Professional Services</td>
<td>37,000</td>
<td>31,000</td>
<td>37,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>13,200</td>
<td>12,000</td>
<td>13,200</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>86,800</td>
<td>75,000</td>
<td>86,800</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>815,600</td>
<td>672,900</td>
<td>711,400</td>
</tr>
<tr>
<td>02. Revenue - Provincial</td>
<td>(5,200)</td>
<td>(7,500)</td>
<td>(5,200)</td>
</tr>
<tr>
<td>Total: Land Use Planning</td>
<td>810,400</td>
<td>665,400</td>
<td>706,200</td>
</tr>
<tr>
<td>TOTAL: LANDS</td>
<td>1,763,900</td>
<td>263,400</td>
<td>1,775,400</td>
</tr>
</tbody>
</table>

TOTAL: LANDS

1,763,900 263,400 1,775,400
ASSISTANCE AND INFRASTRUCTURE

FINANCIAL ASSISTANCE

CURRENT

4.1.1. MUNICIPAL DEBT SERVICING
Appropriations provide for the payment of Provincial contributions towards interest charges and other expenses on municipal debt relating to water and sewer systems, road construction and paving projects, recreation facilities and other improvement projects.

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$3,752,800</td>
<td>$4,728,900</td>
<td>$5,078,500</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>$3,752,800</td>
<td>$4,728,900</td>
<td>$5,078,500</td>
</tr>
<tr>
<td>Total: Municipal Debt Servicing</td>
<td>$3,752,800</td>
<td>$4,728,900</td>
<td>$5,078,500</td>
</tr>
</tbody>
</table>

4.1.2. MUNICIPAL DEBT SERVICING - PRINCIPAL
Appropriations provide for the payment of Provincial contributions towards principal owing on municipal infrastructure projects related to water and sewer systems, road construction and paving projects, recreation facilities and other improvement projects and for debt relief and other supports to municipalities.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$18,157,700</td>
<td>$20,035,200</td>
<td>$20,273,600</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>$18,157,700</td>
<td>$20,035,200</td>
<td>$20,273,600</td>
</tr>
<tr>
<td>Total: Municipal Debt Servicing - Principal</td>
<td>$18,157,700</td>
<td>$20,035,200</td>
<td>$20,273,600</td>
</tr>
</tbody>
</table>

4.1.3. MUNICIPAL OPERATING GRANTS
Appropriations provide for the payment of operating grants to municipalities.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$22,000,000</td>
<td>$21,993,900</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>$22,000,000</td>
<td>$21,993,900</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Total: Municipal Operating Grants</td>
<td>$22,000,000</td>
<td>$21,993,900</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

4.1.4. SPECIAL ASSISTANCE
Appropriations provide for the payment of special assistance grants and other payments to municipalities and other entities.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$4,308,000</td>
<td>$2,647,700</td>
<td>$2,400,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>$4,308,000</td>
<td>$2,647,700</td>
<td>$2,400,000</td>
</tr>
<tr>
<td>Total: Special Assistance</td>
<td>$4,308,000</td>
<td>$2,647,700</td>
<td>$2,400,000</td>
</tr>
</tbody>
</table>
ASSISTANCE AND INFRASTRUCTURE

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FINANCIAL ASSISTANCE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Cont’d)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CURRENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1.5. COMMUNITY ENHANCEMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations provide for assistance to community and other groups in order to undertake community enhancement and other projects.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01. Salaries</td>
<td>427,200</td>
<td>364,300</td>
<td>414,800</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>1,500</td>
<td>-</td>
<td>1,500</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>7,500</td>
<td>5,800</td>
<td>7,500</td>
</tr>
<tr>
<td>Supplies</td>
<td>12,500</td>
<td>900</td>
<td>12,500</td>
</tr>
<tr>
<td>Professional Services</td>
<td>25,000</td>
<td>-</td>
<td>25,000</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>1,600</td>
<td>300</td>
<td>1,600</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>50,100</td>
<td>9,000</td>
<td>50,100</td>
</tr>
<tr>
<td>10. Grants and Subsidies</td>
<td>5,715,000</td>
<td>5,715,000</td>
<td>5,715,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>6,192,300</td>
<td>6,088,300</td>
<td>6,179,900</td>
</tr>
<tr>
<td>Total: Community Enhancement</td>
<td>6,192,300</td>
<td>6,088,300</td>
<td>6,179,900</td>
</tr>
</tbody>
</table>

4.1.6. PROVINCIAL GAS TAX REVENUE SHARING

Appropriations provide for the sharing with municipalities a portion of the revenue from the provincial tax on gasoline.

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Grants and Subsidies</td>
<td>3,550,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>3,550,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total: Provincial Gas Tax Revenue Sharing</td>
<td>3,550,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL: FINANCIAL ASSISTANCE</td>
<td>57,960,800</td>
<td>55,494,000</td>
<td>55,932,000</td>
</tr>
</tbody>
</table>
## 4.2.1. MUNICIPAL INFRASTRUCTURE

Appropriations provide for expenditures for municipal infrastructure projects related to water and sewer systems, road construction and paving projects, recreation facilities, waste management projects, and other improvement projects.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>2,373,200</td>
<td>1,895,300</td>
<td>2,304,100</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>2,500</td>
<td>700</td>
<td>2,500</td>
</tr>
<tr>
<td>Supplies</td>
<td>253,700</td>
<td>148,000</td>
<td>253,700</td>
</tr>
<tr>
<td>Professional Services</td>
<td>13,500</td>
<td>6,700</td>
<td>13,500</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>2,500</td>
<td>700</td>
<td>2,500</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>253,700</td>
<td>148,000</td>
<td>253,700</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>589,700</td>
<td>1,330,800</td>
<td>589,700</td>
</tr>
<tr>
<td>10. Grants and Subsidies</td>
<td>104,803,400</td>
<td>102,414,800</td>
<td>115,308,600</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>107,766,300</td>
<td>105,640,900</td>
<td>118,202,400</td>
</tr>
<tr>
<td>Total: Municipal Infrastructure</td>
<td>107,766,300</td>
<td>105,640,900</td>
<td>118,202,400</td>
</tr>
</tbody>
</table>

## 4.2.2. FEDERAL/PROVINCIAL INFRASTRUCTURE PROGRAMS

Appropriations provide for expenditures related to projects approved under the Canada/Newfoundland and Labrador Municipal Rural Infrastructure Fund, the Canada Strategic Infrastructure Fund and the Building Canada Fund.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Grants and Subsidies</td>
<td>16,700,000</td>
<td>15,451,500</td>
<td>29,308,100</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>16,700,000</td>
<td>15,451,500</td>
<td>29,308,100</td>
</tr>
<tr>
<td>01. Revenue - Federal</td>
<td>(5,500,000)</td>
<td>(5,177,800)</td>
<td>(12,000,000)</td>
</tr>
<tr>
<td>Total: Federal/Provincial Infrastructure Programs</td>
<td>11,200,000</td>
<td>10,273,700</td>
<td>17,308,100</td>
</tr>
</tbody>
</table>
## MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS

### ASSISTANCE AND INFRASTRUCTURE

<table>
<thead>
<tr>
<th></th>
<th>2015-16 Estimates</th>
<th>Revised Budget</th>
<th>2014-15 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MUNICIPAL INFRASTRUCTURE (Cont'd)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CURRENT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2.3. CANADA/NEWFOUNDLAND AND LABRADOR GAS TAX PROGRAM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriations provide for expenditures related to projects approved under the Canada/Newfoundland and Labrador Gas Tax Program.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01. Salaries</td>
<td>312,000</td>
<td>379,300</td>
<td>392,700</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Transportation and Communications</em></td>
<td>15,000</td>
<td>11,700</td>
<td>25,000</td>
</tr>
<tr>
<td><em>Supplies</em></td>
<td>3,000</td>
<td>1,100</td>
<td>5,000</td>
</tr>
<tr>
<td><em>Professional Services</em></td>
<td>10,000</td>
<td>13,000</td>
<td>20,000</td>
</tr>
<tr>
<td><em>Purchased Services</em></td>
<td>10,000</td>
<td>5,000</td>
<td>15,000</td>
</tr>
<tr>
<td><em>Property, Furnishings and Equipment</em></td>
<td>-</td>
<td>100</td>
<td>-</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>38,000</td>
<td>30,900</td>
<td>65,000</td>
</tr>
<tr>
<td>10. Grants and Subsidies</td>
<td>45,015,000</td>
<td>17,282,000</td>
<td>41,415,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>45,365,000</td>
<td>17,692,200</td>
<td>41,872,700</td>
</tr>
<tr>
<td>01. Revenue - Federal</td>
<td>(29,865,000)</td>
<td>(29,867,300)</td>
<td>(29,865,000)</td>
</tr>
<tr>
<td>Total: Canada/Newfoundland and Labrador Gas Tax Program</td>
<td>15,500,000</td>
<td>(12,175,100)</td>
<td>12,007,700</td>
</tr>
<tr>
<td>TOTAL: MUNICIPAL INFRASTRUCTURE</td>
<td>134,466,300</td>
<td>103,739,500</td>
<td>147,518,200</td>
</tr>
<tr>
<td>TOTAL: ASSISTANCE AND INFRASTRUCTURE</td>
<td>192,427,100</td>
<td>159,233,500</td>
<td>203,450,200</td>
</tr>
</tbody>
</table>
5.1.1. EXECUTIVE SUPPORT - IGA
Appropriations provide for executive and administrative support for intergovernmental discussions and relations.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries</td>
<td>373,700</td>
<td>260,400</td>
<td>280,500</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>1,000</td>
<td>2,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>128,800</td>
<td>32,000</td>
<td>33,800</td>
</tr>
<tr>
<td>Supplies</td>
<td>62,500</td>
<td>10,000</td>
<td>34,100</td>
</tr>
<tr>
<td>Professional Services</td>
<td>106,500</td>
<td>-</td>
<td>61,200</td>
</tr>
<tr>
<td>Purchased Services</td>
<td>927,900</td>
<td>325,000</td>
<td>446,600</td>
</tr>
<tr>
<td>Property, Furnishings and Equipment</td>
<td>600</td>
<td>3,300</td>
<td>600</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>1,227,300</td>
<td>372,300</td>
<td>577,300</td>
</tr>
<tr>
<td>10. Grants and Subsidies</td>
<td>35,700</td>
<td>34,800</td>
<td>35,700</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>1,636,700</td>
<td>667,500</td>
<td>893,500</td>
</tr>
<tr>
<td>02. Revenue - Provincial</td>
<td>(479,500)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total: Executive Support - IGA</td>
<td>1,157,200</td>
<td>667,500</td>
<td>893,500</td>
</tr>
</tbody>
</table>

5.1.2. INTERGOVERNMENTAL POLICY ANALYSIS AND COORDINATION
Appropriations provide for the review and analysis of intergovernmental issues relating to social, fiscal, resource, economic, and constitutional policy and federalism, as well as for the coordination of intergovernmental negotiations in those areas.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>01. Salaries</td>
<td>763,400</td>
<td>708,500</td>
<td>778,400</td>
</tr>
<tr>
<td>Operating Accounts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>-</td>
<td>800</td>
<td>-</td>
</tr>
<tr>
<td>Transportation and Communications</td>
<td>52,000</td>
<td>25,000</td>
<td>52,000</td>
</tr>
<tr>
<td>02. Operating Accounts</td>
<td>52,000</td>
<td>25,800</td>
<td>52,000</td>
</tr>
<tr>
<td>Amount to be Voted</td>
<td>815,400</td>
<td>734,300</td>
<td>830,400</td>
</tr>
</tbody>
</table>

Total: Intergovernmental Policy Analysis and Coordination 815,400 734,300 830,400

TOTAL: INTERGOVERNMENTAL AFFAIRS 1,972,600 1,401,800 1,723,900

TOTAL: INTERGOVERNMENTAL AFFAIRS 1,972,600 1,401,800 1,723,900

TOTAL: DEPARTMENT 203,319,300 166,889,000 213,653,400
Strategic Plan
2014 to 2017

Department of Municipal and Intergovernmental Affairs
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Message from the Minister

It is my pleasure to present the strategic plan for the Department of Municipal and Intergovernmental Affairs for the period April 1, 2014 to March 31, 2017. This plan was prepared in accordance with the Transparency and Accountability Act. As Minister, I am accountable for the preparation of this plan and for achieving the goals and objectives therein.

This plan sets forth how the department will address government’s strategic directions in accordance with my mandate as minister (Appendix A). As such, it identifies the department’s key goals and objectives to be accomplished throughout the 2014-17 planning period. In particular, municipal capacity building, municipal service delivery and advancing our province’s interests are the three principal areas of focus for the department.

Municipal capacity building provides the foundation that enables municipalities to govern their citizens effectively and efficiently, today and in the future. Strengthening this foundation is a priority for the department. The department will also undertake a review of the manner in which municipal services are organized, funded and delivered throughout the province. Finally, the department will continue to support the advancement of Newfoundland and Labrador as a full partner with other provinces and territories in the federation.

I look forward to working with departmental staff, government, community and industry stakeholders and the public in implementing the priorities set out in this strategic plan.

Sincerely,

STEVE KENT
Minister of Municipal
And Intergovernmental Affairs
Plan at a Glance

**Vision:** The vision of the Department of Municipal and Intergovernmental Affairs is of sustainable communities led by strong local governments within a self-reliant province that advances its interests in Confederation and abroad.

**Mission:** By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have strengthened infrastructure investments and supports to local governments, as well as promoted Newfoundland and Labrador’s interests with sovereign governments in Canada and abroad.

<table>
<thead>
<tr>
<th>ISSUE 1: MUNICIPAL CAPACITY BUILDING</th>
<th>ISSUE 2: MUNICIPAL SERVICE DELIVERY</th>
<th>ISSUE 3: ADVANCING THE PROVINCE’S INTERESTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthened municipal capacity to enable healthy, safe and sustainable communities.</td>
<td>Assessed and begun implementation of options for more efficient delivery of municipal services throughout the province.</td>
<td>Supported advancement of the interests of the province in the federation and beyond.</td>
</tr>
</tbody>
</table>

**OBJECTIVE 1**

- Initiated activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.
- Reviewed the province’s municipal service delivery framework and presented options for future arrangements.
- Promoted Newfoundland Labrador’s right to equitable treatment in the federation.

**OBJECTIVE 2**

- Continued to undertake activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.
- Begun implementing measures to effect more efficient delivery of municipal services.
- Further promoted Newfoundland and Labrador’s right to equitable treatment in the federation.

**OBJECTIVE 3**

- Undertaken further activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.
- Further implemented measures to effect more efficient delivery of municipal services.
- Continued to promote Newfoundland and Labrador’s right to equitable treatment in the federation.
1.0 Departmental Overview

The Department of Municipal and Intergovernmental Affairs (the ‘department’) provides programs, services and supports that help contribute to the overall governance and sustainability of the province. At the local level, the department supports the financial stability and viability of municipalities and the efficient and effective delivery of municipal services. As such, the department assists municipalities in meeting their infrastructure needs and helps provide the financial and administrative tools to support development of community capacity, regional cooperation, and sound municipal governance.

In addition, the department leads the formulation of government’s intergovernmental policies and strategies. This includes recommending strategic approaches to federal-provincial-territorial relations and negotiating intergovernmental agreements in consultation with other departments. The department is also responsible for policy areas that do not fall under the responsibility of other entities and are usually in federal constitutional jurisdiction, including defence and foreign affairs, and coordinates international activities.

The department also actively supports a number of key cross-department initiatives, including the Provincial Waste Management Strategy, the Drinking Water Safety Initiative, and the Climate Change Action Plan.

Organizational Structure

The department delivers its programs and services through the following four branches:

- Municipal Support;
- Municipal Engineering and Planning;
- Employment Support and Corporate Services; and
- Intergovernmental Affairs.

A brief overview of the department’s four branches and their respective divisions is outlined below.

Municipal Support

The Municipal Support Branch is responsible for financial supports to local governments, training and advice to municipalities on legislative and administrative matters, and supporting regional cooperation initiatives. The branch comprises two divisions:

- Municipal Finance Division, which is responsible for providing financial assistance to municipalities in the form of grants and subsidies as well as providing assistance with all facets of capital borrowing; and
- Local Governance Division, which supports municipalities in interpretation of legislation, training initiatives and organization of municipal elections.
The branch also oversees four regional offices located across the province: St. John’s (Eastern Region), Gander (Central Region), Corner Brook (Western Region), and Happy Valley–Goose Bay (Labrador Region). The principal function of the regional offices is to facilitate and deliver the department’s programs and services to municipalities and local service districts throughout the province. The offices are the first line of contact with the department for municipalities, local service districts and the general public.

**Municipal Engineering and Planning**

The Municipal Engineering and Planning Branch comprises one division: Municipal Infrastructure and Waste Management, which is responsible for assessing needs and funding of municipal infrastructure projects. The division is responsible for the maintenance of engineering standards to which municipal infrastructure is to be constructed; development and coordination of internal and external policy and procedures related to the implementation of infrastructure programs and projects; communication with communities and consultants on matters related to implementation of infrastructure programs and provision of technical advice related to the same; and provision of project management oversight on all infrastructure projects to ensure government and the communities receive the best value for money with its infrastructure investment. The division is also responsible for the implementation of the Provincial Waste Management Strategy through engineering, administrative and technical support services to community groups and regional service boards.

The branch also formulates land use policy; develops regional, protected area, protected road zoning and local area plans; and advises municipalities on the development of municipal plans and establishment of municipal boundaries.

**Employment Support and Corporate Services**

The Employment Support and Corporate Services Branch comprises three divisions: Strategic Financial Management, Employment Support, and Policy and Strategic Planning. The Strategic Financial Management Division is responsible for coordinating, providing and maintaining support services related to finance and office administration for the following departments and agencies: Municipal and Intergovernmental Affairs; Service NL; Innovation, Business and Rural Development; Tourism, Culture and Recreation; Environment and Conservation; Government Purchasing Agency; and Fire and Emergency Services – NL.

The Employment Support Division delivers short-term employment programs for persons in rural communities facing significant employment challenges. Programming is delivered through partnerships with local governments and non-profit community groups which sponsor employment projects. Priority is placed on projects that provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure.
The Policy and Strategic Planning Division is responsible for the development of departmental policies and planning tools to aid the department in realizing its mandate.

**Intergovernmental Affairs**

The Intergovernmental Affairs branch builds relationships with other governments and international entities to advance the province’s interests. It also advocates for Newfoundland and Labrador at bilateral, multilateral, regional and international intergovernmental meetings and conferences to promote government’s position on matters of importance to this province. In addition, the branch promotes the province’s interests by assisting entities with their participation in intergovernmental meetings and negotiations.

Further, in lieu of a provincial department of defence, the branch acts as a liaison for military officials and community stakeholders. In recent years, defence activity has focused on military training at 5 Wing Goose Bay, advocating for issues of importance related to the province’s three military installations at 5 Wing Goose Bay, 9 Wing Gander and CFS St. John’s, working with the Department of National Defence on mutual issues of interest and advocating for improved search and rescue capabilities across all marine activities.

International activities also fall within the responsibility of the department. For example, the department assists with the coordination of policies, programs and activities of the Government of Newfoundland and Labrador in relation to other sovereign governments.


**Budget**

The department’s approved budget, excluding Fire and Emergency Services –Newfoundland and Labrador, for 2014-15 is $254.8 million. Approximately $246.1 million or 96.6 per cent is budgeted for financial assistance to municipalities through such programs as financial support for municipal infrastructure development, Gas Tax program, municipal operating grants, debt relief and special assistance. Seven million, or 2.7 per cent is directed to expenditures in salaries and operating costs to deliver programs and services, and $1.7 million, or 0.7 per cent is directed to expenditures under Intergovernmental Affairs. The department’s 2014-15 budget includes federal revenues of $41.9 million and provincial revenues of $0.5 million, to offset total funding such that the net provincial funding is $212.4 million.
Staff Complement and Locations

As of April 1, 2014, the department had a total staff complement of 131 positions (63 males and 68 females), which includes 16 financial services positions that also provide financial management support to four other Government departments and two agencies.

The department’s headquarters is located in St. John’s. The department has four regional offices located across the province: St. John’s (Eastern Region), Gander (Central Region), Corner Brook (Western Region), and Happy Valley–Goose Bay (Labrador Region). In addition, the department maintains staff in Clarenville, whose primary function is to provide municipal infrastructure project assessments and project management with respect to water systems projects.

Staff complement by location is as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff Complement</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. John’s – Headquarters</td>
<td>91</td>
</tr>
<tr>
<td>St. John’s – Eastern Regional Office</td>
<td>16</td>
</tr>
<tr>
<td>Clarenville – Subregion of the Eastern Regional Office</td>
<td>1</td>
</tr>
<tr>
<td>Gander – Central Regional Office</td>
<td>9</td>
</tr>
<tr>
<td>Corner Brook – Western Regional Office</td>
<td>8</td>
</tr>
<tr>
<td>Happy Valley-Goose Bay – Labrador Regional Office</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>131</strong></td>
</tr>
</tbody>
</table>

2.0 Mandate

The mandate of the department is derived from the following legislation:

(1) The Department of Municipal and Provincial Affairs Notice, 2003, under the Executive Council Act, and is informed by the legislation set out in the Schedule which outlines the powers, duties and functions of the minister, who is also appointed Registrar General.

(2) The Intergovernmental Affairs Act which gives the department the mandate to:

- Coordinate all policies, programs and activities of the government of the province and its agencies in relation to a sovereign government and its agencies;

- Continually review all policies, programs and activities of the government of the province and its agencies in relation to a sovereign government and its agencies, all intergovernmental agreements, and all relevant legislation pertaining to those policies, programs, activities and agreements;
• Be a party to the negotiation of all proposed intergovernmental agreements;
  Promote the military diversification and long-term operation of 5 Wing Goose Bay;
  Act as the point of contact for the Federal Government where no analogous
  provincial department exists and the lead entity for the development of
  intergovernmental policy; and

• Take necessary action to initiate, maintain or improve intergovernmental co-
  operation between the government of the province and sovereign governments.

Appendix B provides a list of Acts for which the department is directly responsible.

3.0 Lines of Business

Lines of business are the major programs, products or services provided to our primary
clients. The Department of Municipal and Intergovernmental Affairs has five main lines of
business. They are as follows:

Local Governance and Support
The department strengthens local governance by:
• formulating, administering and supporting regional approaches to service delivery;
• providing municipal training to elected and administrative officials;
• providing legislative interpretation to assist in the development of municipal by-
  laws;
• advising local government officials;
• conducting reviews of municipal administrative matters;
• administering grants and subsidies for community infrastructure;
• examining local governments’ financial operations;
• monitoring levels of debt;
• providing operational support;
• participating in inter-provincial policy development and knowledge sharing; and
• supporting regional cooperation initiatives.

Municipal Infrastructure and Engineering Services
The department guides infrastructure investments by:
• assessing needs and prioritizing municipal infrastructure investments;
• providing financial support for the development of municipal infrastructure;
• monitoring and providing guidance and advice on municipal infrastructure projects;
• negotiating and managing federal-provincial agreements for municipal
  infrastructure funding;
• investing in waste management infrastructure as part of the Provincial Waste
  Management Strategy; and
• investing in clean and safe drinking water projects.
Land Use Planning
The department guides effective Land Use Planning by:

- protecting provincial interests by reviewing proposed municipal and local plans;
- assisting municipalities in preparing land use plans;
- managing development of regional plans;
- formulating land use policy;
- encouraging efficient use of infrastructure;
- assessing climate change impacts on proposed development; and
- helping municipalities use their plans.

Employment Support
The department delivers employment support programs by:

- working with local, community-based sponsors to create short-term employment initiatives that provide enduring benefits to communities; and
- providing employment support programs in areas affected by permanent closure of fish processing plants and to coordinate interdepartmental efforts to assist the workers affected.

Intergovernmental Policy Formulation and Support
The department is responsible for monitoring and analyzing intergovernmental dimensions of constitutional, social, fiscal, economic and resource policy matters in order to formulate and provide policy advice on the development of government’s intergovernmental strategy and agenda. Further, the department coordinates and provides support for interdepartmental initiatives that have intergovernmental implications.

4.0 Primary Clients

The department’s primary clients at the municipal affairs level include the province’s 271 municipalities, five Inuit Community Governments and 172 local service districts. The department also provides support to six regional service boards which provide municipal services on a regional basis. The department’s primary intergovernmental affairs clients include the provincial government, and in particular, the Premier and Cabinet.

5.0 Values

Values are the fundamental attributes that guide behaviour and decision making. They explain the character the department desires to promote. The value action statements ensure the core values are visible throughout the department by identifying specific actions that can be observed during the period of this strategic plan.
The values of the department convey priorities for departmental employees when interacting with each other and those who require services. These values play an important role in providing positive outcomes for the public and strengthening public trust.

<table>
<thead>
<tr>
<th>Core Values</th>
<th>Value Action Statements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respect</td>
<td>Each individual accepts differences, embraces diversity and acknowledges the competencies and contributions of his or her colleagues.</td>
</tr>
<tr>
<td>Accountability</td>
<td>Each individual accepts responsibility for his or her actions and understands that, as public servants, they are ultimately responsible to citizens.</td>
</tr>
<tr>
<td>Innovation</td>
<td>Each individual focuses on finding inventive solutions and exploring best practices that benefit the overall support and delivery of the department’s programs and services and advisory functions.</td>
</tr>
<tr>
<td>Collaboration</td>
<td>Each individual actively engages in open dialogue and cooperative efforts to achieve successful outcomes for all.</td>
</tr>
<tr>
<td>Professionalism</td>
<td>Each individual takes initiative and demonstrates sound judgement, adaptability and excellence in meeting the challenges of the job.</td>
</tr>
</tbody>
</table>

### 6.0 Vision

The vision of the Department of Municipal and Intergovernmental Affairs is of sustainable communities led by strong local governments within a self-reliant province that advances its interests in Confederation and abroad.

### 7.0 Mission

The mission statement identifies the priority focus area of the minister over two strategic planning cycles. It represents the key longer-term result that the minister and the department will be working towards as they move forward on the strategic directions of government. The statement also identifies the measure and indicators that will assist both the department and the public in monitoring and evaluating success. It should be noted that the mission has been updated to reflect the recent combining in the Fall of 2013 of the Department of Municipal Affairs and the Intergovernmental Affairs Secretariat.
In carrying out its mission, the Department of Municipal and Intergovernmental Affairs will contribute to three of Government’s strategic directions. These are “strengthened support for municipal governments,” “strengthened municipal capacity,” and “equity in the federation: advancing our province’s interests.” Detailed information regarding these strategic directions and their associated components is available in appendix A.

Local governments are facing many challenges – changing population levels, increasing costs for infrastructure, and the requirement to deliver services that meet new environmental standards. Many communities are facing these challenges with limited financial and human resources. The department is committed to assisting all communities to meet the needs of their residents in the most efficient and effective way possible.

At a national level, the department also works to advance Newfoundland and Labrador as an equal partner in the Canadian federation. It also seeks to build and maintain a position of self-reliance by engaging governments, including the Federal Government on our own terms. This also means not being dependent on the Federal Government to protect the province’s interests internationally, but instead to take an active role in promoting our priorities. To that end, the department formulates intergovernmental policy that represents the Province’s best interests; works to ensure intergovernmental agreements signed by the Province are in its best interests; and, builds relationships with national, sub-national and international governments and entities.

Given these challenges and priorities, the long term mission of the department is:

**By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have strengthened infrastructure investments and supports to local governments, as well as promoted Newfoundland and Labrador’s interests with sovereign governments in Canada and abroad.**

**Measures:**
- Strengthened infrastructure investments and supports to local governments.
- Promoted Newfoundland and Labrador’s interests with sovereign governments in Canada and abroad.

**Indicators:**
- Increased number of infrastructure projects utilizing life cycle analysis;
- Decreased number of dumpsites across the Province;
- Increased number of communities with access to water that meets the Canadian Drinking Water Guidelines;
- Enhanced policies and procedures;
- Conducted community capacity assessments;
- Conducted regional cooperation opportunities assessments;
- Conducted meetings with communities to discuss sustainability opportunities;
- Contributed to building our own relationships with Canada, the provinces and national and sub-national governments abroad; and
• Ensured that intergovernmental and international agreements yield the best possible results for the province.

8.0 Issues

In consideration of government’s strategic directions and the mandate and financial resources of the department, the following areas have been identified as the key priorities of the minister over the next three years: Municipal Capacity Building, Municipal Service Delivery and Advancing the Province’s Interests. The goals identified for each issue reflect the results expected in the three year timeframe, while the objectives provide an annual focus. Measures and indicators are provided for both the goal and the first year’s objective to assist both the department and the public in monitoring and evaluating success. Targets and benchmarks will be developed in this planning cycle.

Issue 1: Municipal Capacity Building

The department envisions a province where people enjoy healthy, safe and sustainable communities, supported by strong local governments. Municipal capacity building is essential to achieving this vision; it refers to the efforts and activities that improve and enhance a municipality’s ability to govern and sustain itself over time. The role of local government has become more complex and therefore the mechanisms that enable and facilitate community-level decision making are becoming increasingly sophisticated as well. The department assists community decision-makers in developing knowledge and capacity in the areas of infrastructure planning and development, regional cooperation, land use planning, by-law creation and enforcement, and financial management. The department works with stakeholders to provide training in these areas, resources and an appropriate regulatory framework.

Municipal capacity building is therefore a key priority for the department over the next three years. These activities outlined below demonstrate the department’s commitment to the strategic direction of “Strengthened Municipal Capacity.”

Goal 1: By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have strengthened municipal capacity to enable healthy, safe and sustainable communities.
<table>
<thead>
<tr>
<th>PERFORMANCE MEASURE</th>
<th>INDICATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthened municipal capacity.</td>
<td></td>
</tr>
</tbody>
</table>
  - Increased communications and stakeholder engagement in a number of priority areas including, drinking water, wastewater systems, and municipal governance.  
  - Enhanced training mechanisms in a number of priority areas.  
  - Enhanced fiscal sustainability in priority areas.  
  - Enhanced legislative and regulatory framework.  
  - Advanced regional land use planning initiatives.  
  - Facilitated further implementation of the provincial waste management strategy.  
  - Promote opportunities for regional cooperation and sharing of services. |

**2014-15 Objective:** By March 31, 2015, the Department of Municipal and Intergovernmental Affairs will have initiated activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.

<table>
<thead>
<tr>
<th>PERFORMANCE MEASURE</th>
<th>INDICATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activities initiated to strengthen municipal capacity.</td>
<td></td>
</tr>
</tbody>
</table>
  - Commenced Community Capacity Assessment review and analysis with communities.  
  - Developed and implemented municipal training initiatives.  
  - Increased stakeholder engagement in priority areas.  
  - Worked with communities to advance the provincial waste management strategy. |

**2015-16 Objective:** By March 31, 2016 the Department of Municipal and Intergovernmental Affairs will have continued to undertake activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.

**2016-17 Objective:** By March 31, 2017 the Department of Municipal and Intergovernmental Affairs will have undertaken further activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.
**Issue 2: Municipal Service Delivery**

As the department responsible for supporting municipal affairs, improving the overall efficiency of municipal service delivery in Newfoundland and Labrador is a key priority for the department. Municipal services are services provided at the local community level related to water and sewer, waste disposal, street lighting, fire protection, recreation, roads maintenance, and bylaw establishment and enforcement. In Newfoundland and Labrador, communities may be municipalities, local service districts, unincorporated communities or Inuit Community Governments.

Over the next three years, the department will undertake a review of the manner in which these services are organized, funded and delivered throughout the province. While government may not be responsible for delivering the services at the local level, government is responsible for ensuring that the appropriate legislative, fiscal and governance frameworks exist to facilitate sustainable service delivery.

Over the period of this strategic plan, the department will work with its partners to review municipal expenditure pressures, examine options related to local revenue, and identify opportunities for efficiencies in municipal service delivery. This focus aligns with government’s strategic directions of “Strengthened Municipal Capacity” and “Strengthened Support for Municipal Governments.”

**Goal 2:** By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have assessed and begun implementation of options for more efficient delivery of municipal services throughout the province.

<table>
<thead>
<tr>
<th><strong>PERFORMANCE MEASURE</strong></th>
<th><strong>INDICATORS</strong></th>
</tr>
</thead>
</table>
| Assessed and begun implementation of options for more efficient delivery of municipal services | • Facilitated and coordinated stakeholder engagement.  
• Identified opportunities for efficiencies in service delivery.  
• Amended policies and, or legislation to facilitate more efficient service delivery.  
• Engaged a stakeholder group to develop process improvements in municipal capital works program. |

**2014-15 Objective:** By March 31, 2015, the Department of Municipal and Intergovernmental Affairs will have reviewed the province’s municipal service delivery framework and presented options for future arrangements.
### PERFORMANCE MEASURE

**Indicators**

- Conducted consultations with key stakeholders.
- Conducted jurisdictional review.
- Reviewed municipal revenue sources.
- Identified opportunities for efficiencies in service delivery.
- Prepared a “what we heard” document on key issues.

<table>
<thead>
<tr>
<th>PERFORMANCE MEASURE</th>
<th>INDICATORS</th>
</tr>
</thead>
</table>
| Reviewed the province’s municipal service delivery framework and presented options for future arrangements. | - Conducted consultations with key stakeholders.  
- Conducted jurisdictional review.  
- Reviewed municipal revenue sources.  
- Identified opportunities for efficiencies in service delivery.  
- Prepared a “what we heard” document on key issues. |

#### 2015-16 Objective:

By March 31, 2016, the Department of Municipal and Intergovernmental Affairs will have begun implementing measures to effect more efficient delivery of municipal services.

#### 2016-17 Objective:

By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have further implemented measures to effect more efficient delivery of municipal services.

### Issue 3: Advancing the Province’s Interests

The Intergovernmental Affairs Branch works to advance Newfoundland and Labrador as a full partner with other provinces and territories and the Federal Government. In order to do this, Newfoundland and Labrador has to build and maintain productive relationships. This includes supporting the Premier’s and minister’s attendance at intergovernmental meetings, such as the Council of the Federation, the Council of Atlantic Premiers, the Conference of New England Governors and Eastern Canadian Premiers, First Ministers’ Meetings and ministerial meetings. The branch also develops analyses of federal-provincial-territorial (FPT) issues for its clients and to help coordinate intergovernmental activities across the Government of Newfoundland and Labrador.

Among the many intergovernmental issues of concern to the department are: federal program spending that is equitable and responsive to the needs of the people of this province; enhanced federal presence in terms of programming and spending in the province, including national defence installations and improved search and rescue services; and the advancement of the province’s jurisdictional ownership and effective control of petroleum and other resources in Newfoundland and Labrador’s offshore.

In consideration of government’s strategic direction to promote equitable treatment of Newfoundland and Labrador in the federation, as well as the mandate and financial resources of the department, the following goal and objectives have been identified as key focus areas for the minister for the next three years.
**Goal 3:** By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have supported the advancement of the interests of the Province in the federation and beyond.

<table>
<thead>
<tr>
<th>PERFORMANCE MEASURE</th>
<th>INDICATORS</th>
</tr>
</thead>
</table>
| Supported the advancement of the interest of the province in the federation and beyond. | • Support provided to Provincial Government at bi-lateral and multi-lateral meetings with other jurisdictions on key issues.  
• Research and analyses conducted to support the Premier and minister on issues of provincial importance. |

**2014-15 Objective:** By March 31, 2015, the Department of Municipal and Intergovernmental Affairs will have promoted Newfoundland Labrador’s right to equitable treatment in the federation.

<table>
<thead>
<tr>
<th>PERFORMANCE MEASURE</th>
<th>INDICATORS</th>
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</table>
| Promoted Newfoundland Labrador’s right to equitable treatment in the federation. | • Intergovernmental agreements negotiated and / or reviewed.  
• Advice provided to provincial departments on intergovernmental matters.  
• Support provided on the Council of the Federation and other intergovernmental meetings. |

**2015-16 Objective:** By March 31, 2016, the Department of Municipal and Intergovernmental Affairs will have further promoted Newfoundland and Labrador’s right to equitable treatment in the federation.

**2016-17 Objective:** By March 31, 2017 the Department of Municipal and Intergovernmental Affairs will have continued to promote Newfoundland and Labrador’s right to equitable treatment in the federation.
Appendix A

Strategic Directions

Strategic directions are the articulation of desired physical, social or economic outcomes and normally require action by more than one government entity. These directions are generally communicated by government through platform documents, Throne and Budget Speeches, policy documents, and other communiqués. The Transparency and Accountability Act requires departments and public bodies take into account these strategic directions in the preparation of their performance-based plans. This action will facilitate the integration of planning practices across government and will ensure that all entities are moving forward on key commitments.

The directions related to the Department of Municipal and Intergovernmental Affairs are provided below. Each strategic direction is comprised of a number of components or focus areas. These focus areas will be addressed as follows:

STRATEGIC DIRECTION 1: Strengthened Support for Municipal Governments

Outcome: Strengthened support for municipal governments through enhancements to municipal programs.

<table>
<thead>
<tr>
<th>Components of Strategic Direction</th>
<th>This direction is addressed in the:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Department’s strategic plan</td>
</tr>
<tr>
<td>Municipal Operating Grants</td>
<td>X</td>
</tr>
<tr>
<td>Municipal Infrastructure</td>
<td></td>
</tr>
<tr>
<td>Municipal Fiscal Framework</td>
<td>X</td>
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</tbody>
</table>
**STRATEGIC DIRECTION 2: Strengthened Municipal Capacity**

**Outcome:** Strengthened municipal capacity through community partnerships, regional cooperation initiatives, and stakeholder engagement.

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<thead>
<tr>
<th>Components of Strategic Direction</th>
<th>This direction is addressed in the:</th>
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<tbody>
<tr>
<td></td>
<td>Department’s strategic plan</td>
</tr>
<tr>
<td>Community Partnership</td>
<td>X</td>
</tr>
<tr>
<td>Regional Cooperation</td>
<td>X</td>
</tr>
<tr>
<td>Municipal Training</td>
<td>X</td>
</tr>
</tbody>
</table>
STRATEGIC DIRECTION 3: Equity in the Federation: Advancing our Interests

**Outcome:** Equitable treatment of Newfoundland and Labrador in the federation.

<table>
<thead>
<tr>
<th>Components of Strategic Direction</th>
<th>This direction is addressed in the:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Department’s strategic plan</td>
</tr>
<tr>
<td>Relations with Sovereign Governments</td>
<td>X</td>
</tr>
<tr>
<td>Intergovernmental Agreements</td>
<td>X</td>
</tr>
<tr>
<td>Intergovernmental Fora</td>
<td>X</td>
</tr>
<tr>
<td>Federal Presence</td>
<td>X</td>
</tr>
<tr>
<td>Defence and Search and Rescue</td>
<td>X</td>
</tr>
<tr>
<td>Federal Programs</td>
<td>X</td>
</tr>
<tr>
<td>Canadian Energy Strategy</td>
<td></td>
</tr>
<tr>
<td>Effective Control Over the Offshore</td>
<td>X</td>
</tr>
</tbody>
</table>
Appendix B

Legislative Acts

The minister is responsible for the following Acts:

- Assessment Act
- Building Standards Act
- City of Mount Pearl Act
- Coat of Arms Act
- Crown Corporations Local Taxation Act
- Evacuated Communities Act
- Fire Prevention Act, 1991
- Floral Emblem Act
- Housing Association Loans Act
- Labrador Act
- Municipal Affairs Act
- Municipalities Act, 1999
- Provincial Anthem Act
- Regional Service Boards Act
- St. John’s Assessment Act
- St. John’s Municipal Council Parks Act
- Taxation of Utilities and Cable Television Companies Act
- Avian Emblem Act
- City of Corner Brook Act
- City of St. John’s Act
- Commemoration Day Act
- Emergency Measures Act
- Family Homes Expropriation Act
- Firefighter’s Protection Act
- Housing Act
- Intergovernmental Affairs Act
- Mineral Emblem Act
- Municipal Authorities Amendment Act
- Municipal Elections Act
- Provincial Flag Act
- Remembrance Day Act
- St. John’s Centennial Foundation Act
- Standard Time Act
- Urban and Rural Planning Act, 2000
Annual Report 2014-15

Department of Municipal and Intergovernmental Affairs
2015

For additional information, please contact:

Policy and Planning Division
Department of Municipal and Intergovernmental Affairs
Government of Newfoundland and Labrador
P.O. Box 8700
St. John’s, NL A1B 4J6

Telephone: 709-729-5677
Fax: 709-729-7491

Email: MAinfo@gov.nl.ca
Website: www.miga.gov.nl.ca
Message from the Minister

It is my pleasure to present the 2014-15 annual performance report for the Department of Municipal and Intergovernmental Affairs. This report was prepared in accordance with the Transparency and Accountability Act requirements for a category one government entity.

The department’s 2014-2017 Strategic Plan focuses on municipal capacity building, municipal service delivery and advancing this province’s intergovernmental interests. This report details the department’s progress on fulfilling its 2014-15 objectives in these focus areas. My signature below is indicative of my accountability for the reported results.

I would like to acknowledge the efforts of departmental staff and our community partners in accomplishing this year’s objectives.

Sincerely,

Keith Hutchings
Minister
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Departmental Overview

The Department of Municipal and Intergovernmental Affairs provides programs, services and supports that help contribute to the overall governance and sustainability of the province's communities. With respect to Municipal Affairs, the Department supports municipalities in their delivery of efficient and effective municipal services by providing financial and administrative tools to support development of community capacity, regional cooperation, and sound municipal governance.

With respect to Crown Lands, the Department is responsible for the lease, licence, grant, reservation and protection of provincial Crown, public and other lands in accordance with the Act.

With respect to Intergovernmental Affairs, the Department leads the formulation of government's intergovernmental policies and strategies. This includes recommending strategic approaches to federal-provincial-territorial relations and negotiating intergovernmental agreements in consultation with other departments. Intergovernmental Affairs is also responsible for policy areas that do not fall under the responsibility of other entities and are usually in federal constitutional jurisdiction, including defence, foreign affairs and coordination of international activities.

Mandate

The mandate of the Department is derived from the following legislation:

(1) The Department of Municipal and Provincial Affairs Notice, 2003, under the Executive Council Act, and is informed by the legislation set out in the Schedule which outlines the powers, duties and functions of the minister, who is also appointed Registrar General.

(2) The Intergovernmental Affairs Act which gives the Department the mandate to:

- Coordinate all policies, programs and activities of the government of the province and its agencies in relation to a sovereign government and its agencies;
- Continually review all policies, programs and activities of the government of the province and its agencies in relation to a sovereign government and its agencies, all intergovernmental agreements, and all relevant legislation pertaining to those policies, programs, activities and agreements;
- Be a party to the negotiation of all proposed intergovernmental agreements; Promote the military diversification and long-term operation of 5 Wing Goose Bay; Act as the point of contact for the Federal Government where no analogous provincial Department exists and the lead entity for the development of intergovernmental policy; and
- Take necessary action to initiate, maintain or improve intergovernmental co-operation between the government of the province and sovereign governments.
Appendix A provides a list of Acts for which the Department is directly responsible.

**Vision**

The vision of the Department of Municipal and Intergovernmental Affairs is of sustainable communities led by strong local governments within a self-reliant province that advances its interests in Confederation and abroad.

**Mission**

The mission statement identifies the priority focus area of the minister over two planning cycles. It represents the key longer-term result that the minister and the Department will be working towards as they move forward on the strategic directions of the Provincial Government. The Department’s mission is:

By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have strengthened infrastructure investments and supports to local governments, as well as promoted Newfoundland and Labrador’s interests with sovereign governments in Canada and abroad.

**Lines of Business**

Lines of business are the major programs, products or services provided to our primary clients. The Department of Municipal and Intergovernmental Affairs has five main lines of business.

1. **Local Governance and Support**

The Department supports strong local governance by:

- Formulating, administering and supporting regional approaches to service delivery;
- providing training opportunities to elected and administrative officials;
- providing assistance in the development of municipal by-laws;
- supporting local government officials;
- conducting reviews of municipal administrative matters;
- administering grants and subsidies for community infrastructure and municipal operations;
- examining local governments’ financial operations;
- monitoring financial position and projected financial capacity;
- providing operational support;
- participating in inter-provincial policy development and knowledge sharing; and
- supporting regional cooperation initiatives.
2. Municipal Infrastructure and Engineering Services

The Department guides infrastructure investments by:

- assessing needs and prioritizing municipal infrastructure investments;
- providing financial support for the development of municipal infrastructure;
- monitoring and providing guidance and advice on municipal infrastructure projects;
- negotiating and managing federal-provincial agreements for municipal infrastructure funding;
- investing in waste management infrastructure as part of the Provincial Waste Management Strategy; and
- investing in clean and safe drinking water projects.

3. Lands

The Department is responsible for the administration and management of the province's Crown land resources and land use planning. In particular, the Department:

- maintains a map and air photo library service;
- maintains the Provincial Crown Lands Registry;
- investigates adverse land claims;
- reviews and inspects legal surveys;
- prepares legal documents of title for all dispositions of Crown land;
- produces topographic base maps for provincial departments and agencies;
- provides the geodetic reference system for legal and engineering surveys and topographic mapping;
- provides a repository/archive of provincial aerial photography;
- produces Crown title maps;
- maintains the Land Use Atlas;
- enforces lands legislation and addresses unauthorized occupation of Crown land;
- coordinates within government the inter-departmental review of Crown land development through the Interdepartmental Land Use Committee (ILUC);
- administers the leasing, sales and transfers of Crown land;
- develops land use management plans;
- reviews proposed municipal and local plans;
- assists municipalities in preparing land use plans;
- manages development of regional plans; and
- develops land use policy.

4. Employment Support

The Department delivers employment support programs by working with local, community-based sponsors to create short-term employment initiatives that provide enduring benefits to communities.

5. Intergovernmental Policy Formulation and Support
The Department is responsible for monitoring and analyzing intergovernmental dimensions of constitutional, social, fiscal, economic and resource policy matters in order to formulate and provide policy advice on the development of government’s intergovernmental strategy and agenda. Further, the Department coordinates and provides support for interdepartmental initiatives that have intergovernmental implications.

Organizational Structure

In fiscal year 2014-15 the Department assumed responsibility of the Crown Lands Branch, a former branch of the Department of Environment and Conservation. In 2014-15, the Department delivered its lines of business through five branches: Municipal Support, Municipal Infrastructure and Engineering, Lands, Corporate Services and Policy, and Intergovernmental Affairs.

In addition, the Minister of Municipal and Intergovernmental Affairs was accountable for 13 public entities that plan and report in accordance with the Transparency and Accountability Act. These entities are listed in Appendix C.
Budget and Expenditures

The Department’s approved budget for 2014-15 was $261.6 million. Approximately $245.3 million or 93.8% was budgeted for financial assistance to municipalities through such programs as financial support for municipal infrastructure development, gas tax, municipal operating grants, and special assistance. Another $14.6 million was directed to expenditures in salaries and operating costs to deliver programs and services, and $1.7 million was directed to expenditures under Intergovernmental Affairs. The Department’s 2014-15 budget included federal revenues of $41.9 million and provincial revenues of $6.1 million, resulting in net provincial expenditures of $213.6 million.

The Department’s complete financial statements are provided in Annex B.

Staff Complement

As of March 31, 2015, the Department payroll statistics indicate the Department has 200 employees (90 females and 110 males). This marks a significant increase over fiscal 2013-14 as Crown Lands employees have joined the Department since that time. This also includes 16 financial management positions that provide support to four other government departments and two agencies.

The Department’s headquarters is located in St. John’s and regional offices are located across the province.

<table>
<thead>
<tr>
<th>Location</th>
<th>Staff Complement</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. John’s – Confederation and Howley Buildings</td>
<td>144</td>
</tr>
<tr>
<td>Clarenville</td>
<td>9</td>
</tr>
<tr>
<td>Gander</td>
<td>18</td>
</tr>
<tr>
<td>Grand Falls-Windsor</td>
<td>2</td>
</tr>
<tr>
<td>Corner Brook</td>
<td>17</td>
</tr>
<tr>
<td>Happy Valley – Goose Bay</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>200</strong></td>
</tr>
</tbody>
</table>
Shared Commitments

The Department of Municipal and Intergovernmental Affairs collaborated with a number of provincial and federal government departments, in addition to local governments, to achieve common goals.

The Department has successfully established positive, ongoing relationships with stakeholders to improve policies, services and programs which support the strategic directions of the Provincial Government. For example:

- Municipalities Newfoundland and Labrador (MNL) – The Department often partners with MNL on initiatives throughout the year. For example, in 2014-15, the Department worked with MNL to finalize work on the Fiscal Framework Review, which resulted in a new Community Sustainability Partnership announced in Budget 2015.


- Regional Service Boards – The Department worked with the province’s six Regional Service Boards to support the advancement of the Provincial Solid Waste Management Strategy. Further details relating to the work undertaken in 2014-15 is provided in the “Highlights and Accomplishments” section and “Report on Performance” section under Issue 1.

- Multi-Materials Stewardship Board (MMSB) – The Department also worked with the MMSB in the advancement of the Provincial Solid Waste Management Strategy.

- Joint Municipal Infrastructure Committee - In an effort to ensure all municipal stakeholders have the opportunity to provide input on how the municipal infrastructure programs are delivered and to help identify program delivery efficiencies, the Department recently established a Joint Municipal Infrastructure Committee. The committee assists with identifying issues and potential solutions to ensure the efficient and cost effective delivery of its municipal infrastructure programs. The committee has representation from the Consulting Engineering of Newfoundland and Labrador, Heavy Civil Association, MNL, PMA, and the Department. The committee met four times in 2014-15.

Together with these organizations, the Department has made significant progress towards the Provincial Government’s strategic direction of “Strengthened Support for Municipal Governments”.
Intergovernmental Affairs (IGA) Branch

Advancing the various components of the strategic direction of the Provincial Government applicable to the IGA Branch requires close collaboration with a number of departments and agencies to achieve the outcome of equitable treatment of Newfoundland and Labrador in the federation. Because nearly all aspects of intergovernmental work undertaken to advance the interests of the Provincial Government is collaborative in nature, the IGA Branch provides a leadership, advisory and/or coordinating role in a wide variety of policy sectors involving nearly all Provincial Government departments and agencies. This section provides a focus on three key IGA Branch accomplishments in 2014-15 that were achieved with the leadership and cooperation of other Provincial Government partners. Other accomplishments involving the shared commitment of other departments and agencies are identified elsewhere in this report.

With the Department of Natural Resources (NR), the IGA Branch shared the work of co-leading development of the Canadian Energy Strategy (CES), an initiative of Canada’s Premiers. Building on the work of the 2007 Council of the Federation (COF) Energy Strategy, the Provincial Government, along with co-lead provinces Alberta, Manitoba and New Brunswick, worked towards completion of a national energy strategy that would provide a vision for responsible energy development by provinces and territories that would be guided by achievable yet ambitious goals, and concrete actions and initiatives. At the core of the CES is a set of clear principles guiding energy development, agreed by all Premiers at the August 2014 Council of the Federation meeting, including the open and non-discriminatory cross-territorial transportation and transmission of energy, that provide a strong foundation for provinces and territories to work together in energy policy and development. These efforts help improve the economy, protect the environment, mitigate climate change, create new opportunities for individuals, organizations and businesses, and enhance the quality of life for all Canadians.

With the leadership of NR and Service NL (SNL) and the collaboration of the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) and the Federal Government, the IGA Branch supported the introduction of a new occupational health and safety (OHS) system into the Newfoundland and Labrador offshore area. With the amendment of the federal Canada-Newfoundland Atlantic Accord Implementation Act in June 2014 (Newfoundland and Labrador’s mirror Atlantic Accord legislation was amended in 2013), the passage of transitional regulations, and the introduction of two memoranda of understanding among the Provincial and Federal Governments and the C-NLOPB in December 2014, the new OHS system came into effect and will increase the level of safety and transparency of offshore petroleum activities. The IGA Branch will continue to collaborate with and provide support to NR and SNL in monitoring the OHS system to identify the need for further improvements and opportunities to further enhance the system.

With NR, the Department of Fisheries and Aquaculture (DFA) and the Department of Justice and Public Safety (JPS), as well as other Provincial Government departments and agencies as appropriate, the IGA Branch continually undertakes comprehensive analysis of issues related to the effective jurisdictional control over petroleum and other resources in the
Newfoundland and Labrador offshore area. This work supports the continual improvement of the efficiency and effectiveness of the Provincial Government’s offshore regulatory structure in a manner that is consistent with the principles of the Atlantic Accord.

With the support of the IGA Branch, the Provincial Government continues to assert effective jurisdiction and control of offshore resources while pressing federal authorities to assert custodial management over the nose and tail of the Grand Banks and the Flemish Cap.

**Highlights and Accomplishments**

**Fiscal Framework Review**

A fiscal framework refers to the relationship between the province and its local governments. Completing the review of the provincial-municipal fiscal framework is one of the department’s most significant accomplishments in 2014-15.

The provincial municipal fiscal framework consultation reached approximately 500 individuals and stakeholders in the municipal sector, including local service district chairs or committee members and members of rural secretariat regional councils. Written and in-person input from the business, construction and hospitality sectors, as well as the public, through online submissions and a telephone survey, was also compiled. In addition, the department conducted significant research and analysis, including interviews with other provinces and territories, to learn from their approaches and experiences.

Recommendations from this review resulted in a new Community Sustainability Partnership, which was announced as part of Budget 2015. These efforts contributed to the Provincial Government’s strategic direction “Strengthened Support for Municipal Governments”.

**Gas Tax Agreement**

Through the Canada/Newfoundland and Labrador Gas Tax Agreement, the Federal Government provides funding to support environmentally sustainable municipal infrastructure. The Department of Municipal and Intergovernmental Affairs administers this funding. In 2014-15, the Department negotiated a renewed gas tax agreement with the federal government, which was announced in July 2014.

This new agreement, worth over $155 million over the next five years, provides municipalities and Inuit community governments with the flexibility to choose and plan infrastructure projects based on their specific priorities. More than 1,000 projects benefited from funding from the last Gas Tax Agreement in Newfoundland and Labrador.
Under the renewed Gas Tax Fund, categories have also been expanded. Eligible project categories include: drinking water; waste water and solid waste management; public transit; local roads and bridges; community energy systems; capacity building; disaster mitigation; broadband connectivity; highways; short-sea shipping; brownfield redevelopment; regional and local airports; and projects supporting culture, tourism, sport, and recreation.

**Municipal Council Handbook**

Another milestone for the Department in 2014-15 was the revision of the Municipal Council Handbook. The purpose of the handbook is to provide guidance for the ongoing administration of communities. It contains information on areas such as budgeting and financial administration, council communications and civic engagement, and council’s role as a policy maker, regulator, and planner.

The original handbook was prepared in 1987 and last updated in 2002. Much has changed since that time. The Department and its partners MNL, PMA, and the Combined Councils of Labrador, felt an updated, revised, and enhanced handbook was needed. The Department worked with a consultant to update and improve the Municipal Council Handbook. The new resource was launched in April 2014, at the 42nd Annual Professional Municipal Administrators Convention. Hard copies of the handbook were distributed to all administrators and councilors in the province. The document is also available online.

**Municipal/Community Infrastructure**

Infrastructure is essential if local governments are to deliver services to citizens (e.g. water, sewer and roads). The Department partners with the federal and municipal governments to identify and to cost share priority infrastructure. In 2014-15, there were approximately 700 projects at various stages of completion in communities throughout Newfoundland and Labrador where the Department was a funding partner. In 2014-15, the Department made a financial commitment to over $170 million in new municipal infrastructure projects. In addition, the new Building Canada Fund announced by the Federal Government in 2014, will provide approximately $349 million in federal funding to the province over the next 10 years. When combined with provincial and municipal funding, the total investment in provincially owned and municipal infrastructure is expected to be approximately $1 billion. This funding is over and above the existing infrastructure programs funded solely by the province.

Infrastructure construction and maintenance is costly and can be complex. In 2014-15, the Department created a Joint Municipal Infrastructure Committee with internal and external partners to assist with identifying issues and potential solutions to ensure the efficient and cost-effective delivery of its municipal infrastructure programs. Through discussion, the committee creates mutual understanding of each partner’s processes and seeks solutions to potential problem areas before they occur. Committee partners included Municipalities Newfoundland and Labrador, the Public Sector Management Administrators; the Heavy Civil Association of Newfoundland and Labrador; and the Consulting Engineers of Newfoundland and Labrador.
Provincial Solid Waste Management

The Department collaborated with provincial departments (Environment and Conservation and Service NL) and Boards (Multi-Materials Stewardship Board, Regional Service Boards) to implement the Provincial Solid Waste Management Strategy. Successes as of March 15 include:

- Approximately two-thirds of the province’s population is disposing of waste in one of two lined landfills with leachate collection and almost 50 per cent of the population has access to recycling facilities;

- All tee-pee incinerators identified in the strategy are now closed, and 72 per cent of open burning activity has been eliminated;

- The waste diversion rate has increased from seven per cent in 1992 to 28 per cent in 2012; and

- To date 148 disposal sites have been closed representing a 63 per cent reduction in the number of disposal sites relative to 2002 which is significant progress towards the strategy’s goal of 80 per cent disposal closure.

Employment Support

The Department works with local, community-based sponsors to create short-term employment initiatives that provide enduring benefits to communities. In 2014-15, the Department delivered an employment support program that served approximately 1,500 workers in rural communities who were facing significant employment challenges. These individuals worked on approximately 237 different projects, with a total cost of approximately $5.7 million.

Lands Act Review

In February 2015, the Department initiated a review of the current Lands Act, which guides the management and allocation of the province’s Crown lands. The purpose of the review was to develop informed recommendations on how to modernize the Act and make the Crown lands application process simpler and the service delivery model more effective.

To ensure a comprehensive approach to the review from both a legislative and process perspective, a Review Committee was established comprising professionals with expertise in the areas of law, policy and process improvement. With the guidance of the Office of Public Engagement, the committee consulted with the people of Newfoundland and Labrador and various stakeholders throughout the province to hear their views and gather ideas to develop informed recommendations.
The feedback from the consultation sessions was compiled and a “What We Heard” document to be released on the department’s website.

IGA Branch

In 2014-15, the IGA Branch advanced and supported the Provincial Government’s intergovernmental interests with respect to the Federal Government and other provinces and territories, as well as on the international stage. An ongoing priority of the IGA Branch is the provision of effective support to the Premier and cabinet, as well as to the Minister of Municipal and Intergovernmental Affairs and other ministers in their meetings and other interactions with other sovereign governments. This section identifies some highlights of the IGA Branch’s work during the fiscal year or presents accomplishments that are not addressed in the performance section of this report or already identified above as a key shared commitment for 2014-15.

The IGA Branch provided support to the Provincial Government as it pressed the Federal Government to honour its commitment to Newfoundland and Labrador to implement a cost-shared $400 million Fisheries Investment Fund that would support fisheries renewal. This commitment was made by the Federal Government in exchange for the Provincial Government agreeing to eliminate minimum processing requirements as part of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA).

With the support of the Department of Environment and Conservation (ENVC), the Labrador and Aboriginal Affairs Office (LAAO) and the Department of Business, Tourism, Culture and Rural Development (BTCRD), the IGA Branch promoted the military diversification and long-term operation of 5 Wing Goose Bay and Canada’s other military installations in Newfoundland and Labrador. In 2014-15, the IGA Branch supported the Provincial Government in stressing to the Minister National Defence and the House of Commons Standing Committee on National Defence the operational importance of 5 Wing Goose Bay and the opportunities for its promising future in the region. 5 Wing has significant capacity to support training activity for Canadian Forces and military allies and further investments would only do more to support coastal monitoring and strengthen Canada’s military presence and sovereignty in the North. The IGA Branch also supported the Provincial Government’s calls on the Federal Government to improve search and rescue response times and conduct a thorough review of marine safety.

With respect to the provision of a ferry service between the island of Newfoundland and the Province of Nova Scotia, it has consistently been the Provincial Government’s position that the Federal Government must meet its constitutional responsibility under Term 32 of the Terms of Union to provide an affordable, cost-efficient and quality ferry service connecting the province to the rest of Canada. Newfoundland and Labrador’s House of Assembly passed a unanimous motion on June 4, 2014, calling on the Federal Government to direct and enable Marine Atlantic Inc. to reduce user prices and restore transit frequency on the constitutionally guaranteed gulf ferry service. In 2014-15 the IGA Branch supported the Provincial Government’s repeated efforts to gain clarity from the Federal Government on its
commitment to deliver a safe and quality ferry service, and the IGA Branch closely monitored funding levels, rates, fuel surcharges, weather delays, security fees, reservations and passenger traffic to determine the overall impacts on travellers using the ferry service. The IGA also monitored ongoing work by the Canadian Coast Guard to procure new vessels for its fleet and advocated for an adequate number of vessels to be stationed in Newfoundland and Labrador.

In 2014-15 the Provincial Government, supported by the IGA Branch, contributed to the Harbour Authority Association of Newfoundland and Labrador’s (HAANL) successful efforts to lobby the Federal Government to change direction on operational and management changes proposed by the federal Department of Fisheries and Oceans for its Small Craft Harbours program in our province. Some of the program changes proposed for the province were reversed as a result of these efforts.

Other policy areas in which the IGA Branch led the Provincial Government’s efforts in 2014-15 to ensure that the Federal Government’s treatment of Newfoundlanders and Labradorians is equitable include pressing the Federal Government to: live up to its commitment to ensure no erosion in the number of federal public service positions as a proportion of total federal employment; reconsider its decision to reduce postal services in the province by eliminating door-to-door mail delivery; and re-open the Veterans Affairs Canada Corner Brook District Office to ensure veterans are not prevented from getting timely access to benefits. Such efforts to protect federal programming and, where appropriate, to advocate for enhanced federal employment and programming in the province is commonly referred to as federal presence.

Every year the Provincial Government hosts numerous international dignitaries, who come to meet with the Lieutenant Governor, the Premier, the Minister of Municipal and Intergovernmental Affairs, other cabinet ministers, and government officials from a number of departments and agencies. The Protocol Office in the Office of the Executive Council advises on dignitary visits and organized state and ceremonial events. The IGA Branch provided support to the Provincial Government by providing research and strategic advice for such visits and events. In 2014-15, the IGA Branch was involved in hosting 13 visits from foreign dignitaries.
Report on Performance

The Department’s 2014-2017 strategic plan identifies three priority issues: municipal capacity building, municipal service delivery, and advancing the province’s interests. Each issue has a goal which describes what the Department seeks to achieve by March 31, 2017 as well as associated annual objectives.

This annual report will compare the 2014-2015 objectives, for each of the three priority issues, against what the Department has accomplished. Each objective has a measure and a series of indicators that if met, indicate that the objective has been successfully achieved.

Issue 1: Municipal Capacity Building

In 2014-15, the Department initiated activities toward the Provincial Government’s strategic direction, “strengthened municipal capacity” particularly in areas of municipal training and regional cooperation. Municipal capacity refers to the efforts and activities that improve and enhance a municipality’s ability to govern and sustain itself over time. The role of local government has become more complex and therefore the mechanisms that enable and facilitate community-level decision making are becoming increasingly sophisticated as well.

During the year, the Department initiated a number of activities to help strengthen municipal capacity throughout the province. For example, the Department: helped communities identify their strengths and challenges and opportunities for capacity building or sharing of resources; implemented and supported a number of training initiatives for elected officials and municipal administrators; and worked with communities and the Regional Service Boards to help advance the Waste Management Strategy. Details of these and other initiatives are provided below.

**Goal 1:** By March 31, 2017 the Department of Municipal and Intergovernmental Affairs will have strengthened municipal capacity to enable healthy, safe and sustainable communities.

**2014-15 Objective:** By March 31, 2015 the Department of Municipal and Intergovernmental Affairs will have initiated activities to strengthen municipal capacity to enable healthy, safe, and sustainable communities.

**Performance Measure:** Activities initiated to strengthen municipal capacity.
<table>
<thead>
<tr>
<th>INDICATORS</th>
<th>PROGRESS AND ACCOMPLISHMENTS</th>
</tr>
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<tbody>
<tr>
<td>Commenced community capacity assessment review and analysis with communities.</td>
<td>Community capacity assessments are completed by the Department in consultation with local governments. These assessments identify a community’s strengths and weaknesses, opportunities, and risks. Over the last three years, the Department’s regional offices have completed 150 individual community capacity assessments. These assessments become part of the analysis when communities notify the Department in writing that they wish to explore the idea of coming together with other communities either through sharing of services, amalgamation or annexation. For example, an analysis of those communities’ assessments may indicate that while individually they may not be able to provide firefighting services to their citizens but by pooling multiple community resources (volunteers, equipment, training and finances) all communities could have the service. The analysis is reviewed with the interested communities.</td>
</tr>
<tr>
<td>Developed and implemented municipal training initiatives.</td>
<td>Participation in training opportunities contributes to individual professional development and improves the quality of local governance and administration in our communities throughout the province. MIGA, working with Municipalities Newfoundland and Labrador, Professional Municipal Administrators and the Combined Councils of Labrador, developed and implemented municipal training initiatives to elected officials and municipal administrators during the year. Municipal elections were held in September 2013 making Councilor Orientation and Budget Training a Department priority for fiscal 2014-15. In 2014-15 the Department’s Manager of Municipal Training, municipal stakeholders and a hired consultant completed the development of the Municipal Council Handbook. The new resource was launched in April 2014 during the 42nd Annual Professional Municipal Administrators Convention. Concurrently the Department developed new Councilor Orientation training. In 2014-15, MIGA offered 10 Councillor Orientation and Budget Training sessions in eight locations across the province. A total of 120 people participated representing 73 communities. In addition to this training, the Department contributed $150,000 to a municipal training fund, which is used to defray the costs of sending administrators and councilors to departmental training opportunities (e.g. registration costs, travel expenses,</td>
</tr>
</tbody>
</table>
In 2014-15 the Federal Government signed a new Gas Tax Agreement with the Government of Newfoundland and Labrador. The Department developed and delivered training to municipal and elected officials regarding the new federal Gas Tax Agreement, including changes from the previous agreements and new information.

**Increased stakeholder engagement in priority areas.**

It has been 38 years since the last review of the financial arrangement between the province and municipalities. During 2014-15, the Department, with the assistance of the Office of Public Engagement, concluded consultations with more than 500 stakeholders regarding efficient and effective ways for communities to raise revenues, deliver services and provide local governance.

In 2014-15, the Minister of Municipal and Intergovernmental Affairs introduced legislative changes to enable youth to be engaged in municipal governments. This amendment was a prerequisite to increasing youth engagement. Councils now have the discretionary authority to appoint one or more youth representatives to council. These individuals, while not voting members, will bring a youth perspective to the council chambers. It will also give these youth the opportunity to better understand the role of their municipal council and allow the elected councillors to mentor them as potential future community leaders.

**Worked with communities to advance the provincial waste management strategy.**

In 2014-15, the Department worked with community representatives to assist in the development of regional waste management plans and regional governance.

- The Coast of Bays Committee developed a governance structure and submitted a request to government for the establishment of a regional service board to provide regional waste management services for this area.
- In the Baie Verte/Green Bay area a regional committee was established with representation from communities in both the Green Bay and Baie Verte sub-regions. A consultant was appointed to develop long term waste management plans as well as recommend a governance structure for the region.

The Department worked with Regional Service Boards,
communities, and waste disposal committees to advance the objectives of the Solid Waste Management Strategy.

In 2014-15, the Department developed tendering specifications for infrastructure, financed planning and infrastructure, and liaised with other departments (e.g. Environment and Conservation and Service NL) and industry experts (e.g. engineers, contractors and suppliers) to ensure communities attained the most appropriate systems to meet their requirements. These efforts advanced the strategy in the following ways.

1. The Eastern Regional Service Board planned for and tendered the construction of the Clarenville transfer station which is expected to be completed in 2015. This facility will serve communities in the Clarenville area and Discovery Region. As well, the Department worked with the board to select a site for the Whitbourne waste recovery facility and to complete two additional environmental site closures.

2. The Discovery Regional Service Board selected a consultant to prepare a tender for consolidated curbside collection for the entire region and to identify the number and location of public drop off sites for bulk items. Curbside collection in the Discovery Region will commence when the Clarenville transfer station becomes operational.

3. The Burin Regional Service Board completed planning for a regional transfer system and four environmental site closures were completed.

4. The Central Regional Service Board planned for the construction of the materials recovery facility, which is anticipated to be completed in 2015.

5. The Western Regional Service Board completed its regional waste management plan. A consultant was appointed to assist in procuring the regional waste management infrastructure through a design-build process and construction is expected to begin late in 2015. In addition, seven environmental site closures were completed throughout the region.

6. The Northern Peninsula Regional Service Board appointed a consultant to determine the long-term infrastructure requirements and the most cost effective approach for curbside collection for the region.
**2015-16 Objective:** By March 31, 2016 the Department of Municipal and Intergovernmental Affairs will have continued to undertake activities to strengthen municipal capacity to enable healthy, safe and sustainable communities.

**Performance Measure:** Continued to undertake activities to strengthen municipal capacity

**Indicators:**
- Enhanced municipal training initiatives.
- Provided enhanced funding supports to communities.
- Implemented utilization of provisions in the *Lands Act* to assist municipalities in acquiring Crown lands.
- Established accountability measures to ensure municipalities maximize revenue levels.
- Supported three regional service boards to engage regional water and waste water operators.

**Issue 2: Municipal Service Delivery**

In 2014-15, the Department initiated efforts toward Provincial Government’s strategic direction “strengthened support for municipal governments”. As the department responsible for supporting municipal affairs, improving the overall efficiency of municipal service delivery in Newfoundland and Labrador is a key priority for the Department. Municipal services are services provided at the local community level and may include services such as water and sewer, waste disposal, street lighting, fire protection, recreation, roads maintenance, and bylaw establishment and enforcement.

During the year, the Department completed a review of the province’s municipal service delivery framework and recommended a number of options intended to support strengthened municipal service delivery.

**Goal 2:** By March 31, 2017, the Department of Municipal and Intergovernmental Affairs will have assessed and begun implementation of options for more efficient delivery of municipal services throughout the province.

**2014-15 Objective:** By March 31, 2015 the Department of Municipal and Intergovernmental Affairs will have reviewed the province’s municipal service delivery framework and presented options for future arrangements.

**Performance Measure:** Reviewed the province’s municipal service delivery framework and presented options for future arrangements.
<table>
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<tr>
<th>INDICATORS</th>
<th>PROGRESS AND ACCOMPLISHMENTS</th>
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<tr>
<td>Conducted consultations with key stakeholders.</td>
<td>The Department along with Municipalities Newfoundland and Labrador and the Professional Municipal Administrators conducted research and engaged over 500 municipal stakeholders to examine the existing provincial-municipal fiscal framework to identify options for efficient and effective ways for services to be delivered, paid for, and shared in the province. In addition, written and in-person comments were received from the business sector, from organizations such as the Canadian Federation of Independent Business, Hospitality Newfoundland and Labrador, the St. John’s Board of Trade and Chambers of Commerce. Comments were also received from the public through online submissions and a telephone survey.</td>
</tr>
<tr>
<td>Conducted jurisdictional review.</td>
<td>The jurisdictional review contained information gathered through teleconferences with seven provinces and two territories (Ontario, Quebec, and Nunavut did not participate) and supplementary internet research on all Canadian jurisdictions. Key findings were verified through one on one follow up with all Canadian jurisdictions through e-mail or telephone.</td>
</tr>
<tr>
<td>Reviewed municipal revenue sources.</td>
<td>Local governments raise their own revenues (e.g. taxes, fines) but also rely on funds transferred from the federal (e.g. gas tax, sales tax rebate) and provincial governments (e.g. municipal infrastructure programs, municipal operating grants). The fiscal framework review examined all existing revenue sources as well as potential means of reducing local government expenses and potential new legislative authority for local government to create new revenue streams.</td>
</tr>
</tbody>
</table>
| Identified opportunities for efficiencies in service delivery. | Shared delivery of municipal services was a consistent opportunity identified for efficiency and cost-effectiveness. The Department will establish an advisory committee to explore a regional governance structure to facilitate shared service delivery. 

The review highlighted that smaller municipalities need operating assistance with their drinking water systems and help understanding what they need to do regarding the new federal waste water regulations. Three regional service boards will pilot regional waste water operator service in a |
Prepared a “what we heard” document on key issues. Feedback from the consultation sessions was collected and collated into a comprehensive document. The resulting “What We Heard” document was completed and posted on the web. The document can be accessed at:
http://www.miga.gov.nl.ca/consultations/fiscalframeworkreview/pdf/What_We_Heard.pdf

2015-16 Objective: By March 31, 2016 the Department of Municipal and Intergovernmental Affairs will have begun implementing measures to effect more efficient delivery of municipal services.

Performance Measure: Begun implementing measures to effect more efficient delivery of municipal services.

Indicators:
- Established an advisory committee to lead research and stakeholder consultations regarding an appropriate regional governance structure to facilitate efficient and effective shared service delivery.
- Developed recommendations regarding a potential new regional governance model to facilitate efficient and effective shared service delivery.
- Provided funding to three regional service boards to pilot regional waste water operator service in a selection of communities.
- Consulted with towns and cities with a population above 11,000 to identify provisions in their legislation that may be made more enabling and recommended changes to legislation.

Issue 3: Advancing the Province’s Interests

The IGA Branch works to advance Newfoundland and Labrador as a full partner with other provinces and territories and the Federal Government. Productive relationships with other sovereign governments are critical to achieving the IGA Branch’s goal for this planning cycle, which is to have supported the advancement of the interests of the Provincial Government in the federation and beyond. To help ensure that Newfoundland and Labrador’s intergovernmental relationships are productive, the IGA Branch supports the Premier and Minister of Municipal and Intergovernmental Affairs’ participation in multilateral intergovernmental forums such as the Council of the Federation (COF), the Council of Atlantic Premiers (CAP) and the Conference of New England Governors and Eastern Canadian Premiers (NEG/ECP). By effectively supporting the Provincial Government’s participation in multilateral forums, the IGA Branch is better placed to provide high quality advice to Provincial Government departments and agencies on intergovernmental matters, and to
provide effective support to departments and agencies in negotiating and reviewing intergovernmental agreements. The performance reporting for Issue 3 highlights work undertaken by the Department to advance the Provincial Government’s strategic direction to work to achieve equitable treatment of the province in the federation. In particular, performance reporting focuses on the strategic direction components of intergovernmental agreements, relations with sovereign governments, and intergovernmental fora.

The department’s work in regards to agreement negotiation, policy advice and support for participation in conferences was in a variety of subject areas, including the strategic directions of federal presence and federal programs, which were highlighted in the Minister's mandate letter of December 8, 2014 and are described earlier in this report under "Highlights and Accomplishments"; effective control of the offshore, an element of which was referenced in the Minister's mandate letter and is described earlier in this report under “Shared Commitments”; and defence and search and rescue, which are also described under "Highlights and Accomplishments". Lead responsibility for advocacy to the federal government on search and rescue was assigned to the Minister Responsible for Fire and Emergency Services - NL in her mandate letter of December 8, 2014.

**Goal 1:** By March 31, 2017 the Department of Municipal and Intergovernmental Affairs will have supported the advancement of the interests of the Province in the federation and beyond.

**2014-15 Objective:** By March 31, 2015, the Department of Municipal and Intergovernmental Affairs will have promoted Newfoundland Labrador’s right to equitable treatment in the federation.

**Performance Measure:** Promoted Newfoundland and Labrador’s right to equitable treatment in the federation.

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<tr>
<th>INDICATORS</th>
<th>PROGRESS AND ACCOMPLISHMENTS</th>
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<tr>
<td>Intergovernmental agreements negotiated and/or reviewed</td>
<td>Under the requirements of the <em>Intergovernmental Affairs Act</em>, the IGA Branch routinely provided assistance and support to departments and agencies in the negotiation of intergovernmental agreements to help ensure consistency with Provincial Government priorities, and intergovernmental policies and priorities. As an indication of the scope of this work, 59 intergovernmental agreements were signed in 2014-15, 54 of which were with the Federal Government. Found among these agreements are successfully re-negotiated major federal-provincial intergovernmental agreements such as the renewal of the federal Building Canada Plan ($349M over 10 years), the federal Gas Tax Funding Agreement ($155M over 5 years), the Canada-NL Job Fund Agreement ($7.4M), and the Affordable Housing Initiative ($34.1M).</td>
</tr>
<tr>
<td>Advice provided to provincial departments on intergovernmental matters</td>
<td>The IGA Branch worked with Provincial Government departments and agencies to negotiate multiyear agreements with the Federal Government to minimize the need, where possible and appropriate, to enter into annual negotiations on routine intergovernmental agreements. The IGA Branch also worked with departments and agencies to eliminate problematic clauses, seek better terms for Newfoundland and Labrador, and promote the priorities of the Provincial Government. A list of intergovernmental agreements signed by the Provincial Government in 2014-15 may be found in Appendix D.</td>
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<tr>
<td>Advice provided to provincial departments on intergovernmental matters</td>
<td>The IGA Branch collaborated with Provincial Government departments and agencies to coordinate intergovernmental activities, develop and revise intergovernmental policies and ensure that they are applied in a consistent manner. Provision of intergovernmental advice was accomplished by bilateral discussions between the IGA Branch and a Department or agency, and by participation on committees pertaining to intergovernmental activities and relations. The IGA Branch provided advice on matters related to the Provincial Government’s relationships with other governments for bilateral and multilateral meetings and teleconferences, and worked with departments and agencies to facilitate a coordinated response to intergovernmental issues. This work contributed to the Provincial Government providing consistent representations to other sovereign governments in meetings, correspondence and in the media. The IGA Branch also provided advice to Provincial Government departments and agencies on the development of submissions to Cabinet and on the negotiation of intergovernmental agreements. The IGA Branch provided advice to ensure submissions to Cabinet reflect relevant intergovernmental considerations and collaborated with departments and agencies during the negotiation of intergovernmental agreements to ensure terms and conditions reflect the intergovernmental interests of Newfoundland and Labrador. The IGA Branch also provided advice to departments and agencies based on analysis of daily issues and jurisdictional monitoring, and assessment of reports from non-governmental organizations.</td>
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</table>
| Support provided on the Council of the Federation and other intergovernmental meetings. | The IGA Branch provided support to the Premier and the Minister of Municipal and Intergovernmental Affairs for major intergovernmental meetings in 2014-15 by preparing, in consultation with Provincial Government departments and agencies, information and analysis about the intergovernmental, policy, administrative, fiscal and economic status of Newfoundland and Labrador, the Federal Government, other provinces and territories, and foreign jurisdictions. COF and CAP met twice in 2014-15, and NEG/ECP met once.  

For each of these intergovernmental meetings, the IGA Branch engaged with all jurisdictions involved to develop a meeting agenda, prepare common and Newfoundland and Labrador-specific policy positions, and prepare conference logistics in collaboration with Provincial Government departments and agencies, and other provincial, territorial and U.S. state officials.  

The IGA Branch was an active member of COF’s steering committee and senior officials’ committees, CAP’s management committee and management committee officials’ committee, and NEG/ECP’s coordinating committee. Membership in these committees entails participation in regular teleconferences and meeting with officials from other jurisdictions to provide advice to principals on meeting policy and communications outcomes. The IGA Branch also provided logistical support related to meeting participation.  

COF held its annual summer meeting on August 29-30, 2014, in Charlottetown, Prince Edward Island (attended by then-Premier Tom Marshall) and its annual winter meeting (attended by Premier Paul Davis) on January 30, 2015 in Ottawa, Ontario. The IGA Branch supported the Premier at both meetings which provided significant opportunity for provinces and territories to discuss challenges relating to fiscal arrangements within Canada and the growing fiscal disparity between the Federal Government and provincial and territorial governments. At the meeting Premiers agreed to a vision and set of principles to guide development of the Canadian Energy Strategy, including the open and non-discriminatory cross-territorial transportation and transmission of energy, and they called for a more effective partnership with the federal government, including greater collaboration on the economy. Discussions on other priority areas included |
aging, competitiveness, and a skilled workforce. In recognition of the significant program and policy implications associated with an aging population, Premier Davis agreed to co-lead the COF Task Force on Aging along with the Premiers of Quebec, Ontario, Prince Edward Island and Nunavut.

At the 23rd CAP meeting in Saint John, New Brunswick on May 25-26, 2014, attended by then-Premier the Honourable Tom Marshall, Atlantic Premiers focused discussion on development of the region’s natural and human resources to strengthen the economy and create new opportunities for Atlantic Canadians. Discussion also included addressing ways to responsibly develop the region’s abundant energy resources to improve market access and drive jobs and economic development by taking action to remove impediments to energy transportation and transmission across the region.

At the meeting, Premiers also renewed their commitment to collaborate on skills training, specifically for apprentices, by signing a memorandum of understanding to initiate harmonization of 10 skilled trades across the region. Premiers also discussed workforce development, marine safety, and international trade promotion.

The 24th CAP meeting took place in St. John’s, Newfoundland and Labrador on January 18-19, 2015, with Premier Davis hosting the event. Premiers renewed their commitment to work together to improve the competitiveness of the economies of the Atlantic provinces, provide more efficient and cost effective services to Atlantic Canadians, and strengthen the region’s workforce through skills development and regulatory alignment. Premiers also agreed to take action to ensure open transportation and transmission of energy across the region. Other policy issues addressed at the meeting included cooperation to address population aging and growth, rural outmigration, immigration. Premiers bolstered their commitment to jointly secure continued operation of the Atlantic Veterinary College through a renewed 10-year agreement.

The 38th meeting of the Conference of NEG/ECP took place July 13-15, 2014, in Bretton Woods, NH, with then-Premier Tom Marshall representing Newfoundland and Labrador. The meeting provided an opportunity for jurisdictions to address economic development policies
across the region and for the Provincial Government to showcase the vast potential for Phase II of the Lower Churchill Development to be a secure and renewable source of clean hydroelectricity for the New England states. Following the conference a committee of NEG/ECP, the Northeast International Committee on Energy, organized a December 2014 forum for a public-private sector dialogue on ongoing changes in the energy landscape of the NEG/ECP region. This forum was attended by Provincial Government officials and provided a further opportunity to engage with New England energy officials on the potential benefits of Newfoundland and Labrador hydroelectricity to the New England energy market.

The IGA Branch provided strategic policy support and assistance to the Premier and Minister of Natural Resources in the lead up the U.S. National Governors Association’s (NGA) winter meeting in Washington, D.C., February 20-23, 2015. Premier Paul Davis represented Canada’s Premiers at this meeting as the incoming Chair of COF and was joined by the Honourable Derrick Dalley, Minister of Natural Resources at that meeting. On behalf on Canada’s Premiers, Premier Davis met with NGA chair Governor John Hickenlooper (Colorado) and the Mexican National Conference of Governors (CONAGO) chair Governor Jorge Herrera Caldera (Durango) in Washington, D.C. At that time, the Premier and Governors formally announced the October 30-31, 2015 Summit of North American Governors and Premiers to be held in Colorado Springs, Colorado. On behalf of Canada’s Premiers, Premier Davis was also able to join Governors Hickenlooper and Herrera in a speaking event at the U.S. Chamber of Commerce on the subject of North American competitiveness and the role of sub-national governments. While in Washington, D.C., Premier Davis also met with Maryland Governor Larry Hogan to discuss the implementation of the 2014 Friendship Agreement between Newfoundland and Labrador and Maryland, and Premier Davis and Minister Dalley discussed regional energy developments with Governors from the New England states. The IGA Branch provided policy support for these meetings.
Discussion of Results:
IGA Branch’s performance report for 2014-15 exhibits the range of activities undertaken to advance and support the advancement of the intergovernmental interests of the Provincial Government. In the subsequent two years of the 2014-17 strategic plan reporting cycle, the IGA Branch expects to show progress in meeting the objectives and goal as laid out in the plan. In 2015-16, the following three indicators will guide performance reporting for the IGA Branch.

2015-16 Objective: By March 31, 2016, the Department of Municipal and Intergovernmental Affairs will have further promoted Newfoundland and Labrador’s right to equitable treatment in the federation.

Performance Measure: Further promoted Newfoundland Labrador’s right to equitable treatment in the federation

Indicators:
- Intergovernmental agreements continued to be negotiated and/or reviewed
- Advice continued to be provided to provincial departments on intergovernmental matters
- Support continued to be provided on the Council of the Federation and other intergovernmental meetings

Opportunities and Challenges Ahead
There are many opportunities and challenges ahead as the Department of Municipal and Intergovernmental Affairs moves forward with addressing the needs of its stakeholders.

In 2015-16 the Department will consult with our city and large town stakeholders to review their legislation to identify what changes are required to enable councils to respond to citizen needs more effective and efficiently.

With the anticipated conclusion of the Lands Act review we look forward to considering the recommendations from the review committee and identifying opportunities to improve the Act and associated business processes which will benefit the residents of the province.

The recently announced Community Sustainability Partnership will greatly enhance supports to municipalities. Supports include the Provincial Government investment of over $46 million in additional funding over the next three years in communities, annualized at approximately $25 million thereafter. These investments include a partial rebate of the provincial portion of the Harmonized Sales Tax (HST), the sharing of provincial gas tax revenues, a three-year commitment to municipal operating grants at the level of $22 million annually, and funding for a pilot project for regional water and wastewater operators. Accountability measures will be implemented to ensure that the new funding facilitates strategic investments by municipalities in priority areas.
These broad investments will support all regions of the province, especially rural communities, as they develop strong regional economic activity and promote small business opportunities.

In addition to the financial investment, an advisory committee will be established to explore a regional governance structure and provisions will be utilized in the _Lands Act_ regarding the creation of reserves to assist municipalities in acquiring Crown lands at market value in a phased approach for development.

Maintaining and replacing aging infrastructure continues to be a challenge for many communities, particularly as it relates to the new Federal Waste Water Effluent regulations. The Department will develop a provincial municipal asset management framework. Asset management will provide municipalities with the information needed to plan for and to prioritize infrastructure investments thereby getting the best value from their resources.

In addition to the Department’s capital works funding, both the newly signed Federal Gas Tax Agreement and soon to be signed Building Canada Agreement for the Small Communities Fund will help to provide much needed investments in municipal infrastructure. The above mentioned asset management framework, when developed, will help prioritize these investments.

The upcoming fiscal year 2015-16 will be an exciting year for the IGA Branch. In addition to fulfilling its mandated duties and continuing to work to achieve its planned goal and objectives for the 2014-17 planning cycle, Newfoundland and Labrador is also hosting meetings of Premiers and National Aboriginal Organization (NAO) Leaders, COF and NEG/ECP during the next reporting period. Hosting these meetings is a significant opportunity for a relatively small government. The IGA Branch will work closely with LAAO on the Premiers and NAO Leaders meeting and will work with other departments/entities and volunteers from across the public service on each event. Hosting these conferences will provide the Provincial Government with a rare opportunity to lead the development of policy agendas for three multilateral intergovernmental forums and make a mark on the national and international stages. Participation in multilateral intergovernmental meetings provide an opportunity for Newfoundland and Labrador to work together with other provinces and territories, as well as U.S. states, to advance common objectives while also advancing the interests of the Provincial Government.
Appendix A: Statutory Acts

In fiscal year 2014-15, the Minister of Municipal and Intergovernmental Affairs was responsible for the following legislation:

- Assessment Act, 2006
- Building Standards Act
- City of Mount Pearl Act
- Coat of Arms Act
- Crown Corporations Local Taxation Act
- Family Homes Expropriation Act
- Housing Act
- Intergovernmental Affairs Act
- Mineral Emblem Act
- Municipal Authorities Amendment Act, 1991
- Municipal Elections Act
- Provincial Flag Act
- Remembrance Day Act
- St. John’s Centennial Foundation Act
- Standard Time Act
- Urban and Rural Planning Act, 2000
- Lands Act
- Avian Emblem Act
- City of Corner Brook Act
- City of St. John’s Act
- Commemoration Day Act
- Evacuated Communities Act
- Floral Emblem Act
- Housing Association Loans Act
- Labrador Act
- Municipal Affairs Act
- Municipalities Act, 1999
- Provincial Anthem Act
- Regional Service Boards Act, 2012
- City of St. John’s Municipal Taxation Act
- St. John’s Municipal Council Parks Act
- Taxation of Utilities and Cable Television Companies Act
- Land Surveyor’s Act, 1991
- Geographical names Boards Act
### Appendix B: Financial Statements

**Unaudited**

**Annual Report for Municipal Affairs 2014-15**

<table>
<thead>
<tr>
<th>Executive and Support Services</th>
<th>Estimates</th>
<th>Expenditure</th>
</tr>
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<tbody>
<tr>
<td>Minister’s Office: 1.1.01</td>
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<tr>
<td>Executive Support: 1.2.01</td>
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<tr>
<td>Administrative Support: 1.2.02</td>
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<tr>
<td>Less Provincial Revenue</td>
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<tr>
<td>Strategic Financial Management: 1.2.03</td>
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**Total Executive and Support Services**

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<tr>
<th>Services to Municipalities</th>
<th>Estimates</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Support: 2.1.01</td>
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<tr>
<td>Less Provincial Revenue</td>
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<tr>
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<td>Policy and Strategic Planning: 2.2.01</td>
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<td>Less Provincial revenue</td>
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<tr>
<td>Less Provincial Revenue</td>
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**Total Services to Municipalities**

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<thead>
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**Lands**

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<th></th>
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<th>Expenditure</th>
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</thead>
<tbody>
<tr>
<td>Crown Land: 3.1.01</td>
<td>$4,612,300</td>
<td>$3,515,836</td>
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<tr>
<td>Less Provincial Revenue</td>
<td>$(150,000)</td>
<td>$(279,865)</td>
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<tr>
<td>Land Management and Development: 3.1.02</td>
<td>$1,003,500</td>
<td>$860,956</td>
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<tr>
<td>Less Provincial Revenue</td>
<td>$(5,335,000)</td>
<td>$(7,890,323)</td>
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<tr>
<td>Surveying and Mapping: 3.1.03</td>
<td>$858,400</td>
<td>$458,075</td>
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<tr>
<td>Less Provincial Revenue</td>
<td>$(70,000)</td>
<td>$(19,184)</td>
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<tr>
<td>Geomatics Agreements: 3.1.04</td>
<td>$150,000</td>
<td>$75,000</td>
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### Land Use Planning: 3.1.05

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<tr>
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<th>2014-15</th>
<th>2015-16</th>
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<tr>
<td>Less Provincial Revenue</td>
<td>$(5,200)</td>
<td>$(8,009)</td>
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<tr>
<td><strong>Total Lands</strong></td>
<td>$1,775,400</td>
<td>$(2,623,272)</td>
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### Assistance and Infrastructure

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<th>Section</th>
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<tr>
<td>Municipal Debt Servicing: 4.1.01</td>
<td>$5,078,500</td>
<td>$4,728,886</td>
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<td>Municipal Debt Servicing – Principal: 4.1.02</td>
<td>$20,273,600</td>
<td>$20,035,115</td>
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<td>Municipal Operating Grants: 4.1.03</td>
<td>$22,000,000</td>
<td>$21,346,845</td>
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<tr>
<td>Special Assistance: 4.1.04</td>
<td>$2,400,000</td>
<td>$2,611,384</td>
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<td>Community Enhancement: 4.1.05</td>
<td>$6,179,900</td>
<td>$5,718,377</td>
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<tr>
<td>Municipal Infrastructure – Capital: 4.2.01</td>
<td>$118,202,400</td>
<td>$110,728,589</td>
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<tr>
<td>Federal/Provincial Infrastructure Programs – Capital 4.2.02</td>
<td>$29,308,100</td>
<td>$16,660,432</td>
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<tr>
<td>Less Federal Revenue</td>
<td>$(12,000,000)</td>
<td>$(4,633,143)</td>
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<td>Canada/NL Gas Tax Program – Capital: 4.2.03</td>
<td>$41,872,700</td>
<td>$18,113,254</td>
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<tr>
<td>Less Federal Revenue</td>
<td>$(29,865,000)</td>
<td>$(29,867,294)</td>
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<td><strong>Total Assistance and Infrastructure</strong></td>
<td>$203,450,200</td>
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### Intergovernmental Affairs

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<tr>
<td>Executive Support - IGA: 5.1.01</td>
<td>$893,500</td>
<td>$586,846</td>
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<tr>
<td>Intergovernmental Policy Analysis and Coordination: 5.1.02</td>
<td>$830,400</td>
<td>$733,989</td>
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<tr>
<td><strong>Total Intergovernmental Affairs</strong></td>
<td>$1,723,900</td>
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### Total Department

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<tr>
<td><strong>Total</strong></td>
<td>$207,635,700</td>
<td>$171,548,215</td>
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*Expenditure and revenue figures included in this document are un-audited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year ended 31 March 2015. Audited financial statements are a requirement at the government level and are made public through the Public Accounts process; however the Department of Municipal Affairs is not required to provide a separate audited financial statement.*
In fiscal year 2014-15, the Minister of Municipal Affairs was accountable for 13 public entities that plan and report in accordance with the *Transparency and Accountability Act*. These were as follows:

- Municipal Assessment Agency (MAA);
- Central Regional Service Board;
- Northern Peninsula Regional Service Board;
- Burin Peninsula Regional Service Board;
- Discovery Regional Service Board;
- Eastern Regional Service Board;
- Western Regional Service Board;
- Eastern Newfoundland Regional Appeal Board;
- Central Newfoundland Regional Appeal Board;
- West Newfoundland Regional Appeal Board;
- Newfoundland and Labrador Geographical Names Board;
- Humber Valley Regional Planning Advisory Authority (HVRPAA) Leadership Committee; and
- Northeast Avalon Regional (NEAR) Plan Leadership Committee.

MAA as well as the Regional Service Boards are considered category two entities as defined by the *Transparency and Accountability Act*. Each of these entities reports independently to the minister by preparing a three-year business plan and an independent annual business report.

The Eastern, Central and West Newfoundland Regional Appeal Boards, the Geographical Names Board, as well as the NEAR Plan and HVRPAA Leadership Committees are considered category three entities as defined by the *Transparency and Accountability Act*. Each prepares a three-year activity plan and an annual activity report.

Tabled plans and reports of these entities are available online at: [http://www.miga.gov.nl.ca/publications/](http://www.miga.gov.nl.ca/publications/).
# Appendix D: Intergovernmental Agreements Signed in 2014-15

<table>
<thead>
<tr>
<th>NL PARTY</th>
<th>OTHER PARTY</th>
<th>NAME OF AGREEMENT</th>
<th>Signed*</th>
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<tbody>
<tr>
<td>Department of Justice and Public Safety (JPS)</td>
<td>Department of Justice Canada/ Miawpukek Mi’Kamawey - Mawi’omi First Nation</td>
<td>TRIPARTITE FUNDING AGREEMENT - MIAWPUKEK MI’KAMAWEY MAWI’OMI FIRST NATION</td>
<td>March 27/15</td>
</tr>
<tr>
<td>Department of Natural Resources (NR)</td>
<td>Parks Canada</td>
<td>LETTER OF AGREEMENT BETWEEN NEWFOUNDLAND AND LABRADOR - PARKS CANADA REGARDING MINERAL RIGHTS IN MEALY MOUNTAINS NATIONAL PARK - 2015</td>
<td>March 25/15</td>
</tr>
<tr>
<td>Department of Advanced Education and Skills (AES)</td>
<td>Department of Indian Affairs and Northern Development Canada</td>
<td>PROVINCIAL AND TERRITORIAL GOVERNMENT - PROVINCE OF NL FOR 2014-15 INCOME SUPPORT AGREEMENT</td>
<td>March 25/15</td>
</tr>
<tr>
<td>Department of Health and Community Services (HCS)</td>
<td>F/P/T Health Departments and/or Agencies</td>
<td>MULTILATERAL INFORMATION SHARING AGREEMENT (MLISA)</td>
<td>March 25/15</td>
</tr>
<tr>
<td>Department</td>
<td>Other Department</td>
<td>Agreement Details</td>
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<td>HCS</td>
<td>Department of Health Canada</td>
<td>DRUG TREATMENT FUNDING PROGRAM CONTRIBUTION AGREEMENT - TREATING AND MONITORING OF ADDICTIONS IN THE PROVINCE OF NEWFOUNDLAND AND LABRADOR</td>
<td>March 24/15</td>
</tr>
<tr>
<td>Department of Child, Youth and Family Services (CYFS)</td>
<td>Department of Indian Affairs and Northern Development Canada</td>
<td>PROVINCIAL AND TERRITORIAL GOVERNMENT PROVINCE OF NEWFOUNDLAND &amp; LABRADOR - 2014-15 CHILD YOUTH AND FAMILY SERVICES AGREEMENT (MUSHUAU &amp; SHESHATSHUI INNU)</td>
<td>March 24/15</td>
</tr>
<tr>
<td>Department of Transportation and Works (TW)</td>
<td>Department of Indian Affairs and Northern Development Canada</td>
<td>PROVINCIAL AND TERRITORIAL GOVERNMENT - PROVINCE OF NEWFOUNDLAND AND LABRADOR FOR NATUASHISH 2014-15 AGREEMENT</td>
<td>March 24/15</td>
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<tr>
<td>Department of Business, Tourism, Culture and Rural Development (BTCRD)</td>
<td>Department of Canadian Heritage</td>
<td>CANADA ARTS PRESENTATION FUND CONTRIBUTION AGREEMENT - 2015</td>
<td>March 23/15</td>
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<tr>
<td>TW</td>
<td>Department of Transport Canada</td>
<td>LABRADOR COASTAL AIRPORT RESTORATION PROGRAM AGREEMENT-AMENDMENT 1</td>
<td>March 10/15</td>
</tr>
<tr>
<td>Department</td>
<td>Province/Department</td>
<td>Agreement Title</td>
<td>Signature Date</td>
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<td>TW</td>
<td>Department of Infrastructure Canada</td>
<td>CANADA-NEWFOUNDLAND AND LABRADOR BUILDING FUND AGREEMENT - CORE NATIONAL HIGHWAY SYSTEM AND LOCAL ROAD INFRASTRUCTURE PROJECTS AMENDMENT 2</td>
<td>March 5/15</td>
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<tr>
<td>Department of Municipal and Intergovernmental Affairs (MIGA)</td>
<td>Department of Public Works and Government Services Canada; NALCOR</td>
<td>LABRADOR-ISLAND LINK JOINT MANAGEMENT AGREEMENT</td>
<td>Feb 20/15</td>
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<td>-------------------------------------------------------------</td>
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<tr>
<td>MIGA</td>
<td>Department of Public Works and Government Services Canada</td>
<td>LAND USE AGREEMENT - STRAIT OF BELLE ISLE PORTION OF LABRADOR-ISLAND LINK</td>
<td>Feb 18/15</td>
</tr>
<tr>
<td>Newfoundland and Labrador Housing Corporation (NLHC)</td>
<td>Canada Mortgage and Housing Corporation</td>
<td>AGREEMENT FOR INVESTMENT IN AFFORDABLE HOUSING 2011-2014 (SUPPLEMENTARY AGREEMENT 1)</td>
<td>Feb 10/15</td>
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<tr>
<td>Service NL (SNL)</td>
<td>Department of Public Works and Government Services Canada</td>
<td>MEMORANDUM OF UNDERSTANDING FOR INSPECTION OF BOILERS/PRESSURE VESSELS - 2015</td>
<td>Feb 3/15</td>
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<tr>
<td>Department</td>
<td>Description</td>
<td>Date</td>
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<td>SNL</td>
<td>Department of Public Works and Government Services Canada</td>
<td>MEMORANDUM OF UNDERSTANDING FOR INSPECTION OF ELEVATING DEVICES - 2015</td>
<td>Feb 3/15</td>
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<tr>
<td>NLHC</td>
<td>Department of Social Development, New Brunswick</td>
<td>END-USER SOFTWARE LICENSE AGREEMENT BETWEEN NEWFOUNDLAND AND LABRADOR (NL) AND NEW BRUNSWICK (NB)</td>
<td>Feb 3/15</td>
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<td>FIN</td>
<td>Statistics Canada</td>
<td>STATISTICS CANADA - SPSD/M MEMORANDUM OF UNDERSTANDING - 2015</td>
<td>Jan 28/15</td>
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<td>HCS</td>
<td>Department of Foreign Affairs, Trade and Development Canada</td>
<td>MEMORANDUM OF UNDERSTANDING - EBOLA OUTBREAK IN WEST AFRICA - NOVEMBER 28, 2014</td>
<td>Nov 28/14</td>
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<td>NR</td>
<td>Nova Scotia Department of Energy/ Emera Newfoundland and Labrador</td>
<td>MARITIME LINK TRANSMISSION PROJECT - INDUSTRIAL AND EMPLOYMENT BENEFITS AGREEMENT</td>
<td>Nov 26/14</td>
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<tr>
<td>Department of Natural Resources Canada/ CNLOPB</td>
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<td>Department of Education</td>
<td>AES</td>
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<td>Department of Development Canada</td>
<td>INFORMATION SHARING AGREEMENT - 2014</td>
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<td>LETTER OF AGREEMENT ON STATISTICAL SURVEYS AND RELATED SERVICES BETWEEN THE NEWFOUNDLAND AND LABRADOR STATISTICS AGENCY (NLSA) AND STATISTICS CANADA – 2014</td>
<td>Sept 11/14</td>
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<tr>
<td>Department of Justice Canada</td>
<td>AGREEMENT RESPECTING FEDERAL CONTRIBUTIONS FOR THE INTENSIVE REHABILITATIVE CUSTODY AND SUPERVISION (IRCS) PART D - PROVISNICAL YOUTH JUSTICE FORUM ON FEB 4 &amp; 5, 2015 (RICHMOND, BC) – 2014</td>
<td>Sept 8/14</td>
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<td>MIGA Department of Infrastructure Canada</td>
<td>CANADA - NEWFOUNDLAND AND LABRADOR BUILDING CANADA FUND - AMENDMENTS TO THE COMMUNITIES COMPONENT AMENDED AGREEMENT 2007-2017 - AMENDMENT NUMBER 2 - 2014</td>
<td>Sept 2/14</td>
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<td>Department (or Agency)</td>
<td>Description</td>
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<td>SNL</td>
<td>MOU - ATLANTIC CANADA DL-ID CARD PROJECT (ATLANTIC PROVINCES) - 2014</td>
<td>Aug 12/14</td>
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<tr>
<td>Department of Public Safety, New Brunswick/Department of Service Nova Scotia and Municipal Relations/Department of Transportation and Infrastructure Renewal, Prince Edward Island</td>
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<td>Department of Labrador and Aboriginal Affairs (LAA)</td>
<td>TORNGAT WILDLIFE AND PLANTS CO-MANAGEMENT BOARD FUNDING AGREEMENT - AUGUST 15, 2014</td>
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<td>Department of Indian Affairs and Northern Development/Torngat Wildlife and Plants Co-Management Board/ Nunatsiavut Government</td>
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<td>TRIPARTITE FUNDING AGREEMENT FOR THE TORNGAT JOINT FISHERIES BOARD - 2014</td>
<td>Aug 12/14</td>
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<td>Department of Indian Affairs and Northern Development/Nunatsiavut Government/Torngat Joint Fisheries Board</td>
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<td>TARGETED INITIATIVE FOR OLDER WORKERS AMENDING AGREEMENT NO.4 - 2014</td>
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<td>Department of Employment and Social Development Canada</td>
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<td>CANADA - NEWFOUNDLAND AND LABRADOR - JOB FUND AGREEMENT - 2014</td>
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<td>TW</td>
<td>Department of Transport Canada</td>
<td>CANADA-NEWFOUNDLAND AND LABRADOR COASTAL AIRSTRIPS RESTORATION PROJECTS 2014-2015, 2015-2016</td>
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<td>FRIENDSHIP AGREEMENT BETWEEN THE STATE OF MARYLAND AND NEWFOUNDLAND AND LABRADOR - 2014</td>
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<td>Atlantic Canada Opportunities Agency (ACOA)</td>
<td>ADMINISTRATIVE AGREEMENT FOR THE GAS TAX FUND - 2014</td>
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<td>Department of Citizenship and Immigration Canada</td>
<td>MODEL - MOU ON THE INTERNATIONAL STUDENT PROGRAM - 2014</td>
<td>July 8/14</td>
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<td>HCS</td>
<td>Department of Health Canada</td>
<td>HEALTH FUNDING CONTRIBUTION AGREEMENT - PROVINCES/TERRITORIES TO OFFSET MEDICAL TRANSPORTATION COSTS FOR THE INUIT AND INNU OF LABRADOR – 2014</td>
<td>June 30/14</td>
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<td>Department of Natural Resources (Forestry and Agrifoods Agency)</td>
<td>Department of Agriculture and Agri-Food Canada</td>
<td>INFORMATION AND DATA SHARING AGREEMENT-AGRISTABILITY-AGRIVEST-GROWING FORWARD 2 – 2014</td>
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<td><strong>JUS</strong></td>
<td>Department of Justice Canada</td>
<td>AGREEMENT RESPECTING FEDERAL CONTRIBUTIONS FOR THE INTENSIVE REHABILITATIVE CUSTODY AND SUPERVISION (IRCS) PROGRAM PART D - FY 2014-2015 - CULTURAL AWARENESS TRAINING FOR SECURE CUSTODY STAFF - 2014</td>
<td>June 26/14</td>
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<tr>
<td><strong>JUS</strong></td>
<td>Department of Justice Canada</td>
<td>FUNDING AGREEMENT BETWEEN CANADA - NEWFOUNDLAND AND LABRADOR REGARDING LEGAL FRENCH LANGUAGE TRAINING FOR PROVINCIALLY APPOINTED JUDGES - 2014 – 2015</td>
<td>May 29/14</td>
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<td><strong>TW</strong></td>
<td>Department of Public Works and Government Services Canada</td>
<td>MEMORANDUM OF AGREEMENT - ENVIRONMENTAL DISCLOSURE (WESTERN MEMORIAL REGIONAL HOSPITAL LAND USE) – 2014</td>
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<tr>
<td><strong>Department of Environment and Conservation (ENVC)</strong></td>
<td>Department of Health Canada</td>
<td>MEMORANDUM OF AGREEMENT FOR SERVICES WITH ENVIRONMENT AND MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS - DELIVERY OF</td>
<td>May 8/14</td>
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<td>Department of Health Canada</td>
<td>AMENDING HEALTH FUNDING CONSOLIDATED CONTRIBUTION AGREEMENT - AT1300037-A01- JUNE 1, 2012</td>
<td>Apr 17/14</td>
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<tr>
<td>ENVC</td>
<td>Department of Public Works and Government Services Canada/ Department of Natural Resources Nova Scotia</td>
<td>LAND USE AGREEMENT FOR THE CABOT STRAIT PORTION OF THE MARITIME LINK - 2014</td>
<td>Apr 16/14</td>
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<tr>
<td>ENVC</td>
<td>Department of Public Works and Government Services Canada/ Department of Natural Resources Nova Scotia</td>
<td>MARITIME LINK JOINT MANAGEMENT AGREEMENT - 2014</td>
<td>Apr 22/14</td>
</tr>
<tr>
<td>Department of Innovation, Business and Rural Development (IBRD)</td>
<td>Atlantic Canada Regional Venture Fund GP Inc.</td>
<td>ATLANTIC CANADA REGIONAL VENTURE FUND LIMITED PARTNERSHIP - 2014</td>
<td>Sept 26/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada</td>
<td>AGREEMENT RESPECTING BIOLOGY CASEWORK ANALYSIS 2014-2024</td>
<td>Sept 10/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness</td>
<td>COMMUNITY TRIPARTITE AGREEMENT BETWEEN NEWFOUNDLAND AND LABRADOR - CANADA -</td>
<td>Aug 4/14</td>
</tr>
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<td>Department</td>
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<tr>
<td>AES</td>
<td>Department of Employment and Social Development Canada</td>
<td>July 31/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada/ The Inuit Community Government of Rigolet</td>
<td>July 30/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada/ The Inuit Community Government of Hopedale</td>
<td>July 30/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada; The Inuit Community Government of Makkovik</td>
<td>July 30/14</td>
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<tr>
<td>LAA/ JUS/ ENVC</td>
<td>Department of RESTATEMENT OF AN</td>
<td>June 24/14</td>
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<tr>
<td>Department of Municipal and Intergovernmental Affairs 2014-15 Annual Report</td>
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<tr>
<td><strong>Indian Affairs and Northern Development Canada/ Miawpukek First Nation</strong></td>
<td>AGREEMENT ON TERMS OF LAND TRANSFER FOR EXPANSION OF THE SAMIAJJ MIAWPUKEK INDIAN RESERVE - 2014</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada</td>
<td>FRAMEWORK AGREEMENT FOR THE USE OF THE RCMP FIRST NATIONS COMMUNITY POLICING SERVICES (FNCPS) IN NEWFOUNDLAND AND LABRADOR - 2014</td>
<td>May 21/14</td>
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<tr>
<td>JUS</td>
<td>Department of Public Safety and Emergency Preparedness Canada</td>
<td>CANADA - NEWFOUNDLAND AND LABRADOR - CORRECTIONAL SERVICES CO-ORDINATION AGREEMENT - EXCHANGE OF SERVICES AGREEMENT - EXTENSION - 2014</td>
<td>Apr 15/14</td>
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<tr>
<td>Official Name</td>
<td>Region</td>
<td>Mayor/Angajuk</td>
<td>Clerk</td>
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<tr>
<td>Avondale</td>
<td>Eastern</td>
<td>Owen Mahoney</td>
<td>Maureen Lewis</td>
</tr>
<tr>
<td>Badger</td>
<td>Central</td>
<td>Michael Patey</td>
<td>Pansy Hurley</td>
</tr>
<tr>
<td>Baie Verte</td>
<td>Central</td>
<td>Clar Brown</td>
<td>Angela Furey</td>
</tr>
<tr>
<td>Bauline</td>
<td>Eastern</td>
<td>Christopher Dredge</td>
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<td>Betty Fitzgerald</td>
<td>David Hiscock</td>
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<td>Jerry Dean</td>
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<td>Brimnes</td>
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<td>George Butt Jr.</td>
<td>Cathy Somers</td>
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<td>Churence Rogers</td>
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<td>Ivy King</td>
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<td>Ross Humber</td>
<td>Melda Hann</td>
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<td>Crystal Nault</td>
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<td>Mayor/AngajukKak</td>
<td>Clerk</td>
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<td>Little Bay East</td>
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<td>Jerry Weir</td>
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<td>Little Bay, Notre Dame Bay</td>
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<td>Logy Bay - Middle Cove - Outer Cove</td>
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<td>John Kennedy</td>
<td>Richard Roche</td>
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<td>Lord's Cove</td>
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<td>Petrina Power</td>
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<td>Randy Simms</td>
<td>Michelle Peach, CAO</td>
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<td>Lisa Hart</td>
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<td>Brenda Biggin</td>
<td>Blanche Thornhill</td>
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<td>Eastern</td>
<td>Nat Hutchings</td>
<td>Mandy Dinn</td>
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<td>Placentia</td>
<td>Eastern</td>
<td>Wayne D. Power</td>
<td>Ed O'Keefe</td>
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<tr>
<td>Point Leamington</td>
<td>Central</td>
<td>Wilf Mercer</td>
<td>Wanda Ryan</td>
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<td>Point May</td>
<td>Eastern</td>
<td>Muriel Cousins</td>
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<td>Pool's Cove</td>
<td>Central</td>
<td>Dwayne Williams</td>
<td>Branda Williams</td>
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Updated September 4, 2015

Newfoundland and Labrador Municipal and Inuit Community Government Directory
<table>
<thead>
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<th>Official Name</th>
<th>Region</th>
<th>Mayor/AngajukKak</th>
<th>Clerk</th>
<th>Line 1</th>
<th>Line 2</th>
<th>Fax</th>
<th>E-mail</th>
<th>Address 1</th>
<th>Address 2</th>
<th>City</th>
<th>Postal Code</th>
<th>Days Open</th>
<th>Hours Open</th>
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<tbody>
<tr>
<td>Port au Choix Western</td>
<td>Carolyn Lavers</td>
<td>Annette Payne</td>
<td>(709) 861-3409</td>
<td>(709) 861-3406</td>
<td>(709) 861-3061</td>
<td><a href="mailto:portauxchoix@nf.aibn.com">portauxchoix@nf.aibn.com</a></td>
<td>P.O. Box 89</td>
<td>Port Au Choix</td>
<td>A0K 4C0</td>
<td>Monday - Friday</td>
<td>8am - 5pm</td>
<td></td>
<td></td>
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<tr>
<td>Port au Port East Western</td>
<td>Eileen Hann</td>
<td>Joanne Ryan</td>
<td>(709) 648-2731</td>
<td>(709) 648-9481</td>
<td><a href="mailto:townofpape@hotmail.com">townofpape@hotmail.com</a></td>
<td>P.O. Box 160</td>
<td>Port au Port East</td>
<td>A0N 1T0</td>
<td>Monday - Friday</td>
<td>9AM - 4:30PM</td>
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<tr>
<td>Port au Port West-Aguathuna-Felix Cove Western</td>
<td>Melina Bennett</td>
<td>Vanessa Glasgow</td>
<td>(709) 648-2891</td>
<td>(709) 648-9292</td>
<td><a href="mailto:papwaf@nf.aibn.com">papwaf@nf.aibn.com</a></td>
<td>P.O. Box 89</td>
<td>Aguathuna</td>
<td>A0N 1A0</td>
<td>Monday - Friday</td>
<td>9AM - 4:30PM</td>
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<tr>
<td>Port Rexton Eastern</td>
<td>Robert Goldsworthy</td>
<td>Lois Long</td>
<td>(709) 464-2006</td>
<td>(709) 464-2581</td>
<td><a href="mailto:portrexton@bellaliant.com">portrexton@bellaliant.com</a></td>
<td>P.O. Box 55</td>
<td>Port Rexton</td>
<td>A0C 2H0</td>
<td>Tuesday/Thursday</td>
<td>10-12/1-3PM</td>
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<tr>
<td>Port Saunders Western</td>
<td>Tony Ryan</td>
<td>Judy Quinlan/Helen Hamlyn</td>
<td>(709) 861-3106</td>
<td>(709) 861-2137</td>
<td><a href="mailto:townofportsaunders@nf.aibn.com">townofportsaunders@nf.aibn.com</a></td>
<td>P.O. Box 39</td>
<td>Port Saunders</td>
<td>A0K 4H0</td>
<td>Monday - Friday</td>
<td>8:30am - 4:30pm</td>
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<tr>
<td>Portugal Cove - St. Philip's Eastern</td>
<td>Moses Tucker</td>
<td>Judy Squires</td>
<td>(709) 895-8000</td>
<td>(709) 895-3780</td>
<td><a href="mailto:pcsp@pcsp.ca">pcsp@pcsp.ca</a></td>
<td>1119 Thorburn Road</td>
<td>Portugal Cove - St. Philip's</td>
<td>A1M 1T6</td>
<td>Monday - Friday</td>
<td>8:30am - 4:30pm</td>
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<tr>
<td>Portugal Cove South Eastern</td>
<td>Clarence Molloy</td>
<td>Ida Perry</td>
<td>(709) 438-2092</td>
<td>(709) 438-2090</td>
<td><a href="mailto:townofpcs@live.ca">townofpcs@live.ca</a></td>
<td>P.O. Box 8</td>
<td>Site 11</td>
<td>Trepassey</td>
<td>A0A 4B0</td>
<td>Tuesday &amp; Thursday</td>
<td>1 - 4 p.m.</td>
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<tr>
<td>Pouch Cove Eastern</td>
<td>Joedy Wall</td>
<td>Barbara Tilley</td>
<td>(709) 335-2849</td>
<td>(709) 335-2840</td>
<td><a href="mailto:info@pouchcove.ca">info@pouchcove.ca</a></td>
<td>P.O. Box 59</td>
<td>Pouch Cove</td>
<td>A0A 3L0</td>
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<tr>
<td>Raleigh Western</td>
<td>Millicent Taylor</td>
<td>Angela Taylor</td>
<td>(709) 452-2135</td>
<td></td>
<td><a href="mailto:townofraleigh@nf.aibn.com">townofraleigh@nf.aibn.com</a></td>
<td>P.O. Box 119</td>
<td>Raleigh</td>
<td>A0K 4J0</td>
<td>Monday - Friday</td>
<td>8:30 to 4:00</td>
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<tr>
<td>Ramea Western</td>
<td>Clyde Dominie</td>
<td>Minnie Organ</td>
<td>(709) 625-2010</td>
<td></td>
<td><a href="mailto:rameatowncouncil@gmail.com">rameatowncouncil@gmail.com</a></td>
<td>P.O. Box 69</td>
<td>Ramea</td>
<td>A0N 2J0</td>
<td>Monday - Friday</td>
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<tr>
<td>Red Bay Labrador</td>
<td>Wanita Stone</td>
<td>Liz Yetman</td>
<td>(709) 920-2103</td>
<td></td>
<td><a href="mailto:redbaytowncouncil@nf.aibn.com">redbaytowncouncil@nf.aibn.com</a></td>
<td>P.O. Box 108</td>
<td>Red Bay</td>
<td>A0K 4K0</td>
<td>Monday to Thurs only</td>
<td>8:30AM - 4:30PM</td>
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<tr>
<td>Reidville Western</td>
<td>Roger Barrett</td>
<td>Connie Reid</td>
<td>(709) 635-4498</td>
<td></td>
<td><a href="mailto:townofreidville@nf.aibn.com">townofreidville@nf.aibn.com</a></td>
<td>2 Community Square</td>
<td>Reidville</td>
<td>A8A 2V7</td>
<td>Monday - Friday</td>
<td>9:00 - 3:00</td>
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<tr>
<td>Robert's Arm Central</td>
<td>Donald Paddock</td>
<td>Stephanie Ryan</td>
<td>(709) 652-3079</td>
<td></td>
<td><a href="mailto:townofrobertsarm@eastlink.ca">townofrobertsarm@eastlink.ca</a></td>
<td>P.O. Box 10</td>
<td>Robert's Arm</td>
<td>A0J 1R0</td>
<td>Monday - Friday</td>
<td>9:00am - 5:00pm</td>
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<tr>
<td>Rocky Harbour Western</td>
<td>Walter Nicolle</td>
<td>Debbie Reid</td>
<td>(709) 458-2293</td>
<td></td>
<td><a href="mailto:rockyharbour@msn.com">rockyharbour@msn.com</a></td>
<td>P.O. Box 24</td>
<td>Rocky Harbour</td>
<td>A0K 4N0</td>
<td>Monday - Friday</td>
<td>9am - 5pm</td>
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<tr>
<td>Roddickton-Bide Arm Western</td>
<td>Shelia Fitzgerald</td>
<td>Tracey Stacey</td>
<td>(709) 457-2663</td>
<td></td>
<td><a href="mailto:roddickton@nf.aibn.com">roddickton@nf.aibn.com</a></td>
<td>P.O. Box 10</td>
<td>Roddickton</td>
<td>A0K 4P0</td>
<td>5 days a week</td>
<td>8:30 to 4:30</td>
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<td>Rose Blanche - Harbour le Cou Western</td>
<td>Clayton Durnford</td>
<td>Tammy Farrell</td>
<td>(709) 956-2541</td>
<td></td>
<td><a href="mailto:townofroseblanche@nf.aibn.com">townofroseblanche@nf.aibn.com</a></td>
<td>P.O Box 159</td>
<td>Rose Blanche</td>
<td>A0M 1P0</td>
<td>Monday - Friday</td>
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<td>Salmon Cove Eastern</td>
<td>Gordon King</td>
<td>Donette Morris</td>
<td>(709) 596-1170</td>
<td></td>
<td><a href="mailto:townofsalmoncove@nf.aibn.com">townofsalmoncove@nf.aibn.com</a></td>
<td>P.O.Box 240</td>
<td>Salmon Cove</td>
<td>A0A 3S0</td>
<td>Monday - Friday</td>
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<tr>
<td>Salvage Central</td>
<td>Gordon Janes</td>
<td>Beverly Hunter</td>
<td>(709) 677-3535</td>
<td></td>
<td><a href="mailto:bev.salvage@hotmail.com">bev.salvage@hotmail.com</a></td>
<td>General Delivery</td>
<td>Salvage</td>
<td>A0G 3X0</td>
<td>1st Full Week of every month</td>
<td>9:00AM - 5:00PM</td>
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<tr>
<td>Sandy Cove, Bonavista Bay Central</td>
<td>Lisa Napier</td>
<td>Anne Benger</td>
<td>(709) 677-2905</td>
<td></td>
<td><a href="mailto:sandycove@bellaliant.com">sandycove@bellaliant.com</a></td>
<td>P.O Box 37, Site 8</td>
<td>Eastport</td>
<td>A0G 1Z0</td>
<td>Tuesday</td>
<td>9:00AM - 4:00PM (Lunch 12-1)</td>
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<tr>
<td>Small Point-Adam's Cove-Blackhead Southern Harbour Eastern</td>
<td>Joseph Brewer</td>
<td>Kelsie Emberley</td>
<td>(709) 463-2208</td>
<td></td>
<td><a href="mailto:townsouthernhr@nf.aibn.com">townsouthernhr@nf.aibn.com</a></td>
<td>P.O. Box 10</td>
<td>Southern Harbour</td>
<td>A0B 3H0</td>
<td>Monday - Friday</td>
<td>9AM - 12:30PM 1:30-4:30</td>
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<tr>
<td>St. Alban's Central</td>
<td>Jamie LeRoux</td>
<td>Sandra Cox</td>
<td>(709) 538-3683</td>
<td></td>
<td><a href="mailto:st.albans@nf.aibn.com">st.albans@nf.aibn.com</a></td>
<td>P.O. Box 10</td>
<td>St. Alban's</td>
<td>A0H 2E0</td>
<td>Monday - Friday</td>
<td>9:00AM - 4:30PM</td>
<td></td>
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</tr>
<tr>
<td>St. Brendan's Central</td>
<td>Veronica Broomfield</td>
<td>Rita White</td>
<td>(709) 669-4271</td>
<td></td>
<td></td>
<td>P.O. Box 54</td>
<td>St. Brendan's</td>
<td>A0G 3V0</td>
<td>Monday, Wednesday, Friday</td>
<td>1:00 PM - 4:00 PM</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>St. Jacques - Coomb's Cove Central</td>
<td>Hubert Langdon</td>
<td>Joan Sheppard</td>
<td>(709) 888-6102</td>
<td></td>
<td><a href="mailto:sjcctc@gmail.com">sjcctc@gmail.com</a></td>
<td>P.O. Box 102</td>
<td>English Harbour West</td>
<td>A0H 1M0</td>
<td>Monday - Friday</td>
<td>10:00AM - 3:00PM (Lunch 12-1)</td>
<td></td>
<td></td>
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<tr>
<td>St. John's Eastern</td>
<td>Dennis O'Keefe</td>
<td>Elaine Henley</td>
<td>(709) 576-8474</td>
<td></td>
<td><a href="mailto:cityclerk@stjohns.ca">cityclerk@stjohns.ca</a></td>
<td>P.O. Box 908</td>
<td>St. John's</td>
<td>A1E 2A9</td>
<td>Monday - Friday</td>
<td>9am - 4:30pm</td>
<td></td>
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<tr>
<td>St. Shott's Eastern</td>
<td>Elizabeth Molloy</td>
<td>Elizabeth Hewitt</td>
<td></td>
<td></td>
<td></td>
<td>General Delivery</td>
<td>St. Shott's</td>
<td>A0A 3R0</td>
<td></td>
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<tr>
<td>Steady Brook Western</td>
<td>Peter Rowsell</td>
<td>Tracey Caines</td>
<td>(709) 634-7547</td>
<td></td>
<td><a href="mailto:townclerk@steadybrook.com">townclerk@steadybrook.com</a></td>
<td>P.O Box 117</td>
<td>Steady Brook</td>
<td>A2H 2N2</td>
<td>Monday - Friday</td>
<td>8:30 - 4:30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stephenville Western</td>
<td>Brian Joy</td>
<td>Yvonne Young</td>
<td>(709) 646-2086</td>
<td>(709) 646-2065</td>
<td><a href="mailto:yyoung@nf.aibn.com">yyoung@nf.aibn.com</a></td>
<td>P.O Box 68</td>
<td>Stephenville</td>
<td>A0N 2C0</td>
<td>Monday - Friday</td>
<td>8:30am - 4pm</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Summerford Central</td>
<td>Kevin Barnes</td>
<td>Vicky Anstey</td>
<td>(709) 629-7532</td>
<td></td>
<td><a href="mailto:townofsummerford@nf.aibn.com">townofsummerford@nf.aibn.com</a></td>
<td>P.O Box 59</td>
<td>Summerford</td>
<td>A0G 4E0</td>
<td>Monday - Friday</td>
<td>8:30AM - 4:30PM</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sunnyside Eastern</td>
<td>Robert Snook</td>
<td>G. Philip Smith</td>
<td>(709) 472-4182</td>
<td></td>
<td><a href="mailto:townofsunnyside@eastlink.ca">townofsunnyside@eastlink.ca</a></td>
<td>P.O Box 89</td>
<td>10 Post Office Road</td>
<td>Sunnyside</td>
<td>A0B 3J0</td>
<td>Monday - Friday</td>
<td>8:00AM -4:30PM</td>
<td></td>
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</tr>
<tr>
<td>Terrenceville Eastern</td>
<td>Cornelius Clarke</td>
<td>Samantha Hynes</td>
<td>(709) 662-2071</td>
<td></td>
<td><a href="mailto:terrencevilletownoffice@nf.aibn.com">terrencevilletownoffice@nf.aibn.com</a></td>
<td>P.O Box 100</td>
<td>Terrenceville</td>
<td>A0E 2X0</td>
<td>Monday - Friday</td>
<td>9am - 5pm</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Tilt Cove, Baie Verte Peninsula Central</td>
<td>Donald Collins</td>
<td>Margaret Collins</td>
<td>(709) 675-2641</td>
<td></td>
<td></td>
<td>P.O Box 22</td>
<td>12 Main Street</td>
<td>Tilt Cove</td>
<td>A0K 3M0</td>
<td></td>
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</tr>
<tr>
<td>Official Name</td>
<td>Region</td>
<td>Mayor/AngajukKuk/Ku</td>
<td>Clerk</td>
<td>Line 1</td>
<td>Line 2</td>
<td>Fax</td>
<td>E-mail Address</td>
<td>Address 1</td>
<td>Address 2</td>
<td>City</td>
<td>Postal Code</td>
<td>Days Open</td>
<td>Hours Open</td>
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<tr>
<td>Torbay</td>
<td>Eastern</td>
<td>Ralph Tapper</td>
<td>Dawn Chaplin</td>
<td>(709) 437-6532</td>
<td>(709) 437-6542</td>
<td>(709) 437-1309</td>
<td><a href="mailto:dchaplin@torbay.ca">dchaplin@torbay.ca</a></td>
<td>P.O. Box 1160</td>
<td>1288 Torbay Road</td>
<td>Torbay</td>
<td>A1K 1K4</td>
<td>Monday - Friday</td>
<td>8:30 AM - 4:30 PM</td>
</tr>
<tr>
<td>Traytown</td>
<td>Central</td>
<td>John Baird</td>
<td>Sarah Patten</td>
<td>(709) 533-2156</td>
<td>(709) 533-2155</td>
<td>(709) 533-2154</td>
<td><a href="mailto:townoftraytown@eastlink.ca">townoftraytown@eastlink.ca</a></td>
<td>P.O. Box 77</td>
<td>1 Poplar Lane</td>
<td>Traytown</td>
<td>A0G 2K0</td>
<td>Every Second Week</td>
<td>9:00 AM - 5:00 PM</td>
</tr>
<tr>
<td>Trepassey</td>
<td>Eastern</td>
<td>Joan Power</td>
<td>Sharon Topping</td>
<td>(709) 438-2641</td>
<td>(709) 438-2749</td>
<td>(709) 438-2642</td>
<td><a href="mailto:townoftrepassey@hotmail.com">townoftrepassey@hotmail.com</a></td>
<td>P.O. Box 129</td>
<td>Trepassey</td>
<td>A0A 4B0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 4:30 PM</td>
<td></td>
</tr>
<tr>
<td>Trinity</td>
<td>Eastern</td>
<td>Jim Miller</td>
<td>Linda Sweet</td>
<td>(709) 464-3836</td>
<td>(709) 464-3836</td>
<td>(709) 464-3836</td>
<td><a href="mailto:counciltrinity@netscape.net">counciltrinity@netscape.net</a></td>
<td>P.O. Box 42</td>
<td>Trinity</td>
<td>A0C 2S0</td>
<td>Monday - Friday</td>
<td>8:00 AM - 4:00 PM</td>
<td></td>
</tr>
<tr>
<td>Trepassey</td>
<td>Eastern</td>
<td>Joan Power</td>
<td>Sharon Topping</td>
<td>(709) 438-2641</td>
<td>(709) 438-2749</td>
<td><a href="mailto:townoftrepassey@hotmail.com">townoftrepassey@hotmail.com</a></td>
<td>P.O. Box 129</td>
<td>Trepassey</td>
<td>A0A 4B0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 4:30 PM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trinity Bay</td>
<td>North Eastern</td>
<td>Thomas Cooper</td>
<td>Valerie Rogers</td>
<td>(709) 469-2571</td>
<td>(709) 469-3444</td>
<td>(709) 469-2571</td>
<td><a href="mailto:tbn@personainternet.com">tbn@personainternet.com</a></td>
<td>P.O. Box 91</td>
<td>Port Union</td>
<td>A0C 2J0</td>
<td>Daily</td>
<td>8:30 AM - 4:30 PM</td>
<td></td>
</tr>
<tr>
<td>Triton</td>
<td>Central</td>
<td>Jason Roberts</td>
<td>Marcus Vincent</td>
<td>(709) 263-2264</td>
<td>(709) 263-2250</td>
<td>(709) 263-2381</td>
<td><a href="mailto:townoftriton@eastlink.ca">townoftriton@eastlink.ca</a></td>
<td>P.O. Box 10</td>
<td>Triton</td>
<td>A0J 1V0</td>
<td>Monday - Friday</td>
<td>9:00 AM - 4:00 PM</td>
<td></td>
</tr>
<tr>
<td>Trout River</td>
<td>Western</td>
<td>Gloria Barnes</td>
<td>(acting) Shelly Butler</td>
<td>(709) 451-5376</td>
<td>(709) 451-2127</td>
<td><a href="mailto:townclerk@townoftroutriver.com">townclerk@townoftroutriver.com</a></td>
<td>P.O. Box 89</td>
<td>Trout River</td>
<td>A0K 5P0</td>
<td>Monday - Friday</td>
<td>9:00 AM - 5:00 PM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Twillingate</td>
<td>Central</td>
<td>Gordon Noseworthy</td>
<td>David Burton</td>
<td>(709) 884-2438</td>
<td>(709) 884-2433</td>
<td>(709) 884-5278</td>
<td><a href="mailto:townoftwillingate@bellaliant.com">townoftwillingate@bellaliant.com</a></td>
<td>P.O. Box 220</td>
<td>65 Main Street</td>
<td>Twillingate</td>
<td>A0G 4M0</td>
<td>Monday - Friday</td>
<td>9:00 AM - 5:00 PM</td>
</tr>
<tr>
<td>Upper Island Cove</td>
<td>Eastern</td>
<td>George Adams</td>
<td>Dorothy Mercer</td>
<td>(709) 589-2503</td>
<td>(709) 589-2560</td>
<td>(709) 589-2522</td>
<td><a href="mailto:townoffice@upperislandcove.ca">townoffice@upperislandcove.ca</a></td>
<td>P.O. Box 149</td>
<td>Upper Island Cove</td>
<td>A0A 4E0</td>
<td>Monday - Friday</td>
<td>8:00 AM - 4:30 PM</td>
<td></td>
</tr>
<tr>
<td>Victoria</td>
<td>Eastern</td>
<td>Barry Dooley</td>
<td>Shelly Butt</td>
<td>(709) 596-3783</td>
<td>(709) 596-5020</td>
<td>(709) 596-3783</td>
<td><a href="mailto:townofvictoria@nf.aibn.com">townofvictoria@nf.aibn.com</a></td>
<td>P.O. Box 130</td>
<td>Victoria</td>
<td>A0A 4G0</td>
<td>Monday - Friday</td>
<td>9:00 AM - 5:00 PM</td>
<td></td>
</tr>
<tr>
<td>Wabana</td>
<td>Eastern</td>
<td>Gary Gosine</td>
<td>Linda Shea</td>
<td>(709) 488-2990</td>
<td>(709) 488-2025</td>
<td>(709) 488-3181</td>
<td><a href="mailto:info@townofwabana.net">info@townofwabana.net</a></td>
<td>P.O. Box 1229</td>
<td>Wabana</td>
<td>A0A 4H0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 3:30 PM</td>
<td></td>
</tr>
<tr>
<td>Wabush</td>
<td>Labrador</td>
<td>Colin Vardy</td>
<td>Lynette Pilgrim</td>
<td>(709) 282-5696</td>
<td>(709) 282-5142</td>
<td>(709) 282-5696</td>
<td><a href="mailto:info@wabush.ca">info@wabush.ca</a></td>
<td>P.O. Box 190</td>
<td>Wabush</td>
<td>A0R 1B0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 4:30 PM</td>
<td></td>
</tr>
<tr>
<td>West St. Modeste</td>
<td>Labrador</td>
<td>Agnes Pike</td>
<td>Sandra O'Dell</td>
<td>(709) 927-5583</td>
<td>(709) 927-5898</td>
<td>(709) 927-5583</td>
<td><a href="mailto:townofweststmodeste@hotmail.ca">townofweststmodeste@hotmail.ca</a></td>
<td>P.O. Box 78</td>
<td>West St. Modeste</td>
<td>A0K 5S0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 12:30 PM</td>
<td></td>
</tr>
<tr>
<td>Woodstock</td>
<td>Central</td>
<td>Rosalyn Arnaldo</td>
<td>Tracey Decker</td>
<td>(709) 251-3176</td>
<td>(709) 251-3176</td>
<td>(709) 251-3176</td>
<td><a href="mailto:townofwoodstock@eastlink.ca">townofwoodstock@eastlink.ca</a></td>
<td>P.O. Box 86</td>
<td>Woodstock</td>
<td>A0K 5X0</td>
<td>Monday &amp; Thursday</td>
<td>9:00 AM - 4:30 PM</td>
<td>11:30 AM (if required)</td>
</tr>
<tr>
<td>Woody Point</td>
<td>Western</td>
<td>Ken Thomas</td>
<td>Jacqueline Blanchard</td>
<td>(709) 453-2273</td>
<td>(709) 453-2274</td>
<td>(709) 453-2270</td>
<td><a href="mailto:townmanagerwp@bellaliant.com">townmanagerwp@bellaliant.com</a></td>
<td>P.O. Box 100</td>
<td>Woody Point</td>
<td>A0K 1P0</td>
<td>Monday - Friday</td>
<td>8:30 AM - 4:30 PM</td>
<td></td>
</tr>
<tr>
<td>York Harbour</td>
<td>Western</td>
<td>Charles Kendell</td>
<td>Michelle Wright</td>
<td>(709) 681-2280</td>
<td>(709) 681-2799</td>
<td>(709) 681-2280</td>
<td><a href="mailto:yorkharbourcouncil@nf.aibn.com">yorkharbourcouncil@nf.aibn.com</a></td>
<td>P.O. Box 179</td>
<td>York Harbour</td>
<td>A0L 1L0</td>
<td>Monday - Thursday</td>
<td>8:00 AM - 4:30 PM</td>
<td>5:00 PM</td>
</tr>
<tr>
<td>Official Name</td>
<td>Region</td>
<td>Chair Person</td>
<td>Alternate Contact</td>
<td>Phone 1</td>
<td>Phone 2</td>
<td>Fax</td>
<td>Address 1</td>
<td>Address 2</td>
<td>City</td>
<td>Postal Code</td>
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<tr>
<td>Aspen Cove</td>
<td>Central</td>
<td>David Tulk</td>
<td>April Fancey</td>
<td>(709) 874-2007</td>
<td></td>
<td></td>
<td>7 Birch Street</td>
<td>Aspen Cove</td>
<td>A0G 1A0</td>
<td></td>
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</tr>
<tr>
<td>Barachois Brook</td>
<td>Western</td>
<td>Gerard Lee</td>
<td>Christina Joyce</td>
<td>(709) 648-2451</td>
<td>(709) 648-2670</td>
<td></td>
<td>General Delivery</td>
<td>Barachois Brook</td>
<td>A0N 1B0</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Bartlett's Harbour</td>
<td>Western</td>
<td>Lyman Caines</td>
<td>Catherine Caines</td>
<td>(709) 847-4356</td>
<td>(709) 247-2142</td>
<td></td>
<td>(709) 247-2162</td>
<td>P.O. Box 1</td>
<td>Bartlett's Harbour</td>
<td>A0K 1CO</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Bay St. George South</td>
<td>Western</td>
<td>Rita Legge</td>
<td>Amanda Hulan</td>
<td>(709) 645-2850</td>
<td>(709) 645-2172</td>
<td></td>
<td>(709) 645-2554</td>
<td>P.O. Box 27</td>
<td>Jeffreys</td>
<td>A0N 1P0</td>
<td></td>
<td></td>
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<tr>
<td>Beaches</td>
<td>Western</td>
<td>Douglas Osmond</td>
<td>Sandra White-Osmond</td>
<td>(709) 455-3266</td>
<td>(709) 455-2256</td>
<td></td>
<td>P.O. Box 99</td>
<td>Hampond</td>
<td>A0K 210</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Bear Cove, Northern Peninsula</td>
<td>Western</td>
<td>Terry Gould</td>
<td>(709) 486-2387</td>
<td>(709) 486-2387</td>
<td>(709) 984</td>
<td></td>
<td>P.O. Box 84</td>
<td>Flower's Cove</td>
<td>A0K 25B0</td>
<td></td>
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<tr>
<td>Beau Bois</td>
<td>Eastern</td>
<td>Marylou Antle</td>
<td></td>
<td>(709) 279-2120</td>
<td>Box 301</td>
<td></td>
<td>General Delivery</td>
<td>Beau Bois</td>
<td>Little, Little Bay</td>
<td>A0E 290</td>
<td></td>
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</tr>
<tr>
<td>Bellevue</td>
<td>Eastern</td>
<td>John Ralph</td>
<td></td>
<td>(709) 442-3416</td>
<td>(709) 442-5151</td>
<td></td>
<td>P.O. Box 2</td>
<td>Bellevue Beach</td>
<td>A0B 1B0</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Bellevue Beach</td>
<td>Eastern</td>
<td>Sheila J. Fahey</td>
<td>Tony Lynch</td>
<td>(709) 256-5090</td>
<td>(709) 256-3411</td>
<td></td>
<td>12 King's Road</td>
<td>Bellevue Beach</td>
<td>A0B 1B0</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Benots Siding</td>
<td>Central</td>
<td>Cathy Bartlett</td>
<td>Barbara McNeil</td>
<td>(709) 955-2680</td>
<td>(709) 955-2618</td>
<td></td>
<td>P.O. Box 24</td>
<td>General Delivery</td>
<td>A0G 1H0</td>
<td></td>
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</tr>
<tr>
<td>Benton</td>
<td>Central</td>
<td>Emily Keats</td>
<td>Melissa Lushman</td>
<td>(709) 256-2400</td>
<td>(709) 256-3411</td>
<td></td>
<td>12 King's Road</td>
<td>General Delivery</td>
<td>A0G 1CO</td>
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</tr>
<tr>
<td>Birchy Cove</td>
<td>Eastern</td>
<td>Reg Durgie</td>
<td>Lindy Ryan</td>
<td>(709) 445-4151</td>
<td></td>
<td></td>
<td>P.O. Box 100</td>
<td>General Delivery</td>
<td>A0C 2A0</td>
<td></td>
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</tr>
<tr>
<td>Biscay Bay</td>
<td>Eastern</td>
<td>Yvonne Skinner</td>
<td>Fred White</td>
<td>P.O. Box 14, Site 10</td>
<td></td>
<td></td>
<td>General Delivery</td>
<td>Trepassey</td>
<td>A0A 4B0</td>
<td></td>
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</tr>
<tr>
<td>Black Duck</td>
<td>Western</td>
<td>Alonzo White</td>
<td>Paula Gaudon</td>
<td>(709) 638-2889</td>
<td>(709) 646-2021</td>
<td></td>
<td>P.O. Box 42</td>
<td>Black Duck Siding</td>
<td>A0N 2G0</td>
<td></td>
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<td>Black Duck Brook and Winterhouse</td>
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<td>Bonia Skeard</td>
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<td>May Pardy</td>
<td>(709) 628-7700</td>
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<td>(709) 485-2944</td>
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<td>Ida Haggert</td>
<td>Ann Haggert</td>
<td>(709) 483-2325</td>
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<td>David Boulton</td>
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<td>(709) 645-2122</td>
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<td>Jamie Hodder</td>
<td>Kay Hodder</td>
<td>(709) 676-2294</td>
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<td>Everett Durnford</td>
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<td>(709) 846-3511</td>
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<td>(709) 725-9857</td>
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<td>Terry Button</td>
<td>Marlene Clarke</td>
<td>(709) 586-2337</td>
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<td>Frank Fritson</td>
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<td>John Merchenten</td>
<td>Deborah Merchenten</td>
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<td>(709) 955-2525</td>
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<td>Linda Newhok</td>
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<td>(709) 528-1806</td>
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<td>P.O. Box 83</td>
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<td>Valley Pond</td>
<td>Central</td>
<td>Doreen Jennings</td>
<td>Margare R. Rideout</td>
<td>(709) 684-2377</td>
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<td>General Delivery</td>
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<td>Virgin Arm-Carter’s Cove</td>
<td>Central</td>
<td>Donald Wheeler</td>
<td>Patricia Burt</td>
<td>(709) 629-7184</td>
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<td>P.O. Box 226</td>
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<td>Carter’s Cove</td>
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<td>West Bay</td>
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<td>Brian Flynn</td>
<td>Juanita Benoit</td>
<td>(709) 642-5524</td>
<td>(709) 642-5946</td>
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<td>Wild Cove, White Bay</td>
<td>Central</td>
<td>Larry Pinksen</td>
<td>Ken Pardy</td>
<td>(709) 329-3256</td>
<td>(709) 329-3281</td>
<td></td>
<td>P.O. Box 42</td>
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<td>William’s Harbour</td>
<td>Labrador</td>
<td>George Russell</td>
<td>Vera Russell</td>
<td>(709) 924-0236</td>
<td>(709) 924-0287</td>
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<td>P.O. Box 1</td>
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<td>William’s Harbour</td>
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MINISTER BIOGRAPHIES

Alberta

Danielle Larivee, Minister of Municipal Affairs
Minister of Service Alberta

Danielle Larivee was elected to the Legislative Assembly of Alberta as the Member for the constituency of Lesser Slave Lake on May 5, 2015. She was appointed Minister of Municipal Affairs and Minister of Service Alberta on October 22, 2015. She currently serves as a member of the Standing Committee on Privileges and Elections, Standing Orders and Printing and as a member of the Standing Committee on Alberta’s Economic Future.

Prior to serving with the Legislative Assembly of Alberta, Ms. Larivee worked for over 17 years as a registered nurse with Alberta Health Services. During this time she also spent two years working in home care for the Driftpile First Nation and two years as a licensed practical nurse (LPN) instructor with Northern Lakes College. An active member of her community, she served as treasurer for her local chapter of Mothers Against Drunk Driving (MADD) from 2013 to 2015, as chair of the Lesser Slave Lake Regional Wellness Advisory Committee from 2014 to 2015 and as president of local 315 of the United Nurses of Alberta from 2011 to 2015.

Ms. Larivee holds a bachelor of science in midwifery from the Midwives College of Utah and a Bachelor of science in nursing from the University of Alberta. She also is an alumnus of the TUXIS Parliament of Alberta. Ms. Larivee, together with her three children, resides in Slave Lake, a place that she has called home for over 35 years, and community abundant with rivers and lakes that she enjoys kayaking whenever she has the opportunity.

British Columbia

Peter Fassbender, Minister of Community, Sport and Cultural Development
Minister Responsible for TransLink

Peter Fassbender was elected MLA for Surrey-Fleetwood on May 14, 2013.

On July 30, 2015, Peter was appointed Minister of Community, Sport and Cultural Development and Minister Responsible for TransLink. Previously, he was appointed Minister of Education on June 10, 2013. Minister Fassbender also serves on the Cabinet Committee on Secure Tomorrow.

Prior to his election to the Legislative Assembly of British Columbia, Peter served as a Councillor for the City of Langley for three years before being elected as Mayor in the November 2005, 2008 and 2011 Civic elections.
Minister Biographies

Peter also served the community and region in a host of volunteer capacities and on numerous national, provincial and civic committees. Peter was recognized as a leader in his community and the region and was recently awarded a Queen's Diamond Jubilee Medal.

In his business career Peter worked in radio and television as well as a number of other communications fields. For 29 years in his career he was a partner and senior executive with DDB Canada (formerly Palmer Jarvis), one of Canada's largest and most successful marketing and communications firms. In that capacity he dealt with both public and private sector clients at the local, national, and international levels. A major focus of his private sector career was social marketing campaigns including smoking cessation projects for Health Canada and international marketing activities for Industry Canada.

Peter and his wife Charlene have been married for 46 years; they have two adult sons and three grandchildren. Peter and his wife were both raised in Surrey and are still active members of their community.

Manitoba

Drew Caldwell, Minister of Municipal Government
Minister responsible for relations with the City of Winnipeg

- Minister of Municipal Government
- Served as Legislative Assistant to Premier Greg Selinger
- Served three terms as a Brandon city councillor
- An active member of the Western Manitoba community, including elected terms on the Association of Manitoba Municipalities, the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities

Drew Caldwell was first elected to the Manitoba Legislature on September 21, 1999 and was re-elected on June 3, 2003, May 22, 2007 and October 4, 2011. He has served the Doer government as Minister of Education and Training, Minister of Education, Training and Youth, and Minister of Family Services and Housing. He also served as the Legislative Assistant for the premier's office. On November 3, 2014, he was appointed Minister of Municipal Government.

As a member of Executive Council, Drew was responsible for a wide range of initiatives including school division amalgamation, implementing a 10% post-secondary education tuition cut and freeze, restoring teacher collective bargaining rights, the passage of adult learning centre legislation, championing school-college-university infrastructure renewal, securing a national agreement on childcare and undertaking an affordable housing initiative. Further, Drew succeeded in legislating a single-tier provincial social assistance program. Drew also served as co-chair of the Canadian Forum of Labour Market Ministers and was Head of Delegation for International missions to Indonesia, Malaysia and China.

Prior to his election to the Manitoba Legislature, Drew was a three-term city councillor for historic downtown Rosser Ward in Brandon. He was first elected to Brandon City Council in 1992, re-elected in 1995 and acclaimed in 1998. As an active member of city council, Drew served on numerous municipal committees, particularly those concerned with poverty,
affordable housing, neighbourhood renewal, health care, the environment, heritage resources and community economic development. He was a founding director of the Brandon Regional Health Authority. At the provincial level, Drew also served elected terms on the Board of Directors of the Association of Manitoba Municipalities, the Manitoba Association of Urban Municipalities and the Union of Manitoba Municipalities.

An active member of his community, Drew was on the executive of the Downtown Brandon Business Improvement Area, the Brandon University Alumni Association, the Art Gallery of Southwestern Manitoba, the Brandon Folk Music and Art Festival, the Rosser Ward Citizens’ Association, Heritage Brandon, Park Community Centre and the Brandon Poverty Forum. He is a member of the Marquis Project, the Commonwealth Air Training Plan Museum, the Royal Canadian Legion and the Westman Environmental Council, among others.

Drew was born and raised in Brandon. He received his early education in Brandon public schools and earned a B.A. (Hons.) at Brandon University. He went on to receive a B.Ed. from Queen’s University in Kingston, and did graduate work in history at McGill University in Montreal.

As a student at Brandon University, Drew served as president of the Brandon University Students Union and was an editor of The Quill newspaper. He was instrumental in recruiting Stanley Knowles and Tommy Douglas as patrons of the Knowles-Douglas Student Union Centre at Brandon University and served as chair of the Knowles-Douglas Centre throughout its initial development. Drew has been on the executive of the Brandon East NDP for nearly twenty-five years and is a past-President of the New Democratic Party of Manitoba.

A global traveler, having independently explored India, Nepal, China, Tibet, Guatemala, Cuba, Jamaica, French Polynesia, Cambodia, Indonesia, and many other countries, Drew has a keen intellectual interest in and passion for global development issues, cultures, world religions, art, music, literature, photography and international politics. He has been active in advancing progressive social and political issues all his life.

**New Brunswick**

**Brian Kenny, Minister of Environment and Local Government**

Brian Kenny was first elected to the legislative assembly on June 9, 2003, and re-elected on Sept. 18, 2006, and Sept. 27, 2010. He has served as the official Opposition critic for matters related to energy, the Energy Efficiency and Conservation Agency, northern economic development, and critic for interests relating to the Regional Development Corporation.

He has previously served as deputy Speaker of the legislative assembly, Minister of Tourism and Parks, Minister of State for Seniors and minister responsible for the Community Non-Profit Organizations Secretariat.

He was elected in September 2014 and now represents the riding of Bathurst West-Beresford. Kenny was sworn in as Minister of Environment and Local Government on Oct. 7, 2014.
Minister Biographies

A graduate of Bathurst High School, he is the past president of both the New Brunswick and Greater Bathurst Chambers of Commerce. He has also served as a co-chair of the Restigouche-Chaleur Economic Task Force. He has been a licensed real estate broker since 1995. He served as secretary, treasurer, and director of the Northern New Brunswick Real Estate Board. Kenny and his wife, Wendy, have two daughters, Bryanna and Madison.
Northwest Territories

Robert C. McLeod, Minister of Municipal and Community Affairs

Robert C. McLeod was elected in a by-election in 2004 to the 15th Legislative Assembly of the Northwest Territories as the Member for Inuvik Twin Lakes. He was re-elected in October 2007. Mr. McLeod served on the Standing Committee on Social Programs during the 15th Legislative Assembly and served as Chair of the Standing Committee on Social Programs during the 16th Legislative Assembly until his election to the Executive Council on October 6, 2008.

Mr. McLeod was born in Aklavik, NT in 1960 and was raised in Inuvik's west end. He moved to Aklavik in 1982 where he lived for the next 22 years. He currently lives in Inuvik. He has previously served as an elected official as a Councillor in Aklavik from 1983 to 1985, and was also Mayor of Aklavik from 1987 to 1989.

He began working as an Apprentice Carpenter with the Department of Public Works before holding two different positions with the Aklavik Housing Association; Maintenance Carpenter and Maintenance Supervisor. Mr. McLeod was most recently Maintenance Manager for the Inuvik Housing Authority. He was also a Private Contractor in Aklavik from 1997 to 2003. Mr. McLeod attended Sir Alexander Mackenzie School and Samuel Hearne Secondary School in Inuvik and went on to study at New Brunswick Community College in Moncton. He then attended Lakeland College in Vermillion, Alberta where he obtained his Journeyman Carpenter certification and his Interprovincial Red Seal.

Mr. McLeod has served on a volunteer basis as the vice president of the Inuvik Curling Club and as president of the Aklavik Canoe Club and Aklavik Curling Club. He has been a player, coach and manager of the Aklavik hockey and fastpitch teams. He was a recipient of the NWT Volunteer Award and the Good Neighbour Award.

Mr. McLeod’s hobbies and interests include curling, badminton, fastpitch, reading and snowmobiling. He was a member of the winning Aklavik Team in the bicentennial canoe race from Ft. Providence to Inuvik in 1989.

Mr. McLeod and Judy, his wife of 30 years, have three children: Ryan, Janesta, and Kimberly (Raymond). Mr. McLeod has two grandchildren, Rylan and Reese Wainman, his pride and joy.
Minister Biographies

**Nova Scotia**

Zach Churchill, Minister of Municipal Affairs  
Minister responsible for the Emergency Management Office  
Minister of Communications Nova Scotia

Zach Churchill was first elected to the Nova Scotia House of Assembly as MLA for Yarmouth in a by-election in 2010 and was re-elected in 2013. He is presently the Minister of Municipal Affairs and Emergency Management Office, and the Minister of Communications Nova Scotia. Prior to his elected position, was a policy analyst and a student organizer.

**Nunavut**

Johnny Mike, Minister of Community and Government Services  
Minister of Environment

The Honourable Johnny Mike was elected in the general election held on October 28, 2013, to represent the constituency of Pangnirtung in the 4th Legislative Assembly of Nunavut. Mr. Mike was elected to serve on the Executive Council during the November 15, 2013, proceedings of the Nunavut Leadership Forum. Mr. Mike was formally sworn into office on November 19, 2013.

Mr. Mike is a lifelong hunter, fisher and businessperson who has held a number of senior positions during his career. Mr. Mike has served as President of Niqitak Fisheries, President of the NCC Investment Group, President of the Qikiqtaaluk Corporation, Secretary-Treasurer of the Qikiqtani Inuit Association, Chairman of the Ulu Economic Development Commission and member of the Baffin Fisheries Coalition Executive Committee. Mr. Mike is the owner of his own business, Nicasutoq Arctic, Ltd.

Mr. Mike has served on numerous boards and agencies, including the Board of Directors of the Qulliq Energy Corporation, Cumberland Sound Fisheries, Pangnirtung Fisheries and the Pangnirtung Hunters and Trappers Organization.

Mr. Mike began his working career as a superintendent and plant operator with the Northwest Territories Power Corporation. Mr. Mike is a trained heavy equipment mechanic and certified journeyman.

Mr. Mike is an active volunteer with Pangnirtung’s Elder community.

Johnny and the Reverend Looee Mike have four children and seven grandchildren. Mr. Mike’s personal interests include hunting, fishing and reading.
Ontario

Ted McMeekin, Minister of Municipal Affairs and Housing

Ted McMeekin was first elected to the Ontario legislature in 2000 as the MPP for Ancaster-Dundas-Flamborough-Aldershot. He was re-elected in 2003. McMeekin was then elected as the MPP for Ancaster-Dundas-Flamborough-Westdale in 2007, and re-elected in 2011 and 2014.

McMeekin currently serves as Minister of Municipal Affairs and Housing. He was appointed Minister of Community and Social Services in February 2013. Previously, McMeekin served as Minister of Agriculture, Food and Rural Affairs, Minister of Consumer Services and Minister of Government Services.

He has been an advocate for seniors, children with special needs, farm risk-management programs, strategic infrastructure investment and the environment.

Prior to entering provincial politics, McMeekin worked as Executive Director of the Burlington Social Planning Council, a City Councillor in Hamilton, and Chairman of Part-Time Studies at Mohawk College.

McMeekin has a long history of community service. He served as Mayor of Flamborough from 1994 to 2000 and as a Hamilton City Councillor from 1977 to 1981.

He has also worked to make a difference with many local organizations, including the Hamilton Mental Health Association, Wesley Urban Ministries, Five Oaks Christian Workers Centre, Circle of Friends and Operation Lifeline. McMeekin served as President of both the Hamilton and Burlington YMCA and the Hamilton-Wentworth Lung Association. He has acted as an overseas volunteer, a church youth group leader, and a baseball and soccer coach.

McMeekin and his wife, Barbara, live in Waterdown and have three daughters.

Prince Edward Island

Robert J. Mitchell, Minister of Communities, Land and Environment

Robert Mitchell was elected to the Legislature of Prince Edward Island in the general election held on May 28, 2007.

A Liberal Member of the Legislative Assembly, he was elected to represent the urban riding of Charlottetown - Sherwood.

He was appointed as Member of the Standing Committee on Fisheries, Intergovernmental Affairs and Transportation; and also as Member of the Standing Committee on Community Affairs and Economic Development.

Robert Mitchell has had a successful career, both as a long-time employee with Maritime Electric and as a partner in a local stone business. He has also worked in the real estate industry.
Minister Biographies

He is a dedicated community volunteer who has been active in his church's catechetical program and has volunteered with various teams in both the Sherwood-Parkdale Minor Baseball and Hockey Associations.

Robert Mitchell and his wife, Bonnie live in Sherwood. They have four children Ryan, Jordan, Megan and Brandon.

Québec

Pierre Moreau, Minister, Ministère des Affaires municipales et de l'Occupation du territoire
Minister responsible for the Montérégie Region

Mr. Moreau was born in Verchères on December 12, 1957. He was reelected as Member for Châteauguay in the general election held on April 7, 2014, and was appointed Minister of Municipal Affairs and Land Use (Ministre des Affaires municipales et de l'Occupation du territoire) on April 23, 2014.

Education
- Member of the Barreau du Québec (1981)
- Law Degree, Université Laval (1980)

Professional Experience
- Chief of staff for the Minister of Justice and the Minister of Public Security (2007–2008)
- Chief of staff, Government House Leader (2007)
- Public and administrative law instructor, Professional Education School of the Barreau du Québec (1996–2003)

Community and Political Involvement
- Québec Liberal Party candidate, Marguerite-D'Youville electoral division (2007)
- Member of the board of directors, CHSLD (health and long-term-care centre), RCM of Champlain (2002–2003)
Supporting member, Jeanne-Crevier Foundation (2001–2007)
**Saskatchewan**

Jim Reiter, Minister of Government Relations  
Minister Responsible for First Nations, Métis and Northern Affairs  
Minister Responsible for SaskEnergy  
Minister responsible for SaskTel

Jim Reiter was first elected as the MLA for Rosetown-Eurose in the 2007 provincial election and was re-elected in 2011.

Professionally, Jim has extensive experience in municipal governance. He was the long-time administrator for the Rural Municipalities of Marriott and Pleasant Valley. He has served as Director, Vice-President, and President of the Rural Municipal Administrators' Association (RMAA), as well as Executive Director.

Jim was a Director on the Board of the Saskatchewan Association of Rural Municipalities (SARM) from 1998 to 2003. He represented SARM on numerous committees.

Jim has also served as Chairman of the Municipal Employees' Pension Plan.

Among his educational accomplishments is a Senior Certificate in Local Government Administration from the University of Regina. He also served six years on the U of R Senate.

Jim has served his community as a Justice of the Peace and Marriage Commissioner.

Following the formation of a Saskatchewan Party government, Premier Brad Wall asked Jim to serve as the Legislative Secretary to the Minister of Education with specific responsibility for the Property Tax Initiative. His report formed the basis for the largest education property tax cut in a single year in the province's history.

Jim served as the Minister of Highways and Infrastructure and the Minister responsible for Saskatchewan Transportation Company before being appointed Minister of Government Relations and Minister Responsible for First Nations, Métis and Northern Affairs in May 2012.

**Yukon**

Currie Dixon, Minister of Community Services  
Minister responsible for the Public Service Commission

Currie Dixon was elected to the Yukon Legislative Assembly in the general election of October 11, 2011. He was sworn into Cabinet on November 5, 2011 as the Minister of Environment and Minister of Economic Development, becoming the youngest Cabinet Minister in Yukon history at the age of 26. On August 5, 2013, he had the Public Service Commission added to his ministerial portfolio. He is presently the youngest Cabinet Minister in Canada and amongst the youngest in Canadian history.
Currie was born and raised in Whitehorse and graduated from Porter Creek Secondary School. In 2008, he graduated from Saint Francis Xavier University in Antigonish, Nova Scotia with a Bachelor of Arts with Honours in Political Science and History.

In the spring of 2011, he received a Master of Arts degree in Political Science from the University of Northern British Columbia. His studies there focused on northern and First Nations governments. Currie's Masters project examined the relationship between Yukon First Nation governments and the Yukon Government in the field of education.

After graduating from Saint Francis Xavier in 2008, Currie worked in the Cabinet Offices of the Yukon Government as an Executive Assistant and later, upon completion of his Master's degree, Currie returned to the Cabinet Offices as the Senior Policy Adviser to the Premier, where he worked until the 2011 Yukon general election.

Currie enjoys playing a number of sports and tries to remain active as an athlete, coach, official and organizer. He was a founding member of the current Yukon Fastball Association and has served on its executive since 2008. Throughout the years, he has been involved as a coach, player and official in hockey, fastball, softball, basketball and boxing.
DEPUTY MINISTER BIOGRAPHIES

Alberta
Brad Pickering, Deputy Minister, Alberta Municipal Affairs
On September 15, 2014 Brad was appointed Deputy Minister of Municipal Affairs.
He previously served as Chief Executive Officer of the Environmental Monitoring Agency, Deputy Minister of Tourism, Parks and Recreation, Deputy Solicitor General and Deputy Minister Public Security, Deputy Minister of Sustainable Resource Development, and Deputy Minister of Municipal Affairs.
Brad started with the Government of Alberta in 1997 as Executive Director, Assessment Services Branch and in 1999, Brad became Assistant Deputy Minister with the Local Government Services Division, Alberta Municipal Affairs.
Prior to joining the Government of Alberta Brad spent 20 years in the municipal government sector.
Brad is married and has two sons. He enjoys camping, golfing, curling and skiing.

British Columbia
Jacquie Dawes, Deputy Minister, Ministry of Community, Sport and Cultural Development and TransLink

Manitoba
Fred Meier, Deputy Minister, Manitoba Municipal Government
Fred graduated from the University of Manitoba with a Bachelor of Science in Agriculture and a Master of Science. He entered the Manitoba Civil Service as part of a Management Internship Program in 1997, where he spent three years on rotational assignments and management training. Starting in 2000, Fred worked in the Department of Conservation, as Manager responsible for sustainable forest development and then as Assistant Deputy Minister responsible for Forestry, Wildlife, Parks and Crown Lands. In 2010 he was appointed the Deputy Minister of Conservation and Water Stewardship, and became responsible for the Department’s programs province-wide which include climate change, environmental operations, forestry,
Deputy Minister Biographies

wildlife, parks, fisheries, drainage, water quality, surface water management, pollution prevention, fire program, and environmental assessment and licensing.

Fred was appointed Deputy Minister of Municipal Government in 2013. He oversees the department’s activities which seek to establish a legislative, financial, planning and policy framework that supports effective municipal governments and the sustainable development of communities in Manitoba. Department activities include sustainable energy development, municipal finance and infrastructure development, municipal governance support, property assessment, urban/neighbourhood revitalization and land use planning. The department also promotes intergovernmental relations and strategic partnerships among governments, the private sector and non-governmental organizations.

New Brunswick

Kelli Simmonds, Deputy Minister, Department of Environment and Local Government

Kelli Simmonds was appointed Deputy Minister of Environment and Local Government for the Province of New Brunswick in October 2014. This appointment follows a long and prestigious career with increasing responsibilities in the civil service.

Kelli began in 2002 as a Senior Policy Advisor with the Department of Post-Secondary Education, Training and Labour. She took on other positions over the next several years, including:

- Director of Legislative Review and Development – Department of Post-Secondary Education, Training and Labour (while concurrently serving as Acting Assistant Deputy Minister, Labour and Legislative Development)
- Executive Director of Planning, Policy and Legislation - Department of Health
- Assistant Deputy Minister - Department of Social Development
- Assistant Deputy Minister – Department of Health – responsible for Policy, Pharmaceutical Services and Privacy
- Assistant Deputy Minister - Department of Transportation and Infrastructure – responsible for Corporate Services and Fleet Management
- Deputy Minister - Department of Healthy and Inclusive Communities

Kelli received her B.A. and LL.B. from the University of New Brunswick and received a Master of Laws (LL.M.) from the London School of Economics and Political Science in 1992.
Newfoundland and Labrador

Jamie Chippett, Deputy Minister, Department of Municipal and Intergovernmental Affairs

Northwest Territories

Tom R. Williams, Deputy Minister, Department of Municipal and Community Affairs

Born and raised in Northwest Territories, Tom R. Williams, a Métis, has spent his life living and working in a number of communities across the Western Arctic.

Tom's human resource career began in Inuvik, NT 25 years ago, where his first position with the Public Service was as a Personnel Officer with the GNWT's Department of Personnel and which eventually saw Tom promoted to Senior Personnel Officer.

In 1990, Tom entered senior management within the Public Service and accepted the position of Area Superintendent for the Department of Personnel in Fort Simpson. After a successful tenure in Fort Simpson, Tom moved back to Inuvik and took on the role of Regional Superintendent for the Department of Personnel.

Tom was appointed as Director of Staffing for the Personnel Secretariat in Yellowknife where he continued until his short hiatus from the Public Service as a Human Resource Consultant.

When a new position within the Public Service opened, Tom was ready and accepted a job offer as an Assistant Negotiator with Aboriginal Affairs where he stayed until being appointed as Executive Assistant to the Minister of MACA, NWT Housing Corporation and Justice.

Tom returned to the Mackenzie Delta in 2001 and was hired by the Gwich'in Tribal Council as Chief Operating Officer where he remained for seven years.

Public Service came calling again, and in, 2008 Tom accepted the position of Associate Deputy Minister for the Department of Human Resources.

In August 2009, Tom was promoted to Deputy Minister of Human Resources with the GNWT, a long journey from the Personnel Officer position that he first took on 25 years ago.

Tom is very well known and respected by the Aboriginal and Non-Aboriginal community across the North. He played an essential role in negotiating the first signed Access & Benefits Agreement between the Gwich'in Tribal Council (GTC) and Imperial Oil for the Mackenzie Gas Project. Tom also played a role in negotiating the $500M MGP Socio-Economic Fund. He also served as the GTC representative on the Devolution Working Group.

Tom Williams was named Deputy Minister of Municipal and Community Affairs on November 2, 2011.
Nova Scotia

Dan McDougall, Deputy Minister, Department of Municipal Affairs

Dan McDougall was appointed the position of Acting Deputy Minister for the Department of Service Nova Scotia and Municipal Relations on October 23, 2013. He took on the leadership of a department that touches the lives of virtually all Nova Scotians. SNSMR administers 63 acts, governing municipalities, consumer protection, motor vehicle registration and safety, driver licensing, business registration, taxation and many other matters. The department’s almost 900 employees work in more than 30 communities throughout Nova Scotia. On April 1, 2014, Mr. McDougall became Deputy Minister of the newly define Department of Municipal Affairs.

Mr. McDougall first joined SNSMR in October 2012 as Associate Deputy Minister after more than 12 years of service at the municipal level in Nova Scotia. From 2008 to 2012, he served as Chief Administrative Officer for the County of Colchester, after working as CAO for the District of Guysborough for eight years. Earlier, he worked for a number of years in the Nova Scotia Department of Municipal Services, last serving as Director of Advisory Services. He began his public service career working in customer services with Via Rail Canada Inc.

Mr. McDougall has served as the President of the Association of Municipal Administrators of Nova Scotia; he has also served on numerous provincial/municipal committees with respect to municipal government finance and services.

Mr. McDougall is a Certified Municipal Manager and has a Master’s degree in Public Administration and Bachelor’s degree in Physical Education, both from Dalhousie University. He and his wife Marie live in Truro and have one son, Cleary, a student at Cobequid Education Centre.
Nunavut

Roy Green, Deputy Minister, Department of Community and Government Services

Roy Green was appointed Deputy Minister, Community and Government Services (CGS) on November 1, 2012.

Mr. Green served as Acting Deputy Minister since June 29, 2012, and prior to that worked as Assistant Deputy Minister Capital – Technical Services with CGS.

Mr. Green is a Certified General Accountant with a degree in Bachelor Degree Commence from Memorial University of Newfoundland and Labrador. He filled a number of important positions with the Government of Nunavut since 1999, including Director of Expenditure Management with the Department of Finance and Director Community Infrastructure with the Department of CGS.

Ontario

Laurie LeBlanc, Deputy Minister, Ministry of Municipal Affairs and Housing

Laurie LeBlanc was appointed Deputy Minister of Municipal Affairs and Housing on September 3, 2013. Her previous post was Deputy Minister of Aboriginal Affairs (MAA) since March, 2012.

Prior to joining MAA, Laurie served as Assistant Deputy Minister of Employment and Training in the Ministry of Training, Colleges and Universities and Assistant Deputy Minister for the Policy and Strategic Planning Division in the Ministry of Community Safety and Correctional Services.

Laurie has more than 26 years of experience in the Ontario Public Service in a variety of policy, communications and operations positions. Her extensive senior management experience includes her previous position as the ADM, Cabinet Office Communications where she provided communications leadership to 14 ministries in the justice, education and resource sectors. She also held Director positions at MMAH, including Communications and Urban Affairs and Stakeholder Relations.

Laurie has an M.A. in Political Science and a Bachelor of Journalism from Carleton University, and is a graduate of the Queen’s University Public Executive Program.
Prince Edward Island

Steve MacLean, Deputy Minister, Department of Communities, Land and Environment

Steve MacLean, Clerk of Executive Council and Secretary to Cabinet, was born in Summerside, Prince Edward Island, and grew up in Albany Village and Milton. He holds a Bachelor of Science in Civil Engineering from the Technical University of Nova Scotia (Dalhousie).

A career civil servant, Mr. MacLean worked in private sector engineering capacities for two years prior to joining the provincial civil service as an Evaluation Engineer with PEI Transportation and Public Works in 1987. He spent several years involved in program review, evaluation and research. Subsequently, while in the transportation department, Mr. MacLean gained diverse career experience having taken on professional engineering responsibility within highway design and capital project administration, senior management and leadership experience as provincial Director of the Highway Maintenance and as Chief Engineer prior to being appointed Deputy Minister. Mr. MacLean served as Deputy Minister of Transportation and Public Works from January 2002 until January 2010 and as Deputy Minister of Transportation and Infrastructure Renewal from January 2010 to November 2011. Mr. MacLean was appointed Deputy Minister of Finance, Energy and Municipal Affairs effective November 15, 2011, a position he filled prior to his appointment as Clerk of Executive Council.

Professionally, he has been a member of the Association of Professional Engineers of PEI since 1985. His Board director experience prior to assuming his current portfolio includes public entities such as: Transportation Association of Canada, Island Waste Management Corporation, PEI Energy Corporation, Golflinks PEI, PEI Economic Development Agency and PEI Crown Building Corporation. He is also a past Chair of the federal-provincial-territorial Council of Deputy Ministers of Transportation.

Mr. MacLean and his wife Mary have two children and live in Stratford.

Québec

Sylvain Boucher, Deputy Minister, Ministère des Affaires municipales, des Régions et de l’Occupation du territoire

Age: 50

Education: Université Laval
1983–1984 Master's program in rural economics
1982 Bachelor's degree in agricultural sciences (agro-economics)

Employment Experience:

Ministère des Affaires municipales, des Régions et de l’Occupation du territoire
2011 Deputy Minister
Deputy Minister Biographies

2009–2011  Assistant Deputy Minister, Policy

Ministère de l'Agriculture, des Pêcheries et de l'Alimentation
2007–2009  Assistant Deputy Minister, Agri-food policy
2003–2007  Assistant Deputy Minister, Regional affairs
1999–2003  Assistant Deputy Minister, Agri-food policy branch
1997–1999  Director of departmental coordination and executive assistant to the Deputy Minister
1990–1997  Executive assistant to the Assistant Deputy Minister, Economic affairs
1987–1990  Economist
1984  Professor, Institut de technologie agroalimentaire de La Pocatière

Ministère de l'Industrie et du Commerce
1986–1987  Economist

Ministère de l'Énergie et des Ressources
1985–1986  Economist

Saskatchewan

Alan Hilton, Deputy Minister, Ministry of Government Relations
Deputy Minister of First Nations, Métis and Northern Affairs
Al Hilton was appointed Deputy Minister of Government Relations on May 25, 2012. This new Ministry brings together what was previously Municipal Affairs, many of the mandates of the previous Ministry of First Nations and Métis Relations; and the Public Safety mandate of what was formerly the Ministry of Corrections, Public Safety and Policing.
Al joined the Saskatchewan public service in 1981. Al has previously served as Deputy Minister of Corrections, Public Safety and Policing; Intergovernmental Affairs; Northern Affairs; and Associate Deputy Minister of Intergovernmental Relations and Immigration.

Yukon

Kelvin Leary, Deputy Minister, Department of Community Services
Kelvin Leary was appointed Deputy Minister of Community Services on June 26, 2014. He was previously the Deputy Minister of Environment.
Kelvin began his career in Fire Management and Parks in Alberta before moving to Yukon in 1985. He lived in several different Yukon communities while employed as a Resource Management Officer for the federal Department of Indian Affairs and Northern Development. In 1995, Kelvin joined Yukon government as the Manager of Environmental Assessment for the Department of Renewable Resources. He held
Deputy Minister Biographies

progressively senior positions with Environmental Assessment and Intergovernmental Relations before returning to Environment as Assistant Deputy Minister in 2005 and then Deputy Minister beginning in 2006.

Kelvin has significant experience working with all levels of government, Non-Government Organizations (NGOs) and First Nations on complex intergovernmental files. A graduate of the Canada School of Public Service, Executive Development Program, he completed his post-secondary education in Forest Management, Fisheries and Wildlife in Alberta. He has formal training in mediation, facilitation and negotiation skills and is in the process of completing a Masters Degree in Public Administration.

Kelvin is married and has two grown daughters. He is an avid outdoorsman who enjoys cycling, kayaking, hunting and fishing.
Department of Municipal Affairs
Chart 3 of 16

Secretary to ADM
12583
Jil March

ADM Municipal Support
00175
Heather Tizzard

Director of Local Governance
(Permanent incumbent: Chad Blundon)
12557
Andy Morgans

Manager of Community Co-operation
60063
Vacant

Manager of Municipal Training Programs
09894
Kim MacPherson

Manager of Community Liaison
12814
Andrew Wright

Manager of Legislation
13794
Danielle Somerton
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   • Shared Provincial Gas Tax Revenues 2.6
   • Special Assistance Program 2.7
### Department of Municipal and Intergovernmental Affairs
#### Annual Calendar

<table>
<thead>
<tr>
<th>January</th>
<th>February</th>
<th>March</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Issuance of MIGA’s Calendar of Municipal Training Events (Local Governance Division).</td>
<td>• Federal Gas Tax payments released to municipalities (Municipal Finance Division).</td>
<td>• Exploring Regional Governance Public Consultations (Community Sustainability Partnership – one time event).</td>
</tr>
<tr>
<td>• Issuance of the Local Service District Budget Form Template (Local Governance Division).</td>
<td>• End of February deadline for municipalities to submit required documents for the Shared Provincial Gas Tax Revenues (Municipal Finance Division).</td>
<td>• All Community Enhancement Employment Program (CEEP) projects must be completed by mid-March (Employment Support Division).</td>
</tr>
<tr>
<td>• NL Geographical Names Board submits new place names for Minister’s consideration (Surveys and Mapping).</td>
<td></td>
<td>• March 31, 2016 completion date for current federal/provincial Building Canada Fund agreements (Municipal Infrastructure Division).</td>
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<thead>
<tr>
<th>April</th>
<th>May</th>
<th>June</th>
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<tr>
<td>• Municipal Operating Grants (MOGs) released to compliant municipalities (Municipal Finance Division).</td>
<td>• Provincial Gas Tax Shared Revenue released to municipalities (Municipal Finance Division).</td>
<td>• Call for applications for projects under CEEP (Employment Support Division).</td>
</tr>
<tr>
<td>• Federal Gas Tax payments released to municipalities (Municipal Finance Division).</td>
<td>• MNL Symposium (All).</td>
<td>• Review and update CEEP guidelines (Employment Support Division).</td>
</tr>
<tr>
<td>• CEEP projects begin (Employment Support Division).</td>
<td>• Professional Municipal Administrators’ Annual Conference (All).</td>
<td>• Department’s three-year Strategic Plan is tabled (next tabling is 2018).</td>
</tr>
<tr>
<td>• Issuance of the Municipal Budget Form Template (Local Governance Division).</td>
<td>• MCW Funding agreements sent to successful municipalities – continued (Municipal Infrastructure Division).</td>
<td></td>
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<tr>
<td>• MCW Funding agreements sent to successful municipalities (Municipal Infrastructure Division).</td>
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<tr>
<th>July</th>
<th>August</th>
<th>September</th>
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<tr>
<td>• PT Ministers of Local Government annual meeting.</td>
<td>• Tabling of Annual Reports (Policy and Planning Division).</td>
<td>• Completion and submission of Annual Expenditure Report for Gas Tax program to Infrastructure Canada</td>
</tr>
<tr>
<td>• Deadline for CEEP applications (Employment Support Division).</td>
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</tbody>
</table>
## Department of Municipal and Intergovernmental Affairs
### Annual Calendar

<table>
<thead>
<tr>
<th>October</th>
<th>November</th>
<th>December</th>
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</thead>
</table>
| • CEEP projects start *(Employment Support Division).*  
 • Municipal Operating Grants *(MOGs)* released to compliant municipalities *(Municipal Finance Division).* | • Municipalities Newfoundland and Labrador annual conference *(all).*  
 • Provincial Gas Tax Shared Revenue released to municipalities *(Municipal Finance Division).*  
 • Deadline for MCW applications *(Municipal Infrastructure Division).* | |
Title: Community Enhancement Employment Program

Goal(s):
- To provide funding for short-term employment projects to help workers qualify for Employment Insurance; and
- To provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure.

Budget:
- The Employment Support Division has an operating budget of $427,200 and the Community Enhancement Employment Program (CEEP) has a program budget (grants and subsidies) of $5,715,000.

Eligibility:
- Municipalities, local service districts, community groups, and other not-for-profits (i.e., sponsors) may apply for funding and propose employment projects.

Parameters:
- Projects are assessed against a set of criteria and are given a score out of 100.
- MHAs are consulted and provided with the list of proposed projects in their respective districts, along with the projects’ scores.
- The division approves approximately 250 projects per year, assisting approximately 1,500 individuals.
- The program pays minimum wage and provides a maximum of 400 hours of employment.

Key Dates:
- CEEP issues a call for applications in June of each year. The deadline is July.
- Earliest project start date is October 1. All projects must be completed by mid-March.
- Sponsors are required to submit a final report within 14 days of project completion.
- Final payment is issued to the sponsor once the final report is approved.

Ministerial Decision Points:
- The director and executive meet with the minister in August/September to decide the amount of funding to allocate to each district. MHAs are notified by a letter from the minister.
- The minister retains a portion of the program budget to allow for increases for projects requiring additional funding.
- Once consultation has been completed, an approval letter is sent to the project sponsors, signed by the minister.
- Project sponsors are given 75% of their approved funding up front, with the remaining funding provided upon completion of the project (subject to review and approval).
- Subsequent increases in funding are also signed by the minister.
Title: Fish Plant Worker Employment Support Program

Goal(s):
- To provide funding for short-term employment projects to help fish plant workers, unemployed as a result of a permanent fish plant closure, qualify for Employment Insurance (EI); and
- To provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure.

Budget:
- The Employment Support Division has an operating budget of $427,200 and the Fish Plant Worker Employment Support Program (FPWESP) has a budget of $570,000. The program budget is funded by the Department of Fisheries and Aquaculture through the Fishing Industry Renewal Strategy.

Eligibility:
- Municipalities, local service districts, community groups, and other not-for-profits (i.e., sponsors) may apply for funding and propose employment projects.

Parameters:
- Once a plant has been designated as permanently closed, the Employment Support Division seeks a list of displaced workers from the union or the company and contacts each of these workers to identify who may be seeking employment on a project and to provide a list of services available.
- Project budgets are determined according to the number of eligible workers.
- The program pays minimum wage and provides a maximum of 560 hours of employment.
- To be eligible, workers must be unemployed as a result of the closure, must demonstrate an attachment to the plant, and must require 560 hours or less of insurable hours to qualify for EI.

Key Dates:
- No specified dates, as it is dependent on designation of fish plant(s) as permanently closed.
- Project sponsors are given 75% of their approved funding up front, with the remaining funding provided upon completion of the project (subject to review and approval).
- Sponsors are required to submit a final report (with all supporting documentation attached) within 14 days of project completion. These reports are audited by divisional staff to ensure compliance with the program guidelines.
- Final payment is issued to the sponsor once the final report is approved.

Ministerial Decision Points:
- The FPWESP is engaged only when a fish plant is designated as permanently closed. The minister is involved in this decision-making process.
- The minister approves the individual projects.
Title: Canada/NL Gas Tax Program

Goal(s):
- To help communities build and revitalize their public infrastructure.

Budget:
- The Canada/NL Federal Gas Tax Program is a 100% federally funded program, which is administered by the Province.
- The 2015/16 budget is $45.3M, which includes $32.2M for municipal allocations, $12.7M for the Provincial Waste Management Strategy and $450,000 for administration and staffing.

Eligibility:
- This program is delivered to municipalities and Inuit Community Governments (ICGs).

Parameters:
- A new ten-year Gas Tax Agreement was signed on July 15, 2014 and provides funding of $155.3M over a five year period from 2014/15 to 2018/19 (the amount for the subsequent five years is not yet determined). Total gas tax funds are allocated as follows:
  - $107.01M (68.91%) to municipalities and ICGs;
  - $44.25M (28.49%) to the Provincial Waste Management Strategy;
  - $2.21M (1.43%) to Water/Wastewater Initiative (beginning 16/17); and
  - $1.81M (1.17%) for Administration Costs incurred by the department.
- Municipalities submit a Capital Investment Plan (CIP) to MA as an application identifying a capital project and requesting federal gas tax funds to fund the project, either partially or in its entirety.
- Assessment and approval of the CIP are made by the gas tax committee (GTC), which is comprised of relevant MA directors.
- Upon approval of the CIP by the GTC, an approval letter is signed by the Director of Municipal Finance and provided to the municipality. Funding is subsequently disbursed.

Key Dates:
- Annual allocations are disbursed to eligible municipalities and ICGs upon receipt and approval of Capital Investment Plans (CIPs). There is no deadline for the submission of a CIP. The GTC meets bi-weekly to assess submitted CIPs (applications).

Ministerial Decision Points:
- Ministerial involvement is necessary for the signing of any new agreement or amendment to the existing agreement.
Title: Infrastructure Funding

Programs: Municipal Capital Works (MCW), Multi-Year Capital Works (MYCW), Building Canada Fund (BCF), New Building Canada Fund (NBCF)

Goals:

MCW/MYCW:
- To provide communities the opportunity to secure, develop and improve services for their residents and support the long-term sustainability, growth and development of communities throughout the province; and
- To fund larger-scale infrastructure initiatives in larger communities which have the capacity to make multi-year commitments (MYCW only).

BCF/NBCF:
- To support projects of national, regional and local significance that promote economic growth, job creation and strong and prosperous communities.

Budgets:

MCW/MYCW:
- In budget 2014, the Department of Municipal Affairs (MA) was provided with $200M in commitment authority to approve new projects under the MCW program and the MYCW program for 2014/15-2016/17.
- The budget approval was based on approximately $140M for MYCW and $20M per year for three years for the MCW program. The $20M annual allocation would include a reserve to cover emergencies and project increases.
- In August 2015, an additional $10M was provided for emergency projects and project increases through to March 31, 2017.
- To date, $141.4M has been provided for the MYCW program, $29.1M provided for the 2014 MCW program and $23.4M for the 2015 MCW program.

NBCF:
- The NBCF, announced in 2014 includes:
  - Four Infrastructure Components
  - Gas Tax Program
  - National Infrastructure Component: No provincial allocation for NL.
  - Provincial Territorial Infrastructure Component (PTIC): provides $10B nationally, with $349M of federal funding available for NL. Each province/territory will receive a base amount of $250M plus a per capita allocation (2011 Census).
  - Small Communities Fund (PTIC-SCF): $1B for projects in communities with fewer than 100,000 residents (2011 Census). A total of 10% ($34.9M federal funding) of PTIC funding dedicated to SCF.
  - Public Private Partnership (P3) Component: provides $1.25B in federal funding nationally for P3 projects. Application process is through P3 Canada with no provincial/territorial allocation.
Eligibility:
- Eligible recipients for MCW are local governments including towns, regions, local service districts and Inuit Community Governments.
- Eligible recipients under the MYCW are the 22 municipalities identified by MA.
- Eligible recipients under BCF are dependent on the applicable component.

Parameters:
- Eligible funding is allocated based on the following ratios:
  - 90/10 for population less than 3,000;
  - 80/20 for populations between 3,000 and 7,000; and
  - 70/30 for populations greater than 7,000
- Municipal contribution is the same (10%, 20% or 30%) for projects funded under the MCW and the MYCW as it is under the BCF. Federal funding covers one-third of eligible project costs of municipal projects.
- MCW is application driven, meaning an application must be submitted to the department by the applicant for any given project.
- MYCW application is by invitation only. The 2014-2017 MYCW program provided a three year funding allocation to 22 municipalities.
- Multi-year municipalities have the ability to reallocate funding within individual projects, while not exceeding the three year allocation.

Key Dates:

MCW:
- A call for applications for 2016 MCW projects was issued early in September 2015 and closed on November 30, 2015.
- Commitment letters/funding agreements are sent to successful applicants usually in April/May.

MYCW:
- The next invitation for applications should occur in the fall of 2016, for project approvals beginning in the 2017/18 fiscal year.

BCF:
- Most projects are completed; those that are not must be 100% completed by March 31, 2016 based on current federal/provincial agreement.
- A request has been made to Infrastructure Canada to extend the completion date for three projects to October 2016.

NBCF:
- The first invite for applications under the NBCF was issued in September of 2014.
- Approximately 80 applications were received for the PTIC-SCF and the PTIC components of the program.
Ministerial Decision Points:

MCW:
- Applications are assessed for eligibility and a priority list is forwarded to the executive for approval, with final approval by the minister.
- Minister approves all news releases regarding all capital works funding.

MYCW:
- Communities will forward a proposed list of projects for approval. Once approved by the minister, formal approval letters, schedule of projects and multi-year agreements are forwarded to the municipalities.

BCF/NBCF:
- Minister (or Minister of Transportation and Works) advises Infrastructure Canada of list of proposed projects once approved by government.
Title: Municipal Operating Grants

Goal(s):

• To provide funding to small and medium-sized municipalities to assist with service delivery, operations and administrative costs.

Budget:

• The program budget is $22M with a commitment to provide that consistent level of funding through 2017/18, with a review of amounts during 2016/17.

Eligibility:

• The municipal operating grants (MOGs) are provided to municipalities and Inuit Community Governments (ICGs) with populations of less than 11,000 (MOGs are not provided to St. John’s, Corner Brook, Mount Pearl, Conception Bay South, Paradise, Grand Falls-Windsor and Gander).

Parameters:

• The MOG allocations are determined by a weighted-average formula that incorporates the number of occupied dwellings from the 2011 census plus a remoteness index that considers accessibility to various provincial and community services.

• Each municipality/ICG must meet compliance criteria before funds are issued by MA.

• Funds are held and carried over to subsequent years until compliance is achieved. To achieve compliance, municipalities and ICGs must submit an annual budget, audited financial statements, a tax receivable summary, and a tax recovery plan. The latter two accountability requirements were introduced in 2015 as part of the Community Sustainability Partnership (CSP).

Key Dates:

• Annual allocations are disbursed through two payments (one in April and one in October) to eligible municipalities in compliance with applicable criteria.

Ministerial Decision Points:

• Total annual MOG funding and the formula used to determine municipal allocations is approved by government, but allocations require annual ratification for payment authorization purposes.

• Municipal allocations will be ratified by the MA executive committee at the first meeting of the year, providing that payment authorization. The minister is the chair.
Title: Shared Provincial Gas Tax Revenues

Goal(s):
• As part of Budget 2015, the Province is sharing provincial gas tax revenues with municipalities and Inuit Community Governments (ICGs).

Budget:
• The program budget is $3.6M for 2015/16 based on 0.5 cent per litre; $5.3M for 2016/17 based on 0.75 cent per litre; and $7.1M for 2017/18 and annually thereafter based on one cent per litre.

Eligibility:
• This program is delivered to municipalities and ICGs.

Parameters:
• Allocations are based on a 50% base and 50% per capita in accordance with the 2011 census.
• Each municipality/ICG must meet compliance criteria before funds are issued by the department. To achieve compliance, municipalities and ICGs must submit an annual budget and audited financial statements, in addition to the two new compliance requirements for submission: a tax receivable summary and a tax recovery plan.
• Shared provincial gas tax revenues are not carried over to successive fiscal years. Non-compliance results in forfeiture of funds for that year.
• For the 2015/16 share of revenues, the deadline for final submission of required documents is February 28, 2016.
• No spending restrictions are placed on this funding.

Key Dates:
• Annual allocations are disbursed through two payments (one in May and one in November) to eligible municipalities in compliance with applicable criteria.

Ministerial Decision Points:
• The allocation of shared revenues was approved by government, but individual allocations require ratification for payment authorization purposes.
• Municipal allocations will be ratified by the MA executive committee at the first meeting of the year, providing that payment authorization. The minister is the chair.
Title: Special Assistance Program

Goal(s):
- To provide funding to communities and other entities primarily in response to:
  - emergencies related to health and/or life safety;
  - communities experiencing financial difficulties;
  - general assistance to communities beyond the budgetary process; and
  - special projects or initiatives.

Budget:
- The 2015/16 budget is $4.3M. The base budget for the Special Assistance Program is $2.4M.

Eligibility:
- This program is delivered to municipalities, Inuit Community Governments, local service districts, other municipal entities and non-municipal non-profit organizations.

Parameters:
- The process involves two committees: finance committee (MA directors and ADM, Municipal Support) and executive committee (executive and chaired by the minister).
- Requests are generally related to small capital works.
- Other types of requests include contributions to communities and non-profit organizations towards non-capital projects; annual funding for various events (i.e. Beaumont Hamel pilgrimage); travel subsidies for municipal representatives at various events; and other requests.
- In addition, for special purposes (i.e. closure of major industry in community, community relocation), funding requests may be significantly higher.

Key Dates:
- Requests are received and addressed throughout the year.

Ministerial Decision Points:
- All requests under the Special Assistance Program are subject to final decision of minister.
- Requests are reviewed by the finance committee and recommendations are made for consideration by the executive committee.
- Minister has final discretion on any decisions/proposals submitted under the program.
- Letters informing community, entity or organization of approved funding are signed by the minister.
- Minister signs minutes of the executive committee meetings after reviewed and signed by the ADM, Municipal Support and the Deputy Minister.
## Election Commitments
### Policy Advice

<table>
<thead>
<tr>
<th>Liberal Platform Commitment</th>
<th>Current Activity/Next Steps</th>
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</table>
| Work with Municipalities Newfoundland and Labrador (MNL) to review how Crown land is sold. Land transfer options currently not available for municipalities, such as long-term leasing and lease-to-own arrangements, will be discussed. | - Brief Minister on current policies around pricing and Crown lands reserves and additional options as outlined in the Liberal platform.  
- Further analysis will be required to identify various considerations associated with implementing new tenure options for municipalities.  
- Scope of consultations will need to be determined and appropriate consultation/communications planning done accordingly. |
| Sell unused assets and make Crown Land available. | - The Department has requested that other departments with land holdings provide an inventory to Municipal Affairs.  
- Options exist to sell larger pieces of Crown land or to pursue additional cottage lot planning areas.  
- Depending on option(s) chosen, different considerations apply re: cost, timelines, revenue to be realized. |
## Election Commitments
### Policy Advice

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</table>
| Work with farmers to make more Crown land available for agricultural uses (implement a land registry, review options to put idle land into farm production and simplify applications for Crown lands) | - The Lands Branch will continue to consult with and support Forestry and Agrifoods Agency (FAA) on developing more efficient policies for the acquisition of Crown lands for agriculture development and expansion.  
- The comments provided during the *Lands Act* review process will be assessed in conjunction with FAA to ensure they are in the best interest of the agricultural industry.  
- The FAA will be consulted on all applications for Crown lands within designated Areas of Interest (AOIs). |
| Host an annual Premier’s Forum on Local Government                                          | - The appropriate and most cost-effective venue for this forum would likely be the annual MNL convention.  
- Department has initiated a request to other departments to see where similar fora have been developed.  
- A meeting with Labrador and Aboriginal Affairs, the Office of Public Engagement and MNL will be called to discuss a general approach.  
- Following agreement on the general approach, the department will engage the Combined Councils of Labrador and MNL for assistance with implementation of this commitment. |
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<tr>
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| Immediately initiate a review of the *Assessment Act, 2006* that will address the timing of assessments, assessment criteria, and implementation of the associated mill rate, in partnership with the Municipal Assessment Agency and Municipalities NL. | - A Terms of Reference for the review will be developed based on the specific language of this commitment; i.e., to address the timing of assessments, assessment criteria, and implementation of the associated mill rate.  
- Feedback received from municipalities regarding the 2016 assessment values for special purpose properties and potential budgetary impact will be monitored and analyzed.  
- A 2015 Supreme Court decision has effectively struck down the special purpose property provisions of the *Assessment Act, 2006*. In the absence of legislative amendments being made, all special purpose properties will now have to be assessed using the fair market value methodology for the upcoming January 1, 2016 assessments.  
- Based on this feedback and the recent Court decision, department officials will identify potential options for consideration.  
- Scope of consultations will need to be determined and appropriate consultation/communications planning done accordingly. |
# Election Commitments

## Policy Advice

<table>
<thead>
<tr>
<th>Liberal Platform Commitment</th>
<th>Current Activity/Next Steps</th>
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</table>
| Provide municipalities with infrastructure funding under a multi-year framework to allow municipalities to better plan, manage, and complete infrastructure projects. | - A briefing on the current municipal capital works (MCW) and multi-year capital works program (MYCW) will be scheduled with the Minister.  
- Further discussion will be required to determine:  
  - Criteria for community participation;  
  - Distribution formula; and  
  - Project selection criteria. |
| Work with MNL and other stakeholders, including the federal government, to develop a strategic plan for addressing the infrastructure gap in our province. | - Asset Management is the first step in defining the infrastructure gap.  
- As per requirements of the Federal Gas Tax Agreement, NL has developed a proposal focusing on the development of an Asset Management Framework for municipalities in the province.  
- Department officials have had initial discussions with stakeholders and feedback has been positive; further consultations with stakeholders are envisioned.  
- A draft proposal was submitted to Infrastructure Canada, and feedback was provided to MA officials in November, 2015. The proposal has been revised and is with executive for final review. |
## Election Commitments
### Policy Advice

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<tr>
<th>Liberal Platform Commitment</th>
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<tr>
<td>Working with communities and the federal government to develop a province-wide water quality action plan to address quality, infrastructure, expertise, and technology to ensure water systems are safe and sustainable.</td>
<td>- A joint briefing with the Ministers of ENVC, MA, HCS and Service NL will be developed related to water quality issues.</td>
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<td>- Parameters and Terms of Reference will be established for the development of a drinking water quality action plan as per the NL Liberal party platform commitment.</td>
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<td>- Minister will be briefed on existing initiatives / programs which relate to drinking water, infrastructure funding, technology (advanced drinking water systems), expertise (regional operators and Boil Water Advisory consultants), etc.</td>
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Records Management and ATIPPA
December 2015
Records Management - types

- Government policy encourages that records be managed for the smooth continuance of business; to serve as evidence of government transactions; and to be made available for ATIPP requests or legal discovery, as required.

- “Records” include paper and electronic documents, email, handwritten notes, text messages, data, etc.
Records Management - types

- Government and Constituency (political / House of Assembly) records should be maintained separately.

- Government records include:
  - Departmental records related to the business of the Department.
  - Cabinet records (e.g. Cabinet papers, analyses, agendas, minutes, any correspondence between Ministers related to matters under discussion at Cabinet).

- Government records are subject to ATIPPA; Constituency records are not.

- Transitory records / convenience copies should be managed and disposed of when they are no longer of use.
Records Management – appropriate storage

- The following folders are recommended for email and network (P) drive:

<table>
<thead>
<tr>
<th>Constituency</th>
<th>Pre-set by House of Assembly</th>
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<tbody>
<tr>
<td>House of Assembly</td>
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<tr>
<td>Political/Caucus</td>
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<tr>
<td>Personal</td>
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<tr>
<td>Cabinet records</td>
<td>High Priority</td>
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<tr>
<td>Municipal Affairs</td>
<td>Portfolios</td>
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<td>Service NL</td>
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<td>Workplace NL</td>
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<td>FES-NL</td>
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<tr>
<td>GPA</td>
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</table>
Records Management - correspondence

- Municipal Affairs uses an electronic records management system (TRIM) for storage and workflow of departmental records.
- Incoming correspondence (letters / fax) will be scanned into TRIM and a hard copy provided to the Minister.
- Incoming email requiring action should be forwarded to the Minister’s secretary for management in TRIM.
- The secretary will then workflow the record to the appropriate staff person.
- 10 day response / acknowledgement policy for ministerial correspondence.
ATIPPA, 2015 – access requests

• For ATIPP purposes, the DM is the delegated head of the department.
• ATIPP Coordinator receives and processes ATIPP requests.
• Requests are kept anonymous.
• 20 business day timeline for response.
• An advisory response must be sent to the applicant at the 10 day mark.
• Staff are asked to provide records within 3 days of the request being made.
• Requests are often made to access ministerial records.
• Minister may search his own records or delegate this to the EA or staff member (IM Manager / Director, or ATIPP Coordinator)
The ATIPPA Coordinator will provide search terms and assistance related to the search.

All records found that are responsive to the request should be made available to the ATIPPA Coordinator.

The ATIPPA Coordinator reviews each record and determines whether exceptions to access apply.

Commonly used exceptions to access include:
- Personal privacy
- Cabinet confidences
- Policy advice or recommendations
- Legal advice

The Act provides guidance on how these exceptions are determined.
ATIPPA, 2015 - privacy

- Personal information is collected and used only for the purpose intended.
- The amount of personal information collected should be kept at a minimum.
- Information is disclosed only to fulfill the purpose of collection or with consent.
- Breach protocol in place, includes reporting of the breach.
IM Contacts within Department

- Tara Kelly, Director, 729-2787
- Ali Askary, IM Manager, 729-5846
- Scott Winters, ATIPP Coordinator, 729-6528
Overview

- Divisional Mandate
- Management and Staff/Budget
- Initiatives
- Key Issues, Challenges and Opportunities
Divisional Mandate

• Division’s mandate is to oversee the implementation of Community Sustainability Partnership and its various initiatives.

• Clients include 271 municipalities, 172 Local Service Districts, approximately 180 Unincorporated Areas, Municipalities NL, Professional Municipal Administrators, Regional Service Boards, and the General Public.
Management and Staff/Budget

Management and Staff:
Two positions in division:
• Director of Community Sustainability Partnership
• Policy Program Development Specialist *

*Currently vacant.

Budget:
• Salaries are sourced from the Local Governance Division at a cost of $173,163 and operational costs are sourced from various departmental savings.
• Associated initiative costs are covered under specific divisional budgets such as Engineering Services, Land Management and Municipal Finance.
• Provision of support for monitoring and direct implementation of Community Sustainability Partnership initiatives including:
  • Revenue to Communities;
  • Capacity Supports;
  • Municipal Accountability;
  • Regional Governance; and
  • Consultations
• Partial HST Rebate
  • Rebates to municipalities and local service districts via Canada Revenue Agency
  • 25 per cent of the provincial portion of the Harmonized Sales Tax (HST) in January 2016,
  • Increasing to 57.14 per cent in January 2017

• Sharing Provincial Gas Tax Revenue
  • Only municipalities are eligible
  • 0.50 cent per litre in 2015-16,
  • 0.75 cent per litre in 2016-17 and
  • One cent per litre from 2017-18 onwards.
  • Allocation method: 50% shared equally among all municipalities and other 50% on a per capita basis
• Municipal Operating Grants
  • Maintenance of existing Municipal Operating Grant (MOG) investment levels for three years
  • Provides municipalities with stability and predictability in funding for planning purposes
  • $22 million per year
  • Review of the grant amounts in 2016-17
Programs and Initiatives – Capacity Supports

• **Regional Water/Wastewater Operators Pilot**
  - Approximately $1 million investment to Eastern, Central and Western Regional Service Boards (RSB) to hire regional water/wastewater operators
  - To work with communities to address water and wastewater infrastructure operations and monitoring challenges
  - Duration: 3.5 years from October 2015 to March 2019

• **Drinking Water Consultant**
  - Consultant hired to develop and pilot Standard Operating Procedures
  - To help communities identify required steps to lift boil water advisories
  - Annual investment of $180,000 per year for 3 years
  - This initiative is led by Environment and Conservation
• Municipal Crown Lands Reserves
  • Assists municipalities in acquiring Crown lands at market value for industrial development over a 5 year period by allowing the creation of reserves
  • Enhances municipalities ability to avail of economic and social development opportunities to grow their communities
  • Utilized provisions in the Lands Act
Programs and Initiatives – Capacity Supports

• Provincial-Municipal Asset Management Framework
  • Framework to provide further details on the current condition of municipal infrastructure in the province
  • To quantify municipal infrastructure gaps and help inform long-term infrastructure investment requirements
  • Proposal submitted to Infrastructure Canada to utilize $650,000 in interest earned on gas tax fund to begin framework development
Accountability Measures

To access MOGs and provincial gas tax, municipalities must submit:

- 2015 municipal budget
- 2014 audited financial statements
- Tax receivables summary (*new requirement)
- Tax recovery plan (*new requirement)
- Maintain own source revenue levels on a per capita basis (*new requirement)
- Participate in the water and wastewater initiative (*new requirement) (pilot communities only)
• Exploring Regional Governance
  • To determine whether a model exists for a regional governance structure that would further improve sustainability
  • An advisory committee has been established to provide advice on the principles and main components of a potential new regional governance model
  • Public consultations are planned for 2016
• Exploring Municipal Authority to Blend Business and Realty Taxes
  • Consultations held in Fall 2015 to explore the impacts that legislative changes may have on relevant stakeholders should municipalities be granted the optional authority to blend business and realty taxes

• Accommodations Tax
  • MNL and Hospitality Newfoundland and Labrador have been invited to collaborate on a joint proposal for Government’s consideration on the authority to implement an accommodations tax
Key Issues, Challenges and Opportunities

Regional Governance:
• Public consultations to be conducted
• “What We Heard” document to be completed
• Recommendations for a new structure in 2016

Blended Business Taxes:
• “What We Heard” document to be completed
• Recommendations with potential legislative changes in 2016

Accountability Measures:
• Examination of poll-tax only communities and tax receivables thresholds and criteria for recommendations on broader accountability mechanisms in 2016
Key Issues, Challenges and Opportunities

Provincial - Municipal Asset Management Framework:
• Work with Joint Infrastructure Committee
• Development of framework for 2017-18

Safe and Clean Water/Wastewater Initiatives:
• Pilot Standard Operating Procedures to reduce Boil Water Advisories in select communities
• Facilitate alternate delivery model for regional water/wastewater operation with Regional Service Boards
Thank You

Questions/Discussion
Employment Support

December 2015
Overview

- Divisional Mandate
- Management and Staff/Budget
- Programs and Services
- Key Issues, Challenges and Opportunities
Divisional Mandate

- To fund short-term employment projects to help workers qualify for Employment Insurance (EI)
- To provide enduring benefits to communities by supporting wider regional economic diversification strategies or strengthening local infrastructure
- To provide skills development opportunities for workers
Management and Staff:

- Director
- Manager
- Two Financial Officers
- Clerk Typist III
- Clerk Typist III (September to March)
- Program Coordinator (vacant)

Budget:

The Employment Support Division has an operating budget of $427,200 and a program budget of $5.7 million for 2015-16 (Community Enhancement Employment Program)
Employment Support Division delivers two programs which provide short-term employment to enable individuals to qualify for EI:

- Community Enhancement Employment Program (CEEP)
- Fish Plant Worker Employment Support Program (FPWESP)
Programs and Services: CEEP

• The division approves approximately 250 projects per year, assisting approximately 1,500 individuals and 372,000 hours (231 projects approved so far this year)
• The program pays minimum wage and provides a maximum of 400 hours of employment
• Program is application driven and any eligible party can apply
• Projects are assessed against a set of criteria, including benefit to community, indoor vs. outdoor, occupational health and safety, skills development, previous non-compliance, etc.
Programs and Services: FPWESP

• Program only for plants deemed permanently closed
• Program pays minimum wage and provides a maximum of 560 hours of employment
• Funds non-profit groups and municipal governments to create short-term employment for displaced fish plant workers
• Funding intended primarily for labour (materials and administrative costs also included)
• Funding provided by the Department of Fisheries and Aquaculture and administered by Municipal Affairs
• Same structure as CEEP
Key Issues, Challenges and Opportunities

Key Issues/Challenges:
- Demand for CEEP funding exceeds budget allocation
- Auditor General raised there is no evidence-based criteria for district allocations
- Non-compliance issues with sponsors

Opportunities:
- Offer training sessions for stakeholders to improve compliance
- Conduct site visits when projects are completed to view projects
Thank You

Questions/Discussion
Newfoundland Labrador
Municipal Affairs

Overview and Key Issues

December 2015
Overview

- Mandate
- Lines of Business
- Budget
- Staffing
- Clients and Stakeholders
- Entities Reporting to Minister
- Key Issues and Challenges
Mandate

- Mandate for the Department of Municipal Affairs (MA) is derived from the Municipal and Provincial Affairs Notice, 2003 under the *Executive Council Act* and is informed by the legislation set out in the schedule, which outlines the powers, duties and functions of the minister, who is also appointed Registrar General.
- MA provides programs, services and supports that help contribute to the governance and sustainability of communities.
- MA is responsible for the lease, licence, grant, reservation and protection of provincial Crown, public and other lands.
• **Local Governance and Support:** regional support; municipal finance; local governance; municipal debt servicing; municipal operating grants; special assistance; and provincial gas tax revenue sharing.

• **Municipal Infrastructure and Engineering Services:** municipal infrastructure and waste management; industrial water services; municipal infrastructure; Federal/Provincial infrastructure programs; and Canada/NL Gas Tax Program.

• **Lands:** Crown lands; land management and development; surveying and mapping; geomatics agreements; and land use planning.

• **Employment Support:** community enhancement.
### Budget

<table>
<thead>
<tr>
<th>Lines of Business</th>
<th>Gross</th>
<th>Revenue</th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Governance &amp; Support</td>
<td>54,181,800</td>
<td>(169,000)</td>
<td>54,012,800</td>
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<tr>
<td>Municipal Infrastructure and Engineering Services</td>
<td>171,528,600</td>
<td>(35,759,700)</td>
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<td>Lands</td>
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<td>1,763,900</td>
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<tr>
<td>Employment Support</td>
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<td>-</td>
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<td>Intergovernmental Policy Formulation and Support</td>
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<td>Other - Executive and Support Services</td>
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<td><strong>Total</strong></td>
<td>245,292,700</td>
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## Budget: Minister’s Office

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<td>Salaries</td>
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<td>Employee Benefits</td>
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<tr>
<td>Transportation &amp; Communication</td>
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<tr>
<td>Supplies</td>
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<tr>
<td>Professional Services</td>
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<tr>
<td>Purchased Services</td>
<td>8,700</td>
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<tr>
<td>Property, Furnishings &amp; Equipment</td>
<td>-</td>
</tr>
<tr>
<td>Gross Total</td>
<td>303,700</td>
</tr>
</tbody>
</table>
Staffing

Number of Employees:
• As of March 31, 2015, MA had a staff complement of 189 employees.
• This included 85 females and 104 males.

Regional Presence:
• MA is headquartered in St. John’s and regional offices are located throughout the province.
• The department has offices in St. John’s (Confederation and Howley Buildings – 133 staff), Clarenville (9 staff), Gander (18 staff), Grand Falls-Windsor (2 staff), Corner Brook (17 staff), and Happy Valley-Goose Bay (10 staff).
Clients and Stakeholders

- 271 Municipalities
- Five Inuit Community Governments
- 172 Local Service Districts
- Regional Service Boards
- Municipalities NL
- Professional Municipal Administrators – NL
- Combined Councils of Labrador
Entities Reporting to Minister

- Municipal Assessment Agency
- Eastern Newfoundland Regional Appeal Board
- Central Newfoundland Regional Appeal Board
- West Newfoundland Regional Appeal Board
- Northeast Avalon Regional Plan Oversight Committee
- Humber Valley Regional Planning Advisory Authority Leadership Committee
- Newfoundland and Labrador Geographical Names Board
Key Issues and Challenges

• Implementation of Community Sustainability Partnership initiatives
• Next steps from *Lands Act* Review
• Legislative obligations for review of land use plans
• Scope of municipal capital works program for 2016-17
• Scope of new Building Canada funding (provincial share)
• MOGs and Shared Provincial Gas Tax payments as towns work towards compliance with new accountability measures
• Budget pressures 2015-16
Thank You

Questions/Discussion
Overview

• Divisional Mandate
• Management and Staff/Budget
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandate

• The Land Use Planning Section promotes growth of sustainable and attractive communities through administration of provisions under *Urban and Rural Planning Act, 2000 (Act)*

• Oversees development of plans and regulations required under the *Act*, ensuring orderly and well-planned community development

• Stakeholders include: municipalities, Inuit Community Governments, Municipalities NL, Atlantic Planners Institute, the public and Service NL
Management and Staff/Budget

Management and Staff:
12 positions in division:
• 1 Manager
• 1 Program and Policy Development Specialist (on secondment from LAAO)
• 6 Planner IIIs (2 Vacancies)
• 1 Planning Technician II
• 1 Land Management Officer
• 1 Clerk Typist III
• 1 Departmental Program Coordinator

Budget:
• $810,400 for 2015-16
Programs and Services

• Advising municipalities in the preparation of municipal plans and development schemes
• Reviewing and registering plans, development regulations and amendments
• Preparing regional, protected area, protected road zoning and local area plans
• Operating the feasibility process for the alteration of municipal boundaries
• Administering expropriation provisions
• Developing and assisting in administering of province-wide regulations related to development
• Providing professional support and administration services to the three Regional Appeal Boards
Programs and Services: Related Legislation

- *Urban and Rural Planning Act, 2000*
  - Development Regulations
  - Protected Road Zoning Regulations
  - Highway Sign Regulations, 1999
  - Regional and Municipal Planning Areas

- *Municipalities Act, 1999*
  - Municipal Boundary Changes (Annexations)
  - Expropriation provisions
Programs and Services: Appeals

• Three Regional Appeal Boards in Province:
  • Eastern NL Regional Appeal Board
  • Central NL Regional Appeal Board
  • West NL Regional Appeal Board (also hears appeals for Labrador)

• Boards hear appeals of persons aggrieved of Council and Service NL decisions regarding:
  • Refusal of Permit
  • Approval of Permit
  • Revocation of Permit
  • Issuance of Order

• Department provides administrative, technical and professional support to boards
Key Issues, Challenges and Opportunities

Key Issues:
• Business Process Review Implementation
• Witless Bay Municipal Plan process
• Amendments to the St. John’s Urban Region Regional Plan
• Amendments to Protected Road Zoning Plans
• North East Avalon Regional Plan
• Humber Valley Regional Plan
• Labrador Inuit Settlement Area Regional Plan

Challenge:
• Meeting legislative obligations regarding timely review of land use plans

Opportunity:
• Opportunity for a more effective and efficient appeals process with amendments to Act
Thank You

Questions/Discussion
Lands Act Review

December 2015
Overview

• Purpose of Review
• Committees
• Consultations
• Final Report
• Next Steps
Purpose of Review

• In February 2015, the Department of Municipal Affairs (MA) initiated a comprehensive review of the *Lands Act*

• First formal review of the *Act* in its entirety since enactment in 1992

• Purpose of review:
  • Modernize the *Act*
  • Make the Crown lands application process simpler and service delivery model more effective
Committees

• MA developed Terms of Reference
• Two Committees established:
  1. Review Committee:
     • Consisted of three individuals independent of the Lands Branch, with expertise in law, policy and business process review
  2. Advisory Committee:
     • Created to support and advise Review Committee
     • Consisted of ADM of Lands, solicitor (Justice and Public Safety), Director of Communications and two Law Society representatives
Consultations

• Consulted with the public and stakeholders
• Public sessions held in eight communities (Marystown, Harbour Breton, Grand Falls-Windsor, Corner Brook, St. Anthony, Happy Valley-Goose Bay, Labrador City and St. John’s)
• 173 attendees across the province
• A “What We Heard” document containing feedback from sessions posted on *Lands Act* Review public website June 10, 2015
Final Report

- Review Committee submitted report to MA for consideration on July 31, 2015, with a revised report on August 31, 2015, following discussions and clarification with MA
- Report contains 134 recommendations:
  - 83 related to policies/business process improvement
  - 51 related to legislative amendments
- Two additional recommendations were proposed by MA
- Report released publicly on October 28, 2015
Next Steps

• MA is currently developing an implementation plan considering the following:
  
  – Business process recommendations that are short/medium/long-term to implement
  
  – Potential costs and resources associated with implementation
  
  – Further involvement and consultation with other government departments/agencies
  
  – Further consultation with external stakeholders
Next Steps

• Several recommendations already identified for immediate implementation (no financial, potential human resource or policy/procedural implications)

• Deputy Ministers’ committee and working group of senior officials will be established to provide input into implementation of recommendations

• MA will discuss issues that fall outside the review’s scope with implicated departments

• Upon receipt of direction on the legislative provisions, engagement with Legislative Counsel and other required departments will occur
Questions/Discussion
Overview

• Divisional Mandates
• Divisions and Budget
• Management and Staff
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandates

• Crown Lands Administration Division manages and allocates the Province’s Crown lands in an environmentally responsible manner to meet the social and economic development needs of the public and private sectors

• Land Management Division develops and administers Crown lands policies and supports departments of government with respect to Crown lands management

• Surveys and Mapping Division provides a central service to government and the public in coordinating the Provincial Geomatics Strategy and facilitating integration of geo-spatial data
Divisions and Budget

Divisions:
- Crown Lands Administration (CLAD)
- Land Management (LMD)
- Surveys and Mapping (SMD)
- Land Use Planning Section (LUP)

Budget:
- Budget for 2015/16 - $6,503,900*
- Revenue for 2014-15 – $10,821,779

*Budget does not include Land Use Planning Section
Management and Staff

• Total Positions: 96

• CLAD: 74 positions
  • 4 regional offices (St. John’s, Gander, Corner Brook & Happy Valley-Goose Bay): 45 positions
  • 1 sub-regional office (Clarenville): 2 positions
  • 1 field office (Grand Falls-Windsor): 2 positions
  • Head office (Howley Building): 25 positions

• LMD: 9 positions

• SMD: 13 positions
Programs and Services: Related Legislation

*Lands Act*

- Authority for issuance of Crown lands titles and protection of the Crown lands resource

*Land Surveyors’ Act*

- Authority to establish the Association of Newfoundland Lands Surveyors

*Geographical Names Board Act*

- Authority to name places and features, subject to minister’s approval

*Auxiliary - Quieting of Titles Act*

- Allows for issuance of certificates of title to land by the Supreme Court, Trial Division. This Act falls under the Department of Justice and Public Safety; however, is directly tied to section 36 of the *Lands Act* as it relates to adverse possession
Programs and Services for Crown Lands

- Allocation of Crown lands:
  - 3369 applications taken in 2014/15
  - 1616 titles issued in 2014/15
- Registration of Crown titles and records
- Defending Crown’s interest in Crown lands
- Compliance inspections and inspections related to applications
- Appropriately 100,000 inquiries/year
Programs and Services for Land Management

• Promotes orderly, efficient and sustainable use and allocation of Crown lands through development and administration of Crown lands policies, plans and strategies

• Provides support to other divisions and departments of government with respect to Crown lands use

• Generates revenue to government through the Cottage Lot Development Program
Programs and Services for Surveys and Mapping

- Produces geomatics data and services used by other provincial government departments and agencies, land survey/engineering industry and the general public

- Responsible for mapping the land base

- Other operational activities include geodetic surveys, geographical names and geomatics support services
Key Issues, Challenges and Opportunities

- Issuance of grants for remote cottage sites
- Issuance of grants for de-proclaimed park lands
- Implementation of the recommendations from the *Lands Act* review
- Current challenges with application process and timelines
- Opportunity for creation of reserves within municipalities as announced under the Community Sustainability Partnership
- Through recommendations of *Lands Act* review, opportunities to:
  - Maintain the protection of Crown lands in the public interest
  - Provide for a modernized *Lands Act*
  - Have a more effective Crown lands application process and service delivery model
Thank You

Questions/Discussion
Overview

• Divisional Mandate
• Management and Staff/Budget
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandate

- Division’s mandate is to support the vision of communities with viable sustainable municipal services led by strong local governments.
- Division is responsible for 33 statutes, municipal training, community relocation and community cooperation.
- Clients include 271 municipalities, 172 Local Service Districts, Municipalities NL and Professional Municipal Administrators.
Management and Staff/Budget

Management and Staff:
Five positions in division:
• Director of Local Governance
• Manager of Community Liaison
• Manager of Municipal Training Programs
• Manager of Legislation
• Manager of Community Cooperation*

*Currently vacant. Covered by the Manager of Community Liaison.

Budget:
• Divisional Budget $653,600
Programs and Services

• Authoritative interpretation, application and development of municipal legislation
• Provision of municipal training materials and opportunities
• Administration of the community relocation policy
• Facilitating community cooperation initiatives
Programs and Services: Municipal Training

• Municipal training materials and opportunities are provided by MA to municipal councillors, administrators and others in areas of importance.

• MA provides annual funding to the Municipal Training Financial Assistance Fund, which helps municipalities offset the costs associated with attending municipal training and professional development opportunities.

• Currently concluding 2015 training sessions and identifying and developing 2016 training opportunities.
Programs and Services: Relocation

- Community Relocation Policy was introduced in 2009, and later amended in 2013.

- New policy was announced in Budget 2013.

- Currently have five active files at various stages of the policy: Round Harbour, Little Bay Islands, Nipper’s Harbour, William’s Harbour, and Snook’s Arm.

- Undertaking a review of policy following post-2013 implementation to address a number of learnings.
Regional Cooperation may involve the:

1. Sharing of municipal services
2. Annexation
3. Amalgamation
4. Change in municipal status

There are a number of interested communities and active initiatives.

MA has been directed to develop a formal policy.
Key Issues, Challenges and Opportunities

Legislation:
• Review legislation

Municipal Training:
• Identify and develop 2016 training opportunities

Relocation:
• Review policy

Community Cooperation:
• Develop a formal policy
• Review legislative requirements
Thank You

Questions/Discussion
Overview

• Divisional Mandate
• Management and Staff/Budget
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandate

- Division provides financial assistance to municipalities in the form of grants and subsidies and assistance with facets of capital borrowing.
- Advises on budgeting, financial statements and other financial matters.
- Prepares, evaluates and monitors estimates with respect to debt servicing subsidies, municipal operating grants, shared provincial gas tax revenues and special assistance grants.
- Monitors and reports on the provincial and municipal liability for municipal long-term debt.
- Administers the Canada/NL Gas Tax Program.
- Monitors and reports on municipal compliance with accountability measures.
- Stakeholders include 271 municipalities, 172 local service districts (LSDs), five Inuit Community Governments (ICGs), other municipal/non-municipal and non-profit entities; Municipalities NL; Professional Municipal Administrators; and Infrastructure Canada.
Management and Staff:
11 positions in division:
• Director of Municipal Finance
• Manager of Municipal Finance and Reporting
• Manager of Gas Tax Compliance
• Two Managers of Gas Tax Administration (1 maternity leave)
• Five Financial Officers (1 vacancy)
• Clerk Typist III

Budget:
Divisional budget:
Operations – $413,500; Financial Assistance – $51,768,500;
Gas Tax – $15,500,000
Programs and Services

- Canada/NL Gas Tax
- Municipal Operating Grants (MOGs)
- Shared Provincial Gas Tax Revenues
- Special Assistance Grants
- Approval to Borrow
- Debt Servicing Grants and Subsidies
- Accountability Measures
The purpose of the program is to administer the Canada/NL Administrative Agreement on the Federal Gas Tax Fund (Agreement).

The term of the current Agreement is 2014 – 2019 and total funding over this period is $155.3M.

Gas Tax Funds are allocated as follows:
- $107.01M (68.91%) to municipalities & ICGs
- $44.25M (28.49%) to Provincial Waste Management Strategy
- $2.21M (1.43%) to Water/Wastewater Initiative (Year 3)
- $1.81M (1.17%) for Administration Costs

Unspent annual funds are carried over to the next fiscal year.

Funds not disbursed to municipalities earn interest and can be used by NL, subject to approval by Infrastructure Canada, and subject to provincial budget process.
• MOG allocations are provided to municipalities and ICGs with populations less than 11,000.

• Municipalities not receiving an MOG allocation include: Conception Bay South, Corner Brook, Gander, Grand Falls-Windsor, Mount Pearl, Paradise & St. John’s.

• The purpose of the program is to provide funding to small and medium-sized municipalities to assist with service delivery, operations and administrative costs.

• Annual MOG allocations are disbursed through two payments (one in April and one in October) to eligible municipalities in compliance with applicable criteria.

• Funds are held and carried over until compliance is achieved. Once compliance on all criteria is met, funds are released.
Programs and Services: Shared Provincial Gas Tax Revenues

- New source of funding under the Community Sustainability Partnership (CSP).
- A share of Provincial Gas Tax Revenues is allocated annually for all municipalities and ICGs.
- The purpose of the program is to provide further source of revenues to assist with the sustainability of municipalities within the province.
- There are no restrictions placed on how municipalities spend these funds.
- Annual allocations are disbursed through two payments (one in May and one in November) to eligible municipalities in compliance with criteria.
- Funds are held for release until full compliance is achieved. Compliance must be achieved by February 28th. Funds are not carried over to a subsequent fiscal year.
The Special Assistance Grants Program provides financial assistance to municipalities, LSDs, other municipal entities and non-municipal/ not-for-profit organizations to provide financial support for:

- emergencies related to health and/or life safety;
- communities experiencing financial difficulties;
- general assistance to communities beyond the budgetary process; and
- special projects or initiatives.

Process involves two committees: finance and executive.

Generally, requests are related to small capital works less than $30,000.

Minister has discretion to authorize any request received for special assistance.
Programs and Services: Approvals to Borrow

- The *Municipalities Act, 1999* (and the three Cities Acts) require municipalities and LSDs to obtain written authority of the minister to borrow long-term funding.
- Authority to approve requests has been delegated to the ADM, Municipal Support; Director or Manager, Municipal Finance.
- Regional Office submits documentation to Municipal Finance for final review and approval.
- Director or Manager approve requests when the debt service ratio (DSR) is less than 30%.
- Requests from municipalities with the DSR at least 30% or financial statements not submitted are forwarded to the ADM for consideration.
- The *Regional Service Board Act, 2012* requires regional service boards to obtain written approval of minister for long-term borrowing. This has not been delegated.
Programs and Services: Debt Servicing Grants and Subsidies

• Prior to 2007, capital projects were financed by the department through loans from financial institutions, rather than direct grants. The Province’s contribution was through agreements to pay a portion of loans for capital projects obtained by municipalities.

• 603 such provincial loans are still outstanding: 534 held by the Newfoundland Municipal Financing Corporation (NMFC) and 69 held by various banking institutions.

• The balance for these loans is $65.8M and is projected to be paid in full by 2027 (NMFC loans will all mature by 2020).

• MA has a budget allocation to specifically deal with these payments.
As part of Budget 2015, Government announced the CSP. Included in the CSP are new sources of revenues for municipalities and accountability measures that municipalities must meet to receive these revenues.

Accountability measures include: submission and approval of PSAB audited financial statements, a municipal budget, a tax receivable summary (new), a tax recovery plan (new), and maintaining own – source revenues (new – effective 2016).

Compliance with all accountability measures must be achieved for a municipality to receive its MOG and share of the Provincial Gas Tax Revenues.

Municipal Finance staff have contacted municipalities to offer guidance.
Key Issues, Challenges and Opportunities

- Delays in MOGs and Shared Provincial Gas Tax payments as towns work towards compliance with new accountability measures.
- Funding pressures on the MOG budget as a result of payments of holdbacks from previous years.
- Working with OCIO to develop a Gas Tax Information Management System. Should be in place by March 31, 2016.
- Funding pressures on the Special Assistance Grant Fund.
- Opportunity to enhance tax recovery plans and tax receivable summaries now that baseline has been established.
Thank You

Questions/Discussion
Overview

• Divisional Mandate
• Management and Staff/Budget
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandate

• The Municipal Infrastructure Section is responsible for providing professional engineering, administrative and technical support services to facilitate the provision of sustainable, suitable and affordable municipal infrastructure in a manner that will result in greater autonomy for communities.

• The Waste Management Section is responsible for the implementation of the Provincial Solid Waste Management Strategy, including administration of capital funding to construct waste management infrastructure.
Management and Staff:
18 positions in division:
• Director of Municipal Infrastructure
• Manager of Municipal Infrastructure
• Manager of Federal & Provincial Programs
• Accountant I
• Accounting Clerk II
• 3 Administrative Officer IIs (1 vacancy)
• Architect
• Clerk Typist III
• Computer Programmer I (GIS)
• 2 Engineer IIIIs (1 vacancy)
• Program and Policy Development Specialist
• 3 Senior Engineers – (1 vacancy)
• Waste Management Coordinator
Budget:
Budget for the division includes $1.68M in operational costs and $121.5M in capital grants and subsidies as follows:

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<tr>
<th>Area</th>
<th>Budget</th>
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<td>Operating:</td>
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<tr>
<td>• Municipal Infrastructure and Waste</td>
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<td>Management</td>
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<td>• Industrial Water</td>
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<td>Grants:</td>
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<tr>
<td>Grants &amp; Subsidies</td>
<td>$121,500,000</td>
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<td>Total</td>
<td>$ 123,183,000</td>
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</table>
Programs and Services

- Municipal Capital Works
- Multi-Year Capital Works
- New Building Canada Fund (2014-2023)
- Waste Management
- Industrial Water
Municipal Capital Works Program (MCW) funding for pan-provincial cost-shared municipal infrastructure projects

Provides the opportunity to develop and improve services for residents and support the long-term sustainability, growth and development of communities

Eligible funding is allocated based on the following ratios:
- 90/10 for populations less than 3,000
- 80/20 for populations between 3,000 and 7,000
- 70/30 for populations greater than 7,000

Typical projects include water and wastewater treatment, roads, recreational facilities, etc.

Applications can be submitted by towns, regions, local service districts, or Inuit Community Governments
Multi-Year Capital Works Program (MYCW) allows larger municipalities avail of three-year blocks of funding which supports improved planning and scheduling of work of larger-scale projects.

Funding allocated on a cost-share ratio providing better funding arrangements and improved financial support to allow municipalities to strengthen services and improve infrastructure throughout the province.

Typical projects eligible for MYCW funding are water and/or sewer, solid waste management, paving and/or road construction, municipal buildings and recreation.
The Building Canada Fund Program (BCF) is administrated by the Municipal Infrastructure and Engineering Services Branch.

The BCF Program funded 98 municipal infrastructure projects valued at $339M.

Federal funding covers one-third of eligible project costs.

Most projects are completed – those that are not must be 100% completed by March 31, 2016 based on current federal/provincial agreement.

A request has been made to Infrastructure Canada to extend completion date for three projects to October 2016.
The New Building Canada Program has the following components:
  - National Infrastructure Component (NIC)
  - Provincial Territorial Infrastructure Component (PTIC)
  - Small Communities Fund (PTIC-SCF)
  - P3 (Public Private Partnership-PPP)

Federal funding covers one-third of eligible project costs

Municipal contribution is same (10%, 20% or 30%) for projects funded under the MCW and MYCW programs as it is under the BCF

Approximately 80 applications for NL were received for the PTIC and PTIC-SCF components

In November 2015, a list of proposed projects was forwarded to Infrastructure Canada for consideration
Programs and Services: Waste Management

- Responsible for implementation of the Provincial Solid Waste Management Strategy
- Four Overall Objectives:
  1. 50% Waste Diversion by 2015 (extended to 2025)
  2. 80% Reduction in waste disposal sites
  3. Eliminate burning of waste through open burning/teepee incinerators
  4. Province-wide modern waste management system by 2020 (Composting extended to 2025)
- Capital investment has totaled $161M with an additional $65M committed for 2015 – 2020
Programs and Services: Industrial Water

- Department operates and maintains six industrial water supplies in the province: Ramea, Comfort Cove, Dildo, New Harbour, Trinity Bay North (Port Union), and Fermeuse

- Water systems to be upgraded to transfer ownership and responsibility to the respective communities (this has been communicated to communities)
Key Issues, Challenges and Opportunities

• Accurate cash flow monitoring and execution of projects as department is not the owner/manager of the projects

• Challenge to recruit and retain qualified technical staff

• Direction on scope of MCW program for 2016-17 (application deadline November 30, 2015)

• Direction on scope of new BCF funding (provincial share)
Thank You

Questions/Discussion
Overview

• Divisional Mandate
• Division
• Map of Regions
• Management and Staff/Budget
• Regional Offices
• Programs and Services
• Key Issues, Challenges and Opportunities
Divisional Mandate

• Regional Operations Division is responsible for the provision of ongoing support and advice on local government issues including the administration of municipal infrastructure projects.

• Regional offices serve as the primary contact between the department and local governments. Regional directors, managers and staff are often the face of the department with local governments in the province.

• Clients include 271 municipalities, 172 local service districts (LSDs) and five Inuit Community Governments.
Division

- The Regional Operations Division has four regional offices located in:
  - St. John’s
  - Gander
  - Corner Brook
  - Happy Valley – Goose Bay

- Each regional office consists of a local government section and an engineering support section.
Map of Regions
Management and Staff/Budget: Eastern

Eastern Regional Office:
Current staff level - 21

- 1 Director
- 1 Regional Manager
- 3 Municipal Affairs Analyst
- 1 Regional Engineer
- 5 Engineer III
- 9 Design Approval Tech II
- 1 WPEO administrative staff

Division Operating Budget - $1,465,000
Central/Western/Labrador Regional Offices:
Current staff level - 25

- 1 Director
- 3 Regional Manager
- 4 Municipal Affairs Analyst
- 3 Regional Engineers
- 3 Engineer III
- 8 Design Approval Tech III
- 3 WPEO administrative staff

Division Operating Budget - $2,000,300
Regional Offices

**Eastern**
- 109 municipalities and 67 LSDs
- Population – 298,100
- Municipal budget revenue - $531,678,199
- 300 active municipal infrastructure projects
- Active municipal infrastructure projects value - $467,436,931

**Central/Western/Labrador**
- 169 municipalities and 110 LSDs
- Population – 198,747
- Municipal budget revenue - $177,673,166
- 297 active municipal infrastructure projects
- Active municipal infrastructure projects value - $259,335,583
Programs and Services: Support to Local Governments

- Financial Analysis: review and monitor municipal financial records
- Operational Analysis: review and monitor administrative practices and procedures
- Training: participate in design, development and facilitation of local government presentations and training
- Legislative Compliance: enforce the requirements of the Municipalities Act, 1999 and other provincial legislation
- Special Investigations: conduct special investigations on the financial, operational, and administrative activity of councils
- Conflict Resolution: meet with local government officials and other third parties on matters under dispute
Programs and Services: Municipal Engineering Support

- Ranking and assessment of cost shared municipal infrastructure project applications
- Review and approval of cost shared municipal infrastructure tender documents
- Review of request for proposals for projects and assisting in the selection and hiring of external consultants for cost shared municipal infrastructure
- Administration and monitoring of cost shared municipal infrastructure projects
- Recommending the release of provincial cost shared funding for cost shared infrastructure projects
- Assisting communities with applications and work under the Disaster Financial Assistance program when required
Key Issues, Challenges and Opportunities

• Key issues and challenges for the Regional Operations Division are:
  • Large number of communities
  • Aging infrastructure
  • New standards and regulatory requirements
  • Challenges with delivering local services
  • Aging and declining populations affecting ability to maintain stable government structures
  • Low participation in training opportunities (i.e. legislative amendments), which impacts operations and compliance
  • Ability to attract and retain engineering staff
• Potential opportunities include regionalization and sharing of services
Thank You

Questions/Discussion
Occupational Health and Safety Program

December 2015
The department’s OHS Program has the following 10 legislated components:

1. Leadership and Administration
2. Hazard Recognition, Evaluation and Control
4. Education and Training
5. Workplace Inspections
6. OHS Committees
7. Accident/Incident Investigations
8. Communication
9. Emergency Preparedness
10. Disability Management (HR)
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<th>Section</th>
<th>Item Description</th>
<th>Total Actual Score</th>
<th>Total Possible Score</th>
<th>Compliance %</th>
<th>Actual Compliance %</th>
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<td>Leadership and Administration</td>
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<td>2</td>
<td>Hazard Recognition, Evaluation and Control</td>
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<td>Safe Work Practices and Procedures</td>
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<td>100.00%</td>
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<td>Education &amp; Training</td>
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<td>100.00%</td>
<td>17.42</td>
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<td>5</td>
<td>Workplace Inspections</td>
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<td>Occupational Health and Safety Committee</td>
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<td>7</td>
<td>Accident / Incident Investigations</td>
<td>44.5</td>
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<td>Communication</td>
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<td>Emergency Preparedness / Response</td>
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<tr>
<td>Leadership and Administration:</td>
<td>Develop and implement a full occupational health and safety program including identifying a departmental lead</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Hazard Recognition, Evaluation and Control:</td>
<td>Train all employees to recognize hazards, formalize hazard reporting and assessment systems</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Safe Work Practices and Procedures:</td>
<td>Develop a plan for training all employees on applicable safe work practices and procedures as well as how all training is to be tracked.</td>
<td>SWP developed but staff not formally trained</td>
<td></td>
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<td></td>
<td>Develop and formalize safe work practices and procedures for the organization, especially for working alone.</td>
<td>Yes</td>
<td></td>
<td></td>
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<td>Education and Training:</td>
<td>Develop and implement an occupational health and safety orientation with standard information on the policies and procedures as well as site specific orientation.</td>
<td>Yes</td>
<td></td>
<td></td>
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<td>Workplace Inspections:</td>
<td>Ensure that inspection reports are being completed outlining the hazards noted during the inspection, the corrective action, person responsible and date completed in order to follow up and track hazards.</td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Occupational Health and Safety Committee:</td>
<td>Train all OHS Committee members on basic ergonomic principles and accident/incident investigations</td>
<td>Ergonomics: Yes Investigations: No</td>
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<tr>
<td>Accident/Incident Investigations:</td>
<td>Develop a standard procedures to use when conducting accident/incident investigations.</td>
<td>No</td>
<td></td>
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<tr>
<td>Communication:</td>
<td>Management should be discussing and documenting health and safety issues and information on a regular basis.</td>
<td>Partial</td>
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<tr>
<td></td>
<td>Include ergonomics as part of your discussions on health and safety information.</td>
<td></td>
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<td></td>
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<tr>
<td>Emergency Preparedness/Response:</td>
<td>Ensure that all employees have been trained in the emergency response plan for the department.</td>
<td>Yes</td>
<td></td>
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</tr>
</tbody>
</table>
Leadership and Administration

Audit: Develop and implement a full occupational health and safety program including identifying a departmental lead.

Action:
1. Developed an OHS Program in 2013 with a review scheduled for 2016: Posted the OHS Policy Statement in all worksites.
2. Shared electronic copy of the Department’s OHS Program with all employees.
3. Identified an in-house OHS coordinator to collaborate with HR and Workplace NL in the delivery of the OHS program.
4. Requested a second OHS audit for January 2016 (Workplace NL).
Hazard Assessment and Safe Work Practices

1. **Hazard Assessments** identify occupational risks associated with position classifications.

   **Audit 2011:** Train all employees to recognize hazards, formalize hazard reporting and assessment systems.

   **Action:**
   - Trained municipal affairs staff (2014) and crown lands staff (2015) in how to complete a hazard assessment.
   - Created a Master HA Inventory for all position classifications.

2. **Safe Work Practices** are developed based on HA findings.

   **Audit 2011:** Develop a plan for training all employees on applicable safe work practices and procedures, and track training.

   **Action:**
   - Formal consultation (2016) with staff on existing safe work practices and procedures that are relevant to their position classification with a view to tailor safe work practices to hazard assessment findings.
Education and Training

Audit 2011: Develop and implement an occupational health and safety orientation.

Action:

• Orient new hires to OHS Program on the first day.
• In fiscal 2015, 45 staff received (or are scheduled to receive) OHS based training. Twenty eight staff are waitlisted.
• There are numerous free workshops offered by Worksite NL which are not tracked by the OHS coordinator as staff self register.
Communications

Audit 2011: Management to discuss and document health and safety issues and information on a regular basis.

**Action:**

- Share monthly OHS communications with all staff such as training opportunities and OHS updates.
- OHS is item #1 on the agenda of monthly divisional meetings.
- OHS meeting minutes are posted on OHS boards and OHS committees have been requested to email minutes to their staff.
Workplace Inspections:

Audit 2011: Completed inspection reports outlining the hazards, the corrective action, the person responsible and the date completed.

Action:
- Standardized inspection reports to meet the above recommendation

Accidents and Incident Investigation:

Audit 2011: Develop a standard procedures to use when conducting accident/incident investigations.

Action:
- Outlined procedures for conducting investigations in the OHS Program
- There are no recorded accidents or incidents in fiscal 2015-16
- Quarterly monitoring of SNL orders. There were no orders in 2015-16 fiscal year.
Committees

- The department has the appropriate “committee or designates” for each work site based on the number of employees. Four sites have committees and five sites have a delegate identified.
- All five committees are in good standing with Workplace NL (meetings held and minutes posted).

**Audit 2011**: Train all OHS Committee members on basic ergonomic principles and accident/incident investigations

**Action**:  
- Notified all staff and committees of the Workplace NL ergonomic hazard training. Attendance was not tracked.  
- *No notification of training regarding accident/incident investigations.*
Emergency Preparedness:

Audit 2011: Train all employees in the emergency response plan for the department.

Actions:

- Ensured Emergency Response Plan for all worksites 7/9 worksites have ERP. The coordinator is working with the remaining two sites to develop a plan
  - Howley Building, St. John’s
  - 221B Memorial Drive, Clarenville

Disability Management:

- Disability Management is the responsibility of Human Resources
Thank You

Questions/Discussion
Title: Wastewater Issues

Issue: To provide an overview of wastewater issues in the province.

Background and Current Status:
- In July 2012, the Wastewater Systems Effluent Regulations (WSER) came into effect to address untreated or undertreated sewage being discharged into receiving waters. The WSER are federal regulations established under the federal Fisheries Act that set mandatory minimum effluent quality standards that can be achieved through secondary wastewater treatment. Requirements for monitoring, record-keeping, reporting and toxicity testing are specified in the regulations.

- The WSER apply to any outfall with an average daily volume of effluent of 100 cubic meters/day or more (equates to the discharge for about 294 people). Wastewater systems with effluent volumes less than this threshold are exempt from the regulations. Wastewater systems located in the far north (Nunavut, the Northwest Territories); north of 54th parallel in Quebec; and the communities of Nain, Natuashish, Hopedale, Makkovik, Postville, and Rigolet north of 54th parallel in Newfoundland and Labrador are also exempt from the regulations.

- The WSER are now law and municipalities must adhere to them. If municipalities are non-compliant, they are subject to prosecution under the Fisheries Act and may not qualify for future federal cost shared funding under the various federal/provincial infrastructure programs including the new Building Canada Fund.

- Environment Canada (EC) has proposed that provincial/territorial regulators (ENVC) administer the new regulation on behalf of EC and have indicated that they are prepared to cover any incremental administrative costs for the provincial/territorial body including the requirement for additional staff.

- Most of the municipalities impacted by the new regulations are just beginning to register their systems and collect the necessary effluent information required by EC. MA is assisting many of the smaller municipalities in assessing whether their systems are exempt under the new regulations and if they are not exempt, providing guidance on registering their systems. Those that are not exempt will be required to provide regular effluent monitoring data to EC.

- A circular was issued by MA to all communities on May 6, 2014 regarding the WSER, submitting outfalls reports, and registration with EC.

Analysis
- The Province has communicated to the Federal Government that federal initiatives should not force the provinces to divert funding from their provincial priorities. The Federal Government has not committed any new capital funding specifically towards implementation
of the WSER at this time, although Building Canada Funds, including Gas Tax Funds, can be used for such projects.

- At the Feb 17, 2009 meeting of the Canadian Council of Ministers of Environment, Newfoundland and Labrador did not sign or endorse the Canada Wide Strategy for the Management of Municipal Wastewater Effluent (MWWE). At that time, the full implementation cost of the strategy for NL was not well understood but roughly estimated at approximately $2.5 billion over 30 years. Nationally, the cost was approximately $13 billion. These numbers were based on an earlier version of the proposed regulations which established the compliance threshold at 10 cubic meters per day (since changed to 100 cubic meters per day). With no commitment of additional funding from the Federal Government to help address the projected infrastructure deficit, Newfoundland and Labrador did not sign the MWWE Strategy.

- Both Quebec and Nunavut are also non-signatories. Quebec has not signed on due to the MWWE being a national strategy and Nunavut because most of its communities are under the referenced threshold.

- The full cost to the Province of implementing the strategy is still not well known since very limited data exist with respect to municipal wastewater systems. Only after municipalities have registered their systems and have collected 12 to 18 months of flow and effluent data, will officials be able to provide an order of magnitude cost covering the implementation period out to 2040. **Section 29(1)(a)**

- In Newfoundland and Labrador, there are approximately 765 sewer outfalls. Municipalities have provided MA with reports associated with 496 these outfalls. Reports associated with the remaining 269 have not been submitted. Out of the submitted 494 outfalls, 385 outfalls do not require registration, 111 outfalls require registration with EC. As of November 25, 2015, 33 outfalls have been registered with EC. Many of the wastewater systems in NL are relatively small given 89% of the municipalities in the province have less than 1,000 residents.

- There are 40 public wastewater outfalls located in 27 communities (servicing approximately 63,071 people) that discharge to a freshwater body. Of these 40 outfalls, 25 (serviced population of approximately 56,984) are discharging wastewater that has been treated by either a primary or secondary wastewater treatment plant. The remaining 15 outfalls (serviced population of approximately 6087) are discharging raw wastewater.

- During the Federal Election in 2015, the federal Liberal Party committed to funding the federal portion of the proposed secondary wastewater treatment project for the City of St. John’s and has planned a national $60 billion infrastructure plan that will include municipal wastewater infrastructure.

- The Province (ENVC) is still reviewing the proposed administration agreements. **Section 29(1)(a)**

- Cabinet approval will be
required before the Province enters into any discussions with the Federal Government on administrative agreements.

- MA estimates the value of wastewater work completed by the department in 2014-15 and 2015-16 to be $49.3M.

**Action Being Taken:**

- MA has been in contact with communities and will continue to partner with municipalities for wastewater projects under the various municipal infrastructure programs including the Federal Gas Tax program, and will assist them in working towards compliance with the regulations.

- As part of the Community Sustainability Partnership, a regional water and wastewater operator pilot project has been implemented in the Eastern, Central and Western regions. Over a 3.5 year period, beginning October 1, 2015, to March 31, 2019, Government will invest approximately $1 million to provide funding for the Eastern, Central and Western Regional Service Boards to hire regional water/wastewater operators. These operators will work with a pilot group of communities in each region to address water and wastewater infrastructure operations and monitoring challenges. Recruitment has been completed with operators engaged in the Eastern and Western regions while the operator for the Central region is set to start on January 2, 2016.

- The regional water/wastewater operators will assist participating communities with wastewater systems do the following:
  - Determine if they need to register their systems under the new federal waste water regulations;
  - Complete the registration process should registration be required; and
  - Set up a flow monitoring and sampling program.

- MA will continue to work with Provincial Government departments and the Federal Government to ensure that NL receives funding for provincial infrastructure priorities.

**Prepared by / Approved by:** E. Khan/I. Duffett/C. Mercer/J. Chippett

**December 10, 2015**

**Annexes:**

A- Numbers of sewage outfalls (updated November 26, 2015)

B- List of communities, based on reports submitted, that do not require sewage outfall registration with EC (updated November 26, 2015)

C- List of communities, based on reports submitted, that are required to register with EC and have registered outfalls (updated November 26, 2015)

D- List of communities, based on reports submitted, that are required to register with EC and have not registered outfalls (updated November 26, 2015)

E- List of communities that have not submitted any sewage outfall reports yet (updated November 26, 2015)
Annex A

Numbers of sewage outfalls (updated November 26, 2015)

- 765 total outfalls
- 496 outfall reports submitted
- 269 outfalls with no reports submitted
- 385 outfalls do not require registration
- 111 outfalls require registration
- 33 outfalls registered with Environment Canada
Annex B

List of communities, based on reports submitted, that do not require sewage outfall registration with EC (updated November 26, 2015)

<table>
<thead>
<tr>
<th>Eastern Region</th>
<th>Central Region</th>
<th>Western Region</th>
<th>Labrador Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay L’Argent</td>
<td>Beachside</td>
<td>Anchor Point</td>
<td>Hopedale (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Come by Chance</td>
<td>Benton</td>
<td>Burgeo*</td>
<td>Makkovik (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Ferryland</td>
<td>Brighton</td>
<td>Daniel’s Harbour</td>
<td>Nain (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Hant’s Harbour</td>
<td>Burlington*</td>
<td>Englee*</td>
<td>Natuashish (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Harbour Main-Chapel’s Cove-Lakeview</td>
<td>Campbellton</td>
<td>Gilliams</td>
<td>Postville (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Heart’s Desire*</td>
<td>Carmanville</td>
<td>Goose Cove East</td>
<td>Red Bay</td>
</tr>
<tr>
<td>Lawn</td>
<td>Cottlesville*</td>
<td>Isle aux Morts</td>
<td>Rigolet (above the 54&lt;sup&gt;th&lt;/sup&gt; parallel)</td>
</tr>
<tr>
<td>Lewin’s Cove*</td>
<td>Dover*</td>
<td>Jackson’s Arm</td>
<td>St. Lewis</td>
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<tr>
<td>Musgravetown</td>
<td>Eastport</td>
<td>McIvers</td>
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<td>New Perlican</td>
<td>Fleur de Lys</td>
<td>Parson’s Pond</td>
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<td>Fogo Island</td>
<td>Ramea</td>
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<td>Port Blandford</td>
<td>Greenspond</td>
<td>Roddickton-Bide Arm*</td>
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<tr>
<td>South River</td>
<td>Happy Adventure*</td>
<td>Rose Blanche-Harbour Le Cou</td>
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<tr>
<td>St. Mary’s</td>
<td>Hare Bay*</td>
<td>St. Pauls</td>
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<tr>
<td>Sunnyside (T.B.)</td>
<td>Hermitage</td>
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<td>Terrenceville</td>
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<td>Trinity</td>
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<td>Little Bay</td>
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<td>Little Burnt Bay</td>
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<td>Lushes Bight-Beaumont-Beaumont North</td>
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<td>Miles Cove</td>
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<td>Ming’s Bight*</td>
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<td>Pacquet</td>
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<td></td>
<td>Peterview*</td>
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<td>Pilley’s Island</td>
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<tr>
<td></td>
<td>Recontre East</td>
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<tr>
<td></td>
<td>Seal Cove (WB)*</td>
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<tr>
<td></td>
<td>South Brook</td>
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<td></td>
<td>St. Jacques-Coomb’s Cove</td>
<td></td>
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<tr>
<td></td>
<td>Summerford*</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Westport*</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodstock</td>
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</tbody>
</table>

*Community has a discrepancy in ENVC number of sewage outfalls and number of submitted sewage outfalls. Therefore they may be missing a report on some outfalls and it cannot be known for sure that they will not require registration until the number of outfalls is confirmed.
Annex C

List of communities, based on reports submitted, that are required to register with EC and have registered outfalls (updated November 26, 2015)

### Eastern Region

<table>
<thead>
<tr>
<th>Community</th>
<th>Outfall Count</th>
<th># Outfalls Requiring Registration</th>
<th># Outfalls Registered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ENVC Community</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brigus</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Carbonear**</td>
<td>7</td>
<td>6</td>
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</tr>
<tr>
<td>Grand Bank**</td>
<td>8</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Portugal Cove-St. Phillips</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Red Harbour</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>St. John’s</td>
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<td>Unknown</td>
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<tr>
<td>Torbay</td>
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<tr>
<td>Victoria</td>
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### Central Region

<table>
<thead>
<tr>
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<th>Outfall Count</th>
<th># Outfalls Requiring Registration</th>
<th># Outfalls Registered</th>
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<td>ENVC Community</td>
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</tr>
<tr>
<td>Baie Verte</td>
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<td>3</td>
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</tr>
<tr>
<td>Gander</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Grand Falls – Windsor</td>
<td>1</td>
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<td>1</td>
</tr>
<tr>
<td>Springdale</td>
<td>6</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Twillingate</td>
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### Western Region

<table>
<thead>
<tr>
<th>Community</th>
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<th># Outfalls Requiring Registration</th>
<th># Outfalls Registered</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>ENVC Community</td>
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<td></td>
</tr>
<tr>
<td>Corner Brook</td>
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<td>Cow Head</td>
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<td>1</td>
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</tr>
<tr>
<td>Port Saunders</td>
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</tr>
<tr>
<td>Stephenville</td>
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### Labrador Region

<table>
<thead>
<tr>
<th>Community</th>
<th>Outfall Count</th>
<th># Outfalls Requiring Registration</th>
<th># Outfalls Registered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ENVC Community</td>
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</tr>
<tr>
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<td>1</td>
</tr>
<tr>
<td>Labrador City</td>
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</tr>
<tr>
<td>Wabush</td>
<td>3</td>
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<td>2</td>
</tr>
<tr>
<td>Springdale</td>
<td>6</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Twillingate</td>
<td>16</td>
<td>16</td>
<td>2</td>
</tr>
</tbody>
</table>

**Community has a discrepancy in ENVC number of sewage outfalls and number of submitted sewage outfalls. Therefore they may be missing a report on some outfalls and it cannot be known for sure that all their outfalls are properly registered until the number of outfalls is confirmed.**
Annex D
List of communities, based on reports submitted, that are required to register with EC and have not registered outfalls (updated November 26, 2015)

### Eastern Region

<table>
<thead>
<tr>
<th>Community</th>
<th>Outfall Count</th>
<th># Outfalls Requiring Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnold’s Cove</td>
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<tr>
<td>Bay Roberts***</td>
<td>3 ENVC 2 Community</td>
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</tr>
<tr>
<td>Bay de Verde</td>
<td>1 ENVC 1 Community</td>
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</tr>
<tr>
<td>Clarenville***</td>
<td>7 ENVC 8 Community</td>
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<tr>
<td>Clarke’s Beach</td>
<td>1 ENVC 1 Community</td>
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</tr>
<tr>
<td>Cupids</td>
<td>1 ENVC 1 Community</td>
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<tr>
<td>Harbour Grace***</td>
<td>14 ENVC 13 Community</td>
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<tr>
<td>Norman’s Cove-Long Cove</td>
<td>2 ENVC 2 Community</td>
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</tr>
<tr>
<td>Old Perlican</td>
<td>1 ENVC 1 Community</td>
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</tr>
<tr>
<td>Petty Harbour-Maddox Cove</td>
<td>2 ENVC 2 Community</td>
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<tr>
<td>Placentia (1 Placentia and 1 Dunville)***</td>
<td>32 ENVC 25 Community</td>
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<tr>
<td>Southern Harbour</td>
<td>2 ENVC 2 Community</td>
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<tr>
<td>St. Lawrence</td>
<td>10 ENVC 10 Community</td>
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<tr>
<td>Trinity Bay North***</td>
<td>10 ENVC 8 Community</td>
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<tr>
<td>Wabana</td>
<td>3 ENVC 3 Community</td>
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<tr>
<td>Whitbourne</td>
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<tr>
<td>Winterton</td>
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### Central Region

<table>
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<tr>
<th>Community</th>
<th>Outfall Count</th>
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<tbody>
<tr>
<td>Badger</td>
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<tr>
<td>Bishop’s Falls</td>
<td>6 ENVC 6 Community</td>
<td>5</td>
</tr>
<tr>
<td>Botwood</td>
<td>11 ENVC 11 Community</td>
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<tr>
<td>Buchans</td>
<td>3 ENVC 3 Community</td>
<td>1</td>
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<tr>
<td>Centreville-Wareham-Trinity</td>
<td>2 ENVC 2 Community</td>
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<td>Comfort Cove-Newstead</td>
<td>1 ENVC 1 Community</td>
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<tr>
<td>Embree</td>
<td>3 ENVC 3 Community</td>
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<tr>
<td>Gambo</td>
<td>5 ENVC 5 Community</td>
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<td>Glovertown***</td>
<td>16 ENVC 11 Community</td>
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<td>Harbour Breton</td>
<td>15 ENVC 15 Community</td>
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<td>Lewisporte</td>
<td>18 ENVC 18 Community</td>
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<tr>
<td>Middle Arm</td>
<td>1 ENVC 1 Community</td>
<td>1</td>
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<tr>
<td>Musgrave Harbour***</td>
<td>5 ENVC 1 Community</td>
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<tr>
<td>Norris Arm</td>
<td>1 ENVC 1 Community</td>
<td>1</td>
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<tr>
<td>Point Leamington***</td>
<td>3 ENVC 1 Community</td>
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<tr>
<td>Robert’s Arm</td>
<td>1 ENVC 1 Community</td>
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<tr>
<td>St. Alban’s</td>
<td>1 ENVC 1 Community</td>
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### Western Region

<table>
<thead>
<tr>
<th>Community</th>
<th>Outfall Count</th>
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<tbody>
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<td>Burnt Islands</td>
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<tr>
<td>Channel-Port aux Basques***</td>
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<td>Cox’s Cove</td>
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<td>Humber Arm South</td>
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<tr>
<td>Irishtown-Summerside***</td>
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<td>Main Brook***</td>
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<tr>
<td>Mount Moriah</td>
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<tr>
<td>Norris Point</td>
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<tr>
<td>Pasadena</td>
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<tr>
<td>Port au Choix</td>
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<td>Rocky Harbour</td>
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<td>St. George’s</td>
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<td>Steadybrook</td>
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<tr>
<td>Stephenville Crossing</td>
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<td>Trout River</td>
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### Labrador Region

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<tr>
<th>Community</th>
<th>Outfall Count</th>
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</thead>
<tbody>
<tr>
<td>North West River</td>
<td>1</td>
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</table>

***Community has a discrepancy in ENVC number of sewage outfalls and number of submitted sewage outfalls. Therefore they may be missing a report on some outfalls and it cannot be known for sure if they have more outfalls that are required to be registered until the number of outfalls is confirmed.
Annex E

List of communities that have not submitted any sewage outfall reports yet (updated November 26, 2015)

<table>
<thead>
<tr>
<th>Eastern Region</th>
<th>Central Region</th>
<th>Western Region</th>
<th>Labrador Region</th>
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<tbody>
<tr>
<td>Bonavista</td>
<td>Belleoram</td>
<td>Bird Cove</td>
<td>Cartwright</td>
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<td>Burin</td>
<td>Birchy Bay</td>
<td>Hampden</td>
<td>Charlottetown</td>
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<tr>
<td>Conception Bay South</td>
<td>Brent’s Cove</td>
<td>Hawke’s Bay</td>
<td>Forteau</td>
</tr>
<tr>
<td>Elliston</td>
<td>Conne River</td>
<td>Meadows</td>
<td>Happy Valley-Goose Bay</td>
</tr>
<tr>
<td>Fermeuse</td>
<td>Crow Head</td>
<td>St. Anthony</td>
<td>L’Anse au Clair</td>
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<tr>
<td>Fortune</td>
<td>Deadman’s Bay</td>
<td>St. Lunaire-Griquet</td>
<td>L’Anse au Loup</td>
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<td>Fox Harbour</td>
<td>Gaultois</td>
<td>Woody Point</td>
<td>Mary’s Harbour</td>
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<td>Garnish</td>
<td>Glenwood</td>
<td></td>
<td>Pensons Arm</td>
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<tr>
<td>Grand Le Pierre</td>
<td>King’s Point</td>
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<td>Port Hope Simpson</td>
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<td>Green’s Harbour</td>
<td>La Scie</td>
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<td>Sheshatshui</td>
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<tr>
<td>Heart’s Content</td>
<td>Little Bay Islands</td>
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<td>West St. Modeste</td>
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<tr>
<td>Heart’s Delight-Islington</td>
<td>Milltown-Head of Bay D’Espoir</td>
<td></td>
<td>William’s Harbour</td>
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<tr>
<td>Holyrood</td>
<td>New-Wes-Valley</td>
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<td>Lamaline</td>
<td>Nippers Harbour</td>
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<tr>
<td>Little Bay East</td>
<td>Port Anson</td>
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<td>Little St. Lawrence</td>
<td>Sandringham</td>
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<tr>
<td>Marystown</td>
<td>Seal Cove (FB)</td>
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<tr>
<td>Paradise</td>
<td>Traytown</td>
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<tr>
<td>Point May</td>
<td>Triton</td>
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<tr>
<td>Pouch Cove</td>
<td>Virgin Arm-Carter’s Cove</td>
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<tr>
<td>Salmon Cove</td>
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<tr>
<td>Spaniard’s Bay</td>
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</tr>
<tr>
<td>St. Bernard’s-Jacques Fontaine</td>
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<tr>
<td>Trepassey</td>
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<tr>
<td>Upper Island Cove</td>
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<tr>
<td>Whiteway</td>
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Information Note
Department of Municipal Affairs

Title: Community Relocation Overview

Issue: To provide an overview of the Community Relocation Policy and active files.

Section 27(1)(i), Section 27(2)(a)

Background and Current Status:

- The Community Relocation Policy (the policy) enabling permanent residents and eligible property owners of remote communities to request financial assistance from government to relocate to another community. The policy was revised in March 2013 to increase the permanent residential property owner financial assistance amounts and remove the ability of commercial property owners to vote on whether the community should relocate.

Section 27(1)(i), Section 27(2)(a)

- Budget 2013 announced the increase in financial assistance under the policy. Eligible permanent resident property owners can now receive $250,000, $260,000 or $270,000 depending on household composition (prior to this increase, the financial assistance available ranged from $80,000 to $100,000).

- As per the policy, government will only provide relocation financial assistance when the following conditions are met:
  1. A vote on relocation demonstrates that ninety per cent or more of the voting aged permanent residents of the community wish to relocate;
  2. The total cost of relocation assistance plus residential essential services for permanent residents who may choose to remain in the community does not exceed the cost savings to government to deliver services to the community for a twenty-year period. This cost recovery requirement can be waived in situations where continued occupation of a community presents significant health and safety concerns; and
  3. Ninety per cent or more of the permanent residential property owners sign government’s conditional offers to purchase their properties and transfer title to the department.

- The department has five active relocation files. The status of each of these files is as follows:

1. Round Harbour

- Round Harbour is located in the Central region. This community requested relocation financial assistance in 2010 and, as such, have been assessed as per the original 2009 policy.

- Eligible permanent residential and commercial property owners recently voted on the question of relocation and demonstrated 100% support. Based on this level of support, the Department of Municipal Affairs (MA) requested government approval of the relocation and the required relocation financial assistance funds. Government approved both requests.
• MA, in consultation with the Department of Justice and Public Safety (JPS), has drafted a letter to go from the minister to the eligible permanent residential and commercial property owners regarding legal representation and required documentation associated with the conditional offers to purchase their properties, which are to be issued in the coming months.

2. **Little Bay Islands**

• Little Bay Islands is located in the Central region. The community requested relocation financial assistance in 2013.

• The community's cost-benefit analysis showed approximately $3M in savings over 20 years, and it has been publicly provided to those who requested it.

• Vote ballots were recently returned from eligible permanent residents on the question of relocation demonstrating 89.47% support for relocation. Due to the marginal difference between the result and the 90% threshold, it has been publicly communicated that next steps will be considered after the election. A separate briefing note on the Little Bay Islands relocation process has been prepared.

• Determinations on commercial property ownership for this community are currently being finalized.

• Little Bay Islands has an active and vocal group of seasonal residents (as well as some permanent residents) who are opposed to the relocation, particularly the possible removal of government services, such as power generation and the ferry service. Seasonal residents are not eligible to vote on relocation.

3. **Nipper's Harbour**

• Nipper’s Harbour is located in the Central region. The community requested relocation financial assistance in 2013.

• The cost-benefit analysis for Nipper’s Harbour did not support relocation. However, a request from the community was received and subsequently approved by the Government to offer reduced relocation financial assistance in order to achieve cost neutrality.

• Expressions of interest ballots, with no set return deadline, have been sent to the community for distribution to eligible permanent residents to ascertain the level of support for the reduced financial offer. MA awaits the return of the expression of interest ballots to ascertain the level of support.

4. **Snook’s Arm**

• Snook’s Arm is located in the Central region. The community requested relocation financial assistance in 2013.
• The community’s cost-benefit analysis is currently being finalized. The savings related to the Department of Transportation and Works for Snook’s Arm is dependent on Round Harbour agreeing to relocate, due to shared road infrastructure.

• Once a determination is made regarding commercial property ownership, the Municipal Assessment Agency (MAA) will need to visit the community and undertake property assessments. It is anticipated that once commissioned, the MAA should be able to undertake their work within a two week timeframe, weather permitting.

5. William’s Harbour

• William’s Harbour is located in Labrador. The community requested relocation financial assistance in 2013.

• Following the approval of their cost-benefit analysis, MA sent vote ballots to eligible permanent residents, which were returned by August 31, 2015. The returned ballots indicated that 96% of the community supported relocation. MA is finalizing determinations on commercial property ownership.

• Two families that were initially determined by MA, and subsequently confirmed by the independent reviewer, to be non-resident property owners have engaged a lawyer and have filed judicial review applications.

• Following a preliminary hearing to set filing and hearing dates, MA has been advised that affidavits and written arguments will be filed by both parties in January and February 2016, with no hearing date yet to be set.

[Section 30(1)(b)]

Analysis and Action Being Taken:

• In light of the department’s experience with these five relocation files and feedback received from the communities and other stakeholders, department officials are currently reviewing the policy for potential amendments. Upon completion of the review, your direction will be sought on the desired next steps.

Prepared by/Approved by: A. Morgans/ H. Tizzard/J. Chippett
December 10, 2015
Information Note
Department of Municipal Affairs

Title: Witless Bay Municipal Plan

Issue: Status of a new municipal plan for the Town of Witless Bay.

Background and Current Status:
• The Town of Witless Bay (town) initiated a review of its municipal plan in June 2012.

• Part III of the Urban and Rural Planning Act, 2000 (Act) outlines the mandatory process that a council must undertake in order to implement a new municipal plan. The major steps are:
  o Council drafts a municipal plan for review by the Department of Municipal Affairs (MA) with respect to any provincial government or agency interests;
  o MA may recommend the Council make changes to the draft municipal plan to accommodate provincial interests.
  o Council formally adopts the draft municipal plan, and then appoints a commissioner, independent of council, to hold a public hearing and hear objections and submissions in relation to the adopted municipal plan;
  o The commissioner provides council with a report that outlines the matters that arose as a result of the public hearing and make recommendations to the council on those matters;
  o As per the Act, council must then either formally “approve” or “withdraw” the municipal plan; council can only “approve” a modified municipal plan (i.e. changes made to the version the commissioner consulted on) based on their consideration of the commissioner’s report, which may include acceptance of changes recommended by the commissioner, or may also include changes council feels are warranted based on discussion/content of the commissioner’s report; and
  o Submit the plan to the minister to be registered if it complies with law and policies of government.

• In May 2013, the Town of Witless Bay submitted a draft municipal plan to MA for review under authority of section 15 of the Act. It was reviewed and comments were subsequently provided to the council by MA.

• The municipal general election was held in September 2013, during which only one former councillor was re-elected.

• The new council that was elected in 2013 developed a new draft municipal plan in May 2014.

• MA reviewed the May 2014 draft of the municipal plan and formally released it from the provincial review process required by Section 15 of the Act.

• Council formally “adopted” the May 2014 draft of the municipal plan on July 8, 2014.
• As required by the *Act*, council appointed a commissioner to convene a public hearing to hear objections and submissions in relation to council’s adopted municipal plan; that public hearing took place in Witless Bay on August 7, 2014.

• The commissioner submitted his report to council in September 2014, and recommended that council approve the municipal plan as adopted (i.e., without further changes).

• While council adopted the commissioner’s report on September 9, 2014, it proceeded to approve amendments to the May 2014 plan, and “adopted” the amended plan in December 2014. In January 2015, the council requested that the minister register the December 2014 version of the municipal plan in accordance with his authority under the *Act*.

• MA, in consultation with the Department of Justice and Public Safety, determined that the changes made by council to the municipal plan subsequent to the commissioner’s hearing and report were not done in accordance with section 23 of the *Act*. In addition to the procedural errors noted above, MA was made aware of several conflict of interest allegations related to councilors voting on the municipal plan. As a result, the minister did not register that municipal plan.

• The minister wrote to the town on March 18, 2015 notifying the council that, for the reasons noted above, he was unable to register the municipal plan.

• In a letter to the town on June 9, 2015, council was directed to resolve the outstanding issues and finalize approval of a municipal plan by July 15, 2015. This did not occur.

• The department received numerous complaints from residents and developers regarding the delays in the approval of a new municipal plan.

• Given council’s inability to finalize a new municipal plan in light of continued allegations of conflict of interest, options were assessed as to how to provide residents with a new municipal plan.

• The minister chose to provide the residents of Witless Bay with the opportunity to select their preferred new municipal plan through a plebiscite and the minister would advance the plan voted by the residents through the steps under the *Act* to the point of registration.

• The minister met with council on August 31, 2015 and informed them he was going to exercise his authorities under the *Municipal Affairs Act* (re the plebiscite) and the *Urban and Rural Planning Act, 2000* (re advancement of a plan to registration) to approve a new municipal plan for the Town of Witless Bay. In order to provide residents with a distinct choice of planning approaches, the minister presented the May 2013 and December 2014 municipal plans in the plebiscite.

• The plebiscite was held on September 17th, 2015. The results were: 331 votes for the May 2013 plan, 142 votes for the December 2014 plan, and one spoiled ballot.
• The minister ordered council to adopt the plan by noon on October 2\textsuperscript{nd}, 2015, pursuant to his authority under section 103(1) of the \textit{Act}.

• This deadline was not met. As such, the minister sent a letter to council on October 5\textsuperscript{th}, 2015, advising that he had adopted the plan as per sections 103(2) and 16 of the \textit{Act}, and to proceed to advance the plan through the remaining steps of the process under the \textit{Act} as if he was council, as outlined in section 26 of the \textit{Act}.

• The minister appointed Mr. Wayne Thistle to be commissioner and he held the public hearing as required by the \textit{Act} on October 20\textsuperscript{th}, 2015.

• The department received in excess of 400 submissions from the public prior to the public hearing. Many submissions, both in support of and opposed to the plan selected through the plebiscite were form letters. All of the submissions were provided to the commissioner prior to the hearing.

• The commissioner notified the department that a further number of written submissions and oral presentations were made at the public hearing.

\textbf{Analysis/Action Being Taken:}

• When the minister met with council on August 31, 2015 to outline his intentions, the mayor expressed a preference for the vote to be on issues within the plan versus on a choice of plans; however the general approach to a plebiscite was positively received by the majority of council. The majority of council supported voting on which plan to pursue for registration.

• Based on response to the commissioner’s hearing, it appears that public interest in this issue is primarily focused on whether or not further development would be allowed in the Ragged Beach area of the town.

• The department is awaiting the report of the commissioner, which may recommend approval, modification or rejection of the plan.

• The department’s contract with the commissioner requires that he submit his final report to the department by December 15, 2015.

• Mr. Ed Vickers, a resident of Witless Bay, filed an Originating Application with the Supreme Court of NL seeking an order to halt or overturn the minister’s actions taken to advance the municipal plan in the name of the council. A hearing of the application took place at the Supreme Court of NL, Trial Division, on December 14, 2015. A decision was issued from the bench (no written decision anticipated) refusing Mr. Vickers’ injunction application. The judge clarified that his decision was on the injunction application only, not the underlying hearing of the merits, which will be heard on February 17, 2016, following the registration of
the plan. The judge acknowledged that the hearing of the merits would be more appropriate in February as it was expected that the plan would be registered at that point.

Prepared by/Approved by: C. Davis/P. Howe/J. Chippett
December 14, 2015
Title: Humber Valley Regional Plan

Issue: To provide an update on the draft regional plan for the Humber Valley Region.

Background and Current Status:
- The *Urban and Rural Planning Act, 2000 (Act)* provides for regional land use plans to guide development and land use from a provincial and regional policy perspective.

- The boundaries for the Humber Valley Region (region) were established by Order (NLR 54/07) and include the following seven municipalities: Corner Brook, Massey Drive, Steady Brook, Pasadena, Deer Lake, Reidville and Cormack.

- The seven municipalities agreed to participate in preparing a regional plan on a cost-shared basis with the Department of Municipal Affairs (MA), where MA is responsible for 80%, and the remaining 20% is the responsibility of the municipalities, paid on a per capital share.

- The Humber Valley Regional Planning Advisory Authority (HVRPAA) was established pursuant to section 9 of the *Act* to oversee the public consultation and development of the regional plan. Then Minister of MA appointed an independent chair, Dr. Don Downer.

- The HVRPAA engaged a consultant, CBCL Limited, to prepare the plan. A draft plan was submitted for consideration of government in the winter of 2011.

- In 2011, government authorized MA to respond to the HVRPAA on behalf of government to address a number of concerns and recommended changes to the plan. The authorization included the Department of Natural Resources’ (NR) stipulation that the plan not impede mineral exploration and development within municipal water supply areas.

- On May 25, 2015, Dr. Downer, on behalf of the HVRPAA, wrote the minister indicating acceptance of all but one of the GNL changes. HVRPAA recommended that the minister adopt the final draft regional plan and appoint a commissioner to undertake the statutory public hearing(s) in accordance with section 16 of the *Act*.

Plan Policy 2.3.1 explicitly excludes NR’s requirement to allow mineral exploration and development within municipal water supply areas.

Analysis:
- NR provided the following comments on the proposed Plan Policy 2.3.1 prohibition:
  - Mineral exploration is carefully regulated and all exploration approvals are referred to the Water Resources Management Division, Department of Environment and Conservation, who are the experts in whether any specific activity might adversely impact water supply.
    - Section 29(1)(a)
Mineral and hydrocarbon exploration may be subject to the Environmental Assessment (EA) process; if triggered, the EA process would help determine if a proposed activity is in the broader interests of the region or the province.

- Under the Act, the minister is the authority for the regional plan; the HVRPAA does not have authority to veto GNL recommendations regarding content of the plan.

- The next stages include ministerial adoption of the plan for the purposes of appointing the commissioner and initiating the public hearing.
Action Being Taken:
- The minister will be briefed on the status of the regional plan.

Prepared by/Approved by: A. Myers and C. Davis / P. Howe / J. Chippett
December 10, 2015
Information Note
Department of Municipal Affairs

Title: Crown Lands Options to Purchase for Municipalities

Issue: To provide an overview of the current Crown lands acquisition options available to
municipalities in consideration of the Newfoundland and Labrador Liberal party platform
commitment to explore new tenure options.

Background and Current Status:

- Some stakeholders, including Municipalities Newfoundland and Labrador (MNL), have
asserted that the cost and risk involved in purchasing Crown lands constrains municipal
development and that land transfer options other than those currently available may be
preferable.

- The Newfoundland and Labrador Liberal party platform document contained a
commitment to work with MNL to review how Crown land is sold. It states that land
transfer options currently not available for municipalities, such as long-term leasing and
lease-to-own arrangements, will be discussed.

Since 1996, government has had a Market Value Pricing (MVP) policy in place, meaning that the value of Crown lands is determined by comparable land sales in comparable areas. However, market value for grants issued pursuant to commercial leases only has been in place since 1986.

- The 1996 MVP policy allowed applicants to pay 20% of the market value annually over 5
years which constituted a lease-to-buy arrangement until such time as the full amount
was paid and the Crown grant was issued.

- In Budget 2004, government introduced changes to the policy, fees and service charges
related to allocation of Crown lands. One of these changes was the elimination of the
five-year lease / grant buy-out option for commercial, residential or recreational cottage
development in favour of a 100% upfront payment for a Crown lands grant.

- Payment for Crown lands grants must be made in full within 90 days of the department
receiving the signed grant documents from the applicant, with potential for a 90 day
extension upon request and approval.

- Under the Community Sustainability Partnership (CSP) announced in Budget 2015,
government committed to utilizing provisions under Section 8 of the Lands Act to create
reserves, upon approval of the municipalities’ application, for the purpose of assisting
municipalities in acquiring Crown lands at market value to expedite development.

- The reserve option allows the municipality to reserve an area of Crown lands over a five-
year term and to purchase parcels of land within the reserve area at market value for
development as demand and finances warrant. Conditions are also set to allow the
municipality five years to acquire the land after which time any land not purchased would
become once again available to other interests. Municipalities still have to apply to purchase a parcel within the reserve, but the application process will be expedited and will not require further referral to other departments once the initial application for reserve has been approved.

- Municipalities may access Crown lands without cost for certain municipal infrastructure, such as roads and water and sewer works. In addition, no cost is charged for Crown lands under Section 9 of the Lands Act when used for municipal buildings and municipal recreation parks. Over the past ten years 144 hectares of land has been granted in this manner. Market value is only charged to municipalities for the development of Crown lands for non-municipal uses such as residential lots and commercial development.

- Municipalities exercise control over all land, including Crown lands, within municipal boundaries through individual Municipal Plans adopted under the Urban and Rural Planning Act. These Municipal Plans authorize municipalities to establish land using zoning and subdivision development regulations. Not all municipalities have registered municipal plans in place.

Analysis:

- Section 29(1)(a)

- Section 29(1)(a)

- Section 29(1)(a)

- There have been few applications for Crown lands from municipalities over the past decade in comparison to the total number of applications received by the department. Between 2004 and 2014, there were approximately 36,500 applications in total, with less than 400 received from municipalities. Of these applications, approximately 250 were advanced for consideration (the remainder being either cancelled by the municipality or incomplete). These include applications for all purposes (residential lot development, municipal buildings, recreational parks, etc).

Action Being Taken:

- Brief Minister on current policies around pricing and Crown lands reserves and additional options as outlined in the Liberal platform.
• Scope of consultations will need to be determined and appropriate consultation/communications planning done accordingly.

• A Cabinet paper will be drafted as required and advanced for consideration.

Prepared by / Approved by:  D. Moore & T. Kelly/P. Howe & D. Spurrell/J. Chippett

December 10, 2015
Information Note
Department of Municipal Affairs

Title: Asset Management Framework

Issue: To inform on the Asset Management submission to Infrastructure Canada and potential for this process to assist in implementing the Newfoundland and Labrador Liberal party platform commitment to develop a strategic plan for addressing the infrastructure gap in the province.

Background and Current Status:
- There are 276 municipalities (including five Inuit Community Governments and three Cities) in NL, with populations ranging from five to over 106,000 residents. The Province does not currently have a complete registry of the asset management approaches that are being used by these municipalities.

- Under the Federal Gas Tax Agreement (Agreement), which is administered by the Department of Municipal Affairs (MA), Newfoundland and Labrador (NL) is required to present to Canada a detailed plan of the capacity building initiatives it proposes to take on behalf of local governments. For the 2014-19 Agreement, capacity building focuses on asset management.

- As per the Agreement, NL must develop a template and/or guidelines for local governments’ use in making improvements to their asset management, including the development and implementation of Asset Management Plans.

- There is a wide range in the sizes of municipalities, the services delivered, and the infrastructure required to deliver those services and, as such, the need for and type of asset management approach varies.

- The development of appropriate guidelines must consider these differences and a thorough assessment of asset management approaches and/or asset management gaps is a critical precursor to the development of such guidelines. Guidelines should reflect the different asset management requirements of each municipality, but must also promote consistency and good asset management practices, while considering the capacity challenges (financial and human resources) that face municipalities.

- The objective is to develop an Asset Management Framework by March 31, 2018, subject to availability of adequate resources, timely participation of necessary stakeholders, and minimal changes to the local governance landscape in the province.

- The first phase in developing the Framework involves research and assessment of current approaches. Work to be completed between April 1, 2015 and March 31, 2017 focuses on
assessment of current asset management practices in NL as well as a jurisdictionary research and identification of best practices. More specifically:

- Development of a questionnaire for municipalities to help provide government a better understanding of asset management approaches currently used within NL municipalities;
- Consultation with municipalities and provision of guidance/assistance with completion of the questionnaire;
- Drafting of a report summarizing responses to questionnaires, including identification of groupings of municipalities with similar asset management approaches and requirements/challenges and opportunities for delivery of services through shared infrastructure;
- Research of best practices in asset management (including processes, technology and human and working capital) and identification of practices that can be applied by NL municipalities; and
- Development of a position description and recruitment process to facilitate recruitment of qualified candidate to coordinate the asset management work.

- The second phase of developing the Framework will take place between April 1, 2017 and March 31, 2018 and involves determining the appropriate components to be included. The Framework may include the following considerations:
  - Asset management standards;
  - Data collection standards;
  - Infrastructure and community location;
  - Community populations;
  - Asset management software;
  - Asset condition standards;
  - Reporting processes and standards;
  - Best practices; and
  - Regional/shared infrastructure.

- Upon completion of the Asset Management Framework, NL will prepare and submit a plan to Infrastructure Canada (INFC) for continuation of the initiative for the period following March 31, 2018.

- Funding for the development of the Framework will be sourced from interest earned on unspent federal gas tax funds provided to the Province and unspent funds allocated for administration of the Gas Tax Program, which are available under the Agreement for purposes of Capacity Building, subject to approval of INFC.

- Total funding available as approved by INFC is $665,750 and will cover the salary of one employee (to be recruited during 2015/16), administration costs, and consultation costs, as follows:
  - $50,000 for the period April 1, 2015 – March 31, 2016;
  - $307,875 for the period April 1, 2016 – March 31, 2017; and
  - $307,875 for the period April 1, 2017 – March 31, 2018.
• The Outcomes Report due March 31, 2018, will include a report summarizing the work completed during this three year period and the progress made on improving local government planning and asset management.

• MA officials have discussed the draft proposal with Municipalities Newfoundland and Labrador and officials at the City of Mount Pearl and the Town of Paradise and all were supportive of the proposed approach.

Action Being Taken:
• A draft proposal was submitted to INFC, and feedback was provided to MA officials in November, 2015. The proposal has been revised and is with executive for final review.

• Further consultations with stakeholders on the proposal are appropriate in light of the Newfoundland and Labrador Liberal party platform commitment to developing a strategic plan for addressing the infrastructure gap in the province.

Prepared by / Approved by:  S. Jones/ H. Tizzard & C. Mercer/J. Chippett
December 10, 2015
Information Note
Department of Municipal Affairs

Title: Crown Lands-Agriculture Development

Issue: To provide an overview of the allocation of Crown lands for agriculture purposes and to identify efficiencies and opportunities for the agricultural sector in light of the Newfoundland and Labrador Liberal party platform commitments.

Background and Current Status:

- The Newfoundland and Labrador Liberal party platform document committed to working with farmers to make more Crown land available for agricultural uses (implement a land registry, review options to put idle land into farm production and simplify applications for Crown lands).

- The Forestry and Agrifoods Agency (FAA) has determined that 0.9% of the total mineral soils in the Province are capable of sustaining commercial scale agricultural operations for food production.

- The Lands Branch in this department is responsible for the management and allocation of the Province’s Crown lands resource in accordance with the Lands Act.

- The Branch administers a number of policies related to the development of Crown lands for agricultural purposes. For example:
  - Crown lands can be issued for agricultural purposes as short- (15 years) or long- (50 years) term leases at a rate of $4 per hectare per year.
  - Licences to Occupy (LTOs) Crown lands can be issued on a short term (5 year) basis for home gardening up to a maximum area of 0.186 hectares at an annual rental rate of $25 plus H.S.T.
  - Crown lands grants for agricultural lands are currently not permitted. Grants for non-farm related buildings such as a residence can be permitted for established farmers that meet the criteria set by the FAA and Lands Branch joint policy. In addition, the area severed from the agricultural lease must be approved by all government departments/external agencies. The parcels severed for residences are subject to the payment of market value for the lands.
  - Agriculture land reserves are permitted, subject to submission and approval of a Crown lands application. These allow existing or potential farmers to reserve Crown lands for up to five years for future expansion. Only commercial or potential commercial farmers, as determined by the FAA, are eligible for a reserve.

- In February 2015, the Department of Municipal Affairs (MA) initiated a comprehensive review of the Lands Act and its service delivery model. In June 2015, a “What We Heard” document was released that included input from the public and key stakeholder groups, including the agriculture sector. In particular with regards to allocation of agricultural lands, examples of some of the comments received were:
  - The amount of time it takes to acquire leases is excessive.
- Crown lands grants would be preferable to lease options.
- Government should designate/plan agriculture lands and give priority for development of farming.

- The Lands Branch has had a very preliminary discussion with FAA officials regarding the Lands Act review recommendations. A number of recommendations in the report should expedite the process for the submission and approval of Crown lands applications, including:
  - Triaging Crown lands applications based on pre-set parameters or categories;
  - Enhancing internal business processes for applications; and
  - Increasing public availability of land use information through the Land Use Atlas.

- As the first phase of identifying and securing Crown lands for future agriculture expansion, FAA has identified 65 Areas of Interest (AOIs), some 74,000 hectares throughout the Province, based on soil capability, proximity to existing agricultural operations and the need for additional agricultural lands.

- The AOIs have been circulated through the Inter-Departmental Land Use Committee (ILUC) and have now been included on the Provincial Land Use Atlas (LUA).

Analysis:

- The inclusion of the AOI's on the LUA is meant to ensure appropriate consultation with FAA on applications for Crown lands inside these areas by informing Crown lands staff of these areas.

- The LUA can currently only be accessed within government; however, Lands Branch is working with the Office of the Chief Information Officer to advance a project to create a public version, as recommended and accepted as part of the Lands Act Review.

- Agricultural development in the province falls under the mandate of FAA.

- FAA were consulted on the development of this note and indicated that they were in agreement with the content.

Action Being Taken:

- The Lands Branch will continue to consult with and support FAA on developing more efficient policies for the acquisition of Crown lands for agriculture development and expansion.

- The comments provided during the Lands Act review process will be assessed in conjunction with FAA to ensure they are in the best interest of the agricultural industry.

- The FAA will be consulted on all applications for Crown lands within the AOIs.

Prepared by / Approved by:  D. Moore & T. Kelly /P. Howe/J. Chippett

December 10, 2015
Information Note
Department of Municipal Affairs

Title: Community Sustainability Partnership Accountability Measures

Issue: To provide an overview of the accountability measures as announced under the Community Sustainability Partnership and the status of payments to municipalities required to meet these measures.

Background and Current Status:
- In Budget 2013, the two-year Provincial-Municipal Fiscal Framework Review was announced for the province, which included widespread consultations. The Department of Municipal Affairs (MA) gathered baseline data, conducted a jurisdictional review, explored revenue sources and made recommendations for a new framework.

- On April 29, 2015, the Provincial Government announced the outcome of the Provincial-Municipal Fiscal Framework Review: a new Community Sustainability Partnership (CSP) to enhance supports to communities, and strengthen the social and economic fabric of the Province’s regions.

- The CSP includes a broad range of initiatives benefitting communities, including: Harmonized Sales Tax (HST) rebates; sharing of provincial gasoline tax revenue (PGTR); commitment to maintain current levels of Municipal Operating Grants (MOGs) for the next three years; water and wastewater improvement supports; the creation of Crown land reserves; the development of a Provincial-Municipal Asset Management Framework; and new accountability measures such as tax receivables summaries (TRS), tax recovery plans (TRP) and maintaining own-source revenues.

- With the introduction of the new financial supports under the CSP and to maximize the benefits of this new funding to communities, government wanted to ensure that the new funding was incremental to and did not serve to replace municipalities’ own-source revenues.

- As a result, in order to access MOGs and PGTR, each municipality is now required to submit TRS to MA, along with a TRP. Based on the information submitted, and starting in 2016, municipalities will be expected to maintain own-source revenue levels on a per capita basis. These documents are to be submitted in addition to the normally required municipal budget and audited financial statement (FS).

- In addition, certain communities have been identified as pilot communities for the water and wastewater initiative. Participation is a compliance criterion for receipt of MOG payments and share of PGTR effective April 2016.

- On May 29, 2015, letters were mailed to each individual municipality informing them of the new accountability measures and associated deadlines. On August 11, 2015, an
accountability measures information package including the TRS template, TRP guidelines and checklist, applicable contact information and an annex informing of process for submission of required documentation was mailed to municipalities, shared with Regional office staff and posted on the MA website.

- On October 21, 2015, an email was sent by Municipal Finance officials to regional office staff providing further information on own-source revenues to help assist municipalities prepare their 2016 municipal budgets. As of October 26, 2015, Municipal Finance staff started contacting municipalities with outstanding documentation to offer guidance in completing the TRS template and the TRP.

**Analysis:**

- Municipal Finance has identified two components of the TRS and TRP that many municipalities have consistently excluded. They are: absence of a measurable objective in the TRP and the total taxes receivable on the TRS has not been reconciled to the audited FS. The absence of these components is related to the learning curve associated with the new accountability measures. On November 3, 2015, an email was sent to all municipalities providing an example of a measurable objective for the TRP and reminding them of the compliance criteria required for payment of MOGs and the PGTR.

- One-on-one support is being provided by municipal finance officials to assist with proper preparation of the required documentation. Contact has been made with 264 municipalities. Multiple attempts have been made to contact the remaining 12 municipalities and a list has been provided to the Regional Offices in the event regional office staff are contacted by the municipalities. In addition, Municipal Finance officials attended the Professional Municipal Administrators Avalon regional meeting on November 20, 2015, to provide guidance on completion of TRS and TRP.

- As of December 14, 2015, 132 of 269 municipalities (seven of the largest municipalities do not receive MOG funding as they receive multi-year infrastructure grants) have met the combined minimum requirements (TRS, TRP and audited financial statements) and are eligible for payment of MOGs.

- For comparison purposes, noting that the only requirement to access MOGs in 2014 was the submission of an audited financial statement, as of November 30, 2014 there were 246 MOG payments issued. As of November 30, 2015 (using April and October allocations for comparative purposes, there are 170 payments issued; a difference of 76 payments. As a result, MA’s current MOG October 2015 payment process is slightly delayed due to those municipal submissions not meeting minimum requirements and the requirement to re-submit documents. Municipalities have been cooperative and there has not been any negative correspondence or media coverage related to the delay.

- Preparation for the new PGTR placed the preliminary payments estimate at 276 payments to municipalities. As of December 14, 2015, 133 (of 276) municipalities have received payments. This payment number is increasing on a daily basis as municipal submissions are assessed and approved.
Action Being Taken:
• Municipal Finance officials will continue to work with municipalities on a one-on-one basis to facilitate compliance with the accountability measures and finalize the payments of MOGs and PGTR.

December 14, 2015
Information Note
Department of Municipal Affairs

Title: Real Property Assessments and Special Purpose Properties

Issue: To provide an overview of real property assessments and special purpose properties in light of the commitment made in the Newfoundland and Labrador Liberal Party’s Five Point Plan regarding an immediate review of the Assessment Act, 2006.

Background and Current Status:

Real Property Assessments

- Municipal councils have the discretionary legislative authority to charge real property tax to property owners in their community in order to raise required local revenue. If it is decided by a municipal council to utilize real property tax, then property assessments must be undertaken in accordance with the requirements of the Assessment Act, 2006.

- The Municipal Assessment Agency (MAA) provides independent property assessments throughout Newfoundland and Labrador. All municipalities, with the exception of the City of St. John’s (city), who charge property tax are required to use the MAA for property assessments. The MAA is financially self-sustaining based on its fee for services. The current fee is $28 per each property assessed within a municipality. At present, 226 municipalities have imposed a real property tax and the MAA provides these municipalities with their assessed real property values.

- The MAA is incorporated as per the Corporations Act and is governed by its own Board of Directors. The board includes eight municipal representatives, six of whom are elected by municipal clients of the MAA, two taxpayer representatives and a representative from each of Municipalities Newfoundland and Labrador (MNL) and Professional Municipal Administrators. The list of current MAA board members is attached as Annex A.

- The Assessment Act, 2006 governs property assessments that are undertaken by both the City and the MAA. Property assessments are conducted by the City and the MAA using one of the following two methods:

  (1) Fair market value method: In this method, real property is assessed at fair market value. In doing so, an assessor shall have regard to the assessment of other properties in the municipality to ensure that taxation is being undertaken in a uniform manner.

  (2) Reproduction cost method: This method is used for special purpose properties, which are properties not assessed on their market value, but rather on their specific reproduction cost, less depreciation. The reproduction cost methodology was introduced into the legislation in 2006 as a result of an assessment appeal by the owners of the Labatt Brewery to deal with properties with little or no market data, either because the properties rarely change hands or because it is difficult to estimate their income-generation potential.
• The assessed value as of (or as close as possible to) January 2014 is the basis for the most recent notice of assessments received by property owners in the province that will take effect on January 1, 2016. Re-assessments are undertaken every three years.

• The Liberal Party’s Five Point Plan committed to an immediate review of the Assessment Act, 2006, in partnership with the MAA and MNL, that will address the timing of assessments, assessment criteria and implementation of the associated mill rate. Special purpose properties may also be included in the review process.

Special Purpose Properties

• The Special Purpose Properties Regulations came into effect in December 2012 following a need for greater legislative clarity in response to a 2011 Supreme Court judgment which declared that: "the current legislative scheme for the classification and identification of special purpose properties is vague and inherently discriminatory." The Regulations sought to provide clearer, more consistent application of property assessments for special purpose properties throughout the province by allowing the Lieutenant-Governor in Council to make regulations that would prescribe what properties would be identified as special purpose properties and assessed by the reproduction cost methodology. The Regulations identified 617 properties as special purpose properties across the province.

• Both the MAA and the City provided a listing to the Department of Municipal Affairs of specific properties within their respective jurisdictions that should be identified as special purpose, based on the general principle that these properties were identified as having insufficient market data to determine a defendable market value assessment. Some of the specific factors considered by the MAA and the City in this identification process included whether the property: (i) has been designed and built for a specific purpose/use; (ii) has been constructed using special materials; (iii) is still being used for its designed purpose/use; (iv) has a potential alternative purpose/use and considering the cost of conversion; (v) could be assessed using market data from a comparable property; and (vi) has any restrictions (e.g., zoning, legal) on its permitted purpose/use.

• In a recent March 2015 Supreme Court decision, the judge determined that the Special Purpose Properties Regulations is ultra vires (i.e., beyond the powers of) the Assessment Act, 2006. As such, the Regulations are of no force and effect.

• It was ruled that the Regulations could lead to arbitrary and unequal treatment of property owners who are placed on the list which have characteristics similar to properties not on the list and thus discriminate between similar properties.

• The 2015 Supreme Court decision has effectively struck down the special purpose property provisions of the Assessment Act, 2006. In the absence of legislative amendments being made, all special purpose properties will now have to be assessed using the fair market value methodology for the upcoming January 1, 2016 assessments.

• MAA’s website notes that there are three internationally accepted methods of measuring the fair market value of property: (1) the Cost Approach; (2) the Sales Comparison approach; and (3) the Income Approach. Depending on the nature of the property being valued, one or more of the approaches may be used by the assessor. The Cost Approach is best suited to
value special purpose buildings that rarely, if ever, sell in the marketplace and which do not generate rental income to its owners.

- The Cost Approach begins by establishing the value of the land on which the building sits, using sales of similar lands. To the land value is added the replacement cost of the buildings, less depreciation. In determining the replacement cost of a building the assessor considers such factors as age, size, condition, quality of construction and other features that influence value.

**Analysis and Action Being Taken:**

- Initial discussions have occurred with the MAA, the City, the St. John’s Board of Trade and the St. John’s International Airport regarding special purpose properties.

- In accordance with the commitment made in the Newfoundland and Labrador Liberal Party’s Five Point Plan, department officials are positioned to commence a review of the *Assessment Act, 2006.*

- Feedback received from municipalities regarding the 2016 assessment values for special purpose properties and potential budgetary impact will be monitored and analyzed.

- Based on this feedback and the recent 2015 Supreme Court decision, department officials will identify potential options for your consideration. It is noted, however, that any potential legislative changes will not be possible prior to the January 1, 2016 assessment effective date.

**Prepared by/Approved by:** A. Morgans/ H. Tizzard/J. Chippett  
**December 10, 2015**

Annex A  
MAA Board of Directors
## Annex A
### MAA Board of Directors

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
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<tbody>
<tr>
<td>Chairperson</td>
<td>Mayor Dean Ball</td>
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<td>Vice-Chairperson</td>
<td>Mayor Betty Moore</td>
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<td>Municipal Representatives</td>
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<td>Avalon</td>
<td>Mayor Betty Moore</td>
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<td>Clarke's Beach</td>
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<td>Central</td>
<td>Mayor Robert Hobbs</td>
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<td>Bishop's Falls</td>
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<td>Eastern</td>
<td>Mayor Paul Pike</td>
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<td>Labrador</td>
<td>Councillor Deb Barney</td>
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<td>L'Anse au Loup</td>
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<td>Councillor Peggy Roche</td>
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<tr>
<td>Western</td>
<td>Mayor Dean Ball</td>
</tr>
<tr>
<td></td>
<td>Deer Lake</td>
</tr>
<tr>
<td>Taxpayer Representatives</td>
<td>Mr. David Blundon</td>
</tr>
<tr>
<td></td>
<td>Gander</td>
</tr>
<tr>
<td></td>
<td>Mr. David Denine</td>
</tr>
<tr>
<td></td>
<td>Mount Pearl</td>
</tr>
<tr>
<td>MNL Representative</td>
<td>Vacant</td>
</tr>
<tr>
<td>PMA Representative</td>
<td>Ms. Vida Greening</td>
</tr>
<tr>
<td></td>
<td>Eastern Director, PMA</td>
</tr>
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<td>Port Blandford</td>
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Information Note  
Department of Municipal Affairs  

Title: Budget Summary for the Department of Municipal Affairs (MA)  

Issue: To provide an overview of MA’s budget and budget pressures.  

Background and Current Status:  
Departmental Budget  
- The 2015-16 budget for Municipal and Intergovernmental Affairs is $245,292,700 (gross).  
  - Approximately $227.8M or 92.9% is budgeted for financial assistance to municipalities through such programs as financial support for municipal infrastructure development, gas tax, municipal operating grants, employment support and special assistance.  
  - A total of $15M is directed to expenditures in salaries and operating costs to deliver programs and services ($2.5M is directed to expenditures under Intergovernmental Affairs).  
  - The department’s 2015-16 budget includes federal revenues of $35.4M and provincial revenues of $6.6M, resulting in net provincial expenditures of $203.3M.  
  - With the removal of Intergovernmental Affairs, MA now has four lines of business: local governance and support; municipal infrastructure and engineering services; lands; and employment support. The following table identifies the programming and budgets associated with the five lines of business, and executive and support services as well:  

<table>
<thead>
<tr>
<th>Lines of Business/Other</th>
<th>Related Programs</th>
<th>Budget (Gross)</th>
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<tbody>
<tr>
<td>Local Governance and Support</td>
<td>Regional Support</td>
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<td></td>
<td>Municipal Finance</td>
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<td></td>
<td>Local Governance</td>
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<td></td>
<td>Municipal Debt Servicing</td>
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<tr>
<td></td>
<td>Municipal Debt Servicing – Principal</td>
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<tr>
<td></td>
<td>Municipal Operating Grants</td>
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<td></td>
<td>Special Assistance</td>
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</tr>
<tr>
<td></td>
<td>Provincial Gas Tax Revenue Sharing</td>
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<tr>
<td></td>
<td></td>
<td>$3,550,000</td>
</tr>
<tr>
<td>Municipal Infrastructure and Engineering Services</td>
<td>Municipal Infrastructure &amp; Waste Management</td>
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<tr>
<td></td>
<td>Industrial Water Services</td>
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<tr>
<td></td>
<td>Municipal Infrastructure</td>
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</tr>
<tr>
<td></td>
<td>Federal/Provincial Infrastructure Programs</td>
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<td></td>
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<tr>
<td>Lands</td>
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</tr>
<tr>
<td></td>
<td>Land Management &amp; Development</td>
<td>$992,000</td>
</tr>
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</table>
Analysis:

Budget Pressures:

- While MA staff provide a high level program oversight of projects, they are not directly involved in the day-to-day activities associated with the project and have little influence on the timelines over which a municipality completes a project. As a result, MA has to primarily rely on cash flow projection information provided by municipalities and consultants. Municipalities typically hire a consultant to manage projects when the engineering capacity does not exist within the municipality.

- While there is likely sufficient carry-over in Gas Tax funding to support the 2015-16 MCW requirements, the provincial commitment is historically $20M annually for the MCW program. The cash flow associated with the program is generally expended over three years. In budget 2014, $60M was provided for the annual MCW program for 2014-15, 2015-16 and 2016-17.
However, due to the significant amount requested from the small communities, the MCW program in 2014-15 and 2015-16 has exceeded $20M per year ($29.1M in 2014-15 and $23.5M so far in 2015-16). In addition, $7M has been used to cover emergency projects and cost overruns over the past two years. As a result, the $60M available under the commitment authority has been disbursed.

- The department issued a call to small communities for applications for a 2016-17 MCW program in early September 2015. The deadline for communities to submit applications was November 30, 2015. In response, MA received 368 applications valued at approximately $293M.

**Action Being Taken:**
- Based on information gathered from municipalities, engineering consultants and internal staff, MA will do a cash flow projection on a monthly basis beginning in September of each fiscal year for each individual project. Information such as: actual expenditure to date; whether a project has progressed to the tender or construction phase; whether a project can be completed during the winter season; and past performance of the consulting and construction sectors in completing work, are considered in completing cash flow projections for anticipated expenditure through to the end of March. With over 700 projects, even a modest variance on each project can amount to a significant amount.

- **MA staff will endeavor to gain as much knowledge related to the progress of each individual project as current resources will allow.**

**Prepared by/Approved by:** R. Hayes and C. Orsborn/ D. Spurrell, H. Tizzard, C. Mercer, P. Howe / J. Chippett

**December 14, 2015**
Information Note
Department of Municipal Affairs

Title: Lands Act Review

Issue: To provide an update on the Lands Act review and recommendations.

Background and Current Status:

- In February 2015, the Department of Municipal Affairs (MA) initiated a comprehensive review of the Lands Act. The Act has not been formally reviewed in its entirety since its enactment in 1992.

- The purpose of the review was to modernize the Act and make the Crown lands application process simpler and the service delivery model more effective.

- A review committee was established comprised of three individuals, independent of the Lands Branch, with expertise in law, policy and business process review. Additionally, an advisory committee was created to support and advise the review committee, and act as a conduit for the Law Society's input into the review process (ADM of Lands; solicitor from the Department of Justice and Public Safety (JPS); Director of Communications; and two Law Society representatives).

- An important aspect of the review process was consultation with the people of Newfoundland and Labrador and stakeholders. Public sessions were held in eight communities across the province from March 19 to April 7, 2015. The communities included Marytown, Harbour Breton, Grand Falls-Windsor, Corner Brook, St. Anthony, Happy Valley-Goose Bay, Labrador City and St. John's. There were 173 participants across the province.

- A “What We Heard” document containing feedback from the public and key stakeholder sessions was posted on the Lands Act Review website on June 10, 2015.

- The review committee submitted its report for the minister's consideration on July 31, 2015, with a revised report on August 31, 2015, following discussions and clarification with the department.


- Two additional recommendations were proposed by MA, in addition to the 134 contained in the report.
• The report was released on October 28, 2015. A copy of the report is attached. The then minister noted nearly all recommendations were accepted by the Government of NL.

Analysis:

• The 83 policy/business process recommendations vary in complexity from updating Crown lands application forms to ceasing public access to the Crown lands titles vault and providing access to records electronically. The department has begun implementing some of these process recommendations and anticipates that many can be completed within the next several months. Others are more involved and impact other departments. Therefore, discussions with those impacted will be required to inform the required processes to be in place, as well as to inform timeframes associated with their implementation.

• The policy/business process recommendations also vary in cost from conducting the land appraisal after the Crown lands application has been approved (no cost to implement) to higher costs such as providing the general public with access to the Land Use Atlas online. (Section 29(1)(a))

• The 51 legislative recommendations also range in scope from minor housekeeping items such as modifying definitions in the Act, to amending key provisions such as shoreline reservations (the requirement for a certain area of Crown lands surrounding a waterbody to be reserved) and adverse possession (squatter’s rights), which enables a person to obtain a Crown lands grant for land possessed between 1957 and 1977.

• In addition to the report’s 134 recommendations, the review committee noted that the consultation process raised matters outside the scope of the review and are broader issues requiring government’s consideration. The most significant was regarding a mandatory land registration/certified land titles systems (ability for government to guarantee title to private land ownership). Accordingly, the review committee suggested that government consider investigating, in consultation with other government departments and agencies, a phased-in approach for either a mandatory land registration system or a land titles system.

• There were other issues that arose during consultations that fell outside the scope of the review, including: development of a Provincial Land Use Plan; protection for agricultural land; and legislative protection for walking trails.

• Reaction to the report released on October 28, 2015 has been generally positive. The Law Society of Newfoundland and Labrador were supportive of the review, and in particular the proposed changes to adverse possession (“squatter’s rights”) and business process improvements.
Action Being Taken:
- Minister will be briefed on the specific direction related to legislative provisions and concurrence sought on proceeding with drafting as per decisions.

- Upon receipt of direction, engagement with Legislative Counsel and other required departments (JPS, Labrador and Aboriginal Affairs, etc.) will occur.

- MA is currently developing an implementation plan to identify those business process recommendations that are: short/medium/long-term to implement; potential costs associated with implementation; further involvement and consultation with other government departments and agencies; and further consultation with external stakeholders.

- Several recommendations have been already identified that can be immediately implemented as they have no financial, human resource or policy/procedural implications.

- A Deputy Ministers committee and a working group of senior management/executive officials (director level or above) will be established to provide input into the implementation of the recommendations.

- MA will discuss the issues that fall outside the review's scope with implicated departments, including: Business, Tourism, Culture, and Rural Development; Environment and Conservation; Fisheries and Aquaculture; Service NL; and JPS.

Prepared by/Approved by: P. Howe/J. Chippett
December 10, 2015
Lands Act Review

Final Report

Aug 2015

Review Committee:

Krista Connolly
Tracy Freeman
Paul Pope
The Review Committee would like to thank everyone who participated in this review. Especially for the assistance provided by solicitor, Jennifer Berlin, on the topics of Cabinet and ministerial authority, access to information and protection of privacy, abandoned lands and fencing. Patrick Cahill, a Memorial University student, also provided the Committee with much appreciated research support.

The Review Committee is also grateful for the support and guidance of the Advisory Committee. Specifically a very special thank you to:

Mr. Denis Barry, QC, Law Society Representative

Ms. Dianne Smith, QC, Law Society Representative

Mr. Herb Edwards, Solicitor, Justice and Public Safety

Mr. Peter Howe, Assistant Deputy Minister, Lands Branch, Municipal and Intergovernmental Affairs

Mr. Kevin Guest, Director of Communications, Municipal and Intergovernmental Affairs
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<td>89</td>
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1. Executive Summary

In February 2015, the Department of Municipal and Intergovernmental Affairs commenced a review of the Lands Act. A Review Committee was established comprising professionals with expertise in law, policy and business processes. An Advisory Committee was also formed to support the Review Committee and included representatives from the Law Society of Newfoundland and Labrador, the Department of Justice and Public Safety and the Department of Municipal and Intergovernmental Affairs.

The Terms of Reference for the Review Committee (see Annex A) required a comprehensive review of the Lands Act and its associated service delivery model. More specifically, the Review Committee was asked to:

- Identify ways to make the Act more user friendly
- Assess adverse possession, shoreline reservations and unauthorized occupation and possession in terms of effectiveness and efficiency
- Examine business processes and policies, referral and consultation processes, and information technologies that are intended to support the operations of the Act in terms of their necessity and efficiency

As part of the review an internal and external consultation process was carried out. Public consultations ran from March 12 to April 10, 2015 and included eight sessions held throughout the province. Over 173 participants attended the sessions with the greatest representation from municipal councils, the agricultural industry and the general public.

Interested participants who could not attend a session in person were encouraged to provide feedback via an online discussion guide or to provide written submissions by email or postal mail. The Review Committee received 20 responses to the online discussion guide as well as over 45 written submissions by email and postal mail. A What We Heard document was released on the Lands Act review website on June 10, 2015.
In addition to the public consultation process the Review Committee engaged internal government stakeholders, including Lands Branch staff, in order to gather a wide variety of feedback and perspectives regarding proposed changes to the *Lands Act* and its associated business processes.

The Review Committee also completed legislative and business process jurisdictional scans. The jurisdictions reviewed for the main topic areas included Nova Scotia, New Brunswick, Ontario, Manitoba, Saskatchewan and Alberta.

### 1.1 Business Process Recommendations

The Lands Branch experiences a high volume of Crown lands service needs. In 2013-14, the branch processed over 3,600 applications, issued 2,100 titles and responded to over 100,000 inquiries from the public. The time it takes from start to finish can vary from application to application based upon the level of review required. However, it is not uncommon for an application to take anywhere from 6 months to over a year. Some may take even longer. Some of the most common complaints heard during the consultation process were how difficult the process is to navigate and that the time it takes for an applicant to obtain Crown lands is too long.

In order to simplify the application process for applicants, the Lands Branch could develop a detailed application guide and checklist, provide more information online (e.g. Land Use Atlas, etc.) and no longer require applicants to have a Municipal Recommendation Form completed in advance by their municipal council. Instead, the Lands Branch would forward registered applications to municipal councils as part of the referral process.

Once an application is registered by the Lands Branch, the department then refers the application to several relevant departments for their assessment. This includes departments such as Environment and Conservation, Business, Tourism and Rural Development, Transportation and Works, Fisheries and Aquaculture, etc. This internal process significantly reduces the amount of red tape that the applicant has to go
through when obtaining Crown lands and as such it is recommended that the Lands Branch continue with this approach.

It is further recommended that the Lands Branch move from a paper based postal mail referral format to an electronic referral format. This should create time and administrative efficiencies for Lands Branch staff. In addition, the department should work with other relevant departments, agencies and municipalities to develop a referral protocol agreement and include in it a mandatory response time for departments and agencies to respond to referrals. The current response time is 30 days but could be reduced to a strict 21 days with a possible extension to a maximum of 30 days, if requested.

Also with respect to ensuring a simplified business process model for Lands Branch staff, the Branch should stop carrying out checks of surveys received from licensed professional surveyors. This is an unnecessary step in terms of application processing, it is extremely time consuming, and can result in back logs causing further delays in application processing.

Lastly, due to the historical nature of the original titles housed in the Titles vault, the vault should be closed to the public. Title information could be provided to the public online as well as at a work station at each regional office. In the case that the original documents cannot be scanned and need to be viewed in person, a staff person could retrieve the relevant file from the vault and provide oversight while the document is being viewed.

1.2 Legislative Recommendations

Below are legislative and additional business process recommendations organized by the various sections of the Act to which they pertain.

1.2.1 Adverse Possession

One of the specific objectives set out for the Review Committee was to assess the provisions of section 36 regarding adverse possession (commonly known as “squatters
rights"). Under this section of the Act, a person who can show possession of Crown lands (e.g. a person may have constructed a building, fenced or cleared the land, farmed or raised animals on the land) for the 20 years between January 1, 1957 and December 31, 1976 may be eligible for a Crown grant based on adverse possession or "squatters rights".

Throughout the consultation process significant feedback was received with respect to this section of the Act. However feedback varied widely from reinstating the ability for a person to claim adverse possession against the Crown to shutting it down completely and have no adverse possession against the Crown before or after 1976. In this regard, it is recommended that adverse possession remain abolished after 1976 but retain the 1957-76 exception. It is also recommended that the department issue quit claims instead of grants. A quit claim is a certificate stating that whatever interest the Crown has in the lands, it gives to the applicant. Unlike a grant, a quit claim is not a guarantee of title.

Further, under this recommendation the application process would also change such that the Lands Branch would now require an applicant to come forward with a lawyer's opinion as to the applicant's interest in the land as well as a survey of the land in question.

1.2.2 Shoreline Reservations

Another objective of the Terms of Reference was to assess section 7 regarding shoreline reservations. Under the Act, a 15 metre wide area of Crown lands surrounding a waterbody is to be reserved. However, a 10 metre wide reservation is required in certain instances, e.g. for residences. Further, there are several purposes identified in the Act for which title can be issued on the shoreline reservation, e.g. construction of boathouses and wharves.

To reduce the possible confusion of when a shoreline reservation is to be 10 metres versus 15 metres, it is recommended that the reservation area be 15 metres for freshwater and salt water bodies in all instances. This would mean that there would no
longer be a 10 metre reservation for specified circumstances. Current Crown titles would not be affected.

Currently, all applications for shoreline reservations require the approval of the Lieutenant-Governor in Council (i.e. Cabinet). The procedure that must be followed to receive this level of approval can result in lengthy processing times. It is recommended that the minister be given authority to approve routine shoreline reservation applications (e.g. boathouses, wharves, etc.) and to maintain Cabinet approval for other non-routine applications (e.g. intrusions on the reservation, aquaculture and industrial undertakings).

A further recommendation is to include an allowance for the construction of small boathouses and wharves within the conditions for any grants, leases and licences issued for residences and cottages that are adjacent to a shoreline reservation. This would be a very strict policy under which a boathouse or wharf could be constructed on the shoreline reservation without having to apply to Crown lands for a title document. (Note that the applicant may still have to check with the municipality or other agencies (e.g. Water Resources Division, Department of Fisheries and Oceans) whether a permit would be required under other legislation.)

With respect to the publication requirement for a notice of intent for shoreline reservation applications, it is recommended that applicants not be required to advertise in the Newfoundland and Labrador Gazette and newspapers. Instead, notices would be posted on the Crown lands website, at the physical location and, if required by the minister, in public places.

Lastly, better communication with the public is needed. The current website and information contained on it are not clear. The Lands Branch should look at different means to increase awareness of the responsibilities of the public regarding shoreline reservations and rights-of-way.
1.2.3 Unauthorized Occupation and Possession

There are several sections in the Act which address the occupation or possession of Crown lands without authorization to do so. The options currently available to the department are court orders for recovery of land; prosecution of offences; ministerial notices to remove unauthorized structures; and orders to stop fencing, building or clearing Crown lands without authority.

Rarely does the department go to court for an order to remove someone from the land or to prosecute someone for an offence. Removal notices and stop orders are used more frequently; however the current policy is to try and legalize the structure first.

The most common and consistent issue heard during the consultation process was that there is a lack of enforcement of the Lands Act. In this respect, it is recommended that the department take a focused and targeted approach to compliance and enforcement. Recognizing that there is a vast amount of Crown lands within the province, the Lands Branch should focus its efforts on prevention and management through a risk based approach. For example, the highest environmental and public safety risk would be addressed first.

In order to assist the Lands Branch with enforcement, a recommendation is to partner with other departments and agencies. Efficiencies could be gained if partnerships were formed with other departments such as Environment and Conservation and the Forestry and Agrifoods Agency with respect to enforcement.

Another issue heard during the consultation process is that the current fines do not serve as a deterrent. That is, the current fine of $1,000 (minimum) or three months in prison for an offence or $25 a day for failure to comply with a removal notice or a stop order, does not serve the purpose of a suitable deterrent. Therefore, it is recommended that the fines associated with enforcement of the Lands Act be increased.

Further, introducing ticketing and administrative penalty regimes could provide simpler means of dealing with offences rather than having to take a person to court.
Lastly, and as was the case with shoreline reservations, better communication with the public is needed. Cost effective strategies to increase awareness and educate the public should be explored.

1.2.4 Additional Recommendations

In addition to the recommendations outlined above regarding specific objectives set out in the Terms of Reference, further recommendations include:

   Free Grants

This section of the Act provides the ability to issue free grants for schools, churches, grave sites, municipal buildings and municipal recreation parks. It is recommended that this section be refocused solely on the purposes for which municipalities could apply for free grants. Under a revised section, municipalities could apply for free grants for the site of a municipal building, recreation park or for another purpose in the public interest, with the exception of economic development (i.e. commercial, industrial, subdivision or residential developments).

In addition, it is recommended that the Lands Branch develop and publicize a policy for cemeteries and for grants or leases to non-profit organizations that are either free or nominal value (i.e. for churches and other public purposes).

Lastly, schools should be removed from this list as the Department of Education can currently use section 54 to obtain property for schools, which is the same process currently used for hospitals.

   Abandoned Lands

Under the current Abandoned Lands Part of the Act, the Minister has the ability to take back granted Crown lands that have been abandoned for 20 years or more. However, a person can bring forth a claim to the land at any time in the future. It is recommended that this Part be removed from the Act and that the Expropriation Act be used to obtain the land for Crown purposes.
Minister versus Cabinet Authority

It is recommended that some of the provisions providing for ministerial or Cabinet approval be revised. For example, the size of land which can be granted under the minister's authority is to be increased from 20 hectares to 30 hectares.

Mandatory Land Registration

Although implementing a mandatory land registration system is outside the scope of the review it was heard in every consultation session and by multiple participants. As such, it is recommended that government investigate the appropriateness of moving toward a mandatory land registration system or even further towards a land titles system. This would have a significant impact on the administration of Crown lands.

Implementing the recommendations set out in this document will provide for a modernized Act with a simpler and more effective Crown lands service delivery model.
2. Summary of Recommendations

It is recommended that the Minister of Municipal and Intergovernmental Affairs, as the minister responsible for the Lands Branch:

Application Process

Application Preparation by the Applicant

1. Develop a simplified Crown lands application guide for distribution to applicants. The guide would be online and available in paper format.

2. Provide the general public with access to the Land Use Atlas online.

3. Provide a computer terminal at the front counter of each regional office that can be used by the public without Lands Branch staff supervision.


5. Minimize the information required for public notices that are published in newspapers pertaining to Crown lands applications (e.g. cottage lot draws).

6. Update the Crown Lands website with more detailed information and make it easier to navigate.

7. Update signage in the foyer of the Howley Building so that the general public can easily navigate to the Eastern regional front counter, the Titles vault and the mapping library.

8. Require applicants to submit GPS coordinates with their applications to aid Lands Branch staff and surveyors in land identification.

9. Provide a fillable PDF online application form for each Crown lands application.

10. Allow submission of Crown lands applications via email.
11. Investigate the possibility of providing a fully electronic Crown lands application process.

12. Investigate the ability of government’s online payment system to include payment of Crown lands application fees.

13. Investigate the possibility of developing an online tracking system for Crown lands applications to be accessed by applicants.

*Application Receipt and Review*

14. Post at the front counter of all Lands Branch regional offices an application checklist for each type of Crown lands application.

15. Triage Crown lands applications when registered based on pre-set parameters or categories.

16. Discontinue reactivation of cancelled Crown lands applications and require submission of a new application following a 60 day waiting period.

*Referrals*

17. Immediately begin the practice of electronically sending Crown lands application referrals and responses through email.

18. Investigate the possibility of giving referral departments access to the AMANDA (TRACTS) system to allow them to populate and update their responses.

19. Reduce the time limit given to referral departments and agencies to respond to a Crown lands referral request to 21 days.

20. Set the maximum time frame for a response to a Crown lands referral to 30 days if the referral department or agency has requested an extension. No response after 30 days will mean that the referral department or agency has no issue with the application.
21. Develop an electronic method of flagging referral responses that are due.

22. Discontinue the practice of requiring the applicant to include an approved Municipal Recommendation Form with a Crown lands application. Instead, include the Municipal Recommendation Form as part of the application referral process.

23. Consult with departments and agencies to initiate an internal review of the process followed by each of them regarding the Crown lands application process.

24. Develop a referral protocol agreement between the Lands Branch and referring departments, agencies and municipalities.


26. Conduct the land appraisal after the Crown lands application has been approved.

Survey

27. Discontinue regular survey checking by Lands Branch staff and begin spot checks of surveys.

28. Include an indemnity clause in the approval letter and title documents releasing government of any negative impacts resulting from a defective survey.

29. Determine if the higher survey standards required by the Lands Branch is the cause for the submission of defective surveys.

30. Revisit the purpose of having separate Crown lands survey standards if it is found that having surveyors adhere to the standards is the cause of survey errors.

31. Have the Survey Inspector II position report to a professional land surveyor registered with the Association of Newfoundland Land Surveyors.
32. Require survey companies to submit surveys to the Lands Branch in a digitized format.

33. Reduce the allowable extension from 12 months to 6 months for submission of the survey and health design to the Lands Branch. Amend section 10 of the Act to change the timeline.

Field Inspection Program

34. Task the Land Management Specialist with the initial review of referrals and complaints to determine if an inspection is warranted.

35. Task the Land Management Specialist with the delegation of inspection referrals to the Land Management Officers.

36. Task the Land Management Specialist with scheduling inspections.

37. Adopt the Crown Lands Regional Tracking System (CLRTS) database across all regions to monitor completion of inspections.

38. Have Land Management Officers conduct inspections throughout their entire region.

39. Maintain the practice of grouping inspections that are in close proximity.

40. Attach inspection reports to the AMANDA (TRACTS) system.

Other Application Processing Recommendations

41. Prepare title documents only after the health design approval has been received.

42. Discontinue sending reminder letters to applicants.

43. Forward a copy of title documents issued within municipal boundaries to municipalities.
44. Discontinue preparation of renewal documents for licences to occupy. Instead, include in the licence to occupy a clause that, after the initial time period of five years, the licence renews automatically in one-year intervals upon payment of the annual fee by the licensee. The licensee or government would have the ability to terminate the licence upon giving 30 days notice to the other party.

45. Limit the ability of a person to serve as a proxy to one applicant only in a cottage lot draw. In addition, do not allow an entrant to act as a proxy.

Filing System Related

46. Make a back-up copy of documents pertaining to Crown lands applications that are forwarded in the mail to the Titles office from the regions. Preferably an electronic copy would be made and sent to the Titles office through email.

47. Scan existing regional files in an electronic format as a means of back-up and to provide provincial access.

48. Develop an electronic database to track the location of the application file in the office.

Staffing

49. Ensure staffing levels with respect to the Lands Officer I position are adequate to allow timely registration of Crown lands applications.

50. Re-evaluate the salary scale with respect to work requirements for the Lands Officer I position.

51. Re-evaluate the salary scale with respect to work requirements for the Land Management Officer position.

52. Continue the development of a training manual for new staff. The training manual should correspond with the policy manual.
53. Ensure staff are trained in the various software programs necessary to complete their job functions.

54. Develop and implement a training program for staff.

**Information Technology**

55. Maintain current Information Technology systems in place to carry out the functions of the Lands Branch. Consider introducing a more integrated system if and when government decides to move towards a mandatory land registration or land titles system.

**Adverse possession**

56. Implement the following with respect to adverse possession against the Crown:
   a. Maintain that adverse possession against the Crown continues to be abolished after December 31, 1976.
   b. Maintain the 1957-1976 exception. That is, those people who can show open, continuous, notorious and exclusive possession from 1957-1976 may come forward with an application.
   c. Amend section 36(2) of the Act to add the words “immediately prior to January 1, 1977” at the end of that subsection. This would reflect the current case law.
   d. Continue to use the test of open, notorious, continuous and exclusive possession as the basis for acquiring an interest in Crown lands under section 36(2) of the Act. This is a widely accepted principle in the legal community which is used in other jurisdictions respecting adverse possession. It would also apply to the *Quieting of Titles Act*.
   e. Issue quit claims under section 36 of the Act, not grants. A quit claim is a certificate stating that whatever interest the Crown has in the lands, it gives to the applicant. Unlike a grant, a quit claim is not a guarantee of title.
   f. Require the quit claim to be registered in the Registry of Deeds and a copy kept in the Crown Lands Registry.
g. Provide for the issuance of a quit claim (and new up-front application requirements) to apply on a go-forward basis.

h. Work with legislative counsel to determine which provisions of the Act need to be amended as a consequence of the change from a grant to a quit claim, and to further amend section 36 to be reflective of other changes recommended in this report.

57. Require an application under section 36 of the Act to include:
   a. Application including affidavit from the applicant;
   b. Certificate from lawyer giving opinion as to applicant's interest in the land under the test of open, notorious, continuous and exclusive possession between 1957 and 1976;
   c. Copy of deed, dated before January 1, 1977, grounding title of the applicant (if there is one) and/or affidavit of an independent person knowledgeable of the use and occupation of the land by the applicant or the applicant's predecessor during the relevant time period;
   d. Abstract of title (if any documents have been registered); and
   e. Survey.

58. Initiate a process for section 36 applications to ensure that other government departments have no interest in the subject parcel of land. The quit claim issued under section 36 should state that the Crown (inclusive of all government departments) has no interest in the land and include an indemnity clause against the Crown. The quit claim may be subject to other conditions as well.

59. Update the current policies for section 36 applications and post online.

**Shoreline Reservations**

60. Provide a 15 metre shoreline reservation for freshwater and saltwater bodies for all purposes. In other words, maintain section 7(1) of the Act, remove section
7(1.1), and grandfather those titles that already have less than a 15 metre shoreline reservation.

61. Allow the minister to approve some section 7 applications (e.g. boathouses, wharves, etc.) and maintain Cabinet approval for other applications (e.g. intrusions on the reservation, aquaculture and industrial undertakings).

62. Move what can be approved on the shoreline reservation to regulations and broaden the definition of what can be approved.

63. Remove the requirement currently in the Act for municipalities to obtain a title document from the Lands Branch before carrying out water and sewer works or the construction of public roads on the shoreline reservation.

64. Remove the details regarding a notice of intent from the Lands Act and place in regulations.

65. Include a provision in section 36 of the Act to the effect that where a quit claim is issued that covers a portion of the shoreline reservation, the approval process under section 7 does not apply.

66. Discontinue advertising notices of intent for applications on the shoreline reservation in the Newfoundland and Labrador Gazette and newspapers. Require public notice on the Crown Lands website and at the actual physical location of the proposed development. Enable posting at an additional location at the discretion of the minister.

67. Require publication of the notice of intent for a shoreline reservation application after the application is registered with the Lands Branch.

68. Change the timelines for the filing of objections to a shoreline reservation application to 30 days from the date the notice of intent was first posted by the applicant online and onsite, whichever is later.
69. Maintain measurement of the 15 metre shoreline reservation from the high water mark.

70. More clearly define the description of what needs to be included in the notice of intent for an application within the shoreline reservation.

71. Consider adding as a condition of a residential or cottage lease, licence or grant that is adjacent to a shoreline reservation, a clause that would permit the holder of the lease or grant to construct a small boathouse or wharf. The holder would not require a further title document from the Lands Branch.

72. Improve communication with the public respecting shoreline reservations.

Unauthorized and Illegal Occupation

73. Examine the provisions in the Act respecting offences and clearly state what is unauthorized use and occupation of Crown lands.

74. Expand the actions that the minister or an inspector/enforcement officer may order or take to bring about compliance, including measures to deal with an unauthorized building, structure or thing on Crown lands. Ensure that the costs and expenses of the minister or an inspector/enforcement officer can be recovered as a debt owed to the Crown.

75. Enable the court, the minister or an inspector/enforcement officer to order restoration of the land to the satisfaction of the minister.

76. Update the definition of illegal structure to include gates and other man-made structures or barriers.

77. Change the length of time to comply with a removal notice by requiring compliance within the time period set out in the notice.
78. Include a provision in the Act to address emergency removal of a structure or hazard.

79. Increase the current fines in the Act.

80. Subject commercial offenders to higher fines than individuals and include a provision in the Act whereby a director can be charged with an offence whether or not the corporation has been prosecuted or convicted.

81. Introduce ticketing and administrative penalties.

82. Increase the limitation period for the prosecution of an offence under the Act to two years.

83. Expand the provisions of the Act concerning the powers of inspectors/enforcement officers.

84. Partner with other departments and agencies with respect to enforcement.

85. Amend the legislation so that the department administering a special management area may also be responsible for compliance and enforcement of the regulations pertaining to the area.

86. Complete field investigations and carry out follow up procedures to ensure compliance.

87. Follow the delegation of authority as outlined in the policy manual with respect to the issuing of stop orders and removal of structures.

88. Consider the addition of resources and a management-level position within the Lands Branch with responsibility for compliance and enforcement.

89. Implement a means for the public to report complaints.
90. Provide more education to the public on what is and is not legal under the legislation in terms of use and occupation of Crown lands.

91. Update the Lands Branch policy on compliance and enforcement and post online.

92. Provide more training to inspectors/enforcement officers.

93. Emphasize a focused and targeted approach to compliance and enforcement.

94. Reinstate the Gravel Pit Campaign from 2009.

**Free Grants**

95. Change the focus of section 9 of the Act to only include free grants for municipalities for a municipal building, recreation park or other purpose in the public interest, with the exception of economic development (e.g. commercial, industrial, subdivision or residential developments).

96. Remove schools as a purpose for which a free grant may be given under section 9 of the Act.

97. Remove churches and cemeteries as purposes for which a free grant can be issued under section 9 of the Act.

98. Develop and publicize a policy for cemeteries and for dispositions to non-profit organizations (including for places of public worship) that are either free or nominal value.

**Surveys and Survey Markers**

99. In the definition of surveyor in the Lands Act, update the title of the Association of Land Surveyors to the Association of Newfoundland Land Surveyors continued under the current Land Surveyors Act, 1991. Further, remove "or a surveyor, not
being a member, who is employed by the government of the province for the
purpose of conducting a survey".

100. Have one time frame in which a claim can be made under section 17 of the Act,
because of a false survey or an error resulting in a discrepancy between a title
document and the actual area of Crown lands received.

101. Include a provision in section 17 of the Act to enable the minister to recover
from a surveyor as a debt owing to the Crown, the amount of compensation that
is paid as a result of a false survey.

102. Prescribe the limitation period under section 17 of the Act as five years from the
date of issuance of the title document, unless the department confirms that a
shorter time period is required in the Act for the minister to seek repayment from
a surveyor's professional liability insurance policy.

103. Maintain section 28 of the Act and update the language to include modern
forms of property markers, including iron bars and pins.

104. Remove section 64(11) of the Act, which is the requirement to notify the
occupier of the lands in writing that a person or surveyor has authority to enter
onto the land.

Ministerial Authority

105. Increase the size of land from 20 to 30 hectares for which the minister may
issue grants under section 4 or quit claims under section 36 of the Act.

106. Maintain 100 hectares as the size of land for which the minister has authority to
reserve under section 8 of the Act.
107. Maintain 10 hectares as the size of land for which the minister has authority to issue free grants under section 9 of the Act.

108. Increase the size of land from 20 to 30 hectares for which the minister has authority to transfer to the federal government under section 53 of the Act.

109. Remove the requirement for the minister to obtain Cabinet approval for a transfer of land to another minister of the province under section 54 of the Act.

110. Remove the requirement for Cabinet approval in section 18 of the Act concerning inconsistent grants.

111. Expand ministerial authority under section 20 of the Act to waive conditions of a grant for an area of land not exceeding 30 hectares.

112. Maintain the requirement for Cabinet approval for an exchange of lands under section 22 of the Act.

113. Amend section 40 of the Lands Act such that Cabinet approval is required for the acquisition of Crown lands by:
   - Lands Branch staff and senior officials in the department in which the Lands Branch resides. The senior officials would be persons in the role of an executive (deputy minister, assistant deputy minister) or communications advisor; and
   - spouses or cohabiting partners of these employees.

Abandoned Lands

114. Remove, in consultation with the minister of Transportation and Works, Part II of the Lands Act respecting abandoned lands and address these situations through expropriation.
Crown Lands Registry

115. Maintain a requirement in the Act for a public registry that contains electronic and paper copies of title documents including surveys.

116. Remove the reference to applications in section 37 of the Act. The department can address the disclosure of applications or other information under ATIPPA or if preferred as part of government's proactive disclosure policy.

117. Set up a user-pay electronic database system online to allow simpler access to Crown title information.

118. Close the Titles vault to public access in the interest of document security.

119. Provide a counter service for the general public to view paper documents contained in the Titles vault that are not or cannot be scanned electronically. Viewing would be monitored by a staff person.

120. Maintain the relative humidity in the Titles vault between 45% - 55% and a room temperature range of 15°C - 20°C.

121. Review, in consultation with the Office of Public Engagement, Crown lands application forms to ensure they contain the minimum amount of personal information necessary. For example, it has been identified that a cell phone number and an email address of an applicant would speed up the application process.

122. Revise the Crown lands application form so that personal information is placed in a separate annex to ensure its protection. Information contained in that annex can then be easily redacted for an access to information request or if government chooses to proactively release applications.

123. Consult with the Office of Public Engagement before making the Land Use Atlas public and publishing notices of intent respecting shoreline reservations on the Crown Lands website.
Additional recommendations for changes to the Lands Act

124. Remove the reference to orders and the publication requirement under section 8 of the Act.

125. Expand Part IV of the Act to include both special management areas and public reserves for which regulations are necessary to put conditions on the use of lands within a specified area.

126. Consult with departments responsible for special management areas and public reserves as to whether new or amended provisions are required in the Act.

127. Adjust the timeframe, to come forward under section 18 of the Act with a claim of inconsistent grants, to within five years after the discovery of the error.

128. Include a provision in the Act to enable the collection of a debt owed to the Crown by the minister filing the amount owing as a certificate with the court.

129. Determine, in consultation with the Department of Finance, whether additional legislative provisions are required to support the collection of moneys owed from the holders of leases and licences to occupy.

130. Include a provision in the Act that enables Cabinet to prepare regulations for:

- the Crown lands application process
- terms and conditions of dispositions
- shoreline reservations
- publication of information on the departmental website
- format for receipt of plans and surveys from surveyors
- public reserves
- special management areas
- inspections and investigations
- ticketing
- administrative penalties
131. Make minor amendments to the Act, as identified in Section 19.5 of this report, in order to make the Act more user friendly.

Additional Recommendations

132. Investigate, in consultation with other government departments and agencies, a phased-in approach for either a mandatory land registration system or a land titles system.

133. Improve communications both within and external to government with respect to Crown lands.

134. Update the Lands Branch policy manual and post all updated policies on the Crown Lands website.
### 3. Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ANLS</td>
<td>Association of Newfoundland Land Surveyors</td>
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<tr>
<td>CLAD</td>
<td>Crown Lands Administration Division</td>
</tr>
<tr>
<td>ILUC</td>
<td>Interdepartmental Land Use Committee</td>
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<tr>
<td>LMD</td>
<td>Land Management Division</td>
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<tr>
<td>LMO</td>
<td>Land Management Officer</td>
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<tr>
<td>LMS</td>
<td>Land Management Specialist</td>
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<tr>
<td>LO</td>
<td>Lands Officer</td>
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<tr>
<td>LTO</td>
<td>Licence to Occupy</td>
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<tr>
<td>MRF</td>
<td>Municipal Recommendation Form</td>
</tr>
<tr>
<td>NL</td>
<td>Newfoundland and Labrador</td>
</tr>
<tr>
<td>RLC</td>
<td>Regional Land Committee</td>
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<tr>
<td>SMD</td>
<td>Surveys and Mapping Division</td>
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</table>
4. Introduction

In February 2015, the Department of Municipal and Intergovernmental Affairs initiated a review of the current Lands Act (the Act). The Act empowers the minister to allocate Crown lands, protect Crown lands from unlawful alienation through appropriate enforcement mechanisms, reacquire abandoned lands, declare special management areas and install and maintain a network of provincial survey monuments.

The Lands Act has been in force since 1992 but there are parts of the Act that date back further than this. For example, section 36 addresses adverse possession against the Crown, which was abolished by statute as of January 1, 1977.

The department identified that a comprehensive review of the Lands Act and its service delivery model was needed to ensure it is the most effective way to manage, administer, utilize and protect Crown lands for the people of Newfoundland and Labrador. (See Annex A for the complete Terms of Reference.)

To ensure a comprehensive approach to the review from both a legislative and process perspective, a Review Committee was established which comprised professionals with expertise in the areas of law, policy and business processes. The Review Committee was responsible for developing informed recommendations on how to modernize the Act and make the Crown lands application process simpler and the service delivery model more effective.

The focus of the review included, but was not limited to, the following issues:

- Identification of ways to make the Act more user friendly so that it is well understood by those who use it and can be interpreted and applied consistently;
- Assessment of the provisions of section 36 regarding adverse possession (commonly known as “squatters rights”) to determine whether these provisions, and their subsequent interpretation, support the purpose and intent
of the legislation or whether changes to these provisions should be considered;

- Assessment of the provisions of section 7 regarding shoreline reservations to determine their efficiency;

- Assessment of the provisions of sections 30 to 35 regarding unauthorized occupation and possession of Crown lands in terms of their effectiveness and efficiency;

- Examination of internal business processes and policies that are intended to support the operations of the Act in terms of their necessity and efficiency;

- Examination of internal referral and consultation processes (i.e. Crown lands application referrals and Interdepartmental Land Use Committee referrals) that support the operations of the Act in terms of their necessity and efficiency; and

- Examination of current information technology used to support the operations of the Act in terms of their effectiveness and efficiency.

4.1 Organization of Report

This report is organized as follows. A discussion of the consultation approach used by the Review Committee is presented, followed by an overview of the Lands Branch and the allocation of Crown lands within the province. The report is then divided into three parts. Part I is focused on business process recommendations related to the application process and service delivery model. The second Part includes legislative, business process and policy recommendations related to various sections of the Lands Act. The third Part is focused on additional recommendations related to the Act as well as broader government issues.
5. Consultation Approach

An important aspect of this review was consultation with the people of Newfoundland and Labrador and stakeholders. Consultation helped the Review Committee in developing informed recommendations for making changes to the Lands Act and to how Crown lands services are delivered to better serve the people of Newfoundland and Labrador.

The objectives of the consultation were to solicit feedback on all aspects of the Lands Act and its operations. As part of the review process, the Review Committee consulted with a broad range of people and stakeholders throughout the province to hear their views and gather innovative ideas to enhance the legislation. This included both face to face and online consultations held from March 12 to April 10, 2015.

To focus the feedback received, a discussion guide with five key topic areas was developed and posted online. Stakeholders, the general public and other interested parties were encouraged to participate in the consultation process in a variety of ways including:

- public consultation sessions;
- a key stakeholder consultation session;
- completing an online discussion guide;
- providing written submissions (e.g. via email, postal mail, fax, etc.); or
- by telephoning the Review Committee.

Public and key stakeholder sessions featured:

- brief topic overviews to provide context;
- polling questions used to gather demographic information about who was in the room as well as self-rated level of knowledge on the topic areas; and
- small group roundtable discussions, including facilitation and note taking which focused on concerns, solutions and recommendations for change with respect to the *Lands Act*.

The Government of Newfoundland and Labrador’s Office of Public Engagement provided critical support in the design and delivery of these sessions.

### 5.1 Public Sessions

Public sessions were held in eight communities across the province from March 19 – April 7, 2015. The communities included Marystown, Harbour Breton, Grand Falls - Windsor, Corner Brook, St. Anthony, Happy Valley - Goose Bay, Labrador City and St. John’s. There were 173 participants across the province. See Figure 1 for the breakdown of participants by community.

**Figure 1. Number of Participants by Community**

![Pie chart showing number of participants by community](image)

During the sessions, participants were asked what type of organization/industry they were representing. Twenty-four per cent reported they were representing a municipality
and 19 per cent were from the general public. See Figure 2 for the breakdown of participants by representation.

Figure 2. Organization/Industry Representation at Public Sessions

![Pie chart showing representation percentages]

5.2 Key Stakeholder Session

A key stakeholder session was held on April 8, 2015 with representatives from:

- Association of Newfoundland Land Surveyors
- Department of Fisheries and Oceans
- East Coast Trail Association
- Federation of Agriculture
- Home Builders Association
- Municipalities Newfoundland and Labrador
- Newfoundland Power
- NL Aquaculture Industry Association
- NL Hydro
- NL Outfitters Association
- Public Works and Government Services Canada
- Registered Professional Foresters of NL
5.3 Written/Online Submissions
The Review Committee received 20 responses to the online discussion guide and over 45 written/email submissions.

5.4 What We Heard
A What We Heard document was released on the Lands Act review website on June 10, 2015.

5.5 Internal Government Consultations
In addition to the public consultation process the Review Committee engaged internal government stakeholders, including Lands Branch staff, in order to gather a wide variety of feedback and perspectives regarding proposed changes to the Lands Act and its associated business processes.
6. Overview of Crown Lands

The following section includes an overview of the Lands Branch as well as a brief description of the ways in which Crown lands are allocated in the province.

6.1 Lands Branch

The Lands Branch manages and administers surface rights over the province's Crown lands which comprise approximately 364,000 square kilometres of the provincial land mass. The management of sub-surface and timber rights is mandated to the Mines and Forest Services Branches respectfully of the Department of Natural Resources. Although the Lands Branch holds responsibility for surface rights only, all other resource activities affecting the surface rights to Crown lands must be approved by the Branch as the key stakeholder and central agency coordinating interdepartmental consultation.

The Lands Branch consists of three Divisions: Crown Lands Administration (CLAD), Land Management (LMD) and Surveys and Mapping (SMD). The head office for the branch is located in the Howley Building in St. John’s.

6.1.1 Crown Lands Administration Division

CLAD is responsible for managing and allocating the province's Crown lands resource in an environmentally responsible manner to meet the social and economic development needs of the public and private sectors. The division has 71 positions located in four regional offices (St. John's, Gander, Corner Brook, and Happy Valley - Goose Bay), two regional sub-offices (Clarenville and Grand Falls - Windsor) as well as in head office.

6.1.2 Land Management Division

LMD is responsible for developing and administering the provincial Crown lands policy and provide support to other divisions and departments in government with respect to Crown lands management. Its purpose is to protect Crown lands for the current and
future benefit of the province and its citizens. This division has nine positions all located in head office.

6.1.3 Surveys and Mapping Division

SMD is a central service group to government providing geomatic products and services in geodesy, aerial photography, topographic mapping, geographical names and certain land records information as the base for geographic information services. This division carries out its mandate with a staff of 12 positions.

Newfoundland and Labrador has 100 million acres of land which includes 8.4 million acres of freshwater and 29,000 kilometres of coastline. Approximately 88 per cent of the provincial land mass is Crown lands. The Crown lands mass in Newfoundland and Labrador is greater than the total land mass of the maritime provinces combined.

6.2 Allocating Crown Lands

The Lands Act contains sections which allow Crown lands to be allocated in the following ways:

| Lease (Section 3) | Crown retains ownership and is typically for a long term (i.e. 50 years). An example of a Crown lands lease would be for agricultural purposes. |
| Grant (Section 4) | In this case the Crown lands are sold and the Crown does not retain ownership. An example would be for a commercial subdivision development. |
| Easement (Section 5) | The Crown retains ownership and is typically for a long term (i.e. 50 years). An example would be for utility companies for power lines. |
| Licence to Occupy (Section 6) | Crown retains ownership and is typically for a short term (i.e. five years). An example of this would be for residents to construct and occupy Crown lands for remote cottages. |
| Transfer of Administration and Control (Sections 53 - 55) | In this situation the Crown lands are acquired by the federal government or another provincial government department. An example includes Crown lands acquired by the federal government for a government wharf. |
The following figures show the current allocation of Crown lands within the province.

Figure 3. Crown Lands allocated in Labrador
Figure 4. Crown Lands allocated in Newfoundland
PART I - Business Process Review
Introduction

The Lands Branch experiences a high volume of Crown lands service needs. In 2013-14, the branch processed over 3,600 applications, issued 2,100 titles and responded to over 100,000 inquiries from the public. The time it takes from start to finish can vary from application to application based upon the level of review required. However, it is not uncommon for an application to take anywhere from 6 months to over a year. Some may take even longer.

The Lands Branch has received many complaints concerning the length of time it takes for a Crown lands application to be processed and how difficult the process is to navigate. This concern was highlighted during the public consultation process and was normally the first comment made when the public were solicited to give input as to how the application process could be improved.

The business process review focused on the operations of the Lands Branch with respect to the application process from application preparation by the applicant to the issuance of the title document. It also reviewed other aspects of service delivery such as how the public can access information and how information is supplied.

Information for the business process review was gathered through the consultation process, staff interviews during site visits, and a review of available documentation on proposed service delivery changes under consideration by the Lands Branch.

Much work has been initiated by the Lands Branch in identifying improvements to service delivery. Recommendations contained in this Part were formulated from this work and from the review itself. This is especially the case for the field inspection program section of the report.
7. Application Process

One aspect of the business process review was to identify opportunities to reduce delays in the processing of an application for Crown lands. A review of the application process for the issuance of a Crown grant, for example, showed that the application is frequently waiting in a queue. Delays in the process are shown in Annex B. Some delays are required however to allow the Lands Branch to obtain recommendations from other government departments and agencies (referrals) and for the applicant to gather documents, such as a survey, and approvals in support of the application. The following section identifies items that cause unnecessary delays in the application process and outlines ways in which the process can be made more efficient.

7.1 Application Preparation by Applicant

7.1.1 Enhance Information Available to Public

When applying for title to Crown land the onus is on the applicant to determine that the land is unencumbered, that is to say, there are no other interests in the land. This requires applicants to conduct research into the land for which they are applying. Applicants who are in close proximity to a regional office will usually start the application process by visiting the office to view maps (paper and electronic), and obtain information and help from staff on completing the application process. These applications are checked by the counter staff, usually a Lands Officer (LO), to ensure there are no conflicts with land usage and that all documents are in order and are ready for application registration.

Applicants who reside outside the immediate regional office area do not have easy access to this one-on-one service. They have to rely mainly on limited information available on the Lands Branch website or through telephone calls to the regional office to aid them in completing their application. Because of this applications that are mailed or faxed to the department are oftentimes incomplete. These applications require follow
up with the applicant to obtain further information. In some cases, the application may have to be sent back to the applicant.

In an effort to make the application process as user friendly as possible it is imperative that the applicant be provided with the information and tools necessary to submit a correct and complete application. To aid the applicant in making an application to the Lands Branch the following should be considered.

**Application Guide**

A need for a simplified application guide was suggested throughout the consultation process. The guide should be available electronically and in paper format for distribution at the front counter of the regional offices and for mail-out upon request. Separate guides may be needed for different land uses or types of application. Detailed instructions on how to complete the application would be included in the guides. In addition, the guides would outline the application process step-by-step and include associated timelines where applicable.

Brochures and guides were developed by the Lands Branch in the past. A document entitled “Resources to Aid in the Identification of Crown Lands” informing applicants how to identify Crown lands already exists. These documents could be used as a basis for the development of more comprehensive guides. The application process is currently described online but the format and level of detail of the information could be improved.

**Recommendation**

1. Develop a simplified Crown lands application guide for distribution to applicants. The guide would be online and available in paper format.

**Mapping Information**

The Crown lands application requires that a map of the area be included by the applicant. The Land Use Atlas (LUA) is used by the Lands Branch staff to determine if
the site applied for has any restrictions attached to it. The LUA should be made available to the public online so the applicant can make an informed decision whether or not to apply for Crown land at the site of interest. This would allow a quick and easy determination as to whether the land under consideration is unencumbered or not. The LUA could also be used by the applicant to prepare the map required for the application. Information could include zoning, municipal boundaries, infilling limits, conservation areas, and other areas where certain types of applications would be restricted.

Other suggestions provided through the consultation process include putting the following information online: Crown land surveys, mapping, aerial photography, and horizontal and vertical survey marker information.

It was also suggested that a computer workstation be provided in the vicinity of the front counter of the regional offices that can be used by the general public to view the LUA without the supervision of the Lands Branch staff. This would free up time of the Lands Branch staff as they would not have to monitor what is being viewed by the client but would instead be available to answer questions and provide assistance. In addition, a tutorial on how to use the LUA and how to navigate the mapping software should be available. A tutorial on the LUA has already been developed in-house by the Lands Branch. The workstation could also be used by the public as a general computer workstation to perform a titles search, for example.

Recommendations

2. **Provide the general public with access to the Land Use Atlas online.**

3. **Provide a computer terminal at the front counter of each regional office that can be used by the public without Lands Branch staff supervision.**

**Public Notices**

Public notices required by the minister or the applicant in the Crown lands application process should be posted on the Crown lands website. This should be noted in the Act
or regulations along with the other forms of information sharing that may be prescribed, e.g. the *Gazette*, newspapers, etc.

For notices that require publication in newspapers, such as notice of a cottage lot draw, the size of notices should be kept at a minimum to reduce cost. Detailed information would be posted online on the Crown Lands website. The newspaper notice would include reference to the online information and Lands Branch contact information.

Recommendations

4. **Post public notices pertaining to Crown lands applications on the Crown Lands website and adjust the legislation accordingly.**

5. **Minimize the information required for public notices that are published in newspapers pertaining to Crown lands applications (e.g. cottage lot draws).**

**Crown Lands Website Related**

The Crown Lands website is quite robust with information pertaining to Crown lands. However it was suggested that the site needs more detailed information and should be easier to navigate. The following observations are presented:

- Under “Forms and Applications”
  - The Crown Lands “Forms and Applications” link directs to a list of forms for the entire department. This should link directly to forms specific to the Lands Branch

- Under “Services Directory”
  - Many links pertaining to Crown lands are not defined

- Information that should be easily accessible
  - List of approved surveyors
  - List of approved septic and water system designers

As previously mentioned, the website should at a minimum include the following information:
- Application guide and checklists
- Access to the LUA
- Public notices

Recommendation

6. Update the Crown Lands website with more detailed information and make it easier to navigate.

Signage

Signage is required in the foyer of the Howley Building that clearly directs the general public to the service counter for the Eastern Regional Lands Office and the Titles vault. Access to the map purchase counter is through this Eastern Office area. Improved signage is also needed to direct the general public to this area.

Signage at the other regional Lands Branch offices was sufficient. It was easy to locate the offices in all communities as the front counter for the regional office is located at the main entrance.

Recommendation

7. Update signage in the foyer of the Howley Building so that the general public can easily navigate to the Eastern regional front counter, the Titles vault and the mapping library.

7.1.2 Land Identification

Currently, applicants are requested to identify the location of the land, for which they are applying, on a topographical map. In many instances the applicant gives the wrong location as it is difficult for them to identify the actual site on a map. GPS coordinates should be required for all applications so that the Lands Branch staff and surveyors can more easily locate the land in question. This would also allow for the location to be accurately plotted in the LUA system.
Recommendation

8. Require applicants to submit GPS coordinates with their applications to aid Lands Branch staff and surveyors in land identification.

7.1.3 Online Applications

Throughout the public consultation process it was suggested that clients be able to apply for Crown lands through an email application process with the ability to attach required documentation. Currently, the application can only be printed and completed by hand and mailed in or faxed to a regional office. An applicant should at least be able to access a fillable PDF application form for electronic completion. The next preferable step would be the ability to forward applications by email to the Lands Branch. Ideally, government could take an extra step to provide for a fully electronic online application process.

Recommendations

9. Provide a fillable PDF online application form for each Crown lands application.

10. Allow submission of Crown lands applications via email.

11. Investigate the possibility of providing a fully electronic Crown lands application process.

7.1.4 Online Payments (e-commerce)

Persons who lease or licence Crown lands are currently able to pay their invoice for annual rental fees online through government's website by clicking on the "I want to... Pay Online" link located on the home page. This service should be extended to allow for payment of application fees.
Recommendation

12. Investigate the ability of government's online payment system to include payment of Crown lands application fees.

7.1.5 Online Application Tracking

The consultation process identified that it was difficult to get an update on an application from the Lands Branch. It was suggested that a client should be able to track their application online. Currently, the Lands Officer fields telephone calls from applicants and will refer to the AMANDA (TRACTS) system to determine at what stage the application is. It would be useful if the applicant could track the progress of the application themselves through an online tracking system. This would reduce the telephone calls made to the Lands Officer thus freeing up their time to conduct other duties.

Recommendation

13. Investigate the possibility of developing an online tracking system for Crown lands applications to be accessed by applicants.

7.2 Application Receipt and Review

7.2.1 Application Checklist

An application checklist for each type of application should be posted at the front counter at all of the regional offices to remind Lands Officers and applicants of items to check before accepting an application. With the current turnover of staff in this position this would be particularly helpful for new staff. A checklist has already been developed and is the current practice at the Central (Gander) office.

Recommendation

14. Post at the front counter of all Lands Branch regional offices an application checklist for each type of Crown lands application.
7.2.2 Application Processing Order

Current practice by the Lands Branch is to process applications on a first-come, first-served basis. During public consultations it was voiced that commercial applications that are time sensitive should take precedence. It was suggested that all applications be “triaged” with respect to pre-set parameters. For example, remote cottage applications would not take precedence over agricultural applications. However, applications would still have to be date and time stamped, and plotted in the application layer of the LUA to ensure fair distribution of Crown land in a first-come, first-served model. Once the application is registered it would then be triaged.

Parameters could include:
- Residential vs commercial
- Residence vs cottage
- Municipal vs non-municipal

It should be noted however that applications that are regularly triaged below others need to be attended to. Review of these applications could be triggered by the number of applications waiting in the queue.

Recommendation

15. Triage Crown lands applications when registered based on pre-set parameters or categories.

7.2.3 Application Reactivation

An application can be cancelled by the Lands Branch if the applicant does not return documentation in support of the application within a specified time frame. This includes, but is not limited to, receipt of the survey, septic and water system design, or the return of title documents. Currently, there is no limit on the number of times an application can be reactivated. This practice ties up land preventing others from acquiring it. It is recommended that the practice of reactivating applications be discontinued. A new
application would be required and the land reappraised upon approval. In addition, there should be a 60 day waiting period before reapplying.

Even though this will mean more work for the Lands Branch as the referral process has to be repeated, conditions with respect to a reservation area for example may have changed since the submission of the initial application such that an application for the area now would not be accepted.

Recommendation

16. Discontinue reactivation of cancelled Crown lands applications and require submission of a new application following a 60 day waiting period.

7.3 Referrals

As part of the application process the Lands Branch investigates whether the land that is being made available to the public is free of any land use conflicts and environmental implications, and that the allocation is compatible with governmental land use planning. To accomplish this, a referral system is in place to solicit comments and recommendations from government departments and agencies regarding the land applied for and its intended use. An application for Crown lands will normally only be approved if all referred departments and agencies approve the application and its intended land use.

The recommendations in this section first address items that could be improved immediately. Other ways to improve service delivery are then suggested for investigation.

7.3.1 Paper Based Referral Process

Currently, the referral process is mostly paper based with referral documents being sent by postal mail or fax to the referring departments and agencies. With approximately 3,600 applications registered per year with on average five referrals per application,
much effort is required in the preparation of the referral package. Most referral responses are returned by the referring department and agency in the same manner. Referrals should be sent, and responses received, electronically through email correspondence. An effort has been made by the Lands Branch in some regions to move towards this practice. This would allow clerical staff to easily cut and paste conditions of approval, as required, into approval letters and title documents. In addition, if referrals are to be sent by email then the accompanying map should be in the form of a GIS shape file or Google KML file.

Regionally, a dedicated email address would be needed to which referral departments and agencies could return their comments. All Lands Officers and clerical staff would have access to this email account so that it could be checked regularly. Sending the referrals to one staff member would cause processing delays if that person were on leave. Likewise, each referral department and agency would require a dedicated email address to which referrals requests could be sent so that it could be checked regularly by various staff on their end. It should be noted that the practice of sending referral correspondence electronically is currently used by the Interdepartmental Land Use Committee (ILUC).

A step further would be for referring departments to have access to the AMANDA (TRACTS) system through Government’s intranet system to allow them to submit their responses electronically. The department would populate and update the database. Referrals would not need to be returned to a clerical position for this purpose. This option would reduce both the workload of clerical office staff and the application process time.

Recommendations

17. Immediately begin the practice of electronically sending Crown lands application referrals and responses through email.
18. Investigate the possibility of giving referral departments access to the AMANDA (TRACTS) system to allow them to populate and update their responses.

7.3.2 Referral Response Time

The Lands Branch requests that the referring department or agency respond in writing with comments and recommendations within 30 days. The common practice is for the response to be sent by postal mail, though some do respond by email. At the end of 30 days, the Lands Branch policy is that a written reminder notice is to be sent via postal mail requesting a response within seven days. Even if no response is received after this time, the Lands Branch will usually wait for the department or agency's response. The application does not move forward until all departments and agencies respond as it was indicated that any issue that may render a parcel of land unusable for its intended purpose be identified before the application proceeds any further.

It was also communicated throughout the regions that the offices do not have the staff resources to be sending out reminder letters by postal mail. In practice, reminders are only sent when necessary or when an applicant contacts the Lands Branch enquiring about the status of a referral.

When adopting the email referral process outlined above the Lands Branch should reduce the time limit given for referral requests to 21 days with an extension of nine days if requested. Maximum response time would be 30 days. The quicker response time is sufficient as referral documents no longer need to be sent through the postal mail. Only one reminder notice should be given and if there is no response from the referral department or agency then no issues are assumed (silence is acceptance).

Recommendations

19. Reduce the time limit given to referral departments and agencies to respond to a Crown lands referral request to 21 days.
20. Set the maximum time frame for a response to a Crown lands referral to 30 days if the referral department or agency has requested an extension. No response after 30 days will mean that the referral department or agency has no issue with the application.

7.3.3 Referral Reminder Flag

The AMANDA (TRACTS) system does not flag when a referral is due from the referring departments and agencies. The system will flag the Regional Lands Committee (RLC) review process when all referrals are received and the AMANDA (TRACTS) database is updated. Staff have to make a point to review dates manually in the system. Each regional office has its own way of flagging the due date of referral responses. Some offices use a “Dayminder” type of calendar book with reminder due dates written in on the due date while others photocopy the referral request form and file it in a folder containing other referrals due that month. If the Lands Branch is to continue sending referral reminders it should be investigated if the AMANDA (TRACTS) system can be programmed to flag due referral responses. At the very least an electronic solution should be considered. A database could be developed to display all items that are due on a specific day.

Recommendation

21. Develop an electronic method of flagging referral responses that are due.

7.3.4 Municipal Recommendation Form (MRF)

Applicants requesting Crown lands within a municipal planning area are required to provide a completed MRF with the application for Crown lands. The applicant is responsible for submitting the MRF to the municipality. The application will only be accepted by the Lands Branch if the MRF has been approved by the municipality. To further simplify the application process for the applicant, the MRF should become a part of the application referral process. This would reduce the application processing time as the wait time for approval of the MRF would now run concurrently with all other referrals.
Like departments and agencies, municipalities would also be subject to the 21 day response time for referrals.

The Lands Officer would make the determination if an application is to be referred to a municipality during the initial application check. Mapping, as required by the application form, would be generated and sent with the referral to the municipality.

Recommendation

22. Discontinue the practice of requiring the applicant to include an approved Municipal Recommendation Form with a Crown lands application. Instead, include the Municipal Recommendation Form as part of the application referral process.

7.3.5 Review of Referral Process by Departments and Agencies

Some referral departments and agencies do not, or are not able to, adhere to the current 30 day time frame for responding to referral requests. It is imperative that these timelines be met to improve the timeliness of the Crown lands application process. A review of the internal practices, procedures and policies followed by each department and agency should be conducted to determine why this is and how to optimize their referral response process. It may be determined, for example, that depending on the type of application, standard conditions can be developed and attached to the application when it is screened by the Lands Officer. This may negate the need to send a referral request to that department and agency. Or the Lands Officer could supply the applicant with documentation that is required upfront by a referring department and agency, such as the Farm Development Plan required by the Agrifoods Development Branch. Through consultations it was also indicated that in some instances a referral department and agency may receive more than one referral request for the same application; one from the Lands Branch and another from a referral department and agency.
The review would include the septic design approval and inspection process followed by Service NL. While this is not a part of the referral process before an application is approved, it is a critical part of the process after the application is approved.

Recommendation

23. Consult with departments and agencies to initiate an internal review of the process followed by each of them regarding the Crown lands application process.

7.3.6 Referral Protocol Agreement
A written agreement (referral protocol) between the Lands Branch and the referral departments, agencies and municipalities should be developed. It was indicated that at times there is not enough information on the application or mapping for the department or agency to make an informed response. If additional information is needed from the applicant or another department then this could be addressed in the agreement. Included in the protocol agreement would be the requirement for each department, agency and municipality to provide a resource and a single point of contact for dealing with Crown lands referrals.

Recommendation

24. Develop a referral protocol agreement between the Lands Branch and referring departments, agencies and municipalities.

7.3.7 Self-Assessment Referral System
Another option for application processing would be to implement a client self-assessment model similar to the Department of Fisheries and Oceans self-assessment model. This type of model would place the responsibility on the applicant to determine whether or not they would require approval from other departments, agencies and municipalities.
From the perspective of the Land Branch, this would expedite the Crown lands application process as they would no longer have to refer to other departments, agencies and municipalities. However for the applicant, the process would be more confusing and difficult as they may not know what referrals are necessary. It may increase the total amount of time it would take to obtain a parcel of Crown lands from start to finish. Moreover, the client may not refer to any departments and agencies and move forward with development on the land. Site investigation and enforcement would be required with this model.

This option was considered by the Review Committee but is not recommended.

Recommendation


7.3.8 Appraisals

The appraisal of the market value of Crown land is initiated in conjunction with the referral process. If the application for Crown land is declined by a referral department/agency then it is cancelled and the appraisal is not needed. The appraisal should only be completed after the application is approved. Even though this may increase the time to process an application, this is preferred over time wasted on work that may not be required.

Recommendation

26. Conduct the land appraisal after the application has been approved.

7.4 Survey

Land surveys submitted to the Lands Branch in support of an application are checked for accuracy, correctness and omissions. The Survey Inspector position is responsible for providing a technical review of the survey. Surveys can only be submitted by a
member of the Association of Newfoundland Land Surveyors (ANLS) who must adhere to the Crown Land Survey Standards – 2009 as set out by the Lands Branch.

7.4.1 Survey Errors and Survey Checking

The department has indicated that there are often errors in the survey (i.e. defective surveys) submitted to the Lands Branch and therefore do not comply with the Crown land survey standards. A policy, and corresponding procedure (S.001 (amendment No. 1)), have been developed by the Lands Branch regarding how to address defective surveys. As the surveys are submitted by licenced professional surveyors the question has to be raised whether it is necessary for the Lands Branch to conduct a check. Any issues that may arise from an incorrect survey would be the responsibility of the licenced surveyor and any liability dealt with through their professional insurance agency.

Much time is wasted in the application process as defective surveys are returned to the surveying company with a letter indicating what the issue is. When revised survey documents are submitted, this survey in turn, has to be inspected by the Lands Branch Survey Inspector.

The Lands Branch should not be inspecting surveys on a regular basis. The onus should be on the survey company and the ANLS to ensure that surveys are correct. The Lands Branch (government) would need to include an indemnity clause releasing government from any financial (or other) obligation resulting from an incorrect survey received from a professional surveyor. This clause would have to be a condition included in the approval letter given to the client and would be included as a condition in the title document. Not having to check the survey, and not dealing with incorrect surveys, would speed up the application process.

The Lands Branch should conduct spot checks to identify "worst offender" companies with respect to survey errors and request that the ANLS Quality Assurance Committee review those companies. The Lands Branch should refuse surveys from "worst
offender” companies until such time that they can demonstrate adherence to standards acceptable to the Lands Branch.

Recommendations

27. Discontinue regular survey checking by Lands Branch staff and begin spot checks of surveys.

28. Include an indemnity clause in the approval letter and title documents releasing government of any negative impacts resulting from a defective survey.

Unnecessary Survey Checking

If the above recommendations are not acceptable and the Lands Branch continues the practice of regularly checking surveys, then the following should be considered. Section 4 of procedure policy AP.014P calls for a survey check when the survey is submitted. This is done even if the septic design is not approved and submitted to the Lands Branch. The survey inspector should not inspect the survey until after the approval for septic design, if required, is received. Although it was indicated that it is rare that a site is not suitable for a septic system, the procedure of not inspecting the survey until the septic design is received should be followed.

7.4.2 Survey Standards

As mentioned above, surveys submitted to the Lands Branch must adhere to the Crown Land Survey Standards – 2009 as set out by the branch. These standards are different from those contained in the ANLS Manual of Practice. It should be investigated if the difference in the two standards is the major cause of defective surveys submitted to the Lands Branch. If this is the case, then the purpose of having a separate standard should be revisited.
Recommendations

29. **Determine if the higher survey standards required by the Lands Branch is the cause for the submission of defective surveys.**

30. **Revisit the purpose of having separate Crown lands survey standards if it is found that having surveyors adhere to the standards is the cause of survey errors.**

7.4.3 **Survey Inspector Qualification Requirements**

The Survey Inspector II position does not require that one be a licenced surveyor. The current job description requires training in the area of geomatics engineering either from a technical college or university program. The survey inspector is checking the work of a professional surveyor but in turn does not possess the qualifications of a surveyor. This practice has been followed by the Lands Branch as it has been difficult recruiting land surveyors into the position. If the Lands Branch is to continue filling the Survey Inspector II position in this manner then this position should report to a professional land surveyor registered in Newfoundland and Labrador to oversee the inspectors' work. Some provinces employ a Surveyor General in this role.

Recommendation

31. **Have the Survey Inspector II position report to a professional land surveyor registered with the Association of Newfoundland Land Surveyors.**

7.4.4 **Digital Survey Submissions**

Surveyors currently submit paper-based surveys to the Lands Branch as per the Crown lands survey standards. The Survey Inspector then has to plot the paper survey in electronic format to add it to the Geographic Information System (GIS). The submission of digital surveys would allow for the quick incorporation of surveys onto mapping. In addition, application processing time would be reduced as the time for paper-based surveys to be sent through the postal system would be eliminated.
It is realized that not all survey companies may have acquired the technology to submit digitized surveys. For this reason the requirement for a digital survey should be implemented using a phased-in approach.

As with the introduction of electronic referrals a dedicated email address would be required to which survey companies could forward the survey. All Lands Branch survey staff would have access to the email account so that it could be checked on a regular basis.

Recommendation

32. Require survey companies to submit surveys to the Lands Branch in a digitized format.

7.4.5 Time to Complete Survey and Health Design

Current legislation requires a survey be supplied by the applicant within 12 months of the date of application approval. Similarly, departmental policy requires a health design (i.e. septic and water design) to be submitted within 12 months of the date of application approval. The applicant is responsible to obtain both the survey and health design. A 12 month extension is allowed at the request of the applicant and upon payment of the applicable fee. Because of this an applicant can tie up a parcel of land for two years, preventing others from obtaining the land who may have interest in developing it. To expedite the application process it is suggested that the survey and health design be completed within 12 months with an extension of 6 months, if requested. This would allow for these requirements to be completed during the summer season of a calendar year.

Recommendation

33. Reduce the allowable extension from 12 months to 6 months for submission of the survey and health design to the Lands Branch. Amend section 10 of the Act to change the timeline.
7.5 Field Inspection Program

The field inspection program is an integral part of the application process. Inspections are carried out by the Land Management Officer (LMO) position. Their primary duties are to conduct a site assessment with respect to an application for Crown land and to investigate complaints regarding its occupation or use. If the inspection process is delayed then this in turn delays the application process.

The procedures and practices followed by the field inspection program are not standardized across the regional offices. The following describes current procedures and practices and suggests a best practice to be adopted and followed. Best practices should be adopted across the regions and are suggested to ensure that the application process is completed in a timely manner.

7.5.1 Referral or Complaint Allocation and Preliminary Review

A referral or request for an inspection is generated by the Lands Officer (LO) through the referral process when the application is registered. When the LO allocates referrals electronically in the AMANDA (TRACTS) system they are assigned to a LMO. In some regions the paper referral is forwarded directly to the assigned LMO while in others the paper referrals are forwarded to the Land Management Specialist (LMS) (Regional Manager in Happy Valley – Goose Bay) for review and distribution to the LMOs. When the inspection referrals are forwarded directly to the LMOs, the LMOs themselves, determine if and when an inspection is warranted. The LMOs' time, especially during the inspection season (which usually runs for seven months of the year corresponding to when there is no snow on the ground) should focus on field inspections. It would be best if the preliminary review of the referral be conducted by the Land Management Specialist (LMS) who would then delegate those applications that require a field inspection to the LMOs. In Happy Valley – Goose Bay the Regional Manager would be tasked with this duty.
Recommendations

34. Task the Land Management Specialist with the initial review of referrals and complaints to determine if an inspection is warranted.

35. Task the Land Management Specialist with the delegation of inspection referrals to the Land Management Officers.

7.5.2 Inspection Scheduling and Tracking

The scheduling and tracking of inspections is also inconsistent throughout the regions with regards to responsibility and methods. In some regions the LMOs schedule and track their own inspections while in others the task is allocated to the LMS. Tracking methods range from paper-based to an electronic database solution. The Central office has developed a Microsoft ACCESS database (Crown Lands Regional Tracking System, CLRTS) to track inspections for the region. To maintain control over the inspection process the LMS should be responsible for scheduling and tracking the work of the LMOs. All regions should adopt the CLRTS to be used in daily referral and complaint inspection tracking.

Recommendations

36. Task the Land Management Specialist with scheduling inspections.

37. Adopt the Crown Lands Regional Tracking System (CLRTS) database across all regions to monitor completion of inspections.

7.5.3 Inspection Area Allocation

In all regions inspections of areas in close proximity are scheduled together. However, staff responsibilities for specific geographical areas differ. In some offices all staff travel to all areas while in other offices staff are assigned to a specific area only. Arguments can be made for either practice. Staff who travel to all areas will be familiar with the entire region should they have to fill in for a LMO who is on leave or in the event of staff
turnover. On the other hand, staff who travel to a specific area are more familiar with that area and can easily determine whether an inspection may or may not be needed.

Assigning LMOs to specific areas of the region, however, allows for a disproportionate allocation of workload. In some areas squatters rights applications are more prevalent. Other areas may generate more complaints. Application processing would be delayed by LMOs who have more inspections assigned to them. Ideally, LMOs would conduct inspections throughout the region. The practice of grouping inspections for an inspection field trip would remain. Inspections would be carried out once a sufficient number of inspection referrals are received for a specific area to warrant a field trip or if a certain amount of time has lapsed.

Recommendations

38. Have Land Management Officers conduct inspections throughout their entire region.

39. Maintain the practice of grouping inspections that are in close proximity.

7.5.4 Inspection Reporting

All regions write their reports using a word processor but not all attach the report to the AMANDA (TRACTS) system. Some regions will only print the report and file it in the application file. By attaching the file with the AMANDA (TRACTS) system it can be viewed throughout the entire region.

Recommendation

40. Attach inspection reports to the AMANDA (TRACTS) system.
7.6 Other Application Processing Recommendations

7.6.1 Title Document Preparation

Crown lands policy AP.037, Procedure 5, indicates that draft title documents are prepared while waiting for the health design approval. Documents are held at the Registry. There is no need to prepare the title documents as the application would be cancelled if the land is not suitable for sewage and water supply.

Recommendation

41. Prepare title documents only after the health design approval has been received.

7.6.2 Reminder Letters to Applicants

Various reminder letters are sent to clients regarding their application. The Act states, in a number of sections, that an application will be cancelled if timelines are not met. This information is also given in correspondence e.g. approval letters. Reminder letters should not be sent to applicants as timelines have already been communicated.

Recommendation

42. Discontinue sending reminder letters to applicants.

7.6.3 Notice to Municipality on Issuance of Title

Currently, the Lands Branch does not inform the municipality of the issuance of a title. It is the responsibility of the applicant to do this if they so wish. To ensure that the municipality receives information on titles granted within its boundaries, the Lands Branch should forward a copy of the title document to the municipality once it has been issued.

Recommendation

43. Forward a copy of title documents issued within municipal boundaries to municipalities.
7.6.4 Licence to Occupy (LTO) Renewals

Renewals for licences to occupy are required every five years. Issuing renewal documents is unnecessary work for Lands Branch staff. The licence to occupy should indicate that, after the initial time period of five years, the licence renews automatically for one-year periods on the payment of the annual fee. Both government and the licensee would have the option to terminate the licence on giving the other 30 days notice.

Recommendation

44. Discontinue preparation of renewal documents for licences to occupy. Instead, include in the licence to occupy a clause that, after the initial time period of five years, the licence renews automatically in one-year intervals upon payment of the annual fee by the licensee. The licensee or government would have the ability to terminate the licence upon giving 30 days notice to the other party.

7.6.5 Public Draw Proxies - Cottages

Entrants into public draws for cottage lots are allowed to name three proxies on their behalf. They are also allowed to act as a proxy. By naming themselves as proxies on entry forms submitted in the names of others, land speculators are able to acquire multiple entries into the draw. Successful entrants have 90 days in which to purchase the lot and are allowed a 90 extension if requested. The property reverts to the Crown if the lot is not sold. This allows speculators 6 months in which to sell the property. To prevent speculation a proxy should only represent one entrant and an entrant cannot be a proxy.

Recommendations

45. Limit the ability of a person to serve as a proxy to one applicant only in a cottage lot draw. In addition, do not allow an entrant to act as a proxy.
8. Filing System Related

8.1 Application File Back-Up – Regional

When an application is approved by a regional office it is forwarded to the Titles office for review and title preparation. Regions outside of the Eastern Regional office mail the application and supporting documentation to the Titles office. In some regions paper documents sent to the Titles office are not copied and therefore no back up copy exists in the event the documents are lost in the mail. A copy of any documents sent in the mail should be made.

Alternatively, the documents would be scanned and kept in an electronic format. The application would be sent to the Titles office via email. A dedicated email address would be required at the Titles office in which to send the application.

Recommendation

46. Make a back-up copy of documents pertaining to Crown lands applications that are forwarded in the mail to the Titles office from the regions. Preferably an electronic copy would be made and sent to the Titles office through email.

8.2 Electronic File Back-up and Provincial File Access

Regional files are paper-based, one-of files, and stored in file rooms in each regional office. These rooms are not fire-proof with newer rooms equipped with sprinkler systems. In the interest of file security and provincial access these files should be scanned into an electronic format and stored on a shared server as back-up. On a go forward basis each file would be scanned when it is finalized and the title has been issued.
Recommendation

47. Scan existing regional files in an electronic format as a means of back-up and to provide provincial access.

8.3 File Tracking (Paper File)

The AMANDA (TRACTS) system is currently used to track the progress of the application. The "Process Tab" screen gives a visual as to the status of the application in the application process. As each stage of the process is completed the status of the application is updated. Although the AMANDA (TRACTS) software tracks the application process it does not track where the paper file folder containing the application is located.

Depending on the application stage, the application paper file folder could be stored in any number of filing cabinets or be sitting on a person's desk. For example, when waiting for referrals it is stored in a specific drawer in a filing cabinet. A system is needed such that the paper file can be tracked at any time. A simple electronic database that is accessible to the entire office would be useful in indicating where the file is located. When the file is removed from the cabinet it would be "signed out" by the user by indicating this in the database.

Recommendation

48. Develop an electronic database to track the location of the application file in the office.
9. Staffing

9.1 Staff Turnover

9.1.1 Lands Officer I (LO-I) Position

The Lands Officer I position is the first point of contact for the public with regards to the application process. Their primary duties are to receive, check and register applications, and to refer applications to departments and agencies. In all regions there are a number of position vacancies. The application process is delayed when these positions are not filled and staff do not have time to register the application. When there is only one Lands Officer I in the office their focus is on serving clients at the front counter; application paperwork is completed when time permits. If the application is not registered then it does not move forward through the process.

The department has indicated that this position has a higher than normal turnover rate and therefore there are constant vacancies. The vacancy rate for this position, throughout all regions, is currently 55%. The vacancy rate may be attributable to the rate of pay offered coupled with the plethora of knowledge the position requires especially in determining what department and agencies to send referrals. The salary scale with respect to the work requirements of this position should be re-evaluated.

Recommendations

49. Ensure staffing levels with respect to the Lands Officer I position are adequate to allow timely registration of Crown lands applications.

50. Re-evaluate the salary scale with respect to work requirements for the Lands Officer I position.

9.1.2 Land Management Officer (LMO) Position

To a lesser extent turnover in this position is also an issue. Again, when the position is left unfilled field inspections and reports are delayed which in turn delays the application
process. This position has recently been evaluated under the Job Evaluation System and was recommended that the salary scale be reduced. This will make it more challenging to fill these positions in the future.

Recommendation

51. Re-evaluate the salary scale with respect to work requirements for the Land Management Officer position.

9.2 Staff Training

Much information regarding staff procedures has been developed by the Lands Branch and is located electronically on the Lands Branch server. Training resources in the directory include the ArcMap Reference Manual and the Lands Officer Manual. In addition, staff have various processes written on paper. There is no complete training manual for the AMANDA (TRACTS) system but various notes are available in the directory. Information needs to be organized such that it can be easily followed by new staff. A printed version may also be useful.

Throughout the regional offices some staff require more training in the various computer software programs required to perform their job duties. Additional training in Word, Excel, AMANDA (TRACTS) and in the GIS system(s) would be beneficial. The lack of training results in other staff having to perform duties that are not a part of their job description. Training given to employees should also be tracked.

Recommendations

52. Continue the development of a training manual for new staff. The training manual should correspond with the policy manual.

53. Ensure staff are trained in the various software programs necessary to complete their job functions.

54. Develop and implement a training program for staff.
10. Information Technology

10.1 Current State

The Lands Branch currently operates five distinct land information systems. These systems are used mainly for application tracking and processing, and mapping requirements.

1. Application Tracking

Applications are registered and tracked using a software package known as TRACTS (The Registration of Applications and Crown Titles System) and an imbedded software application referred to as AMANDA (Application Management and Data Automation). These systems follow the application from date of receipt of an application to final title issuance. This program is networked between Head Office and the four Regional Lands Offices and operates as a "real time" system.

2. Mapping

The Crown Lands GIS (CLGIS) system contains digital maps of the province and depicts all titles issued by the Crown. The CLGIS is used to locate Crown lands during the application process and for general public inquiries. The system was introduced in 1998 to replace hard copy maps with a networked digital mapping index depicting all Crown issued titles.

3. Land Use Atlas

The Land Use Atlas (LUA) is a land management tool that is integrated with the CLGIS. It identifies current land use and identifies land use policies in map form. The LUA provides land use information for planning with respect to resource management and aids land use planning agencies in decision making on Crown lands management. The system contains over 145 land uses applied over 13 layers of information in a geographical information format. Information is obtained from other government departments and agencies having a mandate in resource management and development. A web portal viewer has been developed and is in use throughout government. Responsibility for the LUA rests with the Land Management Division.
4. Base Mapping

Large scale base mapping (1:2500 to 1:50000) is available for all municipalities in the province. Of the 4,000 maps produced, 1,300 are available in vector digital format and can be used in GIS applications. Vector data of the National Topographic Series of maps has also been produced. The entire island portion of the province is available at 1:50000 and 1:250000 scales. All of Labrador is available at 1:250000 while over 75% of Labrador is available at 1:50000.

5. Document Imaging

Crown lands titles and related documentation are scanned electronically and can be linked with the CLGIS and AMANDA (TRACTS) system. This allows for document security and backup while allowing quick information access.

10.1.1 E-Commerce

Current e-commerce options available to the public allow for the payment of lease and licence rentals through government's website. This option can be accessed through the "I want to...Pay Online" link located on the website home page.

10.1.2 Integration - Current

Currently the CLGIS, LUA and scanned title documents have been integrated and are available to internal government users via the LUA application and through a PDF search utility. However, the transfer of information from the AMANDA (TRACTS) system to the GIS is not carried out in real time, information is updated on a daily basis.

10.2 Future State

"Land agencies around the world are recognizing the need for a modern cadastral and registry system capable of integrating computer systems, streamlining land records
business functions, improving access to information by citizens, and reducing administrative costs.¹

Based on a review of other jurisdictions, areas that have a titles system in place are using four main information technology (IT) systems to carry out their business practices. The IT systems in place in Nova Scotia are provided below as an example; that province is in the process of moving from a deeds registry system to a land titles system.

- E-service and/or e-commerce system
  - Submit application on-line
  - Pay fees on-line
  - View land parcels on-line through a GIS system
  - Obtain maps
  - Allow applicant the ability to check the status of their application
  - Nova Scotia (Access Nova Scotia)

- Business Management Software
  - Internal system used to manage and track application processing
  - Nova Scotia (CrownLINC)

- Electronic Land Registry System
  - Online access to land ownership
  - E-submission of documents
  - User-pay system
  - Nova Scotia (Property Online (POL))

- Geomatics or Geographical Data
  - All land parcels are mapped in a computerized GIS system
  - Nova Scotia GIS system (GeoNova)

With respect to these IT systems the Lands Branch already has, to some degree, corresponding systems in place. The AMANDA (TRACTS) system is used to manage and track the application process. The CLGIS and the LUA comprise the geomatics

system. Crown lands registrations are available electronically internally to government departments and to the general public through a visit to the nearest regional Lands Branch office. The e-commerce aspect is currently limited to the payment of lease and licence fees.

In the short term, the Lands Branch should maintain the current IT systems in place. These systems have been modified significantly to accommodate the lands registry system in place in the province. Additional modifications suggested in this report should be considered. Consideration should also be given to investigating whether the Municipal Support Information System (MSIS) system could be modified to provide the e-commerce recommendations suggested for the Lands Branch.

However, if and when government decides to move towards a mandatory land registration system or a land titles system it should consider replacing existing software with a software solution that integrates all business functions required for the dissemination of land information and dispositions.

Recommendation

55. Maintain current Information Technology systems in place to carry out the functions of the Lands Branch. Consider introducing a more integrated system if and when government decides to move towards a mandatory land registration or land titles system.
PART II - Legislative Review
Introduction

The focus of the legislative review was on adverse possession, shoreline reservations and unauthorized and illegal occupation of Crown lands, as these were the sections of the Lands Act identified in the Terms of Reference.

The legislative review also examined provisions of the Act pertaining to free grants, surveys and survey markers, ministerial authority, abandoned lands, and the Crown Lands Registry. In addition, changes to make the Act more user friendly were identified.

The legislation of jurisdictions reviewed for the main topic areas included Nova Scotia, New Brunswick, Ontario, Manitoba, Saskatchewan and Alberta. In addition, Canada was reviewed for the topic of adverse possession. British Columbia was included in the review of ministerial authority and the Crown Lands Registry.

Legislative, business process and policy changes are recommended in this part of the report to modernize the Act and improve the service delivery model. Further amendments to the Act and regulations will be required to implement these recommendations. While some suggestions for wording may be provided in this report, the final wording is a decision for legislative counsel and depends on the policy instructions received from the Lands Branch.
11. Adverse Possession

This chapter is organized differently from other chapters. The first section will provide a summary of the current legislation followed by issues identified in the consultation process. Legislative, business process and policy changes are then recommended and discussed. Next, the chapter will present three other options to approach adverse possession. They are: reinstate adverse possession; abolish adverse possession altogether; abolish adverse possession altogether after a 10 year grace period. These options were considered but not recommended. Given the importance of this matter, however, the advantages and disadvantages of each option will be discussed.

11.1 Summary of the current legislation and policy

Since January 1, 1977, adverse possession against the Crown has been abolished in Newfoundland and Labrador. There is, however, an exception. Under section 36 of the Lands Act, a person who can show possession of Crown lands (i.e. a person may have constructed a building, fenced or cleared the land, farmed or raised animals on the land) for the 20 years between January 1, 1957 and December 31, 1976 may be eligible for a Crown grant based on adverse possession or "squatters rights".

To determine whether or not someone has a valid claim to the land, it has to be shown that the person (or his or her predecessor) had open, notorious, continuous and exclusive possession. The terms 'open' and 'notorious' mean actual, visible and obvious - so open and notorious as to give the true owner notice of circumstances such that the owner could not be presumed to be ignorant of the possession. 'Exclusive' means possession by the possessor to the exclusion of the owner and all other persons without interruption or dispute. 'Continuous' means constant throughout the period, without interruption.
All four aspects of this test must be met. For example, in 1955, John Doe built a house and fenced a piece of land within a community. The residents of the community consider this piece of fenced land to be private property belonging to John Doe. The period of time in which he lived there included the 20 years between January 1, 1957 and December 31, 1976. In this case, John Doe or his successor may apply for a Crown grant under this section of the Act.

A person can apply to the Crown Lands Administration Division of government for a "squatters rights" Crown lands grant and with it must provide two affidavits. One affidavit is required from the applicant and describes the use and occupation of the land in the relevant period of time. The other is required from an independent person familiar with the use and occupation of the land particularly in the time period between 1957 and 1977.

11.2 Issues identified with the current Legislation

Throughout the consultation process, several issues with respect to the current legislation were identified. For instance, the ability for private individuals to prove claims of adverse possession is becoming increasingly difficult. This increased difficulty is partly due to the requirement to obtain an affidavit from an independent individual who can attest to the actual use and occupation of the land from 1957 to 1976.

Another comment that was often heard throughout the consultation process was that the process is too long. It can take a considerable amount of time to receive a grant under section 36 and there is no clear public understanding as to why this is so. One of the causes identified by the Lands Branch staff for the long process times is the requirement of an inspection of the land to confirm use and occupation. This in itself provides challenges and potentially lengthy delays. Inspections cannot be performed when there is snow on the ground, as evidence to support the application is not visible.
In addition, it was noted that staff within the Lands Branch are currently playing "arm chair" lawyers by trying to verify documents as to their legal validity in order to issue a grant under section 36 which certifies title to the individual.

With respect to issues identified by lawyers, some lawyers are not willing to take the risk of being sued due to the uncertainty of certifying title and therefore will not be involved in property transactions involving Crown lands. Furthermore, title insurance cannot be obtained to protect a person if the Crown claims the lands as Crown lands. In other situations, some solicitors have certified title to individuals who have had possession for a long time but which commenced after December 31, 1976, when adverse possession against the Crown was abolished. In this case, the client could bring a claim against the solicitor's insurance or bring an application to government to legalize title.

There is also the situation where people have been in their homes for years, only to discover their deed is groundless and the years of possession between 1957 and 1976 do not meet the test of open, continuous, notorious and exclusive possession (for example, there may have been a break in the period of occupation of the land or insufficient use of the land). However, in such cases, the person can come forward and apply for a Crown grant under section 4 of the Act. Unfortunately, the cost of a residential grant rose to market value in 1996, which means a much higher cost to the applicant for a grant than if they had applied when they first occupied the land.

Lastly, there is a lack of public awareness regarding the Lands Act in general, but also in terms of adverse possession. Although there was a campaign in 1976 regarding this issue very little has been done since then to inform people about adverse possession and encourage them to come forward with their claims.

11.3 Other Jurisdictions

With respect to other jurisdictions in Canada, several do not allow adverse possession against the Crown (e.g. Manitoba, Saskatchewan or Alberta). Ontario, Nova Scotia, New Brunswick and Canada all allow some form of adverse possession against the
Crown. Similar to the current approach in Newfoundland and Labrador, the federal government abolished adverse possession as of June 1, 1950. However someone may still come forward to seek a certificate of title in court if they can prove adverse possession against the federal Crown prior to June 1, 1950. In Ontario and New Brunswick, a person can come forward to claim adverse possession against the Crown if they have 60 years possession, whereas in Nova Scotia the time period is 40 years. With respect to the document that the applicant will receive from the Crown, New Brunswick issues grants, Ontario issues quit claims and Nova Scotia issues certificates of release (similar to a quit claim). Unlike a grant, a quit claim is not a guarantee of title. A quit claim is a certificate stating that whatever interest the Crown has in the lands, it gives to the applicant.

11.4 Recommendations
In developing the recommendations outlined below, the Review Committee took into consideration feedback received during the consultation process and the Law Society's recommendations (included below) as well as a review of other jurisdictions was completed by the Review Committee.

11.4.1 Legislative Recommendations

56. Implement the following with respect to adverse possession against the Crown:

i. Maintain that adverse possession against the Crown continues to be abolished after December 31, 1976.

j. Maintain the 1957-1976 exception. That is, those people who can show open, continuous, notorious and exclusive possession from 1957-1976 may come forward with an application.

k. Amend section 36(2) of the Act to add the words “immediately prior to January 1, 1977” at the end of that subsection. This would reflect the current case law.

l. Continue to use the test of open, notorious, continuous and exclusive possession as the basis for acquiring an interest in Crown
lands under section 36(2) of the Act. This is a widely accepted principle in the legal community which is used in other jurisdictions respecting adverse possession. It would also apply to the Quieting of Titles Act.

m. Issue quit claims under section 36 of the Act, not grants. A quit claim is a certificate stating that whatever interest the Crown has in the lands, it gives to the applicant. Unlike a grant, a quit claim is not a guarantee of title.

n. Require the quit claim to be registered in the Registry of Deeds and a copy kept in the Crown Lands Registry.

o. Provide for the issuance of a quit claim (and new up-front application requirements) to apply on a go-forward basis.

p. Work with legislative counsel to determine which provisions of the Act need to be amended as a consequence of the change from a grant to a quit claim, and to further amend section 36 to be reflective of other changes recommended in this report.

11.4.2 Business Process Recommendations

57. Require an application under section 36 of the Act to include:

f. Application including affidavit from the applicant;

g. Certificate from lawyer giving opinion as to applicant's interest in the land under the test of open, notorious, continuous and exclusive possession between 1957 and 1976;

h. Copy of deed, dated before January 1, 1977, grounding title of the applicant (if there is one) and/or affidavit of an independent person knowledgeable of the use and occupation of the land by the applicant or the applicant's predecessor during the relevant time period;

i. Abstract of title (if any documents have been registered); and

j. Survey.
58. Initiate a process for section 36 applications to ensure that other government departments have no interest in the subject parcel of land. The quit claim issued under section 36 should state that the Crown (inclusive of all government departments) has no interest in the land and include an indemnity clause against the Crown. The quit claim may be subject to other conditions as well.

11.4.3 Policy Recommendations

59. Update the current policies for section 36 applications and post online.

Implementing the recommendations identified above should reduce the time it takes to process a section 36 application. The process for issuing a quit claim as opposed to a grant, where title has to be certified, is not as laborious and therefore should not take as long to complete. The process would be applicant-driven in that the greater the quality of the application, the faster the time to process it.

This approach would no longer include Lands Branch staff making quasi-legal determinations or carrying out title research. It would also reduce government’s liability because government would no longer be guaranteeing title.

Also, as mentioned previously, it was heard through the consultation process that section 36 claims are getting harder to prove because of the static time period between 1957-1976 coupled with the requirement of an affidavit. With this approach the time period will remain static; however, the current application requirement for an affidavit can be avoided if the person claiming adverse possession has a deed to the land.

The land mass of the province is vast and 88 per cent is estimated to be Crown lands. It is difficult for the Crown to monitor and enforce all Crown lands in terms of adverse possession. This approach will also protect the land resource for all people in the province.
However, implementing this approach would now require the individual to obtain the services of a lawyer before applying to the Crown Lands Administration Division for a section 36 quit claim. The current process does not have this requirement. It also requires a professional survey to be completed ahead of time which again is not a requirement of the current application process under section 36.

This approach is recommended in part due to the fact the department continues to receive approximately 200 applications per year under section 36. This option gives both the public and the department the ability to deal with a claim. Adverse possession against the Crown before 1977 needs to be addressed now through public education and proactive effort from the department. In five years it would be important for the department to re-evaluate whether it will continue to accept applications under section 36 or whether it will give the public notice of the final date for accepting these applications. In no circumstances should adverse possession against the Crown after 1976 be reinstated.

These recommendations do not change the role of the court in certifying title under the *Quieting of Titles Act*. That Act refers to an interest in lands under section 36(2) of the *Lands Act*.

11.5 Other options considered:

Three other options were considered by the Review Committee. They were:

a) Reinstall adverse possession against the Crown, as recommended by the Law Society;

b) Abolish adverse possession against the Crown, both before and after 1976;

c) Abolish adverse possession against the Crown both before and after 1976, but provide a 10 year grace period in which people who have acquired an interest between 1957 and 1976 may make application for a quit claim under the *Act*. 
Some advantages and disadvantages of each of these options are presented below.

a) Reinstall adverse possession, as recommended in the submission from the Law Society of Newfoundland and Labrador. The following submission was provided by the Law Society in relation to section 36:

"The consequences of the most recent decisions out of the Trial Division and Appeal Division, relative to the application of the 20 year period necessary to potentially jeopardize the title of the Crown, has created real issues for our members.

The insertion by Judge Adams and confirmed by the Court of Appeal, of the word 'immediately' prior to January 1, 1977, has created a significant barrier for our members and their clients to meet. As time passes the ability to satisfy proof of open, continuous, notorious, and uninterrupted possession for this period accentuates and within a short period will be virtually impossible to prove and the ability to extinguish the Crown's interest, a legislative possibility but in essence, meaningless. A number of options to address this situation were reviewed by members and we present the following for your review and consideration:

1. Revert to a 40 year 'registration' recognition, whereby any title registered in our public registry for more than 40 years, would be legislatively presumed to have eliminated any Crown interest. This does not confirm good and marketable title in the registered owner and would still have to be evaluated by members vis-à-vis private interest, but would eliminate concerns with respect to the Crown.

2. The Crown would recognize any 20 year of occupation and use (as presently accepted by members) within any municipality governed by the provisions of legislation including those creating the 'City' status, and those governed by the 'Municipalities Act'. The 20 year would apply to any 20 year period, before or after 1977;"
3. The same would apply to any 30 years period of occupation and use, recognized by the standards of our practice, for property occupation and use, for those claiming outside areas governed by the legislation referenced above.

These suggestions are based on a review of these and other options discussed by our members. It must be emphasized that these suggestions relate to 'regulating' Crown interest only, and does not eliminate the responsibilities of our members to confirm that the title of the client is accepted by our members as good and marketable."

Although the first of the three components of the option identified above was put forward from the Law Society it was subsequently decided, in consultation with the Advisory Committee, not to include it in further considerations of this option.

Some of the arguments heard throughout the consultation process in support of this approach included:

- Having long possession should count for something.
- Eighty-eight per cent of the province is Crown lands; there is lots of land to go around.
- Movement of the time period would make it easier to prove in years to come.
- Would make it easier/cheaper for those currently in adverse possession to obtain a grant/quit claim or certificate of title respecting the lands they possess and occupy.
- Land has been passed down through generations, sometimes based on deeds, wills, or certificates from lawyers and sometimes with no paper trail whatsoever. People have not needed a paper document until they go to sell or seek a mortgage. Family members are left trying to prove title in which the Crown may have no interest. Is it reasonable to charge them market value to clean up the chain of title?
• Adverse possession against a private landholder is 10 years. Why should the Crown be any different?
• Lands Branch staff will not be making legal determinations they are not qualified to make.

Proceeding with this approach would require consideration of the following:

• The Lands Branch would need to do more proactive enforcement immediately. If not, they would lose control of all Crown lands.
• Without strict and proactive enforcement, there would be a loss of:
  o Environmental control
    ▪ Uncontrolled developments and waste can affect groundwater and, in turn, drinking water.
  o Planning control
    ▪ People could build on a flood plain and if government does not enforce the law, in 20/30 years the occupant may make a claim to the land.
    ▪ There are infilling areas where development is approved. That is for shared health care, education, transportation, infrastructure, etc. Residential development is discouraged outside these infilling areas and outside municipal planning areas. Illegal adverse possession makes planning more difficult.
  o Protection of ecology and archaeology.
• It is not fair to those people who, since 1977, paid for their land. If they had waited until the change in the law, and had 20/30 years possession, they would have gotten it for very little cost.
• Government does not always know what is and is not Crown lands. Therefore, it cannot be properly monitored to ensure that this approach is not taken advantage of.
• People who have an interest in coastal trail development and maintenance are concerned that this land will be easy to get and will take away their access and everything they have worked towards.
• Are there special management areas or restricted areas where people will now claim an interest in the land through adverse possession?
• It would have to be made clear that if adverse possession against the Crown were reinstated, that it would not apply to decisions made by the court before the change in the law.

b) No adverse possession against the Crown, both before and after 1976.

Some of the arguments in support of this approach included:
• People can still apply for Crown grants under section 4 of the Act if they are on Crown lands or wanting to apply for a Crown lands grant in an accepted area.
• The law will be upheld as some believe it was intended to be in 1977.
• Eliminate issues with “proof” of adverse claim, e.g. affidavits, test of open, notorious, continuous and exclusive possession, etc.
• Lands Branch staff will not be making legal determinations they are not qualified to make.
• Maintain environmental control. Certain areas of land cannot handle high population density. For example, the carrying capacity of ponds would be compromised. Uncontrolled development and waste can affect groundwater and, in turn, drinking water.
• Maintain planning control
  o The land could be on a flood plain.
  o There are infilling areas where development is approved. That is for shared health care, education, transportation, infrastructure, etc. Residential development is discouraged outside these infilling areas and outside municipal planning areas. Illegal adverse possession makes planning more difficult.
  o Protection of ecology and archaeology.
• The province is vast. Eighty-eight per cent is Crown lands. There is no way the Crown can monitor all of the land in terms of adverse possession. This will protect the resource for all people in NL.
• Government took a "revolutionary" step in 1976 to abolish adverse possession on a go-forward basis. To turn back would be chaos.

If this approach were to be further considered by government, the following should be thought through:
• People who have valid claims, but have not come forward, would no longer be able to apply under section 36 and therefore would have to apply for a grant and pay market value (or some other rate determined by government in policy).
• Some people are of the view that there always has to be a policy to allow for adverse possession, especially if the Crown is not going to carry out enforcement.

c) **No adverse possession before or after 1976 with a 10 year grace period for those claiming between 1957-1976 and issue quit claim.**

Some of the arguments in favour of this approach included:
• Would allow people who have valid claims to still come forward for another 10 years to get a quit claim.
• People can still apply for Crown grants under section 4 of the Act if they are currently on Crown lands or wanting a grant in an accepted area.
• The law would be upheld as some believe it was intended to be in 1977.
• After 10 years, issues with "proof" of adverse possession, e.g. affidavits, test of open, notorious, continuous and exclusive possession, etc. would be eliminated.
• Lands Branch staff would not be making legal determinations they are not qualified to make.
• Maintain environmental control. Certain areas of land cannot handle high population density. For example, the carrying capacity of ponds would be
compromised. Uncontrolled development and waste can affect groundwater and, in turn, drinking water.

- Maintain planning control
  - The area could be a flood plain.
  - There are infilling areas where development is approved. That is for shared health care, education, transportation, infrastructure, etc. Residential development is discouraged outside these infilling areas and outside municipal planning areas. Illegal adverse possession makes planning more difficult.
  - Protection of ecology and archaeology.

- The province is vast and an estimated 88 per cent is Crown lands. There is no way the Crown can monitor all of it in terms of adverse possession. This will protect the resource for all people in NL.

- Government took a "revolutionary" step in 1976 to abolish adverse possession on a go-forward basis. To turn back would be chaos.

If this approach were to be further considered by government, some things to think through include:

- Even with a public awareness campaign people may not know that they do not have title to their land from 1957-1976 and therefore still will not come forward and will lose the opportunity to do so after 10 years, at which time their only option will be to come forward and apply for a grant and pay market value (or some other rate determined by government in policy).

- A static time period between 1957-1976 makes it hard to prove valid claims as years go by.
12. Shoreline Reservations

12.1 History of the Size of the Shoreline Reservation

The first statutory shoreline reservation was created under the Crown Lands Act, 1884 and has existed since then. Between 1884 and 1951, the statutory reservation for Crown titles was a minimum of 25 feet to a maximum of 100 feet; however, the vast majority of titles were issued based on a width of 33 feet. Thirty-three feet was used because it represented half of one chain (50 links) and was a convenient and practical measure for surveying purposes. It was also a common width of many secondary road allowances. The statutory reservation applied to land bordering on freshwater only.

The amendment to the Crown Lands Act in 1951 created a fixed minimum width of 33 feet around freshwater bodies but it did not stipulate a maximum. Although not a legislative requirement, it became common practice for the Crown to stipulate a width of 50 feet for major water bodies. In addition, when environmental legislation was enacted in the 1970's, a width of 50 feet was used by the Water Resources Division for protecting a strip of undisturbed vegetation between water bodies and upland developments. Today a development within 15 metres (49.2 feet) of a water body may require a permit under the Water Resources Act.

As with earlier legislation, the Lands Act passed in 1991 maintained a reservation of 10 metres (32.8 feet); however it also stipulated, for the first time, that the statutory reservation now applies to salt water. An amendment to the Lands Act in 2001 expanded the statutory reservation to 15 metres (49.2 feet) on all lands bordering fresh and salt water, with three exceptions. The 10 metre size was retained for residential purposes; municipal or church purposes; or for the purpose of a title granted pursuant to a lease or licence issued before 2001.
12.2 Summary of the current legislation and policy

Under section 7 of the Lands Act, a 15 metre wide area of Crown lands surrounding a lake, pond, seashore or foreshore or along each bank of a river is to be reserved. This shoreline reservation is publicly accessible unless, in limited circumstances, a grant, lease or licence to the area is issued under the Act.

There are three exceptions. A 10 metre wide reservation is required under the legislation for the following: a) residential purposes; b) for purposes referred to under section 9 of the Act (i.e. free grants) including the installation of water and sewer works and the construction of public roads by a municipality; and c) for the purpose of a title document that is granted pursuant to a lease, licence or permit to occupy issued before 2001.

There are certain circumstances in which a person may apply to government for a grant, lease or licence on the shoreline reservation. It must be based on one of the following circumstances:
• Required for the purpose of an industrial undertaking
• Enable a person to carry out aquaculture activities
• Enable a municipality to engage in water and sewer works and to permit the construction of public roads
• Construction of boat houses and wharves to the extent that they intrude on the reservation
• Where a structure, built before April 1, 1992, is used as a residence and intrudes on the shoreline reservation, only to the extent of the intrusion

An individual wishing to apply for a Crown lands grant, lease, or licence under this section must first publish a notice of intent in the *Newfoundland and Labrador Gazette*, one local paper and one weekend edition of a paper having general circulation within the province at least two months prior to making the Crown lands application. People who wish to object to the application are required to write to the minister within one month of the publication of the notice.

12.3 Other Jurisdictions

There is no consistent approach to shoreline reservations in the other six jurisdictions reviewed. New Brunswick has a 10 metre reservation on freshwater bodies and Manitoba has a 30 metre reservation for land that extends to the sea or to the shore of navigable waters. Both are measured from the high water mark. They can be subject to conveyance, and public rights of passage are identified in the legislation. Ontario provides for a reservation at a depth determined by the minister, depending on the amount of public lands fronting a waterbody. Saskatchewan’s legislation reserves the public rights of access to a waterbody and passage over a portage road or trail, without reserving a specified size of land.

As discussed above, Newfoundland and Labrador’s *Lands Act* contains the list of developments for which a title document may be obtained with the shoreline reservation. This approach does not appear to be taken in the Crown lands Acts of the other jurisdictions reviewed. They provide for conveyances within the reservation but
without stating the purpose. The legislation may however require permits for development. Ontario, for example, requires permits for particular developments on shoreline reservations while providing a free use policy for small boathouses and wharves.

12.4 Recommendations

In developing the recommendations outlined below, the Review Committee took into consideration feedback received during the consultation process, the business process review as well as an analysis of other jurisdictions completed by the Review Committee.

12.4.1 Legislative Recommendations

Reservation Area

Newfoundland and Labrador is a leader in the preservation of its shoreline for all to enjoy. During the consultation process, the majority of participants made it very clear that they would like government to continue to preserve and enforce the shoreline reservation. The reservation is currently 15 metres, with the exception of 10 metres for specified purposes such as residences. Several municipal plans were looked at and most already require a consistent 15 metre shoreline reservation for all purposes.

Recommendation

60. Provide a 15 metre shoreline reservation for freshwater and saltwater bodies for all purposes. In other words, maintain section 7(1) of the Act, remove section 7(1.1), and grandfather those titles that already have less than a 15 metre shoreline reservation.

Ministerial Authority

Cabinet approval is currently required for all section 7 – Shoreline Reservation applications. This includes routine applications for boathouses and wharves. A lot of time is invested by Lands Branch staff in preparing documentation for Cabinet review for these applications when in most cases the applications are approved. Approval for
these 'routine' applications should rest with the minister responsible for the *Lands Act*. Commercial and industrial applications (except commercial boathouses and wharves) would continue to require Cabinet approval.

**Recommendation**

61. **Allow the minister to approve some section 7 applications (e.g. boathouses, wharves, etc.) and maintain Cabinet approval for other applications (e.g. intrusions on the reservation, aquaculture and industrial undertakings).**

**Regulations**

Currently the only development which can be approved on the shoreline reservation is for the purposes of aquaculture, industrial undertakings, municipal water and sewer works, construction of public roads, boathouses, wharves and preexisting residences that intrude on the reservation to the extent of the intrusion only. This definition is very prescriptive especially in terms of private development on the shoreline reservation.

Currently the Lands Branch will work with someone to the best of their ability to fit a development into one of the allowable categories or the person will go ahead and carry out the activity without acquiring proper title to do so. In order to try and reduce the number of people who go ahead without proper title, and to be consistent with the policy approach (i.e. that this section is intended to preserve access to the shoreline reservation for public use), it is recommended that developments that can be approved on the shoreline reservation be expanded and moved into regulations.

The regulations would clearly identify which developments require a title document (e.g. aquaculture, industrial undertaking, etc.) and which ones do not require a title document (e.g. municipal water and sewer works, public roads, etc.). It is further recommended that allowable developments include such things as walking trails, airplane hangars, fishing stages, stores, slipways, etc. Most importantly, there will continue to be the following provision in the regulations that pertains to most developments allowed on the
shoreline reservation: *there is to be no restricted access to the reservation on the part of the general public by erecting a fence or other means.*

The publication requirements of a notice of intent for an application on a shoreline reservation should also be moved to the regulations.

Recommendations

62. Move what can be approved on the shoreline reservation to regulations and broaden the definition of what can be approved.

63. Remove the requirement currently in the Act for municipalities to obtain a title document from the Lands Branch before carrying out water and sewer works or the construction of public roads on the shoreline reservation.

64. Remove the details regarding a notice of intent from the *Lands Act* and place in regulations.

Adverse Possession and Shoreline Reservations

Section 7 regarding shoreline reservations is intended to ensure that the shoreline remains publicly accessible. However under section 36 a person who can show open, notorious, continuous and exclusive possession of Crown lands within the shoreline reservation from 1957-1976, may have acquired an interest in the lands and may apply for those lands. It is reasonable that those who have an interest in Crown lands on the shoreline reservation and make an application under section 36 should not be required to make a separate application under section 7. Also, their possession of the shoreline reservation should not be limited to a use or development enumerated in section 7 or the proposed regulations.
Recommendation

65. Include a provision in section 36 of the Act to the effect that where a quit claim is issued that covers a portion of the shoreline reservation, the approval process under section 7 does not apply.

12.4.2 Business Process Recommendations

Notice of Intent

The Review Committee recommends that applicants for grants, leases or licences on the shoreline reservation be required to advertise notices on the government or Crown Lands website, instead of in newspapers or the Gazette.

Newspapers are no longer circulated province-wide and people do not regularly view the Gazette. In addition, the cost to advertise in a newspaper may be prohibitive to some individuals. Rather than incur these costs some may decide not to bother with the application process, go forward with their development, and deal with the consequences, if any, in the future.

Although the Gazette and most newspapers in the province are published online, not everyone has access to a computer or the internet. The same issue would apply to information posted on the Crown Lands website. To address this issue, a copy of the notice of intent would also be required to be posted at the location where the development is to occur. As well, the minister may also require posting in public areas in the community and within adjacent communities, such as the post office, or a community or town hall.

Under the current process, at times an applicant will have advertised the notice of intent only to have the application refused through the referral process and thereby rejected by the Lands Branch. This situation is highly probable for applicants who do not have easy access to the regional offices and submit an incomplete application. Therefore, a notice of intent should only be posted after the application is registered.
If the application is registered by the Lands Branch, then the applicant should be notified and required to post a notice of intent online and onsite. Posting online and onsite will be for 30 days. A person who objects to the development will have 30 days to notify the minister from the date the notice of intent was first posted online and onsite, whichever is later.

Recommendations

66. Discontinue advertising notices of intent for applications on the shoreline reservation in the *Newfoundland and Labrador Gazette* and newspapers. Require public notice on the Crown Lands website and at the actual physical location of the proposed development. Enable posting at an additional location at the discretion of the minister.

67. Require publication of the notice of intent for a shoreline reservation application after the application is registered with the Lands Branch.

68. Change the timelines for the filing of objections to a shoreline reservation application to 30 days from the date the notice of intent was first posted by the applicant online and onsite, whichever is later.

12.4.3 Policy Recommendations

Measurement of shoreline reservations

Another issue heard during the consultation process, with reference to the shoreline reservation, is that it does not always contain walkable land. However, using the high water mark as an environmental marker is a standard in many other jurisdictions that have shoreline reservation legislation. Through its research and investigation, the Review Committee could not find an alternate standardized means to measure the shoreline reservation in order to ensure it always encompasses a portion of walkable land.
The Committee is aware that 15 metres from the high water mark may still be along the face of a cliff, depending on its slope. It may not include walkable land. The Committee contemplated a measurement that would provide for a continuous strip of walkable land along the seacoast or a riverbank. In doing so, the Committee considered using as a measurement for the seashore or a riverbank, a size of 15 metres from the edge of a cliff, even if below the cliff there is an accessible beach of any size. However, given the size and nature of the shoreline, the standard approach using the high water mark was preferred. Therefore it is recommended to continue to measure the shoreline reservation from the high water mark.

The statutory shoreline reservation is a minimum only. Other mechanisms may be explored by the department on a case-by-case basis for undeveloped land.

Recommendation

69. Maintain measurement of the 15 metre shoreline reservation from the high water mark.

Description of Notice of Intent

Currently the description requirements for a notice of intent are very vague and sometimes it is difficult to determine where the development will occur exactly. Therefore, it is suggested that the policy regarding the notice of intent be revised to ensure that a more specific description of the location of the development be included. For example, it could require the applicant to provide GPS coordinates for the location.

Recommendation

70. More clearly define the description of what needs to be included in the notice of intent for an application within the shoreline reservation.
Small Boathouses and Wharves

Consideration should be given to adding as a condition of a residential or cottage lease, licence or grant that is adjacent to a shoreline reservation, a clause that would permit the holder of the lease or grant to construct a small boathouse or wharf. The holder would not require a further title document from the Lands Branch.

The holder would not be permitted to restrict access to the reservation on the part of the general public by erecting a fence or by other means. The department would have to provide clear policy direction for this condition. The department may wish to consult with the Department of Environment and Conservation or Department of Fisheries and Aquaculture before finalizing the policy direction. Some things to consider are:

i. Size of the boathouse and wharf under this condition would have to be clearly outlined. For example the size of a wharf may be 3-4 feet wide and 15 feet long. Similarly, the maximum size of a boathouse allowed may be one story high (10 feet) and 15 feet x 15 feet. A boathouse of this size would hold a boat and storage only.

ii. The boathouse or wharf is not to cover the full width or the full length of the reservation. Need to allow public access.

iii. Only one wharf and one boathouse allowed in the shoreline reservation that is adjacent to the land granted, leased or licensed.

iv. Person building the boathouse or wharf must be the holder of the lease, licence or grant to land adjacent to that reservation (in other words, the upland owner). If the person is not the upland owner then that person would need to apply to Crown lands for proper title and approval.

v. No notice of intent would be required.

vi. If there is a traditional trail or footpath on the shoreline reservation, then the person cannot cover it with a wharf or boathouse.

vii. Boathouses are not to include living quarters as they are not allowed on shoreline reservations.

viii. Creosote wood is not to be used.
ix. Other conflicts – The department will have to consider whether the permission in the lease, licence or grant might conflict with existing or proposed development on the shoreline reservation (e.g., aquaculture, trail development) and how that might be resolved amicably.

x. The holder may require further permission from another government department or agency (Water Resources Division or Department of Fisheries and Oceans, for example) or from a municipality. That would be the responsibility of the holder to obtain such permission.

xi. Grandfather provision – The department may, by regulation, consider adding this as a condition to existing cottage or residential leases or grants adjacent to a shoreline reservation, provided that the construction of or an existing small boathouse or wharf will not conflict with the carrying capacity of the water body or an existing use of the shoreline reservation, and all of the other conditions are met.

Recommendation

71. Consider adding as a condition of a residential or cottage lease, licence or grant that is adjacent to a shoreline reservation, a clause that would permit the holder of the lease or grant to construct a small boathouse or wharf. The holder would not require a further title document from the Lands Branch.

Communication

The current website and information contained on it is not clear. The public are unsure as to what waterbodies should have a shoreline reservation (e.g. brooks) and surveyors are unclear as to when it is 15 metres versus 10 metres. The province should look at a broad public awareness program to make people aware of their responsibilities regarding shoreline reservations and rights-of-way.

Recommendation

72. Improve communication with the public respecting shoreline reservations.
13. Unauthorized and Illegal Occupation of Crown Lands

13.1 Summary of current legislation

There are various sections in the Lands Act which address the occupation or possession of Crown lands without proper authorization, for example, building a cottage on Crown lands without having a Crown title issued for the land. These sections include:

**Court order (Section 30)** - When a person forfeits rights to Crown lands and refuses to vacate the land or when a person is wrongfully in possession of Crown lands, government can apply to a judge of the Trial Division for an order that the person deliver up the lands to the Crown.

**Offence (Section 31)** - A person who encloses, marks off or takes possession of Crown lands who does not have the right to do so is guilty of an offence and is liable on summary conviction to a fine of $1,000 or more or up to three months in prison, or both a fine and imprisonment.

**Removal of structure (Section 32)** - Government can issue a written notice to anyone who places a structure (i.e. building, wharf, fence, trailer, bus or other motor vehicle converted for the purpose of habitation, a wall or materials that may be used in the erection of a structure and the contents of the structure) on Crown lands who does not have authorization to do so, to remove the structure within 60 days. If the structure is not removed within 60 days the person can be charged with an offence and fined $25 for each day that the structure remains on Crown lands. Government has the right to remove or demolish the structure and the costs associated with removal or demolition may be recovered from the person who erected, maintained or used the structure.

**Stop Order (Section 33)** - A person who is erecting a fence, clearing land, erecting a building, placing materials to erect a building, or constructing a road may be ordered to stop doing that activity and to restore the lands to their original condition.
Appeal (Section 34) - A person has 14 days to appeal a stop order to the Trial Division.

Where order not obeyed (Section 35) - If a stop order has not been complied with and no appeal has been filed within the 14 days, a government employee who is designated to do so can carry out the restoration ordered. The cost may be recovered by government. Every person on whom an order is made and who refuses to comply can be fined at least $25 for each day of refusal and in default of payment can be imprisoned for up to three weeks.

13.2 Issues identified with the current legislation

Throughout the consultation process one of the most common themes heard was that there is currently a lack of enforcement of unauthorized occupation of Crown lands. Participants suggested that the Lands Branch do not have enough staff or resources to patrol and police the vast amount of Crown lands that make up Newfoundland and Labrador. This was extremely concerning to participants especially in terms of environmental and public health concerns not being addressed. Several participants mentioned the Gravel Pit Camper campaign that government launched in 2009 which sought to address the illegal use and occupation of Crown lands for gravel pit camping. These sites can inflict a lot of environmental damage in terms of septic waste etc. and participants were grateful that government had the political will at that time to address the issue. Unfortunately the campaign was brief and did not address all illegal gravel pit sites and as such there are still gravel pit campers around the province who are causing damage to the environment.

Another issue that was heard from participants was that there needs to be more consistency in what is enforced, and that the politics should be taken out of the process. Several participants in several different sessions commented on the apparent interference of MHA's in the Crown Lands process. Both in terms of advocating for the approval of applications as well as advocating to not enforce particular illegal occupants. With this type of pressure on staff and enforcement officers it is very difficult
to be seen as doing a fair and consistent job at enforcement. Some participants went as far as to say 'if you create the law then you need to enforce it'.

In the current legislation some of the issues identified included the lack of a deterrent in terms of fines and penalties. Participants mentioned that the fines and penalties are not stiff enough to deter people from doing what they know is illegal. It was also heard that the value of the land should be appreciated and that government should do a better job at communicating with the public what is, and is not, legal with respect to Crown lands.

Another underlying theme heard throughout the consultation process was that enforcement would be much easier if government knew what is Crown lands. One of the issues with the current enforcement of illegal use and occupation of Crown lands is that government does not know what is Crown lands until someone comes in to apply for the land and it is investigated as to whether or not it actually is Crown lands. Hence if government were to move toward a mandatory land registration system it would make enforcement much simpler and much more consistent.

13.3 Recommendations

In developing the recommendations outlined below, the Review Committee took into consideration feedback received during the consultation process, a business process review as well as an analysis of other jurisdictions.

13.3.1 Legislative Recommendations

Offences

It is suggested that the Lands Branch determine what is considered to be unauthorized use and occupation of Crown lands and provide more clarity in the legislation. For example, some jurisdictions specify dumping or filling on Crown lands as an illegal use. The Lands Branch may wish to review New Brunswick's legislation in this respect.
Recommendation

73. Examine the provisions in the Act respecting offences and clearly state what is unauthorized use and occupation of Crown lands.

Ministerial Compliance Order

Currently, the minister can remove or demolish an unauthorized structure. There is no ability for the minister to impound, sell, auction or otherwise dispose of the structure or the contents of the structure. Restoration of the land is addressed in the provision on stop orders but not in the provision on removal notices.

The jurisdictional scan shows how buildings or things in other jurisdictions become the property of the Crown. For instance, when the minister issues a warrant in Ontario to deal with unauthorized use or occupation, the building or thing becomes the property of the Crown and can be sold, disposed of or destroyed at the minister's direction. The minister can alternatively decide not to take possession. In New Brunswick, the minister can carry out any measures to effect compliance, such as a) restoring land or b) taking possession, removing or disposing any property or thing that is constructed, placed, left, abandoned or disposed of on Crown lands. In Manitoba, Saskatchewan and Alberta, when an order for possession is made by the court, any buildings or structures on the land become the property of the Crown.

A broader section in Newfoundland and Labrador is needed. As the department examines this provision, it may also examine whether there continues to be a need for a separate stop order provision and the current appeal process for a stop order.

Recommendation

74. Expand the actions that the minister or an inspector/enforcement officer may order or take to bring about compliance, including measures to deal with an unauthorized building, structure or thing on Crown lands. Ensure that the costs and expenses of the minister or an inspector/enforcement officer can be recovered as a debt owed to the Crown.
 Restoration of land

The provisions of the Act that currently address restoration refer to restoration of the land to its original condition. That may not be possible nor satisfactory if the restoration would create greater environmental harm.

Recommendation

75. Enable the court, the minister or an inspector/enforcement officer to order restoration of the land to the satisfaction of the minister.

Illegal Structure

Currently the definition of illegal structure is limited to a wharf, building, fence, trailer, bus or other motor vehicle converted for the purpose of habitation, a wall or materials that may be used in the erection of a structure and the contents of a structure. Through consultations it was noted that this definition is very limited as it does not include gates or other man-made structures or barriers such as rock walls, boulders placed to block access, etc. Therefore it is suggested that the definition of illegal structure be amended to include gates and other man-made structures or barriers.

Recommendation

76. Update the definition of illegal structure to include gates and other man-made structures or barriers.

Time to comply

During the consultation process, some people expressed the view that 60 days (to a maximum of 6 months upon approval) is not long enough to comply with a removal notice and others expressed the view it is too long. One reason given to extend the time is the transient nature of our work force. In our current work environment it is reasonable to believe that many people work away for six months of the year and
therefore may not have received the removal notice before the 60 day period has lapsed. Similarly, if the structure is a seasonal structure then the person may not return within the 60 days to see and adhere to the removal notice that has been posted on the structure. On the other hand, it was suggested that a person who has received the removal notice personally should not be given extra time to remove the structure.

Recommendation

77. Change the length of time to comply with a removal notice by requiring compliance within the time period set out in the notice.

Emergency removal of structures

In the *Lands Act* there is no provision to allow inspectors and enforcement officers to deal with the emergency removal of structures that are a public safety concern. For instance, inappropriately placed wires, ropes, chains, etc. One scenario cited during consultations was a wire pulled across a beach. Currently there is no provision in the *Act* which allows an officer to immediately remove the wire, however leaving it intact for any period of time poses a public safety risk and could cause serious harm. Therefore it is suggested that a provision be added to the *Lands Act* to allow for the emergency removal of structures that inspectors/enforcement officers have reasonable grounds to believe is a public safety risk.

Recommendation

78. Include a provision in the *Act* to address emergency removal of a structure or hazard.

Fines

A penalty should serve as a deterrent but the current penalty of $1000 (minimum) or three months in prison (or both) for an offence or $25 a day for failure to comply with a removal notice or a stop order does not serve this purpose. While three months
imprisonment is a satisfactory penalty, the size of the fine should be increased and commercial offenders should be subject to higher fines than individuals.

Examples of fines in other jurisdictions are as follows. In Alberta, the maximum fine for the majority of offences under the Public Lands Act is $25,000 for an individual and $100,000 for a corporation. Offences that involve willfulness have a maximum fine of $100,000 and $1,000,000 respectively. The fine for contravention of Crown lands legislation in New Brunswick is a maximum of $20,500 except for subsequent offences or where a corporation is fined an extra amount (a maximum of $20,000 extra). In Manitoba’s lands legislation, the general penalty is a maximum of $10,000.

A comparison can also be made to fines in other Newfoundland and Labrador legislation. For example, a fine under the Environmental Protection Act and Water Resources Act is between $500 and $10,000 for an individual (except a maximum of $50,000 for contravention of environmental assessment provisions) and between $1,000 and $1,000,000 for a corporation. The maximum fine under the Animal Health and Protection Act is $50,000. The maximum fine under the Wild Life Act is $5,000 for a first caribou or moose-related offence, and $10,000 for a subsequent caribou or moose-related offence. The same structure applies to maximum fines under the Aquaculture Act at $5,000 for the first offence and $10,000 for a subsequent offence.

Recommendations

79. Increase the current fines in the Act.

80. Subject commercial offenders to higher fines than individuals and include a provision in the Act whereby a director can be charged with an offence whether or not the corporation has been prosecuted or convicted.
Ticketing and Administrative Penalties

A ticket is a way to commence a proceeding for an offence without having to bring a prosecution in court. An administrative penalty is an alternative to both ticketing and to bringing a prosecution. New Brunswick and Manitoba have a ticketing regime. Alberta provides for both regimes, although the only offences that are currently ticketable are those pertaining to recreational access. In Newfoundland and Labrador, ticketing and administrative penalty regimes are provided for in legislation pertaining to environmental protection, fish inspection and aquaculture. More information will be provided to the Lands Branch for their consideration before implementing this approach. This would require amendments to the Lands Act and the creation of regulations.

Recommendation

81. Introduce ticketing and administrative penalties.

Limitation Period

The limitation period to bring a prosecution under the Lands Act is currently one year. To be in line with other jurisdictions (i.e. New Brunswick, Ontario and Alberta), the limitation period for bringing a prosecution should be increased to two years, and it should be from the date the Deputy Minister becomes aware of the alleged offence.

Recommendation

82. Increase the limitation period for the prosecution of an offence under the Act to two years.

Powers of the Officer

Other Acts in Newfoundland and Labrador contain a section that the inspectors/enforcement officers have the powers, authorities and immunities of a peace officer under the Criminal Code. This provision should be added to the Lands Act. In addition, the department should examine whether a limitation of liability clause would be
appropriate. Moreover, powers of inspectors/enforcement officers respecting inspections and investigations need to be reviewed by the department and expanded, if necessary. Any additional provision concerning an offence for interfering with an inspector/enforcement officer would also need to be considered.

Recommendation

83. Expand the provisions of the Act concerning the powers of inspectors/enforcement officers.

Partner with other departments
It has been identified that the Lands Branch does not have enough staffing resources to enforce the Act properly especially considering the vast geography that they must cover. Therefore it is suggested that the Lands Branch partner with enforcement officers from other departments such as Environment and Conservation and the Forestry and Agrifoods Agency, to allow officers from other departments to identify illegal structures and a) either notify a Crown lands enforcement officer or b) allow other department officers to enforce the Lands Act. Partnering with other departments would reduce costs associated with multiple enforcement officers from different departments completing work in the same area and would create operational efficiencies. This would require an amendment to the Lands Act to enable the minister to designate people from outside the department as inspectors/enforcement officers.

Moving a step further in this direction would be for government to set up an enforcement authority in which there would be a separate agency of enforcement officers designated to enforce several Newfoundland and Labrador Acts. Officers would be responsible for enforcing Acts which cover wildlife, forestry, environment and Crown lands. For example see the British Columbia enforcement authority.

Recommendation

84. Partner with other departments and agencies with respect to enforcement.
**Special Management Areas**

Section 58 of the *Lands Act* refers to the designation of a minister responsible for the administration of a special management area. It should be expanded to give that same minister responsibility for the inspection and investigation of the area.

**Recommendation**

85. Amend the legislation so that the department administering a special management area may also be responsible for compliance and enforcement of the regulations pertaining to the area.

**13.3.2 Business Process Recommendations**

**Field Investigations**

It was identified throughout the consultation process and the business process review that field inspections and the appropriate follow up procedures are not being followed currently by Lands Branch staff. For example, conditions on leases are not always followed up to ensure compliance. This is not acceptable as government has to hold itself accountable, as do holders of leases and grants. In relation to this, with the follow up inspections, the Lands Branch should also more frequently and more consistently enforce the reversion of Crown lands if the development for the specific purposes is not adhered to within strict timeframes.

Priority is placed on approval of applications rather than compliance. Staffing shortages and the amount of paper work required does not allow time for follow up of compliance issues. Compliance is typically not followed up unless a complaint is received.

**Recommendation**

86. Complete field investigations and carry out follow up procedures to ensure compliance.
Delegation of Authority

The delegation of authority in the Act and policies with respect to stop orders and removal of structures is not followed in practice. Policy AD.002 delegates ministerial authority for the issuance of a stop order to a Land Management Officer or Land Survey Inspector under the authority of the Regional Lands Manager or Manager of Crown Lands Administration. A removal of structure notice is delegated to a Regional Lands Manager and the Manager of Crown Lands Administration. Currently in practice the Land Management Officer has to provide information in writing and seek approval before issuing a stop order or a removal notice.

In addition to requiring a written document, a stop order requires several additional site visits. This process involves more time of the LMO; time that could be spent conducting field inspections. Also, it should be noted that much work could be completed on the structure from the time the complaint is received to when a stop order is posted, and if the structure was completed in that time period then the LMO would have to go back and request permission to issue a removal notice.

Staff currently have delegated authority to post stop orders and removal notices and it is suggested that they be allowed to act on this authority.

Recommendation

87. Follow the delegation of authority as outlined in the policy manual with respect to the issuing of stop orders and removal of structures.

Resources and Leadership

Inspections and investigations require dedicated time and resources. They also require a level of oversight and leadership. At the management level in the Lands Branch, leadership for compliance and enforcement should be separate from leadership for the administration of Crown lands.
Recommendation

88. Consider the addition of resources and a management-level position within the Lands Branch with responsibility for compliance and enforcement.

Public reporting of complaints

Participants during the consultation process identified a need for a formalized mechanism to allow residents to contact the Lands Branch and identify people who they believe to be using or occupying Crown lands without the authorization to do so. Therefore it is suggested that the Lands Branch implement a means for the public to submit complaints about potential offenders. One method that could be explored is an anonymous online complaints portal so that the public can submit complaints electronically and a Lands Branch staff member can be tasked with monitoring and fielding out complaints to the appropriate staff members for follow up.

Recommendation

89. Implement a means for the public to report complaints.

13.3.3 Policy Recommendations

Public Education

It was identified through the consultation process that government could do a better job of informing the public on what is and is not legal under the legislation in terms of use and occupation of Crown lands. For example, a proactive approach would be to include signage on forest roads indicating necessity of Crown title for structures; develop brochures and place them in public places such as regional offices and post offices; and create an awareness campaign and education on the implications of encroaching on Crown lands, etc. In addition, the Crown Lands website could be updated to provide the necessary information to inform the public.
Recommenda
tion

90. Provide more education to the public on what is and is not legal under the legislation in terms of use and occupation of Crown lands.

Policies

In the current policy manual there is a policy regarding the illegal occupation of Crown lands which is several years old and appears to be outdated. A revised policy should include procedures and practices for compliance and enforcement of unauthorized occupation of Crown lands.

Recommenda
tion

91. Update the Lands Branch policy on compliance and enforcement and post online.

Training

Considering the changes recommended in this report for compliance and enforcement of the Lands Act, i.e. introduction of ticketing and administrative penalties, it is recommended that a mandatory training program be implemented for inspectors/enforcement officers under this Act.

Recommenda
tion

92. Provide more training to inspectors/enforcement officers.

Focused and Targeted Approach

Recognizing that there is a vast amount of Crown lands within the province requiring monitoring and enforcement, it is suggested that the Lands Branch take a focused and targeted approach to enforcement. The Lands Branch should focus its efforts on the prevention, management and resolution of those unauthorized occupations that through a risk based assessment approach, pose the highest environmental and public safety risk to the Crown and to the people of the province.
Recommendation

93. Emphasize a focused and targeted approach to compliance and enforcement.

Gravel Pit Campaign

In 2009, the Department of Environment and Conservation (who at the time had responsibility for Crown lands) launched a gravel pit camper campaign to focus on those who have set up long-term or permanent occupation of land to which they do not have legal title. Many of these illegal structures pose a threat to public health and safety. There are also environmental concerns due to a lack of proper infrastructure, and some have also been built in areas where requests for titles have previously been refused. Therefore it is recommended that this campaign be reinstated and that unauthorized gravel pit campers again be targeted and posted for removal.

Recommendation

94. Reinstall the Gravel Pit Campaign from 2009.
14. Free Grants

14.1 Summary

Under section 9 of the *Lands Act*, the minister can grant up to 10 hectares of land free of charge for the site of a church, school, cemetery, municipal building or municipal recreational park. While the grant is free the applicant must still pay an administration fee.

Through the consultation process some participants identified an interest in increasing the purposes for which a grant can be issued for free. Some suggestions were to include affordable housing, cultural heritage, environmental protection, municipal roads, and economic development within section 9.

When comparing across the legislation of other jurisdictions, Newfoundland and Labrador appears to be in the middle. That is, of the six provincial Acts examined on the issue of free grants, three had explicit free grant provisions and three did not. Of those jurisdictions that did have free grant provisions, two (Manitoba and Saskatchewan) included more purposes for which lands could be granted for free compared to Newfoundland and Labrador. While Alberta’s Act contained fewer purposes, it was more prescriptive in requiring strict conditions on those purposes.

The provisions in Manitoba and Saskatchewan are similar to the free grant provision in Newfoundland and Labrador’s *Crown Lands Act* before 1991. That earlier provision included more circumstances for which Crown lands could be granted for free. They included: for the sites of market places, public buildings, jails, court houses, places of public worship, cemeteries, schools, benevolent institutions, squares, parks, public or municipal housing projects, private non-profit or co-operative housing projects, urban developments or improvements to be carried out by a municipal authority, and for other purposes which in the opinion of the Lieutenant-Governor in Council may be for the public benefit. Also under the former *Crown Lands Act*, the minister had authority to grant land for free up to 20 hectares as opposed to the current 10 hectares. Therefore, it
appears that at the time of drafting of the current Lands Act there was a conscious decision to restrict how much land could be granted for free under section 9 at the minister’s authority and for what purposes it could be granted.

14.2 Recommendations

14.2.1 Legislative Recommendations

Municipalities

It is recommended that section 9 of the Act focus on free grants for municipalities. It is further recommended that municipalities be able to apply for grants for the site of a municipal building, recreation park, or for another purpose in the public interest, with the exception of economic development (i.e. commercial, industrial, subdivision or residential developments). The public purpose (other than economic development) would be determined by the minister. A farmers market, for example, might qualify.

Recommendation

95. Change the focus of section 9 of the Act to only include free grants for municipalities for a municipal building, recreation park or other purpose in the public interest, with the exception of economic development (e.g. commercial, industrial, subdivision or residential developments).

Schools

The Department of Education can currently use section 54 of the Act to obtain property for schools, similar to the current process for the Department of Health and Community Services and hospitals. Therefore it is recommended that schools be removed from this provision as a purpose for which free grants can be issued.

Recommendation

96. Remove schools as a purpose for which a free grant may be given under section 9 of the Act.
14.2.2 Policy Recommendations

Policy for nominal or free grants

Currently the department may choose to issue grants, leases and licences for free or for a nominal amount to non-profit organizations. They may not be limited to the purpose of a church or cemetery. It is recommended that the department develop and publicize a policy with respect to these dispositions. Strict conditions would be required. Provisions along the lines of sections 19(3), (6) and (7) of Alberta’s Public Lands Act should be added to the policy, to make clear that the disposition is in the public interest and extends only for the purpose approved. The policy would also need to address free dispositions to corporations for the sites of cemeteries.

Recommendations

97. Remove churches and cemeteries as purposes for which a free grant can be issued under section 9 of the Act.

98. Develop and publicize a policy for cemeteries and for dispositions to non-profit organizations (including for places of public worship) that are either free or nominal value.
15. Surveys and Survey Markers

15.1 Definition of “Surveyor”

Under the current Lands Act, the definition of “surveyor” means a surveyor who is a registered member of the Association of Land Surveyors created by The Land Surveyors Act or a surveyor, not being a member, who is employed by the government of the province for the purpose of conducting a survey.

Recommendation

99. In the definition of surveyor in the Lands Act, update the title of the Association of Land Surveyors to the Association of Newfoundland Land Surveyors continued under the current Land Surveyors Act, 1991. Further, remove “or a surveyor, not being a member, who is employed by the government of the province for the purpose of conducting a survey”.

15.2 Correction of error

Section 17 states that the minister may compensate a person if, due to an error or false survey, the parcel of Crown lands is less than the area of land mentioned in the grant, lease, licence or easement. If the area of land to be compensated (i.e. the deficiency) is less than one quarter of the area of land described in the title document, the person must make a claim to the minister for compensation within five years of the issuance of the title document. If the deficiency is equal to or greater than one quarter of the land described in the title document, then there is no limitation period and a person can seek compensation from the minister at any time. Having different timelines and conditions under which a person may come forward for compensation can be confusing and unclear.

It was also recommended as a business process earlier in this report that the Lands Branch no longer review every survey submitted by a licensed surveyor. It has also been recommended that an indemnity clause be added to the title document, so that
government is not held in any way responsible for an error in a survey. If a person seeks compensation from the minister under section 17 of the Act as a result of a false survey, then it is only fitting that the minister be able to recover the amount from the surveyor as a debt owed to the Crown. If this provision is added to section 17, then the department will want to confirm whether a time period of five years from the date of issuance of the disposition is satisfactory, or whether a shorter time period is required. The extent of the limitation period may depend on when a debt can be repaid to the minister from a surveyor’s professional liability insurance policy.

Recommendations

100. Have one time frame in which a claim can be made under section 17 of the Act, because of a false survey or an error resulting in a discrepancy between a title document and the actual area of Crown lands received.

101. Include a provision in section 17 of the Act to enable the minister to recover from a surveyor as a debt owing to the Crown, the amount of compensation that is paid as a result of a false survey.

102. Prescribe the limitation period under section 17 of the Act as five years from the date of issuance of the title document, unless the department confirms that a shorter time period is required in the Act for the minister to seek repayment from a surveyor’s professional liability insurance policy.

15.3 Lands fenced or marked

Section 28 of the Lands Act outlines the requirement for all land holders, whether Crown land or private land, to mark the physical boundaries of their property.

Nova Scotia and Ontario are the only two jurisdictions, of the six reviewed, which contain a requirement that the boundaries of Crown lands are to be surveyed and kept maintained.
Although section 28 of the Lands Act is not relied upon frequently, it has been used by the Lands Branch as authority to require a land survey during a boundary dispute, and provides the legislative mechanism to require the holder of the lands to bear the cost.

For the above noted reasons, maintaining section 28 is useful in a jurisdiction with no mandatory land registration system. That said, it is recommended that the language be updated to include modern forms of property delineation, including iron bars and pins. Any change in the wording of this provision would also need to be made to the offence provision, section 65 of the Act.

Recommendation

103. Maintain section 28 of the Act and update the language to include modern forms of property markers, including iron bars and pins.

15.4 Survey Markers

Part V of the Lands Act contains provisions which deal with survey markers. Section 64 of the Lands Act gives a person with ministerial approval the right to enter any land for the purpose of installing control survey markers. To carry out their duties surveyors may enter any land in the province and are also allowed to install temporary markers. A person entering occupied lands under this section must provide written notice to the person occupying the land. Anyone using the powers granted by this section is liable for damage to property or injury caused while performing these duties, and must take reasonable precautions to prevent fires and restore the land as much as possible to its original condition. If the person does cause damage and an agreement is not reached between the person and the injured party, a judge may determine compensation. The judge's finding cannot be appealed unless the compensation exceeds $1,000.

Section 65 of the Lands Act makes it illegal to hinder a working surveyor or to alter a marker used by a surveyor under section 64. A person who violates this law may face up to a $500 fine or 3 months imprisonment. While this section penalizes interfering with a surveyor, it does not affect the right a surveyor may have to file a civil suit against the interfering person.
During the consultation process it was heard that the requirement for surveyors to notify the occupants of land in writing of their intent to enter onto the land and to advise what they will be doing on the land makes it difficult to carry out the required work in a timely and efficient manner.

A legislative scan of the six other jurisdictions showed that no other jurisdiction had this or a similar provision in its lands legislation or surveys legislation. It is recommended that section 64(11) of the Act be removed. If however the person who installs control survey markers or a surveyor causes injury or damage in the course of performing duties referred to in section 64, then that person or surveyor has a responsibility to notify the occupier of the land.

Recommendation

104. Remove section 64(11) of the Act, which is the requirement to notify the occupier of the lands in writing that a person or surveyor has authority to enter onto the land.
16. Ministerial Authority

This section of the report focuses on the authority of the minister and Cabinet to allocate and reserve Crown lands. Other sections of the report deal with similar subject matter (e.g. reservations, free grants and inconsistent grants), but from a different perspective.

16.1 Grants, Leases, Easements and Licences to Occupy (Sections 3 to 6 and 36 of the Lands Act)

In Newfoundland and Labrador, the minister has the power to issue easements, leases and licences of Crown lands upon terms and conditions set by the minister. The minister may also issue grants of land; however, grants exceeding 20 hectares require approval of the Lieutenant-Governor in Council (Cabinet).

A review of other jurisdictions indicates that there is no consistent approach for division of powers between the minister and Cabinet for the purposes of issuing grants, leases, easements and licences. In general, the allocation of powers varies widely with no other jurisdiction dividing the powers of the minister and Cabinet according to the size of land. For example, New Brunswick uses a similar system for easements, leases and licenses but is more restrictive in terms of grants, requiring Cabinet approval for all grants, regardless of size. In Nova Scotia, the minister has the authority to: grant Crown lands that does not exceed $25,000 at market value; issue a lease or licence not exceeding 10 hectares; and, issue easements not exceeding $25,000 at market value. In Manitoba, transfers of title are under the control of Cabinet; however, the minister may do so if the land is worth $25,000 or less. In Alberta, the minister has the power to issue dispositions (defined as licence, lease, easement); and may grant land, provided it is not sold at less than fair market value. The Cabinet issues dispositions in special cases not captured by the regulations (grant at less than fair market value; disposition greater than 25 years). In British Columbia the minister has the power to issue licences of occupation, easements, leases and grants without Cabinet approval.
The Lands Branch advises that the number of Cabinet approvals required under sections 3 to 6 of the Act varies from year to year. In 2013 and 2014, the number of requests considered by Cabinet under these sections was ten and three, respectively. Of those requests, there were four approvals for the disposition of land between 20 and 30 hectares; with the remainder ranging between 43 and 88 hectares. No applications were refused, but on occasion, some were sent back to the department for clarification or required additional conditions in the title.

During consultations, several stakeholders expressed the desire to expand the minister’s power to issue grants greater than 20 hectares; however, there was no consensus as to an appropriate amount. Anecdotal evidence suggests that the current limit of 20 hectares is being circumvented by dividing land requests over 20 hectares into two or more separate applications.

Recommendation

105. Increase the size of land from 20 to 30 hectares for which the minister may issue grants under section 4 or quit claims under section 36 of the Act.

16.2 Reservations by Order (section 8 of the Lands Act)

In Newfoundland and Labrador, the minister may reserve up to 100 hectares of land by order, or a greater amount with Cabinet approval.

In Ontario, the minister may designate any amount of land a restricted area, as long as that land is not within a municipality, or Cabinet can set aside public lands (whether or not in a municipality) for “any purpose that will benefit research in, and the management, utilization and administration of, the public lands and forests.”

In Manitoba, Cabinet alone has the power to put aside lands and only for public purposes including transport (railways, airports, harbours, bridges) or ecological purposes (provincial parks, provincial forests, wildlife management areas). In Alberta, Cabinet may set aside public land for similar ecological purposes or for the Government
of Canada. In British Columbia, Cabinet may reserve Crown lands from disposition for any purposes in the public interest. The minister may do the same but on a temporary basis. The minister also has the power to designate a portion of Crown lands for disposition but only for a particular use.

A review of Orders in Council in this province revealed that during 2013 and 2014, only one application was brought to Cabinet for a reserve of land greater than 100 hectares.

Recommendation

106. Maintain 100 hectares as the size of land for which the minister has authority to reserve under section 8 of the Act.

16.3 Free Grants (section 9 of Lands Act)

In Newfoundland and Labrador, the minister may issue a free grant for the purposes of a church, school, cemetery, municipal building or park. The minister needs Cabinet approval to issue a grant for land greater than 10 hectares for these purposes.

Manitoba issues free grants for similar purposes but uses expansive language to also capture agriculture purposes; and "any other like purpose", but requires Cabinet approval for any of them.

In Alberta, the minister has power to issue free grants of any size; however, the purposes are slightly more limited than those in this province, and include schools, churches, cemeteries, and community halls.

In British Columbia, the available purposes for which free grants may be issued are very wide and may be provided for any purpose to municipalities, regional districts, hospital boards, educational bodies, government corporations, and transportation authorities. Cabinet approval is always required.

In Newfoundland and Labrador, no applications were made to Cabinet for free grants in 2013 and 2014. Additionally, it is noteworthy that in 1991, this section of the Act was
amended to restrict the purposes for free grants, as well as reduce the size of land under ministerial authority from 20 to 10 hectares.

Recommendation

107. Maintain 10 hectares as the size of land for which the minister has authority to issue free grants under section 9 of the Act.

16.4 Transferring Lands to Canada or Other Ministers (sections 53 and 54 of the Lands Act)

In Newfoundland and Labrador, the minister may transfer control of lands to the Government of Canada or to other ministers of the provincial government, but requires Cabinet approval to do so if the land is more than 20 hectares.

In Nova Scotia, the minister may transfer land to the Government of Canada that does not exceed $25,000 in value. Otherwise, the transfer to Canada is to be done with the approval of Cabinet. The minister has the authority to transfer land to another minister of the provincial Crown without limitation.

In Ontario the power to transfer to Canada or within the Government of Ontario rests with the minister alone, regardless of the size or value of the land.

In Alberta, the power to transfer to Canada or within the Government of Alberta belongs to the Cabinet.

In British Columbia, the minister has full control over transfers to and from other ministries, but Cabinet has the exclusive power to transfer land to the Government of Canada.

In this province, during 2013 and 2014, three applications were made to Cabinet under section 53 to transfer control of land to Canada, and one application to transfer control to other ministers under section 54.
As mentioned above, several jurisdictions provide ministers with authority to transfer within their provincial governments (e.g. Ontario, British Columbia and Nova Scotia). The Committee recommends the authority to transfer within the provincial Crown occur at the ministerial level under section 54, thereby removing the current Cabinet requirement. It is noteworthy that section 15 of the Executive Council Act, gives authority to a minister to acquire or sell land without Cabinet approval.

Recommendations

108. Increase the size of land from 20 to 30 hectares for which the minister has authority to transfer to the federal government under section 53 of the Act.

109. Remove the requirement for the minister to obtain Cabinet approval for a transfer of land to another minister of the province under section 54 of the Act.

16.5 Inconsistent Grants (section 18 of the Lands Act)

In Newfoundland and Labrador, if more than one title is issued for the same Crown lands, the fee may be repaid. Alternatively, lands may be assigned in substitution if they have been improved or have passed from the original grantee. A certificate may also be given, entitling a person to acquire Crown lands of a value and to an extent that is equitable and just. The minister has the power to do this if the area involved is less than 20 hectares. The minister requires Cabinet approval if the area involved is greater than 20 hectares.

In Ontario all the same remedies are available under the same circumstances; however the minister does not require Cabinet approval regardless of the size of the land. Similar to Ontario, Manitoba and Alberta permit the minister to remedy the error, but does not provide the remedy option of issuance of certificates.

Recommendation

110. Remove the requirement for Cabinet approval in section 18 of the Act concerning inconsistent grants.
16.6 Waiver of Conditions (section 20 of the *Lands Act*)

In Newfoundland and Labrador, a condition of a grant may be waived by the minister or where the area of land involved is 20 hectares or more, by Cabinet. If the condition has an agricultural purpose the minister must first secure the approval of the minister responsible for agriculture.

In Nova Scotia, the minister can declare a grant null and void if the land is being used in violation of an approved condition of use. If the minister prefers the condition be waived, Cabinet approval is required.

Ontario has a similar provision, which allows the minister to waive any conditions from any grants of any size.

In Newfoundland and Labrador, this section was considered by Cabinet once in 2013 and 2014.

Recommendation

111. Expand ministerial authority under section 20 of the Act to waive conditions of a grant for an area of land not exceeding 30 hectares.

16.7 Exchanging Land (section 22 of the *Lands Act*)

In Newfoundland and Labrador, the minister, with Cabinet approval, may exchange Crown lands for freehold lands. New Brunswick, Manitoba, Alberta and British Columbia have similar provisions although British Columbia stipulates the land received must be of an equivalent value or the difference paid.

In this province, this section was not considered by Cabinet in 2013 and 2014.

Recommendation

112. Maintain the requirement for Cabinet approval for an exchange of lands under section 22 of the Act.
16.8 Conflict of Interest (section 40 of the Lands Act)

Section 40 of the Lands Act states that no person employed with the department shall acquire, either alone or with another, a title to Crown lands without Cabinet approval. The department in which the Lands Branch currently resides is the Department of Municipal and Intergovernmental Affairs.

Ontario has a similar provision. In Nova Scotia, departmental executive and relatives require Cabinet approval to acquire Crown title. In Manitoba, the general rule is that an employee requires Cabinet approval to acquire title, with limited exceptions involving approval of a committee of at least three deputy ministers.

In this province, this provision was considered by Cabinet six times in 2013, and three times in 2014.

The committee recommends changing this section to require Cabinet approval for employees of the Lands Branch and senior officials of the Department of Municipal and Intergovernmental Affairs. The senior officials would be persons in the role of an executive (deputy minister, assistant deputy minister) or communications advisor. It seems reasonable to limit the section to capture only those employees with a direct working relationship with the Lands Branch. However, this section should also be amended to include spouses or cohabiting partners of these employees. While no issues have been identified in this respect the amendment would be consistent with the Conflict of Interest Act, 1995.

Recommendation

113. Amend section 40 of the Lands Act such that Cabinet approval is required for the acquisition of Crown lands by:

- Lands Branch staff and senior officials in the department in which the Lands Branch resides. The senior officials would be persons in the role of an executive (deputy minister, assistant deputy minister) or communications advisor; and
- spouses or cohabiting partners of these employees.
17. Abandoned lands

Part II of the *Lands Act* is dedicated solely to the handling of abandoned lands. Section 43 defines abandoned lands as:

"lands granted, leased or licensed under Part I of this Act or a former Act respecting Crown lands and lands unlawfully occupied that have been for at least 20 years unused and unoccupied by the original grantee, lessee or licensee or by a person lawfully claiming under the original grantee, lessee or licensee or person in unlawful occupation."

During the consultation process, several comments were made about the "abandoned land" provisions in the *Lands Act*. The main theme related to the need for an appropriate and timely mechanism to revert title back to the Crown for the purpose of allowing productive use of the vacant land. There were divergent views with respect to the 20 year time frame established in the *Act*; some suggested increasing it while the majority felt it should be shortened.

The Lands Branch also queried whether Part II of the Act remains relevant and practical legislation for two reasons: 1) the provision is rarely used, if at all; and 2) the prescribed proceedings under the *Act* can occur over a long span of time.

17.1 Overview of Legislation

Sections 45 to 52 of the *Act* outline the necessary procedure for the reclamation by the Crown of abandoned land. In this regard, the process is commenced with a written notice issued by the minister requesting those individuals with interests in the land to make a claim for the minister's consideration within three months of publication in the *Gazette*. The notice must contain several elements, including: 1) a general description of the lands sufficient to identify them; 2) a copy of the grant, lease or licence if one was issued; and, 3) the name of the last known owner.
Where the minister considers that a claim has been substantiated, the proceedings may be discontinued. In all other cases, the minister shall refer the claim to the court for a determination. Where no individual comes forward with a claim or where a claim referred to the court is rejected, the Lieutenant-Governor in Council may make an order declaring that the title to the lands is vested in the Crown.

It is noteworthy that where a situation occurs when an individual files a claim with the minister after an order has been made declaring that title to the abandoned land has vested in the Crown, the Lieutenant-Governor in Council, on the recommendation of the minister, has the discretion to order that the claim be dealt with and determined as though filed within time. In other words, there is no time limit for an individual to come forward at a later date and contest the reclamation.

17.2 Other Jurisdictions
A review of other jurisdictions indicates that the only other jurisdiction with comparable provisions in its Crown lands legislation is New Brunswick (NB). Similar to this province, NB provides under its Crown Lands and Forests Act that “where it appears to the Minister that land within the Province has been abandoned, and the existence and whereabouts of the person (or in case of his death the heirs or next-of-kin) are not known to the Minister, the Minister may take proceedings to vest those lands in the Crown.” Additionally, NB’s prescribed statutory process for the reclamation of abandoned land is very similar to the process in this province. Of notable difference; however, is the fact that NB does not contain a specific definition for abandoned land nor a time requirement that the lands be abandoned for at least 20 years.

17.3 Expropriation
Under Newfoundland and Labrador's Expropriation Act, the Minister of Transportation and Works has the power to expropriate land in certain circumstances and for particular purposes. Of particular relevance to "abandoned land" circumstances is the fact that the Act permits the minister to pursue expropriation where the owner: 1) is incapable of conveying the land; or, 2) is not known to the minister or cannot be found after
reasonable inquiry. In these situations, the minister with Cabinet approval, would issue a notice of expropriation and title to the land could vest in the minister as early as ten days after the notice is posted. Compensation for the land is paid by the Crown to the Trial Division in trust for the rightful owner.

The *Expropriation Act* requires that land be acquired for particular purposes, and contains an enumerated list of those purposes. The list appears very broad and includes: 1) public buildings and other public works; 2) roads/airstrips/ferry landings/bridges; 3) development of an industrial enterprise; 4) developing of a fishing enterprise by a person; 5) hospitals/schools; 6) development of vacation accommodations by a person; and 7) development of sports facilities by a person. Of particular importance is the fact that the Act contains a “catch all” provision and permits land to be expropriated (with Cabinet approval) for “the use of the Crown or of the public for another purpose”.

**Recommendation**

114. Remove, in consultation with the minister of Transportation and Works, Part II of the *Lands Act* respecting abandoned lands and address these situations through expropriation.
18. Crown Lands Registry

The *Lands Act* requires the Lands Branch to maintain a registry containing copies of applications, grants, leases, licences, easements and surveys. These documents are to be open to the inspection of the public during normal business hours. A person may obtain a copy of a grant, lease, license, easement or application kept in the division.

The public registry is located in a fire-proof vault at the Howley Building in St. John’s. In the vault are file folders on Crown lands transactions generally containing the following documents for public inspection: title document; completed application form; approval letter; survey; map; and surveyors report. The folders are filed sequentially by application number. It is noteworthy that the completed application contains personal information, including an applicant’s age, address and telephone number. The vault also contains bound volumes of titles dating back to before the Great Fire of 1892. These volumes are very fragile and some are not in good condition. Cadastral maps, among others, are also stored in the vault.

The general public has access to the file room and can physically view any document contained therein. A file clerk is stationed at the entrance of the vault.

In addition, separate file folders containing supporting materials for Crown lands transactions are kept in regional file rooms; however, they are not available for public inspection as per normal course.

18.1 Interaction with the *Access to Information and Protection of Privacy Act, 2015 (ATIPPA)*

In the province, all information relating to Crown lands records is subject to *ATIPPA*. Therefore, an applicant can receive records relating to a particular Crown lands transaction, if requested (subject to limited ATIPPA exceptions). This may result in the applicant receiving some materials from folders held in the vault and in regional file
rooms. The information, however, is severed to remove anything requiring protection under ATIPPA, such as personal information, legal opinions, and business information. In practice, it appears that the majority of records are disclosed with minimal severing.

18.1.1 Other Jurisdictions

A review of other Canadian jurisdictions reveals that, similar to Newfoundland and Labrador, the majority of comparable Crown lands legislation does not appear to contain substantive guidance on the types of information that may be disclosed for Crown lands transactions. For example, in New Brunswick, the *Crown Lands and Forests Act* does not contain disclosure provisions for Crown lands information. Routine disclosure of information is provided to the applicant, but not a third party, who must make an access to information request through New Brunswick’s *Right to Information Act*.

Manitoba’s equivalent legislation requires registration of documents evidencing a disposition of Crown lands, but does not contain provisions related to their disclosure. Manitoba’s practice is to disclose only the issued title document, and further information may be obtained by making an access to information request under the *Freedom of Information and Protection of Privacy Act*.

British Columbia’s (BC) *Land Act* establishes a Crown lands registry to record all acquisitions and dispositions. Public inspection can occur during regular business hours, however the legislation does not contain specifics on the types of information to be held in the registry, other than in a manner acceptable to the minister.

BC’s Act also creates a requirement for a publicly accessible electronic registry containing information in relation to Crown lands. The Integrated Land and Resource Registry (ILRR) provides information on different legal interests on Crown lands (tenures, regulated uses, land and resource use restrictions and reservations). The ILRR also contains information on administrative boundaries (e.g. electoral boundaries) and base map information (e.g. topography, grids). The information to be included through the registry is set out in the Act, regulations and ministerial standards.
In terms of BC's disclosure practices, the Ministry of Forests, Lands and Natural Resource Operations also provides a searchable public database on its website which discloses particular information about Crown lands applications, including pending and processed. A review of the database indicates that documents provided by the applicant to support the application (such as management plans, maps, photos) are disclosed on the website. Additionally, the site includes the departmental decision letters.

As well in British Columbia, an individual may make an application under the *Freedom of Information and Protection of Privacy Act* to access additional materials not available on the website.

Alberta is the only jurisdiction that has a prescriptive regulatory regime dictating the types of information that must be disclosed in relation to Crown lands. The Alberta *Public Lands Administration (PLA) Regulation* provides that the following information must be disclosed to the public:

- Plans, specifications and other documents and information provided to the department as part of an application by an applicant for a disposition
- Documents and information provided to the department in accordance with the *Public Lands Act*, PLA Regulations or a term of the disposition
- Information contained in a registry established by the department
- Any other information that is in the public interest

The PLA Regulation goes further to require the disclosure of documents created or issued by the department including forms, dispositions, and interpretation letters.

It is noteworthy that the Regulation permits an applicant to request that documents provided in support of an application be kept confidential where the material relates to a trade secret. The Regulation also permits the protection of documents or information that is the subject of an investigation or proceeding.

All requests for Crown lands information are made to Alberta's Energy Regulator (AER) and the *Freedom of Information and Protection of Privacy Act* specifically does not apply to information in AER's database.
18.1.2 2015 ATIPP Report

In this province, the recent 2015 Report on the Access to Information and Protection of Privacy Act considered the relationship between ATIPPA and other legislation that protects information on leases, licenses and grants such as the Aquaculture Act and Regulations and the Fish Inspection Act. Although in an aquaculture context of overriding legislation, the Report states at page 145:

"One cannot imagine that there is anything special about aquaculture licenses, leases, and land grants for aquaculture...that would require such records to be protected under provisions of a statute providing comprehensively for aquaculture.... The existing provisions of the ATIPPA can provide any protection that may be justified. The public interest is best served if access to such records is regulated by the ATIPPA."

Recommendations

115. Maintain a requirement in the Act for a public registry that contains electronic and paper copies of title documents including surveys.

116. Remove the reference to applications in section 37 of the Act. The department can address the disclosure of applications or other information under ATIPPA or if preferred as part of government's proactive disclosure policy.

18.2 Access to Crown Titles (Electronic)

Crown titles are available electronically for viewing within the regional offices. It would be useful for professional title searchers, lawyers, land surveyors and the general public to also have access to these files through the internet. Currently, one has to call or visit a regional office to obtain and view this information or have the office send a paper copy of the requested document. An electronic, self-serve, user-pay system could be set up allowing for quick and easy access to the title documents. This system would save time for the customer and also be a revenue generator for government. Alternatively, titles
could be retrieved by viewing the LUA. Currently, titles can be viewed by clicking on the Crown title polygon pertaining to the title of interest.

Recommendation

117. Set up a user-pay electronic database system online to allow simpler access to Crown title information.

18.3 Titles vault

In the interest of document security the general public should not have access to the vault. The possibility exists for the theft, destruction or alteration of documents. Most title document files are available electronically and therefore a paper copy could be printed upon request. For documents that are not scanned, viewing should be supervised as discussed below. Identity theft may also pose a problem as files in the vault may contain personal information.

Recommendation

118. Close the Titles vault to public access in the interest of document security.

18.4 Document Access – Paper Documents

The Titles vault also contains items of historical significance which should be protected and monitored when viewed by the general public. A counter service or research area should be available for document viewing. Anyone wanting to view these documents would have to request a staff person to retrieve them, and then, only a limited number of documents would be allowed to be viewed at a time. A staff person would need to be available to provide oversight. In addition, no food, drink, or the use of ink pens would be allowed when viewing documents.
Recommendation

119. Provide a counter service for the general public to view paper documents contained in the Titles vault that are not or cannot be scanned electronically. Viewing would be monitored by a staff person.

18.5 Climate Control

Climate control, especially humidity, is important in the preservation of paper documents. The Newfoundland Archives located at The Rooms suggests that paper documents be stored at a temperature between 15°C - 20°C, and that relative humidity be maintained between 45% - 55%. In the interest of document preservation the temperature and humidity in the vault should be maintained as stated above.

Recommendation

120. Maintain the relative humidity in the Titles vault between 45% - 55% and a room temperature range of 15°C - 20°C.

18.6 Personal Information Protection

Recommendations

121. Review, in consultation with the Office of Public Engagement, Crown lands application forms to ensure they contain the minimum amount of personal information necessary. For example, it has been identified that a cell phone number and an email address of an applicant would speed up the application process.

122. Revise the Crown lands application form so that personal information is placed in a separate annex to ensure its protection. Information contained in that annex can then be easily redacted for an access to information request or if government chooses to proactively release applications.
123. Consult with the Office of Public Engagement before making the Land Use Atlas public and publishing notices of intent respecting shoreline reservations on the Crown Lands website.
19. Additional recommendations for changes to the *Lands Act*

19.1 Reservation of Crown lands

The department uses section 8 of the *Act* to reserve land from disposition altogether or to set aside a portion of Crown lands for a particular use (for example, eligible for commercial dispositions only). In the majority of cases, the reservation is not done by legislative instrument.

There is one recent circumstance approved by Cabinet, the Glover Island Public Reserve, in which the order has been filed as a legislative instrument. This is necessary because a separate regulation has been created respecting the uses to which the Crown lands on Glover Island may be put and the conditions under which they may be used. The Glover Island Public Reserve Order and separate regulations are similar to an order and regulations that may be created under Part IV of the *Act* (Special Management Areas), although their legislative authority is under section 8 and section 41 of the *Act*.

Changes to Part IV and section 8 are recommended. Part IV should be expanded to take into consideration public reserves such as Glover Island for which regulations are necessary to put conditions on the use of the Crown lands within a specified area. The department, in consultation with departments that administer public reserves, would need to examine whether any provisions in Part IV might also apply to a public reserve, or whether new provisions entirely would be needed.

The proposed policy direction for section 8, then, would be to focus on those reserved areas for which regulations are not required. The minister's decision to reserve and set apart Crown lands would be evidenced in writing, in a directive, and not in a legislative instrument.
Recommendations

124. Remove the reference to orders and the publication requirement under section 8 of the Act.

125. Expand Part IV of the Act to include both special management areas and public reserves for which regulations are necessary to put conditions on the use of lands within a specified area.

126. Consult with departments responsible for special management areas and public reserves as to whether new or amended provisions are required in the Act.

19.2 Inconsistent grants

Section 18 of the Lands Act states that where through error more than one grant, lease, or licence inconsistent with each other has been issued for the same Crown lands, government may return the purchase money, fee or rental to the person whom it is due. A claim, however shall not be entertained unless it is made within five years from the date of issuance of the grant, lease or licence.

In Ontario the five year limit is absolute and is from the discovery of the error, not the date of the grant. In Manitoba and Alberta, claims must be made within one year from the discovery of the error.

Recommendation

127. Adjust the timeframe, to come forward under section 18 of the Act with a claim of inconsistent grants, to within five years after the discovery of the error.
19.3 Collection of debt owed to the Crown

There are several sections of the *Lands Act* in which an amount of money can be recovered by the minister as a debt owed to the Crown. The minister is currently required to apply to the court for an order to recover an amount owing that has not been paid. Other Acts in Newfoundland and Labrador contain a provision that enables the minister to simply file a certificate in the court to recover debt.

Recommendations

128. Include a provision in the *Act* to enable the collection of a debt owed to the Crown by the minister filing the amount owing as a certificate with the court.

129. Determine, in consultation with the Department of Finance, whether additional legislative provisions are required to support the collection of moneys owed from the holders of leases and licences to occupy.

19.4 Authority for Regulations

Recommendation

130. Include a provision in the *Act* that enables Cabinet to prepare regulations for:

- the Crown lands application process
- terms and conditions of dispositions
- shoreline reservations
- publication of information on the departmental website
- format for receipt of plans and surveys from surveyors
- public reserves
- special management areas
- inspections and investigations
- ticketing
- administrative penalties
19.5 Recommendations to make the Act more user friendly

These are some housekeeping changes that are generally independent of the other recommendations in the Report. If the department accepts these changes, final wording would be determined by the Office of the Legislative Counsel.

Section 2 Definitions

“disposition”

- Add a definition of "disposition" (or similar term) to mean, at a minimum, “a lease, licence, easement, grant or quit claim”. Where other provisions of the Act would refer to “lease, licence, easement, grant or quit claim”, refer instead to a "disposition". Where a section does not apply to one or more dispositions, then exclude that disposition from the application of that particular section.

Section 4 Grants of Crown lands

- Use the wording “not exceeding” as found in section 4(1) and “exceeding” or “in excess of” as found in section 4(2) throughout the Act for consistency

Section 11 Report of adverse claim

- Replace the word “commissioned” with the word “authorized” in section 11(1).

Section 14 Where grant, etc. effective

- Refer to an easement as being issued rather than granted.

Section 20 Minister may waive condition

Section 20(1) – Clarify the word “involved”. To accomplish that, remove “involved is less than 20 hectares” and replace with words along the following lines: “contained in the original grant does not exceed 30 hectares.”

Section 20(2) – Remove “involved is 20 hectares or more” and replace with words along the following lines: “contained in the original grant exceeds 30 hectares.”
Section 20(3) – Replace “Minister of Forestry and Agriculture” with “minister responsible for agriculture” or a similar title.

Section 21 Road reservation

- Replace “Minister of Works, Services and Transportation” with “minister responsible for transportation and works” or similar title.

- Replace “paragraph 18(a) of The Department of Works, Services and Transportation Act” with “paragraph 5(a) of the Works, Services and Transportation Act” (Note that section 5(a) provides: “Except in so far as they have been closed according to law, (a) all allowances for highways made by surveyors of the Crown; … except those that are vested in a municipal authority, are public highways vested in the Crown.”)

Section 25 Adverse claims

- Enable the minister to publish a notice in a newspaper having general circulation in the area in which the lands are located and on the Crown Lands website.

Section 36 Adverse possession abolished

Section 36(3) and (4)

- Replace “agricultural, business or residential purposes or for a purpose referred to in section 9” with “a purpose referred to in subsection (5)”

Section 36(5) (new)

- Add a new subsection 36(5) as follows: “Paragraphs (3)(b) and (4)(b) apply to agricultural, business or residential purposes or for the purpose of a place of public worship, cemetery, municipal building or municipal recreational park.”

Section 37 Copies of grants, etc.

- Remove the reference to prescribed fees. Any fees would not be prescribed by regulation; instead, they would be set by the Minister.
Section 39 Certificate of minister

- Replace "Registrar of the Supreme Court" with "Trial Division".

Section 53 Transfer to Canada

- Confirm with the Department of Natural Resources that reference can be made to the current Mineral Act.

New section Fees and forms

- Include an additional section: "The minister may establish fees and forms for the purpose and administration of this Act." Legislative counsel and the department may wish to review the usage of the word "fees" throughout the Act before finalizing this additional section.

Recommendation

131. Make minor amendments to the Act, as identified in Section 19.5 of this report, in order to make the Act more user friendly.
PART III - Additional Recommendations
20. Additional Recommendations

20.1 Mandatory Land Registration

Land registration in Newfoundland and Labrador is based on the deeds registry system. It is not compulsory for purchasers to register private land sales, although today many do. Our historical settlement as a fishing colony, which banned permanent habitation to protect the migratory cod fishery, has resulted in an unusual land tenure system involving a mix of Crown issued titles, registered deeds, unregistered deeds and adverse possession. This has had significant impact on the administration of Crown lands in the province especially near rural communities where land claims based on adverse possession remain widespread. The process of delineating the boundaries of Crown versus private land is extremely difficult often resulting in time-consuming boundary negotiation.

During every consultation session, the issue of mandatory land registration arose. Some of the ideas expressed were:

- Government needs to identify what lands are Crown lands
- Introduce mandatory land registration for private and Crown lands
- Introduce a Torrens style system (i.e. a certified land title system)
- Combine the Registry of Deeds and the Crown Lands Registry

There are a number of factors at play here. First is whether the land is considered private or public land. If there is no mandatory registration, then it may not be known that someone has a claim to a piece of land, whether by unregistered deed or otherwise.

The second factor is surveys and boundaries. Registered and unregistered documents today may not contain up-to-date surveys. One recommendation received during the consultation process was for Newfoundland and Labrador to create a compulsory registration system where every property transaction would be accompanied by an up-to-date survey.
The third factor is certainty of title. Registration in the Registry of Deeds gives notice to others that a person has a claim to land. However, registration in the Registry of Deeds does not guarantee free and clear title to the land. In Newfoundland and Labrador, it is the responsibility of the purchaser to ensure that there is a good root of title to property before buying it. The purchaser needs to know whether someone else has an interest in that property. Professional title searchers are involved in searching through historical documents in a number of registries, and lawyers provide purchasers with opinions as to the root of title. The purchaser cannot rely on the most recent registration in the Registry of Deeds as the basis for determining who has an interest in the land.

On the other hand, in a Torrens style system of certified land title, the government guarantees title to a piece of land. This means that a purchaser can rely on the guarantee of title and does not have to conduct a historical search of records.

The fourth factor is adverse possession. Claims to adverse possession between 1957 and 1976 would have to be addressed through applications under the Lands Act or the Quieting of Titles Act while it is still possible to prove the claim. If not, property transactions on the basis of adverse possession would be groundless.

Certified land title is already the standard in the four western provinces. In addition, New Brunswick, Nova Scotia and Ontario have been converting to certified land title by using a phased-in approach. For example, in Nova Scotia, as land is sold, it is registered in the land titles registry. The lawyer for the seller certifies to government that the seller has a good root of title to the land. The government, in turn, guarantees title to future purchasers.

In his doctoral thesis entitled "Newfoundland Law of Real Property: The Origin and Development of Land Ownership", Professor Alexander McEwan referred to some of the recommendations in the report of the Task Force on Land Use, appointed by government in 1972. One of the Terms of Reference of that Task Force was to investigate and report on the land registration system in force in Newfoundland and Labrador at that time. The Task Force recommended:
that an improved form of land registration is desirable and should be implemented

the government pursue its objective of the eventual conversion of the present system of land registration to a land titles system

that immediate steps be taken to amalgamate the Crown Lands Registry and the Registry of Deeds

that a committee be appointed to study and make recommendations on the most suitable form of a land titles system for the province, having regard to a number of enumerated factors and the variety of models of this system

adverse possession be immediately abolished by statute, without prejudice to any right, title or interest acquired prior to the date of enactment (which was done)

With respect to successful implementation of an improved system, the Task Force noted the need for:

• adequate funding
• government policy decisions and enabling legislation
• public participation and acceptance
• legal compulsion to register all documents affecting land
• well-trained staff to administer the system

According to the Task Force, compulsory registration would ideally be implemented over time and be based on geographic area. The Registry of Deeds would continue to apply outside of the compulsory registration areas.

This commentary also ties in with Professor McEwan’s recommendations in 1978 for dealing with adverse possession. He wrote (at page 248),

“In many rural areas of Newfoundland, property boundaries are either poorly marked or not marked at all, and a widespread intestacy among large families, many of whose descendants have migrated and who are often unaware of their rightful interests in land, means that present claims of possessory ownership
must be treated with extreme care. A more concerted approach to the problem appears to deserve consideration, and a possible method might be the initial identification of areas where title defects are most acute, followed by systematic removal of the flaws through the cooperative efforts of municipality, provincial government and individual owner."

Professor McEwan refers to the Land Titles Clarification Act in Nova Scotia, as a way to assist residents where there appears to be confusion in the ownership of land.

Recommendation

132. Investigate, in consultation with other government departments and agencies, a phased-in approach for either a mandatory land registration system or a land titles system.

20.2 Better communication

One of the main themes heard during the consultation process was poor communication both within and external to government. Included in this Report are specific recommendations for improving communication with respect to the application process, shoreline reservations and enforcement. However considering the volume of feedback received throughout the consultation process with respect to communication issues a more general recommendation to improve communications with the public on all aspects of the Lands Act is warranted.

It was also heard that internal communications within government are also challenged especially in terms of the Crown lands referral process and what the expectations are for referral departments and what role they play in the application process. This has been recommended to be addressed through a protocol agreement with relevant departments, agencies and municipalities. However again it is felt that a more general recommendation to improve communications within government with respect to Crown lands is also warranted.
Recommendation

133. Improve communications both within and external to government with respect to Crown lands.

20.3 Policy Manual

Recommendation

134. Update the Lands Branch policy manual and post all updated policies on the Crown Lands website.
21. Conclusion

Recommendations for change are made throughout this Report. It is noted that some amendments to the legislation would not be able to come into force until certain implementation activities are completed. One example is the creation of a page on the Crown Lands website for publication of notices of intent for applications on the shoreline reservation. Other transitional matters would include new application requirements for people who assert an interest in adverse possession and a grace period before fines are increased.

To position government for success and to ensure a quick move into implementation, while ensuring operational requirements and service delivery continue to be a focus for Crown Lands senior staff, additional short-term resources may be required to develop a work plan and to begin implementation of these recommendations.

Implementing the recommendations set out in this document will maintain the protection of Crown lands in the public interest. It will also provide for a modernized Act with a simpler, more effective Crown lands application process and service delivery model, including improved timelines and better communication both internally within government and externally to the public.
Annex A – Terms of Reference

Lands Act Statutory Review

Terms of Reference

The Lands Act, SNL 1991 c 36 (the “Act”) came into force on April 1, 1992. While the Lands Act does not contain a reference to a statutory review, there have been amendments to various sections of the Act since it came into force. The current review constitutes the first comprehensive review of the Act. There are sections of the current Act that have their origins in previous legislation (i.e. the Crown Lands Act).

1. Purpose
To carry out a comprehensive review of the existing Lands Act to develop informed recommendations on how to modernize the Act and make the Crown lands application process simpler and the service delivery model more effective and provide the recommendations arising from the review to the Minister of Municipal and Intergovernmental Affairs, Government of Newfoundland and Labrador.

2. Guiding Principles
This review will be conducted in an open, transparent and respectful manner. Information related to the review process including the Terms of Reference will be publicly disclosed. The cost of conducting the review will be made publically available, including expense claims for the Committee members. Additionally, information received and recorded by the Committee through the consultation process will be compiled into a “What We Heard” report and released publicly, while ensuring the protection of personal privacy.

3. Review Committee (“Committee”)
The Committee shall consist of three members, all of whom shall be independent from the Lands Branch of the Department of Municipal and Intergovernmental Affairs and who have expertise in the respective areas of:

- law, with specific experience in conducting statutory reviews;
- policy, with significant experience at the management level in policy roles with the Government of Newfoundland and Labrador; and
- business process review, which should include formal LEAN training and certification and/or equivalent education or experience in operational or business reviews.

A chairperson will be named by the minister from among the members.
The Committee, through the chairperson, will report to the Minister of Municipal and Intergovernmental Affairs and will be supported by an Advisory Committee as outlined in section 4.

4. **Advisory Committee**

4.1 An Advisory Committee will be established to support the Committee, and allow for input and information sharing throughout the review process, with membership as follows:

- ADM for Lands Branch, Municipal and Intergovernmental Affairs;
- Law Society of Newfoundland and Labrador representative(s) as nominated by the Law Society;
- Department of Justice and Public Safety representative(s)
- Director of Communications, Municipal and Intergovernmental Affairs

4.2 **Role**

The role of the Advisory Committee is to:

- provide support, advice and guidance to the Review Committee;
- review and provide feedback on documents, where requested by the Review Committee;
- impart information sharing to the Review Committee; and
- act as a conduit for the Law Society's input into the review process.

5. **Scope of the Work**

5.1 The Committee will conduct a comprehensive review of the provisions and operations of the Act, as well as business processes and policies that support the operations of the Act, which will include, but not be limited to, the following issues:

- Identification of ways to make the Act more user friendly so that it is well understood by those who use it and can be interpreted and applied consistently;
- Assessment of the provisions of Section 36 regarding adverse possession (commonly known as "squatters' rights") to determine whether these provisions, and their subsequent interpretation, support the purpose and intent of the legislation or whether changes to these provisions should be considered;
- Assessment of the provisions of Section 7 regarding shoreline reservations to determine their efficiency;
• Assessment of the provisions of Sections 30 to 35 regarding unauthorized occupation and possession of Crown lands in terms of their effectiveness and efficiency;
• Examination of internal business processes and policies that are intended to support the operations of the Act in terms of their necessity and efficiency;
• Examination of internal referral/consultation processes (i.e. Crown lands application referrals and Interdepartmental Land Use Committee referrals) that support the operations of the Act in terms of their necessity and efficiency; and
• Examination of current information technology used to support the operations of the Act in terms of their effectiveness and efficiency.

5.2 Public Engagement
• On behalf of the department and subject to the minister’s approval, the Committee will design and deliver public engagement activities to seek input from citizens and stakeholders (including, but not limited to, residents of Newfoundland and Labrador, municipalities, Municipalities Newfoundland and Labrador, Aboriginal governments/organizations, Professional Municipal Administrators, legal professionals, government departments, agencies, and other public bodies).
• The Committee will utilize multiple methods of engagement to provide a flexible, comprehensive consultation process including the use of: in-person public sessions; focus groups with key stakeholders; discussion guides; written submissions; and online feedback.
• Following the consultations, the Committee will publicly report on feedback being received through the release of a “What We Heard” document.

5.3 Jurisdictional Scan
• The Committee will conduct an examination of Canadian practices related to Crown lands and identify opportunities and challenges experienced by other jurisdictions.

6. Final Committee Report and Recommendations
• The Committee will prepare a final report for submission to the minister. The report will include:
  o an executive summary;
  o research and analysis of the jurisdictional scan and leading practices;
  o detailed summary of the public consultation process including aggregate information regarding types and numbers of participants; issues and concerns; emerging themes and recommendations brought forward by citizens and stakeholders; and
  o detailed findings and recommendations for the minister’s consideration.
7. **Timelines**

- Review commences: Week of February 9, 2015
- What We Heard document released: Week of April 20, 2015
- Final Report with Recommendations due: June 1, 2015

8. **The Department of Municipal and Intergovernmental Affairs will:**

- Establish the Terms of Reference for the Committee;
- Select the Committee Members;
- Solicit nominees from the Law Society for the Advisory Committee;
- Select other Advisory Committee members;
- Compensate Committee members;
- Ensure the Committee has access to resources, including accommodations, to conduct its work;
- Establish a link on Municipal and Intergovernmental Affairs website for the consultation process, and maintain the website;
- Ensure departments and agencies participate in the review;
- Determine the location of public consultation sessions;
- Approve the design and delivery of the consultation process; and
- Provide background information related to the administration of the Act.

Revised March 4, 2015
Annex B – Application Processing Flowchart

Application Process – Grant
High Level Flowchart

1. Applicant prepares and submits application
2. Application is received by Crown Lands LO: Front desk, mail, fax
3. Application submitted at front counter?
4. Front Counter
5. Application is checked (LO)
6. Application awaits registration
7. Application is registered and referrals are assigned (LO)
8. Application awaits referral package preparation and mail out
9. Referral packages are prepared and mailed out (CT-III)
10. Acknowledgement letter prepared and mailed to applicant (CT-III)
11. Property appraisal is conducted
12. Application awaits property appraisal
13. Application awaits check

Mail/Fax
Application waits for department/agency referral responses

Referral response received

Last referral response?

Yes

Application awaits RLC review

RLC Reviews application

Is DLM or DCM review required?

No

Applications, with recommendations are forwarded to the Registry Lands Officer (RLO)

Application awaits preparation of approval letter

RLO prepares and sends approval letter

No

Update AMANDA system and place referral in application folder (CT-III)

Application awaits DLM or DCM review

DLM or DCM reviews application
Title documents await review by Titles LMS

Titles LMS reviews title documents

Title documents await review by Director(s)

Director(s) review title documents

Title documents await preparation of cover letter and package preparation

RLD prepares titles package and package sent (in duplicate) to applicant

Application awaits return of title documents from applicant

Title documents returned, with payment, by applicant

Title documents await check by RLD
Title documents are checked by RLO

Title documents await ADM review and signature

ADM reviews and signs title documents

Title documents await distribution

RLO sends one copy of title documents to the applicant and the other to filing

Title documents await scanning and filing

Title document is scanned electronically. Paper file is filed in the Crown Lands registry vault

Documents sent to CL Survey staff for plotting in the GIS
Information Note
Department of Municipal Affairs

Title: Provincial Solid Waste Management Strategy Overview

Issue: To provide an update on the Provincial Solid Waste Management Strategy.

Background and Current Status:
- The Provincial Solid Waste Management Strategy was released in 2002. The policies within the Strategy were those of the Department of Environment and Conservation and implementation was to be led by the Department of Municipal Affairs. The Multi-Materials Stewardship Board was responsible for providing support and financing for province-wide waste diversion activities, including public education and awareness, and Service NL for providing enforcement of the environmental policies.

- The Strategy was re-released in 2007 with funding commitment from the federal Gas Tax program and the provincial Municipal Capital Works program. Capital costs are being funded at 100 percent.

- The Strategy has four overall objectives:
  1. To achieve 50 percent waste diversion rate by 2015. (Now extended to 2025)
  2. To achieve 80 percent reduction in waste disposal sites (relative to 236 in 2002).
  3. Eliminate burning of waste through open burning/tee pee incinerator (low temperature burn).
     o Incinerator deadline was December 31, 2008.
     o Open burning was to be phased out by 2012.

- The approach to implementing the Strategy has been through the establishment of Regional Service Boards for the island portion of the province. To date, seven of the eight boards have been established under the Regional Services Board Act, 2012. (Eastern, Burin, Discovery, Central, Western and Norpen and Coast of Bays). A board has not yet been established for the Baie Verte – Green Bay region.

- Acknowledging the low population density leading to an inability to create economies of scale and the vast geography, the Strategy is not as prescriptive for Labrador and isolated communities as it is for the island portion of the province. Labrador is divided into four regions for operational purposes (Western, Central, Southern and the North Coast).

- In implementing the Strategy, the initial focus was on the elimination of open burning, the closure of tee-pee incinerators, consolidation of community curbside collection and waste disposal sites, establishment of lined landfills in Eastern and Central and the construction of regional waste management infrastructure. In most regions, this work has been substantially
completed. Secondary implementation has focused on construction of the recycling facilities in Eastern and Central.

- Capital investment to March 31, 2015 has totaled $161M. The 2006-2014 federal/provincial Gas Tax program provided $62.5M, while the Province contributed the remaining $98.5M. An additional $60M has been committed for years 2015 - 2020, including $44.25M from the 2014-19 Gas Tax program, $9M in provincial funding and $6M from the MMSB Trust Fund.

- Refer to Annex A for details regarding status of implementation in each of the waste management regions.

- Current status as of March 31, 2015, in terms of the key objectives of the Strategy is as follows:
  - 27 percent waste diversion (target of 50 percent anticipated to be met by revised date 2025);
  - 65 percent (154) of old dumpsites closed (target of 80 percent by 2020; anticipated that this target will be exceeded);
  - all tee-pee incinerators with the exception of six in isolated communities (one in Labrador and five on the south coast of the island), are closed (target objective met); and,
  - 80 percent of all open burning has been stopped (target objective of 100 percent by 2012; unlikely to be met until all remaining dumpsites are closed around 2018).

- A contract has recently been awarded for the construction of regional transfer stations in the Western Region. Funding commitment of $40M, including $32.9 from Gas Tax Agreement.

- Refer to Annex B, Performance Monitoring Report, for additional information regarding progress to date in meeting the objectives of the Waste Management Strategy.

Analysis:

- In the absence of a funding commitment for strategy implementation, there were modest advancements between 2002 and 2007. Capital investment from April 2007-March 2015 totaled $161M.

- Current annual household costs for regional waste management services range from $130 to $180 in the Eastern and Central regions. Analysis and planning is ongoing for the remaining regions. It is anticipated that cost for the non-host regions will range from $200 to $250 per household.

- The 2015 tipping fee at Robin Hood Bay is $67.60 per tonne for most waste types. The tipping fee for source separated recyclables is $20 per tonne. The 2015 tipping fee for the Central site is $122 per tonne under the blue/clear bag program. The board charges a fee of $180 for “black bags” unless the establishment has received special permission, in which case they are charged the normal $122 per tonne rate.

- From analysis completed for the Western versus Central option, it was determined that the operating costs of transporting waste to the Central landfill were comparable to operating a landfill within the Western Region. It was also determined that there would be a capital
infrastructure costs savings in the range of $50M - $100M. In addition, the carbon footprint analysis that was completed to compare the options indicated that there was no material difference between the two options.

- A report on provincial composting options was completed by Dillon Consulting in 2014. Composting is critical in order to facilitate progress towards the waste diversion target of 50 percent. The timeline for compost implementation has been moved out to 2025. The department will develop a provincial composting infrastructure plan to meet this target.

Prepared by/Approved by: S. Field/I. Duffett/C. Mercer/J. Chippett

December 10, 2015

ANNEXES
Annex A – Status of Regional Implementation
ANNEX A

Status of Regional Implementation
Provincial Waste Management Strategy Implementation Status
Department of Municipal Affairs

Eastern Regional Service Board (Established 2011)
- With the exception of a compost facility, redevelopment of Robin Hood Bay (RHB) landfill site has been completed at a cost of $55.1M; $46.2M provided through funds for the Waste Management Strategy through Municipal Affairs (including $40.2M from Gas Tax Agreement).
- The Eastern regional site includes a materials recovery (recycling) facility, household hazardous waste facility, administration building, garage, public drop-off facilities and leachate control, and equivalent to lined landfill. In addition to the regional facilities, eight waste recovery facilities (public drop offs) were constructed throughout the region.
- Funding has been provided to construct a waste recovery facility at Whitbourne. It is expected that tenders will be called shortly with completion expected in 2016.
- A transfer station in the Clareenville area is currently under construction. It is anticipated the transfer station will be completed in December 2015 and operational in January, 2016.
- Analysis indicated that a direct-haul system was the most cost-effective option for the remainder of the Region. With the exception of Wabana/Bell Island, all communities on the Avalon Peninsula and the Isthmus are currently bringing waste to RHB via direct haul (i.e. no transfer stations).
- The annual per household cost to approximately 30,000 households receiving contracted collection and disposal services from the board is $180. Across the region, estimated household cost ranges from $130 to $180.
- The 2015 tipping fee at RHB is $67.60 per tonne for most waste types. Tipping fees for source separated recyclables is $20 per tonne.

Central Regional Service Board (Established 2008)
- With the exception of the compost facilities, the construction of the regional waste management site at Norris Arm North has been completed. The site includes a lined landfill, leachate collection and treatment, public drop-off, garage, administration building, household hazardous waste depot and the materials recovery facility.
- Seven local transfer stations are strategically located at Terra Nova; Fogo Island; New World Island; Buchan’s Junction; Gander Bay; Indian Bay; and Point Laemington.
- Capital commitment to date of $67.6M.
- The board is over budget by approximately $4M on the materials recovery facility and has been advised that no additional funds will be provided.
- The department has communicated verbally that it would be prepared to cost-share in the funding to expand the first cell of the lined landfill to accommodate waste from the Western Region, Norpen, Baie Verte –Green Bay and Coast of Bays. Through budget decisions 2015, $4M in provincial funding is being provided to the Central Region by the MMSB from its trust fund to satisfy this commitment.
- The board currently provides curbside collection services to 70% of the communities in the region at a cost of $77 per household for collection, plus applicable tipping fees by community. Current household costs are estimated in the $130 to $180 range. The 2015 tipping fee is $122 per tonne under the blue/clear bag program. The board charges a fee of $180 for “black bags” unless the establishment has received special permission from the
Board to use black bags. For example, some businesses are given special permission to use black bags for privacy reasons. An example would be funeral home. In this case they are charged the normal $122 per tonne rate.

Western Regional Service Board (Established 2013)
- The detailed implementation plan for the Western region provides for six transfer stations strategically located at Channel-Port aux Basques; Burgeo; St. George’s; Wild Cove; Rocky Harbour; and Hampden Junction.
- The plan also calls for three waste recovery facilities (public drop off) for large bulk items located at Port-au-Port; Bonne Bay South; and Portland Creek.
- The board received Cabinet approval to proceed with a Design Build tender to construct the transfer stations and public drop off facilities. A contract has recently been awarded to Mike Kelley and Sons Limited for the construction of the six transfer stations.
- Funding of $40M for the Western regional system has recently been announced. This total includes $32.9M from the Gas Tax Agreement and $4.3M previously advanced to the board from provincial capital works funding. The board has also been advised that applicable GST and HST rebates are to be utilized for this project.
- It is anticipated that waste from the western region will begin to be transported to the landfill site in Norris Arm North late in 2017 or early 2018. The board is currently assessing if it can economically remove some of the recycling waste stream in the region which would eliminate the need to truck this waste to Norris Arm. It is anticipated that the region will have compost facilities located in Wild Cove and Bay St. Georges.
- The board is currently operating the landfill facilities at St. Georges servicing the Bay St. Georges area and the Port aux Port Peninsula (approximately 20,000 population); and the Wild Cove dump site in Corner Brook (approximately 30,000 population).
- There are other dump sites in the region still operated by municipalities which will be closed out when the new transfer stations become operational. These sites are located at Burgeo, Port aux Basques, Deer Lake, Portland Creek and Pollards Point (Hampden area), as well as the isolated remote communities of Francois, LaPoile and Ramea.
- A pilot project is currently shipping waste out of the isolated remote community of Grey River for disposal at Burgeo using plastic containers and forklifts. The project has been ongoing for a year and is working without any major issues.
- Current household waste management fees are approximately $120-$130 per year and will increase to approximately $190-$200 per year under full implementation.

Burin Peninsula Regional Service Board (Established 2013)
- The implementation plan for the region calls for a transfer station and compost facility located in the Frenchman’s Cove-Marystown area with final waste being transported to Robin Hood Bay.
- The board currently operates the interim waste site near Marystown. This site will be utilized until the transfer station is constructed.
- As of June 2015, the board has closed all other local waste sites and is providing curbside collection services throughout the region.
- The board received approval for just over $1M in 2014 to help establish the interim facilities at the Marystown dumpsite and to begin planning for a regional transfer station. MA staff continue to work with the board to move forward with the construction of the transfer station.
within the next two years. It is anticipated that the region would have a single composting facility co-located with the transfer station.

- Current household waste management fees are reported by the board to be in the vicinity of $150-$170. However, the board has not provided any audited financial statements to confirm the cost. MA anticipates that upon full implementation, the household cost will be between $220 and $240.

**Discovery (Bonavista) Regional Service Board (Established 2013)**

- Early regional planning has determined that the region will not require any significant infrastructure to support implementation of the Strategy. Waste from this region will be directly hauled from curbside to the transfer station in the Clarenville area and on to Robin Hood Bay. The board issued a curbside collection tender for the entire region, with plans to begin transporting waste to the Clarenville area transfer station when it opens in January 2016. The board is currently without a regional coordinator and has advised that plans for consolidated collection will likely be delayed until 2017.

- Current household waste management fees are approximately $100 per year and anticipated to be approximately $220 per year upon final implementation.

**Northern Peninsula Regional Service Board (Established 2005)**

- The board is currently operating four interim consolidated landfill sites in the region. In July 2014, the board awarded a contract to a consulting firm to help develop a plan for the long term waste management infrastructure needs of the region and to look for the most economical approach to curbside collection of waste. The consultant has submitted its draft report to the board.

- It is anticipated that the region will have a regional compost facility and one or two transfer stations that will transport waste into the western system and/or on to the landfill at Norris Arm North.

- Current household waste management fees are approximately $100 per year. When waste is transported out of the region, the household cost is expected to exceed $250 per household.

- Similar to the Coast of Bays region, this region has small population (less than 13,000) residents and will not benefit from the same economies of scales as other regions. In addition, it will have the longest trucking distance to get diverted waste to landfill in Central NL.

**Coast of Bays Regional Service Board (Established 2015)**

- Planning work to date has determined that this region will require the construction of one transfer station and one regional compost facility for the region, with final waste going to the Norris Arm North landfill in Central.

- The board has recently been established. The regional committee is coordinating the nomination and/or election of board members in accordance with the governance model.

- MA will work with the new board in an effort to identify the most economical option for a modern waste management service for the region.

- Current household waste management fees are less than $100 per year, but expected to increase to between $220 and $240 per household when waste is transported to Norris Arm. MA anticipates a single composting facility for the region co-located with a transfer station.
Baie Verte/Green Bay Committee

- The region is lagging behind other regions as it relates to planning for waste management implementation due to challenges associated with community interest. However, MA was successful in helping the region establish a regional committee with representation from both the Green Bay and Baie Verte areas in the spring of 2014.

- Since then, the committee has hired a consultant to help develop a plan for the long term waste management infrastructure needs of the region; to look for the most economical approach to curbside collection of waste and to assist the committee in developing a governance model for the regional service board. The consultant has submitted a draft report.

- All waste in the Green Bay section of the region has already consolidated to a single landfill site near South Brook; however, there are ten community dump sites still operating on the Baie Verte Peninsula.

- Current household waste management fees are less than $100 per year, but will increase to approximately $200- $240 per year at full implementation.

Labrador Initiatives

- A single landfill for western Labrador has been developed at a cost of $5.7M, including landfill, equipment building, public drop off facilities, scales and kiosk, fencing and paving. The environmental closure of the former Wabush incinerator site was completed in 2014.

- MA officials have met with community representatives on the Labrador North Coast in an effort to establish the terms of reference to hire a consultant to look at potential long-term waste management solutions. A Request for Proposals (RFP) has been drafted and is being reviewed by the committee. The Department will need to identify a sponsoring community in order to facilitate the issuing of an RFP.

- In southern Labrador, planning work has been completed by an external consultant that has recommended all dumpsites be closed in lieu of a new centrally located unlined landfill being developed for the region. The consultant has recently been engaged to re-submit the environment assessment documents.

- In central Labrador, a consultant recently completed an assessment of the existing landfill at Happy Valley-Goose Bay that indicates the site has capacity to meet the future needs of the area for the next 20+ years. The site will require some minor upgrades and infrastructure such as weigh scales and a new attendant building at the site. The consultant also provided recommendation related to the most economical approach to community curb side collection service. This site will serve the communities of Happy Valley-Goose Bay, North West River and Sheshatshiu and Mud Lake.
ANNEX B

Solid Waste Management Strategy
Performance Monitoring Report

May 2015
Program Summary

In response to public consultations, government released the Newfoundland and Labrador Waste Management Strategy in 2002 with the aim of province-wide modern waste management. The implementation plan and funding commitment were announced in 2007.

The primary goals of the strategy are:

- Divert 50 per cent of solid waste from landfill;
- Reduction in the number of waste disposal sites by 50 per cent;
- Elimination of open burring and incineration;
- Phase out of unlined landfills, and
- Province-wide implementation by 2020.

The Strategy envisioned delineating the province into waste management regions which would be governed by regional authorities who would be responsible for the development and implementation of regional waste management plans. At present, it is envisioned that two full service regional waste disposal facilities in the Eastern and Central regions on the island portion of the province will serve as the final disposal sites for all waste generated on the island portion of the province. Remaining regions (non-host) on the island will continue to develop systems to transport waste to the two full service facilities with lined landfills for final disposal. In the interim, local landfill sites will be closed and consolidated to the extent possible.

In the area of recycling, a facility opened at Robin Hood Bay in 2011, and a second facility opened at Norris Arm North in March 2015. The Western Region is evaluating whether some recyclables can be more economically processed within the region rather than being transported to Norris Arm. For other non-host regions, recyclables are anticipated to go to either Robin Hood Bay or Norris Arm unless it can be demonstrated that it is more economical to process recyclables within the region.

Dillon Consulting was engaged in the spring of 2013 to prepare a report on potential solutions for organics/composting for the province. The report has now been finalized and posted on the Department of Municipal Affairs website. It will now be used by the Department of Municipal Affairs, MMSB and the Regional Service Boards to work together in consultation with strategy partners to develop a provincial composting infrastructure plan.

The Strategy was not prescriptive for Labrador and the isolated and remote areas of the province. It was recognized that these sites would need to be addressed on an individual basis with emphasis on improving waste disposal practices, increasing waste diversion and eliminating incineration where possible. Significant infrastructure development has occurred in Labrador West with infrastructure planning underway in Central, Northern and Southern Labrador.
The Waste Management Strategy is an interdepartmental initiative. The Department of Environment and Conservation is responsible for environmental policy and standards. Service NL has responsibility for monitoring and enforcement. The Multi Material Stewardship Board has responsibility for public education, research and waste diversion programs. The Department of Municipal Affairs is responsible for working with communities to implement the strategy and establish regional governance.

Performance Measurements

<table>
<thead>
<tr>
<th>Strategy Goal</th>
<th>Divert 50 per cent of solid waste from landfill</th>
</tr>
</thead>
</table>

Indicator #1 Percentage of solid waste diversion

Baseline In Newfoundland and Labrador, comprehensive waste generation data collected by Environment Canada in 1992 has been established as the provincial baseline year. The data indicated that approximately seven per cent of waste was being diverted from landfills in the province. Refer to Annex A for details.

Outcome as of December 31, 2013

In 2013, waste diversion in Newfoundland and Labrador has increased by approximately 3300 metric tonnes over 2012, which represents an estimated 27 per cent waste diversion rate. Primary factors contributing to the province’s diversion rate include: provincial, regional and municipal diversion and recycling programs; private waste management activities; ongoing implementation of regional waste management infrastructure; and public education and awareness activities. Refer to Annex A for details.

As of March 31, 2015, the latest data available is for 2013. The MMSB is currently compiling 2014 data from all provincial sources.

Indicator #2 Number of communities, waste management regions and population with access to material recovery (recycling) facilities.

Baseline In 2002 when the Strategy was announced, there were no material recovery (recycling) facilities in the province.
Outcome as of March 31, 2015

As of March 31, 2015, two material recovery facilities are operating in the province. These facilities are located at Robin Hood Bay and Norris Arm North. All communities in the Central Region and Eastern Region have access to these facilities with the exception of Bell Island and communities in the Clarenville area.

Through these facilities, approximately 65 per cent of the province's population currently has access to material recovery facilities.

Western Regional Service Board has not yet decided if recyclables can be economically processed within the region or transported to Central Region's materials recovery facility. Recyclables in other non-host regions are expected to go to Robin Hood Bay or Norris Arm North.

<table>
<thead>
<tr>
<th>Strategy Goal</th>
<th>Reduce the number of Waste Disposal Sites by 80 per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicator</td>
<td>Number/percentage of waste disposal sites closed.</td>
</tr>
<tr>
<td>Baseline</td>
<td>In 2002 when the strategy was announced, there were 236 active waste disposal sites located throughout the province.</td>
</tr>
</tbody>
</table>

Outcome as of March 31, 2015

As of March 31, 2015, the number of active waste disposal sites has been reduced by 65 per cent (through the closure of 154 waste disposal sites). There are 82 active waste disposal sites currently in operation, including the two regional landfill sites.

Of the 154 sites which have operationally closed to date, 19 (12 per cent) were closed prior to 2007. A total of 111 (72 per cent) have been closed to environmental standards as part of the Strategy Implementation plan since 2007. Planning for the environmental closeout of the remaining 24 operationally closed sites (16 per cent) is ongoing.

A full list of waste disposal sites operationally closed to date and a list of those closed to environmental standards is attached in Annex B.

<table>
<thead>
<tr>
<th>Strategy Goal</th>
<th>Eliminate open burning/incineration at waste disposal sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicator</td>
<td>Number/percent of waste disposal sites where open burning/incineration has been eliminated.</td>
</tr>
</tbody>
</table>
Baseline There were 176 waste disposal sites utilizing open burning or incineration in 2004. (This information was gathered from an engineering report commissioned by the MMSB.)

Outcome as of March 31, 2015

As of March 31, 2015, open burning or incineration was eliminated in a total of 141 sites (80 per cent). The approval to continue to open burn is assessed by the Department of Environment and Conservation on a case by case basis. Sites that continue to be approved to open burn are approved to do so for operational reasons such as no daily cover readily available. Refer to Annex C for a full list of the remaining 35 sites with incineration or open burning.

<table>
<thead>
<tr>
<th>Strategy Goal</th>
<th>Phase out the use of unlined landfills</th>
</tr>
</thead>
</table>

Indicator #1 Number/percentage of unlined landfills no longer in use.

Baseline In 2002 there were 183 unlined landfills and 53 incinerator sites in operation for a total of 236 waste disposal sites. Since 2002, 33 of the incinerators were closed and the sites converted to interim landfills. This gives a baseline of 216 unlined landfill sites in the province.

Outcome as of March 31, 2015

As of March 31, 2015, 139 (63 per cent) of unlined landfills have been operationally closed. Of this total, 102 (47 per cent) have been environmentally closed to date.

Indicator #2 Number of communities, regions and population with access to lined landfills.

Baseline The province is currently divided into six operational waste management regions on the island portion of the province (with two in the formation process) and four in Labrador. There are 591 communities and a population of 514,535. (2011 census data).

Outcome as of March 31, 2015

As of March 31, 2015, the two planned lined/equivalent to lined landfills for the island have been completed. One landfill located at Robin Hood Bay (Eastern Region) and one located at Norris Arm North (Central Region). Currently two regions including 257 communities and approximately 65 per cent of the province’s population have access to lined/equivalent to lined landfills.
When transfer stations become operational in the Western region and the non-host regions on the island, all solid waste will be transported to one of these two regional landfills for final disposal.

ONGOING ACTIVITIES

1) Work with communities to establish regional authorities

It was envisioned that modern waste management practices would be accomplished most effectively through regional waste management authorities with shared services and facilities. Since the announcement of the Strategy, the department has worked cooperatively with communities, waste disposal committees, regional and sub-regional groups in an effort to advance the objectives of the Strategy. To date, six regional service boards have been established with legislative authority under the Regional Service Boards Act, 2012.

- Northern Peninsula Regional Service Board, 2005
- Central Regional Service Board, 2008
- Eastern Regional Service Board, 2011
- Western Regional Service Board, 2013
- Burin Peninsula Regional Service Board, 2013
- Discovery Regional Service Board, 2013

On the island portion of the province the department is currently working with communities and waste authorities in the Baie Verte/Green Bay area and the Coast of Bays area to move forward with regional plans.

In Labrador, the department continues to work with four regional waste management committees to identify and implement modern waste management solutions.

- Western Labrador
- Central Labrador
- Southern Labrador
- Northern Labrador

2) Work with communities to systematically close and consolidate waste disposal sites in the interim

The department has worked with communities and waste management groups to consolidate waste sites in the interim while regional sites were being planned and established. For example the Northern Peninsula, as a non-host region, consolidated all sites into four interim landfills sites operated by the regional service board while they wait for the establishment of the transportation system through Western for final disposal of
waste at Norris Arm North. Funding has been provided for the following interim waste site consolidations since 2007:

**Northern Peninsula – Interim Site Consolidations**
- Bill’s Pit
- Hawkes Bay
- St. Anthony
- St. Barbe

**Western – Interim Site Consolidations**
- Daniel’s Harbour
- Deer Lake
- Port aux Basques
- Pollard’s Point
- St. George’s

**Burin – Interim Site Consolidation**
- Grand Bank-Fortune

3) Work with stakeholders in the procurement and construction of modern waste management infrastructure.

Since the 2007 announcement of funding for the Solid Waste Management Strategy, a total of $161 million has been invested in associated infrastructure in the province, $98.5 million has been provided by the Provincial Government and $62.5 million through the federal Gas Tax Agreement.

The Department of Municipal Affairs works with regional service boards and committees to identify the required solid waste management infrastructure and oversees the engineering and construction of the related infrastructure.

4) Organic waste management report

Dillon Consulting was engaged in the spring of 2013 to prepare a report on potential solutions for organics/composting for the province. The report has now been finalized and posted on the Department of Municipal Affairs website. It will now be used by the Department of Municipal Affairs, MMSB and the Regional Service Boards to work together in consultation with strategy partners to develop a provincial composting plan.
REVIEW OF REGIONAL PROGRESS

Eastern Region

The Robin Hood Bay landfill site in St. John's underwent a major redevelopment. As the Eastern regional site, the infrastructure now includes a materials recovery (recycling) facility, household hazardous waste facility, administration building, garage, public drop-off facilities, leachate control and methane capture and related equipment.

In addition to the regional landfill site, seven public drop off facilities for bulk items and construction and demolition debris were constructed throughout the region. Funding has also been provided to the Eastern Regional Service Board to construct a waste recovery facility at Whitbourne, pending the identification of a suitable site.

Funding has also been provided to complete the construction of the Eastern region transfer station near Clarenville. Construction is expected to be completed in 2015.

Central Region

The regional site for Central was developed at Norris Arm North. The site includes a lined landfill, administration building, scale house, garage, household hazardous waste facility, public drop off, leachate treatment facility and related equipment.

Seven transfer stations were constructed throughout the region. Construction of the materials recovery (recycling) facility was completed and the facility began operations in March of 2015.

Western Region

The Western Region was identified as a host region. However through significant analysis it has been determined that the most economical approach to modern waste management for the Western region is to transport its waste to the Central regional landfill site for final disposal. The Western region will continue to explore economical options for waste diversion and composting within the region that may be cheaper than transporting waste.

The Western regional plan has been completed and a system of six transfer stations plus three public drop-off facilities for bulk waste have been recommended at an estimated cost of approximately $40M. A consultant has been appointed to assist in procuring the waste management infrastructure through a Design-Build process. Construction is expected to begin in late 2015 with facilities becoming operational in late 2017.
Northern Peninsula Region

The Northern Peninsula waste disposal sites have been consolidated into four interim landfill sites to serve the region on an interim basis. A consultant has been recently obtained to determine the long-term infrastructure requirements and the most cost effective approach for consolidated curb-side collection for the region. The plans for the Northern Peninsula transfer system will be informed by the consultants’ final report.

Burin Peninsula Region

The regional plan has been completed for the Burin Peninsula. As a non-host region, solid waste will be transported to Robin Hood Bay for final disposal. A single transfer station will serve the region and will be constructed in the Marystown area. The Burin Peninsula Region is exploring economical options for waste diversion and composting on the peninsula to offset transportation cost.

Discovery Region

The regional plan for the Bonavista Peninsula will see waste transported directly to the Eastern Region transfer station located at Clarenville for final disposal of waste at the Robin Hood Bay regional landfill. Recyclables will be transported through the Eastern Region transfer station near Clarenville to the Material Recovery Facility at Robin Hood Bay. A consultant has been recently retained to prepare a tender for consolidated curb-side collection for the entire region and to identify the number and location of public drop-off sites required for bulk items. Upon completion of the Eastern region transfer station near Clarenville in 2015, collection and transportation of materials through this site will be commenced.

Baie Verte/Green Bay Region

The Green Bay Waste Authority has operated a shared collection service and interim landfill for some time. However, additional work is required to develop a plan for the entire region and to develop required infrastructure for final waste disposal at the Central regional lined landfill site. A regional committee has been established with representation from both the Green Bay and Baie Verte sub-regions and a consultant was appointed to undertake a long term planning study that will identify transfer station infrastructure requirements, the most economical means of consolidated curbside collection and to establish a governance structure for the future regional service board.

Coast of Bays Region

A draft study was completed for the Coast of Bays region in 2011 to consolidate local dumpsites as an interim measure. However, the recommendations of the consultant were not accepted by the regional committee. Additional work is being completed to review further options for this region including; a long term planning study that will identify transfer station infrastructure requirements, the most economical means of consolidated curbside collection and to establish a governance structure for the future regional service board.
Western Labrador

A new unlined landfill site has been developed for Labrador West including public drop off facilities, scales and kiosk. The environmental closure of the former incinerator site at Wabush was completed in 2014.

Southern Labrador

A study was completed which outlined various options for this region. Planning and site assessment work is ongoing with the goal of establishing one central landfill site for Southern Labrador.

Northern Labrador

Meetings have been held with community representatives on the Labrador North Coast in an effort to establish the terms of reference to hire a consultant to look at potential long term waste management solutions for this area.

Central Labrador

A consultant has been appointed to study waste management options for this area. Further requirements will be determined after completion of the study.
### Summary of Performance Measurements
March 31, 2015

<table>
<thead>
<tr>
<th>GOAL</th>
<th>Indicator</th>
<th>Measured against</th>
<th>Baseline as of 2002</th>
<th>Outcome as of March 31, 2013</th>
<th>Outcome as of March 31, 2014</th>
<th>Outcome as of March 31, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 per cent Diversion of Solid Waste</td>
<td>Access to Materials Recovery Facilities</td>
<td>a Number of Communities</td>
<td>591</td>
<td>0</td>
<td>144</td>
<td>153</td>
</tr>
<tr>
<td></td>
<td>b Number of Regions</td>
<td>8</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>c Percentage of Population</td>
<td>100%</td>
<td>0</td>
<td>50%</td>
<td>51%</td>
<td>65%</td>
</tr>
<tr>
<td></td>
<td>d Metric tonnes of solid waste diverted per year</td>
<td>473,000</td>
<td>33,000</td>
<td>137,913*</td>
<td>141,235*</td>
<td>n/a**</td>
</tr>
<tr>
<td></td>
<td>e Percentage of solid waste diverted</td>
<td>100%</td>
<td>7%</td>
<td>27.6%*</td>
<td>27.0%*</td>
<td>n/a**</td>
</tr>
<tr>
<td>Reduce number of Waste Disposal Sites by 80 per cent</td>
<td>Total Waste Disposal Sites (WDS) both landfill and/or incineration</td>
<td>a Number of Waste Disposal Sites operationally closed</td>
<td>236</td>
<td>0</td>
<td>142</td>
<td>148</td>
</tr>
<tr>
<td></td>
<td>b Percentage of Waste Disposal Sites operationally closed</td>
<td>100%</td>
<td>0</td>
<td>60%</td>
<td>63%</td>
<td>65%</td>
</tr>
<tr>
<td></td>
<td>c Number of Waste Disposal Sites environmentally closed</td>
<td>213</td>
<td>0</td>
<td>67</td>
<td>95</td>
<td>111</td>
</tr>
<tr>
<td></td>
<td>d Percentage of Waste Disposal Sites environmentally closed</td>
<td>100%</td>
<td>0</td>
<td>31%</td>
<td>45%</td>
<td>52%</td>
</tr>
<tr>
<td>Eliminate open burning/ incineration</td>
<td>Waste Disposal Sites (WDS) with both open burning and/or incineration</td>
<td>a Number of WDS that have eliminated open burning and/or incineration</td>
<td>176</td>
<td>0</td>
<td>127</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td>b Percentage of WDS that have eliminated open burning and/or incineration</td>
<td>100%</td>
<td>0%</td>
<td>72%</td>
<td>80%</td>
<td>80%</td>
</tr>
<tr>
<td>Phase out of unlined landfills</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Number of UNLINED landfills operationally closed</td>
<td>216</td>
<td>0</td>
<td>128</td>
<td>133</td>
<td>139</td>
<td></td>
</tr>
<tr>
<td>b Percentage of UNLINED landfills operationally closed</td>
<td>100%</td>
<td>0%</td>
<td>60%</td>
<td>62%</td>
<td>64%</td>
<td></td>
</tr>
<tr>
<td>c Number of UNLINED landfills environmentally closed</td>
<td>198</td>
<td>0</td>
<td>58</td>
<td>86</td>
<td>102</td>
<td></td>
</tr>
<tr>
<td>d Percentage of UNLINED landfills environmentally closed</td>
<td>100%</td>
<td>0%</td>
<td>29%</td>
<td>43%</td>
<td>52%</td>
<td></td>
</tr>
<tr>
<td>Access to LINED landfills</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Number of communities</td>
<td>591</td>
<td>0</td>
<td>246</td>
<td>253</td>
<td>257</td>
<td></td>
</tr>
<tr>
<td>b Number of Regions</td>
<td>8</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>c Population</td>
<td>100%</td>
<td>0</td>
<td>64%</td>
<td>65%</td>
<td>65%</td>
<td></td>
</tr>
</tbody>
</table>

*This Data represents the calendar year for 2012 and 2013. Refer to Annex A for details.

**Data for the 2014 year is currently being provided to MMSB by regional authorities.
ANNEX A

Solid Waste Diversion
Newfoundland and Labrador

1992 Provincial Waste Table

<table>
<thead>
<tr>
<th>Population (580,109)</th>
<th>MT/Year</th>
<th>% Total</th>
<th>Kg/person/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Waste Disposal</td>
<td>474,000</td>
<td>93%</td>
<td>2.24</td>
</tr>
<tr>
<td>Total Waste Diverted</td>
<td>33,400</td>
<td>7%</td>
<td>0.16</td>
</tr>
<tr>
<td>Total Waste Generated</td>
<td>507,400</td>
<td>100%</td>
<td>2.40</td>
</tr>
</tbody>
</table>

2012 Provincial Waste Table

<table>
<thead>
<tr>
<th>Population (514,536)</th>
<th>MT/Year</th>
<th>% Total</th>
<th>Kg/person/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Waste Disposal</td>
<td>361,124</td>
<td>72.4%</td>
<td>1.92</td>
</tr>
<tr>
<td>Total Waste Diverted</td>
<td>137,913</td>
<td>27.6%</td>
<td>0.73</td>
</tr>
<tr>
<td>Total Waste Generated</td>
<td>499,038</td>
<td>100%</td>
<td>2.66</td>
</tr>
</tbody>
</table>

2013 Provincial Waste Table

<table>
<thead>
<tr>
<th>Population (514,536)</th>
<th>MT/Year</th>
<th>% Total</th>
<th>Kg/person/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Waste Disposal</td>
<td>382,370</td>
<td>73.0%</td>
<td>2.04</td>
</tr>
<tr>
<td>Total Waste Diverted</td>
<td>141,235</td>
<td>27.0%</td>
<td>0.75</td>
</tr>
<tr>
<td>Total Waste Generated</td>
<td>523,605</td>
<td>100%</td>
<td>2.79</td>
</tr>
</tbody>
</table>

NOTES:
1. 1992 baseline data was collected by Environment Canada.
2. Paper fibre and metal recycling comprise the majority of diverted waste materials in all reporting years.
3. Waste generation and diversion data for all reporting years does not include fisheries, aquaculture, agricultural and forestry waste.
4. Increases in waste generation in 2013 is consistent with trends in all Canadian provinces and OECD countries.
5. The waste diversion rate decrease of 0.6 per cent, from 2012 to 2013, may have been impacted by an increase in available weigh scale data from communities where data was previously extrapolated from a geographically similar region.

Source: MMSB
## Annex B
### List of Waste Site Closures Since 2002
March 31, 2014 (154 sites)

<table>
<thead>
<tr>
<th>Region</th>
<th>Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Beachside</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Fleur de Lys</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Harry's Harbour</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>King's Point</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Long Island</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Lushes Bight - Beaumont</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Port Anson</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Rattling Brook</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Robert's Arm</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Sheppardville</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>South Brook (Old Site)</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Springdale</td>
</tr>
<tr>
<td>Baie Verte Peninsula/Green Bay</td>
<td>Triton</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Burin</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Epworth</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Fox Cove-Mortier</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Frenchman's Cove</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Garnish</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Gran Bank-Fortune</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Lamaline</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Lawn</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Lord's Cove</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Point May</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>St. Lawrence</td>
</tr>
<tr>
<td>Burin Peninsula</td>
<td>Winterland</td>
</tr>
<tr>
<td>Central</td>
<td>Aspen Cove</td>
</tr>
<tr>
<td>Central</td>
<td>Badger</td>
</tr>
<tr>
<td>Central</td>
<td>Benton</td>
</tr>
<tr>
<td>Central</td>
<td>Birchy Bay</td>
</tr>
<tr>
<td>Central</td>
<td>Botwood</td>
</tr>
<tr>
<td>Central</td>
<td>Boyds Cove</td>
</tr>
<tr>
<td>Central</td>
<td>Browns Arm</td>
</tr>
<tr>
<td>Central</td>
<td>Buchans</td>
</tr>
<tr>
<td>Central</td>
<td>Buchans Junction</td>
</tr>
<tr>
<td>Central</td>
<td>Campbellton</td>
</tr>
<tr>
<td>Central</td>
<td>Cape Freels</td>
</tr>
<tr>
<td>Central</td>
<td>Carmanville</td>
</tr>
<tr>
<td>Location</td>
<td>Place Name</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Central</td>
<td>Change Islands</td>
</tr>
<tr>
<td>Central</td>
<td>Comfort Cove</td>
</tr>
<tr>
<td>Central</td>
<td>Cottrell's Cove</td>
</tr>
<tr>
<td>Central</td>
<td>Exploits</td>
</tr>
<tr>
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Annex C
List of Waste Site with Incinerator or Open Burning (March 31, 2015)

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<td>Yes</td>
<td>no</td>
</tr>
<tr>
<td>Isolated/Remote (Island)</td>
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<td>no</td>
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<tr>
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<tr>
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<td>Black Tickle</td>
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<td>Cartwright</td>
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<td>Forteau</td>
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<td>Lodge Bay</td>
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<td>Mary's Harbour</td>
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<td>Norman Bay</td>
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<td>Port Hope Simpson</td>
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<td>Red Bay</td>
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<td>St. Lewis</td>
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<td>William's Harbour</td>
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<td>Western</td>
<td>Burgeo</td>
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Information Note
Department of Municipal Affairs

Title: Little Bay Islands Relocation Process

Issue: To provide an overview and current status of the Little Bay Islands relocation process.

Background and Current Status:
- The Community Relocation Policy (policy) was developed in 2009 to provide relocation financial assistance to qualifying communities. The policy was revised in 2013 to increase the maximum eligible assistance from $100,000 to $270,000 and to remove the ability for commercial property owners to vote.

- The Department of Municipal Affairs (MA) will only consider relocation assistance requests that are community-initiated and community-driven and that meet all of the following criteria:
  - The total cost of relocation assistance plus residual essential services for permanent residents who may choose to remain in the community does not exceed the cost to government to deliver services to the community for a 20-year period;
  - A vote on relocation demonstrates that 90 per cent or more of the voting aged permanent residents wish to relocate; and
  - 90 per cent or more of the permanent residential property owners subsequently sign government’s conditional offers to purchase.

- The amount of financial assistance payable to permanent residential property owners is determined by the number of permanent residents living in the household:

<table>
<thead>
<tr>
<th>Number of Permanent Residential Property Owners and their Minor Dependents per Household</th>
<th>Total Household Relocation Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$250,000</td>
</tr>
<tr>
<td>2</td>
<td>$260,000</td>
</tr>
<tr>
<td>3 or more</td>
<td>$270,000</td>
</tr>
</tbody>
</table>

- The amount of financial assistance payable to each permanent resident of voting age who is not a permanent residential property owner is $10,000.

- MA currently has five active relocation files in various stages of progress: Round Harbour (applied under the 2009 policy); Snook’s Arm; William’s Harbour; Nipper’s Harbour; and Little Bay Islands. Votes have already occurred in Round Harbour (100 per cent in favour of relocation) and William’s Harbour (96 per cent in favour of relocation). It is expected that conditional offers will be made to Round Harbour property owners in the near future, while a judicial review, which may impact the overall relocation result for William’s Harbour, is in progress (applications in early 2016; no hearing date set). This has been communicated to the community.
• The Town of Little Bay Islands (town) applied for relocation assistance in April 2013.

• Once a community expresses interest in relocation, MA officials work with the community to determine if there is sufficient community support to warrant government expending resources on the relocation process. This may be done through an “expression of interest” vote or a petition showing a sufficient level of support. This level of support should be close to, but does not have to be exactly 90 per cent as with the formal relocation vote, as there may be fluctuations in those who can formally vote when the final permanent residency determinations are made.

• The town’s expression of interest vote showed that 89.65 per cent were in favour of requesting relocation financial assistance. It was determined that this level of community support warranted government exploring potential relocation.

• In August 2013, MA received affidavits and supplementary information from residents and property owners in order to determine their residency and property ownership status. Information gathered as part of this process included information on (where applicable): number of days spent in the community; property ownership; business-related documentation; income tax returns; driver’s license; utility bills; birth certificate; marriage license; and letter from a doctor, school or employer in support of an exemption.

• Permanent residency is established if, in each of the two 12-month periods immediately preceding the relocation request date, an individual fulfills the requirements listed in (a), (b) and (c) below:
  (a) The individual resided in the community for at least 183 days in each of the two 12-month periods (with absences for various reasons accepted as residence: education, medical reasons substantiated by doctor’s note, employment outside community but returning in periods of non-employment);
  (b) The individual did not establish permanent residency in another community; and
  (c) Proof of (a) and (b) must be satisfactory to the department.

• On October 2, 2015, the cost benefit analysis (CBA) for the town indicated the currently known cost to government to relocate is $14,570,900 and the Net Present Value estimated savings is $17,629,089, resulting in $3,058,189 in overall savings to the Province. The CBA is conducted by MA officials in consultation with the Department of Finance and other departments that may provide services to that community. In this case, this included the Departments of Transportation and Works (ferry service) and Education and Early Childhood Development (school), as well as NL Hydro (diesel power generation), among others.

• As a result of the town passing their CBA, on October 9, 2015, voting-aged permanent residents were mailed their individual ballots to vote on the question of relocation. A total of 95 ballots were sent to 95 voting-aged permanent residents.

• By November 4, 2015, all completed ballots were received. Following a number of vote recounts and validation checks, 85 ballots were counted in support of relocation, while 10 ballots were counted in opposition, resulting in 89.47 per cent support for relocation.
• The result of the vote was communicated to the town on November 12, 2015. A MA official verbally advised the town that there would be no further action on the relocation request until the provincial election concluded. MA also released this information to the media in response to queries about the results and indicated that next steps will be determined following the provincial election.

Analysis:
• Departmental officials originally determined there were 84 voting-aged permanent residents of the town. After property owners/individuals were notified of the result, 18 appeals (some related to more than one voting-aged permanent resident) were received from property owners/individuals deemed by the department to be non-permanent residents. The independent reviewer appointed by the department, the Honourable Robert Wells, reviewed the appeals and recommended seven of the appeals should be overturned, which consisted of 11 voting-aged permanent residents. MA accepted all recommendations of the reviewer.

• Given that not all voting-aged permanent residents are property owners, the town may not meet the 90 per cent minimal threshold for conditional offers to purchase.

• MA advises that there is a vocal group of non-permanent/seasonal property owners of the town (who have named themselves “Friends of Little Bay Islands”) who oppose relocation and will likely argue strict interpretation of the policy with respect to the percentage of votes required. If the relocation process proceeds, they may be critical of components of the CBA.

• Additionally, some permanent and non-permanent residents of the town have questioned MA’s determination of “permanent residents”, noting that they feel the number has been over-estimated and based on false information. These concerns have been raised in the media.

• Given the strong views expressed in the past by those for and against, it is likely that the somewhat limited reaction to date was a result of the provincial election and caretaker period and the indication that next steps will not be decided until after this period.

• If approved, the relocation of the town will cost $14.6M. There is no dedicated budget for relocation funding.

Action Being Taken:
• Following the election, MA will brief the minister on the relocation request given the vote result. Communications considerations will be a part of this briefing.

• If it is decided a result of 89.47 per cent warrants proceeding (i.e. effectively amending the policy), the next steps involve: confirming number of commercial properties; assessing their value; and formally seeking Cabinet approval of the relocation and associated funds.

• If not, the decision will be communicated to the town.
A separate note on the relocation policy generally notes a review of the policy is ongoing.

Prepared by/Approved by: A. Morgans/ H. Tizzard/J. Chippett
December 10, 2015
Information Note
Department of Municipal Affairs
and Department of Environment and Conservation

Title: Water Quality Issues

Issue: To provide an overview of water quality issues in the province.

Background and Current Status:

- In May 2001, the Provincial Government announced the Multi-Barrier Strategic Action Plan for Drinking Water Safety. The objective of this plan was to ensure that multiple-barrier in the form of source protection, water treatment, drinking water quality monitoring and reporting, and operator education and training, are in place to ensure that clean, safe and reliable drinking water is available to the residents of the province.

- In 2008, the Provincial Government announced a Rural Drinking Water Safety Initiative for Newfoundland and Labrador. The purpose of this initiative was to develop a comprehensive overview of drinking water quality issues such as aesthetic parameters and health related contaminants in smaller and rural communities and develop a sustainable plan of action to address these issues. The implementation of this initiative has involved the collaborative efforts of the Departments of Environment and Conservation (lead), Municipal Affairs (MA), Health and Community Services (HCS) and Service NL.

- The Newfoundland and Labrador Liberal party platform document, *A Stronger Tomorrow*, includes a commitment to “working with communities and the federal government to develop a province-wide water quality action plan to address quality, infrastructure, expertise, and technology to ensure water systems are safe and sustainable.”

- In 2014-15, $49.4M was invested by MA in drinking water related projects including new facilities and upgrading of water treatment infrastructure, distribution systems and feasibility studies. In addition to capital works funding by MA, the Departments of Environment and Conservation (ENVC), Service NL, and HCS also spend at least $2 million annually on source protection, drinking water quality monitoring and reporting, and operator education, training and certification.

- As of December 7, 2015, there are 226 boil water advisories (BWAs) in place. There are about 170 communities affected by these BWAs, serving a population of about 55,000. The affected population is about 20% of the serviced population. The majority of BWAs are on small systems serving populations of less than 500.

- 204 of current BWAs in place are for non-microbiological reasons such as: no disinfection system (31), system turned off (21), system broken (38), operational problems (33) and residual chlorine problems (81). Only 22 of the total BWAs are due to microbiological reasons. Of the BWAs attributed to microbiological, four are specifically due to E.coli. The affected communities are: Bellburns, Burnt Islands, Englee, and Portland Creek.
• A significant factor affecting drinking water quality in many small systems in the province is the presence of disinfection by-products precursors. When chlorine is added to kill pathogens present in water, the chlorine reacts with any dissolved organic carbon particles and leads to the formation of disinfection by-products such as trihalomethanes (THMs) and haloacetic acids (HAAs).

• Boiling water is effective in controlling microbiological contaminants, but it does not remove chemical impurities and the associated health impacts.

• The majority of public water supply systems draw water from surface water bodies such as lakes, ponds and rivers which contain high levels of organic matter that remain present unless removed through a treatment process. The organic matter typically gives rise to the brown/yellow coloured water. Most systems rely on chlorine as the only water treatment method.

• The public water supply systems drawing water from groundwater wells are generally free from organic matter and water is relatively clean. These systems generally do not experience disinfection by-products issues. However, depending on the location of groundwater wells, some of these systems may experience elevated levels of iron and manganese which are aesthetic parameters with no known adverse health impacts but cause discoloration of water. A small number of groundwater-based water supply systems have also experienced elevated levels of arsenic depending on the geographic region. As a generic public guidance, ENVC has developed maps showing geographic areas rich in arsenic and uranium. These maps are available on the department’s web page.

• Advanced drinking water systems (ADWS) have been identified as an option to provide high quality drinking water to smaller communities, where full scale water treatment may not be feasible due to the cost, operations and maintenance required.

• ADWS (also known as “water kiosks” or “Potable Water Dispensing Units”) are small-scale water treatment systems which cost approximately $384,000 with an average annual operation and maintenance cost of $2,000. These units include various types of filtration and disinfection processes and produce a high quality drinking water in compliance with the Guidelines for Canadian Drinking Water Quality. The small scale ADWS provide a sufficient supply of drinking water for household consumption. MA provides capital funding assistance on a 90/10 cost-share arrangement for supply of these systems.

• Currently, 32 communities in Newfoundland and Labrador have ADWS either operational, under construction or authorized for construction:
  • Under Construction: Cartwright, Charlottetown, Cow Head, Lamaline and Port Au Choix.
  • To be completed next summer: Island Harbour (Fogo Island) and Stag Harbour (Fogo Island).
  • Cancelled PWDUs in November 2014: Gander Bay South, Point Leamington, Pools Cove and Salvage.
• The ADWS in these 32 communities will not eliminate the BWAs, as water from the main water system is still needed for other domestic uses and firefighting. While the BWAs do not ensure compliance with bacteriological standards, the ADWS does ensure that residents have access to clean, safe and reliable drinking water.

• The provision of clean, safe and reliable drinking water is a challenge considering that there is no “one size fits all” solution due to the unique characteristics of individual community drinking water systems.

Action Being Taken:

• A joint briefing with the Ministers of ENVC, MA, HCS and Service NL will be developed related to water quality issues.

• Parameters will be established to ensure expectations are met regarding the development of a drinking water quality action plan as per the NL Liberal party platform commitment. A meeting of departmental officials responsible for drinking water will be called to develop a path forward.

• MA will continue to encourage communities to submit applications for ADWS to the department for consideration.

• The department’s assessment of capital works applications will continue to give priority to those that address water quality issues.

• The provincial government departments involved in the Drinking Water Safety Initiative are currently investigating what efforts and funding would be required to decrease the current number of BWAs.

• Departments involved in the Drinking Water Safety Initiative will continue to explore innovative options, in consultation with communities, to ensure the provision of clean, safe and reliable drinking water to small and rural communities in the province.

• A regional water and wastewater operator pilot project has been implemented in the eastern, central and western regions to enhance knowledge within selected communities regarding the operation, maintenance and monitoring of community water and wastewater systems.
  o The Eastern Regional Service Board has been asked by several of the communities participating in the pilot program whether the Board would be willing to provide water system operation services in addition to the pilot program.

• In July, 2015, a consulting contract to develop Standard Operating Procedures (SOPs) that will assist in reducing Boil Water Advisories (BWAs) in Newfoundland and Labrador was awarded to Big East Engineering. The main objectives of this initiative are:
  1. To identify common causes for the issuance of BWAs on public drinking water systems;
  2. To identify potential corrective measures for the common causes of BWAs in the province; and
  3. To identify measures for the prevention of further BWAs.
Once these SOPs are developed, they can be implemented in other communities to address similar water quality issues.

Prepared by / Approved by: B. Lush/ I.Duffett/ C.Mercer/ J. Chippett

December 10, 2015
Information Note
Department of Municipal Affairs

Title: New Building Canada Fund

Issue: To provide an update on the status of the new federal/provincial Building Canada Fund.

Background and Current Status:

- As part of Budget 2013, the Federal Government announced a new Building Canada Plan to commence in fiscal year 2014-15, carrying on from the original Building Canada Plan which commenced in 2007. Detailed background material related to the new Building Canada Fund (NBCF) is attached as Annex A.

- The federal contribution to the Province of NL under the Provincial-Territorial Infrastructure Component (PTIC) and the Small Communities Fund (SCF) over the next 10 year program is as follows:
  - $314.1M under the Provincial-Territorial Infrastructure Component (PTIC)
  - $34.9M under the Small Communities Fund (SCF)

- The federal contribution to municipal infrastructure projects under either PTIC or SCF will constitute 1/3 of eligible project cost. The municipality's contribution will be 10%, 20% or 30% depending on the municipality's cost sharing ratio. The balance of funding will be provided by the Province. In the case of a 90/10 municipality, the provincial contribution would be 56.7%.

- The federal contribution to provincially owned infrastructure projects is up to 50% of the total eligible project cost.

- MA issued a call for BCF applications in the fall 2014 in anticipation of the NBCF beginning in 2015, which resulted in approximately 80 applications being received under the Small Communities Fund (SCF) and the PTIC components of the NBCF. MA completed program eligibility screening of the applications and identified a list of potential eligible projects for consideration under both program components (Attached as Annex B).

- The list of projects included in Annex C was approved in October 2015 by the Province for submission to Infrastructure Canada for consideration for federal funding under the SCF. The proposed projects will leverage $12.2M of $34.9M in federal funding available under the Small Communities component of the NBCF.

- Annex D includes a list of nine projects the Province also proposed to Infrastructure Canada in October 2015 for consideration for funding under the PTIC component of the program.

- The nine projects will leverage $28.4M out of $314.1M of federal funding available to the Province under PTIC.
Infrastructure Canada officials acknowledged receiving the proposed lists of project early in November and indicated to MA officials that it would await concurrence of the lists of proposed projects from a new minister following the provincial election before proceeding to approve any projects.

The current Federal Liberal Government during the federal election campaign and as a part of its election platform, committed to increasing investment in infrastructure with priorities on transportation, public transit and providing more flexibility for municipalities. However, no specific details have been provided yet on how this will impact the NBCF announced by the Harper Government in 2013/14. There seems to be notion of flowing more funding directly to cities/municipalities, but details on that aspect are not clear.

Prime Minister Trudeau did however make a public commitment during his election campaign in NL that his government would assist with providing funding to the City of St. John’s and the surrounding municipalities to construct a secondary waste water treatment system at the Riverhead waste water treatment plant. A specific reference was made by the Prime Minister to a $200M project.

Analysis:

During the 2015 budget process and the development of a five year fiscal forecast, government decided to defer cash flow associated with infrastructure projects under the NBCF until 2018/19 because of the overall fiscal situation of the Province.

Acknowledging that there are nine years remaining in the NBCF program and it typically takes a municipality three years to complete a project from the time of approval, it was contemplated that similar subsequent submissions would be made to Infrastructure Canada in 2018 and 2021. This approach will provide sufficient time for the last set of projects to be completed before the end of the program in 2024, and will provide the opportunity for shifting priorities to be considered as the program unfolds.
Action Being Taken:
- Minister will be briefed by staff on the projects and details of the NBCF.
- Staff will continue to work with the Federal Government on the NBCF as details emerge related to the new federal commitments around infrastructure.
- Once a decision is reached about confirmation and/or the timing of projects, information should be communicated to communities about the status of their applications.

Prepared by/Approved by: C. Mercer/J. Chippett
December 10, 2015

Annexes:
Annex A: Background on NBCF
Annex B: Applications for SCF and PTIC Projects
Annex C: Potential SCF Projects
Annex D: Potential PTIC Projects
Annex A
Background on the New Building Canada Fund

Background:
As part of Budget 2013, the Federal Government announced a new Building Canada Plan to commence in fiscal 2014-15, carrying on from the original Building Canada Plan (BCF 2007).

The new ten-year Building Canada Plan, announced during Budget 2013, includes:

1. The Community Improvement Fund, consisting of the Gas Tax Fund (GTF) and the incremental Goods and Services Tax Rebate for Municipalities ($32B).
2. A $14B New Building Canada Fund (NBCF), which consists of a $4B National Infrastructure Component (NIC) that will support projects of national significance and a $10B Provincial-Territorial Infrastructure Component (PTIC) for projects of national, local or regional significance. $1B of PTIC is dedicated to projects in communities under 100,000 residents.
3. An additional $1.25B in funding for the P3 (Public-Private Partnerships) Canada Fund.
4. $6B in funding that continues to flow across the country this year and beyond under existing infrastructure programs.

Federal funding will be capped at one-third of total eligible project costs for traditionally-procured projects, with the exception of highways and major roads that are provincial assets and public transit projects which may be cost-shared up to 50 percent. However, the cap would be one quarter (25 percent) for projects with private sector proponents. Similarly projects that will be procured as P3s will also be capped at 25 percent.

The maximum federal contribution amounts will take into account funds from all federal sources, including any GTF funding allocated to a project.

Projects having total eligible costs of over $100M will be required to undergo a P3 Screen.

National Infrastructure Component (NIC)
NIC is a national merit based program and as such, there are no provincial or territorial allocations.

Eligible projects will be for the construction, renewal and rehabilitation or material enhancement of infrastructure for public use or benefit under one of the following categories:
- Highways and major roads
- Public transit
- Rail infrastructure
- Local and regional airports
- Marine port infrastructure
- Intelligent transportation systems
- Disaster mitigation infrastructure
Projects will be selected by the Government of Canada on a merit basis and must meet criteria aimed at promoting program objectives, as described above, as well as project category-specific criteria (i.e. projects of national significance that contribute to Canada’s long-term economic growth and prosperity). Project assessment criteria would also include a minimum soft threshold for project size of $100M in total eligible costs. Projects below this threshold that demonstrate national significance could still be considered.

**Provincial-Territorial Infrastructure Component (PTIC)**

The ten-year allocation for the Province is $349M (comprised of a base of $250M plus a per capita portion of $99M).

The majority of the funding will be provided for medium and large scale infrastructure projects.

These projects will: allow people and goods to move freely and efficiently; increase the potential for innovation and economic development; help improve the environment; and support safer communities.

Funding will also be provided for projects of local significance in small communities under this component of the program.

Eligible projects will be for the construction, renewal, rehabilitation or material enhancement of infrastructure for public use or benefit and must fall under one of the following categories:

- Highways and major roads
- Public transit
- Drinking water
- Wastewater
- Solid waste management
- Green energy
- Innovation
- Connectivity and broadband
- Brownfield redevelopment
- Disaster mitigation infrastructure
- Local and regional airports
- Short-line rail
- Short-sea shipping
- Northern infrastructure (territories only)

Ten percent of the allocation will be reserved for projects of local significance in small communities (Small Communities Fund (SCF)). Eligible recipients are limited to those whose project is situated within, or to the benefit of, communities with a population of less than 100,000, based on the Statistics Canada final 2011 census.

The remaining 90 percent of the PTIC will focus on projects of national or regional significance. All municipalities would be eligible.

The PTIC program requirements and administrative structure will be established with each province and territory. However, framework agreements similar to those under BCP 2007 will not be required.

Funding for the National and Regional Projects sub-component (i.e. excluding the SCF) will operate much like the Major Infrastructure Component of the current Building Canada Fund (BCF 2007). As such, project priorities will be identified jointly with the Province.
For projects under the SCF, the Province will bring a list of eligible projects forward for federal review and approval.

The Federal Government will contribute up to 1/3 of eligible project cost for municipal projects and will fund up to 50% of eligible project cost for provincially-owned infrastructure projects under the various components of the program. The one exception is that they will provide up to 25% of eligible project cost under the P3 component of the program.
### Annex B - Applications SCF and PTIC Projects

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Region</th>
<th>Project Title</th>
<th>Project Category</th>
<th>Population</th>
<th>Total Requested Funding ($)</th>
<th>Original Provincial Cost Share ($)</th>
<th>Federal Share</th>
<th>Municipal Share</th>
<th>Total Revised Funding ($)</th>
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</thead>
<tbody>
<tr>
<td>Baie Verte</td>
<td>Central</td>
<td>Infrastructure Upgrading</td>
<td>Water/Waste Water - Drink Water Distribution Systems/Sanitary Sewage Collection Systems</td>
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<td>Central</td>
<td>Water Distribution and Sewerage System Upgrading Phase III</td>
<td>Water/Waste Water - Drink Water Distribution Systems/Sanitary Sewage Collection Systems</td>
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<td>Central</td>
<td>Watermain Replacement - Anthony's and Parson's Ave</td>
<td>Water - Distribution Systems</td>
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<td><strong>Total Baie Verte - Green Bay</strong></td>
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## Annex B - Applications SCF and PTIC Projects

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12/17/2015
## Annex B - Applications SCF and PTIC Projects

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### Annex B - Applications SCF and PTIC Projects

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### Annex B - Applications SCF and PTIC Projects

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<th>Total Revised Funding ($)</th>
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## Annex B - Applications SCF and PTIC Projects

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<th>Applicant</th>
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12/17/2015
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Total: $8,511,613.59 - $4,336,210.98 = $2,175,402.61
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<th>Total Revised Funding ($)</th>
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12/17/2015
### Annex B - Applications SCF and PTIC Projects

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12/17/2015
## Annex B - Applications SCF and PTIC Projects

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<th>Applicant</th>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>$12,036,743.33</td>
<td>$5,772,998.59</td>
<td>$3,834,714.71</td>
<td>$1,896,430.77</td>
<td>$200,000.00</td>
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<tr>
<td>Eastport</td>
<td>Central</td>
<td>Main Street Water and Sewer Phase 2</td>
<td>Water/Waste Water - Drink Water Distribution Systems/Sanitary Sewage Collection Systems</td>
<td>482</td>
<td>$840,500.00</td>
<td>$455,208.85</td>
<td>$267,769.91</td>
<td>$80,330.97</td>
<td>$840,500.00</td>
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</table>

12/17/2015
## Annex B - Applications SCF and PTIC Projects

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Region</th>
<th>Project Title</th>
<th>Project Category</th>
<th>Population</th>
<th>Total Requested Funding ($)</th>
<th>Original Provincial Cost Share ($)</th>
<th>Federal Share</th>
<th>Municipal Share</th>
<th>Total Revised Funding ($)</th>
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<tr>
<td>Glovertown</td>
<td>Central</td>
<td>Station Road - Main Street Redevelopment - NBCF</td>
<td>Local Roads - Local Roads</td>
<td>2122</td>
<td>$712,336.16</td>
<td>$385,796.23</td>
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<tr>
<td>Port Blandford</td>
<td>Central</td>
<td>Sewer Upgrading - Muddy Brook - NECF, Small</td>
<td>Wastewater - Sanitary Sewage</td>
<td>483</td>
<td>$712,000.00</td>
<td>$385,614.16</td>
<td>$226,831.68</td>
<td>$68,049.56</td>
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<td>Communities Fund</td>
<td>Collection Systems</td>
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<tr>
<td>Port Blandford</td>
<td>Central</td>
<td>New Fire Hall/Town Hall Building -NBCF, Small</td>
<td>Municipal Buildings - Fire Halls</td>
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<td>$1,800,000.00</td>
<td>$974,867.25</td>
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<td>Sandringham</td>
<td>Central</td>
<td>Phase 2 - Water and Sewerage System</td>
<td>Wastewater - Sanitary Sewage</td>
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<td>$845,000.00</td>
<td>$457,646.02</td>
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<td>$80,761.06</td>
<td>$1,632,709.02</td>
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<tr>
<td><strong>Total Terra Nova</strong></td>
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<td></td>
<td></td>
<td></td>
<td><strong>$4,999,836.18</strong></td>
<td><strong>$2,559,132.51</strong></td>
<td><strong>$1,554,195.60</strong></td>
<td><strong>$460,258.68</strong></td>
<td><strong>$1,685,500.00</strong></td>
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<td>Makkovik</td>
<td>Labrador</td>
<td>Makkovik Spillway Project</td>
<td>Water - Basic Infrastructure</td>
<td>381</td>
<td>$587,939.00</td>
<td>$318,423.60</td>
<td>$187,308.00</td>
<td>$56,192.40</td>
<td>$587,939.00</td>
</tr>
<tr>
<td><strong>Total Torngat Mountains</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$587,939.00</strong></td>
<td><strong>$318,423.60</strong></td>
<td><strong>$187,308.00</strong></td>
<td><strong>$56,192.40</strong></td>
<td><strong>$587,939.00</strong></td>
</tr>
</tbody>
</table>

**TOTAL**

Projects not meeting eligibility criteria

Potential Small Communities Fund (SCF) projects

Potential Provincial /Territorial Fund (PTIC) projects

12/17/2015
Information Note
Department of Municipal Affairs

Title: Industrial Water Supplies

Issue: To provide an overview of the industrial water supplies (IWS) owned and operated by the Department of Municipal Affairs (MA).

Background and Current Status:
- MA’s Municipal Infrastructure and Engineering Division is responsible for the operation and maintenance of the IWS in the following six communities: Ramea, Comfort Cove, Dildo, New Harbour, Trinity Bay North (Port Union) and Fermeuse. The 2015-16 budget for these six IWS is $688,300, with projected revenues of $340,000 based on the sale of water, at a rate of $1.46 per 1,000 gallons.

- The department plans to have all the IWS upgraded to an acceptable level and then transfer responsibility for ownership, including annual operating and maintenance costs of the systems, to the respective communities as soon as the upgrades are completed. This has been communicated to the communities with IWS. If this process is unsuccessful, the Province has the option of implementing water rates that will make each system fully cost recoverable, meaning they would not be subsidized by the Province.

- There are four transfer agreements in place with Ramea (1998), Fermeuse (2015), Trinity Bay North (TBN)/Port Union (2001) and Comfort Cove (2001); Dildo and New Harbour have yet to sign transfer agreements.

- The Ramea IWS services the Town of Ramea and Labrador Gem Seafoods Inc. The Ramea IWS was transferred to the town in January 1998, but after a brief period of ownership, the town claimed that they did not have the funding to operate and maintain the system.

- The Fermeuse IWS services the Town of Fermeuse, Fermeuse Sea Products Fish Plant and Fermeuse Harbour Authority. A transfer agreement with the town was signed in February 2015. Approximately three phases of work need to be completed as per the transfer agreement at a cost of approximately $2M. The department approved funding in the amount of $580,000 for Phase I in 2015, which is currently in progress.

- The Port Union IWS services Ocean Choice International Fish Plant (closed since 2010), Harbour Authority of Catalina (wharf), Atlantic Marine Products Seal Plant and the Town of Catalina. A transfer agreement was signed by the Town of Port Union (TBN) in June 2001. In August 2009, the department approved $1M under the Building Canada Fund – Communities Component to complete required upgrades. This final piece of work has been awarded and is expected to be completed in upcoming months.

- The Comfort Cove IWS services the town and Notre Dame Seafoods. The department has invested over $4M in capital upgrades to this system since 2008. A small amount
(approximately $300,000) of outstanding work is required before this system can be transferred to the town as per the transfer agreement. Should this work be funded and completed in 2016, the system could be transferred by the end of the 2016 calendar year.

- The Dildo IWS services the LSD of Dildo and Dildo South, Ocean Choice International Fish Plant, Woodman’s Sea Products Fish Plant, Carino Company Seal Plant and Fur Farmers (closed).

- The New Harbour IWS services Woodman’s Sea Products Fish Plant and Higdon’s Sea Foods Fish Plant.

**Analysis:**

- **Section 29(1)(a)**

- **Section 29(1)(a)**

- Should MA be successful in transferring the six IWS, it would no longer need to budget for maintenance and operations of the IWS.

- Since the Province still owns the IWS, government is required to complete current capital upgrades of the IWS at 100 per cent of capital cost. Communities accepting transfer of the IWS would be eligible to apply for funding for future infrastructure upgrades through MA’s cost-shared infrastructure programs (90/10 provincial/municipal cost-shared ratio).

- The six IWS generate revenues from the water consumption of all the above mentioned users; however, the revenues do not cover the full costs of operating and maintaining the systems.

**Section 27(2)(b)**

The current water rates and full cost recovery rates are as follows:

<table>
<thead>
<tr>
<th>System</th>
<th>Current Water Rate</th>
<th>Full Cost Recovery Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramea</td>
<td>$1.46</td>
<td>$12.37</td>
</tr>
<tr>
<td>Fermeuse</td>
<td>$1.46</td>
<td>$2.49</td>
</tr>
<tr>
<td>TBN</td>
<td>$1.46</td>
<td>$1.67</td>
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<tr>
<td>Comfort Cove</td>
<td>$1.19</td>
<td>$1.19</td>
</tr>
<tr>
<td>Dildo</td>
<td>$1.46</td>
<td>$3.90</td>
</tr>
<tr>
<td>New Harbour</td>
<td>$1.46</td>
<td>$2.13</td>
</tr>
</tbody>
</table>
The department has identified potential projects for consideration under the proposed 2016/17 municipal capital works program aimed at further advancing the provincial commitments under the transfer agreements.

Prepared by/ Approved by: B. Lush/C. Mercer/J. Chippett

December 10, 2015
Information Note
Department of Municipal Affairs

Title: Local Government Revenue Generation

Issue: To provide information on the taxation and other local revenue generation tools available to the Province’s communities in light of the commitment made in Newfoundland and Labrador Liberal Party’s Five Point Plan to an immediate review of the Assessment Act, 2006.

Background and Current Status:

- The local government structure in Newfoundland and Labrador includes, approximately: (a) 271 municipalities (including the three cities) accounting for approximately 90% of the population; (b) 172 Local Service Districts (LSDs) accounting for approximately 7% of the population; and (c) 180 Unincorporated Areas (UIAs) accounting for approximately 3% of the population.

- Local revenue is generated by the Province’s municipalities in order to fund the various public services that they are expected and/or required to provide.

- Municipalities have legislative authority to raise their own revenues through taxation and fees. Towns are authorized to impose the following taxes:
  - **Real Property Tax** – a tax may be charged to the owners of real property;
  - **Business Tax** – a tax must be charged to all businesses;
  - **Water and Sewage Tax** – a tax may be charged to those served or capable of being served by a water/sewage system;
  - **Poll Tax** – a tax may be charged to a resident who is at 18 years of age or older and who is ordinarily resident in the community;
  - **Utility Tax** – a tax may be charged to the real property, water/sewer use and gross revenue of utilities;
  - **Direct Sellers Tax** – a tax that may be charged to door-to-door sales people.

- LSDs (and also Regional Service Boards (RSBs)) do not have the legislative authority to tax. Instead they have the authority to charge service fees for prescribed services that they can provide (e.g., waste management, water and sewer, snow clearing, road maintenance, fire protection and street lighting). Service fees differ from general taxation powers as they can only relate to the actual cost of providing the service being charged for, while a tax is not limited in this way.

- UIAs are not required to pay legislated municipal taxes or service fees. However, residents of UIAs may pay a type of service fee if they individually or their UIA has entered into a contractual arrangement with a neighbouring municipality, LSD, RSB or a private contractor for the provision of a service. Waste management and fire protection are both common services provided to UIAs in this way.
In addition, LSDs and UIAs may receive certain municipal services from the Province at no cost to its residents (e.g., winter and summer road maintenance). In these cases, the province owns the roads in these communities that are being maintained, but there is no effective mechanism to collect these costs from their residents. This is not the case for residents of municipalities, where the cost of such a provincial service gets passed on to their residents through general taxation.

Analysis:

- On average, within Newfoundland and Labrador (NL), 71% of a municipality’s revenue is generated locally. The remaining portion is obtained from provincial and/or federal government transfers.
- On average, 80% of local revenue comes from taxation, 56% of which comes from property tax.
- The ability for municipalities to generate local revenue varies by location, community size, the number of residents and businesses, as well as their ability to pay.
- Towns are not required to charge property tax under the Municipalities Act, 1999. Furthermore, the legislation also provides municipalities the option to charge a minimum annual property tax, but that is also not required.
- If a municipality opts to charge real property tax, then the Municipal Assessment Agency (MAA) must be used (with the exception of the City of St. John’s, which completes its own assessments) to assess property values. The Assessment Act, 2006 governs property assessments that are undertaken by both the City of St. John’s and the MAA.
- The MAA is financially self-sustaining based on its fee for services. The current fee is $28 per each property assessed within a municipality. At present, 226 (out of 271) municipalities have imposed a real property tax and the MAA provides these municipalities with their assessed real property values. The remaining municipalities charge poll tax and/or some combination of property tax, poll tax and/or service fees.
- The MAA is incorporated as per the Corporations Act and is governed by its own Board of Directors. The Board includes eight municipal representatives, six of whom are elected by municipal clients of the MAA, two taxpayer representatives and a representative from each of Municipalities Newfoundland and Labrador (MNL) and Professional Municipal Administrators.
- Property tax is considered by some to be a regressive form of taxation meaning that if household income declines, the tax represents a bigger percentage of household income. MNL has been critical of municipalities’ reliance on property tax to raise the majority of its local revenue as well as how the tax does not consider the ability of a person to pay, putting both the municipality and an individual in a financially-challenging position.
- Despite this criticism, jurisdictional research (see attached annex) has indicated that all provinces and territories in Canada use property tax as a principle source of local revenue.
- Following the recent issuance of notice of assessments for real property owners in the province, there has been much criticism in the media relating to the resulting increase in property assessments and people’s ability to pay. In response, the Newfoundland and
Labrador Liberal Party’s Five Point Plan committed to an immediate review of the *Assessment Act, 2006* addressing the timing of assessments, assessment criteria and implementation of the associated mill rate. The long-standing issue with special purpose properties may also be included in any review of the *Assessment Act, 2006*.

- Such a review would require consultations with relevant stakeholders such as the MAA, MNL, City of St. John’s and others as identified. It may also result in consequential amendments to other pieces of municipal legislation relating to taxation such as the *Municipalities Act, 1999* and the Cities Acts, which may require further stakeholder consultations, as needed.

- Jurisdictional research has also indicated that Newfoundland and Labrador is the only province where property taxes are not collected from all residents (e.g., those in unincorporated areas) in the Province. It is estimated that there are currently 25,000 properties that are currently not being assessed by the MAA.

- A 2012, household income survey by Statistics Canada indicated that NL has the lowest percentage of total household expenditures across all income categories going towards property tax compared to other provinces.

- In various European countries, income tax is used as a primary source of local revenue. However, many of these countries have only two tiers of government, federal and local, and thus their structures are not directly comparable.

- In comparison to taxes (that can be charged interest and can attach to property as a lien), service fees are harder to enforce and collect if they are outstanding.

**Action Being Taken:**

- In accordance with the commitment made in Newfoundland and Labrador Liberal Party’s Five Point Plan, Department officials are positioned to commence a review of the *Assessment Act, 2006* in consultation with the MAA and MNL.

- A Terms of Reference for the review will be developed based on the specific language of this commitment; i.e., to address the timing of assessments, assessment criteria, and implementation of the associated mill rate.

**Prepared by / Approved by:** A. Morgans/ H. Tizzard/ J. Chippett  
**December 10, 2015**
## ANNEX - Other Related Taxes

<table>
<thead>
<tr>
<th>Taxation Tool</th>
<th>BC</th>
<th>AB</th>
<th>SK (verified)</th>
<th>MB (verified)</th>
<th>NB (verified)</th>
<th>NS</th>
<th>PE (verified)</th>
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<td>Specific tax charged for specific municipal work performed that benefitted certain real property owners</td>
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<td>Tax charged to business owners</td>
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<td><strong>Special Tax</strong></td>
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<td>✓</td>
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<tr>
<td>Methodology used to phase-in tax changes over a number of years and for different tax payers</td>
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<td><strong>Minimum Tax</strong></td>
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<td><strong>Base Tax</strong></td>
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<td>Tax of a specified amount applied to each property regardless of a property's assessment value</td>
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</tr>
<tr>
<td><strong>Road Pricing/Taxes</strong></td>
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<tr>
<td>Tax charged to drivers for use of all or certain road infrastructure</td>
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<td><strong>Equipment Tax</strong></td>
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<td>Tax charged to owners of machinery and equipment whereby the value of which often does not get included in the assessment of land and buildings</td>
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<td>A portion of a province's gasoline tax can be transferred to municipal governments</td>
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<tr>
<td>Tax Type</td>
<td>Description</td>
<td>For Local Priorities</td>
<td></td>
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<tr>
<td>Hotel Tax</td>
<td>Tax charged specifically to accommodation users</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
<td></td>
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<tr>
<td>Amusement Tax</td>
<td>Tax charged specifically to entertainment businesses like bars, clubs and movie theaters</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
<td></td>
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<tr>
<td>Sin Tax</td>
<td>Tax charged specifically on the consumption of certain products like cigarettes and alcohol</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
<td></td>
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<tr>
<td>Advertising Tax</td>
<td>A tax imposed on advertising signs (primarily billboards) and paid by the owner of the sign</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
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<tr>
<td>Income / Poll Tax</td>
<td>A tax imposed on an individual as a set amount or as a percentage of their income</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
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<tr>
<td>Electricity and Gas Tax</td>
<td>A portion of a province's electricity and gas tax can be transferred to municipal governments for local priorities</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
<td></td>
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<tr>
<td>Land Transfer Tax</td>
<td>A tax charged when real property is sold and transferred to a new owner(s)</td>
<td>✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓</td>
<td></td>
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Information Note
Department of Municipal Affairs

Title: Purchase Notice – Portugal Cove-St. Philip’s

Issue: Under Part X of the Urban and Rural Planning Act, 2000 (the Act), a property owner within the Town of Portugal Cove-St. Philip’s served a “Purchase Notice” on the town council. A decision of the minister will be required to confirm or refuse the Purchase Notice.

Background and Current Status:
• There is an extensive history on this piece of land. Mr. Doug Neary first applied to develop approximately 15 years ago. The parcel of land under consideration is approximately 3.3 hectares.

• Mr. Neary submitted an application for a residential subdivision to the Town of Portugal Cove-St. Philip’s (town) on April 18, 2012. The application was reviewed at the May 26, 2015 meeting of the town’s Planning and Development Committee. The Development Application submitted by Mr. Neary involves two other land owners, Council rejected the development application at the June 2, 2015 meeting. Council provided 20 reasons for its refusal.

• served a Purchase Notice on the town on October 20, 2015 and also provided a copy of the Purchase Notice to the minister at that time.

• has written to the department requesting further information on serving a Purchase Notice.

• Mr. Neary appealed the town’s decision to refuse the development application to the Eastern Newfoundland Regional Appeal Board on August 6, 2015. The Eastern Newfoundland Regional Appeal Board confirmed the town’s decision on November 27, 2015.

• Mr. Neary served a “Purchase Notice” on the town council of Portugal Cove-St. Philip’s on August 4, 2015. The former minister was also provided a copy of the Purchase Notice, dated August 5, 2015.

• Mr. Neary requested the town amend its Municipal Plan and Development Regulations on August 26, 2015 to increase the maximum permitted cul de sac length from 200 metres to 450 metres.

• The town rejected Mr. Neary’s request for an amendment on September 16, 2015. The town provided six reasons for refusing the proposed amendment to the Municipal Plan and Development Regulations.

Analysis:
• Part X of the Urban and Rural Planning Act, 2000 (the Act) outlines the process for serving, adjudicating and if approved, compensation related to a Purchase Notice.
• If confirmed by the minister, a Purchase Notice forces the municipality to purchase property from an individual who has been denied reasonable beneficial use of their land through decisions made by the council.

• If the minister makes no formal decision to either confirm or refuse the Purchase Notice within six months of service, the Act specifies that the Purchase Notice is, by default, confirmed.

• Before rendering a final decision, the minister must serve advance notice of his/her proposed action on the Purchase Notice and not fewer than 28 days following this notice, provide Mr. Neary and representatives of the town with an opportunity to appear before and be heard by a person appointed by the minister.

• The deadline for the minister to make a final decision to either confirm or refuse Mr. Neary's Purchase Notice is February 5, 2016.

• In order to provide a notice of intention and the minimum 28 day notice for Mr. Neary and council to appear before and make representations to an individual appointed to do so by the minister, the notice of intention should be issued as soon as possible, and at the latest by December 23, 2015, to permit the person appointed to provide recommendations on the matter and for the minister to consider the same prior to the six month deadline.

• The land owned by Mr. Neary is zoned partially Residential Medium Density and partially Rural. Permitted uses in the Residential Medium Density Zone include single dwellings, recreational open space, and conservation. Permitted uses in the Rural Zone include agriculture, conservation, forestry, and recreational open space.

• Modifications to Mr. Neary's original proposal could result in the proposal complying with the town's Municipal Plan and Development Regulations.

**Action Being Taken:**

• The review will be completed the week of December 14, 2015, in conjunction with the Department of Justice and Public Safety, to determine whether the applicant has been denied any possibly future reasonable beneficial use of his property.

• Direction of the minister will be required once briefed on the outcome of the review.

*Prepared by/Approved by: J. Brown, C. Davis /P. Howe/J. Chippett*  
*December 14, 2015*
Information Note
Department of Municipal Affairs

Title: Municipal Capital Works (MCW) and Multi Year Capital Works (MYCW)

Issue: To provide an overview, current status, and upcoming decisions related to the MCW and the MYCW programs in the Department of Municipal Affairs (MA).

Background and Current Status:

- MA provides oversight for federal/provincial/municipal (F/P/M) cost-shared programs relating to municipal infrastructure. This includes the current Building Canada Fund (BCF), as well as provincial/municipal cost-shared programs that provide such funding, which include the MYCW program, and the annual MCW program.

- In terms of the scope and scale of ongoing infrastructure investments, MA currently has over 700 municipal infrastructure projects at various stages of completion, and will incur cash flow expenditures associated with many of these projects over the next three years. Funding for these projects was approved under various municipal infrastructure funding programs between 2009 and 2015, and cash flow requirements have been included in MA’s five-year fiscal forecast.

- Eligible funding is allocated based on the following cost share ratios:
  - 90/10 (P/M) for population less than 3,000,
  - 80/20 (P/M) for population between 3,000 and 7,000; and
  - 70/30 (P/M) for population greater than 7,000.

- The municipal contribution is the same (10%, 20% or 30%) for projects funded under the MCW, MYCW and federal/provincial/municipal projects. Federal funding typically covers 1/3 of eligible project cost under federal programs.

- The Liberal Party of NL’s Five Point Plan commits to developing a strategic plan for addressing the infrastructure gap in our province and to provide municipalities with infrastructure funding under a multi-year framework.

MCW Program:

- The call for applications for the 2014 MCW program generated over 400 applications valued at just over $238M. MA received over 450 applications valued at over $271M from the call for applications for the 2015 MCW program in Fall 2014. In its latest call for applications which closed November 30, 2015, the department received 368 applications valued at approximately $293M.

- Eligible recipients of MCW funding include municipalities, local service districts, Inuit Community Governments and Regional Service Boards. MYCW municipalities cannot participate in the annual MCW program.
• Eligible projects include all types of municipal infrastructure, except fire trucks and municipal rolling stock equipment. For water, sewer and road improvement projects, eligibility is contingent on the road being approved for cost shared funding under the town’s Limit of Service Agreement with the department.

• The total value (provincial investment) of the annual MCW program is be governed by the available commitment authority for the program. The cash flow associated with this commitment usually spans three fiscal years since it takes most municipalities two to three years to complete an approved project from the date of approval.

• Provincial contributions are advanced to communities upon the submission of monthly status reports through the department’s Municipal Support Information System (MSIS).

**MYCW Program:**

• A call for applications is issued to Multi Year municipalities once every three years for the MYCW program, whereby the municipalities identify their project priorities.

• There are 22 municipalities who are invited to participate in the MYCW program. Most of these municipalities have participated in the program since its inception in 1999. The 22 municipalities currently participating in the MYCW program are identified in Table 1.0.

**Table 1.0: List of MYCW Municipalities**

<table>
<thead>
<tr>
<th>City of St. John’s</th>
<th>Town of Springdale</th>
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</thead>
<tbody>
<tr>
<td>City of Mount Pearl</td>
<td>Town of Carbonear</td>
</tr>
<tr>
<td>City of Corner Brook</td>
<td>Town of Torbay</td>
</tr>
<tr>
<td>Town of Conception Bay South</td>
<td>Town of Portugal Cove –St. Philips</td>
</tr>
<tr>
<td>Town of Paradise</td>
<td>Town of Wabush</td>
</tr>
<tr>
<td>Town of Gander</td>
<td>Town of Happy Valley-Goose Bay</td>
</tr>
<tr>
<td>Town of Grand Falls-Windsor</td>
<td>Town of Clarenville</td>
</tr>
<tr>
<td>Town of Labrador City</td>
<td>Town of Victoria</td>
</tr>
<tr>
<td>Town of Bay Roberts</td>
<td>Town of Holyrood</td>
</tr>
<tr>
<td>Town of Pasadena</td>
<td>Town of Marystown</td>
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<tr>
<td>Town of Lewisporte</td>
<td>Town of Placentia</td>
</tr>
</tbody>
</table>

• In 2014, a three year block of commitment authority was established for MYCW recipients. Funding was allocated on an historical allocation basis, but ensuring that all seven of the largest municipalities received an amount at least equal to what they would have received in past years had they still continued to receive municipal operating grant (MOG) funding. MOG funding was terminated to the seven largest municipalities in 2013 in lieu of receiving a greater amount of infrastructure funding.

• Upon confirmation of funding appropriation, each municipality was written and asked to confirm their list of priority projects for the funding allocation approved. Municipalities identify a list of projects that are included in its MYCW Schedule A.
• The municipality has the ability, with the approval of the minister, to move funding around within its Schedule A, with the understanding that they do not qualify for additional funding for any project overruns.

• Since MY municipalities receive a three year funding allocation, they do not participate in the annual MCW program.

• MA staff provide similar oversight and due diligence for all municipal infrastructure projects, including federal/provincial projects.

Analysis:
• The following Table 2.0 provides an overview of the department’s current municipal infrastructure commitment authority for the three year period beginning April 1, 2014 and ending March 31, 2017.

Table 2.0: Breakdown of 2014-15 to 2016-17 $210M Commitment Authority

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-17 MYCW to largest 7 municipalities</td>
<td>$101,000,000</td>
</tr>
<tr>
<td>2014-17 MYCW to remaining 15 multi-year municipalities</td>
<td>$40,459,300</td>
</tr>
<tr>
<td>2014 MCW Program (small communities)</td>
<td>$29,075,478</td>
</tr>
<tr>
<td>2015 MCW Program (small communities)</td>
<td>$23,278,372</td>
</tr>
<tr>
<td>2016 MCW Program (small communities)</td>
<td>$0</td>
</tr>
<tr>
<td>Additional funding for cost overruns/emergencies (as of Dec 15, 2015)</td>
<td>$6,964,798</td>
</tr>
<tr>
<td>Balance remaining for emergency projects and overruns as of December 15, 2015</td>
<td>$9,132,986</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$210,000,000</td>
</tr>
</tbody>
</table>

• MA staff, in conjunction with staff from the Department of Environment and Conservation, Service NL and Health and Community Services, complete an initial review of MCW project applications and assign a project ranking awarding up to 50 points under a health, safety and environmental screening assessment and up to 50 points for density, which is a measure of the number of services in a community that will be positively impacted by the proposed project. MA has developed a very detailed application ranking document in an effort to remove as much subjectivity as possible.
The initial screening and ranking identifies potential projects that offer the best value for the investment; however, it should not be the only criteria used to determine a final list of projects to be approved for funding. Other factors to be considered include but are not limited to: the availability of funding; the distribution of funding across municipalities and local service districts; the number and value of uncompleted projects a community currently has ongoing; the ability of the municipality to finance its share of the capital cost; and the additional annual operating cost the community will be responsible for with the completion of the project.

Proposed projects from MYCW municipalities are not ranked in the same manner as MCW applications, but proposed projects must past the Limit of Service test for eligibility.

Budget 2015 announced a $175M commitment authority for a new three year MCW/ MYCW program beginning April 1, 2017 and ending March 31, 2020. From an annual cash flow perspective, budget 2015 provided MA with a gross municipal infrastructure budget of $118.8M, with a projected $5.5M in revenue associated with federal contributions under the Building Canada Fund projects.

A decision is not required for MYCW for 2016-17 because the 22 municipalities already have their funding allocation through to March 31, 2017. This was provided in April 2014.

A decision will also be required on whether to seek federal approval for a list of projects to uptake federal funding from the New Building Canada Fund (NBCF) in 2016-17. A list of projects was submitted by the former Minister of Municipal Affairs in November 2015. However, the federal government is seeking confirmation from the new minister of the list of projects submitted following the results of the general election in NL. At present, cash flow funding in the fiscal framework for the NBCF projects begins in 2018-19. This decision will require consultation with the Ministers of TW, FIN, and the Premier or Cabinet.

Should government wish to proceed with the approval of projects under the New Building Canada Fund in 2016/17, appropriate commitment authorities and cash flow requirements for
the next four years to complete projects will be required,

- To develop a plan to target the infrastructure deficit, the department suggests an asset management framework approach. Using interest gained on the Gas Tax, the department has submitted a plan to the federal government to fund the first stage in the development of an asset management framework.

Action Being Taken:
- The minister will be briefed on the current MYCW and MCW programs in project specific details, as well as the proposed NBCF projects.
- Direction will be sought from the minister related to required transfers and/or budget submissions.
- Minister’s approval will be sought on projects to be funded once a decision is made on MCW for 2016-17.
- Discussions recommended with the relevant departments (TW and FIN) on NBCF followed by submission to Cabinet (or through the budget process).
- Discussions recommended early with MNL on planning approach for asset management (or other avenues) and likely consultations on MCW.
- Discussions with other departments and jurisdictions on how MCW funding for smaller communities might occur followed by discussions with the minister.

Prepared by/Approved by:  C. Mercer/ J. Chippett
December 16, 2015
Information Note
Department of Municipal Affairs

Title: Sale of Unused Government Assets and Lands

Issue: To outline Lands Branch considerations and potential next steps with respect to the sale of unused government assets and lands as reflected in the Liberal Five Point Plan costing.

Background and Current Status:
- The Department of Municipal Affairs (MA) is responsible for the administration and management of Crown lands in the province in accordance with the Lands Act. MA also holds certain ministerial lands in its possession.
- While various departments such as Transportation and Works (TW) hold possession of government assets and lands, MA is the largest land holder given that approximately 88% (36,000,000 hectares) of the province is Crown lands.
- The Lands Act enables MA to dispose of Crown lands by way of sales and transfers, as well as the leasing, licensing and the issuance of easements of Crown lands for a prescribed period of time.
- The costing/budget released with the Liberal Platform outlines a commitment to increase revenue by $200 million over four years through the sale of unused assets and lands.
- This increase in revenue may partially be accomplished by increasing the recreational cottage lot draw program or selling blocks of Crown lands in high value areas.

Section 27(1)(i), Section 27(2)(a)
- Since 1996, government has had a Market Value Pricing (MVP) policy in place meaning that the value of Crown lands is determined by comparable land sales in comparable areas.
- In Budget 2004, government introduced changes to the policy, fees and service charges related to allocation of Crown lands. One of these changes was the elimination of the five-year lease/grant buy-out option for commercial, residential or recreational cottage development in favour of a 100% upfront payment for a Crown lands grant (i.e., purchase).

Analysis:
- Detailed analysis will be required to identify various considerations associated with implementing this commitment including government consultation with other departments and the Interdepartmental Land Use Committee (ILUC) (as per below).
- It is understood by MA that TW will be the lead on the sale of surplus assets. Section 29(1)(a)
Currently, Crown lands are normally sold on a first come, first served basis, realizing the revenue through the sale of land and assets will require a more aggressive approach to the sale of land. It also should be noted that the generation of revenue through Crown lands sales is influenced by the uptake of applicants wishing to acquire Crown lands, which can be influenced by the general economic conditions in the province or in specific local areas.

This increase in revenue may partially be accomplished by increasing the recreational cottage development program or selling blocks of Crown lands in high value areas, which could be determined following the completion of the land inventory as noted above.

Fifteen planned recreational cottage development areas have been identified as having potential for recreational cottage development. In addition, there are a number of areas where the sale of Crown lands could be assessed, such as the former Abitibi lands, lands reserved as part of a 1994 land sale with Corner Brook Pulp and Paper (Reid lots), and other Crown lands that have been restricted from development, which includes both urban and rural areas.

The attached table illustrates revenue from the sale (grant) of Crown lands for cottage lots, commercial and residential development, and the total includes revenue derived from the issuance of other Crown lands titles (eg. leases and licences) and other administration fees (eg. application fees and document preparation fees).

In order to derive the maximum benefit from the sale of Crown lands, a cost benefit analysis will be conducted to determine if maximum revenue will be derived by developing the lots to be sold internally or sold as a large tract of “raw” land to a private developer. The cost benefit analysis will vary for different blocks of land and will be required to be done for each block of land that holds the potential for sale.

The steps required for the sale of recreational cottage lots internally are as follows:
- Review development areas and conduct site work to determine the viability for cottage lot development (site selection).
- Prepare a preliminary lot layout and conduct a cost benefit analysis to determine if the project is viable.
- Design lot layout, prepare proposal documents and vet through ILUC and Environmental Assessment for review.
- If the project is recommended for approval, the following is required:
  - Determine road location in the field.
  - Prepare and award contracts for road construction, septic system site evaluations and land surveys.
  - Prepare public draw advertisements.
  - Conduct public draw and allocate lots.

- The Lands Branch currently have two areas (Puncheon Pond and Salmonier) that will be allocated in 2016 and these have a combined land value of $1,600,000 for 37 lots.
The Internal ILUC Process considers:
- Liabilities (e.g., environmental). The Lands Branch, MA, does not sell developed or encumbered lands. Any lands with existing infrastructure are the responsibility of the department/agency holding the lands.
- Designated land use restrictions by other departments/agencies.
- Regulatory approvals (e.g., developments of a certain size subject to Environmental Assessment).

Action Being Taken:
- As a result of the reference to sale of surplus land and assets, the Deputy Minister of MA has written all government departments/agencies requesting that a list of all such lands be provided to the department for the purpose of establishing a full inventory of land holdings.

- MA has written all government departments/agencies to complete the inventory as soon as possible, and provide the information in a digital mapping format to LMD to be incorporated into the Land Use Atlas.

- Once all lands holdings are inventoried, MA will review with all relevant government departments/agencies and prioritize land holdings for sale for presentation to the minister.

- LMD will review and prioritize existing planned cottage development areas and other areas under a Crown lands restriction to identify those lands that may be developed and/or sold outright.

- MA will work with TW to identify alternative methods for the sale of assets and lands to maximize revenue in a shorter time frame.

- MA will bring forward a budget submission reflecting any needed resources (once reprofiling has been considered) to the minister for consideration, including the revenue potential associated with any options.

Prepared/Approved by:  D. Moore / P. Howe / J. Chippett
December 15, 2015

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Grant Fees ($)</th>
<th>Total Revenue ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>1,363,523</td>
<td>5,232,463</td>
</tr>
<tr>
<td>2005/06</td>
<td>2,530,143</td>
<td>6,766,889</td>
</tr>
<tr>
<td>2006/07</td>
<td>3,391,915</td>
<td>11,999,352</td>
</tr>
<tr>
<td>2007/08</td>
<td>3,498,931</td>
<td>8,508,510</td>
</tr>
<tr>
<td>2008/09</td>
<td>3,638,715</td>
<td>7,177,661</td>
</tr>
<tr>
<td>2009/10</td>
<td>5,724,410</td>
<td>8,775,733</td>
</tr>
<tr>
<td>2010/11</td>
<td>5,689,965</td>
<td>8,484,173</td>
</tr>
<tr>
<td>2011/12</td>
<td>5,318,706</td>
<td>8,105,249</td>
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<tr>
<td>2012/13</td>
<td>9,688,795</td>
<td>12,682,260</td>
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<tr>
<td>2013/14</td>
<td>10,368,280</td>
<td>13,522,266</td>
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<tr>
<td>2014/15</td>
<td>7,660,775</td>
<td>10,821,779</td>
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<tr>
<td>Oct 2015</td>
<td>4,354,652</td>
<td>6,703,739</td>
</tr>
</tbody>
</table>

Notes:
- Total Revenue includes grant fees, other types of Crown title fees (e.g. leases, licences, easements, etc.), and administration fees (e.g. application fees, title document fees, etc.).
- The increase in revenue from 2012 to 2013/2014 was as a result of the first allocation of recreational cottage lots at SCI and a number of commercial and residential applications that were high in value.
Information Note
Department of Municipal Affairs

Title: Camp 33, Grand Lake

Issue: To provide an overview of ongoing issues in the Camp 33, Grand Lake area.

Background and Current Status:

- The area known as Camp 33 is a former logging camp located on the southern shore of Grand Lake. It is located within the former Reid Lot #224, which was one of the tracts of land issued to the Reid Newfoundland Company for construction of the railway. These lands (surface title) were subsequently sold to Corner Brook Pulp and Paper Limited (CBPP) and later purchased by the Province on November 28, 1994.

- In 1993, CBPP issued six recreational cottage permits for existing cottages, which were incorporated into the Crown Lands Registry as Licences to Occupy when Reid Lot #224 was transferred to the Crown. Structures in the area that existed prior to the land transfer to government and that did not have permits from CBPP were considered to be illegally on Crown lands. There are over 30 illegal structures in this area.

- The Camp 33 area is currently covered under Directive 013-96-W (9.W.07), approved on September 17, 1996, which prohibits the acceptance of applications for cottages in the area. The purpose of the directive is "to prohibit further cottage development on Crown lands in the defined areas on former Reid Lots and other lands recently returned to the Crown until development plans have been prepared." While there are no records, staff and several occupants have indicated that removal notices were posted on several illegal trailers and other structures in the Camp 33 area on several occasions since 1996; however, there was no further action taken since that time.

- In 2009, it was communicated to a group of concerned trailer owners that an incorporated body could make application for occupation as a trailer park with a detailed development plan. Camp 33 Trailer Inc., an incorporated group of trailer owners in the area, therefore submitted application W-135660 for the establishment of a 5.6 hectare, commercial trailer park.

- The application was referred out to the various departments and agencies and all recommended for approval in March 2010. However, the application was not approved by the Lands Branch at that time as the required development plan was not submitted. Lands Branch has met with the applicants several times to facilitate submission of the development plan.

- In early 2014 the Minister responsible for Lands at that time communicated that the Lands Branch would process the Camp 33 Trailer Inc. application according to a map provided to the group outlining four parcels of land with a total area of 3.78 hectares.

- In the summer of 2015 there were 67 illegal structures in the area.

- A development plan for 77 trailer lots in four distinct parcels (total area of 3.33 hectares) was submitted by Camp 33 Trailer Inc. in July 2015. The application was again referred to the various government departments and agencies for review.
• Another active file in this area relates to a group of four individuals holding a valid Licence to Occupy (LTO) for a cottage that they acquired by way of a transfer of title in September 2014. The licence-holders removed the existing cottage and began construction of a new cottage.

• The licence-holders have encountered difficulty in completing the cabin and obtaining all necessary permits needed to inhabit the cabin. In particular:
  o Service NL issued them notice to remove the existing illegal septic system and indicated that a permit for a new one could not be issued because of insufficient land area to accommodate a new system. The insufficient area is as a result of the proximity of an existing illegal development to the new cottage under construction.
  o The licence-holders are now requesting that Municipal Affairs issue a removal notice to the illegal dwelling owner next to them so that land can be made available for installation of a septic system.
  o The licence-holders have not been able to purchase insurance for the cabin due to the building not being 80% complete as it lacks approved plumbing and electrical systems.

• One of the holders of the LTO has been vocal on the matter and has written MA, Service NL, the Premier's office, and various MHAs on several occasions.

• In August 2015, Service NL offered an interim solution that a composting or chemical toilet can be used for human waste until such time as a proper septic system can be installed. A gray water pit can be used as a temporary measure for non-human liquid waste, e.g., kitchen and bath water.

• The Camp 33 area may have been used by the US military as a temporary site to fly personnel into remote areas around Grand Lake for hunting and fishing. In October 2015, ENVC commissioned a Phase I, Environmental Site Assessment (ESA) study.

Analysis:

•
With regards to the LTO land issue, Service NL has indicated that approval for a septic system requires sufficient land area in accordance with the Department of Health and Community Services legislation and standards. The use of a gray water pit and composting toilets are only a temporary measure pending resolution of the land base issue. SNL has required several other people in the area to remove their illegal septic systems and a different accommodation for one individual may be considered inequitable.

As a means to resolve the LTO issue, Lands Branch officials assessed whether the closure of a small road adjacent to the LTO would provide sufficient land for a septic system. While the closure of the road would provide sufficient land for a septic system, the solution is not viable due to the heavy use of the road, the additional cost to the title holders to move the driveway and the existence of pine trees which cannot be removed.

As part of a new accounting standard to determine the Province's liabilities with respect to environmentally impacted sites, ENVC has identified Camp 33 as one of several sites that should be assessed by qualified consultants to help characterize the site with respect to any remediation required and potential costs.

ENVC has contracted a consultant to conduct a Phase I ESA, which entails compiling historical information, interviews with relevant agencies and individuals with local knowledge, as well as a site visit and walkover. No intrusive investigation, such as test pit excavations or monitoring wells, is planned at this stage.

If the Phase I study indicates there are potential contaminants, a Phase II will be required. Phase II work is more extensive, and would involve excavating test pits and installing ground water wells to facilitate the sampling of soil and ground water for applicable contaminants of concern.
Action Being Taken:

- The Phase I ESA report is expected before the end of December.

Prepared by / Approved by: M. Meaney/ P. Howe/ J. Chippett
December 15, 2015