September 10, 2019

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/155/2019]

On August 12, 2019, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

“Any and all records on the Shoal Harbour Causeway since January 1st, 2016.”

In an email sent on August 14, 2019, you amended your request to the following:

“Any and all communication involving Lisa Dempster, Eddie Joyce, Graham Letto, Colin Holloway, or Steve Crocker on the Shoal Harbour Causeway since January 1st, 2016. As well as, any and all records that outline the provincial government and/or municipality’s responsibility for the Shoal Harbour Causeway since January 1st, 2016.”

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, certain text 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):

“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.”

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 is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Strn. 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 Completed Access to Information Requests 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 709-729-7183 or by e-mail at DesireeNewman@gov.nl.ca.

Sincerely,

Desirée Newman

DESIREE NEWMAN  
ATIPP Coordinator (Secondary)  
Municipal Affairs and Environment

Enclosures
Access or correction complaint

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

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

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

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

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

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

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

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

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

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

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

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

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

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

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

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

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

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

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

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

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
Hon. Lisa Dempster, MHA

Cartwright- L’Anse Au Clair
Minister of Children, Seniors and Social Dev.
Minister Responsible for NL Housing Corporation
Minister Responsible for Status of Persons with Disabilities
Constituency office 1-800-286-9118
Department 1-709-729-0659

Minister of Municipal Affairs and Environment
Department 1-709-729-3046

Begin forwarded message:

From: "Glynn, Valerie"<V Glynn@gov.nl.ca>
Date: August 12, 2019 at 9:50:44 AM NDT
To: "Dempster, Lisa"<LisaDempster@gov.nl.ca>, "Chippett, Jamie"<JamieChippett@gov.nl.ca>
Cc: "Simms, Randy"<RandySimms@gov.nl.ca>
Subject: FW: Meeting Request - Shoal Harbour Causeway Bridge

For your review....

From: David Harris<david.harris@clarenville.net>
Sent: Monday, August 12, 2019 9:41 AM
To: Minister, TW<twминистр@gov.nl.ca>; Stewart, Rhonda <rhondas@gov.nl.ca>; Inquiries, Justice General<justice@gov.nl.ca>; Glynn, Valerie <V Glynn@gov.nl.ca>; Burden, Nancy <burdenn@gov.nl.ca>
Cc: Parrott, Lloyd <LloydParrott@gov.nl.ca>; Frost, Caroline <CarolineFrost@gov.nl.ca>; Pardy, Craig <CraigPardy@gov.nl.ca>; 'Frazer Russell' <frazer@clarenville.net>
Subject: Meeting Request - Shoal Harbour Causeway Bridge

Good Morning,
Please see the attached letter from Mayor Russell regarding the Shoal Harbour Causeway Bridge and meeting request.

Best Regards,

David Harris, PMP
Chief Administrative Officer
Town of Clarenville
99 Pleasant Street
Clarenville, NL, A5A 1V9
Tel: (709) 466-7937
Fax: (709) 466-2276
From: Minister, TW <twminister@gov.nl.ca>
Sent: May 4, 2018 12:52 PM
To: 'david.harris@clarenville.net' <david.harris@clarenville.net>
Cc: Holloway, Colin <ColinHolloway@gov.nl.ca>
Subject: Re: Shoal Harbour Causeway Bridge

COR/2018/01502

David Harris
Chief Administrative Officer
Town of Clarenville
99 Pleasant Street
Clarenville, NL A5A 1V9

Re: Shoal Harbour Causeway Bridge

Dear Mr. Harris:

I write in response to your letter of April 12, 2018 regarding Shoal Harbour Causeway Bridge.

A review of correspondence and documentation related to this matter has been completed by the Department of Transportation and Works (TW). The correspondence between TW and the Town of Clarenville demonstrate that the Shoal Harbour Causeway Bridge has been vested in the Town since the mid-1990s. Since that time, both TW and the Town have consistently proceeded in a manner that indicates that ownership of the causeway, bridge, and the connecting road was transferred to the Town. Specifically, summer maintenance, winter maintenance and rehabilitation activities have all been performed by the Town. In addition, TW removed the bridge from its list of bridge assets, stopped performing inspections, and stopped performing bridge and road maintenance, including snow clearing.

Section 163 of the Municipalities Act, 1999 states that “The ownership, management and control of all highways, sidewalks and bridges in the municipality, except highways vested in the Crown under section 5 of the Works, Services and Transportation Act, are vested in the council”. Changes to the Building near Highways Regulations made in 1997 indicate that the Shoal Harbour causeway and bridge were no longer vested in the Crown. Schedule C of the 1997 regulations indicate the revision of the original route of the Bonavista Peninsula Highway (BPH), which ran through Shoal Harbour, including the causeway and bridge. Item 10 in the schedule indicates the new routing of Route 230 from the Trans-Canada Highway west of Clarenville to Bonavista via Southern Bay, Port Rexton and Catalina. Item 11 indicates the start of Provincial Government jurisdiction “from its intersection with Route No. 231 at Shoal Harbour to its intersection with Route No. 230 near the Clarenville airstrip.” This is essentially from the current northern boundary of the Town of Clarenville, along its former route, to the new Route 230.
In short, our review of this matter has not identified anything to support the Town's position that the Department of Transportation and Works has responsibility for the Shoal Harbour Causeway Bridge. I hope you will find this information useful and remain available to discuss the matter further if required.

Sincerely,

HON. STEVE CROCKER, MHA
District of Carbonear-Trinity-Bay de Verde
Minister

"Have another day by being safe today!"

c. Mr. Colin Holloway, MHA Terra Nova District

"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender."

<Council Position - August 2019 - Causeway Bridge.pdf>
Good Morning Mr. Harris:

Unfortunately, due to the Minister's current schedule, he is not able to meet with you at the present time.

Your correspondence has been forwarded to Mr. Cory Grandy, Assistant Deputy Minister of Infrastructure. Mr. Grandy can be reached at 709-729-5672.

Sincerely,

Ann Marie Williams
Secretary to the Minister (A)

Good Morning,
Please see the attached letter from Mayor Russell regarding the Shoal Harbour Causeway Bridge and meeting request.

Best Regards,

David Harris, PMP
Chief Administrative Officer
Town of Clarenville
99 Pleasant Street
Clarenville, NL, A5A 1V9
Tel: (709) 466-7937
Fax: (709) 466-2276

From: Minister, TW <twminister@gov.nl.ca>
Sent: May 4, 2018 12:52 PM
To: 'david.harris@clarenville.net' <david.harris@clarenville.net>
Cc: Holloway, Colin <ColinHolloway@gov.nl.ca>
Subject: Re: Shoal Harbour Causeway Bridge

COR/2018/01502

David Harris
Chief Administrative Officer  
Town of Clarenville  
99 Pleasant Street  
Clarenville, NL A5A 1V9

Re: Shoal Harbour Causeway Bridge

Dear Mr. Harris:

I write in response to your letter of April 12, 2018 regarding Shoal Harbour Causeway Bridge.

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Section 163 of the Municipalities Act, 1999 states that “The ownership, management and control of all highways, sidewalks and bridges in the municipality, except highways vested in the Crown under section 5 of the Works, Services and Transportation Act, are vested in the council”. Changes to the Building near Highways Regulations made in 1997 indicate that the Shoal Harbour causeway and bridge were no longer vested in the Crown. Schedule C of the 1997 regulations indicate the revision of the original route of the Bonavista Peninsula Highway (BPH), which ran through Shoal Harbour, including the causeway and bridge. Item 10 in the schedule indicates the new routing of Route 230 from the Trans-Canada Highway west of Clarenville to Bonavista via Southern Bay, Port Rexton and Catalina. Item 11 indicates the start of Provincial Government jurisdiction “from its intersection with Route No. 231 at Shoal Harbour to its intersection with Route No. 230 near the Clarenville airstrip.” This is essentially from the current northern boundary of the Town of Clarenville, along its former route, to the new Route 230.

In short, our review of this matter has not identified anything to support the Town’s position that the Department of Transportation and Works has responsibility for the Shoal Harbour Causeway Bridge. I hope you will find this information useful and remain available to discuss the matter further if required.

Sincerely,

HON. STEVE CROCKER, MHA  
District of Carbonear-Trinity-Bay de Verde  
Minister

“Have another day by being safe today!”

c. Mr. Colin Holloway, MHA Terra Nova District
“This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender.”
JAN 21 2019

Mr. David Harris, Chief Administrative Officer
Town of Clarenville
99 Pleasant Street
Clarenville, NL A5A 1V9
E-mail: david.harris@clarenville.net

Dear Mr. Harris:

I am writing in response to your letter dated August 10, 2018, in which you requested funding for the engineering costs of the Town of Clarenville’s planned Shoal Harbour Causeway Bridge replacement. I appreciate that this is an important priority for the Town, and that the condition of the existing bridge has been causing considerable traffic issues in the area. I also understand the Town’s desire to secure funding for this preliminary design work as soon as possible to ensure construction can begin in 2019.

To advance the engineering component of this project, the Town may wish to consider re-allocating some of its existing Multi-Year Capital Works (MYCW) allocations, or reviewing previous MYCW projects to see if any remaining balances could be re-allocated for this purpose. Please contact the Manager of Federal/Provincial Programs, Colleen Johnson, at (709) 729-5411 or johnsonc@gov.nl.ca for assistance with any MYCW re-allocation requests.

In addition, the Town may also wish to consider submitting a new application for the construction component under the Investing in Canada Infrastructure Program, which has a reduced municipal share of 33.33 per cent for roads projects such as this one. Please note that the next call for applications is currently planned for summer 2019. Additional information about the various funding programs is available at www.mae.gov.nl.ca/capital_works/cwfunding.html.

Sincerely,

[Signature]

GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

cc: Mr. Colin Holloway, MHA
Ms. Colleen Johnson, Manager
Good Afternoon Mr. Chippett,
Please see the attached letter as discussed. Could you advise when you or the Minister would be available to discuss this request. As you know, timing is critical for this project. As per the new procurement act, we will be required to issue a RFP for consultant services. The RFP will need to be issued and awarded by send of September if at all possible.

Best Regards,

David Harris, PMP
Chief Administrative Officer
Town of Clarenville
99 Pleasant Street
Clarenville, NL, A5A 1V9
Tel: (709) 466-7937
Fax: (709) 466-2276
August 10, 2018

Mr. Andrew Parsons
Minister of Municipal Affairs & Environment
P.O. Box 8700
St. John’s, NL A1B 4J6

Dear Minister Parsons:

RE: Funding Request – Consultant Services – Bridge Replacement

As per recent discussions with Deputy Minister Chippett, please find attached a preliminary estimate for the anticipated engineering costs to complete the replacement design of the Shoal Harbour Causeway Bridge.

Please accept this letter as our official request for funding assistance for the detailed engineering and planning of the bridge replacement. It is imperative that the design work start as soon as possible to meet the next construction season of summer 2019. Any delay in completing the design work during the fall of 2018 will result in the construction delayed until summer 2020.

Council has unanimously passed a motion for funding assistance (see attached). The Mayor and I would like to request a conference call to discuss funding options.

We thank-you for your cooperation and assistance.

Best Regards,

TOWN OF CLARENVILLE

David Harris
Chief Administrative Officer

cc Mr. Colin Holloway, MHA Terra Nova
Mayor Frazer Russell
RESOLUTION

Following is a true copy of a Resolution made at a meeting of Council on July 31, 2018

SHOAL HARBOUR
CAUSEWAY
REPLACEMENT

MOTION: 18-112 D.M. Smith/Cr. Nicholl
BE IT RESOLVED that the Town of Clarenville apply to the Department of Municipal Affairs & Environment to request funding for the detailed engineering design of the Shoal Harbour Causeway Replacement.
IN FAVOUR 4– CARRIED

Signed this 10th.day of August 2018

[Redacted]
Angela Giles, Director of Corporate Services/Town Clerk
Rick Wells, CET  
Director of External Operations  
Town of Clarenville  
99 Pleasant Street  
Clarenville, NL A5A 1V9

SHOAL HARBOUR CAUSEWAY REPLACEMENT – ENGINEERING BUDGET MEMO

Dear Mr. Wells:

As per your request Harbourside has prepared a preliminary budget for the Town of Clarenville in relation to anticipated engineering costs to complete the replacement design of the Shoal Harbour Causeway Bridge. It is our understanding that this information will be shared with the Department of Municipal Affairs of the Government of Newfoundland and Labrador for discussions on cost sharing for this project.

There are multiple components to the engineering design and quality control/quality assurance efforts associated with a bridge replacement project. It is our understanding that Town of Clarenville has limited engineering human resources with bridge design or construction experience to assign to the project and this has been a consideration in our preparation of the preliminary budget estimate. Harbourside has provided a breakdown based on what we feel are the most significant cost components for the engineering work to help all parties who will be involved with the review to appreciate how the preliminary budget number was obtained. The preliminary budget breakdown is as follows:

<table>
<thead>
<tr>
<th>Engineering Design</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrotechnical Engineering</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Geotechnical Engineering</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Transportation Engineering</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Structural Engineering</td>
<td>55,000.00</td>
</tr>
<tr>
<td>Engineering Survey</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Civil Engineering (watermain)</td>
<td>10,000.00</td>
</tr>
</tbody>
</table>

Total $155,000.00
In estimating the Resident Engineering costs, Harbourside assumed that the construction period would be approximately 8 months, with full time construction supervision, which would also include the demolition and removal of the existing structure. This timeline is based upon experience gained through involvement with previous construction projects of similar scope. The Project Management component consists of construction cost control and monitoring, schedule management, periodic site visits at key milestones, shop drawing review, quality control documentation review, project meetings, etc. This work would be mostly completed off-site on a part time basis throughout construction.

It should be noted that no costs for engineering design in relation to a detour design, a temporary bridge or traffic control has been included in the engineering design budget estimate. Based on previous discussions with the Town it was our understanding that the implementation of the detour previously in place during the temporary closure of the existing structure would be suitable for use during the geotechnical investigation and the construction of the replacement structure. Should this no longer be accurate then the preliminary budget numbers provided should be adjusted accordingly.

The anticipated engineering costs detailed above are preliminary only and ultimately should be influenced by the design solution arrived at after the completion of preliminary and investigative engineering in relation to survey, geotechnical and hydrotechnical design. Based on our experience with bridge replacement projects such as this we always recommend to our clients the completion of a preliminary design phase such that all appropriate design solutions are considered from the standpoint of fulfilling project design criteria, project cost and risk. Without the completion of a preliminary design phase it is difficult for engineering proponents to provide fixed engineering pricing for detailed design and construction engineering which should be very much influenced by the ultimate design solution.

It is our understanding that the Town will be proceeding with an RFP process in relation to engineering for the replacement structure. To ensure project success and to be fair to all interested proponents we would recommend that when developing the request for proposals that the scope of work be clearly outlined such that all proponents have a clear understanding of the project requirements and can provide pricing accordingly.

Having been involved in the design or construction of over 300 bridge projects varying from landmark, long span, complex structures to efficient short span designs Harbourside has a proven reputation as bridge engineering specialists. We hope to be able to assist the Town of Clarenville as you move forward with this project.

If there is any further information that you require or should you have any questions regarding this memo please feel free to contact us at your convenience.
Kind Regards,

Lloyd Osmond, P.Eng.
Structural Engineer
Harbourside Engineering Consultants
Office Ph: 709.579.6435
Email: losmond@harboursideengineering.ca
Web: www.harboursideengineering.ca
From: Morrissey, John  
Sent: Wednesday, May 23, 2018 1:04 PM  
To: Duffett, Ian  
Cc: Bruce, Darryl K.  
Subject: RE: HPRM: FW: Shoal Harbour Causeway Bridge

Ian:

Any luck in finding anything on this project? Consultant working on the project is looking for details. Thanks.

From: Duffett, Ian  
Sent: Sunday, May 13, 2018 8:06 PM  
To: Morrissey, John <morrissetyj@gov.nl.ca>  
Cc: Bruce, Darryl K. <bruced@gov.nl.ca>  
Subject: Re: HPRM: FW: Shoal Harbour Causeway Bridge

I’ll dig into it and let you know what I find.

Sent from my iPhone

On May 13, 2018, at 8:02 PM, Morrissey, John <morrissetyj@gov.nl.ca> wrote:

Ian:

A Contractor came forward with information on the rehabilitation of the Shoal Harbour Causeway Bridge this past week. The contractor was competing for the rehabilitation work including the replacement of handrails and other rehabilitation items. The successful contractor on the project was Hann Enterprises Ltd. from Port Blandford. The project was tendered and managed by the Town of Clarenville approximately 12 years ago. If you can provide details of that contract it would be appreciated. Thanks.

John Morrissey  
Manager of Highway Design and Traffic Engineering  
Department of Transportation & Works NL  
5th Floor West Block Confederation Building  
PO Box 8700 St. John’s, NL  
A1B 4J6  
709-729-5493  
morrissetyj@gov.nl.ca

From: Morrissey, John  
Sent: Wednesday, April 18, 2018 5:13 PM  
To: Duffett, Ian <ianDuffett@gov.nl.ca>  
Subject: RE: HPRM: FW: Shoal Harbour Bridge

Thanks for that information. Suspect the funding may have been ACOA or another large funding source as the former MHA for the area was rather resourceful for getting things done for the town.
I thought that there was a water line there but it was never updated on our files. It would have only become an issue for the LOS when it was time for someone to replace it [like possibly now?]. I never went back into the paper files from pre-2010 but I’ve got a student checking into those so I’ll let you know what I find.

The Town may have used some federal recreation program or ACOA for the pedestrian bridge. I checked gas tax and there was a project in 2007 to reconstruct and resurface 203m of Shoal Harbour Causeway for $23,354.

**Ian Duffett**
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
Phone: 709-729-7482
Email: ianduffett@gov.nl.ca

---

**From:** Morrissey, John  
**Sent:** Wednesday, April 18, 2018 5:00 PM  
**To:** Duffett, Ian  
**Subject:** RE: HPRM: FW: Shoal Harbour Bridge

Thanks for the insight Ian. The pedestrian walkway was built after 1995 all along the causeway with a separate bridge adjacent to the causeway bridge. That would have required significant funding. There is a municipal service line attached to the old causeway bridge as well. It’s been there a long time.

---

**From:** Duffett, Ian  
**Sent:** Wednesday, April 18, 2018 4:23 PM  
**To:** Morrissey, John; Dunford, Joe  
**Cc:** Grandy, Cory  
**Subject:** RE: HPRM: FW: Shoal Harbour Bridge

Hi John,

For us, we typically refer to the work as water/sewer/paving but the paving refers to anything involving a local road or bridge including ditching, etc.

We recently abolished the limits of servicing policy but the area is clearly excluded from the limits of servicing map. This map is the most recent map we have available.

See the attached image. The purple lines indicate water/sewer/paving and the blue lines represent water and sewer only. Roads that are “water and sewer only” are typically TW roads. You’ll notice that there are no lines near the causeway. This usually means that there are no water and sewer services and the road is a TW road.

That being said, we’d only update the LOS Map at the request of the Town so there could have been a transfer without our knowledge and the map would not necessarily show that.
Ian Duffett
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
Phone: 709-729-7482
Email: ianduffett@gov.nl.ca

From: Morrissey, John
Sent: Wednesday, April 18, 2018 4:16 PM
To: Duffett, Ian <ianduffett@gov.nl.ca>; Dunford, Joe <joeDunford@gov.nl.ca>
Cc: Grandy, Cory <corygrandy@gov.nl.ca>
Subject: RE: HPRM: FW: Shoal Harbour Bridge

Ian:

Could you please clarify if your answer on Shoal Harbor bridges is limited to having never been included in the limits of servicing of the town or not at the time of the supposed transfer of Balbo Drive to the town? The addition of pedestrian bridges adjacent to the Shoal Harbour River and Shoal Harbour Causeway likely wouldn’t be classified as a water, sewer or paving project unless it had some aspect of those kind of services included with them.

Additional correspondence has been recovered concerning the transfer of Balbo Drive in the Shoal Harbour area to the town of Clarenville.
The Building near Highways Regulations as revised in 1997 also afford some evidence in this matter.

John

From: Duffett, Ian  
Sent: Wednesday, April 18, 2018 3:35 PM  
To: Morrissey, John <morrisseyj@gov.nl.ca>; Dunford, Joe <JoeDunford@gov.nl.ca>  
Subject: RE: HPRM: FW: Shoal Harbour Bridge

Nothing on our end. That area was not included in the limits of servicing for the Town so we would not have funded any water, sewer or paving projects for the Shoal Harbour bridge.

Ian

Ian Duffett  
Director, Municipal Infrastructure  
Department of Municipal Affairs and Environment  
Phone: 709-729-7482  
Email: ianduffett@gov.nl.ca

From: Morrissey, John  
Sent: Monday, April 9, 2018 12:51 PM  
To: Dunford, Joe <JoeDunford@gov.nl.ca>; Duffett, Ian <ianduffett@gov.nl.ca>  
Subject: RE: HPRM: FW: Shoal Harbour Bridge

Ian:

Can you please provide the details of Municipal Capital Works Projects for Shoal Harbor Bridges to add pedestrian crossings? Thanks.

John

From: Dunford, Joe  
Sent: Thursday, April 5, 2018 3:49 PM  
To: Duffett, Ian <ianduffett@gov.nl.ca>; Morrissey, John <morrisseyj@gov.nl.ca>  
Subject: RE: HPRM: FW: Shoal Harbour Bridge

None of the transportation infrastructure in that area is TW’s and hence we do not provide any maintenance in that area. It is provided by the town.

Joe Dunford, M.Eng. P.Eng.  
Assistant Deputy Minister – Operations  
Transportation and Works  
P: (709) 729-0648  
<image002.jpg>

From: Duffett, Ian  
Sent: Thursday, April 5, 2018 2:50 PM  
To: Dunford, Joe <JoeDunford@gov.nl.ca>; Morrissey, John <morrisseyj@gov.nl.ca>  
Subject: RE: HPRM: FW: Shoal Harbour Bridge
Hi Joe/John,

I’ve gone through the documents and I’m pretty sure that these documents clearly indicate that the bridge was not included in this transfer agreement. The transfer agreement indicates that the transfer is to the boundary with Shoal Harbour. Based on some of the servicing maps that I have found with Clarenville and Shoal Harbour from 1992, it would seem that the boundary with Shoal Harbour is likely south of the causeway.

There is an indication from the Town that the bridge has been inspected by TW in 1994 so that would provide them with some level of credibility that the bridge was not included in the transfer documents you provided. Who has done all the maintenance, snow clearing, etc. on that section of roadway over the last 20 years?

The other question that remains is whether the bridge was included when Clarenville and Shoal Harbour amalgamated in 1994. We’re still looking in our records but haven’t found anything yet.

Ian

Ian Duffett
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
Phone: 709-729-7482
Email: ianduffett@gov.nl.ca

From: Dunford, Joe
Sent: Monday, April 2, 2018 12:00 PM
To: Duffett, Ian <ianduffett@gov.nl.ca>
Subject: HPRM: FW: Shoal Harbour Bridge

Ian,

Here are all the documents you will need. This bridge is clearly the responsibility of the town.

Joe Dunford, M.Eng. P.Eng.
Assistant Deputy Minister – Operations
Transportation and Works
P: (709) 729-0648
<image002.jpg>

From: Morrissey, John
Sent: Monday, April 2, 2018 11:52 AM
To: Dunford, Joe <JoeDunford@gov.nl.ca>; Geddes, Justine <justinegeddes@gov.nl.ca>
Cc: Hillier, William <WilliamHillier@gov.nl.ca>
Subject: RE: Shoal Harbour Bridge

See attached for background on the Transfer to Clarenville.

From: Dunford, Joe
Sent: Monday, April 2, 2018 11:45 AM
To: Geddes, Justine <justinegeddes@gov.nl.ca>
Justine,

My folk claim that this bridge is not owned by TW. Would you advise here.

Joe Dunford, M.Eng. P.Eng.
Assistant Deputy Minister – Operations
Transportation and Works
P: (709) 729-0648
<image002.jpg>

From: Duffett, Ian
Sent: Monday, April 2, 2018 11:42 AM
To: Dunford, Joe <JoeDunford@gov.nl.ca>
Subject: Shoal Harbour Bridge

Joe,

Can you guys confirm if TW is responsible for the bridge in Shoal Harbour?

Ian Duffett
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
4th Floor, West Block, Confederation Building
PO Box 8700 St. John’s, NL A1B 4J6
Office: 709-729-7482
Email: ianduffett@gov.nl.ca
Hi Carol,

Based on my review of this letter, the bridge referenced in this letter is the one located on Shoal Harbour Drive.

This is not the bridge which has been assessed and deemed unsafe for traffic. This bridge is located on the former Cabot Highway and it connects the Town of Clarenville to the former Town of Shoal Harbour via the causeway link/Memorial Drive.

Thanks again for your assistance.

Best regards,

Colin
Colin Holloway, MHA
District of Terra Nova
Parliamentary Secretary to the Minister of Municipal Affairs and Environment
Office of Climate Change and Fire and Emergency Services
Telephone: (709) 466-4165
Fax: (709) 466-4178
Toll Free: 1-800-514-9073

Hi. This is the only correspondence in the file that actually refers to the bridge. Not sure if it will help. Our registry does not have a copy the Amalgamation Agreement or any supporting documentation that the bridge is still a GNL asset or that it was transferred to the Town of Clarenville. This information was found in our Acts File for Clarenville (these files are permanent in registry).
Our registry personnel has also advised me that if there was correspondence received regarding bridges, roads, etc. that there is only a **ten year retention** on such correspondence.

Carol.

---

**From:** Holloway, Colin  
**Sent:** Thursday, March 29, 2018 9:41 AM  
**To:** Hanlon, Carol  
**Cc:** Oley, Mary; Chippett, Jamie; King, Tracy  
**Subject:** Re: Terms of Agrement Clarenville Amalgamation

Hi,

I am in Clarenville. I just finished a meeting with the Town Council.

Is there anything in the file which refers to the transfer of services such as snow clearing, etc.?

The bridge is not listed with the Town as a capital asset.

So, it is very important that we find document to either support the bridge is still a GNL asset or that it was transferred to the Town of Clarenville.

If we can’t find anything, that should be stated as well.

Thanks for your help.

Colin

Colin Holloway, MHA  
Terra Nova District  

---

On Mar 29, 2018, at 9:05 AM, Hanlon, Carol <CarolHanlon@gov.nl.ca> wrote:

<image001.jpg>
Sharon Seaward in our registry has a file containing correspondence that may be of interest. However, there is no Agreement as such contained within this file. I have the file on my desk. If you are interested in having a look at it, I can bring it over.

Carol

---

**From:** Oley, Mary  
**Sent:** Wednesday, March 28, 2018 9:27 AM  
**To:** Hanlon, Carol  
**Subject:** Fw: Terms of Agrement Clarenville Amalgamation
Hi

Please see below. Can you work with registry staff to locate the requested document.

Thanks!!

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Holloway, Colin <ColinHolloway@gov.nl.ca>
Sent: Wednesday, March 28, 2018 9:16 AM
To: Oley, Mary
Cc: Chippett, Jamie
Subject: Terms of Agreement Clarenville Amalgamation

<image001.jpg>

Hi Mary,

I am trying to locate the 1994 Terms of Agreement for the Amalgamation Shoal Harbour with the Town of Clarenville.

We have an emerging issue regarding the structural integrity of the bridge on the main road through the community near the Shoal Hr River.

An engineering test yesterday recommends immediate closure of the road and replacement of the bridge.

I am have in contact with the Dept of TW and we are trying to ascertain if the bridge is a TW asset or if it was part of the Terms of Agreement during the Amalgamation.

Can you see if you can find this document?

Thank you.

Regards,

Colin

Colin W. Holloway, B.A.
MHA- District of Terra Nova
Parliamentary Secretary to Minister for Municipal Affairs and Environment

Telephone: (709) 466-4165 Clarenville Office
Toll Free Line: 1-800-514-9073
F. (709) 466-4178
E. colinholloway@gov.nl.ca
Meulenkamp, Emma

From: Hanlon, Carol
Sent: Thursday, March 29, 2018 10:02 AM
To: Holloway, Colin
Cc: Oley, Mary; Chippett, Jamie; King, Tracy; Seaward, Sharon
Subject: RE: Terms of Agreement Clarenville Amalgamation
Attachments: Clarenville.pdf

Hi. This is the only correspondence in the file that actually refers to the bridge. Not sure if it will help. Our registry does not have a copy the Amalgamation Agreement or any supporting documentation that the bridge is still a GNL asset or that it was transferred to the Town of Clarenville. This information was found in our Acts File for Clarenville (these files are permanent in registry).

Our registry personnel has also advised me that if there was correspondence received regarding bridges, roads, etc. that there is only a ten year retention on such correspondence.

Carol.

From: Holloway, Colin
Sent: Thursday, March 29, 2018 9:41 AM
To: Hanlon, Carol
Cc: Oley, Mary; Chippett, Jamie; King, Tracy
Subject: Re: Terms of Agreement Clarenville Amalgamation

Hi,

I am in Clarenville. I just finished a meeting with the Town Council.

Is there anything in the file which refers to the transfer of services such as snow clearing, etc.?

The bridge is not listed with the Town as a capital asset.

So, it is very important that we find document to either support the bridge is still a GNL asset or that it was transferred to the Town of Clarenville.

If we can’t find anything, that should be stated as well.

Thanks for your help.

Colin

Colin Holloway, MHA
Terra Nova District

s.40(1)
On Mar 29, 2018, at 9:05 AM, Hanlon, Carol <CarolHanlon@gov.nl.ca> wrote:

Sharon Seaward in our registry has a file containing correspondence that may be of interest. However, there is no Agreement as such contained within this file. I have the file on my desk. If you are interested in having a look at it, I can bring it over.

Carol

From: Oley, Mary
Sent: Wednesday, March 28, 2018 9:27 AM
To: Hanlon, Carol
Subject: Fw: Terms of Agreement Clarenville Amalgamation

Hi

Please see below. Can you work with registry staff to locate the requested document.

Thanks!!

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Holloway, Colin <ColinHolloway@gov.nl.ca>
Sent: Wednesday, March 28, 2018 9:16 AM
To: Oley, Mary
Cc: Chippett, Jamie
Subject: Terms of Agreement Clarenville Amalgamation

Hi Mary,

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Thank you.
Regards,

Colin

Colin W. Holloway, B.A.
MHA- District of Terra Nova
Parliamentary Secretary to Minister for Municipal Affairs and Environment

Telephone: (709) 466-4165 Clarenville Office
Toll Free Line: 1-800-514-9073
F. (709) 466-4178
E. colinholloway@gov.nl.ca
January 26, 1996

Mr. Doug Oldford, MHA  
Government Members Office  
3rd Floor, North Wing, East Block  
Confederation Building  
St. John's, NF

Dear Mr. Oldford:

This is in reply to your letters of December 19, 1996 concerning snow clearing for property. I will explain. In 1991 applied for a permit to construct a house at the rear of his father's property. This was approved with the stipulation that the access from be considered a driveway and that the owner would have to be responsible for snow clearing, etc. (see attached letter). In 1992 we received an application from (see diagram attached) to place a dwelling directly across from property. The enclosed sketch showed the access as private and Council again approved the application stating that no further development could take place in this area unless developed under our subdivision regulations. Unless the access in question is developed in accordance with our subdivision regulations, e.g. storm sewer, fire hydrants, pavement etc., this driveway will not receive Town services.

request for snow clearing was also denied. It appears that is requesting snow clearing on a section of land that was created when the bridge was relocated on Shoal Harbour River. This realignment by Dept. of Works, Services and Transportation of the Shoal Harbour River bridge brought the road surface approx. 50 ft. from original driveway. This extra section of driveway was constructed by Dept. of Works, Services and Transportation and paved. It is unclear to Council what arrangements, if any, were made with on maintenance. Council do feel, however, that snow clearing on this section of driveway is not a Council issue and will not be carried out by Council crews.

We trust this will alleviate any concerns you may have concerning these matters.

Sincerely,

Marie Blackmore  
Acting Town Clerk
December 19, 1995

Town of Clarenville
P.O. Box 66
Clarenville, NF
AOE 1J0

ATTENTION: MAYOR FRED BEST

Dear Mayor Best:

I am writing to express concern on behalf of [REDACTED], resident of Shoal Harbour, pertaining to his request for clearing snow from the road leading to his driveway. [REDACTED] wrote to Premier Wells on December 2, 1995, outlining his distress which is further complicated by [REDACTED]. In addition, [REDACTED] contends he was in no way responsible for maintaining this stretch of road before Council constructed a new bridge on the Shoal Harbour River, 50 feet downstream from the former bridge. He feels that responsibility for the road should remain with Council, just as it had been previously. The Premier asked that I correspond with you in an effort to find a means of accommodating [REDACTED] snow removal concerns.

I would appreciate it if you would ask Council to review [REDACTED] case in order to rectify the situation.

Thank you for attending to this matter, which, I trust, will be resolved in the immediate future.

Sincerely yours,

DOUG OLDFORD, MHA
DISTRICT OF TRINITY NORTH

cc. Hon. Premier Clyde Wells
    Mr. Donald Pelley
Saturday January 29-2000

"Unnecessary Snow Clearing in Steel Harbour"

A. area - 10' x 12' - snowing clearing rail bed in Steel Harbour.

B. area - 100' x 24' - Huntess Hill look out.

C. area - 100' x 16' - near Macaway Steel Harbour - right side.

D. area - 100' x 12' - 75' x 12' - beyond drive way to high water mark.

E. area - 100' x 26' - off Bellais drive Steel Harbour.

F. area - 100' x 12' - Steel Harbour - one family.

G. area - 300' x 26' - Jerry in Steel Harbour.

H. Large area cleared - back of private dwelling, South of Cent., Steel Harbour.

I. area - 400' x 10' - Railway bed cleared in Clarionville and more unnecessary snow clearing - 74 ft.

All much of 2000 unnecessary snow cleared and more.

Most of this snow was cleared by...

s.40(1) by...

There are two witnesses who can substantiate what I have stated.

s.40(1)
Hi Sharon: Can you have a look and see if you can find anything on this. Please and thank you. I have relocation letters to get out for Andrew Wright today, but if I get some time I will come back and help you look.

Carol

Hi

Please see below. Can you work with registry staff to locate the requested document.

Thanks!!

Sent from my BlackBerry 10 smartphone on the Bell network.

Hi Mary,

I am trying to locate the 1994 Terms of Agreement for the Amalgamation Shoal Harbour with the Town of Clarenville.

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Can you see if you can find this document?

Thank you.

Regards,

Colin

Colin W. Holloway, B.A.
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