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 #: MA/3/2017]

On January 11, 2017, the Department of Municipal Affairs received your request for access to the following records/information:

"Please provide ALL correspondence including by not exclusive to Minister Eddie Joyce and staff/officials at Crown Lands Division, as well as MHA Colin Holloway concerning an land/permit application made by [Redacted]. This request would cover the time period between Dec 1, 2015 and January 11, 2017."

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department to provide access to the requested information. Some information 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).

Disclosure harmful to personal privacy

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 section 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. Enclosed you will find a copy of the requested records.

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 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 8700, St. John's, NL, Canada A1B 4J6
1 709.729-6528 f 709.729-4475
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.

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

Sincerely,

Scott Winters
Manager of Accountability / ATIPP Coordinator
Information Note
Department of Municipal Affairs

Title: Shoreline development within the community of St. Chads, Central Newfoundland.

Issue:
• To approve or refuse application #145299 for [reddacted] to construct a boathouse and wharf at St. Chads.

Background and Current Status:
• On July 19, 2013, a complaint was received by the Central Regional Lands Office regarding in-filling that had taken place in the harbour at St. Chads.

• On August, 2013, Notices of Intent were published by [reddacted] of Conception Bay South for land in St. Chads, as required under Section 7 of the Lands Act.

• A site inspection was conducted on September 16, 2013 at St. Chads by an official from the Central Regional Lands Office. It was found that fill was deposited into the harbour; however, there were no structures on site.

• Following the publication of the Notice of Intent, a number of letters of complaint were received regarding the proposed application by [reddacted]. The complaints were about the illegal in-filling with no permits obtained, the blocking of the viewscape of the harbour and occupation of family land.

• A Crown lands application was received November 22, 2013, from [reddacted] for the land created by the in-filling, for the purpose of a boathouse and wharf.

• On June 13, 2014, a second site inspection was conducted for [reddacted]'s application by a Central Regional Lands Office official. There were no changes to the site since the initial inspection conducted on September 16, 2013.

• In July 2014, an aerial photographic review was carried out to determine if there were changes made to the original shoreline, the extent of the road reserve running through St. Chads and any historical use or structural occupation on the site. It was found that there were no changes to shoreline prior to the recent in-filling. The road reserve was determined to be 15.24 metres wide through research of recent adjacent surveys in the area. This reserve extends from the road surface to take in the foreshore and a portion of the harbour. Since there is no shoreline reservation at this location due to the road reservation, approval under Section 7 of the Lands Act will not be required. The air photo review also found that there was no historical structural occupation on the site. It is unknown as to the daily or seasonal/intermittent use by local residents.
Analysis:

- The in-filling of the site took place before a Crown lands application was submitted. No permits were issued for the work.

- Numerous complaints were received by local residents requesting to stop further work at the site and prevent further development of the site. Work had ceased when staff visited the site so no Stop Work Order was issued.

- Four months following the initial complaint an application was submitted for the site and all referral agencies contacted have recommended approval of the application.

- Approval under Section 7, of the Lands Act, is not required, as the application site does not have a shoreline reservation. The road reservation includes lands to the shoreline; therefore, Crown lands only has jurisdiction outside the road reserve which is the water lot that has been infilled.

- There were complaints about mussel bed destruction, in-filling the harbour and dredging. Due to the site being marine in nature, referrals were sent to Water Resources Division, Fisheries and Aquaculture, Department of Fisheries and Oceans and Navigation Protection (Transport Canada), none of which had issues with the site for the proposed use.

- Complaints were also received regarding the blocking of viewscape and the destruction of a possible historic site. Historic Resources Division of the Department of Business, Tourism, Culture and Rural Development did not indicate this site had any historical significance. The community of St. Chad's does not have a municipal plan or development regulation to regulate this type of development.

- A complaint was received regarding the occupation of private land. A historical aerial photo review was carried out which did not reveal any historical occupation. No claims of adverse possession have been received for the site.

- A complaint was received regarding septic issues in the harbour and along shoreline. Service NL was provided a copy of the complaint and asked to make a response in relation to this complaint. Service NL responded and said there were no issues with this application based upon the nature of the complaint. There was in-filling in the harbour, but no septic systems were installed. If there were septic issues in the harbour, they are not the result of the recent in-filling.

- None of the complaints received were determined to have significance concerning any statutory and regulatory requirements.

Action Being Taken:

1. Crown Lands Administration Division will approve application # 145299 for [s.40(1)] to construct a boathouse and wharf at St. Chads.
Annex:
1. Map of site.
2. Photos of the site.

**Prepared/approved by:** D. Mercer / R. Primmer / D. Moore / M. Meaney / P. Howe

**Ministerial Approval:**

July 7, 2016
Annex 2

Photo above shows the in-filled area looking along the main road.

Photo above shows the in-filled area looking from across the harbour.
Photo above shows an alternate view of the in-filled area.
Good morning Tony,

I am forwarding to you a set of pictures taken of the area in question at St. Chad’s.

The pictures show the waterfront before and after the infiltration of materials.

Regards,

Colin

Colin W. Holloway, B.A.
MHA- District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development & Research Development Corporation

Telephone: (709) 466-4165 Clarenville Office/ (709) 729-5110 St. John’s Office
Toll Free Line: 1-800-514-9073
F. (709) 466-4178
E. colinholloway@gov.nl.ca
Dear Mr. Primmer:

In response to your letter RE: Notice of Intent to purchase Crown Land by [redacted], I have attached before and after pictures of the cove. I only ask that if you need to show these to anyone that you respect our privacy and somehow hide the people in the pictures. I hope you find these helpful.

I thank you for your fast response of my initial letter. I look forward to hearing from you again.

Sincerely,

[redacted]
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
From: Winters, Scott
Sent: Tuesday, November 01, 2016 11:45 AM
To: Primmer, Rodger
Subject: FW: protest st. chads
Attachments: protest st. chads.docx

From: Holloway, Colin
Sent: November 1, 2016 10:56 AM
To: Grace, Tony
Cc: Chippett, Jamie; Dogurga, Sherrie-Lynn
Subject: FW: protest st. chads

Tony,

Another letter for your file.

Colin

Colin W. Holloway, B.A.
MHA- District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development & Research Development Corporation

Telephone: (709) 466-4165 Clarenville Office/ (709) 729-5110 St. John's Office
Toll Free Line: 1-800-514-9073
F. (709) 466-4178
E. colinholloway@gov.nl.ca

Section 40(1)

From: [Redacted]
Sent: Tuesday, November 01, 2016 9:21 AM
To: Holloway, Colin
Subject: Fw: protest st. chads

Here is a copy of a letter sent to Rodger Primmer. 2 more emails to follow.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: [Redacted]
Sent: Tuesday, November 1, 2016 9:09 AM
To: [Redacted]
Reply To: [Redacted]
Subject: Fwd: protest st. chads

1
--- Original Message ---
From: [redacted]
To: [redacted] [Section 40(1)]
Date: October 31, 2016 at 9:39 PM
Subject: protest st. chads
October 28, 2013

Rodger Primmer  
Crown Lands Administration Division  
Department of Environment and Conservation  
230 Airport Boulevard, Fraser Mall  
P.O. Box 2222  
Gander, NL  
A1V 2N9

Dear Rodger Primmer:

I am writing in response to an article posted in the Gander Beacon on August 22, 2013. The Notice of Intent by [Redacted] of CBS, NL to apply to the Department of Environment and Conservation to acquire Crown land in St. Chad’s Harbour.

Firstly I apologize for my late response. As we reside in [Redacted], we do not receive the Gander Beacon. Our family has lived in St. Chad’s for over 100 years, my mother was born there and I now enjoy the beauty, the peacefulness as well as the history of my heritage.

I would like to object to the proposed sale. The property that is being requested has no land to speak of, only a shoreline. Earlier this year [Redacted] had the cove dredged and then filled in. Where there was once a beautiful harbour there in now an eyesore of filled rock and sand. It used to be a playground where, children could explore the wonder of a natural sandbar. Now it has destroyed a muscle bed and who knows what other destruction dredging and filling has done. I am able to provide before and after pictures if needed.

As there is no actual town council, we need to rely on our Government Officials to uphold the laws and protect our coastlines.

Thank you for taking the time to consider my objection. I look forward to your response.

Sincerely,
Thanks Rodger.

I appreciate the quick response.

Regards,

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
C. 427-2265

Hi Colin,

I had a conversation with Rodger on this matter last Tuesday Nov. 15, 2016. I requested the list of Departments that the application was referred to and telephone numbers which I provided to him the same day. I don’t believe we have received the signed Licence documents back from yet along with the required fees. That’s the latest from here.

Regards,

Rodger

From: Grace, Tony
Sent: Monday, November 21, 2016 4:19 PM
To: Primmer, Rodger
Subject: FW: St. chad’s
Hi Tony,

Has there been any development into this issue?

Thanks,

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
C. 427-2265

Tony,

FYI

Colin
Colin W. Holloway, B.A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
& Research Development Corporation

Telephone: (709) 466-4165 Clarenville Office/ (709) 729-5110 St. John’s Office
Toll Free Line: 1-800-514-9073
F. (709) 466-4178
E. colinholloway@gov.nl.ca

This is just a small representation of what was sent or taken to Gander Office.

Sent from my BlackBerry 10 smartphone on the Bell network.
I delivered this to the office in Gander. While there I also filled out the form required to be sent to all departments needing to review and left it with the Gander office.
Winters, Scott

From: Aylward, Roxanne
Sent: Tuesday, November 22, 2016 11:52 AM
To: Primmer, Rodger
Subject: RE: s.40(1)

Thanks Rodger.

Roxane Aylward
Secretary
Department of Municipal Affairs
Crown Lands Administration Division
Howley Building, 87-113 Higgins Line
St. John's, NL
A1B 4J6

Tel: (709) 729-3174
Fax: (709) 729-6136
E-mail: raylward@gov.nl.ca
http://www.miga.gov.nl.ca/

Please consider the environment before printing this e-mail

"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."

From: Primmer, Rodger
Sent: Tuesday, November 22, 2016 10:51 AM
To: Aylward, Roxanne; Meaney, Milly
Subject: RE: s.40(1)

Good Day:

I have spoken to and addressed his inquiry and concerns. He will now be returning the signed Licence documents with the required fees so we can proceed to issue the title.

Rodger

From: Aylward, Roxanne
Sent: Tuesday, November 22, 2016 9:37 AM
To: Meaney, Milly
Cc: Primmer, Rodger
Subject: s.40(1)

Rodger,

Please call regarding his file 145299. has called the town regarding one condition and was told they did not need to be consulted.
His number is [redacted]

Thanks

Roxane Aykward
Secretary
Department of Municipal Affairs
Crown Lands Administration Division
Howley Building, 87-113 Higgins Line
St. John's, NL
A1B 4J6

Tel: (709) 729-3174
Fax: (709) 729-6136
E-mail: raylward@gov.nl.ca
http://www.miga.gov.nl.ca/

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Just wanted to give you a heads up that [REDACTED] has returned the LTO documents and paid his fees for the boathouse and wharf at St. Chad’s. The documents are now forwarded to the Howley Building and will be ready for your signature and issuance sometime soon. I haven’t heard anything from the local MHA or the objectors recently.

Safe travels.

Rodger

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimmer@gov.nl.ca
Very sneaky, thanks for keeping us the objectors updated. Now the fun begins, goodbye St.Chad's harbour. You should do the honourable thing and quit your job.

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Primmer, Rodger
Sent: Tuesday, January 10, 2017 3:59 PM
To:  
Subject: RE: In fill at St. Chad's Harbour.

Good Day

The application you inquired on has now been finalized and issued.

Regards,

Rodger

-----Original Message-----
From:  
Sent: Tuesday, January 10, 2017 9:16 AM
To: Primmer, Rodger
Subject: In fill at St. Chad's Harbour.

Good Morning Mr. Primmer, I am looking for an update on the application (245299). If you can forward me that information it would be much appreciated.

"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."
It's now issued. I was advised I could respond that it was issued.

Rodger

-----Original Message-----
From: Meaney, Milly
Sent: Tuesday, January 10, 2017 4:10 PM
To: Primmer, Rodger
Subject: RE: In fill at St. Chad's Harbour.

I would just say it is still under review. I am assuming it is?

-----Original Message-----
From: Primmer, Rodger
Sent: Tuesday, January 10, 2017 9:19 AM
To: Meaney, Milly <MillyMeaney@gov.nl.ca>
Subject: FW: In fill at St. Chad's Harbour.

Hi Milly : Are we able to provide the status of an application to someone other than the applicant?

Rodger

-----Original Message-----
From: [Redacted]
Sent: Tuesday, January 10, 2017 9:16 AM
To: Primmer, Rodger
Subject: In fill at St. Chad's Harbour.

Good Morning Mr. Primmer, I am looking for an update on the [Redacted] application (245299). If you can forward me that information it would be much appreciated.

[Redacted]
Can you find the status of this one, it was sent to DM for review.

DOC/2015/04279

Darren:  called this morning to check on the status of his application. He’s been waiting now for 2½ years?

Rodger

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimmer@gov.nl.ca
It is gone to the Minister, according to TRIM

thanks

Yes, ages ago

Did you send this note to Peter. Darlene is asking again.
From: Howe, Peter
Sent: Tuesday, July 05, 2016 12:52 PM
To: Moore, Darren E.
Subject: RE: 145299 - [-] - St. Chad's

See me to discuss.

Peter Howe
Assistant Deputy Minister – Lands Branch
Department of Municipal Affairs
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL, A1B 4J6

t: 709-729-3236
e: phowe@gov.nl.ca

From: Moore, Darren E.
Sent: July 5, 2016 10:50 AM
To: Howe, Peter
Subject: 145299 - [-] - St. Chad’s

Can you find the status of this one, it was sent to DM for review.

DOC/2015/04279

From: Primmer, Rodger
Sent: Tuesday, July 05, 2016 10:26 AM
To: Moore, Darren E.
Subject: 145299 - [-] - St. Chad’s

Darren:

called this morning to check on the status of his application. He’s been waiting now for 2½ years?

Rodger
Call me on this for an update

DOC/2015/04279

Darren: called this morning to check on the status of his application. He's been waiting now for 2½ years?

Rodger

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimer@gov.nl.ca
Winters, Scott

From: Moore, Darren E.
Sent: Thursday, August 04, 2016 1:32 PM
To: Primmer, Rodger
Subject: FW: App. No. 145299 - s.40(1)

Please call me on this.

From: Bradbury, Bonnie
Sent: Thursday, August 04, 2016 11:23 AM
To: Moore, Darren E.
Subject: App. No. 145299 - s.40(1)

Darren,

I just received a phone call from [redacted] with regard to the above noted applicant. Apparently, there was a complaint sent in with regard to an LTO for Boathouse/Wharf. According to AMANDA, the file is with you. [redacted] is wondering if there is any progress with regard to the complaint. Can you advise.

Thank you
Bonnie

Section 40(1)
Darren:

s.40(1)

called again today on his application. Any idea where this is now? He is becoming increasingly frustrated on how long this is taking.

Rodger

---

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimer@gov.nl.ca
From: Winters, Scott
Sent: Friday, August 26, 2016 8:29 AM
To: Primmer, Rodger
Subject: Fyi, keep with file.

Fyi, keep with file.

From: Bradbury, Bonnie
Sent: Thursday, August 04, 2016 11:23 AM
To: Moore, Darren E.
Subject: App. No. 145299 - Section 40(1)

Darren,

Section 40(1)

I just received a phone call from [redacted] with regard to the above noted applicant. Apparently, there was a complaint sent in with regard to an LTO for Boathouse/Wharf. According to AMANDA, the file is with you. [redacted] is wondering if there is any progress with regard to the complaint. Can you advise.

Thank you

Bonnie
From: Primmer, Rodger
Sent: Thursday, September 08, 2016 4:21 PM
To: Kattenbusch, Linda
Subject: 145299

Linda, this one should be ok now to generate Licence documents.

Thanks,

Rodger

Newfoundland
Labrador

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimmer@gov.nl.ca
Darren:

Can you close off your process on TRACTS for this one. We are ready to prepare the LTO Documents now.

Rodger Primmer
Regional Lands Manager

Department of Municipal Affairs
Crown Lands Administration Division
Government of Newfoundland & Labrador
P.O. Box 2222, Gander, NL Canada A1V 2N9

709-256-1400 (T) | rprimer@gov.nl.ca
Darren,

Attached is a copy of the LTO document we have prepared for this one. Are there any other issues to deal with before we send out the documents?

Rodger

-----Original Message-----
From: xerox7835@gov.nl.ca  [mailto:xerox7835@gov.nl.ca]
Sent: Monday, October 17, 2016 11:05 AM
To: Primmer, Rodger
Subject: Scanned from a GNL Xerox Multifunction Printer

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.

Attachment File Type: pdf/a, Multi-Page

Multifunction Device Location: 1\Gander\NL\CAN\nDevice Name: XRX9C934E556485

For more information on Xerox products and solutions, please visit http://www.xerox.com
In Reply Please Quote
File Reference No.

SEP 26, 2016

RE: APPLICATION NO.: 145299
TYPE: Licence
PURPOSE: Boathouse/Wharf
LOCATION: St. Chad’s
RENTAL FEE: $25.00 (plus HST)

Your application has been approved for a Licence to Occupy for a term of 5 year(s) subject to the attached conditions and schedules.

Enclosed are duplicate draft licence documents that must be signed and dated by you in the spaces provided. Due to the fact this site has been developed without benefit of title issued from the Crown a $1000.00 fee has also been levied against your application.

Both signed documents must be returned to this Department together with your annual rental of $25.00 (plus HST) and the document preparation fee of $300.00. Your cheque or money order should be made payable to the Newfoundland Exchequer Account. A pre-addressed return envelope is included for your convenience. These are legal documents and must not be defaced or altered in any way. Failure to return both documents and monies owed within ninety (90) days of the date on which you receive this letter will result in the cancellation of your application. There will be no further correspondence reminding you of the deadline.

A copy of the Licence will be forwarded to you upon registration in the Registry of Crown Titles. Should you require further information, please contact this office at the address listed.

Yours truly,

SEE ATTACHED CONDITION(S)

REGIONAL LANDS MANAGER

Enclosures

Fraser Mall, P.O. Box 2222, Gander, NL, A1V 2N9, Telephone (709) 256-1400, Facsimile (709) 256-1095
CONDITION(S)

SERVICE NL (GOVERNMENT SERVICE CENTRE)

General

1. The extent of land clearing and grubbing should be restricted such that naturally vegetated buffers between the site and surrounding properties and thoroughfares are maintained.

2. Any existing tree screen concealing the operation from public view is to be maintained.

3. Access to the site must be approved by Department of Transportation and Works.

4. If at any time this operation is deemed to be creating environmental problems, corrective action will have to be taken by the owner/operator, as directed by the Government Service Centre and/or the Department of Environment and Conservation.

5. The applicant must obtain written approval from the Local Service District of Burnside/St. Chad's prior to development.

Waste

1. All waste material shall be considered, prior to disposal, for reuse, resale or recycling.

2. All waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of the Department of Government Services and site owner/operator.

3. Derelict vehicles, scrapped equipment and other debris is not to be stored on site. Such material is to be removed to an approved waste disposal site or scrap yard on a regular basis, with the approval of the site owner/operator.

4. The site is to be kept neat and tidy at all times.

5. Any cut brush should be chopped/shredded, burnt on-site or removed to an approved waste disposal site for burning with the approval of the Department of Natural Resources and/or the owner/operator of the waste disposal site.

6. Tires and used or waste oil is not to be used to aid in the burning of brush.

7. Measures shall be implemented to contain floating debris during any construction at the facility. All floating debris is to be collected on a daily basis and placed in secure storage for subsequent disposal.

8. The Licence shall not revert to the Crown until such time as the site is restored to a condition acceptable to the Minister of Government Services and/or the Minister of Environment and Conservation.
Gasoline and Associated Products

1. All fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, and any proposed fuel cache will require approval by the Government Service Centre prior to installation.

2. All fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject to the Storage and Handling of Gasoline and Associated Products Regulations and will require approval by the Government Service Centre prior to installation.

3. All fuel storage tank systems connected to a heating appliance of a capacity of 2,500 litres or less must comply with the Heating Oil Storage Tank System Regulations.

4. The storage, handling and disposal of used and or waste oil must be in compliance with the Used Oil Control Regulations.

5. In order to ensure that a quick and effective response to a spill event is possible, spill response equipment should be readily available on-site. Response equipment, such as absorbents and open-ended barrels for collection of cleanup debris, should be stored in an accessible location on-site. Personnel working on the project should be knowledgeable about response procedures. The proponent should consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.

6. Any spill or leak of gasoline or associated product is to be reported immediately to the Department of Government Services by calling the Canadian Coast Guard Environmental Emergency line at 772-2083 or 1-800-563-9089.

Other

1. Should future development require the construction of on-site service buildings, application must be made for Fire/Life Safety (request for approval of plans form) and Building Accessibility (application for building accessibility registration form) review/approval, prior to construction.

2. Development must not extend within 200 m of a scheduled salmon river without prior registration and release under the Environmental Protection Act, Department of Environment and Conservation, Environmental Assessment Division.

Water and Sewer

Should future development require the installation of a subsurface sewage disposal system, the applicant must submit and receive approval for plans and specifications for an approved sewage disposal system. These plans must be in conformance with the Sanitation Regulations and Standards of Accepted Practice for On-Site Sewage Disposal System and prepared by an approved designer.
DEPARTMENT OF ENVIRONMENT AND CONSERVATION – WATER RESOURCES MANAGEMENT DIVISION

A permit under Section 48 of the Water Resources Act is no longer required for the applied structures. However, the proponent must follow the new guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses as found here, on the Government of NL website:


Please note a permit will be required under Section 48 of the Water Resources Act for any infilling or dredging work associated with these structures or other works in a body of water.

Contact: Water Investigations Section PH: (709) 729-2945

Application forms, fee schedules and guidelines are available from the Department’s website at

http://www.gov.nl.ca/env/water

Please contact 729-2945 if additional information is required.

DEPARTMENT OF TRANSPORTATION AND WORKS

Proponent must use the applied for existing access.

DEPARTMENT OF FISHERIES AND OCEANS

As a result of the November 25, 2013 changes to the Fisheries Protection Provisions of the Fisheries Act, proponents proposing work in or near water are required to self-assess and determine if the project requires a review of DFO. Proponents are encouraged to visit the following Fisheries Protection Program website to obtain guidance on self-assessing a project.

http://www.dfo-mpo.gc.ca/pnw-ppelindex-eng,btml

If the self-assessment determines that a review by DFO is required, complete the application form and sent it via email to FPP-NL@dfo-mpo.gc.ca or by fax to 772-5162. The application for review can be found at: http://www.dfo-mpo.gc.ca/pnw-pppe/reviews-revues/index-eng.html.

TRANSPORT CANADA

Transport Canada officials have determined that the work(s) are located in a scheduled waterway under the Navigation Protection Act (NPA) and therefore the project have to first be reviewed under the Minor Works and Waters Orders (MWWO) of the NPA. The MWWO are a self-assessment tool for proponents to use to review their project and determine if the work(s) fall within the scope of the classes of works under the MWWO. If the works(s) fall within the scope of the MWWO they are minor in nature and are therefore designated under Section 10(1) of the NPA and can proceed without referral to the NPA. If the project falls outside the scope of the MWWO than a Notice of Works Form along with the required drawings have to be submitted to the NPP for review.
For reference enclosed are:
1. For your review is a copy of the MWWO;
2. Notice of Works Form (i.e. application) to be used if the project falls outside the scope of the
   MWWO; and
3. Sample Drawings to refer to if it is determined that a Notice of Works need to be submitted to
   the NPP for review.

In future correspondence, please refer to your Navigation Protection Program’s file number 8200-
2014-200020.

Please note it is the owner’s responsibility to obtain any approvals, permits or licences under any
other applicable legislation.

Should you have any questions, please do not hesitate to contact our office in Moncton by phone at
(506) 851-3113, by fax at (506) 851-7542 or by e-mail at NPPATL-PPNATL@tc.gc.ca.
Hi Darren,

I had a call from [redacted] this morning, he has been waiting 3 years for his docs, would you know the status of the above, the DLM Review process is open.

Please advise.

thanks

Roxane Aylward
Secretary
Department of Municipal Affairs
Crown Lands Administration Division
Howley Building, 87-113 Higgins Line
St. John's, NL
A1B 4J6

Tel: (709) 729-3174
Fax: (709) 729-6136
E-mail: rayward@gov.nl.ca
http://www.miga.gov.nl.ca/

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Milly,

called regarding his application, he is frustrated that he has been waiting 3 years to receive documents. He has spoken with Roger and is now very was told his file was sent to you for review.

he will call you back this afternoon, after 1:30.

Thanks
LICENCE
FOR OCCUPANCY OF CROWN LAND
for the purpose of
Boathouse/Wharf

Under the provisions of Subsection 6(1) of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, Her Majesty in Right of Newfoundland and Labrador (hereinafter called the "Crown") represented herein by the Honourable the Minister of Municipal Affairs for the Province of Newfoundland and Labrador (hereinafter called the "Minister") does hereby issue a LICENCE FOR OCCUPANCY (hereinafter called the "Licence") unto in the Province of Newfoundland and Labrador (hereinafter called the "Licence Holder") ALL THAT piece or parcel of land delineated in the attached Schedule A, and being situate at St. Chads (hereinafter called the demised premises), comprising an area not to exceed 0.0454 hectares, TO HAVE AND TO HOLD the demised premises unto the Licence Holder for the term of five (5) years from the day of , SUBJECT to the reservations, terms and conditions hereinafter set out;

YIELDING AND PAYING unto the Crown as the price and consideration of the said Licence the sum of $25.00 per year for the five (5) year term of the Licence, the first payment to be made on the execution of this Licence;

PROVIDED that the Licence Holder hereby agrees to comply in all respects with the terms and conditions in Schedule B and Schedule C;

AND FURTHER PROVIDED that this Licence shall not be assigned or conveyed without the prior written consent of the Minister and then only on such terms and upon payment of such fees as the Minister may prescribe.

SIGNED by the Licence Holder
on the day of ,

SIGNED by the Minister of Municipal Affairs
on the day of ,

Licence Holder

Minister of Municipal Affairs
SCHEDULE B

12. If during the term of the Licence the Minister requires the demised premises for any reason the Licence may be terminated after thirty (30) days written notice and the Licence Holder shall have the demised premises restored to the satisfaction of the Minister of Service NL and the Minister of Municipal Affairs and the Licence Holder shall indemnify and save harmless the Minister against any loss, cost or damage resulting directly or indirectly from the Licence Holder's use, occupation or restoration of the demised premises.

13. The failure of the Crown to insist upon strict performance of any of the covenants and provisos contained in this Licence shall not be deemed a waiver of any rights or remedies that the Crown may have or a waiver of any subsequent breach or default.

14. The Licence Holder shall permit access to the demised premises at all times by Officers authorized by law or by the Minister.

15. This Licence shall be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador.
SCHEDULE B

1. The Licence does not authorize the Licence Holder to enter upon private land, to dispute private claims to land, or to obstruct any public right-of-way.

2. The Licence does not convey the right to extract any minerals including, limestone, granite, slate, marble, gypsum, marl, clay, sand, gravel, peat, coal, natural gas, petroleum or salt from or under the demised premises.

3. The Licence Holder shall pay and discharge all taxes and charges that may be levied by any Municipal, Provincial or Federal authority on or in respect to the demised premises.

4. The Licence constitutes the approval of the Lands Branch, Department of Municipal Affairs only and does not waive the required consent of other government departments or agencies.

5. The Licence Holder, hereby indemnifies and saves harmless the Minister and the Government of Newfoundland and Labrador of and from any and all manner of claims, damages, losses, costs and charges whatsoever occasioned to or suffered by or imposed upon the Minister and the Government of Newfoundland and Labrador directly or indirectly in respect of any matter or thing in consequence of or in connection with or arising out of the occupancy or use of the demised premises by the Licence Holder in connection with the occupancy or use of the same by the Licence Holder or in respect of any accident, damage or injury to any person, animal or thing by from or on account of the same. The Covenants of the Licence holder for indemnity herein contained shall extend to all damages and claims for damage by reason of improper or faulty erection or construction of structures erected or installed on or in the demised premises herein described or in connection therewith by the Licence Holder and by reason of an insufficiency in said structures and whether or not the same have been approved by the Minister and the Government of Newfoundland and Labrador, their servants or agents.

6. The Licence Holder shall display on the demised premises and in a conspicuous manner a sign containing the Licence number.

7. The demised premises shall be kept neat and tidy to the satisfaction of the Minister.

8. Disposal of garbage on the demised premises or underwater is not acceptable and shall be disposed of at an approved waste disposal site or burned in an acceptable manner with the written permission of the Department of Environment and Conservation.

9. The Licence is subject to the condition that the demised premises shall be holden upon, under and subject to all other regulations and conditions of the Lands Act, Chapter 36 of the Statutes of Newfoundland and Labrador, 1991, as amended, and to such regulations as are now in force or which may at any time hereafter be made by law.

10. Should the Licence Holder, the heirs, executors, administrators and assigns default in the performance of any of the provisions herein contained, the Minister may give thirty (30) days notice for the termination of this Licence, and upon the expiration of the thirty (30) days, this Licence shall cease and the Licence Holder shall forthwith vacate the demised premises.

11. In the event the Licence is cancelled or not renewed, the Licence Holder shall remove all buildings, structures and personal property from the demised premises and restore the demised premises to the satisfaction of the Minister of Service NL and the Minister of Municipal Affairs within ninety (90) days from the date of cancellation or expiration. Should the Licence Holder fail to comply with this condition, the Minister may remove or demolish all buildings, structures and personal property remaining on the demised premises and restore the demised premises in any manner the Minister sees fit, and the costs incurred by the Minister in the removal or demolition and restoration of the demised premises shall be recovered from the Licence Holder as a debt due to the Minister. Furthermore, the indemnity contained in Condition 5 of this Licence shall remain in full force and effect until all structures and property are removed or demolished and the demised premises is restored to the satisfaction of the Minister of Service NL and the Minister of Municipal Affairs.
SCHEDULE C

LTO BOATHOUSE/WHARF

1. If the boathouse and/or wharf seriously restricts or prevents public access to and around the shoreline, the Licence-Holder is required to provide, to the satisfaction of the Minister, a suitable alternate access.

2. The boathouse must be of single story construction and no larger than eight two (82) square metres.

3. The boathouse and/or wharf must not extend out into the water from the shoreline a distance greater than forty eight (48) metres and must not occupy an area greater than four hundred and fifty four (454) square metres.

4. The Licence Holder shall not place other structures or buildings on the demised premises.

5. Creosote timber is not to be used in the construction of the boathouse and/or wharf.

6. Appropriate authorizations from the Water Resources Division of the Department of Environment and Conservation and Fisheries and Oceans Canada must be secured prior to the commencement of any construction on the demised premises.

7. The Licence Holder is not permitted to access the demised premises by All-Terrain Vehicles excepted in accordance with the Motorized Snow Vehicles and All-Terrain Vehicles Regulations. Contravention of the Regulations shall constitute grounds to revoke the Licence.

8. The issuance of this Licence does not commit the Crown to the issuance of a Licence for the purposes of constructing a designated access trail pursuant to the Lands Act and the Motorized Snow Vehicles and All-Terrain Vehicles Regulations.
I received the documents to review yesterday from Central and I will have a look and advise Roger today.

-----Original Message-----
From: Primmer, Rodger
Sent: Monday, October 17, 2016 11:43 AM
To: Moore, Darren E.
Subject: [s.40(1)] - 145299 - St. Chad's

Darren,

Attached is a copy of the LTO document we have prepared for this one. Are there any other issues to deal with before we send out the documents?

Rodger

-----Original Message-----
From: xerox7835@gov.nl.ca [mailto:xerox7835@gov.nl.ca]
Sent: Monday, October 17, 2016 11:05 AM
To: Primmer, Rodger
Subject: Scanned from a GNL Xerox Multifunction Printer

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.

Attachment File Type: pdf/a, Multi-Page

Multifunction Device Location: 1\Gander\NL\CAN\Device Name: XRX9C934E556485

For more information on Xerox products and solutions, please visit [http://www.xerox.com](http://www.xerox.com)
From: Meaney, Milly  
Sent: Tuesday, October 18, 2016 1:08 PM  
To: Moore, Darren E.  
Subject: FW: s.40(1) - 145299

FYI

From: Primmer, Rodger  
Sent: Tuesday, October 18, 2016 12:25 PM  
To: Aylward, Roxanne; Meaney, Milly  
Subject: RE: s.40(1) - 145299

Milly,

I have this file with me. Darren wanted me to hold off sending out the LTO documents until I consulted with him. I sent a copy of the LTO document to Darren yesterday for his review. I don’t think you have not been involved with this application so I don’t know how he could have been told it was with you. Must have been a misunderstanding there. Darren has been involved because it was a potential Section 7.

Rodger

From: Aylward, Roxanne  
Sent: Tuesday, October 18, 2016 11:26 AM  
To: Meaney, Milly  
Cc: Primmer, Rodger  
Subject: s.40(1) - 145299

Milly,

called regarding his application, he is frustrated that he has been waiting 3 years to receive documents. He has spoken with Roger and is now very was told his file was sent to you for review.

he will call you back this afternoon, after 1:30.

Thanks

Roxane Aylward  
Secretary  
Department of Municipal Affairs  
Crown Lands Administration Division  
Howley Building, 87-113 Higgins Line  
St. John’s, NL  
A1B 4J6
Tel: (709) 729-3174  
Fax: (709) 729-6136  
E-mail: rayward@gov.nl.ca  
http://www.miga.gov.nl.ca/  

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Darren:

Should we charge the illegal occupation fee on this? Area has been infilled by no structures started on the area yet?

Rodger

From: Moore, Darren E.
Sent: Tuesday, October 18, 2016 12:31 PM
To: Primmer, Rodger
Subject: Call me

Call me
From: Winters, Scott
To: Grace, Tony
Subject: Fw: 145299 - St. Chad's

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Primmer, Rodger <rprimmer@gov.nl.ca>
To: Grace, Tony
Subject: FW: 145299 - St. Chad's

Tony:

Should I contact MHA Colin Holloway to give him a heads up on this matter?

Rodger

From: Primmer, Rodger
To: Grace, Tony
Subject: 145299 - St. Chad's

_S.40(1)_ applied for a Licence to Occupy for a boathouse and wharf at St. Chad's. Development (infilling) of the site commenced before the application was submitted.

_S.40(1)_ was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.

- All referral responses on the application were positive and an Information Note recommending the application be approved was approved by the Minister. _S.40(1)_ is required to pay a $1000.00 illegal development fee.

- Licence to Occupy documents are prepared for _S.40(1)_'s signature and will be forwarded to him over the coming days.
Primmer, Rodger

Friday, October 21, 2016 3:11 PM

Grace, Tony

Milly

---

App. # 145299 - St. Chads

s.40(1) applied for a Licence to Occupy for a boathouse and wharf at St. Chads. Development (significant infilling) of the site commenced before the application was submitted.

s.40(1) was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.

- LGIC approval was not required since the site bounds a local road and no shoreline reservation exists to be included in the Licence to Occupy.

- All referral responses on the application were positive and an Information Note was approved by the Minister which recommended the application be approved. s.40(1) is required to pay a $1000.00 illegal development fee.

- Licence to Occupy documents are prepared for s.40(1)'s signature and will be forwarded to him over the coming days.
Someone on your end should do it as Sherrie and I can't today. We should chat about this generally again soon.

Sent from my BlackBerry 10 smartphone on the Bell network.

No direct concern on this it was apparently a contentious issue prior to the Provincial election.

- applied for a Licence to Occupy for a boathouse and wharf at St. Chads. Development (significant infilling) of the site commenced before the application was submitted.
- was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.
- LGIC approval was not required since the site bounds a local road and no shoreline reservation exists to be included in the Licence to Occupy.
- All referral responses on the application were positive and an Information Note was approved by the Minister which recommended the application be approved. is required to pay a $1000.00 illegal development fee.
- Licence to Occupy documents are prepared for 's signature and will be forwarded to him over the coming days.

There may be concern within the area and just wondered if Sherri or yourself would, like to relay his information to the member.

Was there concern with this being approved by MHA? I can't recall if there were

Sent from my BlackBerry 10 smartphone on the Bell network.

How would you like to proceed?
From: Primmer, Rodger <rprimmer@gov.nl.ca>
Sent: Friday, October 21, 2016 2:32 PM
To: Grace, Tony
Subject: FW: 145299 - St. Chad's

Tony:

Should I contact MHA Colin Holloway to give him a heads up on this matter?

Rodger

From: Primmer, Rodger
Sent: Friday, October 21, 2016 2:31 PM
To: Grace, Tony
Subject: 145299 - St. Chad’s

applied for a Licence to Occupy for a boathouse and wharf at St. Chad’s. Development (infilling) of the site commenced before the application was submitted.
was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.
- All referral responses on the application were positive and an Information Note recommending the application be approved was approved by the Minister. is required to pay a $1000.00 illegal development fee.
- Licence to Occupy documents are prepared for ’s signature and will be forwarded to him over the coming days.
I have spoken to him and he was appreciative of the call.

Rodger

You can give him the heads up Rodger.

Thank you

Tony:

Should I contact MHA Colin Holloway to give him a heads up on this matter?

Rodger

- [s.40(1)] applied for a Licence to Occupy for a boathouse and wharf at St. Chad's. Development (infilling) of the site commenced before the application was submitted.
- [s.40(1)] was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.
  - All referral responses on the application were positive and an Information Note recommending the application be approved was approved by the Minister. [s.40(1)] is required to pay a $1000.00 illegal development fee.
  - Licence to Occupy documents are prepared for [s.40(1)]'s signature and will be forwarded to him over the coming days.
Colin says ease wait with the approval until he able to visit. A complaint came in on Thursday evening but he needs more information.
Thanks.
Sherrie

Sherrie-Lynn Dogurga, MEd.
EA to the Hon. Minister Eddie Joyce.

How would you like to proceed?

Sent from my BlackBerry 10 smartphone on the Bell network.

Tony:
Should I contact MHA Colin Holloway to give him a heads up on this matter?

Rodger

applied for a Licence to Occupy for a boathouse and wharf at St. Chad’s. Development (infilling) of the site commenced before the application was submitted.

was required to publish Notices of Intent of his application for Crown land and several objections were received concerning illegal infilling with no permits and blocking the view scape of the harbor.

All referral responses on the application were positive and an Information Note recommending the application be approved was approved by the Minister. is required to pay a $1000.00 illegal development fee.
Licence to Occupy documents are prepared for [REDACTED]'s signature and will be forwarded to him over the coming days.
Hi Tony,

I should have included you in the initial email.

My apologies.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427- 2265

Hi Jamie,

I visited this area in St. Chad's today. My visit was at the request of [redacted] a resident of the area.

Prior to going to this community, I had some contact with Crown Lands office in Gander.

I also discussed the matter with Mr. Albert Oldford, Chair of the LSD Committee.

It has been pointed out that residents and local leaders have been totally against the activity surrounding this area of the coastline.

I resist referring to the area as a parcel of land since it is my understanding [redacted] created the land mass without a permit or making an application.

I am told by Crown Lands that [redacted] was fined $1000 for conducting this illegal activity.

So, here's where I stand on this issue:

I cannot recommend the approval of the Crown Land application. The land was created illegally and, as a Government, we can condone such behaviour by approving an application that was borne out of illegal activity.
Furthermore, the new land mass that has been created has had a direct negative impact on the natural shoreline and normal ebb and flow of local tides.

In addition to not approving the application, I would recommend that be directed to restore the coastline to its original state by removing the fill and rock materials from the area.

I am available to discuss this issue further if required.

Thank you.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427- 2265

Original Message

From: [Redacted]
Sent: Saturday, October 22, 2016 11:59
To: Holloway, Colin
Subject: Crown land app. at St. Chad's

Good morning Mr. Holloway, my name is [Redacted] we had a conversation at the SUF hall in Eastport on Wed. night. I spoke briefly about a situation regarding an application by [Redacted] to acquire a piece of crown land on the shore of St. Chad's harbour (application # 245299 ). This issue has been ongoing since the summer of 2013 when [Redacted] without permit filled in a portion of the harbour and attempted to erect a building on it before being confronted by some residents of the affected area. He subsequently made an application to Crown Lands for the piece of land he illegally created by dumping fill in the Harbour. Different residents have written letters and made personal representation to the departments involved asking that no consideration be given to the application until all the fill is removed and remediation is complete. The MHA at the time Sandy Collins was very active on the file and has a good understanding of what is happening there. There is some thought that this app. will find it's way to the Ministers desk, it's being over 3 years now. We are concerned that if someway approved it will set a dangerous president, today the cove, tomorrow the Harbour. I would like an opportunity to show you first hand what is happening there if you are in the area sometime and have a few minutes.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
OK. We'll let you know on referrals etc.

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Holloway, Colin
Sent: Saturday, October 29, 2016 11:11 AM
To: Chippett, Jamie
Subject: Re: Crown land app. at St. Chad's

Hi Jamie,

Thanks for getting back to me.

I have received considerable opposition to this application from local residents.

I am also told...

-Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427-2265

Original Message
From: Chippett, Jamie
Sent: Saturday, October 29, 2016 11:05
To: Holloway, Colin; Grace, Tony
Cc: Dogurga, Sherrie-Lynn
Subject: Re: Crown land app. at St. Chad's

Colin,

Further to your first email and our discussion yesterday, the 1000 fine is our normal fee for illegal occupation. It appears my general explanation of how this worked may have been applicable for this case as well.

However whether or not the application is approved depends on referral to all GNL depts and agencies. To your point re the shoreline and tides I will ask Tony to see what water resources in ECC had to say about this.

Jamie

Sent from my BlackBerry 10 smartphone on the Bell network.
Hi Tony,

I should have included you in the initial email.

My apologies.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427- 2265

Hi Jamie,

I visited this area in St. Chad’s today. My visit was at the request of [redacted], a resident of the area.

Prior to going to this community, I had some contact with Crown Lands office in Gander.

I also discussed the matter with Mr. Albert Oldford, Chair of the LSD Committee.

It has been pointed out that residents and local leaders have been totally against the activity surrounding this area of the coastline.

I resist referring to the area as a parcel of land since it is my understanding [redacted] created the land mass without a permit or making an application.

I am told by Crown Lands that [redacted] was fined $1000 for conducting this illegal activity.

So, here’s where I stand on this issue:

I cannot recommend the approval of the Crown Land application. The land was created illegally and, as a Government, we can condone such behaviour by approving an application that was borne out of illegal activity.

Furthermore, the new land mass that has been created has had a direct negative impact on the natural shoreline and normal ebb and flow of local tides.
In addition to not approving the application, I would recommend that [redacted] be directed to restore the coastline to its original state by removing the fill and rock materials from the area.

I am available to discuss this issue further if required.

Thank you.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427- 2265

Original Message
From: [redacted]
Sent: Saturday, October 22, 2016 11:59
To: Holloway, Colin
Subject: Crown land app. at St. Chad’s

Good morning Mr. Holloway, my name is [redacted]. We had a conversation at the SUF hall in Eastport on Wed. night. I spoke briefly about a situation regarding an application by [redacted] to acquire a piece of crown land on the shore of St. Chad’s harbour (application # 245299). This issue has been ongoing since the summer of 2013 when [redacted] without permit filled in a portion of the harbour and attempted to erect a building on it before being confronted by some residents of the affected area. He subsequently made an application to Crown Lands for the piece of land he illegally created by dumping fill in the Harbour. Different residents have written letters and made personal representation to the departments involved asking that no consideration be given to the application until all the fill is removed and remediation is complete. The MHA at the time Sandy Collins was very active on the file and has a good understanding of what is happening there. There is some thought that this app. will find it's way to the Ministers desk, it's being over 3 years now. We are concerned that if someway approved it will set a dangerous president, today the cove, tomorrow the Harbour. I would like an opportunity to show you first hand what is happening there if you are in the area sometime and have a few minutes.
Jamie,

I will check in Monday and see what we have back in this file. I did ask Steve to check so he should have a response.

Tony

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Chippett, Jamie
Sent: Saturday, October 29, 2016 11:05 AM
To: Holloway, Colin; Grace, Tony
Cc: Dogurga, Sherrie-Lynn
Subject: Re: Crown land app. at St. Chad’s

Colin,

Further to your first email and our discussion yesterday, the 1000 fine is our normal fee for illegal occupation. It appears my general explanation of how this worked may have been applicable for this case as well.

However whether or not the application is approved depends on referral to all GNL depts and agencies. To your point re the shoreline and tides I will ask Tony to see what water resources in ECC had to say about this.

Jamie

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Holloway, Colin
Sent: Friday, October 28, 2016 11:00 AM
To: Grace, Tony
Cc: Chippett, Jamie; Dogurga, Sherrie-Lynn
Subject: Fw: Crown land app. at St. Chad’s

Hi Tony,

I should have included you in the initial email.

My apologies.

Colin

Colin Holloway, B. A.
Hi Jamie,

I visited this area in St. Chad’s today. My visit was at the request of a resident of the area. Prior to going to this community, I had some contact with Crown Lands office in Gander. I also discussed the matter with Mr. Albert Oldford, Chair of the LSD Committee.

It has been pointed out that residents and local leaders have been totally again the activity surrounding this area of the coastline. I resist referring to the area as a parcel of land since it is my understanding created the land mass without a permit or making an application. I am told by Crown Lands that was fined $1000 for conducting this illegal activity.

So, here’s where I stand on this issue:

I cannot recommend the approval of the Crown Land application. The land was created illegally and, as a Government, we can condone such behaviour by approving an application that was borne out of illegal activity.

Furthermore, the new land mass that has been created has had a direct negative impact on the natural shoreline and normal ebb and flow of local tides.

In addition to not approving the application, I would recommend that be directed to restore the coastline to its original state by removing the fill and rock materials from the area.

I am available to discuss this issue further if required.

Thank you.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427- 2265

From: <ColinHolloway@gov.nl.ca>
Sent: Saturday, October 22, 2016 11:59
To: Holloway, Colin
Subject: Crown land app. at St. Chad's
Good morning Mr. Holloway, my name is [Redacted] we had a conversation at the SUF hall in Eastport on Wed. night. I spoke briefly about a situation regarding an application by [Redacted] to acquire a piece of crown land on the shore of St. Chad’s harbour (application # 245299). This issue has been ongoing since the summer of 2013 when [Redacted] without permit filled in a portion of the harbour and attempted to erect a building on it before being confronted by some residents of the affected area. He subsequently made an application to Crown Lands for the piece of land he illegally created by dumping fill in the Harbour. Different residents have written letters and made personal representation to the departments involved asking that no consideration be given to the application until all the fill is removed and remediation is complete. The MHA at the time Sandy Collins was very active on the file and has a good understanding of what is happening there. There is some thought that this app. will find its way to the Ministers desk, it’s being over 3 years now. We are concerned that if somehow approved it will set a dangerous president, today the cove, tomorrow the Harbour. I would like an opportunity to show you first hand what is happening there if you are in the area sometime and have a few minutes.
Hi Tony,

Attached are the comments we received from Water Resources Management Division. I don’t think they had anyone visit the site, however we did forward them photographs from one of our visits so they could see the work that had been completed. No comments were provided concerning the ebb and flow of local tides.

Regards,

Rodger

-----Original Message-----
From: Barnable, Steve
Sent: Monday, October 31, 2016 9:43AM
To: Grace, Tony
Cc: Primmer, Rodger
Subject: RE: Crown land app. at St. Chad’s

Tony, this one is in Central. I have copied Rodger.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch Department of Municipal and Intergovernmental Affairs Howley Building, Higgins Line P.O. Box 8700 St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

-----Original Message-----
From: Grace, Tony
Sent: Monday, October 31, 2016 8:12AM
To: Barnable, Steve
Subject: FW: Crown land app. at St. Chad’s

Can you have a look at this please.

-----Original Message-----
From: Chippett, Jamie
Sent: October 29, 2016 11:05 AM
To: Holloway, Colin; Grace, Tony
Cc: Dogurga, Sherrie-Lynn
Subject: Re: Crown land app. at St. Chad's

Colin,

Further to your first email and our discussion yesterday, the 1000 fine is our normal fee for illegal occupation. It appears my general explanation of how this worked may have been applicable for this case as well.

However whether or not the application is approved depends on referral to all GNL depts and agencies. To your point re the shoreline and tides I will ask Tony to see what water resources in ECC had to say about this.

Jamie

Sent from my BlackBerry 10 smartphone on the Bell network.

Hi Tony,

I should have included you in the initial email.

My apologies.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427-2265

Hi Jamie,

I visited this area in St. Chad's today. My visit was at the request of [REDACTED] a resident of the area.

Prior to going to this community, I had some contact with Crown Lands office in Gander.

I also discussed the matter with Mr. Albert Oldford, Chair of the LSD Committee.

It has been pointed out that residents and local leaders have been totally again the activity surrounding this area of the coastline.
I resist referring to the area as a parcel of land since it is my understanding [redacted] created the land mass without a permit or making an application.

I am told by Crown Lands that [redacted] was fined $1000 for conducting this illegal activity.

So, here's where I stand on this issue:

I cannot recommend the approval of the Crown Land application. The land was created illegally and, as a Government, we can condone such behaviour by approving an application that was borne out of illegal activity.

Furthermore, the new land mass that has been created has had a direct negative impact on the natural shoreline and normal ebb and flow of local tides.

In addition to not approving the application, I would recommend that [redacted] be directed to restore the coastline to its original state by removing the fill and rock materials from the area.

I am available to discuss this issue further if required.

Thank you.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development C. 427-2265

Original Message
From: [redacted] Section 40(1)
Sent: Saturday, October 22, 2016 11:59
To: Holloway, Colin
Subject: Crown land app. at St. Chad’s

Good morning Mr. Holloway, my name is [redacted] we had a conversation at the SUF hall in Eastport on Wed. night. I spoke briefly about a situation regarding an application by [redacted] to acquire a piece of crown land on the shore of St. Chad's harbour (application # 245299). This issue has been ongoing since the summer of 2013 when [redacted] without permit filled in a portion of the harbour and attempted to erect a building on it before being confronted by some residents of the affected area. He subsequently made an application to Crown Lands for the piece of land he illegally created by dumping fill in the Harbour. Different residents have written letters and made personal representation to the departments involved asking that no consideration be given to the application until all the fill is removed and remediation is complete. The MHA at the time Sandy Collins was very active on the file and has a good understanding of what is happening there. There is some thought that this app. will find it's way to the Ministers desk, it's being over 3 years now. We are concerned that if someway approved it will set a dangerous president, today the cove, tomorrow the Harbour. I would like an opportunity to show you first hand what is happening there if you are in the area sometime and have a few minutes.
MEMO

Date: February 7, 2014

To: Department of Environment and Conservation
   Central Regional Lands Office

From: Susan George
   Water Resources Technician, Water Investigation Section

Re: Application#145299/File# 2029434
   S.40(1) - Boathouse/Wharf (St. Chad's)

Recommendation: Approval (Conditional)

A permit under Section 48 of the Water Resources Act is no longer required for the applied structures. However, the proponent must follow the new guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses as found here, on the Government of NL website:


Please note a permit will be required under Section 48 of the Water Resources Act for any infilling or dredging work associated with these structures or other works in a body of water.

Contact: Water Investigations Section (709) 729-2945

Application forms, fee schedules and guidelines are available from the Department's Web site at http://www.gov.nl.ca/env/water

Please contact 729-2945 if additional information is required.

Sincerely,

Susan George

PO Box 8700, St. John's NL A1B 4J6  
Tel: 709.729.2563  
Fax: 709.729.0320  
www.gov.nl.ca/env/water
Hi Rodger,

Please excuse the delay in response.

I've had discussions with my Manager and with our Director in relation to [REDACTED]'s CL application. Because the infilling work is already completed, and WRMD does not issue permits for work after the fact, WRMD does not have any additional comments or revisions for this referral. We have stated that permits are required for infilling or dredging works associated with these structures.

Crown Lands may exercise their jurisdiction regarding the 15 meter reservation for this issue as may be applicable.

Thank you.

Susan George
Water Resources Technician II

T: (709) 729-2945
F: (709) 729-0320
E: susangeorge@gov.nl.ca
Hi Jamie,

Tonight I received a copy of an objection letter to the Crown Land application.

The letter is dated for Nov 5, 2013. It was submitted by two residents of St. Chad’s.

Regards,

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
C. 427-2265
Minister of Environment and Conservation

c/o Central Regional Lands Office

P.O. Box 2222, Gander, N.L. A1V 1L7

Re: Application by [name redacted] for Crown Land in St. Chad’s Harbour, District of Terra Nova

Dear Minister Shea,

I am writing to express my objection to the above noted application. The reasons for this objection are as follows:

- That [name redacted] "created" a piece of land in the Harbour by having a local contractor fill in a section of the Harbour,

- That [name redacted] did not have permission to fill in the Harbour,

- That by filling in the Harbour [name redacted] has impacted the marine ecosystem of the Harbour and changed the landscape without any obvious regard for environmental protection, other residents of the Harbour and visitors who have enjoyed its natural beauty,

- That if the Department were to allow the proposed development to proceed it would set a precedent whereby others may also take liberty to create pieces of waterfront land by filling in harbours, coves and pieces of shoreline in other communities and areas (where Town Councils do not exist to exercise some control over such activity).

It is my hope that not only will you reject the above noted application but also that a Stop Order be issued and that [name redacted] and the local contractor who filled in the Harbour, be required to remove the fill and remediate the site back to its original state.

Sincerely,

[Name redacted]

Cc. Mr. Sandy Collins, MHA Terra Nova District & Mr. Scott Simms, MP
Thanks Jamie.

Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
C. 427-2265

Thanks Colin. Noted. I will make sure Tony has it for his review of the file.

Sent from my BlackBerry 10 smartphone on the Bell network.

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Regards,

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Colin

Colin Holloway, B. A.
MHA District of Terra Nova
Parliamentary Secretary to Minister for Business, Tourism, Culture and Rural Development
C. 427-2265
To: Holloway Colin  
Subject: letter of objection  

Hi Colin, here is a copy of the letter sent on Nov. 5 2013, it was signed by Section 40(1)