Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File: TW/028/2017)

On February 1, 2017, the Department of Transportation and Works received your request for access to the following records:

A list of all briefing materials provided to the minister in January 2017, including but not limited to briefing notes, information notes, meeting notes and decision notes.

I am pleased to inform you that a decision has been made by the Deputy Minister of Transportation and Works to provide access to some of the requested information. In particular, access is granted to the following records:

- Responsive records include briefing materials that were provided to the Minister of the Department of Transportation and Works in January, 2017.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

29. (1)(a) The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.

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.

P.O. Box 8700, St. John’s, NL, Canada, A1B 4J6
In accordance with your request for a copy of the records, the appropriate copies have been enclosed. Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

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

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John’s, NL A1B 3V8  
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the 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 contact me by telephone at 729-5351 or by email at FrankWalsh@gov.nl.ca.

Sincerely,

Frank Walsh  
ATIPP Coordinator  
Department of Transportation and Works

Enclosures
Policy advice or recommendations

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

(b) the contents of a formal research report or audit report that in the opinion of the head of the public body is incomplete and in respect of which a request or order for completion has been made by the head within 65 business days of delivery of the report; or

(c) draft legislation or regulations.

(2) The head of a public body shall not refuse to disclose under subsection (1)

(a) factual material;

(b) a public opinion poll;

(c) a statistical survey;

(d) an appraisal;

(e) an environmental impact statement or similar information;

(f) a final report or final audit on the performance or efficiency of a public body or on any of its programs or policies;

(g) a consumer test report or a report of a test carried out on a product to test equipment of the public body;

(h) a feasibility or technical study, including a cost estimate, relating to a policy or project of the public body;

(i) a report on the results of field research undertaken before a policy proposal is formulated;

(j) a report of an external task force, committee, council or similar body that has been established to consider a matter and make a report or recommendations to a public body;

(k) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the head of the public body;

(l) information that the head of the public body has cited publicly as the basis for making a decision or formulating a policy; or

(m) a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.
(3) Subsection (1) does not apply to information in a record that has been in existence for 15 years or more.
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).
Meeting Note
Department of Transportation and Works
Save Our People Action Committee
3:30 PM, February 1, 2017
TW Executive Boardroom

Attendees:
- Department of Transportation and Works
  - Hon. Al Hawkins, Minister, Department of Transportation and Works
  - Lori Anne Companion, Deputy Minister, Department of Transportation and Works
  - Joe Dunford, Assistant Deputy Minister, Department of Transportation and Works
- Save Our People Action Committee
  - Linda Bishop – Chairperson
  - Heather French – Vice Chairperson
  - Peggy Roche – Secretary
  - Art Puddister – Treasurer

Purpose of Meeting:
- To introduce the new members of the Save Our People Action Committee (SOPAC) Executive and Directors and Sub Committee Members and continue discussions regarding moose vehicle collisions and their consequences.

Background:
- SOPAC was officially formed in 2009 by survivors of moose vehicle collisions. The group came together to highlight the problem of moose on the highways in NL.
- SOPAC collects and records ‘Collision Hot Spots’ for moose across the province, citing that Moose Vehicle Collisions (MVCs) are reoccurring in many of the same locations.
- SOPAC has publicly stated that they intend to complete a list of the locations to present to Government in the hopes that Government will take action by using ‘long proven effective methods such as fencing, especially in areas where moose accidents are most prevalent’.

Analysis:
- On July 6, 2011, Government announced $5M for a series of MVC mitigation initiatives, including the expansion of existing initiatives (brush clearing and public awareness efforts) as well as the launch of two pilot projects (installation of two wildlife detection systems and installation of an approximately 17 highway kilometer test section of wildlife fencing).
- Moose fencing was installed on a 16.5 kilometer stretch of the TCH running west of Gallnants Road (Route 402) junction to east of Barachois Pond Provincial Park, as well as an additional 500 meters of fencing on Route 460 from the TCH toward Black Duck Siding. The fence was completed on July 15, 2012 at a total cost of approximately $2M.
- In 2012, TW replaced its old SAS Accident System, with a new Collision Data Management System (CDMS) which uses GPS technology to determine the exact location of all accidents. CDMS data is currently being compiled and analyzed by the Department of Finance.
In March 2015, an Interdepartmental Moose Management Committee was established, which includes the departments of: TW, Environment and Climate Change, Justice and Public Safety, Forestry and Agrifoods, Finance, and Business, Tourism, Culture and Rural Development.

In April 2015, ENVC released a 5-year moose management plan (2015-2020) which includes, but is not limited to, priorities such as:
- Mitigating against human-moose conflict;
- Continuing research, monitor and evaluate MVC mitigation initiatives; and
- Consulting government and non-government stakeholders as appropriate.

In June 2015, TW provided $27,500 in funding to SOPAC for a moose alert hotline and continued public education and awareness campaigns. Moose sight cards have been provided to all weigh scale locations across the province for distribution to truck drivers. In addition, moose awareness brochures have been provided to the province’s tourist chalets and Marine Atlantic for distribution at their terminals in Port aux Basques and North Sydney, as well as for distribution on the gulf ferries.

TW continues with MVC reduction mitigations such road signage, public awareness campaigns in collaboration with ENVC, and integrated vegetation management (brush clearing and herbicide treatment).

With respect to brush clearing, TW tendered approximately $2 million worth of brush clearing in 2016-17.

Potential Speaking Points
- Our Government has committed to investigating all options for minimizing moose-vehicle collisions on provincial roadways, including fencing, brush cutting, and increasing hunting licenses.
- TW tendered approximately $2 million worth of brush clearing in 2016-17, and we anticipate that we will continue our brush cutting efforts in the next year.

Prepared/Approved by: K. Martin/ T. English
Deputy Minister's Approval: L. Companion
January 12, 2017
Attendees:
- Department of Transportation and Works
  - Hon. Al Hawkins, Minister, Department of Transportation and Works
  - Lori Anne Companion, Deputy Minister, Department of Transportation and Works
  - Joe Dunford, Assistant Deputy Minister, Department of Transportation and Works
- Town of Upper Island Cove
  - George Adams, Mayor
  - Neil Shute, Town Manager
- Pam Parsons, MHA for Harbour Grace-Port de Grave

Purpose of Meeting:
- To discuss the road conditions and the scoring system used by TW to determine which areas will receive support.

Background:
- The Town of Upper Island Cove wrote Minister Hawkins in January 2016 to discuss asphalt recapping of Crane’s Road (Route 70-17). The Town was concerned that a section of this road was in a ‘deplorable condition’ and required an ‘urgent upgrade’ so that a safe mode of transportation can be provided for the many vehicles, including school buses which use the highway daily.

- In their correspondence, the Town noted that some improvements have been made to Route 70-17 including:
  - A new storm sewer system and asphalt paving
  - Recapping of 1.5 km (2013)
  - Repaving of the part of Route 70-17 within Spaniard’s Bay including Brazil’s Hill (2015)

- The Town noted that only 3 km of Crane’s Road needing to be recapped remain, which would result in a fully upgraded road for years to come. The Town requested that TW provide the necessary funds to complete the remaining 3 kms of Crane’s Road with asphalt recapping so that residents may have a suitable roadway for daily commutes to surrounding areas and the Veteran’s Memorial Highway. The Town requested a meeting to discuss this issue.

- Correspondence to Mayor Adams was sent from Minister Hawkins, noting that as mandated by the Premier, an engineering assessment of the quality of road conditions is being conducted, and assuring the Mayor that roads in the Town of Upper Island Cove will be considered in the Provincial Road Program.
• The five year provincial roads plan builds on the evidence-based ranking system introduced in advance of the 2016 construction season with the goal of making the most of available funds and taking full advantage of NL’s short construction season.

• Specific engineering assessments and thresholds have been developed in consultation with departmental experts, drawing on industry standards such as the International Roughness Index (IRI), rutting depths, the provincial bridge inspection guidelines, functional road classes, annual average daily traffic (AADT) volumes, and other advanced pavement data collected using the automatic road analyzer (ARAN) unit.

• Each ranking phase comprises an assessment of specific measures of reliability, safety and usage. Each measure is given a specific weight, with significant value assigned to the reliability of the infrastructure to address issues before they become significant safety concerns.

• The five year roads plan was released on January 31, 2017. Route 70-17 is not currently in the plan.

Agenda Item #1 (Issue #1)
• Road conditions and TW’s scoring system used to determine which areas will receive support.

Analysis
• A three stage approach is used to assess projects:

  1. Preliminary assessment:
     ▪ Qualitative assessment based on safety, condition, class and economic impact
     ▪ Projects identified by stakeholders, regional inspections, and engineering reports were subjected to a weighted assessment with the greatest weight assigned to safety and condition
     ▪ Projects that scored high and essential on the assessment scale are subjected to phase 2 ranking along with other projects deemed of regional importance

  2. Regional ranking
     ▪ Quantitative assessment based on reliability, safety risk, and usage with the greatest weight provided to reliability to prevent increased risks to safety
     ▪ Projects are assessed based on specific quantitative data: reliability (rut depth, ride comfort, structural condition ratings); safety (AADT volumes and reliability score); and usage (service volume)
     ▪ All projects are assigned a score and are submitted to be included on a provincial list of priorities

  3. Provincial prioritization
     ▪ Based on the available budget and priority needs, a panel of experts identifies project for each fiscal year with the highest ranked projects scheduled for completion early in the five-year plan (year 1 or year 2)
• The panel of experts considers each project's priority, readiness, stakeholder importance (route function, economic impact, etc.), and cost-share and bundling opportunities

• A final list of priorities for the five-year outlook is developed, with 100 per cent of projects defined for year 1, 75 per cent for the year 2, 50 per cent for year 3, and 25 per cent for years 4 and 5

• The five-year provincial roads plan and the method used to identify and select projects is designed to provide flexibility to ensure new priorities in subsequent fiscal years can be addressed as they arise.

• The five-year roads plan was released on January 31, 2017.

Potential Speaking Points
• The five-year roads plan was released on January 31, 2017. Although Route 70-17 is not currently included in the plan, it will certainly be considered for future years, as the plan has only defined 100 per cent of projects for year 1, 75 per cent for year 2, 50 per cent for year 3, and 25 per cent for years 4 and 5.

• If you have any questions with respect to the five-year roads plan, please feel free to contact Joe Dunford, ADM of Transportation.

Prepared By/Approved by: K. Martin/ T. English/J. Dunford
Deputy Minister’s Approval: L. Companion

January 30, 2017
Meeting Note
Department of Transportation and Works
Town of Glovertown
10:30 AM, January 31, 2017
TW Executive Boardroom

Attendees:
- Department of Transportation and Works
  o Hon. Al Hawkins, Minister, Department of Transportation and Works
  o Lori Anne Companion, Deputy Minister, Department of Transportation and Works
  o Joe Dunford, Assistant Deputy Minister, Department of Transportation and Works
- Town of Glovertown
  - Mayor Doug Churchill
  - Lorne Sparkes – Town Manager
  - Councilor Dick Kelly
  - Councilor Craig Arnold
- Colin Holloway, MHA District of Terra Nova

Purpose of Meeting:
- To discuss the reconfiguration of the intersection at Route 310 and the widening of Penney’s Brook culvert.

Background:
- The Town of Glovertown submitted a proposal to the Department of Transportation and Works (TW) for a Town Centre Project. Most of the work associated with this project is within the right-of-way of Route 310 through the community.
- The Town was given Approval in Principle from TW to proceed with the work, subject to various conditions, including offsets from the road, responsibilities for damages, maintenance and permit requirements.
- The Town of Glovertown wrote TW in March 2016, advising that the Town Centre project would commence in late spring/early summer, and requested information on the timeframe associated with the intersection reconfiguration.
- TW responded to the Town to advise that there has not yet been a timeframe finalized for the intersection reconfiguration, as the design is only conceptual and intended to address the concerns brought forward by the Town in recent years. TW provided the Town with the most recent design that was deemed acceptable by TW.
- The Town also requested information with respect to the timelines associated with the work at Penney’s Brook culvert. Penney’s Brook culvert is large, multi-plate 20 year old culvert, (constructed in 1996), that is located in the area of the school in Glovertown. The culvert is 3,070 mm x 4,720 mm in size. The Town approached TW in 2010 about moving the guiderail back to make a wider shoulder, as school children are walking along the road over
this culvert. This work was tendered in 2015, as part of a larger project that included paving in other surrounding communities. Although the majority of the project has been completed, work on the Penney's Brook culvert has not yet been initiated. It is anticipated that this work will be completed in 2017.

**Agenda Item #1 (Issue #1)**

- Town Centre Phase II – Reconfiguration of the intersection Route 310 – Main Street South/North/Centennial

*Analysis*

**Agenda Item #2 (Issue #2)**

- Widening of Penney's Brook culvert

*Analysis*

- The Glovertown Town Council would like to know the status of this work, as the tender was approved and awarded and work has not yet commenced.

- TW had previously advised the Town that work should be completed during the spring/summer of 2016, however this work has not yet been completed to date.
- This work was tendered in 2015, as part of a larger project that included paving in other surrounding communities. Funding for this project was included in TW's capital roads program budget for 2015. Although the majority of the project has been completed, work on the Penney's Brook culvert has not yet been initiated.

- Specifically, the work includes placing a concrete headwall on both ends of the culvert, and widening the road shoulders. It is estimated that this work will cost approximately $70,000.

- As the work was not initiated in 2015, the funding was carried over into 2016, and will now be carried over into 2017. Funding for this project is included in TW's 2017 capital roads program budget as it is anticipated that this work will be completed in 2017.

Potential Speaking Points
- As you are aware, the tender for the Penney's Brook culvert was awarded as part of a larger project that includes other work such as paving projects in surrounding areas. This project has commenced, and we fully intend to complete the work on the Penney's Brook culvert this year.

Prepared By/Approved by:  K. Martin/T. English
Deputy Minister's Approval:   L. Companion

January 25, 2017
Meeting Note
Department of Transportation and Works
Meeting with the Newfoundland Caucus of MPs
2:00 PM, Wednesday, January 25, 2017
Delta Hotel, St. John’s, NL

Attendees:
- Department of Transportation and Works
  - Hon. Al Hawkins, Minister, Department of Transportation and Works
  - Margot Pitcher, Executive Assistant, Department of Transportation and Works
- Newfoundland Caucus of MPs
  - Yvonne Jones – Labrador
  - Ken McDonald – Avalon
  - Seamus O’Regan – St. John’s South-Mount Pearl
  - Gudie Hutchings – Long Range Mountains
  - Hon. Judy Foote – Bonavista-Burin-Trinity
  - Scott Simms – Coast of Bays-Central-Notre Dame

Purpose of Meeting:
- The meeting was requested by the MPs to:
  - Provide an update on 2016 investments and to discuss TW’s priorities for 2017
  - Provide an update on the TLH
  - Provide an update on ferry policies
  - Update departmental key contacts

Background:
- In April 2016, the Premier and Ministers of Transportation and Works and Municipal Affairs met with the Honourable Judy Foote, Minister of Public Services and Procurement Canada, for Premier Ball to acknowledge recent infrastructure spending commitments by the federal government and bring forward the Province’s top infrastructure priorities.

- At that meeting, it was noted that based on current provincial platform documents, mandate letters, and departmental priorities, provincial infrastructure priorities include roads, ferry vessels, social infrastructure, water/waste water, and post-secondary institutions.

Agenda item #1 (Issue #1)
- Update on 2016 investments

Analysis
- The former federal Conservative Government had committed $65 billion in infrastructure investment under the New Building Canada Plan (NBCP). Prime Minister Trudeau, in the 2016 federal budget, committed to more than $120 billion in infrastructure spending over 10 years with almost $60 billion in new money divided in two phases.

- Budget 2016-17 committed to more than $120 billion in infrastructure spending over 10 years (almost $60 billion in new money), divided in two phases:
Phase one committed $11.9 billion for public transit ($3.4 billion), green infrastructure ($5 billion), and social infrastructure ($3.4 billion).

Phase two of Budget 2016 committed an additional $81 billion over 11 years for public transit ($25.3 billion), green infrastructure ($21.9 billion), social infrastructure ($21.9 billion), trade and transportation ($10.1 billion), and rural and norther communities ($2 billion).

Newfoundland and Labrador’s allocation under the PT Infrastructure Component (PTIC) of the NBCP was $349 million and included the federal investment of $31.7 million for paving 160 kilometers of the Trans Labrador Highway, $99.9 million for the Core Science Facility at Memorial University, as well as 10 per cent of PTIC going to communities with a population of under 100,000 through the Small Communities Fund Agreement.

The 2016 federal budget and phase one of the New Infrastructure Plan provided funding over two years that aligned with a number of provincial infrastructure priorities, including:

- The Clean Water and Wastewater Fund (CWWF) provided $70.6 million for drinking water and wastewater projects and $4.94 million for public transit systems. The Agreement was signed on July 8, 2016.
- The Post-Secondary Institutions Strategic Investment Fund (SIF) provided $14.8 million to the College of the North Atlantic and $15.5 million to Memorial University for post-secondary infrastructure. Agreement signed on September 8, 2016.
- $49.56 million was provided to Newfoundland and Labrador Housing for affordable housing, renovations and retrofits, seniors housing, housing for victims of family violence, and funding for housing in Labrador Inuit communities.

Potential Speaking Points

- My officials are currently working with their federal counterparts to finalize a federal/provincial umbrella agreement for NBCF projects. We expect to have a signed agreement in the near future.

Agenda item #2 (Issue #2)

- TW’s priorities for 2017

Analysis

- As noted above, phase two of Budget 2016 committed an additional $81 billion over 11 years for public transit ($25.3 billion), green infrastructure ($21.9 billion), social infrastructure ($21.9 billion), trade and transportation ($10.1 billion), and rural and norther communities ($2 billion).
Potential Speaking Points

- We are encouraged by the positive working relationship we have with the federal government and looking forward to continued partnerships to advance NL infrastructure priorities.

- From Newfoundland and Labrador's perspective, it is important that phase two federal infrastructure funding provide resources that provinces can use to support enhancements to our roads and bridges. The main trade corridors in this province are the TCH and major trunk roads. Significant investments in these areas would greatly assist in meeting federal government outcomes such as the efficient movement of goods and services and reduced congestion and bottlenecks along vital corridors and transportation hubs.

- This infrastructure is critical to our trade and transportation agenda and flexibility is needed to ensure that these important corridors are modernized for the benefit of our economy. By working together, I am confident we can develop funding programs that are responsive to our mutual interests.

Agenda item #3 (Issue #3)
TLH update

Analysis

- In June 2016, the federal government approved Business Case 1 at a total cost of $63.9 million cost-shared 50/50 to a maximum of $31.7 million. Actual tender results suggest a total project value of $54 million with $23.7 million in federal revenue.

Potential Speaking Points
• My officials are currently working with their federal counterparts to finalize a federal/provincial umbrella agreement for NBCF projects, which includes the TLH. We expect to have a signed agreement in the near future.

• Thank you for all your support in advancing and securing federal funding for NL priority projects, including the TLH. We look forward to continued partnerships as we advance the remaining business cases to complete the TLH to the federal government.

Agenda item #4 (Issue #4)
• Update on ferry policies

Analysis

*Intraprovincial Ferry Service*

• TW has a fleet of 18 vessels providing passenger, vehicle and freight services to isolated communities throughout the province. These services are provided by nine vessels owned and operated by TW, one vessel owned by TW and operated under a contract, and eight contractor-owned and operated vessels.

• Seven of the contracted services expire in 2017.

• TW is currently reviewing our service requirements to determine how to enhance our marine services and make them more efficient.

*Marine Atlantic Ferry Service*

• In November 2016, Christopher Mitchelmore, Minister of Business, Tourism, Culture and Rural Development, wrote Marine Atlantic to commend them on the pricing initiatives introduced in 2016 with respect to the decrease in the fuel surcharge and special travel offers. The Minister noted that transportation infrastructure is vital to the tourism industry and Marine Atlantic Inc. is a significant enabler of tourism growth, noting the importance of collaboration on opportunities to achieve our goal of doubling tourism spending by 2020.

*Potential Speaking Points*

• We are currently undertaking a review of our intraprovincial ferry services to ensure that residents of remote and isolated communities receive the service they need, in a cost-effective manner.

• With respect to the Marine Atlantic ferry service, we look forward to continued communication and collaboration with Marine Atlantic Inc. and the Federal Government to ensure Marine Atlantic continues to operate smoothly to serve the needs of residents of our province as well as tourists to Newfoundland and Labrador.

Agenda item #5 (Issue #5)
• Update of key departmental contacts

Analysis

• Key departmental contacts are as follows:
  o Hon. Al Hawkins, Minister
  o Lori Anne Companion, Deputy Minister
Joe Dunford, ADM of Transportation  
John Baker, ADM of Marine Services  
Cory Grandy, ADM of Works  
Tracy English, ADM of Strategic and Corporate Services

Potential Speaking Points
- Please feel free to contact myself or the key departmental contacts identified today, with any questions or concerns you have with respect to any transportation or infrastructure issues ongoing throughout the province.

Prepared/Approved by: K. Martin/ T. English  
Deputy Minister’s Approval: Received from Lori Anne Companion

January 24, 2017
Meeting Note
Department of Transportation and Works
NAPE
11:30 AM, January 24, 2017
TW Executive Boardroom

Attendees:
- Department of Transportation and Works
  - Hon. Al Hawkins, Minister, Department of Transportation and Works
  - Lori Anne Companion, Deputy Minister, Department of Transportation and Works
  - Joe Dunford, Assistant Deputy Minister, Department of Transportation and Works
  - Jacquelyn Howard, Director of Communications, Department of Transportation and Works

- Human Resource Secretariat (HRS)
  - George Joyce – Assistant Deputy Minister, Labour Relations

- NAPE
  - Jerry Earle, President
  - Bert Blundon, Secretary/Treasury
  - Ed Hogan, Senior Negotiator
  - Wade Thompson, Component Board Member

Purpose of Meeting:
- To discuss issues relating to 24-hour snow clearing and related issues of highway maintenance and operations.

Background:
- In Winter 2008-09, a two year pilot project was initiated to provide extended snow and ice control operations on high-traffic segments of the Trans-Canada Highway (TCH) and major trunk roads (i.e. major high-speed roads that connect communities together – for example, Route 480 – Burgeo Road) five nights per week (Sunday through Thursday nights). The pilot project was in effect from November 30, 2008 to April 3, 2009, and December 6, 2009 to April 2, 2010.

- Approval was received in November 2010 for TW to continue to provide 24-hour snow clearing on an ongoing basis 5 nights per week (Sunday through Thursday nights) on the road segments included in the 24-hour snow clearing pilot project, with any enhancements to the program to be considered as part of the 2011-12 Budget process.

- In January 2011, TW received direction to provide 24-hour winter operations on a permanent basis 5 nights per week (Sunday through Thursday nights) on Veteran’s Memorial Highway (Route 75) and the portion of Route 70 from Route 75 intersection to Carbonair, and on Friday and Saturday nights on the TCH from Logy Bay Road to Foxtrap and Route 2 from New Gower Street in St. John’s to Legion road in Kelligrews.

Analysis:
- 24-hour snow clearing involves depots being crewed for the overnight period, when there would normally be no snow clearing operations (as per TW's winter maintenance policy).
Crew would then be deployed during this overnight period from the first week of December to the last week of March in the event of adverse weather conditions (ice/snow).

- The cost associated with 24-hour snow clearing varies depending on the severity of winter weather conditions; however, based on the past few winters, savings associated with the elimination of 24-hour snow clearing are estimated at approximately $1.9M.

- For areas that did not receive 24-hour snow clearing, as per TW’s winter maintenance policy, plows typically work until approximately 9:30 or 10:00 pm and return to the road at 4:30 or 5:00 am the next morning. In other words, between 9:30/10:00 pm and 4:30/5:00 am (when vehicular traffic is typically very low), crews are generally not in operation, except in emergency situations. If there is a snowstorm during this period, crews are not dispatched as per the policy.

- There has been no change to snow and ice removal in 96 per cent of snow routes throughout the province. On the remaining four per cent of snow routes, there has been no change to daytime service levels. The only change is during the overnight hours, where the Department has moved from having a reduced crew to an approach that is focused on whether forecasts. If whether conditions warrant, snow and ice removal occurs 24 hours a day, seven days a week.

Other Issues Identified by NAPE

- In response to these issues, TW notes that:
  - All supervisors are aware of the maximum 16 hour work period in 24 hours, and that 8 hours of clear rest (i.e. not operating heavy equipment) is required. In addition, individual employees are responsible for monitoring their own hours to ensure that the allowed hours of operating are not exceeded.
  - TW has an approved safe work practice that is implemented when staff are required to work alone. In addition, all supervisors have a cell phone and a two-way radio, and are able to be reached when required. In-Reach devices are also provided to employees operating equipment in areas with dead zones (i.e. no cell phone or radio coverage) to ensure operates are able to stay in contact with their supervisor.
  - Fatigue management training has recently been completed with all snow and ice control staff across the province. All staff were provided with the fatigue management policy and the MOU with SNL.
  - There was no reduction in day time staff with the removal of 24-hour snow clearing. Eligibility lists are currently in place, and the department is in the process of recruiting for additional eligibility list staff. Eligibility lists have been finalized in all regions, with the...
exception of Avalon, whose eligibility list is still in progress.

- Mandatory overtime is mainly dictated by weather or road maintenance requirements. If the forecast calls for weather the next day, staff are scheduled in order to prepare for the impending weather. This allows for no delay in response time as the supervisor does not have to call staff early in the morning and wait for them to arrive. Triggers have been established, based on forecasted weather, to determine when overnight staff are required. At times, staff will be called in during the overnight period or asked to stay back/come in early in order to ensure route coverage.

- Shift schedules are normally established and posted at the start of the winter season. Most depots operate on a rotating morning and evening shift that runs from Monday to Friday with weekends covered off by overtime. Morning shift runs from 4:30/5:00 am to 1:00/1:30 pm, and the evening shift runs from 1:00/1:30 pm to 9:30/10:00 pm, depending on the region. In addition to their regular shift, staff may be called in or asked to stay back (overtime), if whether forecasts or actual whether conditions warrant. If staff are unable to work the overtime, causal lists are in place. The requirement to offer the overtime to TW staff first is mandated by the Collective Agreement.

Potential Speaking Points
- TW will continue to address those areas that were formally covered by the 24-hour snow clearing policy, with the use of an on-call approach when heavy snow and freezing rain events are forecasted.

- TW is committed to providing a level of service that ensures safety for the travelling public.

Prepared By/Approved by: K. Martin/ T. English and J. Dunford
Deputy Minister’s Approval: L. Companion

January 19, 2017
Decision/Direction Note
Department of Transportation and Works

Title: Easement for NL Power - Bell Island

Decision/Direction Required:
• Issue approval to staff to proceed with granting easement rights to NL Power on a parcel of Transportation and Works owned land on Bell Island.

Background and Current Status:
• The Department is currently upgrading the ferry dock on Bell Island. This work will require re-alignment of existing power poles and related infrastructure and installation of underground conduits on Department owned land.
• NL Power is requesting an easement be granted to the company before this work will be undertaken.
• NL Power does not currently have easement rights on any portion of its existing system located on Department land at the Bell Island Ferry Dock, as it was not the normal practice to acquire such easements years ago with these systems were installed.
• NL Power now requires easements on all new installations and the Department does normally grant such easement rights on its building sites, however no easement rights are granted within its road reservations. This location is considered a building site.
• The land in question was expropriated by the Department on the 30th of March 1990 with an expropriation release being obtained 15th of June 1990.

Analysis:
• Granting of the easement to NL Power will enable the company to shift its existing systems and install the necessary equipment to allow the project to continue on schedule. A construction delay will occur if the easement is not granted.
• The Department holds title to the subject land by virtue of the Expropriation Act. The granting of an easement on expropriated land does not require LG inC approval under section 55 of the Act.

Alternatives:
• Not provide an easement to NL Power. This approach is not recommended as it would mean that required work could not be undertaken.

Prepared/Approved by: M. Nolan/A. Mckenna
Deputy Ministers Approval: L. Companion

January 18, 2017
Information Note
Department of Transportation and Works

Title: Visitor Reception Area for Confederation Building – East and West Blocks

Issue: To provide an update on plans for a new Visitor Reception Area for the East and West Blocks of Confederation Building.

Background and Current Status:
- As a part of improved building security protocols, Transportation and Works has implemented a single point of entry for visitors to Confederation Building.

- As a temporary solution, as of October 20, 2016, the North West basement entrance of the East Block (i.e. the old bank entrance) has been the single point of entry for visitors to the East or West Block of Confederation Building, with exceptions made for access to the House of Assembly, and people with disabilities. This entrance was selected as it was the only entrance where there was an existing security desk within a secure vestibule.

Analysis:
- Some shortcomings have been identified with this temporary solution. Specifically, the area lacks sufficient waiting space, is in closer proximity to the East Block than the West Block, and does not provide an inviting environment for the first point of contact for visitors to the building.

Action Being Taken:

Prepared/approved by: K. Martin/C. Grandy/L. Companion
Ministerial Approval: Hon Allan Hawkins

January 9, 2017