COR/2017/05411

November 8, 2017

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File: TW/123/2017)

On October 10, 2017, the Department of Transportation and Works received your request for access to the following records:

ANY CORRESPONDENCE, ANALYSES, REPORTS, BRIEFING NOTES OR DECISION NOTES (IN ANY AND ALL FORMATS, INCLUDING PAPER AND ELECTRONIC) GENERATED IN THE WAKE OF A FATAL ACCIDENT ON THE TRANS-CANADA HIGHWAY NEAR THE FOXTRAP ACCESS ROAD IN SEPTEMBER 2017. DATE RANGE OF REQUEST IS SEPTEMBER 4, 2017 TO THE PRESENT. BACKGROUND OF ACCIDENT IS HERE: cbc.ca/1.4279227

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.

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):

Subsection 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.

Subsection 40(1) – The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

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, Str. 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 (709) 729-5351 or by email at FrankWalsh@gov.nl.ca.

Sincerely,

[Signature]

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.
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.

(2) A disclosure of personal information is not an unreasonable invasion of a third party’s personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person’s health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party’s position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister’s staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including

(i) personal information that is supplied in support of the application for the benefit, or
(ii) personal information that relates to eligibility for income and employment support under the Income and Employment Support Act or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

(i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

(i) it appears with other personal information about the third party, or

(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.
(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party’s personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant’s rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person’s personal privacy.
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).
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Fyi

Foxtrap guiderail is all installed

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Lawrence, Paul <PaulLawrence@gov.nl.ca>
Sent: Wednesday, September 20, 2017 5:08 PM
To: Skanes, Bill
Subject: Foxtrap guide rail

Bill,
All the rail has been installed.
118 meters and 1 new buried end.
Paul.

Sent from my BlackBerry 10 smartphone on the Bell network.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Hi Peter,

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxtrap Access Road Overpass. This work is expected to be completed by tomorrow. We expect the cost of the work to be between $12,000 and $15,000.

An investigation by the RCMP into a recent accident is still ongoing.

As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.

Have a good evening,
Brian

Sent from my BlackBerry 10 smartphone on the Bell network.

OK thanks for the update.

If he's not available for an interview, looking for an explanation of why the department decided to put a guardrail there, was there engineering work etc? How much was it influenced by the petition

Thanks

On Wed, Sep 20, 2017 at 1:38 PM, Scott, Brian <BrianScott@gov.nl.ca> wrote:

  Peter. Minister Crocker is on the road. I'm getting some info for you though. Just wanted to keep you in the loop. Will be in touch soon.

  Sent from my BlackBerry 10 smartphone on the Bell network.

OK. I'll be in touch as soon as I can.
Hi Brian,

It appears crews are out today extending the guardrail where Allison Smith died a couple weeks ago, looking to talk to the minister about extending it.

Also wondering how much it cost, and how many accidents there have been in that area. We know about Smith, and Sheldon Quintron who also died in the same spot a few years ago, wondering how many more there have been in that area.

Obviously looking for this today

Thanks,

-Peter
Hi Rosie, thanks for getting in touch. Some of the info on the guide rail for your story is below.

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxtrap Access Road Overpass. This work is expected to be completed by tomorrow.

An investigation by the RCMP into a recent accident is still ongoing.

As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.

Have a good evening,
Brian

---

Hey Brian,
Do you have any information about the installation of the new guard rail.

Rosie Mulally
News reporter
The Telegram
36 Austin Street
St. John’s, NL
A1B 4C2
Telephone: [redacted]
www.thetelegram.com
Hi Danielle, thanks for your patience on this.

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxttrap Access Road Overpass. This work is expected to be completed by tomorrow.

An investigation by the RCMP into a recent accident is still ongoing.

As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.

Have a good evening,
Brian

Ok thanks!

Sent from my iPhone

On Sep 20, 2017, at 1:09 PM, Scott, Brian <BrianScott@gov.nl.ca> wrote:

Danielle, Minister Crocker is on the road. I am gathering the info for your story. Just wanted to keep you in the loop. I'll be in touch this afternoon.

Sent from my BlackBerry 10 smartphone on the Bell network.

Hi Brian,

I understand there's a new guardrail being installed out near the Foxttrap weigh scales. Normally we wouldn't be interested, but it's in an area where there's been a number of fatal accidents.
Is the Minister in town to discuss? Or perhaps you can advise if the new installation is indeed a directive given because of the accidents.

Appreciate the help.

Thanks!
-Danielle

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Danielle Barron
Video Journalist, NTV News
709-40(1)

dbarron@ntv.ca

Sent from my iPhone

“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.”
Hi Minister, here’s a summary of the now three (NTV, CBC, Telegram) media requests/responses all in one email. Telegram asked for a general update.

All three will receive:

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxtrap Access Road Overpass. This work is expected to be completed by tomorrow.

An investigation by the RCMP into a recent accident is still ongoing.

As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.

CBC will also receive:

We expect the cost of the work to be between $12,000 and $15,000.

Brian Scott
Director of Communications
Transportation and Works
Government of Newfoundland and Labrador

e: brianscott@gov.nl.ca
t: 709.729.3015
www.tw.gov.nl.ca | @TW_GovNL
We'll add “We expect the cost of the work to be between $12,000 and $15,000.” And leave off factors part.

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From: Grandy, Cory
Sent: Wednesday, September 20, 2017 1:06 PM
To: King, Tracy; Scott, Brian; Crocker, Steve
Cc: Worthman, Matthew
Subject: RE: Approval for CBC on Foxtrap

I agree.

---

From: King, Tracy
Sent: Wednesday, September 20, 2017 1:05 PM
To: Scott, Brian <BrianScott@gov.nl.ca>; Grandy, Cory <corygrandy@gov.nl.ca>; Crocker, Steve <SteveCrocker@gov.nl.ca>
Cc: Worthman, Matthew <MatthewWorthman@gov.nl.ca>
Subject: RE: Approval for CBC on Foxtrap

I would take out the reference to additional factors.

Tracy King
Deputy Minister
Transportation and Works
Government of Newfoundland and Labrador
(709)729-3676

“Avoid the worst. Put safety first”
From: Scott, Brian  
Sent: Wednesday, September 20, 2017 1:01 PM  
To: King, Tracy <TracyKing@gov.nl.ca>; Grandy, Cory <corygrandy@gov.nl.ca>; Crocker, Steve <SteveCrocker@gov.nl.ca>  
Cc: Worthman, Matthew <MatthewWorthman@gov.nl.ca>  
Subject: Approval for CBC on Foxtrap

Peter Cowan is asking about the guide rail. We can supply the same comment. He’s asking about cost and other fatalities. There’s no need to bring up old memories, but we can add the following, which I gathered from John Morrissey:

Are we good with this addition below?

“We expect the cost of the work to be between $12,000 and $15,000, depending factors such as the amount of time it takes to complete the work.”

From Peter:  
It appears crews are out today extending the guardrail where Allison Smith died a couple weeks ago, looking to talk to the minister about extending it. Also wondering how much it cost, and how many accidents there have been in that area. We know about Smith, and Sheldon Quinton who also died in the same spot a few years ago, wondering how many more there have been in that area.

From: King, Tracy  
Sent: Wednesday, September 20, 2017 12:43 PM  
To: Grandy, Cory; Scott, Brian; Crocker, Steve  
Cc: Worthman, Matthew  
Subject: RE: Approval for response to NTV on Foxtrap
Me too.

Tracy King
Deputy Minister
Transportation and Works
Government of Newfoundland and Labrador
(709)729-3676

“Avoid the worst. Put safety first”

From: Grandy, Cory
Sent: Wednesday, September 20, 2017 12:04 PM
To: Scott, Brian <BrianScott@gov.nl.ca>; Crocker, Steve <SteveCrocker@gov.nl.ca>; King, Tracy <TracyKing@gov.nl.ca>
Cc: Worthman, Matthew <MatthewWorthman@gov.nl.ca>
Subject: RE: Approval for response to NTV on Foxtrap

Looks good to me

From: Scott, Brian
Sent: Wednesday, September 20, 2017 12:03 PM
To: Crocker, Steve <SteveCrocker@gov.nl.ca>; King, Tracy <TracyKing@gov.nl.ca>; Grandy, Cory <corygrandy@gov.nl.ca>
Cc: Worthman, Matthew <MatthewWorthman@gov.nl.ca>
Subject: Approval for response to NTV on Foxtrap

Approval for response to NTV's Danielle Barron asking about Foxtrap. Minister, this incorporate our chat this morning about investigation ongoing but TW taking steps to increase safety.
Inquiry:
I understand there's a new guardrail being installed out near the Foxtrap weigh scales. Normally we wouldn't be interested, but it's in an area where there's been a number of fatal accidents. Is the Minister in town to discuss? Or perhaps you can advise if the new installation is indeed a directive given because of the accidents.

Suggested Response:

Hi Danielle,

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxtrap Access Road Overpass. This work is expected to be completed by tomorrow.

An investigation by the RCMP into a recent accident is still ongoing.

As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.

Brian Scott  
Director of Communications  
Transportation and Works  
Government of Newfoundland and Labrador  
e: brian.scott@gov.nl.ca  
t: 709.729.3015  
www.tw.gov.nl.ca | @TW_GovNL
Same here. Don’t want to bring up painful memories. Minister said that this morning too.

John, do we know how much this cost to install it? Any idea of other fatalities at that location? CBC asking. Cory, we can add the cost to the statement below. There’s no other fatalities I know of, though I did hear of another accident. Do we have those figures?

Work started today to install 115 metres of guiderail on the Trans-Canada Highway west of the Foxtrap Access Road Overpass. This work is expected to be completed by tomorrow.

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As safety of highways is a priority for the Department of Transportation and Works, the department is installing the additional guiderails to increase highway safety at this location.

While this is an additional safety feature, the department reminds all motorists to drive to conditions, reduce their speed, pay attention, and obey all traffic signs.
It appears crews are out today extending the guardrail where Allison Smith died a couple weeks ago, looking to talk to the minister about extending it.

Also wondering how much it cost, and how many accidents there have been in that area. We know about Smith, and Sheldon Quinton who also died in the same spot a few years ago, wondering how many more there have been in that area.

Obviously looking for this today.

Thanks,

-Peter
KM on Foxtrap below for your review. We’ll use these to respond to media today if we receive calls.

Transportation and Works
Foxtrap guide rails
September 20, 2017

Summary

Guide rails are being added to the Trans-Canada Highway at Foxtrap where the body of Allison Smith, a missing woman was found inside her vehicle earlier this month after she had driven off the road and where a man died at the same location years ago. Possible questions: Are you doing this because of the petition?

Key Messages

- There is work taking place today to have a guide rail installed along the Trans-Canada Highway today at Foxtrap.

- Work started today to install 115 metres of guiderail. Work is expected to be completed by tomorrow.

- Though an investigation by the RCMP into a recent accident is still ongoing, the department is taking measures to increase highway safety at this location.

- This is an additional safety feature but we remind everyone who drives our highways to drive to conditions, reduce your speed, pay attention and be sure to obey all signs.

Secondary

- The department is considering additional measures, such as the installation of chevrons, which alert motorists to an upcoming turn in the highway.

Brian Scott
Director of Communications
Transportation and Works
Government of Newfoundland and Labrador

e: brianscott@gov.nl.ca
t: 709.729.3015
www.tw.gov.nl.ca | @TW_GovNL
Transportation and Works
Foxtrap guide rails
September 20, 2017

Summary
Guide rails are being added to the Trans-Canada Highway at Foxtrap where the body of a missing woman was found inside her vehicle earlier this month after she had apparently driving off the road and where a man died at the same location years ago. Possible questions: Are you doing this because of the petition? Why wasn’t a guide rail installed there before now?

Key Messages

- There is work taking place today to have a guide rail installed along the Trans-Canada Highway today at Foxtrap.

- Work started today to install 115 metres of guiderail. Work is expected to be completed by tomorrow.

- Though an investigation by the RCMP into a recent accident is still ongoing, the department is taking measures to increase highway safety at this location.

- This is an additional safety feature but we remind everyone who drives our highways to drive to conditions, reduce your speed, pay attention and be sure to obey all signs.

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Foxtrap guide rails
September 20, 2017

Summary
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Possible questions: Are you doing this because of the petition?

Key Messages

• There is work taking place today to have a guide rail installed along the Trans-Canada Highway today at Foxtrap.

• Work started today to install 115 metres of guiderail. Work is expected to be completed by tomorrow.

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• This is an additional safety feature but we remind everyone who drives our highways to drive to conditions, reduce your speed, pay attention and be sure to obey all signs.

Secondary

• The department is considering additional measures, such as the installation of chevrons, which alert motorists to an upcoming turn in the highway.
Thanks.

Sent from my BlackBerry 10 smartphone.

From: Morrissey, John  
Sent: Wednesday, September 20, 2017 10:03 AM  
To: Dunford, Joe  
Subject: Fw: Foxtrap guiderail

Fyi

From: Skanes, Bill  
Sent: Wednesday, September 20, 2017 10:00 AM  
To: Morrissey, John  
Subject: FW: Foxtrap guiderail

FYI

From: Lawrence, Paul  
Sent: Wednesday, September 20, 2017 7:48 AM  
To: Skanes, Bill  
Subject: Foxtrap guiderail

Fyi.
Farrells has started this rail this morning.

Sent from my BlackBerry 10 smartphone on the Bell network.
From: Skanes, Bill
To: Scott, Brian; Morrissey, John
Cc: Lawrence, Paul
Subject: RE: Foxtrap guiderail
Date: Wednesday, September 20, 2017 10:22:05 AM

Today ... tomorrow at the very latest

Paul, has Farrells indicated this will take longer?

From: Scott, Brian
Sent: Wednesday, September 20, 2017 10:21 AM
To: Skanes, Bill; Morrissey, John
Cc: Lawrence, Paul
Subject: RE: Foxtrap guiderail

Thanks Bill. Started today. Expected to finish when?

From: Skanes, Bill
Sent: Wednesday, September 20, 2017 10:20 AM
To: Scott, Brian; Morrissey, John
Cc: Lawrence, Paul
Subject: RE: Foxtrap guiderail

Brian

They will be installing approximately 115m of guiderail. They will be extending the guiderail back to where the ditch line begins.

See attached Google Earth images

Bill

From: Scott, Brian
Sent: Wednesday, September 20, 2017 10:09 AM
To: Morrissey, John
Cc: Skanes, Bill
Subject: RE: Foxtrap guiderail
Importance: High

Bill, how long is the guide rail they’re installing? Minister will be doing interviews on this and we’ll have to make that happen this afternoon.

From: Morrissey, John
Sent: Wednesday, September 20, 2017 10:01 AM
To: Scott, Brian
Subject: FW: Foxtrap guiderail
From: Skanes, Bill
Sent: Wednesday, September 20, 2017 10:01 AM
To: Morrissey, John <morrisevl@gov.nl.ca>
Subject: FW: Foxtrap guiderail

FYI

From: Lawrence, Paul
Sent: Wednesday, September 20, 2017 7:48 AM
To: Skanes, Bill
Subject: Foxtrap guiderail

Fyi.
Farrells has started this rail this morning.

Sent from my BlackBerry 10 smartphone on the Bell network.
Thanks Bill. Started today. Expected to finish when?

Brian

They will be installing approximately 115m of guiderail. They will be extending the guiderail back to where the ditch line begins.

See attached Google Earth images

Bill

Bill, how long is the guide rail they’re installing? Minister will be doing interviews on this and we’ll have to make that happen this afternoon.

FYI

From: Skanes, Bill
Sent: Wednesday, September 20, 2017 10:01 AM
To: Morrissey, John
Subject: FW: Foxtrap guiderail
Fyi.

Farrells has started this rail this morning.

Sent from my BlackBerry 10 smartphone on the Bell network.
Brian

They will be installing approximately 115m of guiderail. They will be extending the guiderail back to where the ditch line begins.

See attached Google Earth images

Bill

From: Scott, Brian
Sent: Wednesday, September 20, 2017 10:09 AM
To: Morrissey, John
Cc: Skanes, Bill
Subject: RE: Foxtrap guiderail
Importance: High

Bill, how long is the guide rail they’re installing? Minister will be doing interviews on this and we’ll have to make that happen this afternoon.

From: Morrissey, John
Sent: Wednesday, September 20, 2017 10:01 AM
To: Scott, Brian
Subject: FW: Foxtrap guiderail

From: Skanes, Bill
Sent: Wednesday, September 20, 2017 10:01 AM
To: Morrissey, John <morrisseyj@gov.nl.ca>
Subject: FW: Foxtrap guiderail

FYI

From: Lawrence, Paul
Sent: Wednesday, September 20, 2017 7:48 AM
To: Skanes, Bill
Subject: Foxtrap guiderail

Fyi.
Farrells has started this rail this morning.

Sent from my BlackBerry 10 smartphone on the Bell network.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
John Morrissey just informed me the contractor started the Fox trap guide rail installation today. I’ve got messages prepared and will finalize a couple details. If we want to get this out to the media, we can arrange that today. I’ll drop by to discuss shortly.

Brian Scott
Director of Communications
Transportation and Works
Government of Newfoundland and Labrador

e: brianscott@gov.nl.ca
t: 709.729.3015
www.tw.gov.nl.ca | @TW_GovNL
Thanks. This is good news. NTV asked for an update on this when they interviewed Minister a week or two ago. If he's comfortable doing it again, we can set up an interview to do that Thursday. I've got some notes prepared. We can check with him tomorrow. We can tweet this a few times once he's done the interview and tweet it throughout the weekend. Would be nice to have a pic or two to go along with them.

FYI, Farrels will be extending the guiderail on the TCH this week on Thursday.

Sent from my BlackBerry 10 smartphone on the Bell network.

Farrell's will be installing 115 m of guiderail in this area on Thursday

Sent from my BlackBerry 10 smartphone on the Bell network.

Has Farrels gotten back to us?

Sent from my BlackBerry 10 smartphone on the Bell network.

Farrell agreed to look at it and get back to me ... I called him earlier and it was busy

From: Dunford, Joe
Sent: Friday, September 15, 2017 11:45 AM
To: Morrissey, John
Cc: Skanes, Bill; Morris, Christian; Grandy, Cory
Subject: Re: Extending the guide rail on WBL curve past the Foxtrap Overpass

Have we had a response here?

Sent from my iPad

On Sep 13, 2017, at 8:39 PM, Morrissey, John <morrisseyj@gov.nl.ca> wrote:

Bill:

There is guide rail in Farrell's Excavating Contract for Manuel's Bridge and Team Gushue Highway paving project 26-17PHP @ $100/m. Could you see if they are interested in expediently extending the guide rail on this WBL curve past the Foxtrap Overpass as indicated below? If they are not interested an emergency invite tender could be called to complete the work as identified. Thanks.

From: Morrissey, John
Sent: Monday, September 11, 2017 8:20 AM
To: 'Dunford, Joe' <JoeDunford@gov.nl.ca>; Skanes, Bill <skanesb@gov.nl.ca>
Cc: Morris, Christian <ChristianMorris@gov.nl.ca>; Grandy, Cory <corygrandy@gov.nl.ca>
Subject: RE: VOCM - Interview Transportation Minister

There was only one tender for shoulder rumble strips in NL to treat areas upgraded and paved in the last cost shared Strategic Highway Improvement Program (SHIP). In answer to your questions:
1. Yes
2. A transverse rumble strip is a lateral pattern of grooves or raised pavement material that vertically deflects the wheels of a vehicle driving over them thereby producing both noise and vibration...... Read Section 2.0 Background of the TAC Guide on TRS for further detail. There are no transverse rumble strips in NL. A tender including TRS was called on the Baie Verte Peninsula a number of years ago but wasn’t installed by the Contractor.

From: Dunford, Joe
Sent: Monday, September 11, 2017 7:15 AM
To: Morrissey, John <morrisseyj@gov.nl.ca>; Skanes, Bill <skanesb@gov.nl.ca>
Cc: Morris, Christian <ChristianMorris@gov.nl.ca>; Grandy, Cory <corygrandy@gov.nl.ca>
Subject: Re: VOCM - Interview Transportation Minister

john,

you are a wealth of information. i am surprised this area does not have rumble strips. a couple questions...
1. can the rumble strips be used in combination with the chevrons?

2. what is a transverse rumble strip? do we have them elsewhere is NL?

joe

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Morrissey, John  
Sent: Sunday, September 10, 2017 10:35 PM  
To: Dunford, Joe; Skanes, Bill 
Cc: Morris, Christian; Grandy, Cory  
Subject: RE: VOCM - Interview Transportation Minister

Joe:

The curve appears to have a sufficient radius for the posted speed. (See attached plan profile with curve information)

The curve would not qualify for posting of a curve warning sign such as WA-3 or WA-2 with an advisory speed tab.

Based upon the recommendations of The Canadian Guide to In-service Road Safety Reviews (CGISR) there are a number of “Countermeasures” which could be used with various levels of effectiveness as outlined in Chapter 6 as follows:

1. Provide Rigid Median and Roadside Barriers – This countermeasure will effectively reduce 40% of fatal crashes and 20% of injury crashes but unfortunately will cause an increase of 30% in overall crash frequency. This is in line with TAC’s GDG Guidance which states in the Updated Guide Section # 7.6.1.2 (Old Guide Section 3.1.6.1) “the severity of collisions generally decreases, but with added installations the frequency of minor collisions may also increase. For this reason, where cost effective, the designer should make every effort to design without traffic barriers. This can be done , where possible by clearing the roadside of obstacles, flattening embankment slopes ......” So as a result of installing a barrier increased deflection collisions would be expected. Have experienced this personally. (See attached photo of results of the deflection accident which still resulted in 1 fatality and 2 serious injuries) While there is guide rail existing on the opposing EBL section of the TCH divided highway in this vicinity the fore slope could cause a launching incident.
If guide rail was extended to the beginning of the curve to protect
all curved area from run off the road accidents the approximate hazard length
(Lh) needed would be 200 meters. If calculated “length of need” (La + Lh) was
installed with approach length prior to the curve it would add another 76
meters to the required total length. (See attached calculation) This would start
the guide rail in a road cut which may be overprotection and could increase
collision rates even further. This may be a field call to protect shoulder run off
the road incidents before the curve beginning.

2. Even with a guide rail barrier it is likely some accidents will still occur with a
breakthrough of the guidrail or a launch over the guide rail. CGIRSR notes
countermeasure of Widening the Clear Zone is 35% to 55% effective for all
crashes, Up to 60% of fatal crashes and 60% to 80% of off-road, fixed object

3. CGIRSR notes countermeasure of Provide Delineation is 5% to 35% effective
for all collisions, and 30% to 40% of off-road collisions. Attached MUTCD Figure
A3-4 could be used with 5 chevrons spaced along the shoulder of the curve 77
meters apart (possibly attached to the guide rail. This countermeasure is
currently in place at the bottom of the hill past Holyrood on the TCH west
bound lane near the St. John’s Rod and Gun Club.

4. CGIRSR notes countermeasure of Reduce Side Slope is 10% to 15% effective
for all crashes.

5. It appears from the Google Streetview picture of the general accident location
attached there is no shoulder rumble strip present at this location to wake up
drowsy drivers. CGIRSR notes this countermeasure is 35% to 60% effective for
off-road crashes. (Alberta considers this the top safety improvement it can
make as an addition to road infrastructure)

6. Another device to wake up sleepy drivers is a Transverse Ruble Strip. TAC’s
publication on “Best Practice Guidelines for the Design and Application of
Transverse Ruble Strips” recommends at least two sets of Transverse Ruble Strips
in advance of the Approach Condition the TRS is fore warning drivers. At
an assumed operating speed of 110 km/h two sets of TRS of length 16 meters
each separated by 28 meters of space would forewarn drivers of the
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Cc: Morris, Christian <ChristianMorris@gov.nl.ca>
Subject: Re: VOCM - Interview Transportation Minister

good point. however our messaging has been clear in that this is additional safety
measure.

what is our best option here? for improvements?

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From: Skanes, Bill
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Subject: Re: VOCM - Interview Transportation Minister

Are we accepting liability if we do something here?

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To: Morrissey, John
Cc: Skanes, Bill; Morris, Christian
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Cc: King, Tracy; Dunford, Joe; Scott, Brian; Worthman, Matthew
Subject: Re: VOCM - Interview Transportation Minister

I would most certainly agree.

Sent from my iPhone

On Sep 9, 2017, at 2:19 PM, Howard, Jacquelyn <jacquelynhoward@gov.nl.ca> wrote:

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From: Meech Kean
Sent: Saturday, September 9, 2017 12:24 PM
To: Howard, Jacquelyn
Subject: VOCM - Interview Transportation Minister

Hi Jaquelyn,

Are you able to put me in contact with the Transportation Minister today to speak about possibly extending the guard rail in area where Allison Smith died?

Regards,
Meech Kean
VOCM News
Fyi

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From: Lawrence, Paul <PaulLawrence@gov.nl.ca>
Sent: Tuesday, September 19, 2017 1:02 PM
To: Skanes, Bill
Subject: Foxtrap/tch guiderail

Not started yet, probably on Thursday.

Sent from my BlackBerry 10 smartphone on the Bell network.
Janine

It will take 115m of guiderail and 1 buried end to complete the work.

Bill

---

From: Janine Walsh [mailto:jwalsh@farrells.ca]  
Sent: Monday, September 18, 2017 12:04 PM  
To: Skanes, Bill  
Subject: 

Hi Bill,

As per your discussion with Bill this morning, can you provide me with the stations (start/end) to confirm the length of the guide rail to be installed east of Foxtrap Scaes/West of Foxtrap Turn-off

Janine Walsh, P.Tech, GSI  
General Manager

P: (709) 745-5904  
C: (709) 745-3222  
F: (709) 745-3222

Farrell's Excavating Ltd.
P.O. Box 909  
Mount Pearl | NL | Canada | A1N 3C8

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**Sent:** Saturday, September 9, 2017 3:14 PM  
**To:** Crocker, Steve; Howard, Jacquelyn  
**Cc:** Dunford, Joe; Scott, Brian; Worthman, Matthew  
**Subject:** Re: VOCM - Interview Transportation Minister

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Date 2017-09-07

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Aircraft 407, EP1, YXU, UHL

Dept EMO
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AFA NBR 72, 875
Date Required 2017-09-07

Phone 486-2025

Requirements YT - C23 - YT

Remarks Contact # [REDACTED] Justin Seo
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