

Request for Proposals
for
Allocation of Crown Land for Private Park
Former Trinity Loop
Amusement Park

Response to the Request for Proposals must be received at:

Department of Fisheries, Forestry and Agriculture
Land Management Division
192 Wheelers Road
P.O. Box 2006
Corner Brook, NL
A2H 6J8
Telephone (709) 637-2081
Email: LMDproposals@gov.nl.ca

Deadline for Proposals: No closing date.
Advertised until a successful candidate has been identified.

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Introduction

The Department of Fisheries, Forestry and Agriculture is inviting persons who may be interested in developing the former Trinity Loop Amusement Park site in Trinity, NL to submit a proposal. Only proposals for tourism-related establishments such as RV parks, resorts, campgrounds, cottage rentals or development of tourist attractions shall be accepted. The successful proponent will be able to purchase the 10-hectare site for \$55,000.00 and receive title to the land in the form of a Crown lands grant.

Proposal Guidelines

1. Submission of Proposals

Proponents are required to submit proposals by email at LMDproposals@gov.nl.ca or by mail to the address below, in a sealed envelope(s). Please include the subject line: Former Trinity Loop Amusement Park.

Former Trinity Loop Amusement Park Proposal
Department of Fisheries, Forestry and Agriculture
Land Management Division
192 Wheelers Road
P.O. Box 2006
Corner Brook, NL
A2H 6J8

2. Proposal Preparation

Proponents shall follow the procedures required by the Request for Proposals (RFP). All conditions and provisions of the RFP are assumed to be accepted by the proponent and incorporated by reference in the response, except such conditions and provisions which are expressly excluded. The proposal must include the original signature of the proponent.

Persons interested in responding to the RFP should visit the site prior to submitting a proposal to determine if the land is suitable for the intended use.

Inquiries and requests for clarification will be accepted. Inquiries regarding RFP status will not be addressed. For more information please contact the Land Management Division at 637-2081 or by Email: LMDproposals@gov.nl.ca.

3. Proposal Format

The proposal shall include the following:

1. Proposal Cover Page
 - Legal name of business.
 - Name of document ("Business Opportunity Proposal").
 - Date of preparation or modification of the proposal.
 - Name, address and telephone number of the proponent.
 - Name, address and telephone number of the individual or business that prepared the proposal.
2. Table of Contents
3. Executive Summary
4. The Business Plan
 - A. The Business
 - Description
 - Ownership/Management (expertise, duties, responsibilities)
 - B. The Opportunity
 - The Product or Service
 - The Market
 - Competition
 - Promotion/Sales (i.e. Marketing Strategy)
 - C. The Product
 - Detailed Development Plan must include a description of:
 - How the land shall be used.
 - On-site services to be provided.
 - Development Plan must be a professionally prepared document submitted by or for the proponent that includes but is not limited to:
 - A Site Plan depicting the manner in which the land is to be utilized showing the placement of proposed structures in relation to existing development.
 - The general layout of the site, including access points and any roads to be built or upgraded.
 - Costs and expenditures, including capital, operating and maintenance costs, and revenue generation.
 - Detailed schedule for development.

- D. Financial Data
- Required Investment source

The Department is not obligated to evaluate a poorly prepared proposal. Such proposals cause significant disruptions to the evaluation process and will be deemed incomplete and may be disqualified if:

- instructions are not adhered to,
- it does not contain sufficient detail,
- it does not contain all the information required to attribute a score,
- criteria are not clearly addressed in the format required,
- diagrams and page numbers are absent, or
- there are frequent redirections.

IMPORTANT NOTE:

With this RFP Package the Department has endeavored to provide as much information as possible to enable proponents to prepare a reasonable response. The onus is on the proponent to review all material and to submit questions for greater clarity. Where there are uncertainties, proponents should submit questions rather than make assumptions.

4. Valuation

The Market Value of this property has been calculated at approximately \$55,000.00 plus HST. Final grant valuation will be contingent on the total area of the legal land survey. The successful proponent will also be responsible for the attainment and remuneration of the land survey prior to title being issued, and any administrative fees required.

5. Facilities and Equipment

At the request of the Department, in conjunction with the Department of Transportation and Infrastructure, a Structural Inspection Report was completed by Tiller Engineering Incorporated on January 19, 2021. An additional Structural Inspection Report was completed by Jewer Bailey Consultants on July 21, 2022, which included the addition of the loop portion of the property.

The following Facilities were inspected:

- Wood-frame structure near concession/restaurant area adjacent to dinning car,
- Wood Frame Station building,

- Eleven wood-frame cabins,
- A pump-house near the cabin area,
- A concession/change room building; in the middle of a brook due to past storm washout,
- A concession structure near the barn site,
- The steel trestle bridge which spans a former train track underpass below,
- A collapsed Ferris wheel and various playground equipment facility,
- Various train-cars – a dining car, two boxcars and a yellow engine that was likely used for track repair.

The Structural Report States that three of the above mentioned structures could be salvaged and restored.

1. The station building: Fair condition, substantial foundation repairs needed.
2. The steel trestle bridge: Will require work to the foundation and could be salvaged and restored.
3. Selected pieces of the original train equipment.

All other structures and facilities are in extremely poor condition and are in various stages of collapse and disrepair.

The Structural Inspection Reports are available upon request from the Land Management Division (LMD) for information purposes only and all proponents are strongly encouraged to thoroughly review the reports. **Please note, the Plymouth Switcher (yellow engine) mentioned in the report has been removed and will not be part of purchase.**

The Department does not intend to investigate these matters any further or complete any remediation and is selling the property on an “as is where is” basis.

6. Environmental Site Assessment

At the request of the Department, GHD Limited completed a Phase I Environmental Site Assessment for this property on February 10, 2015. Furthermore, GHD Limited completed a secondary review on March 31, 2021 as a follow up on the original assessment. These reports are available upon request, for information purposes only, and all proponents are strongly encouraged to thoroughly review the reports. The Department does not intend to investigate these matters any further or complete any remediation and is selling the property on an “as is where is” basis. Once a conveyance to the successful proponent is completed, the Department will have no further liability for any structural or environmental issues. It is the responsibility of the successful

proponent to consult with the respective departments to ensure all recommended assessments / remediation work are completed, with the proponent assuming all associated costs.

7. Proposal Requirements and Conditions

1. Proposals will be evaluated by a Selection Committee.
2. Proposals that involve subdividing or subletting the former amusement park land shall not be accepted.
3. Only proposals for high-quality tourism-related establishments, such as RV parks, resorts, campgrounds, cottage rentals, or new tourist attractions, that are aligned with provincial tourism priorities for market-ready experiences and overall quality, will be considered.
4. The road leading to the Former Trinity Loop Amusement Park is owned by the Town of Trinity.
5. The Former Trinity Loop Amusement Park is located within the municipal boundary of the Town of Trinity and approval from the Town will be required for any further development of the site as per the Department of Municipal and Provincial Affairs – Local Governance and Land Use Planning Division Advisory.
6. The Former Trinity Loop Amusement Park is located within the municipal boundary of the Town of Trinity however, no services are provided for the area (no snow clearing, fire protection, garbage collection etc). Applicants should consult with the town to inquire if these services can be provided.
7. As a condition of purchase, the proponent is to accept full responsibility for fire protection, garbage collection, road maintenance, and snow clearing.
8. As a condition of purchase, the proponent is to accept full responsibility for managing the site in accordance with the Department of Environment and Climate Change's *Guidance Document for the Management of Impacted Sites in Newfoundland and Labrador* prior to re-development and occupancy ([Impacted Sites Management - Environment and Climate Change \(gov.nl.ca\)](https://www.gov.nl.ca/gov/impacted-sites-management-environment-and-climate-change/)).

No Guarantees of Suitability

The site is being offered on an “as is where is” basis. The Province does not offer any guarantees or warranties that the site is suitable for the purpose intended by any proponent or any purpose. Proponents are strongly encouraged to visit the site and to satisfy themselves as to its suitability for the intended purpose.

Proponents are also strongly encouraged to carefully review the two Structural Inspection Reports completed on behalf of the Province [January 19, 2021 and

July 21, 2022] and the Phase 1 Environmental Site Assessment and the follow-up to that Assessment [February 10, 2015 and March 31, 2021] so that they are fully aware of the current state of the site.

8. Acceptance/Rejection of Proposals

The Department of Fisheries Forestry and Agriculture (FFA) reserves the right to accept or reject any or all proposals. All proposals received will be retained by the Department and all costs incurred in the preparation and delivery of the proposals shall be borne solely by the proponent. Submission of a proposal and its subsequent receipt does not represent a commitment on the part of the Department to proceed further in negotiating with the proponent. The Department reserves to itself the unfettered right to reject at any time any or all responses to this RFP and is not bound to accept the highest ranking or any proposal. The Department may elect to cancel this RFP at any time with or without cause and no liability shall accrue to the Department as a result of the exercise of its discretion in this regard.

9. Withdrawal of Proposal

Proposals may be withdrawn by written notice only.

10. Evaluation of Proposals

Evaluation criteria will consider such factors as: the completeness and quality of the Business/Operational Plan including a marketing strategy, suitability of the proposal for the area in question, and qualifications of the proponent. Each proposal must contain complete information as requested in the RFP. Failure to comply with any part of the RFP may result in the rejection of the proposal. The Department may seek additional information from proponents during the evaluation process. Please see attached RFP evaluation form in Annex 6.

11. Notification

Proponents will be notified in writing when a decision on the RFP has been made. No information will be released between the time of the proposal opening and the time a decision is made.

12. Access to Information and Protection of Privacy Act, 2015

Documents and other records in the custody of or under the control of the Department or its representatives are subject to the Access to Information and Protection of Privacy Act, 2015.

Proponents should be aware that any business information provided as part of the proposal must meet all parts of the 3-part harms test for non-disclosure as stated in Section 39 of the ATIPPA for that information to be exempt from disclosure in the event of an ATIPP request to the Government of Newfoundland and Labrador. Section 39 of the Act is a mandatory exception to disclosure that requires redaction of any information meeting its 3-part harms test for disclosure deemed harmful to the business interests of a third party. However, in order to sever information under Section 39, all 3 parts of the harms test must be met. Proponents are encouraged to review this and other related sections of the ATIPPA when submitting proposals. In particular, proponents are required to advise the Department of any information in the proposal that may qualify for an exemption from disclosure under Section 39.1 of ATIPPA, 2015 (<https://www.assembly.nl.ca/legislation/sr/statutes/a01-2.htm>).

For more information you may also contact the ATIPP Office by phone at (709)729-7072 or (877)895-8891, or by email at atippoffice@gov.nl.ca.

Registration Under Corporations Act

If the proponent is an extra-provincial corporation, the proponent shall be licensed to conduct business in its own jurisdiction and shall be registered in the Province of Newfoundland and Labrador in accordance with the Corporations Act. Proof of Registration will be required upon approval of proposal.

Laws of Newfoundland and any agreement resulting from this RFP shall be governed by the laws of the Province of Newfoundland and Labrador.

Legislative and Regulatory Requirements

The Department of Fisheries, Forestry and Agriculture has asked other Government departments and branches for input on use of the lands for tourism-related activities and the following represents the requirements of those Government departments and branches:

Department of Fisheries, Forestry and Agriculture - Crown Lands Division

1. Proposals that involve subdividing or subletting the former amusement park land shall not be accepted.
2. The successful bidder will be required to submit a completed Crown Lands application, with proof of application fee payment in accordance with current Crown Lands application processing guidelines. The application, payment information and guidelines to complete the application can be found at:

[Apply for Crown Lands - Fisheries, Forestry and Agriculture \(gov.nl.ca\)](http://gov.nl.ca)

3. The approximate total area for the former Trinity Loop is ten (10) hectares.
4. As per Section 4 of the *Lands Act*, the grant consideration has been set at market value calculated to be \$55,000.00 plus HST for the purpose indicated in the proposal requirements and conditions section and subject to the conditions that the Minister may set ([SNL1991 CHAPTER 36 - LANDS ACT \(assembly.nl.ca\)](#)).
5. An updated survey, prepared by a licensed Newfoundland and Labrador land surveyor, will be required for the Crown lands grant and will be the sole responsibility of the successful proponent.
6. Proponents may be required to install or upgrade septic systems. These plans and specifications must be prepared by an approved septic system designer and site evaluation to be submitted to Department of Digital Government and Service NL for approval.
7. The proposal may be subject to a registration of an Environmental Assessment.
8. Grants will be use specific. The Grant will contain provisions requiring the title holder to develop and maintain the land and structures in accordance with the Business Plan contained in the proposal.
9. All Grants shall be subject to the condition that a public reservation (minimum 15 metres) be maintained around and adjacent to all water bodies including lakes, ponds, seashores, foreshore and rivers as per Section 7 of the Lands Act.
10. Any company applying is required to be incorporated and in Good Standing with the Registry of Companies under DGSNL.

11. For further information please contact the Crown Lands Inquiry Line at 1-833 - 891-3249 or Email crownlandsinfo@gov.nl.ca.

Department of Tourism, Culture, Arts and Recreation – Tourism Division

1. Proposals must adhere to the Tourist Accommodations Act regulations, which applies to any new accommodation development that may be licensed by the Department of Tourism, Culture, Arts and Recreation or its agencies. For details, refer to Annex 2 for the Tourist Accommodations Act regulations. For further information, contact Sarah Rozee at 709-729-2835 or email: SarahRozee@gov.nl.ca.
2. Tourism Product Development:
 - A. Proposals should align with Vision 2026 (<https://www.gov.nl.ca/tcar/tourism-division/vision-2026/>), the tourism vision and strategy for Newfoundland and Labrador, which focuses on enhancing the quality of tourism experiences. This includes addressing accommodation and attraction gaps, especially in areas with existing clusters of attractions and demonstrated visitor demand. The aim is to elevate the overall visitor experience and increase regional tourism demand.
 - B. Vision 2026 aims to leverage the province's tourism brand to deliver a compelling experience throughout the entire visitor journey. The goal is to create authentic, engaging experiences from the first point of contact through the entire stay, ensuring visitors feel welcomed and valued. Proposals should highlight the region's creativity and cultural diversity, cater to high-value travelers, and contribute to both economic growth and the well-being of locals.
 - C. Market Readiness Guidelines have been developed to guide strategic investments and align efforts with Vision 2026, ensuring exceptional visitor experiences and a thriving, sustainable tourism industry. For more information, visit Tourism Product Development Guidelines (<https://www.gov.nl.ca/tcar/tourism-product-development2/>), which include:
 - General Tourism Market Readiness Guidelines
 - Food Tourism Market Readiness Guidelines
 - Sense of Arrival Market Readiness Guidelines
 - Destination Trails Market Readiness Guidelines

Successful proponents may engage with John Angelopoulos, Director of Tourism Product Development: johnangelopoulos@gov.nl.ca, 709-729-4518.

Department of Tourism, Culture, Arts and Recreation - Arts and Heritage Division

The heritage designation is confined to the linear footprint of the track, and covers all original features which relate to the age, engineering and construction of the rail loop including: bed of the original narrow gauge (42") track; spiral construction and rise in elevation of the loop; and location and dimensions of track line.

If you have any questions, please contact Colleen Soulliere, Director of Arts and Heritage: 729-7397.

Department of Environment and Climate Change – Environmental Assessment Division

This application was referred to the Environmental Assessment Division and it has been determined that registration is NOT required under Section 47 of the Environmental Protection Act, SNL 2002, cE-14.2 ([SNL2002 CHAPTER E-14.2 - ENVIRONMENTAL PROTECTION ACT \(assembly.nl.ca\)](http://assembly.nl.ca/SNL2002%20CHAPTER%20E-14.2%20-%20ENVIRONMENTAL%20PROTECTION%20ACT)).

Please be aware that this Department must be notified of any significant changes to the undertaking. All proponents are required to comply with all relevant legislation including permits and approvals from this Department and any other municipal, provincial or federal regulatory authorities.

Please note that some future projects proposed for this location may require registration for environmental assessment. Applicants are advised to consult the Environmental Assessment Regulations for registration requirements ([Environmental Assessment - Environment and Climate Change \(gov.nl.ca\)](http://gov.nl.ca/EnvironmentandClimateChange)).

If you have any questions regarding this matter please contact Brenda Rowe, Environmental Scientist at (709) 729-2553 or browe@gov.nl.ca.

Department of Environment and Climate Change – Water Resources Management Division

Under the authority of the Water Resources Act, SNL2002 cW-4.01 (<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>), the Water Resources Management Division (WRMD) (<http://www.mae.gov.nl.ca/waterres/>) is responsible for

the management of water resources of the province of Newfoundland and Labrador. The WRMD has programs to protect, enhance, conserve, develop, control, and effectively utilize the water resources of the province. Application forms for permits and licenses, fee schedules, and guidelines are available at: <https://www.gov.nl.ca/ecc/waterres/regulations/appforms/>.

Conditions

Any work in or within 15 metres of Bodies of Water the proponent must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48 (<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>) for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of the work. The application forms and requirements for when a Section 48 permit are required can be found here <https://www.gov.nl.ca/ecc/waterres/regulations/appforms/>.

Any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations*, 2003 (<http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>).

Non-Domestic Water Use for Any Purpose

Prior to the start of construction, the proponent must apply for and obtain a water use licence under the Water Resources Act, 2002 (<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>) for the use of water from any water source for any purpose. This must be stated for all non-domestic uses with an existing, new or planned water use from any water source.

Development in Shore Water Zones

The proponent must apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48 (<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>) for any work in Shore Water Zones prior to the start of construction. Also, any work in the Shore Water Zones (Government of Newfoundland and Labrador Department of Environment and Climate Change Water Resources Management Division PO Box 8700, St. John's NL A1B4J6) (<https://www.mae.gov.nl.ca/waterres/>) must comply with this Departments Policy for Development in Shore Water Zones: <https://www.gov.nl.ca/ecc/waterres/regulations/policies/shore-water/>.

Contact: Manager, Water Rights, Investigations and Modelling Section - (709) 729-2295, waterinvestigations@gov.nl.ca.

Contact: Manager, Drinking Water & Wastewater Section - (709) 729-4048.

Department of Environment and Climate Change (ECC) – Pollution Prevention Division

The documents provided regarding potential divestiture of the former Trinity Loop Amusement Park property have been reviewed. As noted in the Phase I ESA reports from both 2015 and 2022, there have been petroleum hydrocarbon (PHC) and polycyclic aromatic hydrocarbons (PAH) impacts identified on site that require additional investigation and potential remediation, as well as potential for metals impacts that have not yet been investigated. ECC advises that the site should be managed in accordance with ECC's Guidance Document for the Management of Impacted Sites in Newfoundland and Labrador prior to re-development and occupancy. **ECC understands that FFA will require, as a condition of purchase, that the proponent accept full responsibility for managing impacts on the site in accordance with the ECC's Guidance Document for the Management of Impacted Sites in Newfoundland and Labrador, including following any future associated government directives that may be issued by ECC or Digital Government and Service NL. With this consideration, ECC advises that either the purchaser or seller should notify ECC when there is a change in property ownership, so that a directive for further assessment and possible remediation can be issued to the purchaser as appropriate. A copy of the guidance document referenced is attached as Annex 5 for your consideration.**

Department of Municipal and Provincial Affairs – Local Governance and Land Use Planning Division

Municipal and Provincial Affairs, Local Governance and Land Use Planning assesses the subject referral based on the Town of Trinity Municipal Plan and Development.

Regulations which apply to land within the Trinity municipal planning area. The subject site is within the Town of Trinity municipal boundary ([CNLR 465/96 – Town of Trinity- Order under the Municipalities Act \(assembly.nl.ca\)](#)) and planning area ([CNLR 940/96 – Trinity, Trinity Bay Municipal Planning Area under the Planning Act](#)).

The Town of Trinity Municipal Plan and Development Regulations came into effect on October 12, 2012. According to the Trinity Future Land Use Map, the subject site is located in the rural land use designation. The Municipal Plan, 2012, section 5.5 provides the Plan policy for the rural land use designation. Objectives are laid out regarding the

rural designation in section 5.5.1 where one objective specifies ([Land Use Planning Registry for the Town of Trinity, Trinity Bay - Municipal and Provincial Affairs \(gov.nl.ca\)](#)).

5.5.1 Rural Land Use Objective

- To provide for future redevelopment of the Trinity Loop Heritage Railway.

Section 5.5.2 establishes the **rural land use policies**. Policy RU-1 allows for tourism related developments and policy RU-2 speaks to Councils intention to redevelop the Trinity Loop area into a commercial tourism attraction, or as a private residential development that could include a mix of residential and commercial uses.

Policy RU-1 – Rural Uses

Within the Rural land use designation, rural resource uses such as agriculture, forestry, conservation and recreation uses such as parks and trails will be permitted. Recreational uses associated with the tourism industry such as Tourism trailer parks may also be considered.....

Policy RU-2 – Development Potential in the Trinity Loop area

It shall be the policy of Council to encourage redevelopment of the Trinity Loop Property for re-use as a commercial tourism attraction, or as a private residential development that could include a mix of residential and commercial uses. Proposals for redevelopment will be required to integrate, retain and preserve the Trinity Loop historic structure into the site development plan, provide for public park areas and ensure public access to the Trinity Loop, from within the development and the continuation of the railway right of way off the site. Development will also be required to provide an adequate water system capable of providing a sustainable supply of potable water for proposed uses, as well as an appropriate wastewater management system designed so as not to result in future demands on the municipality for piped servicing to the site. In considering development proposals for the site, Council shall also consider necessary upgrading of the public road to the site and may require as part of the conditions of approval, that the street be upgraded at the developer's expense, to acceptable standards.

The Trinity Development Regulations, 2012, section 9.9 – the Rural Use Zone table, allows for Tourism Trailer Parks (example: RV Parks) and Commercial Residential (example: rental cottages) on a discretionary basis. Section 3.12 of the Development Regulations require that Public Notice be advertised for a minimum period of 14 days when considering development listed as a Discretionary Use.

3.12 Public Notice

1. The Council shall provide public notice for a period of not less than:

(b) 14 days - when considering development which is listed as a Discretionary use in Section 9 of these Regulations;

Development Regulations section 9.9.3 establishes design criteria for the redevelopment of the Trinity Loop site.

9.9.3 Development of Trinity Loop

1. Development of the Trinity Loop property may be considered in the form of seasonal or year-round residential use, commercial accommodations or tourism attraction including a mix of residential, commercial and assembly uses. Proposals for development shall:

a) Show how the development will integrate, retain and preserve the Trinity Loop historic structure and provide for public park areas;

b) Ensure public access to the Trinity Loop, from within the development and the continuation of the railway right of way off the site;

c) Demonstrate how the site will be provided with a sustainable supply of potable water for proposed uses; and

d) Plans for a wastewater management system designed so as not to result in future demands on the municipality for piped servicing to the site.

2. Council may require upgrading of the public road to the site and may require as a condition of approval that the street be upgraded at the developer's expense, to acceptable standards.

Newfoundland Power

Newfoundland Power has no issues with the Request for Proposal (RFP) for the divestiture of Former Trinity Loop Amusement Park with the following conditions:

1. Newfoundland Power Inc. [the Company] will maintain the distribution line that runs through the property. Owners of the park will recognize the 7200-volt distribution
2. Line with a standard Newfoundland Power easement width of 5.4m wide [2.7m from the center of the power line].
3. Extreme caution is required when working near the Company's distribution lines, and all conditions stated under Section 498 of the Occupational Health and Safety Act shall be adhered to, including issuing of a permit by the Company for work

carried out closer than 5.5 metres to any energized line ([NLR 5/12 - Occupational Health and Safety Regulations, 2012 under the Occupational Health and Safety Act \(assembly.nl.ca\)](#)).

4. No buildings, temporary or permanent structures shall be placed within the limits of the easement area. Should such a structure be constructed it will be removed at the owner's expense. An obstruction on the distribution line right-of-way can interfere with the Company's ability to restore power in a timely way, and can threaten the safety of utility workers and the public.
5. Grading is not to take place on the distribution line easement and the grading is not to change due to excavation on the adjacent property. Material is not to be stored or stacked on the distribution line easement.
6. The Company will not be responsible for damages caused by the use of the easement area and will be indemnified and saved harmless from any actions or causes of actions occasioned by the use of that portion of our right-of-way by the applicant or others.
7. A Work Request will need to be created with Newfoundland Power if a new access roads or any other type of construction is proposed to pass on the 7200-volt distribution easement area. Newfoundland Power will need to investigate clearances for construction equipment and emergency access for Municipal vehicles (i.e. Fire, Ambulance) as well as Newfoundland Power's emergency and maintenance vehicles.
8. Non-compliance of any condition stated in this letter will result in an application to a court requiring the applicant to remove any encroachment at the applicant's own expense and to restore the easement area to its original condition.
9. Newfoundland Power Inc. will continue to exercise its rights over the easement area.

Department of Fisheries, Forestry and Agriculture – Wildlife Division

The Wildlife Division has no objection with the proposed divestiture of the former Trinity Loop Amusement Park. Potential/ prospecting buyers should be made aware that the site had been occupied by bats, which are listed under the Newfoundland and Labrador Endangered Species Act (NLESA). Therefore, the Wildlife Division should be contacted to review any proposed renovation or demolition plans by new owner to ensure it is done in a way that doesn't negatively impact bats and is safe for people as well. Putting up bat boxes in advance of renovations or demolitions is also advisable.

The Wildlife Division can be contacted at 709-637-2025 or by emailing endangeredspecies@gov.nl.ca.

Department of Digital Government and Service NL – Service NL Division

Digital Government and Service NL, Government Service Centre, has reviewed the submission and has no objections.

We would like to advise that development on any of the referenced properties may require permits and/or approvals from the Government Service Centre. It is advised that prior to the start of any development, the proponent contact the appropriate Regional Office of the Government Service Centre listed below in order to discuss any relevant permits and/or approvals that may be required.

Clarenville Regional Office of the Government Service Centre
8 Myers Avenue
Suite 201
Clarenville, NL
A5A 1T5
Telephone (709) 466-4060, Fax (709) 466-4070

Business Plan Information

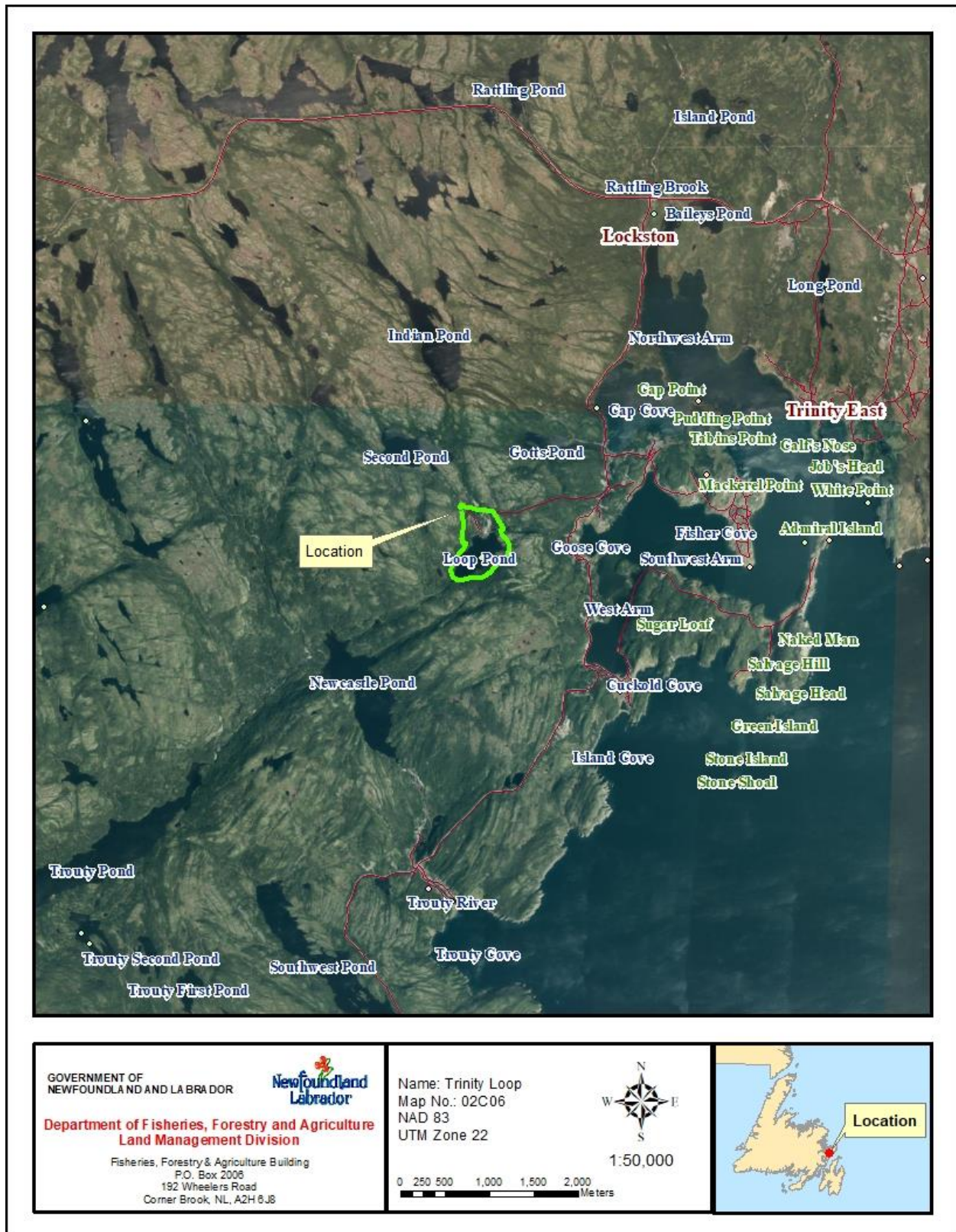
For further information or assistance on the development of a Business Plan contact the local office of the Department of Tourism, Culture, Arts and Recreation in your area:

Western Region: (709) 637-2628
Central Region: (709) 256-1480
Eastern Region: (709) 466-4170
Labrador Region: (709) 896-2400

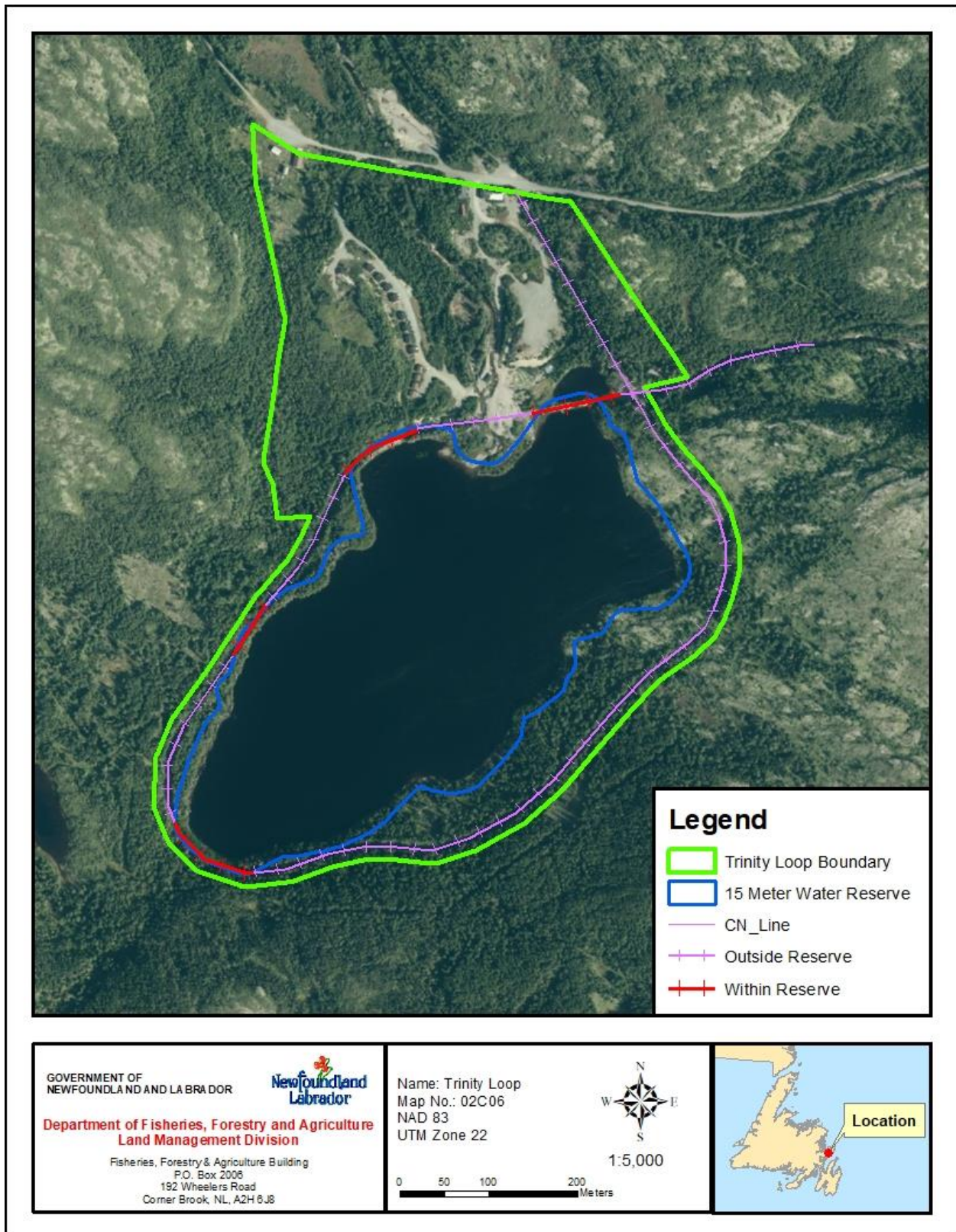
Contact Information

For Inquiries on land tenure and proposal submissions please email
LMDproposals@gov.nl.ca.

Annex 1: Location Map



Site Map



Annex 2: Tourist Accommodations Regulations under the Tourist Accommodations Act

The Tourist Accommodations Act (SNL2020 CHAPTER T-6.1) includes regulations for the operation and management of tourist accommodations, defined as:

1. **"Accommodation"**: Includes buildings or structures for lodging (e.g., cabins, cottages), land for temporary structures (e.g., tents, trailers), boats, and other prescribed properties.
2. **"Minister"**: The minister responsible for administering the Act.
3. **"Operator"**: The owner, lessee, or person in charge of a tourist accommodation.
4. **"Tourist accommodation"**: An accommodation offered for short-term rental (30 days or less) to the public.

Registration Required

1. **Registration**: Operators must register their tourist accommodations as per regulations.

Records and Reports

1. **Records**: Operators must maintain records of rentals in accordance with regulations.
2. **Reports**: Operators are required to submit reports to the minister as prescribed by regulations.

Offence and Penalty

1. **Penalties**: Fines for contraventions of the Act range from \$250 to \$2,000.

Annex 3: Water Resources Act

SNL2002 CHAPTER W-4.01

Section 36

Approval of sewage works

36. (1) A person shall, before the construction of sewage works or the extension of or a change in existing sewage works, submit to the minister the plans, specifications and an engineers report of the sewage works to be undertaken and the location of the discharge of the effluent, together with other information that the minister may require, and the sewage works shall not be undertaken or proceeded with until the person has been granted a permit under this Act for the proposed works.

(2) Where a person undertakes or proceeds with the construction, extension or a change of the sewage works referred to in subsection (1) without first obtaining the permit referred to in that subsection, the minister may order an investigation of the works and the location of the discharge of effluent and may order changes to be made in the works or in the location of the discharge of effluent that the minister considers necessary, and the investigation and changes shall be made at the expense of the person or municipal authority.

(3) The minister may, after considering the plans, specifications, report and other information that he or she may require under subsection (1), and after considering the regulations relating to qualities, properties and treatment of sewage, or standards for effluent release, grant a permit for the construction of the proposed works, subject to those terms and conditions that the minister considers necessary.

(4) Where, in the opinion of the minister, it is in the public interest to do so, the minister shall refuse to grant a permit under subsection (3).

(5) Where, upon receiving information that,

(a) sewage requires sewage works; or

(b) existing sewage works require alteration,

the minister may direct alterations or additions that he or she considers necessary at the expense of the person operating those works, and in a manner and within a time that the minister considers necessary.

(3) This section does not apply to a septic system that does not exceed a sewage flow of 4546 litres per day.

Section 37

Approval of waterworks

37. (1) A person shall, before the construction of waterworks, or the extension of or change to existing waterworks, submit to the minister the plans, specifications and an engineers report of the water supply and the works to be undertaken, together with other information that the minister may require, and the waterworks shall not be undertaken or proceeded with until the person has been granted a permit under this Act for the proposed waterworks.

(2) Where a person undertakes or proceeds with the establishment of waterworks, or the extension of or change in an existing waterworks, without first obtaining the permit referred to in subsection (1), the minister may direct that an investigation of the waterworks and the source of water supply be carried out, and may direct those changes to be made in the waterworks or in the source of water supply, that the minister considers necessary, and the investigation and changes shall be made at the expense of the person.

(3) The minister may, after considering the engineers report and other information that he or she may require under subsection (1), and after considering the regulations relating to waterworks, grant a permit for the construction, alteration or addition to the proposed waterworks, subject to those terms and conditions that the minister considers necessary.

(4) Where, in the opinion of the minister, it is in the public interest to do so, the minister shall refuse to grant a permit under this section, or shall grant a permit on those terms and conditions that the minister considers necessary.

(5) Where, in the opinion of the minister, an adverse effect has occurred or may occur to water, water is or may be in an unwholesome condition, or an existing waterworks requires alteration, the minister may direct the person operating the waterworks to alter or make additions to the waterworks, and in the manner and within a time that the minister considers necessary.

(6) The costs of carrying out an alteration or addition that is directed under subsection (5) shall be paid as directed by the minister.

Section 48

Permit

48. (1) A person may apply to the minister for a permit to carry out an undertaking that under this Act or the regulations requires a permit and the minister may issue that permit in accordance with this Act.

(2) A person shall not, without obtaining a permit required under subsection (1), carry out an undertaking for which a permit is required under this Act or regulations.

(3) An application made under subsection (1) shall be in the required form and accompanied by the required fee, and an undertaking or works shall not be proceeded with until the minister has issued the permit.

(4) The minister, after considering the information required under subsection (3) and

(a) the potential adverse effects of the proposed undertaking upon the environment and surface and groundwater conditions in the area in relation to the present and future water uses;

(b) the effectiveness, purposes and benefits of the proposed undertaking to be authorized under subsection (1);

(c) if the proposed undertaking contravenes a policy of the government of the province;

(d) if the location of the proposed undertaking is unacceptable; and

(e) if there would be adverse effects to water from the proposed undertaking, may grant a permit for the undertaking, subject to those terms and conditions that the minister considers necessary.

(5) Where a person undertakes the construction, extension or change of an undertaking without first having obtained a permit, the minister may direct an investigation of the undertaking and the alterations, additions, removal from or changes to the undertaking that the minister considers necessary to be made by and at the expense of the person responsible for the unauthorized undertaking.

(6) The minister may refuse to issue a permit to a person with respect to an undertaking referred to in this section where the person has not deposited with the minister security that the minister may require.

(7) Where the minister is of the opinion that a proposed undertaking should not proceed, the minister shall not issue the permit with respect to the proposed undertaking.

(8) The minister shall, in writing, notify a person of his or her decision not to issue a permit.

(9) An action or proceeding, including an action or a proceeding for compensation or damages, does not lie against the Crown for or in respect of an amendment, cancellation, abrogation, refusal or denial of a right or privilege under this section or in respect of a statement made or undertaking given, whether orally or in writing, that a person may have acted on to his or her detriment.

Section 58

Permit for construction of a non-domestic well

58. (1) Where a well is intended to supply water for non-domestic purposes, the well owner shall apply to the minister in the required form for a well construction permit.

(2) The minister may issue a permit to a person who applies under subsection (1) on those terms and conditions that the minister considers to be appropriate.

(3) A permit holder shall submit to the minister a report on the well to which the permit applies in the required form and not later than one month after the completion of the well.

Annex 4: Department of Environment and Climate Change – Pollution Prevention Division General Comments:

General

- All activities associated with this project are subject to the *Environmental Protection Act (EPA)* and the *Water Resources Act (WRA)* and their regulations. Official copies of these may be obtained from the Queen's Printer. Unofficial versions are available through the Government of Newfoundland and Labrador website (www.gov.nl.ca).
- These comments highlight the pertinent issues of these acts and regulations and the PPD's policies and guidelines.

Environmental Protection Act, Part IV - Waste Disposal and Litter

- Waste receptacles shall be installed at all active areas for use by workers.
- All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
- Waste materials not reused, resold or recycled, shall be disposed at an approved waste disposal site, provided the owner/operator is willing to accept such waste and the local Service Newfoundland and Labrador (SNL) has agreed with the disposal of the waste materials at the site.

Environmental Protection Act, Part VI - Air Quality Management

- All activities associated with this proposal are subject to *Air Pollution Control Regulations, 2004*, <http://assembly.nl.ca/Legislation/sr/regulations/rc040039.htm>.
- Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.

Environmental Protection Act, Part IX – Pesticides

- All pesticide purchase, storage, and use is subject to compliance with the *Pesticides Control Regulations, 2012*, <http://assembly.nl.ca/Legislation/sr/regulations/rc120026.htm>.

- The regulations stipulate that an applicator must be licensed for the class of pesticide which is intended to be applied. Also, the regulations stipulate that an operator cannot purchase pesticides without the appropriate license(s).
- If the use of a pesticide(s) is required (e.g. for the control of insects, diseases, weeds, vegetation), the Pesticides Control Section of the Department must be notified at (709) 729-2565.

Environmental Protection Act

Storage and Handling of Gasoline and Associated Products Regulations

- Petroleum storage and handling, associated with construction and operation of this project/facility, shall be in compliance with the *Storage and Handling of Gasoline and Associated Products Regulations, 2003*, as amended, <http://assembly.nl.ca/Legislation/sr/regulations/rc030058.htm>.
- All petroleum storage tanks shall be registered with Service NL in accordance with the GAP Regulations and all leaks/spills must be reported to the 24-Hour Environmental Emergency Spill Line at 709-772-2083 or 1-800-563-9089.
- Oils, greases, diesel, gasoline, hydraulic and transmission fluids should be stored at least 100 m from any body of water. Re-fuelling and maintenance activities should also occur at least 100 m from any body of water and on level terrain.
- An environmental emergency contingency plan must be developed for all storage tank systems. This plan details information regarding the location of spill response equipment and a trained contractor, in the event of a spill.

Environmental Protection Act - Used Oil Control Regulations

- The proponent shall maintain constant compliance with the *Used Oil Control Regulations*, <http://assembly.nl.ca/Legislation/sr/regulations/rc020082.htm>.
- Waste oils and used lubricating oil shall be retained in a tank or closed container, and disposed of by a company licensed for handling and disposing of used oil products.

Environmental Protection Act - Halocarbon Regulations

- Any use of regulated substances, for example in fire suppression systems, associated with the proposed activity is subject to the *Halocarbon Regulations*, <http://assembly.nl.ca/Legislation/sr/regulations/rc050041.htm>.

Water Resources Act - Environmental Control Water and Sewage Regulations

- All waters discharged from the proposed site, during construction and operation, are subject to compliance with the *Environmental Control Water and Sewage Regulations, 2003*, <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>.

Should compliance monitoring be necessary, it will be subject to the departmental Accredited Laboratory Policy, PD:PP2001-01.2.

Annex 5: Guidance Document - Protocol for the Management of Excavated Soils, Concrete, Rubble and Dredged Materials



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Environment and Conservation
Pollution Prevention Division
P.O. Box 8700, St. John's, NL
A1B 4J6
Tel: 709-729-2556
Fax: 709-729-6969

GUIDANCE DOCUMENT

Title: Protocol for the Management of Excavated Soils, Concrete Rubble and Dredged Materials

Prepared By: 
Craig Bugden (CB)

Issue Date: June 9, 2006
Revision Dates: October 10, 2013 (Dexter Pittman)
May 26, 2015 (CB)

Approved By: 
Derrick Maddocks, Director

MANAGEMENT OF EXCAVATED SOILS,
CONCRETE RUBBLE AND DREDGED
MATERIALS
GD-PPD-045.2

1.0 SUBJECT

The management of excavated soils, concrete rubble and dredged materials.

2.0 OBJECTIVE

To set out the protocol acceptable to the Department of Environment and Conservation for the management of excavated soils, concrete rubble and dredged materials.

3.0 DEFINITIONS

Applicable Guidelines: Atlantic Partnership in RBCA (Risk-Based Corrective Action) Implementation (PIRI) Guidelines or Canadian Council of Ministers of the Environment (CCME) soil quality guidelines, latest edition. Applicable guidelines can be Tier I, Tier II or Tier III (i.e., published or calculated based on site-specific information).

Beneficial Use: The use of excavated soils, concrete from demolition and/or dredged materials, in a manner that replaces fill material that would otherwise be required to be imported to a site.

Contaminant: A substance that causes or may cause an adverse effect to human or ecological health.

CSQG: The CCME Canadian Soil Quality Guidelines, latest edition.

Department: Newfoundland and Labrador Department of Environment and Conservation.

Greenfield Site: A site that has been previously undeveloped, where environmental impacts/contamination would not be expected above natural background conditions. These sites may be zoned for a certain land use, such as agricultural, residential, commercial or industrial.

Impacted Site/Area: A site or area of a site that contains an identified contaminant above a natural background level.

Recognized Form of Accreditation: Accreditation obtained from an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Agreement and based on ISO 17025.

Remediation: The actions necessary at an impacted site to prevent, minimize, or mitigate unacceptable risk to exposed human and ecological receptors.

Service NL: Service Newfoundland and Labrador (Government Service Centre). Service NL offices are located in various regions across the Province.

Site-Specific Target Levels (SSTLs): Risk-based remedial guidelines for a specific site that are derived using site-specific conditions and accepted risk assessment / risk management methods at Tier II or III.

TPH: Total petroleum hydrocarbons, as measured by the Atlantic PIRI method.

4.0 BACKGROUND

It is the Department's policy that:

1. Impacted sites are to be managed in accordance with the Department's "Guidance Document for the Management of Impacted Sites."
2. Pursuant to the Environmental Protection Act, waste material must be disposed of in an approved landfill.

5.0 LEGISLATION

- Environmental Protection Act, Sections 12, 13(a), 14(d), 16, 26(2), 29(a) and 29(b)
- This guidance documents updates GD-PPD-045 and incorporates GD-PPD-028 which was previously rescinded.

6.0 SAMPLING AND ANALYSIS

- 6.1 Any dredging in harbours or other locations with human activity, or excavation of soil on commercial and industrial properties, should be considered potentially contaminated and therefore must be preceded by sampling.
- 6.2 Parameters to be tested must be appropriate to the type of contamination expected. A sufficient number of samples must be collected in order to accurately assess the contamination. The samples may include grab and/or composite samples extracted from various locations and depths within the dredge/excavation area.
- 6.3 Additional representative sampling will be required during the excavation or dredging activities to confirm that the material meets the appropriate standards for the intended use or disposal.
- 6.4 Sample analyses are subject to the Department's Accredited Laboratory Policy Directive, PD: PP2001-01.2, and must be performed at a laboratory having a recognized form of accreditation.

7.0 DISPOSAL

- 7.1 Waste soil or dredged material, as with any other waste material, must be directed to an approved landfill or treatment facility.
- 7.2 Waste soil or dredged material may be disposed of in an approved waste disposal site, with the permission of the owner/operator and approval of the regional Service NL office, provided that TPH concentrations are less than or equal to 1000 mg/kg and the material either
 - (1) meets the CSQG for industrial land use; or
 - (2) passes the U.S. EPA Toxicity Characteristic Leaching Procedure (TCLP), Test Method 1311 (as amended), for leachability of contaminants of concern.

For further information on these testing and disposal criteria, please refer to the Department's Guidance Document "GD-PPD-26.1 - Leachable Toxic Waste, Testing and Disposal".

- 7.3 Where one or more contaminants in the material fail to meet these criteria, the waste is considered a hazardous waste and will not be approved for disposal in a waste disposal site in this Province.
- 7.4 Where there is no existing industrial guideline for a contaminant of concern, the potential adverse environmental and human health impacts of the contaminant shall be reviewed by a knowledgeable professional. The knowledgeable professional would make a recommendation that provides for protection of human health and the environment to the Department. Guidelines and criteria from other jurisdictions and/or applicable scientific reviews may be used in this determination.
- 7.5 Where dredged material may be redistributed within a freshwater or marine environment, the CCME "Canadian Environmental Quality Guidelines for Sediment Quality-Freshwater or Marine", would apply. In all cases, consent or approval from the Department of Fisheries and Oceans is required respecting the disposal of dredged material in waters frequented by fish and where fish habitat exists.

8.0 BENEFICIAL USE

- 8.1 Excavated soils from greenfield residential sites where no impacts are expected may be used on the source property or other properties for beneficial purposes, without testing.

- 8.2 Excavated soils from greenfield commercial and industrial sites may be reused on the source property, or other commercial or industrial sites for beneficial purposes, where testing determines that a higher standard, i.e. the CSQG for residential land use, is met, with the approval of the Department or the regional Service NL office.
- 8.3 Excavated soils from commercial and industrial sites may be used for beneficial purposes on impacted areas of the same site where the soils meet CSQG for commercial and industrial land use, respectively, with the approval of the Department or the regional Service NL office. Only soils meeting residential guidelines may be used on non-impacted areas of the same site. Soils exceeding residential guidelines may not be used on offsite properties. Variances may be approved by the Department where the proponent demonstrates that exceedances are solely the result of natural background levels. Where this is the case, these soils may only be used on sites where the particular background concentrations are similar to the source property.
- 8.4 Dredged material may similarly be used as per 8.3, subject to the material being dry enough to place.
- 8.5 Where soil or dredged material may be redistributed within a freshwater or marine environment, the CCME Canadian Environmental Quality Guidelines for Sediment Quality - Freshwater or Marine, would apply. In all cases, consent or approval from the Department of Fisheries and Oceans is required respecting disposal of dredged material in waters frequented by fish and where fish habitat exists.
- 8.6 It is the responsibility of the proponent to demonstrate the environmental benefits of any proposed use of excavated soils or dredged material and that there will be no negative environmental impacts.

9.0 MANAGEMENT OF SOILS EXCAVATED DURING SITE REMEDIATION

- 9.1 If soil contaminant concentrations are lower than applicable guidelines, soils excavated during site remediation work may be used on site for beneficial purposes. This requires the approval of the Department and must be noted in the Closure Report. Otherwise they must be sent for disposal. On more complex or larger sites where different areas have individual Tier I guidelines or SSTLs, any excavated soils cannot be moved to another area of the site having a less stringent applicable guideline.
- 9.2 If soil contaminant concentrations exceed applicable guidelines, excavated soils must be removed from the site and disposed of in accordance with the provisions outlined in Section 7.0 of this Guidance Document.

10.0 CONCRETE

- 10.1 Clean concrete (i.e. no surface coatings) without exposed rebar, from demolition or remediation of a site, may be buried on site with the approval of the Department or the regional Service NL office. Concrete shall not be imported as fill without the express approval of the Department. The Department may view clean bricks in a similar manner as clean concrete, where an acceptable proposal is submitted.
- 10.2 Concrete with surface coatings (e.g. paint) and without exposed rebar, from demolition or remediation of a site, may be buried on site with the approval of the Department or the regional Service NL office, where:
- The paint meets the CSQG **for lead** for the land use classification (agricultural, residential, commercial or industrial) that is relevant for the site in terms of remediation standards and/or future land use, and;
 - The paint passes the TCLP test for leachability of lead.

11.0 HANDLING CONSIDERATIONS

- 11.1 Dredged material must be transported in water tight trucks, containers or other suitable means to prevent leakage during transport.
- 11.2 Stockpiling of material on waste disposal sites for future spreading as cover material is acceptable, provided that contaminant concentrations meet the appropriate criteria.
- 11.3 Where odour, health or environmental concerns exist, dredged material should be spread upon arrival at a disposal site. Immediately following disposal operations, and where appropriate, layer of clean, non-dredged material should be placed over the top of the dredged material in order to control/eliminate any odour concerns. The clean material should have a thickness of 0.5 meters compacted depth. Liming of dredged material, using hydrated lime, may be an alternative to applying clean cover material. The volume of lime to be applied must be assessed by the proponent on a case by case basis.

Annex 6: Request for Proposal Evaluation Form



Request for Proposal Evaluation Form

(To be filled out by the Parks Review Committee)

Name of Proponent _____ TOTAL RATING _____

Park Name _____

1) Qualification of Proponent (33%)

- | | |
|--|-----------------|
| a. Previous Business Experience (owner/manager) | Score: _____/8 |
| b. Related business experience | Score: _____/8 |
| c. Related work experience | Score: _____/8 |
| d. Related/special qualifications (education etc.) | Score: _____/9 |
| | Subtotal: _____ |

Comments

2) Quality of Proposal (33%)

- | | |
|---------------------------------------|-----------------|
| a. The Business Plan clearly defined | Score: _____/5 |
| b. Uniqueness of business opportunity | Score: _____/5 |
| c. Research | Score: _____/5 |
| d. Availability of Market | Score: _____/5 |
| e. Marketing Plan | Score: _____/6 |
| f. Earning Potential | Score: _____/7 |
| | Subtotal: _____ |

Comments



3) Investment Capital (34%)

- a. Personal and/or private
- b. Financial Institutions
- c. Government Agencies
- d. Other

Score: _____/9

Score: _____/9

Score: _____/8

Score: _____/8

Subtotal: _____

Comments

TOTAL (100%) _____

Additional Comments:

- 1) Are there any special regulatory requirements / permits / authorities that must be met prior to bid being awarded?

- 2) Are there any potential land use conflicts?

- 3) Is the proposal for all or a portion of the Park? How many Hectares included in proposal?



- 4) Are there any special features or circumstances that were not addressed in the proposal?

- 5) Other Comments:

Recommendations:

Park Review Committee:

Name (print): _____ Signature: _____ Date: _____

Name (print): _____ Signature: _____ Date: _____

Name (print): _____ Signature: _____ Date: _____