

Feedback Process for Recommendations Related to Navigation Protection Act

In March 2017, the federal [Standing Committee on Transport, Infrastructure, and Communities](#) released a report on their review the [Navigation Protection Act](#), which included recommendations for changes to the Act. [Click here](#) to access the report.

The intent of the review was to ensure that changes made in 2009 and 2012 to narrow the scope of the Act did not compromise the navigability of Canada's waterways. The AAMDC contributed to this review process by presenting the rural municipal perspective on the Act to the Committee in the fall of 2016.

The next step in the process is for the Minister of Transport to respond to the Committee's report, which will occur by June 23, 2017. AAMDC members are encouraged to write to the Minister with any concerns or suggestions related to the Committee's recommendations prior to this date. There will be further consultation opportunities after the Minister responds to the report, but these may be more related to implementation of recommendations, rather than whether the recommendations should be adopted.

Letters can be directed to the following:

Hon. Marc Garneau
Minister of Transport
House of Commons
Ottawa, Ontario K1A 0A6

Please copy the AAMDC on any correspondence sent to the Minister on this issue.

The 11 recommended changes to the *Navigation Protection Act* seek to balance enhanced protection of navigation on Canada's waterways with the need to maintain an efficient regulatory regime that does not unnecessarily delay projects that will have little or no actual impact on navigation. Some questions related to the recommendations that the AAMDC has identified as requiring clarification include:

- Clarify the extent to which Indigenous rights to navigation on unscheduled waterways would impact approval processes for the project proponent (recommendation 3)
- That refinement of the "aqueous highway test" include consultation with stakeholders from across Canada, as this could have different meanings in different regions (recommendation 4)
- That standards be established requiring timely processing of any applications under the NPA before the list of scheduled waterways be expanded (recommendation 5)
- That clarification be provided as to what constitutes "appropriate consultation" related to projects on scheduled waterways (recommendation 8)

- That any complaint mechanism provide an avenue for project proponents to share local knowledge on actual navigability of the waterway, as well as consultations and mitigation measures in place to protect navigation (recommendation 9)
- Clarify how municipalities and the agriculture industry would be involved in the implementation of any changes to the NPA (recommendation 11)

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