



Transport Canada
Surface Transportation Policy
330 Sparks Street
Place de Ville, Tower C
Ottawa ON, K1A 0N5

November 16, 2021

Via email: fanwar@fortfrances.ca

Mr. Faisal Anwar
Chief Administrative Officer
320 Portage Avenue
Fort Frances, ON
P9A 3P9

Dear Mr. Anwar,

Thank you for your letter and Council meeting invitation. We regret that we will not be able to attend the Town of Fort Frances Council Meeting scheduled for November 22, 2021. However, I would like to take this opportunity to note your Council's concerns and provide some clarity on the items raised in your letter.

As you know, under the Government of Canada's *International Bridges and Tunnels Act* (IBTA), a change of owner or operator of the Canadian side of an international bridge or tunnel, requires the approval of the Governor in Council. An application must be submitted to the Minister of Transport, and based on a review of the application and consideration of any comments or concerns that may be received through stakeholder consultations, the Minister may recommend the application to the Governor in Council for approval.

Independent of the IBTA approval process for a change of owner or operator, the IBTA also establishes mechanisms for the federal government to exercise oversight of the operations, maintenance, safety and security of existing international bridges and tunnels. The owner of an international bridge is responsible for the safety (inspection and maintenance) and operation of the bridge and must comply with all pertinent regulatory frameworks in Canada, including the IBTA and the associated *International Bridges and Tunnels Regulations* (IBTR).

Under the IBTA, should safety deficiencies be identified, the Minister may order the owner or operator of an international bridge or tunnel to take any action that the Minister considers appropriate to ensure that the bridge or tunnel is kept in good condition.

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Under the IBTR, Canadian owners of vehicular international bridges and tunnels between Canada and the United States, including the Canadian owner of the Fort Frances International Falls bridge, must conduct safety inspections and submit inspection reports to Transport Canada. The department reviews inspection reports to verify compliance with regulatory requirements established under the IBTR, at a minimum, detailed visual inspections are required every two years, and underwater inspections are required every five years.

With respect to tolls and other fees, the owner of an international bridge must inform the Minister when a change in tolls, fees or other charges has been implemented at a crossing. Should the Minister determine that a change in the tolls, fees or other charges for the use of an international bridge or tunnel is resulting in adverse effects on the flow of traffic, the regulations outline steps the Minister may take to address the matter.

With respect to the possibility of government ownership of the bridge, we have not been made aware of any intentions by any order of government to acquire the bridge.

Your letter notes asset management plans. Should you have specific concerns or questions on this issue, or any other matter pertaining to the application, we invite you to provide them to us in writing and we will ask the applicants to respond. If you are not able to submit your comments by November 22, 2022, please inform us of the date by which you intend to provide comments for consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Rudge'.

Tamara Rudge
Director General
Surface Transportation Policy