

URGENT!

Your input is required to protect grass roots aviation in Canada!

The **NOTICE OF PROPOSED AMENDMENT (NPA): Responsible Aerodrome Development** has been posted by Transport Canada. The NPA details the proposed aerodrome consultation process that will be required before development is started on any new aerodrome or before there is a change to operations at any existing aerodrome.

The NPA is a political initiative; there is no identified safety issue that the NPA addresses.

Background

The Aeronautics Act was changed in December 2014 to give the Minister of Transport the power to prohibit aerodromes for safety or public interest reasons. The Aeronautics Act was also changed to require consultation before any development or change is begun. The proposed aerodrome consultation requirements will become part of the Canadian Aviation Regulations.

The wording of the NPA has been completed and is now circulating to members of the Canadian Aviation Regulatory Advisory Committee (CARAC) and to the wider aviation community for comment before being finalized and sent to Parliament.

The NPA requires all aerodromes, from large commercial airports to non-commercial, private grass strips, to go engage in a consultation process with nearby aerodromes, local jurisdictions, and the public before any development starts or any operations are changed. Details are included in the NPA.

Some of the problems

Opponents to aviation are being given the tools to block aerodrome construction or limit its use. This is being done by the very government department that is supposed to be supporting and protecting Aviation in Canada. Further, it allows one citizen to invoke a process that will deprive another citizen of the personal use of his private property.

Ideally, the NPA should be withdrawn, but given the political motivation, that is unlikely to happen. However, there are many changes that could be made. Read the NPA carefully and consider how the new rules might affect you or the aerodromes and airports that you now use.

The NPA is very prescriptive and does not recognize the diversity of Canada aviation. As written, the aerodrome consultation process is onerous, costly, and time consuming. What may be reasonable for Toronto's International Airport is ludicrous for a farmer who just wants to fly from his own property.

The Triage (pg 3 and 4) is flawed when a 'low impact is ... less than 10 million dollars ... over 10 years' and a 'small [aerodrome] is considered to be 100 employees or less and a gross annual income between \$30,000 and 5 million.' Clearly, there was no consideration of the impact on an aerodrome with no employees and no income ... an aerodrome that exists for the private use of the property owner.

There should be some relief for aerodromes where there is no commercial activity, where there are no employees, and where no income is derived from activities at the aerodrome.

Transport Canada's consultation requirement should not apply where a local jurisdiction already employs a consultation process. Requiring two consultations for the same project is redundant, time consuming and costly.

The consultation process requires the aerodrome proponent to justify why an existing facility is “insufficient or cannot be used” (pg 6 - 7.a; pg 8 - 15. c. ii; pg 9 - 16.b). If the Minister doesn’t think the justification is valid, she can prohibit the aerodrome.

The consultation process is too prescriptive. The NPA put words in the mouths of those who are against any aerodrome near their location and who will never be satisfied unless the aerodrome is prohibited.

When the concerns of all of the parties cannot be satisfactorily addressed, the dispute resolution is invoked and Transport gets involved. At this point, the Minister can decide to prohibit the aerodrome based solely on her determination of what a valid safety or public interest concern is. Aircraft noise is considered a public interest (pg 10 - 21.c) in the NPA and noise can be a reason for the Minister to prohibit an aerodrome even though there are no operations and therefore no noise.

There are no definitions for development, levels of service, public interest, or what substantial changes to existing operations might trigger the public consultation requirement. There are many other areas that are ambiguous and confusing.

Even where the Minister does not prohibit an aerodrome development, court challenges are still possibilities for those who do not want an aerodrome anywhere near their location.

What you can do:

There is a small window of opportunity to change the wording of the NPA. Read the words in the NPA and associated documents at <http://bit.ly/1EOk4u4>

Start on page 5 with the proposed words because those are the words that matter. All of the intentions, explanations, and justifications preceding the NPA wording will disappear.

After you read the text of the proposed amendment, go back and read the explanations. Then see if the NPA actually reflects the stated intentions. Identify the problems; there are many more than those identified above. Formulate your comments and send them in.

Deadlines – there are two of them: March 28 and before April 8

A CARAC Focus Group meeting is scheduled in Ottawa on March 31st and April 1st. UPAC, COPA and other industry representatives will be there. Of the eleven Focus Group members, nine of them represent various aspects of commercial aviation and have a limited or no understanding or appreciation of private aviation. Only two Focus Group members (UPAC and COPA) represent non-commercial aviation.

Before March 28 - Send UPAC your comments (klubitz@upac.ca) so they can be received in advance of the Focus Group meeting on March 31. Also send a copy to COPA (pgilligan@copanational.org) and to the chair of the Focus Group, Shari Currie, Director, Policy and Regulatory Services at Transport Canada Civil Aviation (shari.currie@tc.gc.ca).

Before April 8 - Make sure the CARAC secretariat (CARRAC@tc.gc.ca) gets your comments. And don’t forget your MP. This is an election year so maybe they will listen.

Transport says that stakeholders will have ‘greater certainty’ with this new consultation process. That is true. There is “greater certainty” that there will be opposition to an aerodrome proposal resulting in substantially increased to create them will. Where will you fly from when there are no more small grass strips?

This is our only chance to make changes to a regulation that will have a negative impact on Canadian Aviation for a very long time! Please, send in your comments.