

August 25, 2020

The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport Canada  
House of Commons  
Ottawa, Ontario K1A 0A6  
Email: [marc.garneau@parl.gc.ca](mailto:marc.garneau@parl.gc.ca) and [mintc@tc.gc.ca](mailto:mintc@tc.gc.ca)

Dear Minister Garneau:

Keystone Agricultural Producers (KAP) is Manitoba's general farm policy organization, representing and promoting the interests of agricultural producers in the province. KAP's membership consists of approximately 4,500 farm families and 25 commodity associations.

We are writing to express our profound concern regarding the change in the management of federally regulated private grade crossings under the Grade Crossings Regulations and Grade Crossings Standards, and the lack of consultation with farm families who use these crossings to access their farmland.

It has traditionally been the responsibility of the railways to maintain and upgrade the rail network, including grade crossing as part of Canada's heritage and settlement of the west.

In March 2020, landowners with rail crossings on their property received letters from the Canadian Pacific Railway (CP) seeking private crossing agreements and outlining required upgrades. Our understanding is that Canadian National Railway (CN) is planning similar communications. Private landowners who fail to comply with the new regulations and standards will eventually have their grade crossings closed. The Grade Crossing Regulations came into force in November 2014, with mandatory standards that must be met by November 28, 2021. However, farm families who rely on grade crossings to access their farmlands and residences were not aware of the changes until the letters from the railway companies.

There is a decided lack of certainty around the extent to which private landowners participated in the consultation on Transport Canada's Grade Crossings Regulations and Grade Crossings Standards. As well, railway companies did not communicate this change with landowners until nearly six years after the regulations came into force with little to no time to examine what this change means for farm operations.

We therefore request that the deadline for compliance be extended to provide enough time for a thorough consultation on pursuing a solution that does not burden farmers with such cost. During this period, railway companies should continue to maintain all grade crossings without requiring an

agreement with landowners and at no cost to farmers. This will provide enough time for stakeholder engagement with landowners and farm families without compromising on railway safety.

In summary, we believe that safe rail crossings should be maintained without affecting farmer access to their land and without costs to farmers. Further, we encourage the federal government to reconsider its decision for railway companies to impose grade crossings upgrade and maintenance costs on private landowners. Railway companies have always paid for the upgrade and maintenance of federally regulated private grade crossings and we believe that CN and CP should continue to maintain these crossings as they have before.

Thank you for your consideration and assistance during these challenging times. Please contact me with any questions you may have. I can be reached by e-mail at [bill.campbell@kap.ca](mailto:bill.campbell@kap.ca).

Sincerely,

A handwritten signature in black ink that reads "Bill Campbell". The signature is written in a cursive, flowing style.

Bill Campbell  
President, Keystone Agricultural Producers

cc. Hon. Marie-Claude Bibeau, Minister of Agriculture and Agri-Food