

Marston, Morgan

From: Lanning, Charles (TC/TC)
Sent: Tuesday, October 24, 2023 9:31 AM
To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
Cc: Mercier, Francis (TC/TC); Goulet, Solange (TC/TC)
Subject: RE: FOR APPROVAL RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi Morgan,

Approved as A/AART.

Thanks,

Chuck

Charles Lanning, P.Eng.

(he/him/il)

A/Director | A/Directeur - AART
Standards Branch | Directions des normes

Transport Canada, Civil Aviation | Transports Canada, Aviation civile →

Government of Canada | Gouvernement du Canada 🇨🇦

Ottawa, Ontario K1A 0N8
Cell: +1 (613) 797-4603

From: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
<TC.AARTQuestions.TC@tc.gc.ca>
Sent: Tuesday, October 24, 2023 9:28 AM
To: Lanning, Charles (TC/TC) <charles.lanning@tc.gc.ca>
Cc: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
<TC.AARTQuestions.TC@tc.gc.ca>; Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>; Goulet, Solange (TC/TC)
<solange.goulet@tc.gc.ca>
Subject: FOR APPROVAL RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi Charles,

Can you approve?

Morgan

From: Sampaio, Marcelo (TC/TC) <Marcelo.Sampaio@tc.gc.ca>
Sent: Monday, October 23, 2023 4:05 PM
To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC) <TC.AARTQuestions.TC@tc.gc.ca>; Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>
Cc: Michel Cordeau (Inspector) <Michel.Cordeau2@tc.gc.ca>; Goulet, Solange (TC/TC) <solange.goulet@tc.gc.ca>; Masson, Ludovic (he,him | il,lui) (TC/TC) <ludovic.masson@tc.gc.ca>
Subject: RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

AARTA Secretariat,

1. Transport Canada, NAV CANADA and Department of National Defence share the roles and responsibilities that relate to the regulation of the movement of friendly, non-tactical aircraft; and identification, tracking, and interception of potentially or actually hostile aircraft.
2. I agree with Ludovic that TCCA Flight Standards is not the recipient of inquiries on details of specific flights – *Flight Standards does not track or maintain records of flights over Canada.*
3. Flight Standards will contribute to a response to the inquiry about Transponder Operation rules, as offered by Ludo (his email below).

Regards!

Marcelo Sampaio

Acting Flt Std Chief on 23/Oct/2023

Program Manager, Air Navigation Standards | Gestionnaire de Programme, Normes de la navigation aérienne

Transport Canada | Transports Canada

Phone (343) 553-3086

Marcelo.Sampaio@tc.gc.ca

330 Sparks Street | 330 rue Sparks

Ottawa, ON, Canada K1A 0N5

Government of Canada | Gouvernement du Canada

From: Masson, Ludovic (he,him | il,lui) (TC/TC) <ludovic.masson@tc.gc.ca>
Sent: Monday, October 23, 2023 3:05 PM
To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC) <TC.AARTQuestions.TC@tc.gc.ca>; Sampaio, Marcelo (TC/TC) <Marcelo.Sampaio@tc.gc.ca>; Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>
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Subject: RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi,

Please note that I am not acting for Francis today, Marcelo is.

I believe NatOps is more appropriate to answer this media call. However, GFS can provide some inputs on question (a) only. But my SMEs are off today, so we will provide something tomorrow morning at best.

Thanks,
Ludovic

Ludovic MASSON
ludovic.masson@tc.gc.ca

From: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
<TC.AARTQuestions.TC@tc.gc.ca>
Sent: lundi, octobre 23, 2023 14:07
To: Masson, Ludovic (he,him | il,lui) (TC/TC) <ludovic.masson@tc.gc.ca>
Cc: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
<TC.AARTQuestions.TC@tc.gc.ca>
Subject: FW: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi there again,

See highlighted below.

Due by tomorrow morning (Oct 24, 2023)

Morgan

From: Klassen, Trudi (she,her | elle,la) (TC/TC) <Trudi.Klassen@tc.gc.ca>
Sent: Monday, October 23, 2023 1:44 PM
To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
<TC.AARTQuestions.TC@tc.gc.ca>
Cc: TC.F NCR AAR Input / Contribution RCN F.TC <AARInput-Contribution@tc.gc.ca>
Subject: FW: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi AART,

Can you review the media call below and advise if you can provide a response to **Question # 2** of this call (see in yellow both below and in the body of the media call)?
(Full context of the call can be found further down)

Both ASPI/NatOps have been approached for a response but are unable to provide one, hoping this might be something you can speak to (please see full context below)

- **My question: a) Which authority exactly is responsible for verifying such suspicious flights (as those I've listed) above? Is it Transport Canada, NAV Canada, or another authority? b) If it is Transport Canada, please conduct the appropriate verifications and provide the explanation for these flights not having their transponders turned on.**

s.19(1)

- For reference, Question # 1 has been addressed by the Quebec region.

Given you are only in receipt of this now, possible to get your response in to **DGO by tomorrow morning?** (if it can be earlier, great, but aware you may require the additional time to review and develop a response)

Thank you,

Trudi Klassen
 Issues Management Officer / Agente de Gestion des questions d'intérêt
 Office of the Director General, Civil Aviation | Bureau du Directeur général, Aviation civile
 Transport Canada | Transports Canada
Trudi.klassen@tc.gc.ca

From: Proulx, Katherine (TC/TC) <katherine.proulx@tc.gc.ca>
Sent: Thursday, October 19, 2023 2:35 PM
To: TC.F NCR AAR Input / Contribution RCN F.TC <AARInput-Contribution@tc.gc.ca>
Cc: TC.F NCR AE Media Relations / Relations Medias RCN F.TC <AEMediaRelations-RelationsMedias@tc.gc.ca>; TC.F NCR AE Aviation RCN F.TC <AEAviation@tc.gc.ca>
Subject: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Good afternoon colleagues,

We received a follow-up request for your input. I've added our previous approved response below.

Thank you,

Katherine
Media Services

--

Approval Yellow

Media :

[Redacted], Freelance, email: [Redacted]@protonmail.com

Issue :

Follow-up Call (#1) -- Regulations governing the Canadian airspace

Deadline :

2023-10-20 17:00 - Eastern Time

Background :

Question :

1) As you mentioned to me that **“Transport Canada regulates civil aviation activities in Canada,”** I would like to inquire about certain **flights that have occurred from April 15, 2009 until the 15th of November, 2021, as per information provided in an Access to Information (ATI) request (see Requestion Number A-2022-00373, URL:**

<https://open.canada.ca/en/search/ati/reference/02e9a86f0248eebe0912ed77febffa72>) and its 162-page, unclassified, response (URL: https://www.geoengineeringfreecanada.com/files/ugd/0dc79a_df9d234e69e34f0ab56ab7bacf7b41a0.pdf)).

This ATI request has **revealed that many flight operations have occurred in the province of Quebec between 2009 and late 2021 that were intended for the purpose of "spraying operations of substances"** ("opérations d'épandage de produits", as is stated in the original French).

Moreover, **neither the substances used in these dispersion activities were disclosed, nor were the names of the companies that carried them out.**

My question: As Transport Canada is responsible for regulating our civil airspace in Quebec (and elsewhere in Canada), can you provide me with the names of the companies who have conducted these spraying activities, which specific substances they used in them, and for what purposes they were conducted?

2) This question is concerned with the use of **transponders** for aircraft flying in Canadian domestic airspace – which is regulated by Transport Canada. As per the link you kindly provided in your previous reply (URL: https://tc.canada.ca/sites/default/files/migrated/tc_6010_airspaceposter_e.pdf) which clarifies the use of transponders over Canadian airspace for different classifications (A, B, C, D, E, etc.), **it appears that for flights operating in civilian/domestic airspace, transponders are required to be turned on at all times.**

In August and September of this year, **I have witnessed on several occasions aircraft that were flying seemingly without their transponders turned on** (for they were not visible on the flight trackers flightaware.com nor www.flightradar24.com when flying above my location, in Sherbrooke, Quebec – airport code YSC).

The times and dates for these are as follows:

- [2023-09-24 at 11:34 Eastern Time \(EDT\)](#)
- 2023-09-24 at 11:30 Eastern Time (EDT)
- 2023-09-23 at 18:20 Eastern Time (EDT) +
- 2023-09-12 at 18:40 Eastern Time (EDT)
- 2023-09-09 at 19:00 Eastern Time (EDT)
- 2023-08-24 at 13:10 Eastern Time (EDT)

A link to a [video](#) showing the aircraft for the first entry above is provided and if you click on it, you will see the aircraft.

Note that in your reply that both the Department of National Defence and the Canadian Armed Forces (which includes the Royal Canadian Air Force, or RCAF) are also concerned with aviation safety. Thinking that there would be a possibility that these were *military* flights (given the transponders off), I contacted the RCAF (Bagotville) regarding these specific flights for clarification on the matter, **but received no response.**

My question: a) Which authority exactly is responsible for verifying such suspicious flights (as those I've listed) above? Is it Transport Canada, NAV Canada, or another authority? b) If it is Transport Canada, please conduct the appropriate verifications and provide the explanation for these flights not having their transponders turned on.

Note that I am trying to get clarity and answers about these, but nobody is informing me about these specific flights. As these flights are not yet confirmed to be *military* ones, it is to be assumed that they are **civil ones which would make their regulation fall under Transport Canada.**

Response Status:

New Call - Pending for input/ drafting/ checking with clients

-Response sent on September 29, 2023-

Transport Canada regulates civil aviation activities in Canada in accordance with the *Aeronautics Act* and the *Canadian Aviation Regulations* (CARs). The CARs apply to all aspects of aeronautics, including aircraft, aerodromes and airports, licensing, training, airworthiness, general operating and flight rules, and **air navigation services**. Commercial and private operators in Canada are required to comply with Transport Canada's regulatory requirements to ensure safety and security.

Canadian airspace is managed by NAV CANADA in accordance with the terms established for the transfer of the air navigation system from the Government of Canada operation to NAV CANADA (1996), and with the rights granted to the corporation pursuant to the *Civil Air Navigation Services Commercialization Act*. NAV CANADA is a private, not-for-profit Corporation responsible for the Air Navigation Service in Canada, including aviation weather services. It operates the world's first fully privatized Air Navigation System. The organization is self-financing and relies on fees charged to users of its services. While being the world's first privately established Air Navigation Service provider, other non-government providers of air navigation services exist across the globe. The Minister of Transport and the Minister of National Defence hold significant responsibilities pertaining to the safety of aviation in Canada. As well, the Canadian Armed Forces provide air traffic control to military aircraft in specific and designated airspace, and also manage airspace required for specific military training.

Transport Canada regulates the use of Canadian domestic airspace. The latter is divided into seven classes. Civilian flights operating within each class are governed by specific rules applicable to that class, and the rules are contained in CARs 601, which can be found at <https://lois-laws.justice.gc.ca/eng/regulations/SOR-96-433/FullText.html#s-601.01>. Transport Canada's Aeronautical Information Manual also provides pilots with a single source for information on rules and procedures for aircraft operation in Canadian airspace.

The Department of National Defence is responsible for military aircraft operations in Canada. For more information, please contact the Department of National Defense's media relations team at: mlo-blm@forces.gc.ca.

As for weather modification activities, the *Weather Modification Information Act* defines them as being any activities intended to change the atmosphere in order to artificially influence weather conditions. Environment and Climate Change Canada (ECCC) is the federal authority that administers the *Act*. The *Act* allows the Government of Canada to set requirements for reporting such activities. As such, questions related to the regulation of these activities should be directed to ECCC's media relations team at media@ec.gc.ca.

Transport Canada does not have regulations pertaining to geoengineering, this responsibility falls within ECCC. Transport Canada is responsible for the approval of air operators who may undertake geoengineering activities but would only regulate the items related to aviation safety.

Marston, Morgan

From: Klassen, Trudi (she,her | elle,la) (TC/TC)
Sent: Tuesday, October 24, 2023 12:40 PM
To: Mercier, Francis (TC/TC); AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC)
Cc: McLaughlin, Melanie (TC/TC); Goulet, Solange (TC/TC); TC.F NCR AAR Input / Contribution RCN F.TC
Subject: RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

Hi Francis,

As per our conversation on teams, we will request a re-direction to Quebec region to address this media call in full.

Trudi Klassen
Issues Management Officer / Agente de Gestion des questions d'intérêt
Office of the Director General, Civil Aviation | Bureau du Directeur général, Aviation civile
Transport Canada | Transports Canada
Trudi.klassen@tc.gc.ca

From: Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>
Sent: Tuesday, October 24, 2023 12:18 PM
To: Klassen, Trudi (she,her | elle,la) (TC/TC) <Trudi.Klassen@tc.gc.ca>; McLaughlin, Melanie (TC/TC) <Melanie.McLaughlin@tc.gc.ca>
Subject: FW: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

As per our conversation.
Thx

Francis Mercier
Chief Flight Standards / Chef des Opérations Aériennes
Transport Canada / Transports Canada
330 Sparks Street, AARTAC
Ottawa, Ontario K1A 0N8
francis.mercier@tc.gc.ca
Cell: 343-550-4226
Government of Canada / Gouvernement du Canada

From: Sampaio, Marcelo (TC/TC) <Marcelo.Sampaio@tc.gc.ca>
Sent: Monday, October 23, 2023 4:05 PM
To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC) <TC.AARTQuestions.TC@tc.gc.ca>; Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>
Cc: Michel Cordeau (Inspector) <Michel.Cordeau2@tc.gc.ca>; Goulet, Solange (TC/TC) <solange.goulet@tc.gc.ca>; Masson, Ludovic (he,him | il,lui) (TC/TC) <ludovic.masson@tc.gc.ca>
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Regards!

Marcelo Sampaio

Acting Flt Std Chief on 23/Oct/2023

Program Manager, Air Navigation Standards | Gestionnaire de Programme, Normes de la navigation aérienne

Transport Canada | Transports Canada

Phone (343) 553-3086

Marcelo.Sampaio@tc.gc.ca

330 Sparks Street | 330 rue Sparks

Ottawa, ON, Canada K1A 0N5

Government of Canada | Gouvernement du Canada

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To: AART Civil Aviation Standards Secretariat / AART Secrétariat des Normes de l'Aviation civile (TC) <TC.AARTQuestions.TC@tc.gc.ca>; Sampaio, Marcelo (TC/TC) <Marcelo.Sampaio@tc.gc.ca>; Mercier, Francis (TC/TC) <francis.mercier@tc.gc.ca>

Cc: Michel Cordeau (Inspector) <Michel.Cordeau2@tc.gc.ca>; Goulet, Solange (TC/TC) <solange.goulet@tc.gc.ca>

Subject: RE: HQ (CIVAV) FOR INPUT: Heads Up: Media Call - Follow-up Call (#1) -- Regulations governing the Canadian airspace (Freelance)

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Ludovic MASSON
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Office of the Director General, Civil Aviation | Bureau du Directeur général, Aviation civile

s.19(1)

Transport Canada | Transports Canada

Trudi.klassen@tc.gc.ca

From: Proulx, Katherine (TC/TC) <katherine.proulx@tc.gc.ca>

Sent: Thursday, October 19, 2023 2:35 PM

To: TC.F NCR AAR Input / Contribution RCN F.TC <AARInput-Contribution@tc.gc.ca>

Cc: TC.F NCR AE Media Relations / Relations Medias RCN F.TC <AEMediaRelations-RelationsMedias@tc.gc.ca>; TC.F NCR AE Aviation RCN F.TC <AEAviation@tc.gc.ca>

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Katherine
Media Services

--

Approval Yellow

Media :

██████████ Freelance, email: ██████████ [@protonmail.com](mailto:██████████@protonmail.com)

Issue :

[Follow-up Call \(#1\) -- Regulations governing the Canadian airspace](#)

Deadline :

2023-10-20 17:00 - Eastern Time

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