

Permits, Processes, Construction Challenges

# International Bridge Construction

EBTC October 2, 2019 Susi Derrah

Ownership

# International Bridges



# Ontario - Michigan



Ownership of the Canadian half



Ownership of the American half

Ambassador Bridge

Detroit International Bridge Company and Canadian Transit Company

Windsor - Detroit Tunnel

Windsor-Detroit Tunnel Corporation

City of Detroit

Blue Water Bridge

Federal Bridge Corporation Limited

State of Michigan

Sault Ste. Marie

Federal Bridge Corporation Limited



State of Michigan

# Ontario - New York

	 Ownership of the Canadian half	 Ownership of the American half
Seaway International Bridge	Federal Bridge Corporation Limited	Saint Lawrence Seaway Development Corporation
Prescott - Ogdensburg	Ogdensburg Bridge and Port Authority	
Thousand Islands	Federal Bridge Corporation Limited	Thousand Island Bridge Authority
Queenstown - Lewiston	Niagara Falls Bridge Commission	
Whirlpool Rapids		
Rainbow Bridge		
Peace Bridge	Buffalo and Fort Erie Public Bridge Company	



# Quebec - Vermont

	 Ownership of the Canadian half	 Ownership of the American half
Glen-Sutton - East Richford	Province of Quebec	State of Vermont

# New Brunswick – Maine



Ownership of the Canadian half



Ownership of the American half

Campobello - Lubec

St. Stephen – Calais: Ferry Point

Milltown

St. Stephen - Calais

St. Croix - Vanceboro

Thoroughfare International Bridge

Forest City

Saint Leonard - Van Buren

Edmunston - Madawaska

Clair - Fort Kent

Province of New Brunswick

State of Maine

Construction

# Treaties / Boundaries



## **Boundary Waters Treaty**

**1909:** stipulates water levels and flows in boundary waters must not be altered.

**International Joint Commission (IJC):** resolves / prevents dispute

6 Commissioners: three appointed by each country

**International Boundary Commission:** Regulates land use within a 10 foot zone on both sides of the border

Authorizes all construction within 10 feet of the boundary: ditch, building, underground works, cable, bridge

State / Province approvals

U.S. / Canada Approvals

# U.S. Approvals Needed

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US Coast Guard: Issues Bridge Permit - Start early - pre-application conference, design process to meet required criteria.

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US State Department: Presidential Permit - permits for land border crossing facilities.

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Federal Highway Administration: compliance with National Environmental Policy Act & US Dept. of Transportation Act, 1966.

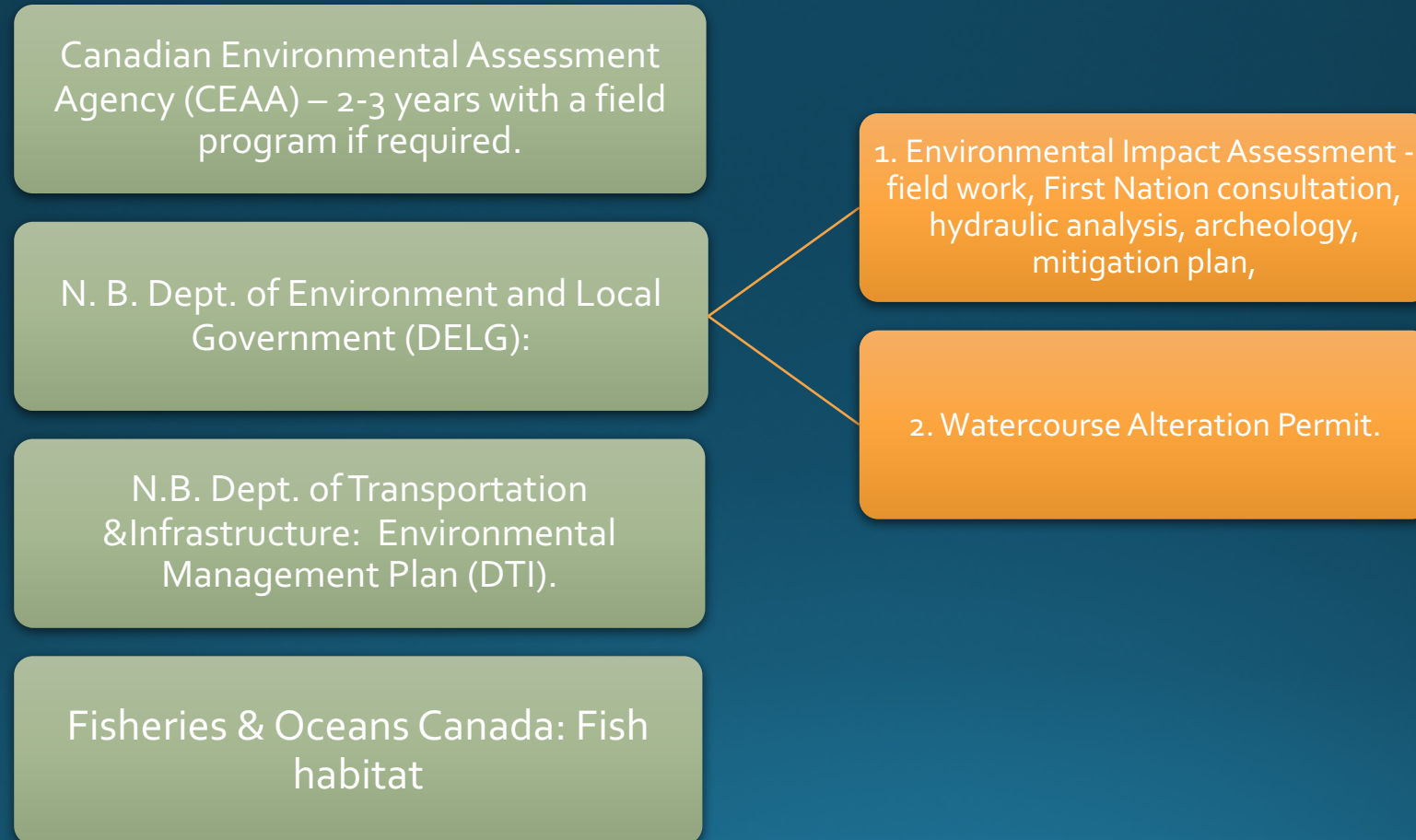
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US General Services: compliance with National Environmental Policy Act

## U.S. / State of Maine Approvals Needed

Comply	Maine Historic Preservation Commission: comply with National Historic Preservation Act.
Minimize and avoid	U.S. Army Corps. of Engineers & Maine Dept. of Environmental Protection: Minimize and avoid potential adverse effects.
Comply	Maine Dept. of Environmental Protection: comply with the Clean Water Act

# Canadian / N.B. Approvals Needed





# Canadian / N.B. Approvals Needed

Transport Canada:

- 1. Navigable Waters approval,
- 2. International Bridges and Tunnels Act

CN Rail: Permit for property use.

First Nation Consultation

Tender Preparation, Pre-approved

Contractors

# Contractors

Registered as a business in both the U.S. and Canada.

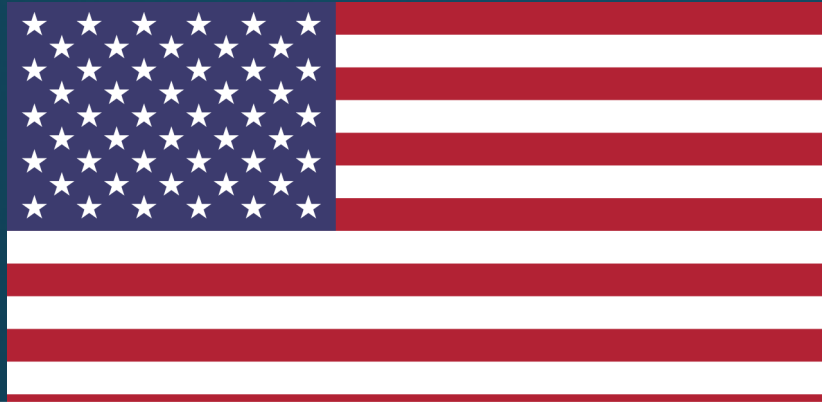
Conducting business in 2 nations is very different.

Need to understand 2 fiscal regimes, 2 labour markets.

## Construction Workers on the Project

American workers that will work on the Canadian side of a construction project need approval.

Canadian workers that will work on the American side of a construction project also need approval.



Employment	Canadian Workers	American Workers
Approval for Canadian or American workers	U.S. Dept. of Labour	Immigration and Citizenship

# Worker Safety

American and Canadian laws



<p><b>Worker Safety: Construction</b></p>	<p><b>U.S. Department of Labor, Occupational Safety &amp; Health Administration (OSHA)</b></p>	<p><b>WorkSafeNB enforces the New Brunswick Occupational Health and Safety Act (OHS).</b></p>
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# TAXES – Maine and New Brunswick

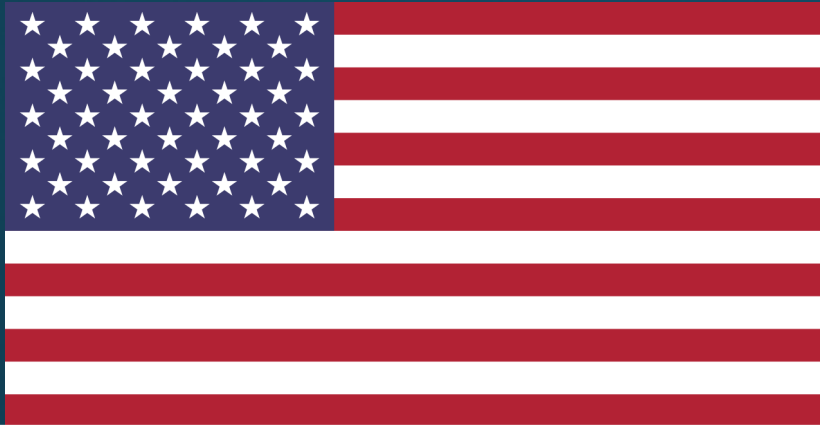


Personal and Corporate Income Taxes

Sales Tax

Harmonized Sales Tax





Income Taxes	Maine	New Brunswick
Personal	5.8% to 7.15%	9.68% to 20.3%
Corporate	3.5% (up to \$25,000) to 8.93%	3.5%(up to \$500,000) and 14%
Sales Taxes	5.5%	NA
HST	NA	15% (5% Fed. / 10%Provincial)

# Customs Duties and Sales Taxes: Canada's rules

Applies on Permanent Importation  
of Bridge Construction  
components

Applies on Temporary Importation  
of Machinery Required on the  
Bridge Construction Project

Project may be eligible for HST  
zero rating



Importation of Goods into Canada – Goods, Materials,  
supplies for construction  
(Customs duties and Federal taxes may be applicable)

Permanent (Installed in bridge)

Imported goods – accounting info: classification & tariff rate  
of duty CBSA has a step-by-step guide



## Temporary (machinery, equipment)

Provision for goods imported temporarily, providing duty relief when the imported goods are not for sale, lease or for further processing: i.e. cranes, backhoes, bull dozers. May enter Temporary Importation Regulations and receive full duty relief.

GST: no provision for GST relief. GST on the full value of the machinery being imported. The contractor may be required to self-assess the provincial component of the Harmonized Sales Tax (HST).

# TARRIFFS

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May 31, 2018: United States announced tariffs of 25% on steel & 10% on aluminum imports from Canada effective June 1, 2018.

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May 31, 2018: Canada announced countermeasures on steel, aluminum, other products imported from United States effective July 1, 2018.

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May 17, 2019: Canada and the United States reach understanding: eliminate all tariffs the United States imposed under Section 232 on Canadian imports of steel and aluminum and all tariffs Canada imposed in retaliation for the Section 232 action taken by the United States.

Thank You