



IMPACT ASSESSMENT AND MITIGATION PROCESS

Framework procedure

DOCUMENT ID:

618-2710-PROC-APQ

DATE UPDATED:

2024-02

VERSION

01

NOTICE TO THE READER

COMPLIANCE WITH REGULATIONS AND OTHER REQUIREMENTS

The information contained in the Impact Assessment and Mitigation Process (IAMP) Framework Procedure does not replace the *Impact Assessment Act* (IAA) or its regulations. In the event of any discrepancy between this document and the Act or the regulations, the latter shall prevail.

In no event is the information included in this process intended to exempt an entity from the IAA (2019) or any other legislation or obligation. The project applicant is responsible for identifying and complying with any regulations applicable to its project and, if necessary, informing the Québec Port Authority (QPA).

The project applicant is also responsible for providing reliable and complete information to the QPA in order to complete the IAMP assessment process or related activity.¹ Quality data will support the implementation of the IAMP and avoid additional delays in the implementation of the project or activity.

In the context where the project applicant omits important information, fails to fulfil its obligations under the IAMP, or submits a project or activity that generates significant residual effects, the QPA reserves the right to refuse to carry out the project on port territory. In the event that the refusal is attributed to residual adverse effects deemed too significant, the project applicant may refer to the Impact Assessment Agency of Canada (IAAC) to determine the applicability of the IAA.

PRINCIPLE OF CONTINUOUS IMPROVEMENT

The IAMP is a dynamic and evolving process. The QPA will periodically re-evaluate this process and may incorporate changes to reflect changing practices.

REGULATORY REFERENCES

- *Impact Assessment Act* (2019)
<https://laws-lois.justice.gc.ca/eng/acts/i-2.75/page-1.html>
- *Physical Activities Regulations*, SOR/2019-285
<https://gazette.gc.ca/rp-pr/p2/2019/2019-08-21/html/sor-dors285-eng.html>
- *Designated Classes of Projects Order*, SOR/2019-323
<https://laws.justice.gc.ca/eng/regulations/SOR-2019-323/page-1.html>

¹ Note: To simplify the text, the term "project" is used in explanations inherent in the IAMP stages. Nevertheless, it is important to consider that the activities subject to the process are subject to the same procedures.

REVISION (ECPP AND IAMP)

Revision number	Revision subject	Author / Date
0	Original version	
a	Revision of the June 2015 version	MEL / 20150604
b	Revision before July 2015 release	AJ / 20150629 MEL, FM / 20150709
c	Pre-final version	FM, SL, MEL, AJ / 20150812
1	Final version	AJ, MEL / 20151218
2	Revised final version 2017	MEL / 20170814
3	Revised version 2021	MEL / 2021
4	Revised version 2022	MEL, TES, LRG, PCG, JFV / 2022
5	Revised version 2023	JFV, PCG, HP / 2023

Copyright

This document is the property of the QPA. Any reproduction, modification, distribution, transmission or disclosure is strictly prohibited without the authorization of the Québec Port Authority.

SUMMARY

The Environmental Citizen Participation Process (ECP) was developed in 2015 by the Québec Port Authority (QPA) to meet the regulations in force at the time, and to give the QPA a right of oversight over the implementation of projects that can generate environmental and social impacts on the port territory.

Almost 10 years later, the QPA wishes to update this process in order to continue to meet its obligations under the most recent regulations and to improve the supervision of projects and activities on the port territory. Through this process, the QPA intends not only to continue and improve the impact assessment work of projects to be carried out, but also to encourage the active participation of citizens and Indigenous communities in carrying out low-impact projects. For this reason, the approach will now be known as the Impact Assessment and Mitigation Process (IAMP).

The QPA therefore has the following main objectives:

1. Provide a robust and predictable framework for project applicants (QPA or users) to comply with the provisions of the IAA relating to non-designated projects carried out in the Port of Québec or any other activities likely to generate notable adverse impacts;
2. Ensure that projects and activities are carried out that are not likely to cause significant adverse environmental and social effects;
3. Encourage optimal participation of the community and stakeholders in the implementation of projects at the Port of Québec;
4. Put in place the necessary mechanisms to encourage the participation of the First Nations concerned in the implementation of projects in the Port of Québec.

To achieve this, a new approach is taken in the IAMP:

- **Modification of the scope of the IAMP:** The QPA wants to ensure not only that all new projects are subject to the IAMP, but also that any changes in port operations with significant impacts (e.g., significant changes in the industrial use of a terminal) are governed by the environmental and social impact assessment.
- **Predictability:** The QPA wants to ensure that all project applicants clearly understand the evaluation process. The new framework procedure and tools are being developed to this end.
- **Respect for the community:** The IAMP aims to continue the work of informing and consulting the community in order to enable citizens to better understand the projects and responsibilities of the various actors involved and, above all, provide feedback aimed at reducing potential impacts and nuisances on their environment and living environment.
- **First Nations involvement:** The IAMP aims to encourage greater participation of the First Nations concerned. To this end, the process includes ways to inform and consult these communities, in order to:
 - Recognize the traditional knowledge of First Nations;
 - Establish a constructive dialogue based on respect, transparency and credibility;
 - mitigate or avoid the potential adverse effects of projects that may adversely affect Indigenous rights and the interests of Indigenous peoples.
- **Changing risk levels:** The project evaluation process is being modified to make the IAMP more representative of anticipated impacts. As a result, the steps involved in the evaluation of level 1 and level 2 projects have been revised (Table 1).



The IAMP Framework Procedure is intended to provide all the information necessary to understand the various steps involved in the project assessment and to better identify the obligations of project applicants based on the level of risk identified (Table 1).

Table 1 IAMP Components







	Level 0	Level 1	Level 2	Level 3	Emergency Level
 <p>1. Project description</p>	<ul style="list-style-type: none"> Project notice 	<ul style="list-style-type: none"> Project notice 	<ul style="list-style-type: none"> Project notice 	<ul style="list-style-type: none"> Project notice 	<ul style="list-style-type: none"> Project notice (in the form of an email or simplified notice with sufficient information to assess the level of urgency)
 <p>2. Level directive</p>	<ul style="list-style-type: none"> Evaluation of the project notice Level 0 directive List of mitigation measures required 	<ul style="list-style-type: none"> Evaluation of the project notice Level 1 directive 	<ul style="list-style-type: none"> Evaluation of the project notice Level 2 directive 	<ul style="list-style-type: none"> Evaluation of the project notice Level 3 directive Registration with the Impact Assessment Agency of Canada (IAAC) 	<ul style="list-style-type: none"> Evaluation of the project notice Emergency level directive List of mitigation measures required
 <p>3. Impact assessment and participatory approach</p>	<p>n/a (Unless the project threatens to harm the First Nations concerned)</p>	<ul style="list-style-type: none"> Publication of the project notice on the Canadian Impact Assessment Registry and on the <i>I Get Involved</i> platform Submission of the project notice to the First Nations concerned Comment period (30 days) Assessment of potential project impacts and mitigation measures (condensed review) 	<ul style="list-style-type: none"> Publication of the project notice on the Canadian Impact Assessment Registry and on the <i>I Get Involved</i> platform Submission of the project notice to the First Nations concerned Development of a consultation plan Comment period (15 days) Completion of the preliminary environmental impact assessment (EIA) by a third party Consultation with the public and the First Nations concerned according to the prerogatives of the consultation plan (30 days) Production of the final Environmental Impacts Assessment (EIA), including the monitoring and follow-up program 	<p>n/a</p>	<p>n/a</p>
 <p>4. Certificate of decision</p>	<p>n/a</p>	<ul style="list-style-type: none"> Posting and transmission of the certificate of decision, including the required mitigation measures 	<ul style="list-style-type: none"> Posting and transmission of the certificate of decision, including the required mitigation measures 	<p>n/a</p>	<p>n/a</p>
 <p>5. Monitoring and follow-up</p>	<ul style="list-style-type: none"> Site monitoring 	<ul style="list-style-type: none"> Site monitoring 	<ul style="list-style-type: none"> Application of the monitoring and follow-up program approved by the QPA 	<p>n/a</p>	<ul style="list-style-type: none"> Site monitoring

TABLE OF CONTENTS

NOTICE TO THE READER	2
SUMMARY	4
TABLE OF CONTENTS.....	7
INTRODUCTION.....	8
1 REGULATORY FRAMEWORK.....	8
2 OBJECTIVES.....	9
2.1 General objectives.....	9
2.2 Specific objectives.....	9
3 FIELDS OF APPLICATION	10
3.1 Projects.....	10
3.2 Other activities.....	11
4 DEFINITIONS.....	11
5 THE PROCESS.....	15
5.1 Project description and level directive	15
5.1.1 Project notice	15
5.1.2 Level directive.....	16
Level 0	18
Level 1	19
Level 2	20
Level 3	21
Emergency level.....	22
5.2 Impact assessment and participatory approach.....	23
5.2.1 Level 1	23
5.2.2 Level 2	24
5.3 Monitoring and follow-up	27
6 ANALYSIS DEADLINES	28
APPENDIX 1 – IAMP FLOWCHART.....	29
APPENDIX 2 – FIRST NATIONS PARTICIPATION POLICY	31
APPENDIX 3 – PROJECT NOTICE FORM.....	39
APPENDIX 4 – MITIGATION MEASURES REGISTER.....	44
APPENDIX 5 – LEVEL DIRECTIVE FORM	59
APPENDIX 6 – TABLE OF CONTENTS	62
APPENDIX 7 – CERTIFICATE OF DECISION.....	64
APPENDIX 8 – IAA PHYSICAL ACTIVITIES REGULATION.....	66
APPENDIX 9 – DESIGNATED CLASSES OF PROJECTS ORDER	89

INTRODUCTION

In 2015, the Québec Port Authority (QPA) introduced an Environmental Citizen Participation Process (ECPP) to meet the requirements of the *Canadian Environmental Assessment Act* (CEAA) and to adopt best and innovative practices for project assessment. It was based on the following three obligations: (1) inform and engage the public on projects, (2) engage an independent third party to assess environmental impacts, and (3) consider comments from citizens and other interested parties.

On August 28, 2019, the Government of Canada implemented the *Impact Assessment Act* (IAA), which replaced the CEAA. The new IAA clarifies and further frames the assessment process for projects taking place within an authority under federal jurisdiction, such as a Canadian Port Authority. In particular, the IAA requires authorities to determine whether a project carried out on federal lands is likely to cause significant adverse environmental effects before making a decision that would allow it to be carried out (Section 82). In addition, authorities must consider a list of factors when making such a decision, including the impact of a project on Indigenous rights, Indigenous traditional knowledge, public comments, and mitigation measures (Section 84).

In order to meet the requirements of the IAA and related regulations, this framework procedure focuses on the requirements of Section 82 of the IAA relating to projects taking place on the territory of the Port of Québec and for which the QPA is required to verify that they are not likely to cause significant adverse environmental effects.

Beyond the regulatory aspect, the QPA's vision is to create a robust, predictable and transparent framework for project applicants, the community and Indigenous peoples. The aim is to ensure that projects are carried out within a sustainable development perspective, where concerns and ideas are heard and taken into account to encourage the adoption of best practices and the mitigation of adverse environmental effects.

In this context, and in order to reflect the intentions of the QPA, the assessment process is now called the **Impact Assessment and Mitigation Process (IAMP)**.

1 REGULATORY FRAMEWORK

This framework procedure refers to the following laws and regulations:

1. *Impact Assessment Act* (2019)
2. *IAA Physical Activities Regulations* (designated projects)
3. *Designated Classes of Projects Order* (ministerial order)
4. *Canada Marine Act* (1998)

2 OBJECTIVES

The IAMP has several objectives, which may be legal in nature, but which are primarily aimed at fostering a quality environment and healthy cohabitation with the community and First Nations.²

Healthy cohabitation with communities is also desirable within the port ecosystem. Users or partners acting as project applicants have an important role to play in achieving this. The IAMP therefore becomes an integral tool for the implementation of their low-impact projects, reinforcing the importance of this process being both simple and effective, consistent with the Port of Québec's sustainable development ambitions.

2.1 General objectives

The overall objectives of the IAMP are to:

1. Provide a robust and predictable framework for project applicants (QPA or users) to comply with the provisions of the IAA relating to non-designated projects carried out in the Port of Québec or any other activities likely to generate notable adverse impacts;
2. Ensure that projects and activities are carried out that are not likely to cause significant adverse environmental and social effects;
3. Encourage optimal participation of the community and stakeholders in the implementation of projects at the Port of Québec;
4. Put in place the necessary mechanisms to encourage the participation of the First Nations concerned in the implementation of projects in the Port of Québec.

2.2 Specific objectives

The IAMP has five specific objectives:

1. Support project applicants in the design and assessment of the environmental and social impacts of their project to ensure that they do not cause significant adverse effects and that they are integrated with the standards and best practices set out by the Port of Québec (sound asset and infrastructure management, safety, security, etc.);
2. Promote an effective mobilization process for Indigenous communities to establish constructive exchanges, ensure that the rights and interests of Indigenous peoples are taken into account and protected, and promote healthy cohabitation in the territory administered by the QPA, as well as to work together to reduce the potential adverse effects of projects, including through the application of traditional knowledge;
3. Promote citizen participation early on based on the specific issues of each project in order to improve their design and avoid or reduce adverse environmental and social effects;
4. Ensure that targeted mitigation measures are clearly understood and implemented during project implementation;
5. Harmonize internal processes to support project delivery (technical assessments, health and safety, etc.) and implement the best practices set out by the QPA's various sectors of activity.

² See the Port of Québec's strategic planning and 2035 Vision (*About the Port - Media and Public Relations - Press Releases - Port of Québec* (portquebec.ca) [in French]).

3 FIELDS OF APPLICATION

The IAMP aims all to regulate the implementation of projects in the port territory in accordance with the provisions set out in the IAA (2019). However, it is also an essential tool for the QPA, allowing it to ensure the effective control of any new activity or substantial increase in a level of activity that could result in significant adverse environmental or social effects. The IAMP will have the advantage of being a one-stop shop that will facilitate exchanges between citizens, First Nations and all project applicants and new activities on the port territory.

To simplify the text, the term "project" is used in explanations inherent in the IAMP stages. Nevertheless, it is important to consider that the activities subject to the process are subject to the same procedures.

3.1 Projects

The IAMP applies to all projects (within the meaning of the IAA) carried out on the Port of Québec territory. Therefore, any project applicant, regardless of the nature of the proposed work, must send a project notice to the QPA to determine the scope of the assessment.

Section 81 of the IAA considers a project if it meets the following three criteria (Figure 1):

- Concrete activity: A physical activity consists of performing tasks or taking measures involving a degree of physical effort, such as construction, modifications, operations, expansions, closures and decommissioning;
- Permanent work: A permanent work includes structures constructed by humans, occupying a specific area and having a fixed location (i.e. having a local permanence);
- Completed on federal land: It is proposed that the project be carried out, in whole or in part, on federal land.

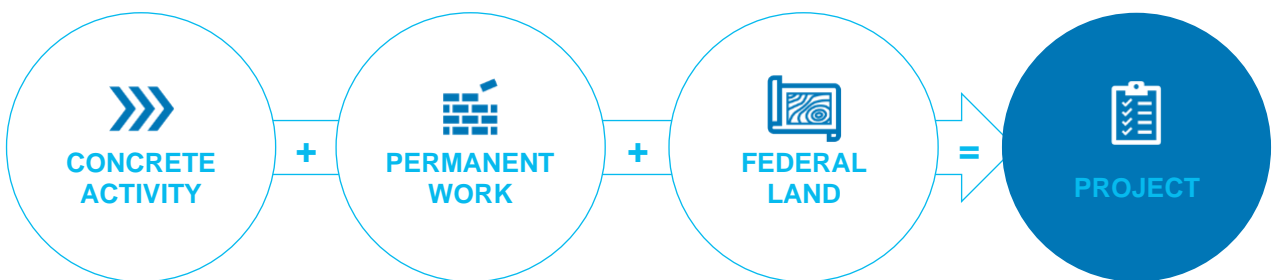


Figure 1 Criteria for designating a project

3.2 Other activities

Since the IAMP is a tool to assess potential impacts on the environment and the community within the port infrastructure's radius of influence, other activities may be subject to assessment by the QPA. To this effect, the QPA reserves the right to subject to assessment certain new activities or changes in activities when it deems that sufficiently significant environmental or social impacts may result.

- **New activities:** To the extent that a new industrial activity is planned on the port territory but is not considered a project, the QPA requires that an IAMP be carried out (e.g.: transshipment or storage of a new material with a level of environmental, health or safety risk, significant increase in operations that may result in notable environmental or community impacts, etc.);
- **Capacity increase:** When an industrial activity taking place on the port territory increases its operational capacity or modifies its operations in such a way that it could affect the environmental and social impacts of the activity (e.g. significant increase in freight transport, change in the type of freight transport, significant increase in storage of materials that can generate a nuisance, etc.);
- **Change of use:** Any changes in land use permitted by the Land Use Plan (LUP) are subject to assessment through the IAMP.

Through this approach, the QPA ensures that any source of potential new environmental or social impacts or any increase in such impacts known in connection with operations on the port territory is governed by the IAMP. This also equips the QPA with the means to clearly identify the effects of projects and activities on its territory, and to ensure the implementation of effective mitigation measures.

Please note that IAMP activities may be subject to confidentiality requirements and may be exempted from certain public information-sharing requirements for projects.

4 DEFINITIONS

Biophysical effects: All the changes to the environment resulting from a project carried out on federal land.

This means that all environmental effects must be taken into account. In other words, the scope is as wide as the environment. Effects to be examined may include air, water and soil quality, quality of life, location, flora and fauna, etc.

CEAA: *Canadian Environmental Assessment Act*³

Certificate of decision: Section of the project notice document indicating the decision of the QPA (as the federal authority) to the project applicant, concerning whether or not a project is to be carried out on its federal land, as well as the requirements it must meet.

Concrete activity: Activity carried out during the life of a structure, consisting of tasks or actions related to the construction, major modification, operation, major maintenance, expansion, decommissioning and closure of a structure (requiring a certain degree of effort).

Condensed assessment: Analysis to determine the potential impacts for level 1 projects or activities and to assess whether the application of mitigation measures is sufficient to meet the obligations of the IAA (2019). The condensed review is conducted by the QPA project assessment team using several criteria to

³ Replaced by the IAA (2019).

determine the likelihood and impact that the completion of a project will result in residual adverse environmental and social effects.

Designated project: One or more physical activities carried out in Canada or on federal lands, designated either by regulation or by order made by the Minister, related to the same federal authority as specified in the regulation or order. As part of the implementation of the IAA (2019), designated projects must be submitted to the impact assessment process by the Impact Assessment Agency of Canada (IAAC) and are considered level 3 projects in the IAMP.

ECPP: Environmental Citizen Participation Process⁴

Emergency: The notion of emergency refers to projects:

- that raise national security issues;
- that are carried out in response to national crisis situations for which response measures are taken under the *Emergency Act*; or
- that the carrying out of the project without delay is in the interest of preventing damage to property or the environment or is in the interest of public health or safety.

Environment: All of the Earth's natural elements and conditions, including:

- soil, water and air, including all layers of the atmosphere;
- all organic and inorganic matter and living beings; and
- interacting natural systems that encompass the components of the two categories mentioned above.

Environmental effects:

- Changes that may be caused to the following components of the environment that fall within the legislative jurisdiction of the federal parliament:
 - (i) Fish and fish habitat, as defined in subsection 2(1) of the *Fisheries Act*,
 - (ii) Aquatic species as defined in subsection 2(1) of the *Species at Risk Act*,
 - (iii) Migratory birds as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*,
 - (iv) Any other component of the environment listed in Schedule 3 of the *Impact Assessment Act*;
- Changes that are likely to be caused to the environment, as appropriate:
 - (i) on federal land,
 - (ii) in a province other than that in which the measure is taken, the activity is carried out, or the project or designated project is carried out,
 - (iii) outside of Canada;
- In the case of Indigenous peoples, the changes likely to be caused to the environment (impacts in Canada), as the case may be:
 - (i) on social, economic and health conditions, including community health,
 - (ii) on natural and cultural heritage,
 - (iii) on the current use of land and resources for traditional purposes,
 - (iv) on a construction, site or object of historical, archeological, paleontological or architectural significance,
 - (v) on Indigenous culture, or potential impacts on the rights of Indigenous peoples.

⁴ Replaced by the IAMP.

Environmental Impact Assessment (EIA): A technical analysis document that identifies the potential environmental, social and economic effects of a project, including cumulative effects, and proposed measures to mitigate those effects, and determines whether the project is likely to cause significant adverse environmental effects.

Federal authority: Within the meaning of the IAA, the QPA is considered a federal authority.

Federal land: The buildings and the body of water owned by his Majesty the King in right of Canada and under the management of the QPA in respect of appendices A and B of the letters patent of the QPA. The federal territory also includes the immovables set out in appendix C to the said letters patent that belong in their own right to the QPA or are under its management.

IAA: *Impact Assessment Act*

IAMP: Impact Assessment and Mitigation Process

Information to the public: Mechanisms to share information about the project and present it to the public to promote understanding.

Interested parties / parties concerned / stakeholders: Individuals or organizations directly or indirectly affected by a project and wishing to obtain information or make a decision on the project, for the purpose of value creation or risk management.

Involvement of First Nations concerned/public participation: Mechanisms for submitting the project to obtain observations and comments from interested parties.

Level directive: Section of the project notice document sent to the project applicant identifying the project level, the minimum information required in the EIA, and the appropriate level of public and First Nations participation.

Mitigation measures: Measures to eliminate, reduce or limit the adverse environmental effects of a project. Reparation measures for any damage caused by these effects, in particular through replacement, restoration or compensation, shall be treated as reparation measures.

Operations Monitoring and Follow-Up Program: Measures to verify the evolution of the reference state and to document any changes to the biophysical environment over the life of the project.

Project: A physical activity that is carried out on federal lands or abroad, is related to a work and is not a designated project or a physical activity designated by the IAA.

Project applicant: Person or organization proposing the implementation of a project on QPA federal land, including the QPA when it is itself the initiator of a project.

Project notice: Form completed by the project applicant and submitted to the QPA. The project notice allows the QPA to conduct a first general analysis of the potential impacts of the project or activity, and thus to produce and transmit the level directive governing the participation of the First Nations concerned and the public required for a given project, if applicable.

Project scope: Corresponds to the part of the proposed work that is on federal land.

Public: Refers to all individuals and organizations that may interact with the project.

QPA: Québec Port Authority



Residual environmental effect: The environmental effect of a project that persists or is expected to persist, even after mitigation measures have been implemented.

Significant adverse effects: Effects that, despite the application of mitigation or compensation measures, exceed a legal standard or environmental reference values.

Socio-economic effects: Effects of any environmental change on Indigenous and non-Indigenous communities, or effects on different socio-economic or cultural domains of environmental change.

Work: Structures that are man-made and occupy a defined area and a fixed location (e.g., buildings, roads and wharves). Natural bodies of water and ships do not constitute structures.

Worksite Monitoring Program: Control measures at all phases of an ongoing project (preparation, mobilization, construction, decommissioning) to ensure the application and performance of mitigation measures and commitments prescribed by the EIA as well as all measures to ensure management.

5 THE PROCESS

The IAMP consists of three main steps to ensure that the potential adverse effects and impacts of projects are assessed rigorously and tailored to the type of project (Figure 2).



Figure 2 Main stages of the IAMP

The following sections explain the roles and responsibilities of each stakeholder in the process and define in more detail the different sub-steps that must be followed to complete the project assessment.

5.1 Project description and level directive

5.1.1 Project notice

Project notice	Any project or activity subject to the IAMP or likely to cause notable environmental or social impacts
-----------------------	--

First, the project applicant must file a project notice with the QPA by completing the form provided for this purpose (Annex 3). This notice allows the QPA to determine whether or not the project must be subject to the IAA and, if so, to determine the project’s level of risk. This step is essential and aims to prepare a level directive indicating the scope and extent of the impact assessment that the project applicant must follow.

The project applicant must therefore use the Project Notice form (618-2722-FORM-APQ) and send it to the following email address: projets.peai@portquebec.ca.

The project applicant is responsible for providing the QPA with all relevant information necessary for understanding and analyzing the file. In this sense, the members of the QPA assessment team analyze the project notice and determine its eligibility according to comments from the various QPA activity sectors:

- If it is not complete, the QPA returns the notice to the project applicant to provide the missing or additional information essential to the analysis;
- The QPA may ask the project applicant for additional information or changes to the project notice. In such a case, the analysis deadlines are suspended or reset, as necessary.

Finally, the QPA determines whether the proposed project requires approval from another federal authority or is subject to other regulatory frameworks:

- If other federal legislation is applicable (e.g. obligation under the *Fisheries Act*), the project applicant is required to obtain project pre-authorizations. Consequently, the level directive prepared by the QPA and allowing the realization of the said project will be conditional on obtaining any other permit or authorization necessary prior to the start of the construction work.

It is important to note that the analysis deadlines for the QPA's work, as explained in section 6, do not begin until the project notice has been deemed complete.

5.1.2 Level directive

Once the project notice is considered complete, the QPA assessment team determines the project's risk level based on criteria on the likelihood and impact that the project will cause adverse environmental and social effects. To this end, the risk level varies according to the complexity and potential severity of the adverse effects on the environment and communities.

Following this analysis, the QPA assigns one of five possible risk levels to the project (Table 2).

Table 2 IAMP risk levels

Level 0	Level 1	Level 2	Level 3	Emergency Level
Project has an insignificant potential for adverse environmental and social effects	Project has a low potential for adverse environmental and social effects	Project has a moderate potential for adverse environmental and social effects	Project has significant potential for adverse environmental and social effects	Project must be carried out in response to an emergency situation

For each level, the content of the level directive will be different (Table 3). Indeed, for level 0 or emergency-level projects or activities, the level directive becomes the document that allows the project to be carried out and finalizes the IAMP. Level 1 and 2 projects must undergo subsequent assessment steps.

Table 3 Content of the IAMP level directive and follow-up

	Content	Follow-up
Level 0	QPA Mitigation Measures Register Specific requirements (if required by the project or activity)	None: The delivery of the level 0 directive allows the project applicant to begin its activities by applying appropriate mitigation measures from the register.
Level 1	Informs the project applicant: <ul style="list-style-type: none"> - that the project notice will be published on the Canadian Impact Assessment Registry and on the <i>I Get Involved</i> platform - that the notice will be sent to the First Nations concerned; - that the analysis to determine the potential impacts of the project and to assess whether mitigation measures are sufficient will be conducted as part of a condensed assessment. 	Obtaining and analysis of comments from the public and the First Nations concerned (30 days) Assessment of potential project impacts and mitigation measures by QPA (condensed assessment) Certificate of Decision
Level 2	Informs the project applicant: <ul style="list-style-type: none"> - that the project notice will be published on the Canadian Impact Assessment Registry and on the <i>I Get Involved</i> platform - that a consultation with the public and the First Nations concerned will be required (development of a customized consultation plan); - that an environmental impact assessment must be carried out by a competent third party. 	Obtaining of comments from the public and the First Nations concerned to guide the production of the EIA. Completion of the preliminary EIA by a third party. Consultation with the public and the First Nations concerned with the preliminary version of the EIA. Production of the final version of the EIA. Certificate of Decision
Level 3	Informs the project applicant that the file will need to be transferred to the Impact Assessment Agency of Canada.	None
Emergency Level	QPA Mitigation Measures Register Specific requirements (if required by the project or activity)	None: The delivery of the emergency level directive allows the project applicant to begin its activities.

Level 0

Section 88 of the IAA designates classes of projects for which the Minister of the Environment considers that their implementation will result in insignificant adverse environmental effects (*Designated Classes of Projects Order*, Schedule 10).

As a result, these projects are not subject to a decision under Section 82 of the IAA and are therefore not subject to the obligations associated with them (subsequent IAMP stages).

When the project submitted by the project applicant is part of the Ministerial Order under Section 88, the QPA does not have to make a decision under section 82 and is not subject to the obligations of the IAA. A level 0 directive is also possible for activities that are not defined as projects within the meaning of the IAA.

Level	Risk analysis	Regulatory framework	Responsible entity
0	Insignificant potential for adverse environmental and social effects	Not subject to the provisions of Section 82 of the IAA	Must be managed entirely by the port authority

The QPA therefore renders its decision through the level 0 directive when:

- the project has insignificant potential impacts on Indigenous citizens and communities;
- All required documents have been sent and are to the satisfaction of the QPA;
- The project can be carried out in accordance with the best practices set out by the QPA and by ensuring that all its activities remain without adverse environmental effects;
- The implementation of standard QPA mitigation measures (Mitigation Measures Register) is realistic and sufficient to avoid potential adverse impacts;
- The project applicant takes the initiative to demonstrate compliance with the mitigation measures required to complete the project or activity.

If the project or activity and, therefore, the project applicant meet the above requirements, the QPA will prepare and provide the project applicant with a level directive (618-2733-FORM-APQ). The QPA Mitigation Measures Register is attached to this directive and, if necessary, additional requirements are listed on the directive to the extent that the project has specificities that require it. The project can then begin.

Level 1

If a project or activity may result in low but significant environmental or social impacts, they are considered to be level 1. To arrive at this conclusion, the QPA conducts an analysis based on pre-established criteria to determine the potential for occurrence and the magnitude of possible adverse effects on the various environmental and social components potentially affected.

Level	Risk analysis	Regulatory framework	Responsible entity
1	Low potential for adverse environmental and social effects	Not subject to the provisions of Section 82 of the IAA	Must be managed entirely by the port authority

When a project is considered to be level 1, a level directive is produced and forwarded to the project applicant. Unlike the 0 and emergency levels, this level directive is not the purpose of the process, but rather serves to inform the project applicant about the next steps of the IAMP.

In this situation, the level directive is used to indicate that:

- the project notice will be published on the Canadian Impact Assessment Registry and on the QPA's *I Get Involved* platform (30 days);
- the project notice will be sent to the First Nations concerned;
- the analysis to determine the potential impacts of the project and to assess whether mitigation measures are sufficient will be conducted by the QPA as part of a condensed assessment.

The QPA will use the comments obtained during the posting of the project notice to formulate recommendations and a list of mitigation measures that are realistically applicable to the project and effective in reducing potential adverse effects to an acceptable level.

The IAMP continues with the next major step: impact assessment and participatory approach (Section 5.2).

Level 2

If a project or activity may result in moderate environmental or social impacts, it is considered to be level 2. To arrive at this conclusion, the QPA conducts an analysis based on pre-established criteria to determine the potential for occurrence and the magnitude of possible adverse effects on the various environmental and social components potentially affected.

Level	Risk analysis	Regulatory framework	Responsible entity
2	Moderate potential for adverse environmental and social effects	Not subject to the provisions of Section 82 of the IAA	Must be managed entirely by the port authority

When a project is considered to be level 2, a level directive is produced and forwarded to the project applicant. Unlike the 0 and emergency levels, this level directive is not the purpose of the process, but rather serves to inform the project applicant about the next steps of the IAMP.

In this situation, the level directive is used to indicate that:

- the project notice will be published on the Canadian Impact Assessment Registry and on the QPA's *I Get Involved* platform (30 day, at a minimum);
- the project notice will be sent to the First Nations concerned;
- that an environmental impact assessment must be carried out by a competent third party.
- that the public and the First Nations concerned will be consulted first on the basis of the project notice (to support the determination of the scope of the proposed EIA) and the draft EIA (to take into account public comments on the project's impacts);
- That a final EIA must be produced and submitted to the QPA's satisfaction. The project applicant must demonstrate that the comments and concerns gathered during the consultations have been taken into account. It should also include a monitoring and follow-up program tailored to the project and potential adverse impacts.

The IAMP continues with the next major step: impact assessment and participatory approach (Section 5.2).

Level 3

The QPA determines whether the project is subject to the federal impact assessment process by consulting the Act's *Physical Activities Regulations* (Schedule 9). Projects designated by the *Regulations* are governed by the federal impact assessment process and, where applicable, the QPA does not have to make a decision under Section 82.

In these circumstances, the QPA determines that the project or activity is considered level 3.

Level	Risk analysis	Regulatory framework	Responsible entity
3	Significant potential for adverse environmental and social effects (as prescribed in the IAA, 2019)	Not subject to the provisions of Section 82 of the IAA	Impact Assessment Agency of Canada (IAAC)

In addition, under section 9 of the IAA, the responsible minister may designate a proposed project that is not listed in the *Regulations*. The minister may exercise this authority if the project is likely to result in adverse effects within an area of federal jurisdiction or direct or incidental adverse effects, or if public concerns related to these effects warrant the designation.

This discretion allows the Minister to take into account exceptional circumstances, such as when a project is proposed in an environmentally sensitive location or when it is a new type of project or a unique type of project that was not considered when the project list was developed.

The level directive indicates to the applicant that the file must be transferred to the Impact Assessment Agency of Canada and that the IAMP is accordingly completed.

Emergency level

In certain situations, a project may be considered an emergency. The notion of emergency corresponds to Section 91 of the IAA, namely:

“the carrying out of the project without delay is in the interest of preventing damage to property or the environment or is in the interest of public health or safety.” (IAA, 2019)

If so, the QPA is not required to make a decision under Section 82 and is not subject to the obligations of the IAA. To this end, the QPA may order that the project must be carried out without delay for the protection of persons, property or the environment.

In these circumstances, an emergency-level project is defined as follows:

Level	Risk analysis	Regulatory framework	Responsible entity
Emergency	Project must be carried out in response to an emergency situation	Not subject to the provisions of Section 82 of the IAA	Must be managed entirely by the port authority

The QPA formally makes a decision and notifies the project applicant when:

- all required documents have been sent and are to the satisfaction of the QPA;
- the project is considered an emergency within the meaning of the IAA (Section 91);
- The project can be carried out in accordance with the requirements set out by the QPA and by ensuring that all its activities remain without adverse environmental effects;
- The implementation of standard QPA mitigation measures (Mitigation Measures Register) is realistic and sufficient to avoid potential adverse impacts (if applicable depending on the level of urgency);
- The project applicant takes the initiative to demonstrate compliance with the mitigation measures required to complete the project or activity, if applicable.

If the project applicant meets the above requirements, the QPA will prepare and provide the project applicant with a level directive (618-2733-FORM-APQ). Note that the level directive includes all the mitigation measures required by the QPA to enable the project to be carried out, insofar as the emergency situation allows these measures to be applied.

5.2 Impact assessment and participatory approach

The impact assessment and public and First Nations participation phase is only required for level 1 and 2 projects or activities.

5.2.1 Level 1

For a level 1 project, the QPA must post a public notice on the Canadian Impact Assessment Registry. Subsection 86(2) of the IAA requires that there be a minimum of 30 days between the posting of the project notice and the posting of the notice of decision.

Beyond this obligation, the QPA hopes that communities will have the opportunity to provide comments to properly assess the nature of the mitigation measures needed to reduce or eliminate the adverse effects of the project. To achieve this, **the QPA posts the project notice on the *I Get Involved* platform and communicates directly with the First Nations concerned.**

The comment period serves to inform the assessment of environmental effects and enhance, where appropriate, the mitigation measures required for the project. Comments are collected for 30 days before the QPA must make a decision. Unless circumstances warrant, steps in relation to a level 1 project do not involve the completion of an EIA by a third party; the analysis to determine the potential impacts of the project and to assess whether the application of mitigation measures is sufficient for these impacts to be considered acceptable is done by the QPA as part of a condensed assessment.

The results of the condensed assessment are verified by the management of the Port of Québec Environment Team. The mitigation measures and the conditions for carrying out the project or activity concerned are then confirmed and approved by the Port’s Vice-President of Sustainable Development.

Table 4 Public and First Nations participation activities in the evaluation of a level 1 project

Level	Interested parties	Comment period	Types of comments
1	Public	30 days	Posted on the QPA’s platform, <i>I Get Involved</i>
	First Nations		Written (emails, letters) Verbal, if necessary

The QPA formally makes a decision and notifies the project applicant when:

- All required documents have been sent and are to the satisfaction of the QPA;
- Comments from the public and the First Nations concerned were taken into account, as required by Section 84 of the IAA;
- The project can be carried out in accordance with the best practices set out by the QPA and by ensuring that all its activities remain without adverse environmental effects;
- The implementation of standard QPA mitigation measures (Register of Mitigation Measures) is realistic and sufficient to avoid potential adverse impacts;

- The project applicant takes the initiative to demonstrate compliance with the mitigation measures required to complete the project or activity.

At the end of the process, if the project or activity meets the above requirements, the QPA drafts and submits a certificate of decision to the project applicant (Annex 8). The certificate of decision shall include the conditions for carrying out the project and, if necessary, the mitigation measures complementary to those of the registry to be implemented.

Finally, the QPA must post a notice of decision on the Canadian Impact Assessment Registry and the mitigation measures it took into account in making its decision, as required by Subsection 86(2) of the IAA. In order to provide feedback on comments received from the public and the First Nations concerned, the QPA will:

- post the certificate of decision on the QPA's platform, *I Get Involved*;
- send the certificate of decision to the First Nations concerned.

Note that the level directive includes all the mitigation measures required by the QPA to enable the project to be carried out. The use of this level directive provides stakeholders with tools for the transparency, rigor and predictability required under the IAMP.

5.2.2 Level 2

For a level 2 project, the QPA must post a public notice on the Canadian Impact Assessment Registry. Subsection 86(2) of the IAA requires that there be a minimum of 30 days between the posting of the project notice and the posting of the notice of decision.

In addition, since level 2 projects or activities are likely to have moderate impacts on the environment or communities, a more thorough approach to impact analysis and assessment is needed. This process involves a number of activities, which are carried out in a precise and predetermined sequence, starting when the project notice is complete and meets the QPA's requirements:

- Post the project notice on the *I Get Involved* platform and obtain comments or concerns from citizens (15 days);
- Send the project notice to the First Nations concerned and obtain comments or concerns;
- Following these first two activities, use the comments and concerns received to provide guidance to the project applicant as to the minimum required content of the EIA;
- Preparation of the draft EIA by a competent third party (managed by the project applicant);
- Public consultation on the project and the preliminary EIA (30 days);
- Consultation with First Nations concerned on the project and the preliminary EIA;
- Production of the revised and final version of the EIA, including the monitoring and follow-up program;
- Assessment of the eligibility of the final EIA, as well as the proposed mitigation measures and monitoring and follow-up program.

Through this impact assessment and community participation, the QPA hopes **that the public and the First Nations concerned will then have the opportunity to provide comments or concerns during a consultation.** The objective of the consultation exercise is to allow interested parties to provide their comments and concerns so that the EIA is carried out in accordance with the wishes of the receiving community and the public. This is an opportunity to clearly identify the environmental components

emphasized by the community and the public, which need to be specifically studied, and then to verify that the environmental impact assessment meets stakeholders' expectations.

To this end, and to offer continuous and effective support to project applicants, various tools will be transmitted together with or shortly after the level directive is submitted, including:

- **Standard Table of Contents** of an EIA (Appendix 7);
- **Consultation plan:** A consultation plan will be developed as soon as the project has been identified as a level 2 project. This plan will be produced by the Port of Québec's Community Relations team in collaboration with the project applicant and will aim to provide the applicable recommendations or guidelines to meet the requirement for consultation with the community and First Nations. It is intended to serve as a support tool allowing the project applicant to quickly determine the scope of the actions to be planned to complete the subsequent stages of the IAMP. Among other things, it will ensure that the right stakeholders are targeted and that discussions are planned as early as possible in the process, particularly with interested committees (e.g.: The Port Community Relations Committee (*Comité de Cohabitation Port-Communauté*)).

Table 5 Public and First Nations participation in the evaluation of a level 2 project

Level	Interested parties	Comment period	Types of comments
2	Public	15 days	Comments or concerns to determine the content of the EIA on the QPA's platform (<i>I Get Involved</i>)
	First Nations		Comments or concerns to determine the content of the EIA
	Public	30 days	Written on the QPA's platform (<i>I Get Involved</i>) Oral during public consultations
	First Nations		Written (emails, letters, briefs) Oral, if necessary

At any time during the 30-day consultation period, an interested party may submit a brief. Briefs may be uploaded to the appropriate section of the project on the QPA's *I Get Involved* platform or filed (electronically or on paper) at the QPA head office (150, rue Dalhousie, C.P. 80, succ. Haute-ville, Québec, QC, G1R 4M8). Note that the postage date will serve as the official filing date of the document.

Following the public and First Nations consultation process, the project applicant must review the preliminary EIA to take into account the comments made, as required by section 84 of the IAA:

- The project applicant submits a revised EIA to the QPA, which incorporates comments from the public and the First Nations concerned;
- It is the responsibility of the project applicant to clearly identify changes or additions to respond to questions and comments from the public and the First Nations concerned;
- In the event that certain comments are not considered, the project applicant must notify the QPA and enter the supporting documents in the revised EIA.

After the final analysis of the EIA, the QPA formally makes a decision and notifies the project applicant when:

- All required documents have been sent and are to the satisfaction of the QPA;
- Comments from the public and the First Nations concerned were taken into account, as required by Section 84 of the IAA;
- The EIA meets QPA expectations and adequately includes feedback obtained during the various consultations;
- The environmental and social effects monitoring and follow-up program meets QPA expectations;
- The project can be carried out in accordance with the best practices set out by the QPA and by ensuring that all its activities remain without adverse environmental effects;
- The implementation of standard QPA mitigation measures (Mitigation Measures Register) is realistic and sufficient to avoid potential adverse impacts;

The project applicant takes the initiative to demonstrate compliance with the mitigation measures required to complete the project or activity.

At the end of the process, if the project or activity meets the above requirements, the QPA prepares and submits to the project applicant a certificate of decision approved and ratified by the QPA President and CEO, on the recommendation of the Vice-President of Sustainable Development (Appendix 8). Like the certificate for level 1 projects, this certificate of decision sets out the conditions under which the project will be carried out and, if necessary, the mitigation measures to be implemented in addition to those in the register.

Finally, the QPA must post a notice of decision on the Canadian Impact Assessment Registry and the mitigation measures it took into account in making its decision, as required by Subsection 86(2) of the IAA. In order to provide feedback on comments received from the public and the First Nations concerned, the QPA will:

- post the certificate of decision on the QPA's platform, *I Get Involved*;
- send the certificate of decision to the First Nations concerned.

Note that the level directive includes all the mitigation measures required by the QPA to enable the project to be carried out. The use of this level directive provides stakeholders with tools for the transparency, rigor and predictability required under the IAMP.

5.3 Monitoring and follow-up

The project applicant is responsible for establishing a monitoring and follow-up program to verify the effectiveness of mitigation measures and to document any changes to the biophysical environment over the life of the project. This obligation to monitor and track environmental and social effects can take several forms depending on the project level identified at the beginning of the process (Table 6).

Table 6 Minimum requirements for monitoring and follow-up on the effects of a project or activity

	Minimum requirements
Level 0	<ul style="list-style-type: none"> ▪ Site monitoring
Level 1	<ul style="list-style-type: none"> ▪ Site monitoring ▪ Specific monitoring and follow-up measures, as required, depending on the type of project and anticipated impacts
Level 2	<ul style="list-style-type: none"> ▪ Environmental and social effects monitoring and follow-up program approved by the QPA
Level 3	<ul style="list-style-type: none"> ▪ To be determined in the process with the Impact Assessment Agency of Canada
Emergency Level	<ul style="list-style-type: none"> ▪ Site monitoring ▪ Specific monitoring and follow-up measures, as required, depending on the type of project and anticipated impacts

For low-impact projects (level 0), routine site monitoring is required. For projects or activities that may result in significant impacts, more structured and significant monitoring and follow-up may be required. In particular, level 2 projects or activities must provide a comprehensive monitoring and follow-up program as part of the EIA. This program must take into account the anticipated residual effects and be approved by the QPA during its evaluation and then carefully implemented during the implementation of the project or activity.

If the effectiveness of the mitigation measures does not meet the standards and requirements, the project applicant must correct or enhance them. Similarly, if adverse environmental effects that were not anticipated are identified by the project applicant during construction or operations, the project applicant is responsible for taking all necessary corrective measures to avoid unexpected impacts. These measures may include stopping work.

In accordance with the legislative provisions in force, the QPA reserves the right to monitor and to require, at any time, the demonstration of compliance with the conditions and mitigation measures provided for in the certificate of decision. The project applicant must be able to demonstrate, at all times, the effectiveness of these mitigation measures throughout the project. Otherwise, the QPA will have full authority to require immediate corrective measures or to force the halt of work or operations until the measures meet the QPA's expectations in order to protect environmental components and health, social and economic conditions.

6 ANALYSIS DEADLINES

The IAMP analysis deadlines are dependent on the complexity and scale of potential impacts, and therefore on the risk level determined by the QPA (Table 7).

Table 7 IAMP analysis deadlines

Risk analysis	QPA responsibilities	Maximum analysis deadline
Emergency	<ul style="list-style-type: none"> Analyze the project notice. 	1 to 10 days
0	<ul style="list-style-type: none"> Analyze the project notice; Determine whether another authority needs to be notified or involved in the process; Consult with the public and the First Nations concerned (if applicable). 	10 to 25 days
1	<ul style="list-style-type: none"> Analyze the project notice; Determine whether another authority needs to be notified or involved in the process; Inform the public for comments; Inform the First Nations concerned for comments; Assess the potential project impacts and mitigation measures (condensed assessment). 	40 to 65 days (Including posting time on the Canadian Registry)
2	<ul style="list-style-type: none"> Analyze the project notice and define the minimum scope of the EIA; Determine whether another authority needs to be notified or involved in the process; Coordinate public information and consultation sessions; Consult with the First Nations concerned; Check accordance with the preliminary EIA and evaluate its final version. 	65 to 110 days (Including posting time on the Canadian Registry and the <i>I Get Involved</i> platform)
3	<ul style="list-style-type: none"> None (under the responsibility of the Impact Assessment Agency of Canada). 	Regulatory deadlines provided for in the IAA

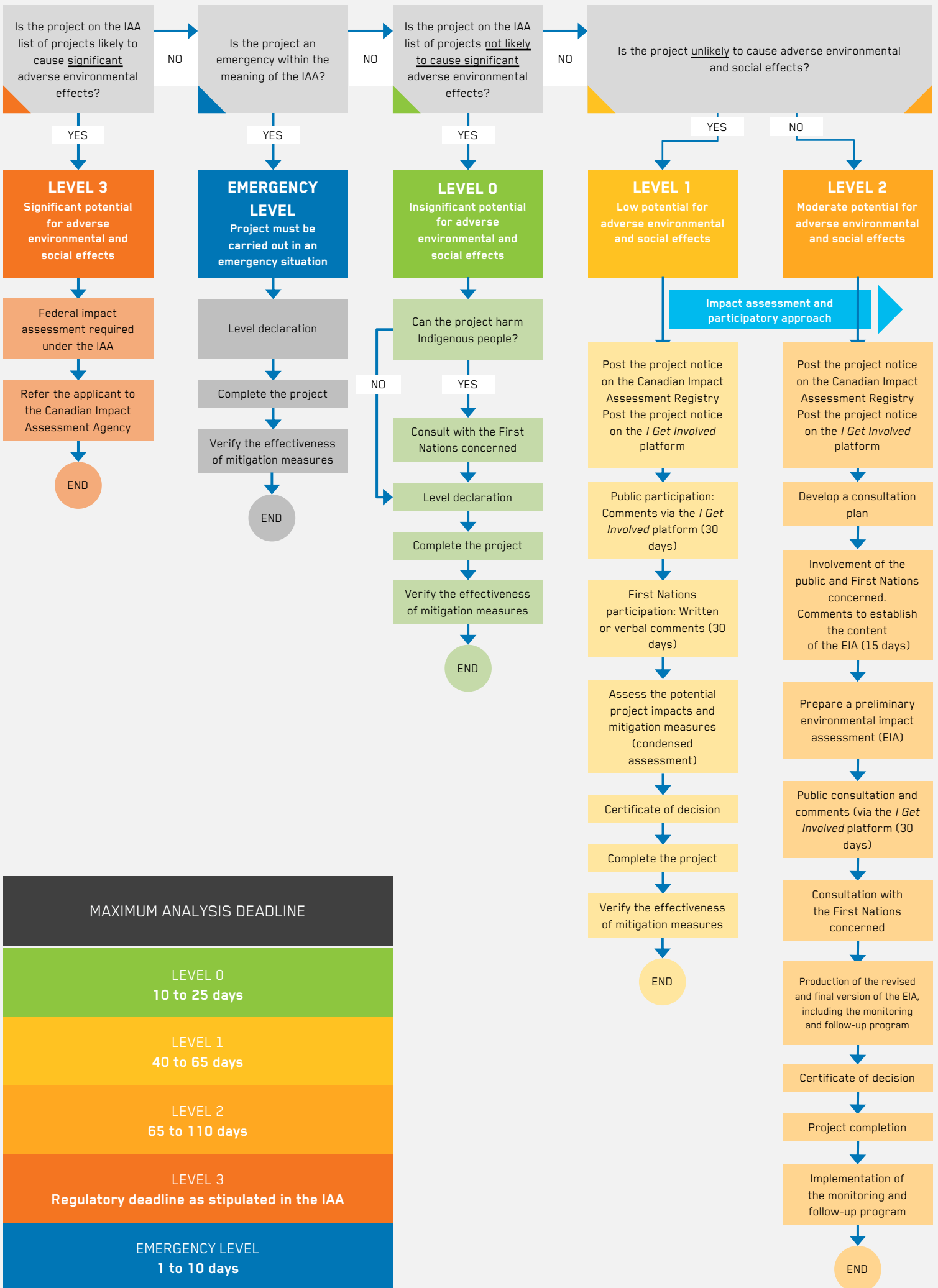
Note:

- Deadlines for the project applicant steps are not included in the table (e.g.: file a clear and complete project notice, send all required documents, prepare and submit a preliminary EIA, revise the EIA following comments from the public and the First Nations concerned);
- The deadlines have been established by considering the moment when the QPA has obtained all the documents and information necessary for the efficient processing of the file;
- In the event that additional information is required to process the file, the deadlines are suspended or reset, as necessary;
- In addition to the fixed deadlines associated with the public and First Nations participation period, the deadlines presented in Table 7 may vary;
- In exceptional circumstances, the QPA may require additional time to those prescribed in Table 7. This period will only be authorized by the VP of Sustainable Development, under the recommendation of the Environment department. A notice explaining this additional time will be sent as soon as possible to the project applicant.
- Any time frame related to the participation of a government or other authority is not considered in Table 7.

The image features a large, solid blue rectangular area that serves as a background. On the left side, there is a vertical white bar that is wider at the top and tapers towards the bottom. The text 'APPENDIX 1 – IAMP FLOWCHART' is centered within the blue area in a white, bold, sans-serif font. The overall design is clean and professional, typical of a corporate or technical document cover page.

APPENDIX 1 – IAMP FLOWCHART

Decision-making approach under section 82 of the *Impact Assessment Act* (IAA) and the IAMP



MAXIMUM ANALYSIS DEADLINE

LEVEL 0
 10 to 25 days

LEVEL 1
 40 to 65 days

LEVEL 2
 65 to 110 days

LEVEL 3
 Regulatory deadline as stipulated in the IAA

EMERGENCY LEVEL
 1 to 10 days



**APPENDIX 2 –
FIRST NATIONS
PARTICIPATION POLICY**



First Nations Participation Policy

PREPARED BY:

Director of Community Relations

APPROVED BY:

Board of Directors (forthcoming)

ENTRY INTO FORCE:

February 2024



TABLE OF CONTENTS

- 1 BACKGROUND 3**
- 2 OBJECTIVES..... 3**
- 3 DEFINITIONS..... 3**
 - 3.1 Participatory approach..... 3
 - 3.2 Participation measures 3
 - 3.3 Public participation 4
 - 3.4 Decision-making process 4
 - 3.5 Projects..... 4
- 4 FIELD OF APPLICATION..... 4**
- 5 PRINCIPLES AND RULES TO FOLLOW 4**
 - 5.1 Commitment of the QPA..... 4
 - 5.1.1 Complete and accessible information..... 5
 - 5.1.2 Contribution of First Nations upstream of projects..... 5
 - 5.1.3 Ensuring feedback 5
 - 5.2 Decision-making and participation mechanisms 5
 - 5.2.1 Level 1 projects..... 5
 - 5.2.2 Level 2 projects..... 6
 - 5.2.3 Timelines..... 6
- 6 ROLES AND RESPONSIBILITIES..... 7**
 - 6.1 Board of Directors..... 7
 - 6.2 President and Chief Executive Officer..... 7
 - 6.3 Office of the President and Vice-President of Sustainable Development durable 7
 - 6.4 Community Relations and Environment departments..... 7
 - 6.5 Employees..... 7
- 7 IMPLEMENTATION AND INQUIRIES..... 7**
- 8 APPROVAL AND REVIEW 7**



1 BACKGROUND

The Québec Port Authority (QPA) wishes to maintain a close and lasting relationship with Quebec's First Nations. To strengthen this collaboration, the QPA is enhancing its Impact Assessment and Mitigation (IAMP) process by implementing a policy to systematically involve the First Nations concerned.

The rationale behind the IAMP is to ensure informed decision-making, to promote understanding among the various stakeholders and to give them opportunities to make suggestions in order to improve projects and initiatives carried out by the QPA or its users in the port territory.

This management framework is therefore intended to be an essential complementary tool to the IAMP, which aims to improve communication channels and act on a desire for sustainable collaboration with First Nations.

The management framework provides a general approach to guide the QPA in its ways of conducting constructive consultation with First Nations and does not preclude any other specific collaborative arrangements.

2 OBJECTIVES

The main objectives of the measures in this policy are to:

- Recognize the traditional knowledge of First Nations;
- Establish a constructive dialogue based on respect, transparency and credibility;
- Mitigate or avoid the potential adverse effects of projects that may adversely affect Indigenous rights and the interests of Indigenous peoples.

3 DEFINITIONS

3.1 Participatory approach

The participatory approach refers to all the information, consultation or active participation mechanisms that the QPA proposes to First Nations with respect to a given project, within the decision-making process. These are generally closely linked to the IAMP.

3.2 Participation measures

A participation measure is an activity or communication medium that allows First Nations members to involve themselves in the decision-making process under QPA management. It may be a measure for information, consultation or active participation purposes. For the purposes of this policy and with respect to the stipulations in the IAMP, these arrangements are ad hoc as they are integrated into an assessment process for specific projects or activities subject to the IAMP. However, they remain adaptable depending on the type of project, the size and scope of the impacts, and the specific concerns of each First Nation.

3.3 Public participation

Public participation is the engagement of individuals in formal arrangements governed by clearly established rules and aimed at achieving an explicitly formulated objective. These measures can be structures or processes, either permanent or ad hoc. Public participation is not intended to replace representation, but to complement it.¹

While the First Nations consultation process is completely independent of the IAMP citizen participation process, this policy draws on public consultation and participation practices in some respects.

3.4 Decision-making process

The decision-making process refers to all the steps that fall within a project framework for decision-making purposes, from the moment it is submitted to the QPA until its completion.

3.5 Projects

In this document, the term “project” refers to the definition provided under the IAMP:

A physical activity that is carried out on federal lands or abroad, is related to a work and is not a designated project or a physical activity designated by the *Impact Assessment Act* (IAA).

4 FIELD OF APPLICATION

This policy applies to:

- QPA employees involved in an operation, activity or project that meets one of the criteria of the decision-making process;
- Any First Nation affected by the targeted project or the adverse effects it may have on the environment, Indigenous rights or the interests of Indigenous peoples.

5 PRINCIPLES AND RULES TO FOLLOW

5.1 Commitment of the QPA

In order to meet these objectives, the QPA is committed to establishing conditions conducive to constructive dialogue with First Nations in order to take into account their traditional knowledge and concerns in the implementation of projects on the port territory.

¹Reference: <https://inm.qc.ca/dictionnaire-de-la-participation/>

5.1.1 Complete and accessible information

To achieve these objectives, it is important that the information that is shared with First Nations during the various projects is as complete and clear as possible. The QPA therefore wishes to facilitate the process by making the following commitments:

- Present the steps of the process by explaining the desired modes of involvement;
- Make information accessible with documents promoting a good understanding of projects;
- Use various means of communication to increase the scope of projects and the approach;
- Use a simple vocabulary understood by all;
- Respect the principles of digital accessibility.

5.1.2 Contribution of First Nations upstream of projects

It is essential to provide First Nations with a reasonable amount of time based on the desired participation. To achieve this, the QPA notifies various project applicants that they must consider the consultation and information-sharing stages as soon as project schedules are developed.

For all projects that will be submitted to First Nations, the project notice should be as detailed and complete as possible so that the analysis deadlines are representative of the potential issues. Comments then provided by First Nations will be considered to determine appropriate mitigation measures for the project (Level 1 projects) and to ensure an assessment of environmental effects consistent with potential concerns (Level 2 projects).

5.1.3 Ensuring feedback

The QPA recognizes the importance of First Nations' contribution to the IAMP. This is why it undertakes to transmit a report presenting their contribution in relation to the procedures once the level 2 projects are completed. Interested members will thereby understand their contribution through a targeted mailing or through one of the selected communication channels within three months of the decision.

5.2 Decision-making and participation mechanisms

5.2.1 Level 1 projects

Level 1 projects may have low negative effects on the environment and communities. Effective and appropriate mitigation measures are normally sufficient to substantially reduce, if not eliminate, adverse effects.

Within the framework of these projects, the IAMP includes the following elements:

- Not subject to the provisions of Section 82 of the *Impact Assessment Act* (IAA);
- The project is excluded from the list of exclusions in the *Designated Classes of Projects Order* under the IAA.
- An assessment of adverse environmental effects is not conducted;
- A public information period is completed (comments) [30 days];
- **First Nations information period (comments).**

For these projects, the IAMP anticipates that the project notice will first be analyzed by the QPA to ensure consistency with the requirements of the process, and then sent to the First Nations concerned (by email). They will then be able to submit comments and concerns to the QPA. The comments will be taken into consideration to determine the type of the mitigation measures necessary to ensure respect for the environment and the rights and interests of Indigenous peoples in the implementation of the project. The QPA will use these comments as part of its condensed review of anticipated environmental and social effects.

5.2.2 Level 2 projects

Level 2 projects may have low negative effects on the environment and communities. Effective and appropriate mitigation measures are generally sufficient to significantly reduce adverse effects, but some impacts may still be felt during the construction or operation phase of the project.

Within the framework of these projects, the IAMP includes the following elements:

- Application of provisions of Section 82 of the IAA;
- The project is excluded from the list of exclusions in the *Designated Classes of Projects Order* under the IAA.
- An assessment of adverse environmental effects must be conducted;
- A public information and consultation period must be completed (comments) [30 days];
- An information and consultation period must be held with First Nations.

For a level 2 IAMP, the QPA will assess the significance of the potential adverse effects of the project through an environmental impact assessment (EIA) and ensure that effective mitigation measures are implemented to reduce the potential impacts to an acceptable level.

In addition to the provisions for level 1 projects, the First Nations concerned will then have the opportunity to provide input and share their concerns during a consultation on level 2 projects so that the EIA is conducted in accordance with the specific concerns of the receiving community and the interests of Indigenous peoples. This is an opportunity to clearly identify the environmental components emphasized by the community and the public, which need to be specifically studied, and then to verify that the environmental impact assessment meets stakeholders' expectations.

The consultation can be done virtually, via a communication platform, or in person. The consultation process can then be determined according to the specificities of each First Nation and the project in question. For level 2 projects, the QPA will develop a consultation plan that will be provided to the project applicant and that will include all recommendations necessary for the consultation process. The QPA will be responsible for communications with the First Nations concerned.

5.2.3 Timelines

Timelines must be reasonable and take into account the type, scope and impacts of the proposed project. Affected First Nations may need to consult with their members and collect or analyze traditional knowledge and data. The QPA will consider seasonal timelines and invite the First Nations concerned to communicate their needs quickly and clearly so that the assessment of the project through the IAMP can be aligned. For example, for consultations with the non-Indigenous community, a 30-day period is included in the IAMP schedule.



If the response times for First Nations were to significantly exceed the deadlines for the other stages of the IAMP consultation, the QPA will ensure that it has contacted the First Nations concerned to decide on the subsequent stages and the continuation of the project. This will ensure the sustainability of the process by providing an opportunity for all stakeholders to make a significant contribution.

6 ROLES AND RESPONSIBILITIES

6.1 Board of Directors

- Approve this policy.

6.2 President and Chief Executive Officer

- Take steps to ensure that this policy is respected.

6.3 Office of the President and Vice-President of Sustainable Development

- Ensure the dissemination, implementation and updating of this policy;
- Ensure that each employee on the team has read this policy;
- Collaborate with the principles and rules of this policy.

6.4 Community Relations and Environment departments

- Ensure that every employee on the team has read this policy;
- Collaborate with the principles and rules of this policy.

6.5 Employees

- Collaborate with the principles and rules of this policy.

7 IMPLEMENTATION AND INQUIRIES

Anyone wishing to obtain information regarding this policy should contact the Citizen Relations department.

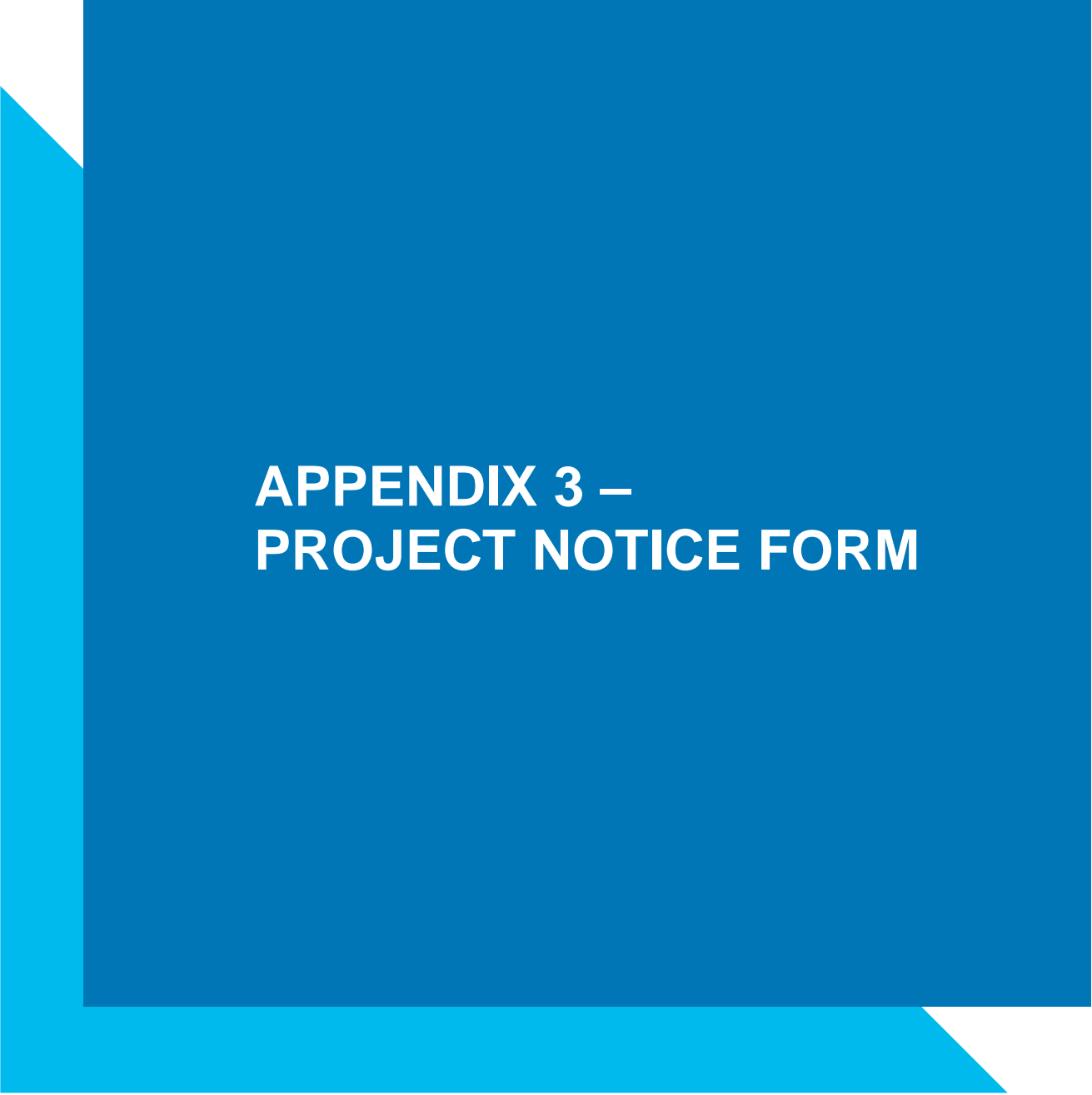
8 APPROVAL AND REVIEW

Approval Date: Forthcoming

Approver Name and Title: Board of Directors

Effective Date: To be validated

Review frequency: As needed



**APPENDIX 3 –
PROJECT NOTICE FORM**

1. General information

Project applicant name: Organization

Project manager and contact information: Provide the project applicant's contact information and the name of the person to contact for the next steps in the process.

Project director: Provide the name and contact information of the person supervising the project manager.

Project title: Provide the most representative title possible of the project submitted.

QPA Project Number (if applicable)

2. Project description

Describe your project as a whole so that the QPA understands the context and vision.

Project summary:

Project justification:

Project objectives:

Projected area of work:

Is the project to be carried out in response to an emergency under section 91 of the *Impact Assessment Act (IAA)*? An emergency project must demonstrate that there is a clear link between the timeline and the risk of damage to property or the environment, or health and safety impacts. The specific risks arising from the non-immediate completion of the project should be identified.

Yes No.

If YES, specify:



3. Steps to completion

Complete the table below to describe the steps involved in carrying out each of the activities, specify the equipment and machinery used, and provide an overall timeline for the various steps.

Steps to completion for each of the activities	Equipment and machinery that will be used	Start Date	End Date
Enter the information	Enter the information	Select the date	Select the date

4. Location plan and geospatial data

Indicate the location of the work site(s) and include location plan(s).

Geographic coordinates:

Latitude:

Longitude:

Please note that it is mandatory to provide a work location plan, plans and specifications, equipment/materials technical sheets or shop drawings, and pre-project studies (e.g. geotechnical study).

5. Main risks or opportunities of the project

Type of impact	Verification element	APPLICABLE		
		YES	NO	N/A
Environmental	Does the project include work to be carried out in the aquatic environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to cause habitat degradation or loss that could affect biodiversity in the local environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project include work to be carried out in the riparian strip (within 30 m of a body of water)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to release a pollutant to or into land, water or air?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to change the landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to affect birds, aquatic animals and wildlife (flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project include excavation by hydro-excavation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project require the pouring of concrete?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project require soil excavation work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project require soil excavation work more than one (1) metre deep?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to require the reuse of contaminated soil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the project involve activities that generate noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to affect groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to affect surface water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to contaminate the soil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to emit dust or change air quality in the local environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the project likely to cause visual disturbances to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



	Is the project likely to generate residual materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to generate hazardous residual materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is it likely that drinking water will be used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the project likely to use raw water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Economical	Is the project likely to create economic benefits for the region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Will the project promote job creation in the short term (3 months) or in the medium term (6 months)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Project notice summary (for publication)

Level 1 and 2 projects must always be publicly posted under the IAA (2019). This section is therefore intended to be published on the Canadian Impact Assessment Registry and on the QPA's *I Get Involved* platform, or sent to the First Nations concerned according to the level of risk that will have been determined after the QPA's analysis of the project notice.

The summary must not contain information subject to confidentiality requirements and must provide a clear understanding of the nature of the project, as well as the scope of potential impacts during construction and operation.

7. Commitment

The project applicant hereby undertakes to notify the QPA without delay in the event of a significant change to the project (component or implementation methodology). These changes include, but are not limited to: the location of the work, the working methods, the scope of the work, etc.

The project applicant also undertakes to carry out the work in accordance with the requirements of the QPA.

Signature

DATE
(YYYY-MM-DD)



**APPENDIX 4 –
MITIGATION MEASURES
REGISTER**



Mitigation Measures Register

To be followed for projects carried out on QPA federal land

December 2023:

DOCUMENT ID:
618-2721-REG-APQ

DATE UPDATED:
2015-12-10

VERSION:
01

TABLE OF CONTENTS

NOTICE	3
REFERENCE MITIGATION MEASURES	3
LEGEND FOR SYMBOLS AND ACRONYMS	4
1 GENERAL	5
1.1 Project applicant leadership (prior to beginning work)	5
1.2 Project applicant leadership	5
2 ENVIRONMENT – BIOPHYSICAL ENVIRONMENT	6
2.1 Air quality	6
2.2 Traffic and greenhouse gases (GHGs)	6
2.3 Water quality	7
2.3.1 Drinking water management	7
2.3.2 Raw water and wastewater management	7
2.3.3 Management of oily water and ballast water / washing area	7
2.3.4 Runoff and excavation water management	7
2.3.5 Surface water management	8
2.3.6 Waste snow management.....	8
2.4 Soil quality and land use.....	8
2.4.1 General	8
2.4.2 Contaminated soil management.....	9
2.4.3 Territory management.....	9
2.4.4 Flora and fauna.....	9
3 COMMUNITY – HUMAN ENVIRONMENT	10
3.1 Noise level and vibrations (surrounding noise)	10
3.2 Noise level and vibrations (environmental noise).....	10
4 RESIDUAL MATERIALS MANAGEMENT (WASTE).....	11
4.1 Residual materials management.....	11
4.2 Residual hazardous materials management – Storage management for petroleum and related products	12
5 BEST ENVIRONMENTAL MANAGEMENT PRACTICES.....	12
5.1 Prevention of leaks and spills	12
5.2 Machinery maintenance	13
5.3 Vehicular and machine traffic	13
5.4 Management of petroleum and chemical products	13
6 EMERGENCY MEASURES PLAN (EMP)	14

NOTICE

This document presents the mitigation measures to be implemented during projects or activities carried out on Québec Port Authority (QPA) federal lands. This register is not exhaustive and additional elements may be added depending on future needs. Some mitigation measures may or may not be applicable, depending on the type of project or activity. Mitigation measures may also differ depending on the specific characteristics of the location where the activities take place and the specific types of activities in question.

At all times, the project applicant is responsible for identifying and complying with regulations, requirements and best practices applicable to its activities.

This document is in no way intended to exempt the project applicant from its legal obligations, nor to replace any applicable regulation or law. In the event of any contradiction between the information contained in this document and the legislation, the latter shall prevail. The mitigation measures contained in this document are intended to be complementary to certain legislation or reflect best environmental practices. In all cases, the project applicant must apply the strictest measures between the legislation, this document and other QPA requirements (e.g. commitments in the Impact Assessment and Mitigation Process Framework Procedure [IAMP]).

In addition, this document is designed to serve as an inspection guide for the QPA or the project applicant. Any person who may be called upon to conduct an inspection of the work may use this document and verify the implementation of the prescribed mitigation measures.

REFERENCE MITIGATION MEASURES

Mitigation measures are presented according to the following broad categories:

- General
- Biophysical environment (Environment)
 - Air quality
 - Water quality
 - Land and soil management
 - Flora and fauna
 - Noise level and vibrations
 - Visual impact and light pollution
- Waste and hazardous materials management
- Human environment (Community)
- Best environmental management practices
- Emergency measures plan



LEGEND FOR SYMBOLS AND ACRONYMS

To facilitate the use of this register, symbols have been inserted alongside mitigation measures. The meaning of each of these symbols and acronyms is shown below:

ACRONYMS:

QPA Québec Port Authority

SYMBOLS:



Best practices checklist



Document to be completed or submitted to the QPA



Regulatory requirement



Provincial or municipal guide value







Form to be completed (internal document)



Contact persons


1 GENERAL

1.1 Project applicant leadership (prior to beginning work)			
1.1.1 	Comply, in the case of a project within the meaning of section 67 of the <i>Canadian Environmental Assessment Act</i> (CEAA) and when the IAMP is applicable, with the commitments contained in the QPA certificate of decision.	<input type="checkbox"/>	<input type="checkbox"/>
1.1.2	Ensure that a person on the work site is designated to make decisions related to environmental protection and that they are responsible for them.	<input type="checkbox"/>	<input type="checkbox"/>
1.1.3	<p>Checklist – Startup meeting</p> <p>Ensure that all employees and suppliers have been trained and informed about the applicable elements of this document, as well as any other environmental controls or components deemed relevant to the performance of the work:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Legal and regulatory obligations <input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Land and soil management <input type="checkbox"/> Community relations <input type="checkbox"/> Best environmental practices <input type="checkbox"/> Emergency measures plan <p><input type="checkbox"/> Identify the hazardous products that will be used;</p> <p><input type="checkbox"/> Complete and file an attendance sheet for each awareness session conducted;</p> <p><input type="checkbox"/> Have this mitigation register on hand.</p>	<input type="checkbox"/>	<input type="checkbox"/>
1.1.4 	Make a version of this document available and accessible on the work site and at the various operational sites, if possible.	<input type="checkbox"/>	<input type="checkbox"/>

1.2 Project applicant leadership			
1.2.1	The QPA may stop work at any time, in case of non-compliance with the estimate or unanticipated environmental impact.	<input type="checkbox"/>	<input type="checkbox"/>
1.2.2	Put in place all reasonable measures to prevent significant environmental risks.	<input type="checkbox"/>	<input type="checkbox"/>
1.2.3	<p>Management of non-compliance with mitigation measures</p> <p>Immediately take the necessary actions to correct or control the situation if non-compliance with the estimate or an environmental impact is observed or anticipated.</p>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.4  	Report without delay any non-compliance with the estimate or environmental impact to the QPA manager as well as to the QPA Environment Department and the competent authorities, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>


2 ENVIRONMENT – BIOPHYSICAL ENVIRONMENT

2.1 Air quality			
2.1.1	Inform on-site employees of the importance of minimizing dust emissions, for example by installing suitable work areas, canvases, curtains or other control measures such as water cannons, etc.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.2	Adopt all necessary working measures to prevent the emission of dust, fine particles and aerosols.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.3	Clean the work site at the end of the day and cover waste to prevent the wind from lifting dust or carrying away debris.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.4	At the end of each day, clean and recover debris to prevent wind dispersion.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.5	Work in enclosed spaces during sandblasting operations to contain dust. Clean the area and collect dust.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.6	Stabilize or restore the work area to prevent wind erosion without delay.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.7	Implement a maintenance and management program for used dust collectors.	<input type="checkbox"/>	<input type="checkbox"/>
Operations			
2.1.8	Check weather conditions, including wind speed. Put in place the appropriate mitigation measures (for example, stopping activities, reducing the discharge rate, putting in place devices to prevent dust emission outside the QPA territory, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
2.1.9	If a water cannon is used during operations, frequently check that it is correctly positioned and is keeping the dust level down.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.10	If possible and safe, close the hold as far as possible to reduce the risk of dust emission.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.11	Minimize product drop height.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.12	If dust emission is observed during operations, reduce the transshipment speed, if possible.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.13	Plan operations according to the tides in order to decrease the drop height.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.14	Cover uncovered stacks as soon as possible after operations, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.15	Supervise the operation at all times until the end of the operation.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.16	Collect cargo residues from the ground so as not to emit dust into the air or water.	<input type="checkbox"/>	<input type="checkbox"/>
2.1.17	Conduct regular or continuous visual inspections to detect dust emissions from open-air storage so as to react quickly and implement the appropriate measures.	<input type="checkbox"/>	<input type="checkbox"/>
2.2 Traffic and greenhouse gases (GHGs)			
2.2.1	Observe established speed limits at all times.	<input type="checkbox"/>	<input type="checkbox"/>
2.2.2 ①	Water dry materials and remove dust on unpaved roads and similar surfaces. Only the use of water and dust suppressants conforming to the “BNQ NQ 2410-300” standard is permitted. If a different product is used, consult the list of products and notify the QPA.	<input type="checkbox"/>	<input type="checkbox"/>


2.2.3 <i>Municipal regulation</i>	Avoid using Champlain Boulevard unnecessarily and travel from east to west (toward bridges) with heavy machinery, in order to avoid disturbance to the local population.	<input type="checkbox"/>	<input type="checkbox"/>
2.2.4	Prohibit idling and inform employees.	<input type="checkbox"/>	<input type="checkbox"/>
2.2.5 	Maintain a record of monthly fuel usage.	<input type="checkbox"/>	<input type="checkbox"/>
2.2.6	Promote the use of new transport equipment in good condition.	<input type="checkbox"/>	<input type="checkbox"/>
2.2.7	Promote the use of low-carbon equipment (electricity, solar, etc.)	<input type="checkbox"/>	<input type="checkbox"/>

2.3 Water quality


2.3.1 Drinking water management


2.3.1.1 	Request authorization from the QPA before installing any drinking water treatment or sampling device.	<input type="checkbox"/>	<input type="checkbox"/>
--	---	--------------------------	--------------------------

2.3.2 Raw water and wastewater management

2.3.2.1 	Request authorization from the QPA before installing any drinking water treatment or sampling device.	<input type="checkbox"/>	<input type="checkbox"/>
--	---	--------------------------	--------------------------

2.3.3 Management of oily water and ballast water / washing area

2.3.3.1 	Request authorization from the QPA before installing any oil/water separator or oily water treatment system.	<input type="checkbox"/>	<input type="checkbox"/>
--	--	--------------------------	--------------------------


2.3.3.2 	Service the oil-water separator to a minimum according to the manual specifications and keep maintenance records for at least two years.	<input type="checkbox"/>	<input type="checkbox"/>
--	--	--------------------------	--------------------------

Operations

2.3.3.3	Dispose of contaminated water following cleaning of surfaces according to current regulations.	<input type="checkbox"/>	<input type="checkbox"/>
---------	--	--------------------------	--------------------------

2.3.3.4	Dispose of contaminated water following equipment maintenance according to current regulations.	<input type="checkbox"/>	<input type="checkbox"/>
---------	---	--------------------------	--------------------------

2.3.4 Runoff and excavation water management

2.3.4.1 	Any discharge or immersion in the river or any other body of water is strictly prohibited.	<input type="checkbox"/>	<input type="checkbox"/>
--	---	--------------------------	--------------------------

2.3.4.2	Block surface drains in refuelling, maintenance and repair areas for vehicles and machinery that do not have an appropriate water collection and treatment system, in the event of a spill hazard in the vicinity.	<input type="checkbox"/>	<input type="checkbox"/>
---------	--	--------------------------	--------------------------

2.3.4.3	<ul style="list-style-type: none"> ▪ Prevent water from becoming contaminated. ▪ Recover and properly manage contaminated water. ▪ If applicable, use membranes, absorbent socks, straw bales, geotextiles, or other devices in manholes to filter suspended solids (SS) into runoff and clean them regularly. 	<input type="checkbox"/>	<input type="checkbox"/>
---------	---	--------------------------	--------------------------

2.3.4.4 ①	Using water as a dust suppressant is permitted if water withdrawal, recovery and appropriate tailings management are planned and approved by the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.5	Stabilize or restore the work area to prevent wind erosion. If necessary, improve profiling and drainage.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.6 ①	Store cuttings and filling materials at a minimum distance of 30 metres from the river and any other body of water. If it is impossible to respect this distance, contact the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.7	Carry out deep excavation work in accordance with the season, climatic conditions and tides in order to minimize the management of excavation water.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.8	If there is any doubt about the quality of water collected in an observation well or excavation pit (colour, odour, etc.), this water must be intercepted for sampling or appropriate treatment and cannot be discharged until authorized.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.9	Prevent surface water from becoming contaminated or coming into contact with excavated water.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.4.10	Cover trenches when left unattended or when the work is temporarily stopped.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.5 Surface water management			
2.3.5.1 ①	Regularly monitor coastal waters and site(s) to detect and remedy any leaks immediately.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.5.2 ①	Any activity involving significant environmental risks is prohibited on QPA federal territory. If an authorized activity other than refuelling ships, loading and unloading liquid bulk involves the risk of accidental spills, the activity must be carried out more than 30 metres from the river or watercourse .	<input type="checkbox"/>	<input type="checkbox"/>
2.3.6 Waste snow management			
2.3.6.1	At all times, it is strictly forbidden to dump snow into the river or into any other watercourse.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.6.2	Keep the usage of abrasives and melts to a minimum but in sufficient quantities to ensure a safe work site.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.6.3 ①	Dispose of waste snow more than 30 metres from the river or a watercourse, and have the QPA authorize the storage site beforehand.	<input type="checkbox"/>	<input type="checkbox"/>
2.3.6.4	Clean the storage site by melting snow so that it is free of debris.	<input type="checkbox"/>	<input type="checkbox"/>

2.4 Soil quality and land use

2.4.1 General

2.4.1.1 ①	Transport and dispose of excavated soil, surplus backfill and contaminated material according to applicable regulations.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.1.2	Check for contaminated soil before excavating.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.1.3	During paving work, ensure proper water management.	<input type="checkbox"/>	<input type="checkbox"/>

2.4.1.4	During replacement paving work, be sure to manage excavated soil, when required.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.1.5	Submit a pavement cleaning plan to the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2 Contaminated soil management			
2.4.2.1	Sample and segregate soils with potential for contamination or evidence of contamination (visual or olfactory).	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.2 ①	Contact the QPA and characterize all soils excavated on the QPA's territory.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.3 ①/☐	Communicate soil characterization results to the QPA Environment Department, as required.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.4	Collect excavated soil at the end of each day and transport it to temporary storage areas designated by the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.5	Temporarily store contaminated soils on a watertight membrane and cover them with another tightly attached watertight membrane to prevent contamination of existing soils and wind dispersion.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.6	In the absence of environmental characterization of soils, manage and store all soils likely to be contaminated as if they were contaminated soils	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.7 ①	Soils in categories B,- C and lower may be reused on site with authorization from the QPA. However, the reused soils may not exceed the contents of the site under any circumstances. The project applicant is responsible for characterizing its site and notifying the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.8	Avoid excavation activities during periods of heavy rain.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.2.9	Ensure that backfill materials are free of contamination at all times.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.3 Territory management			
2.4.3.1	Minimize encroachment during work at all times, and minimize visual impact when residences are nearby.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.3.2	Separate materials according to type (examples: asphalt debris, aggregates, soils, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
2.4.3.3 ☝	Clearly identify material stacks in order to be able to easily trace their origin and nature.	<input type="checkbox"/>	<input type="checkbox"/>
2.4.4 Flora and fauna			
2.5.1	Determine if invasive species are present at the work site and submit a management plan, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>
2.5.2 ①	Notify the QPA when birds or species at risk are present on the site.	<input type="checkbox"/>	<input type="checkbox"/>
2.5.3	If applicable, respect the nesting and migration period of birds present on the site.	<input type="checkbox"/>	<input type="checkbox"/>
2.5.4	If the presence of a nest is detected in the work area, notify the QPA immediately.	<input type="checkbox"/>	<input type="checkbox"/>
2.5.5 🔨	It is prohibited to: <ul style="list-style-type: none"> ▪ destroy, move or take a nest or eggs of migratory birds; ▪ take or possess a migratory bird; 	<input type="checkbox"/>	<input type="checkbox"/>

	unless you are a holder of a permit issued for that purpose.		
2.5.6	If animals are present on the site, notify the QPA; it is forbidden to feed them.	<input type="checkbox"/>	<input type="checkbox"/>

3 COMMUNITY – HUMAN ENVIRONMENT

3.1 Noise level and vibrations (surrounding noise)

3.1.1	Inform employees on site of the importance of reducing noise pollution (noise).	<input type="checkbox"/>	<input type="checkbox"/>																																			
3.1.2	<p>Respect the work hours stipulated by the QPA. Unless otherwise advised by the QPA, work hours for construction sites and projects are from <u>7 a.m. to 6 p.m., Monday to Friday</u>. On weekends and holidays, all activity is prohibited; if necessary, contact the QPA for specific authorization.</p> <p>Normalized maximum noise levels (ref. Regulation n. R.V.Q. 978 [as of July 8, 2013]):</p> <table border="1" data-bbox="331 821 1174 1037"> <thead> <tr> <th>COLONNE I Lieu habité</th> <th>COLONNE II 7 h — 19 h</th> <th>COLONNE III 19 h — 23 h</th> <th>COLONNE IV 23 h — 7 h</th> </tr> </thead> <tbody> <tr> <td>Chambre à coucher</td> <td>45 dB (A)</td> <td>40 dB (A)</td> <td>38 dB (A)</td> </tr> <tr> <td>Salle de séjour</td> <td>45 dB (A)</td> <td>40 dB (A)</td> <td>40 dB (A)</td> </tr> <tr> <td>Autre pièce</td> <td>45 dB (A)</td> <td>45 dB (A)</td> <td>45 dB (A)</td> </tr> <tr> <td>Espace non bâti</td> <td>60 dB (A)</td> <td>55 dB (A)</td> <td>50 dB (A)</td> </tr> </tbody> </table> <table border="1" data-bbox="331 1056 1203 1251"> <thead> <tr> <th>Zone réceptrice</th> <th>Nuit (19 h à 7 h)</th> <th>Jour (7 h à 19 h)</th> </tr> </thead> <tbody> <tr> <td>I</td> <td>40 dB (A)</td> <td>45 dB (A)</td> </tr> <tr> <td>II</td> <td>45 dB (A)</td> <td>50 dB (A)</td> </tr> <tr> <td>III</td> <td>50 dB (A)</td> <td>55 dB (A)</td> </tr> <tr> <td>IV</td> <td>70 dB (A)</td> <td>70 dB (A)</td> </tr> </tbody> </table> <p>Maximum levels (guide values) from the MDDELCC (Instruction Note 98-01) :</p>	COLONNE I Lieu habité	COLONNE II 7 h — 19 h	COLONNE III 19 h — 23 h	COLONNE IV 23 h — 7 h	Chambre à coucher	45 dB (A)	40 dB (A)	38 dB (A)	Salle de séjour	45 dB (A)	40 dB (A)	40 dB (A)	Autre pièce	45 dB (A)	45 dB (A)	45 dB (A)	Espace non bâti	60 dB (A)	55 dB (A)	50 dB (A)	Zone réceptrice	Nuit (19 h à 7 h)	Jour (7 h à 19 h)	I	40 dB (A)	45 dB (A)	II	45 dB (A)	50 dB (A)	III	50 dB (A)	55 dB (A)	IV	70 dB (A)	70 dB (A)	<input type="checkbox"/>	<input type="checkbox"/>
COLONNE I Lieu habité	COLONNE II 7 h — 19 h	COLONNE III 19 h — 23 h	COLONNE IV 23 h — 7 h																																			
Chambre à coucher	45 dB (A)	40 dB (A)	38 dB (A)																																			
Salle de séjour	45 dB (A)	40 dB (A)	40 dB (A)																																			
Autre pièce	45 dB (A)	45 dB (A)	45 dB (A)																																			
Espace non bâti	60 dB (A)	55 dB (A)	50 dB (A)																																			
Zone réceptrice	Nuit (19 h à 7 h)	Jour (7 h à 19 h)																																				
I	40 dB (A)	45 dB (A)																																				
II	45 dB (A)	50 dB (A)																																				
III	50 dB (A)	55 dB (A)																																				
IV	70 dB (A)	70 dB (A)																																				
3.1.3	Adopt practices that minimize inconveniences caused by noise (examples: traffic routing to avoid backwards movements, installation of a screen wall near noise sources, avoiding slamming of truck dumpsters, strategically positioning generators, etc.).	<input type="checkbox"/>	<input type="checkbox"/>																																			
3.1.4	Use vehicles or equipment equipped with quieter horns, silencers or other noise-reducing devices, without compromising safety.	<input type="checkbox"/>	<input type="checkbox"/>																																			
3.1.5	Reduce traffic near residences as much as possible to minimize disruption to citizens.	<input type="checkbox"/>	<input type="checkbox"/>																																			
3.1.6	Notify the QPA in case of archeological discovery.	<input type="checkbox"/>	<input type="checkbox"/>																																			

3.2 Noise level and vibrations (environmental noise)

3.2.1	Pay particular attention to the location of lighting towers when evening and night work is required.	<input type="checkbox"/>	<input type="checkbox"/>
-------	--	--------------------------	--------------------------

3.2.2	Maintain a sufficient level of lighting at all times to ensure the safety of workers and premises, as well as the environmental management of operations, but limit lighting to necessary areas (directional lighting).	<input type="checkbox"/>	<input type="checkbox"/>
-------	---	--------------------------	--------------------------

4 RESIDUAL MATERIALS MANAGEMENT (WASTE)

4.1 Residual materials management¹			
4.1.1	Manage all types of residual materials produced on site in accordance with the principle of the 4Rs: reduce, reuse, recycle and recover (dispose, as a final step).	<input type="checkbox"/>	<input type="checkbox"/>
4.1.2	Dispose of residual materials properly in accordance with current regulations.	<input type="checkbox"/>	<input type="checkbox"/>
4.1.3	Equip the site with all sanitary and recovery equipment in sufficient quantity to prevent the dispersion of residual materials in the environment (toilets, garbage cans, recycling bins, etc.), and ensure proper maintenance.	<input type="checkbox"/>	<input type="checkbox"/>
4.1.4	Collect and contain residual materials and debris (e.g. sandblasting) that have fallen to the ground (e.g. covering piles or using closed containers).	<input type="checkbox"/>	<input type="checkbox"/>
4.1.5	Keep the premises clean at all times.	<input type="checkbox"/>	<input type="checkbox"/>
Operations			
4.1.6	Empty trash cans and waste bins before they are full to prevent overflow.	<input type="checkbox"/>	<input type="checkbox"/>
4.1.7	Use biodegradable and natural cleaning products when possible.	<input type="checkbox"/>	<input type="checkbox"/>

¹ Residual materials cover all residues, including waste, recyclable materials, hazardous waste, organic waste, and residual materials resulting from construction, demolition, and renovation.

4.2 Residual hazardous materials management – Storage management for petroleum and related products

4.2.1	Minimize the amount of solvents and other hazardous materials used on site.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.2	Handle containers of petroleum products, solvents and hazardous products where spills can be recovered (for example, on a flat, non-porous surface).	<input type="checkbox"/>	<input type="checkbox"/>
4.2.3	Keep containers that are not in use closed at all times.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.4	Store hazardous materials in an enclosed area, on a sealed surface, protected from the elements and clearly identified.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.5	Use caution when handling hazardous materials to prevent accidental spills.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.6 <i>g</i>	Comply with the Workplace Hazardous Materials Information System (WHMIS) requirements for the use, handling, storage and disposal of hazardous materials, as well as the labelling and submission of Material Safety Data Sheets accepted by the Department of Labour.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.7 <i>g</i> / <i>g</i>	Conduct a quarterly inspection of hazardous material areas and retain the inspection sheet.	<input type="checkbox"/>	<input type="checkbox"/>
Operations			
4.2.8	Do not load or unload incompatible dangerous goods at the same time.	<input type="checkbox"/>	<input type="checkbox"/>

5 BEST ENVIRONMENTAL MANAGEMENT PRACTICES

5.1 Prevention of leaks and spills

5.1.1 <i>g</i> / <i>g</i>	Any spill, on land or in water, must be communicated immediately to the QPA's Harbour Services at (418) 648-3556.	<input type="checkbox"/>	<input type="checkbox"/>
5.1.2	Recover materials contaminated by a leakage or spill and dispose of it in accordance with applicable laws.	<input type="checkbox"/>	<input type="checkbox"/>
5.1.3	Have adequate oil response equipment (sheets, granules and absorbent socks) on site at all times and in sufficient quantity to respond to a small-scale spill (depending on the activity).	<input type="checkbox"/>	<input type="checkbox"/>
5.1.4	Ensure that employees present are familiar with spill response equipment and procedures and that they understand the procedures.	<input type="checkbox"/>	<input type="checkbox"/>
5.1.5	Use caution when handling hazardous materials to prevent accidental spills.	<input type="checkbox"/>	<input type="checkbox"/>
5.1.6 <i>g</i>	Contain and clean up any leaks or spills immediately and dispose of contents in accordance with local law.	<input type="checkbox"/>	<input type="checkbox"/>

5.2 Machinery maintenance

5.2.1	Any cleaning of heavy machinery is prohibited, except in washing areas authorized by the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
5.2.2	Ensure that vehicles, machinery and equipment on site are inspected regularly and in good condition, and maintain a record.	<input type="checkbox"/>	<input type="checkbox"/>

5.3 Vehicular and machine traffic

5.3.1	Limit traffic outside work areas as much as possible.	<input type="checkbox"/>	<input type="checkbox"/>
5.3.2	Travel on designated traffic lanes.	<input type="checkbox"/>	<input type="checkbox"/>
5.3.3	Use trucks and equipment in good condition.	<input type="checkbox"/>	<input type="checkbox"/>

5.4 Management of petroleum and chemical products


5.4.1	Protect containers and tanks from accidental collisions, both by their positioning and by physical means (bollards, barriers, etc.), and in proportion to the equipment used and the equipment likely to circulate nearby.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.2	Refuelling, repairs and maintenance must be carried out at a minimum distance of 30 metres (100 ft) from any body of water and at a minimum distance of 15 metres (50 ft) from any effluent (catchment basin, ditch, storm sewer, etc.), at a designated and suitable location for that purpose.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.3	If the distances of 30 and 15 metres mentioned above cannot be respected, other measures must be put in place to prevent any spillage or leakage into the environment (e.g. watertight lids, rubber mats, containment bins).	<input type="checkbox"/>	<input type="checkbox"/>
5.4.4	Encourage the use of absorbent mats or retention pans to contain leaks (for example under vehicles or when transferring liquids). Clean up immediately and repair.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.5	Use a single (1) product storage point rather than storing petroleum and chemical products in multiple locations.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.6	Limit product storage to the minimum required.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.7	Regularly inspect and maintain any leaking equipment (tanks, generators, compressors, pumps, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
5.4.8	Do not move tanks containing products unless they have been designed for that purpose.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.9	Do not move non-mobile tanks if they still contain products.	<input type="checkbox"/>	<input type="checkbox"/>
5.4.10	Use, whenever possible, non-toxic or biodegradable lubricants (70% biolubricants that degrade within 28 days) in hydraulic equipment. Provide the product sheet to the QPA.	<input type="checkbox"/>	<input type="checkbox"/>



6 EMERGENCY MEASURES PLAN (EMP)

6.1 ①	Report any accidental spill, regardless of the quantity spilled , to the QPA.	<input type="checkbox"/>	<input type="checkbox"/>
6.2	The QPA may require a specific EMP for certain activities or projects.	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Use the QPA risk matrix to conduct risk analyses for projects or activities.	<input type="checkbox"/>	<input type="checkbox"/>

Copyright: This document is the property of the QPA. Any reproduction, modification, distribution, transmission or disclosure is strictly prohibited without prior authorization from the Québec Port Authority.



**APPENDIX 5 –
LEVEL DIRECTIVE
FORM**



1. General information

Project applicant name:

Project manager and contact information:

Project title:

Project objectives:

2. Determination of the IAMP level

The QPA hereby confirms that it has carried out the analysis of the project to the best of its knowledge and considers that it corresponds to the IAMP level (**Emergency, 0, 1, 2, 3**).

Comments:

The project consists of ... (describe the essential elements of the project).

The project must meet the following requirements:

General measures:

1. Aaa
2. Aaa
3. Aaa

Before work begins:

1. Aaa
2. Aaa
3. Aaa



3. Québec Port Authority (federal authority)

The QPA hereby confirms that it has conducted, to the best of its knowledge, the analysis of the project applicant's project using the information contained in the project notice provided in good faith by the project applicant. Please note that any omission or change to the project notice will automatically result in the cancelation of this directive. The applicant must submit a new project notice to the QPA for analysis.

Title

Date
(YYYY-MM-DD)



**APPENDIX 6 –
TABLE OF CONTENTS**



1. BACKGROUND

- 1.1 Project applicant presentation
- 1.2 Context of the project and assessment

2. REGULATORY CONTEXT

3. IMPACT ASSESSMENT AND MITIGATION PROCESS (IAMP)

4. PROJECT DESCRIPTION

- 4.1 Construction phase
- 4.2 Project schedule
- 4.3 Operation or closure phase

5. PROJECT JUSTIFICATION

6. DESCRIPTION OF THE RECEIVING COMMUNITY

7. ASSESSMENT OF ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES

- 7.1 Identification and assessment method
- 7.2 Project impacts
 - 7.2.1 Impact of presence on the physical environment
 - 7.2.2 Impact of presence on the biological environment
 - 7.2.3 Impact of presence on the human environment
 - Note:** This section must include an analysis of the use of lands for traditional purposes by First Nations.
 - 7.2.4 Impact of cumulative effects
- 7.3 Mitigation measures

8. SUMMARY OF IMPACTS, MITIGATION MEASURES AND RESIDUAL IMPACTS

9. PUBLIC PARTICIPATION

10. PARTICIPATION OF THE FIRST NATIONS CONCERNED

11. RISK ANALYSIS

Environmental and social effects monitoring and follow-up program approved by the QPA;

Note: Must include an environmental monitoring sheet of the planned work in an Annex.

12. CONCLUSION

13. REFERENCES



**APPENDIX 7 –
CERTIFICATE OF
DECISION**



1. General Information

Applicant name:

Project title:

Project objectives:

2. QPA Decision

- Project not authorized in its current form
- Project authorized without additional conditions
- Project authorized with additional modifications or mitigations

Specify (if applicable):

3. Additional commitments and mitigation measures applicable


-

4. Québec Port Authority (federal authority)

Québec Port Authority (QPA)

Name

Date
(YYYY-MM-DD)



**APPENDIX 8 –
IAA PHYSICAL
ACTIVITIES
REGULATION**



CANADA

CONSOLIDATION

CODIFICATION

Physical Activities Regulations

Règlement sur les activités concrètes

SOR/2019-285

DORS/2019-285

Current to June 21, 2023

À jour au 21 juin 2023

Last amended on March 27, 2023

Dernière modification le 27 mars 2023

OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31 (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

LAYOUT

The notes that appeared in the left or right margins are now in boldface text directly above the provisions to which they relate. They form no part of the enactment, but are inserted for convenience of reference only.

NOTE

This consolidation is current to June 21, 2023. The last amendments came into force on March 27, 2023. Any amendments that were not in force as of June 21, 2023 are set out at the end of this document under the heading "Amendments Not in Force".

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1^{er} juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31 (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité — règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

MISE EN PAGE

Les notes apparaissant auparavant dans les marges de droite ou de gauche se retrouvent maintenant en caractères gras juste au-dessus de la disposition à laquelle elles se rattachent. Elles ne font pas partie du texte, n'y figurant qu'à titre de repère ou d'information.

NOTE

Cette codification est à jour au 21 juin 2023. Les dernières modifications sont entrées en vigueur le 27 mars 2023. Toutes modifications qui n'étaient pas en vigueur au 21 juin 2023 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

TABLE OF PROVISIONS

Physical Activities Regulations

- 1 Definitions
- 2 Physical activities — designated projects
- 3 Period for review of regulations
- 4 Project on federal lands or outside Canada
- *5 S.C. 2019, c. 28, s. 1

SCHEDULE

Physical Activities

TABLE ANALYTIQUE

Règlement sur les activités concrètes

- 1 Définitions
- 2 Activités concrètes — projets désignés
- 3 Délai de révision des règlements
- 4 Projet sur un territoire domanial ou à l'étranger
- *5 L.C. 2019, ch. 28, art. 1

ANNEXE

Activités concrètes

Registration
SOR/2019-285 August 8, 2019

IMPACT ASSESSMENT ACT

Physical Activities Regulations

P.C. 2019-1182 August 7, 2019

Her Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to sections 109 and 188 of the *Impact Assessment Act*^a, makes the annexed *Physical Activities Regulations*.

Enregistrement
DORS/2019-285 Le 8 août 2019

LOI SUR L'ÉVALUATION D'IMPACT

Règlement sur les activités concrètes

C.P. 2019-1182 Le 7 août 2019

Sur recommandation de la ministre de l'Environnement et en vertu des articles 109 et 188 de la *Loi sur l'évaluation d'impact*^a, Son Excellence la Gouverneure générale en conseil prend le *Règlement sur les activités concrètes*, ci-après.

^a S.C. 2019, c. 28

^a L.C. 2019, ch. 28

Definitions

1 (1) The following definitions apply in these Regulations.

aerodrome has the same meaning as in subsection 3(1) of the *Aeronautics Act*. (*aérodrome*)

area of mining operations means the area at ground level occupied by any open-pit or underground workings, mill complex or storage area for overburden, waste rock, tailings or ore. (*aire d'exploitation minière*)

boundary water has the meaning assigned by the definition *boundary waters* in subsection 2(1) of the *Canada Water Act*. (*eaux limitrophes*)

canal means a waterway constructed for navigation. (*canal*)

Class IA nuclear facility has the same meaning as in section 1 of the *Class I Nuclear Facilities Regulations*. (*installation nucléaire de catégorie IA*)

disposal at sea means *disposal*, as defined in subsection 122(1) of the *Canadian Environmental Protection Act, 1999*, but does not include any omission that constitutes a disposal in paragraph (g) of the definition of that term. (*immersion*)

exploratory well has the same meaning as in subsection 101(1) of the *Canada Petroleum Resources Act*, but does not include a *delineation well* or *development well* as those terms are defined in that subsection. (*puits d'exploration*)

hazardous waste has the meaning assigned by paragraphs 1(a) to (e) of the definitions *hazardous waste* and *hazardous recyclable material* in sections 2 and 4, respectively, of the *Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations*, but does not include nuclear substances, domestic waste water or anything collected from households in the course of regular municipal waste collection services. (*déchets dangereux*)

international electrical transmission line has the meaning assigned by the definition *international power line* in section 2 of the *Canadian Energy Regulator Act*. (*ligne internationale de transport d'électricité*)

marine terminal means a facility, including its areas, structures and equipment, that is used for berthing ships and that is

Définitions

1 (1) Les définitions qui suivent s'appliquent au présent règlement.

aérodrome S'entend au sens du paragraphe 3(1) de la *Loi sur l'aéronautique*. (*aerodrome*)

aire d'exploitation minière La surface occupée, au niveau du sol, par une installation d'exploitation à ciel ouvert ou souterraine, un complexe usinier ou une aire d'entreposage des terrains de couverture, des stériles, des résidus miniers ou de minerai. (*area of mine operations*)

aire marine nationale de conservation Toute *aire marine de conservation* ou *réserve*, au sens du paragraphe 2(1) de la *Loi sur les aires marines nationales de conservation du Canada*, ou le parc marin du Saguenay — Saint-Laurent créé en vertu de l'article 5 de la *Loi sur le parc marin du Saguenay — Saint-Laurent*. (*national marine conservation area*)

au large des côtes Qui se situe dans l'une ou l'autre des zones suivantes :

a) une zone visée aux alinéas 3d) ou e) de la *Loi sur les opérations pétrolières au Canada* et à l'égard de laquelle une autorisation est exigée aux termes de cette loi pour exercer une activité liée à la recherche, notamment par forage, à la production, à la rationalisation de l'exploitation, à la transformation ou au transport de pétrole ou de gaz;

b) une zone à l'égard de laquelle une autorisation est exigée, aux termes de la *Loi de mise en œuvre de l'Accord atlantique Canada — Terre-Neuve-et-Labrador* ou de la *Loi de mise en œuvre de l'Accord Canada — Nouvelle-Écosse sur les hydrocarbures extracôtiers*, pour exercer une activité liée à la recherche, notamment par forage, à la production, à la rationalisation de l'exploitation, à la transformation ou au transport d'hydrocarbures. (*offshore*)

canal Voie navigable construite pour la navigation. (*canal*)

collectivité S'entend au sens du paragraphe 2(1) de la *Loi sur les parcs nationaux du Canada*. (*park community*)

déchet dangereux Toute chose visée à l'un des alinéas (1)a) à e) des définitions de *déchet dangereux* et de *matière recyclable dangereuse* aux articles 2 et 4, respectivement, du *Règlement sur les mouvements transfrontaliers de déchets dangereux et de matières recyclables*

(a) related to the movement of goods between ships and shore; or

(b) used for the receiving, holding, regrouping, embarkation or landing of passengers transported by water. (*terminal maritime*)

national marine conservation area means a *marine conservation area* or a *reserve*, as those terms are defined in subsection 2(1) of the *Canada National Marine Conservation Areas Act*, or the Saguenay-St. Lawrence Marine Park established under section 5 of the *Saguenay-St. Lawrence Marine Park Act*. (*aire marine nationale de conservation*)

national park means a *park* or a *park reserve* as those terms are defined in subsection 2(1) of the *Canada National Parks Act*. (*parc national*)

navigable water has the same meaning as in section 2 of the *Canadian Navigable Waters Act*. (*eaux navigables*)

new right of way means land that is to be developed for an international electrical transmission line, a *pipeline*, as defined in section 2 of the *Canadian Energy Regulator Act*, a railway line or an all-season public highway, and that is not alongside and contiguous to an area of land that was developed for an electrical transmission line, oil and gas pipeline, railway line or all-season public highway. (*nouvelle emprise*)

nuclear substance has the same meaning as in section 2 of the *Nuclear Safety and Control Act*. (*substance nucléaire*)

offshore means, except in respect of an offshore area, anything that is located in

(a) an area referred to in paragraph 3(d) or (e) of the *Canada Oil and Gas Operations Act* in respect of which an authorization under that Act is required to conduct an activity that is related to the exploration and drilling for, or the production, conservation, processing or transportation of, oil or gas; or

(b) an area in respect of which an authorization under the *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act* or the *Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act* is required to conduct an activity that is related to the exploration and drilling for, or the production, conservation, processing or transportation of, oil or gas. (*au large des côtes*)

dangereuses. La présente définition exclut les substances nucléaires et les eaux usées domestiques ainsi que toute matière enlevée dans le cours normal de l'enlèvement des ordures ménagères par les services municipaux. (*hazardous waste*)

eaux limitrophes S'entend au sens du paragraphe 2(1) de la *Loi sur les ressources en eau du Canada*. (*boundary water*)

eaux navigables S'entend au sens de l'article 2 de la *Loi sur les eaux navigables canadiennes*. (*navigable water*)

immersion S'entend au sens du paragraphe 122(1) de la *Loi canadienne sur la protection de l'environnement (1999)*, à l'exclusion de toute omission visée à l'alinéa g) de la définition de ce terme à ce paragraphe. (*disposal at sea*)

installation nucléaire de catégorie IA S'entend au sens de l'article 1 du *Règlement sur les installations nucléaires de catégorie I*. (*Class IA nuclear facility*)

ligne internationale de transport d'électricité S'entend au sens de l'article 2 de la *Loi sur la Régie canadienne de l'énergie*. (*international electrical transmission line*)

mine d'uranium S'entend au sens donné à *mine* à l'article 1 du *Règlement sur les mines et les usines de concentration d'uranium*. (*uranium mine*)

nouvelle emprise Terrain qui, d'une part, est destiné à être aménagé pour une ligne internationale de transport d'électricité, un *pipeline* au sens de l'article 2 de la *Loi sur la Régie canadienne de l'énergie*, une ligne de chemin de fer ou une voie publique utilisable en toute saison et qui, d'autre part, n'est ni situé le long d'un terrain aménagé pour une ligne de transport d'électricité, un pipeline d'hydrocarbures, une ligne de chemin de fer ou une voie publique utilisable en toute saison, ni contigu à un tel terrain. (*new right of way*)

parc national S'entend au sens donné à *parc* ou à *réserve*, au paragraphe 2(1) de la *Loi sur les parcs nationaux du Canada*. (*national park*)

pipeline d'hydrocarbures Pipeline qui est utilisé ou destiné à être utilisé pour le transport d'hydrocarbures, seuls ou avec tout autre produit. (*oil and gas pipeline*)

offshore area has the same meaning as in section 2 of the *Canadian Energy Regulator Act*. (*zone extracôtière*)

oil and gas pipeline means a pipeline that is used, or is to be used, for the transmission of oil or gas alone or with any other commodity. (*pipeline d'hydrocarbures*)

park community has the same meaning as in subsection 2(1) of the *Canada National Parks Act*. (*collectivité*)

uranium mill has the meaning assigned by the definition *mill* in section 1 of the *Uranium Mines and Mills Regulations*. (*usine de concentration d'uranium*)

uranium mine has the meaning assigned by the definition *mine* in section 1 of the *Uranium Mines and Mills Regulations*. (*mine d'uranium*)

water body means any body of water, including a canal, a reservoir, an ocean and a wetland, up to the high-water mark, but does not include a sewage or waste treatment lagoon or a mine tailings pond. (*plan d'eau*)

Aircraft Group Number

(2) For the purpose of these Regulations, an Aircraft Group Number refers to the Aircraft Group Number set out in Transport Canada's publication, TP 312, 5th edition entitled *Aerodrome Standards and Recommended Practices*.

SOR/2021-25, s. 93.

Physical activities — designated projects

2 (1) The physical activities that are set out in the schedule are designated for the purpose of the definition *designated project* in section 2 of the *Impact Assessment Act*.

Physical activities that may be excluded

(2) For the purpose of the definition *designated project* in section 2 of the *Impact Assessment Act*, the physical activities that may be designated by the Minister under

plan d'eau S'entend de tout plan d'eau jusqu'à la laisse des hautes eaux et vise notamment les canaux, les réservoirs et les océans, ainsi que les terres humides, mais exclut les étangs de traitement des eaux usées ou des déchets et les étangs de résidus miniers. (*water body*)

puits d'exploration S'entend au sens du paragraphe 101(1) de la *Loi fédérale sur les hydrocarbures*, exception faite des *puits de délimitation* et des *puits d'exploitation* au sens de ce paragraphe. (*exploratory well*)

substance nucléaire S'entend au sens de l'article 2 de la *Loi sur la sûreté et la réglementation nucléaires*. (*nuclear substance*)

terminal maritime Installation, dont ses aires, structures et équipements, qui sert à l'accostage des navires et qui, selon le cas :

a) est liée au mouvement des marchandises entre les navires et la terre ferme;

b) est affectée à la réception, à la mise en attente, au regroupement et à l'embarquement ou au débarquement de passagers transportés par eau. (*marine terminal*)

usine de concentration d'uranium S'entend au sens donné à *usine de concentration* à l'article 1 du *Règlement sur les mines et les usines de concentration d'uranium*. (*uranium mill*)

zone extracôtière S'entend au sens de l'article 2 de la *Loi sur la Régie canadienne de l'énergie*. (*offshore area*)

Numéros de groupes d'aéronefs

(2) Dans le présent règlement, les numéros de groupes d'aéronefs sont ceux visés dans la publication de Transports Canada TP 312, 5^e édition, intitulée *Normes relatives aux aéroports et pratiques recommandées*.

DORS/2021-25, art. 93.

Activités concrètes — projets désignés

2 (1) Les activités concrètes prévues à l'annexe sont désignées pour l'application de la définition de *projet désigné* à l'article 2 de la *Loi sur l'évaluation d'impact*.

Activités concrètes susceptibles d'être exclues

(2) Pour l'application de la définition de *projet désigné* à l'article 2 de la *Loi sur l'évaluation d'impact*, les activités concrètes qui peuvent être désignées par le ministre

paragraph 112(1)(a.2) of that Act are those referred to in section 34, 44 or 45 of the schedule.

Exception

(3) Subsections (1) and (2) do not apply to a physical activity that is a *project*, as defined in section 66 of the *Canadian Environmental Assessment Act, 2012*, if, before the coming into force of the *Impact Assessment Act*, an *authority*, as defined in that section, has made a determination under section 67 of the *Canadian Environmental Assessment Act, 2012* or has indicated in writing that it has started to make its determination for the purpose of that section of whether or not the carrying out of the project is likely to cause significant adverse environmental effects.

Period for review of regulations

3 For the purpose of subsection 111(1) of the *Impact Assessment Act*, the period is five years after the day on which these Regulations come into force.

Project on federal lands or outside Canada

4 (1) If an authority has, before the coming into force of the *Impact Assessment Act*, indicated in writing that it has started to make its determination, for the purpose of section 67 or 68 of the *Canadian Environmental Assessment Act, 2012*, of whether or not the carrying out of a project is likely to cause significant adverse environmental effects, that determination is made under the *Canadian Environmental Assessment Act, 2012* as if that Act had not been repealed.

Non-application of sections 81 to 91 of the *Impact Assessment Act*

(2) If, before the coming into force of the *Impact Assessment Act*, an authority has made a determination under section 67 or 68 of the *Canadian Environmental Assessment Act, 2012* with respect to a project, sections 81 to 91 of the *Impact Assessment Act* do not apply to that project.

Definition of *authority* and *project*

(3) In this section, *authority* and *project* have the same meaning as in section 66 of the *Canadian Environmental Assessment Act, 2012*.

S.C. 2019, c. 28, s. 1

***5** These Regulations come into force on the day on which section 1 of *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*, comes into force.

* [Note: Regulations in force August 28, 2019, see SI/2019-86.]

en vertu de l'alinéa 112(1)a.2) de cette loi sont celles prévues aux articles 34, 44 et 45 de l'annexe.

Exception

(3) Les paragraphes (1) et (2) ne visent pas l'activité concrète qui est un *projet*, au sens de l'article 66 de la *Loi canadienne sur l'évaluation environnementale (2012)*, à l'égard duquel, avant l'entrée en vigueur de la *Loi sur l'évaluation d'impact*, une *autorité*, au sens de cet article, a pris une décision en vertu de l'article 67 de la *Loi canadienne sur l'évaluation environnementale (2012)* ou a indiqué par écrit qu'elle a commencé à évaluer, pour l'application de cet article, si la réalisation du projet est susceptible d'entraîner des effets environnementaux négatifs importants.

Délai de révision des règlements

3 Pour l'application du paragraphe 111(1) de la *Loi sur l'évaluation d'impact*, le délai est de cinq ans après la date d'entrée en vigueur du présent règlement.

Projet sur un territoire domanial ou à l'étranger

4 (1) Si, avant l'entrée en vigueur de la *Loi sur l'évaluation d'impact*, une autorité a indiqué par écrit qu'elle a commencé à évaluer, pour l'application des articles 67 ou 68 de la *Loi canadienne sur l'évaluation environnementale (2012)*, si la réalisation d'un projet est susceptible d'entraîner des effets environnementaux négatifs importants, sa décision à cet égard est prise en vertu de cette loi comme si celle-ci n'avait pas été abrogée.

Non-application des articles 81 à 91 de la *Loi sur l'évaluation d'impact*

(2) Si, avant l'entrée en vigueur de la *Loi sur l'évaluation d'impact*, une autorité a pris une décision à l'égard d'un projet, en vertu des articles 67 ou 68 de la *Loi canadienne sur l'évaluation environnementale (2012)*, les articles 81 à 91 de la *Loi sur l'évaluation d'impact* ne s'appliquent pas à ce projet.

Définitions de *autorité* et *projet*

(3) Au présent article, *autorité* et *projet* s'entendent au sens de l'article 66 de la *Loi canadienne sur l'évaluation environnementale (2012)*.

L.C. 2019, ch. 28, art. 1

***5** Le présent règlement entre en vigueur à la date d'entrée en vigueur de l'article 1 de la *Loi édictant la Loi sur l'évaluation d'impact et la Loi sur la Régie canadienne*

de l'énergie, modifiant la Loi sur la protection de la navigation et apportant des modifications corrélatives à d'autres lois.

* [Note : Règlement en vigueur le 28 août 2019, voir TR/2019-86.]

SCHEDULE

(Section 2)

Physical Activities

National Parks and Protected Areas

1 The construction, operation, decommissioning and abandonment in a *wildlife area*, as defined in section 2 of the *Wildlife Area Regulations*, a *migratory bird sanctuary*, as defined in subsection 2(1) of the *Migratory Bird Sanctuary Regulations* or a protected marine area established under subsection 4.1(1) of the *Canada Wildlife Act*, of one of the following:

- (a) a new electrical generating facility or electrical transmission line;
- (b) a new structure for the diversion of water, including a new dam, dyke or reservoir;
- (c) a new oil or gas facility or oil and gas pipeline;
- (d) a new mine or mill;
- (e) a new industrial facility;
- (f) a new canal or lock;
- (g) a new marine terminal;
- (h) a new railway line;
- (i) a new public road or parkway that is intended for the passage of motor vehicles;
- (j) a new aerodrome or runway;
- (k) a new waste management facility;
- (l) a new aquaculture facility.

2 The construction, in a national marine conservation area, of a new physical work if the construction is contrary to the management plan for that area tabled in or laid before each House of Parliament under subsection 9(1) of the *Canada National Marine Conservation Areas Act* or subsection 9(1) of the *Saguenay-St. Lawrence Marine Park Act*.

ANNEXE

(article 2)

Activités concrètes

Parcs nationaux et aires protégées

1 La construction, l'exploitation, la désaffectation et la fermeture, dans une *réserve d'espèces sauvages* au sens de l'article 2 du *Règlement sur les réserves d'espèces sauvages*, dans un *refuge d'oiseaux migrants* au sens du paragraphe 2(1) du *Règlement sur les refuges d'oiseaux migrants* ou dans une zone marine protégée constituée en vertu du paragraphe 4.1(1) de la *Loi sur les espèces sauvages du Canada*, selon le cas :

- a) d'une nouvelle installation de production d'électricité ou d'une nouvelle ligne de transport d'électricité;
- b) d'une nouvelle structure de dérivation des eaux, notamment d'un nouveau barrage, d'une nouvelle digue ou d'un nouveau réservoir;
- c) d'une nouvelle installation pétrolière ou gazière ou d'un nouveau pipeline d'hydrocarbures;
- d) d'une nouvelle mine ou usine;
- e) d'une nouvelle installation industrielle;
- f) d'un nouveau canal ou d'une nouvelle écluse;
- g) d'un nouveau terminal maritime;
- h) d'une nouvelle ligne de chemin de fer;
- i) d'une nouvelle route ou promenade publique pour la circulation de véhicules motorisés;
- j) d'un nouvel aéroport ou d'une nouvelle piste;
- k) d'une nouvelle installation de gestion des déchets;
- l) d'une nouvelle installation d'aquaculture.

2 La construction, dans une aire marine nationale de conservation, d'un nouvel ouvrage lorsque cette construction est contraire au plan directeur déposé pour cette aire devant chaque chambre du Parlement en vertu du paragraphe 9(1) de la *Loi sur les aires marines nationales de conservation du Canada* ou en vertu du paragraphe 9(1) de la *Loi sur le parc marin du Saguenay — Saint-Laurent*.

3 The disposal at sea, in a national marine conservation area, of *waste or other matter* as defined in subsection 122(1) of the *Canadian Environmental Protection Act, 1999* at a new disposal at sea site or a new part of an existing disposal at sea site.

4 The construction, operation, decommissioning and abandonment, in a national marine conservation area, of a new pipeline for carrying a substance other than water.

5 The construction, on land that is managed or administered by the Parks Canada Agency, of a new physical work, if the construction is

(a) contrary to the management plan for that land that is tabled in each House of Parliament under subsection 32(1) of the *Parks Canada Agency Act*, subsection 11(1) of the *Canada National Parks Act*, or subsection 9(1) of the *Rouge National Urban Park Act*, or to a similar plan for the land that is approved by the Minister responsible for the Parks Canada Agency; or

(b) contrary to one of the following guidelines that is published by the Parks Canada Agency and that applies to that land:

(i) the *Marmot Basin Ski Area Site Guidelines for Development and Use* dated February 2008,

(ii) the *Mt. Norquay Ski Area Site Guidelines for Development and Use* dated July 2011,

(iii) the *Lake Louise Ski Area Site Guidelines for Development and Use* dated July 2015,

(iv) the *Site Guidelines for Development and Use, Sunshine Village Ski Resort* dated December 14, 2018.

6 The construction, operation, decommissioning and abandonment, in a national park, of a new dam or structure for the diversion of water for the purpose of supplying water outside the park, of recreation or of electrical power generation.

7 The construction, operation, decommissioning and abandonment, in a national park, of a structure that is required to implement a new agreement made under paragraph 10(2)(b) of the *Canada National Parks Act*.

3 L'immersion de *déchets ou autres matières* au sens du paragraphe 122(1) de la *Loi canadienne sur la protection de l'environnement (1999)* dans un nouveau lieu d'immersion ou dans une nouvelle partie d'un lieu d'immersion existant qui sont situés dans une aire marine nationale de conservation.

4 La construction, l'exploitation, la désaffectation et la fermeture, dans une aire marine nationale de conservation, d'un nouveau pipeline destiné au transport de substances autres que l'eau.

5 La construction, sur une terre administrée ou gérée par l'Agence Parcs Canada, d'un nouvel ouvrage lorsque cette construction est, selon le cas :

(a) contraire au plan directeur qui a été déposé pour cette terre devant chaque chambre du Parlement au titre du paragraphe 32(1) de la *Loi sur l'Agence Parcs Canada*, du paragraphe 11(1) de la *Loi sur les parcs nationaux du Canada* ou du paragraphe 9(1) de la *Loi sur le parc urbain national de la Rouge* ou à un autre plan similaire qui a été approuvé pour cette terre par le ministre responsable de l'Agence Parcs Canada;

(b) contraire à celles parmi les lignes directrices ci-après qui s'appliquent à cette terre qui ont été publiées par l'Agence Parcs Canada, à savoir :

(i) les *Lignes directrices pour l'aménagement et l'utilisation du territoire de la station de ski Marmot Basin* de février 2008,

(ii) les *Lignes directrices pour l'aménagement et l'utilisation du territoire de la station de ski Norquay* de juillet 2011,

(iii) les *Lignes directrices pour l'aménagement et l'utilisation du territoire de la station de ski Lake Louise* de juillet 2015,

(iv) les *Lignes directrices particulières pour l'aménagement et l'utilisation du territoire de la station de ski Sunshine Village* du 14 décembre 2018.

6 La construction, l'exploitation, la désaffectation et la fermeture, dans un parc national, d'un nouveau barrage ou d'une nouvelle structure de dérivation des eaux à des fins d'approvisionnement en eau hors du parc ou à des fins récréatives ou de production d'électricité.

7 La construction, l'exploitation, la désaffectation et la fermeture, dans un parc national, d'une structure requise pour la mise en œuvre d'un nouvel accord conclu en vertu de l'alinéa 10(2)b) de la *Loi sur les parcs nationaux du Canada*.

8 The expansion, in a national park, of the water supply capacity of a structure that was constructed to implement an agreement made under paragraph 10(2)(b) of the *Canada National Parks Act* by more than 20%.

9 The construction, operation, decommissioning and abandonment, in Yoho National Park of Canada, Kootenay National Park of Canada, Banff National Park of Canada or Jasper National Park of Canada, outside of a commercial ski area referred to in Schedule 5 to the *Canada National Parks Act* and of a park community, of a new commercial development that requires the disposal or occupation of land that was not previously disposed of for the purpose of a commercial development with the same or a similar purpose or occupied by such a commercial development, if that new commercial development has not been subject to strategic environmental assessment and public review as part of the park management plan tabled in each House of Parliament under subsection 11(1) of the *Canada National Parks Act*.

10 The expansion, in Yoho National Park of Canada, Kootenay National Park of Canada, Banff National Park of Canada or Jasper National Park of Canada, outside of a commercial ski area referred to in Schedule 5 to the *Canada National Parks Act* and of a park community, of an existing commercial development that requires the disposal or occupation of land that was not previously disposed of for the purpose of a commercial development with the same or a similar purpose or occupied by such a commercial development, if that existing commercial development has not been subject to strategic environmental assessment and public review as part of a park management plan tabled in each House of Parliament under subsection 11(1) of the *Canada National Parks Act*.

11 The construction, operation, decommissioning and abandonment, in a national park, of either of the following:

- (a) a new railway line;
- (b) a new public road or parkway that is intended for the passage of motor vehicles.

Defence

12 The low-level flying of military fixed-wing jet aircraft, for more than 150 days in a calendar year, as part of a

8 L'augmentation dans un parc national de plus de 20 % de la capacité d'approvisionnement en eau d'une structure construite pour mettre en œuvre un accord conclu en vertu de l'alinéa 10(2)b) de la *Loi sur les parcs nationaux du Canada*.

9 La construction, l'exploitation, la désaffectation et la fermeture d'un nouvel établissement commercial dans le parc national Yoho du Canada, le parc national Kootenay du Canada, le parc national Banff du Canada ou le parc national Jasper du Canada, hors de toute station commerciale de ski mentionnée à l'annexe 5 de la *Loi sur les parcs nationaux du Canada* et de toute collectivité, lorsque le nouvel établissement commercial, d'une part, nécessite la disposition ou l'occupation de terres qui n'ont pas déjà fait l'objet d'une disposition pour un établissement commercial ayant la même vocation ou une vocation similaire ou n'ont pas été occupées par un tel établissement et, d'autre part, n'a pas fait l'objet d'une évaluation environnementale stratégique ni d'un examen public dans le cadre de l'établissement du plan directeur qui a été déposé devant chaque chambre du Parlement pour le parc en cause au titre du paragraphe 11(1) de la *Loi sur les parcs nationaux du Canada*.

10 L'agrandissement d'un établissement commercial existant, dans le parc national Yoho du Canada, le parc national Kootenay du Canada, le parc national Banff du Canada ou le parc national Jasper du Canada, hors de toute station commerciale de ski mentionnée à l'annexe 5 de la *Loi sur les parcs nationaux du Canada* et de toute collectivité, lorsque l'établissement commercial, d'une part, nécessite la disposition ou l'occupation de terres qui n'ont pas déjà fait l'objet d'une disposition pour un établissement commercial ayant la même vocation ou une vocation similaire ou n'ont pas été occupées par un tel établissement et, d'autre part, n'a pas fait l'objet d'une évaluation environnementale stratégique ni d'un examen public dans le cadre de l'établissement d'un plan directeur déposé devant chaque chambre du Parlement pour le parc en cause au titre du paragraphe 11(1) de la *Loi sur les parcs nationaux du Canada*.

11 La construction, l'exploitation, la désaffectation et la fermeture, dans un parc national, selon le cas :

- a) d'une nouvelle ligne de chemin de fer;
- b) d'une nouvelle route ou promenade publique pour la circulation de véhicules motorisés.

Défense

12 Les vols à basse altitude d'avions à réaction militaires à voilure fixe effectués, pendant plus de cent cinquante

training program, at an altitude below 330 m above ground level on a route or in an area that was not established before October 7, 1994 by or under the authority of the Minister of National Defence or the Chief of the Defence Staff as a route or area set aside for low-level flying training.

13 The construction and operation of a new military base or military station that is established for more than 12 consecutive months.

14 The expansion of an existing military base or military station, if the expansion would result in an increase in the area of the military base or military station of 50% or more.

15 The decommissioning and abandonment of an existing military base or military station.

16 The construction, operation, decommissioning and abandonment, outside an existing military base, of a new military training area, range or test establishment for training or weapons testing that is established for more than 12 consecutive months.

17 The testing of military weapons for more than five days in a calendar year in an area other than a training area, range or test establishment established before October 7, 1994 by or under the authority of the Minister of National Defence for the testing of weapons.

Mines and Metal Mills

18 The construction, operation, decommissioning and abandonment of one of the following:

(a) a new coal mine with a coal production capacity of 5 000 t/day or more;

(b) a new diamond mine with an ore production capacity of 5 000 t/day or more;

(c) a new metal mine, other than a rare earth element mine, placer mine or uranium mine, with an ore production capacity of 5 000 t/day or more;

(d) a new metal mill, other than a uranium mill, with an ore input capacity of 5 000 t/day or more;

(e) a new rare earth element mine with an ore production capacity of 2 500 t/day or more;

jours au cours d'une année civile, dans le cadre d'un programme d'entraînement à une altitude inférieure à 330 m au-dessus du niveau du sol sur des routes ou dans des zones qui n'ont pas été établies comme routes ou zones réservées à l'entraînement au vol à basse altitude, avant le 7 octobre 1994, par le ministre de la Défense nationale ou le chef d'état-major de la Défense, ou sous leur autorité.

13 La construction et l'exploitation d'une nouvelle base ou station militaire qui est mise en place pour plus de douze mois consécutifs.

14 L'agrandissement d'une base ou station militaire existante qui entraînerait une augmentation de 50 % ou plus de la superficie de la base ou de la station.

15 La désaffectation et la fermeture d'une base ou station militaire existante.

16 La construction, l'exploitation, la désaffectation et la fermeture, à l'extérieur d'une base militaire existante, d'un nouveau secteur d'entraînement, champ de tir ou centre d'essai et d'expérimentation militaire pour l'entraînement ou l'essai d'armes qui est mis en place pour plus de douze mois consécutifs.

17 L'essai d'armes militaires effectué pendant plus de cinq jours au cours d'une année civile dans toute zone, autre qu'un secteur d'entraînement, un champ de tir ou un centre d'essai et d'expérimentation établi pour la mise à l'essai d'armes, avant le 7 octobre 1994, par le ministre de la Défense nationale ou sous son autorité.

Mines et usines métallurgiques

18 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

a) d'une nouvelle mine de charbon d'une capacité de production de charbon de 5 000 t/jour ou plus;

b) d'une nouvelle mine de diamants d'une capacité de production de minerai de 5 000 t/jour ou plus;

c) d'une nouvelle mine métallifère, autre qu'une mine d'éléments des terres rares, un placer ou une mine d'uranium, d'une capacité de production de minerai de 5 000 t/jour ou plus;

d) d'une nouvelle usine métallurgique, autre qu'une usine de concentration d'uranium, d'une capacité d'admission de minerai de 5 000 t/jour ou plus;

(f) a new stone quarry or sand or gravel pit with a production capacity of 3 500 000 t/year or more.

19 The expansion of an existing mine, mill, quarry or sand or gravel pit in one of the following circumstances:

(a) in the case of an existing coal mine, if the expansion would result in an increase in the area of mining operations of 50% or more and the total coal production capacity would be 5 000 t/day or more after the expansion;

(b) in the case of an existing diamond mine if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore production capacity would be 5 000 t/day or more after the expansion;

(c) in the case of an existing metal mine, other than a rare earth element mine, placer mine or uranium mine, if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore production capacity would be 5 000 t/day or more after the expansion;

(d) in the case of an existing metal mill, other than a uranium mill, if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore input capacity would be 5 000 t/day or more after the expansion;

(e) in the case of an existing rare earth element mine if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore production capacity would be 2 500 t/day or more after the expansion;

(f) in the case of an existing stone quarry or sand or gravel pit if the expansion would result in an increase in the area of mining operations of 50% or more and the total production capacity would be 3 500 000 t/year or more after the expansion.

20 The construction, operation and decommissioning, outside the licensed boundaries of an existing uranium mine, of a new uranium mine with an ore production capacity of 2 500 t/day or more.

e) d'une nouvelle mine d'éléments des terres rares d'une capacité de production de minerai de 2 500 t/jour ou plus;

f) d'une nouvelle carrière de pierre, de gravier ou de sable d'une capacité de production de 3 500 000 t/an ou plus.

19 L'agrandissement d'une mine, usine ou carrière visée ci-après, dans les cas suivants :

a) s'agissant d'une mine de charbon existante, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité de production totale de charbon de la mine, après l'agrandissement, serait de 5 000 t/jour ou plus;

b) s'agissant d'une mine de diamants existante, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité de production totale de minerai de la mine, après l'agrandissement, serait de 5 000 t/jour ou plus;

c) s'agissant d'une mine métallifère existante, autre qu'une mine d'éléments des terres rares, un placer ou une mine d'uranium, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité de production totale de minerai de la mine, après l'agrandissement, serait de 5 000 t/jour ou plus;

d) s'agissant d'une usine métallurgique existante, autre qu'une usine de concentration d'uranium, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité d'admission totale de minerai de l'usine, après l'agrandissement, serait de 5 000 t/jour ou plus;

e) s'agissant d'une mine d'éléments des terres rares existante, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité de production totale de minerai de la mine, après l'agrandissement, serait de 2 500 t/jour ou plus;

f) s'agissant d'une carrière de pierre, de gravier ou de sable existante, l'agrandissement entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus et la capacité de production totale de la carrière, après l'agrandissement, serait de 3 500 000 t/an ou plus.

20 La construction, l'exploitation et le déclassement, à l'extérieur des limites autorisées d'une mine d'uranium existante, d'une nouvelle mine d'uranium d'une capacité de production de minerai de 2 500 t/jour ou plus.

21 The expansion of an existing uranium mine, if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore production capacity would be 2500 t/day or more after the expansion.

22 The construction, operation and decommissioning, outside the licensed boundaries of an existing uranium mill, of a new uranium mill with an ore input capacity of 2 500 t/day or more.

23 The expansion of an existing uranium mill, if the expansion would result in an increase in the area of mining operations of 50% or more and the total ore input capacity would be 2 500 t/day or more after the expansion.

24 The construction, operation, decommissioning and abandonment of a new oil sands mine with a bitumen production capacity of 10 000 m³/day or more.

25 The expansion of an existing oil sands mine, if the expansion would result in an increase in the area of mining operations of 50% or more and the total bitumen production capacity would be 10 000 m³/day or more after the expansion.

Nuclear Facilities, Including Certain Storage and Long-term Management or Disposal Facilities

26 The construction, operation and decommissioning of one of the following:

(a) a new facility for the processing, reprocessing or separation of isotopes of uranium, thorium, or plutonium, with a production capacity of 100 t/year or more;

(b) a new facility for the manufacture of a product derived from uranium, thorium or plutonium, with a production capacity of 100 t/year or more;

(c) a new facility for the processing or use, in a quantity greater than 10¹⁵ Bq per calendar year, of nuclear substances with a half-life greater than one year, other than uranium, thorium or plutonium.

21 L'agrandissement d'une mine d'uranium existante qui entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus, dans le cas où la capacité de production totale de minerai de la mine serait, après cet agrandissement, de 2 500 t/jour ou plus.

22 La construction, l'exploitation et le déclassement, à l'extérieur des limites autorisées d'une usine de concentration d'uranium existante, d'une nouvelle usine de concentration d'uranium d'une capacité d'admission de minerai de 2 500 t/jour ou plus.

23 L'agrandissement d'une usine existante de concentration d'uranium qui entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus, dans le cas où la capacité d'admission totale de minerai de l'usine serait, après l'agrandissement, de 2 500 t/jour ou plus.

24 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle mine de sables bitumineux d'une capacité de production de bitume de 10 000 m³/jour ou plus.

25 L'agrandissement d'une mine de sables bitumineux existante qui entraînerait une augmentation de l'aire d'exploitation minière de 50 % ou plus, dans le cas où la capacité de production totale de bitume de la mine serait, après l'agrandissement, de 10 000 m³/jour ou plus.

Installations nucléaires, notamment certaines installations de stockage et certaines installations de gestion ou d'évacuation à long terme

26 La construction, l'exploitation et le déclassement, selon le cas :

a) d'une nouvelle installation de traitement, de retraitement ou de séparation d'isotopes d'uranium, de thorium ou de plutonium, d'une capacité de production de 100 t/an ou plus;

b) d'une nouvelle installation de fabrication d'un produit dérivé de l'uranium, du thorium ou du plutonium, d'une capacité de production de 100 t/an ou plus;

c) d'une nouvelle installation qui traite ou utilise, en une quantité supérieure à 10¹⁵ Bq par année civile, des substances nucléaires, autres que l'uranium, le thorium ou le plutonium, ayant une période radioactive supérieure à un an.

27 The site preparation for, and the construction, operation and decommissioning of, one or more new nuclear fission or fusion reactors if

(a) that activity is located within the licensed boundaries of an existing Class IA nuclear facility and the new reactors have a combined thermal capacity of more than 900 MWth; or

(b) that activity is not located within the licensed boundaries of an existing Class IA nuclear facility and the new reactors have a combined thermal capacity of more than 200 MWth.

28 The construction and operation of either of the following:

(a) a new facility for the storage of irradiated nuclear fuel or nuclear waste, outside the licensed boundaries of an existing *nuclear facility*, as defined in section 2 of the *Nuclear Safety and Control Act*, other than a facility for the on-site storage of irradiated nuclear fuel or nuclear waste associated with one or more new fission or fusion reactors that have a combined thermal capacity of less than 200 MWth;

(b) a new facility for the long-term management or disposal of irradiated nuclear fuel or nuclear waste.

29 The expansion of an existing facility for the long-term management or disposal of irradiated nuclear fuel or nuclear waste, if the expansion would result in an increase in the area of the facility, at ground level, of 50% or more.

Oil, Gas and Other Fossil Fuels

30 The construction, operation, decommissioning and abandonment of a new fossil fuel-fired power generating facility with a production capacity of 200 MW or more.

31 The expansion of an existing fossil fuel-fired power generating facility, if the expansion would result in an increase in production capacity of 50% or more and a total production capacity of 200 MW or more.

32 The construction, operation, decommissioning and abandonment of a new *in situ* oil sands extraction facility that has a bitumen production capacity of 2 000 m³/day or more and that is

27 La préparation de l'emplacement, la construction, l'exploitation et le déclassement, selon le cas :

a) d'un ou de plusieurs nouveaux réacteurs à fission ou à fusion nucléaires d'une capacité thermique cumulée de plus de 900 MWth, dans les limites autorisées d'une installation nucléaire de catégorie IA existante;

b) d'un ou de plusieurs nouveaux réacteurs à fission ou à fusion nucléaires d'une capacité thermique cumulée de plus de 200 MWth, hors des limites autorisées d'une installation nucléaire de catégorie IA existante.

28 La construction et l'exploitation, selon le cas :

a) d'une nouvelle installation de stockage de combustibles nucléaires irradiés ou de déchets nucléaires, hors des limites autorisées d'une *installation nucléaire* — au sens de l'article 2 de la *Loi sur la sûreté et la réglementation nucléaires* — existante, autre qu'une installation de stockage sur place de combustibles nucléaires irradiés ou de déchets nucléaires associée à un ou plusieurs nouveaux réacteurs à fission ou à fusion nucléaires d'une capacité thermique cumulée de moins de 200 MWth;

b) d'une nouvelle installation de gestion ou d'évacuation à long terme de combustibles nucléaires irradiés ou de déchets nucléaires.

29 L'agrandissement d'une installation existante de gestion ou d'évacuation à long terme de combustibles nucléaires irradiés ou de déchets nucléaires qui entraînerait une augmentation de 50 % ou plus de l'aire au niveau du sol occupée par l'installation.

Pétrole, gaz et autres combustibles fossiles

30 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle installation de production d'énergie alimentée par un combustible fossile d'une capacité de production de 200 MW ou plus.

31 L'agrandissement d'une installation existante de production d'énergie alimentée par un combustible fossile qui entraînerait une augmentation de la capacité de production de 50 % ou plus et porterait sa capacité de production totale à 200 MW ou plus.

32 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle installation d'extraction *in situ* de sables bitumineux d'une capacité de production de bitume de 2 000 m³/jour ou plus qui est, selon le cas :

(a) not within a province in which provincial legislation is in force to limit the amount of greenhouse gas emissions produced by oil sands sites in the province; or

(b) within a province in which provincial legislation is in force to limit the amount of greenhouse gas emissions produced by oil sands sites in the province and that limit has been reached.

33 The expansion of an existing *in situ* oil sands extraction facility, if the expansion would result in an increase in bitumen production capacity of 50% or more and a total bitumen production capacity of 2 000 m³/day or more, if the facility is

(a) not within a province in which provincial legislation is in force to limit the amount of greenhouse gas emissions produced by oil sands sites in the province; or

(b) within a province in which provincial legislation is in force to limit the amount of greenhouse gas emissions produced by oil sands sites in the province and that limit has been reached.

34 The drilling, testing and abandonment, in an area set out in one or more exploration licences issued in accordance with the *Canada Petroleum Resources Act*, the *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act* or the *Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act*, of offshore exploratory wells in the first *drilling program*, as defined in subsection 1(1) of the *Canada Oil and Gas Drilling and Production Regulations*, SOR/2009-315.

35 The construction, installation and operation of a new offshore floating or fixed platform, vessel or artificial island used for the production of oil or gas.

36 The decommissioning and abandonment of an existing offshore floating or fixed platform, vessel or artificial island used for the production of oil or gas that is proposed to be disposed of or abandoned offshore or converted on site to another role.

37 The construction, operation, decommissioning and abandonment of one of the following:

(a) a new oil refinery, including a heavy oil upgrader, with an input capacity of 10 000 m³/day or more;

a) ailleurs que dans une province où une limite des émissions de gaz à effet de serre pour les sites de sables bitumineux de la province est établie en vertu de la législation en vigueur de cette province;

b) dans une province où une telle limite ainsi établie a été atteinte.

33 L'agrandissement d'une installation d'extraction *in situ* existante de sables bitumineux qui entraînerait une augmentation de la capacité de production de bitume de 50 % ou plus et qui porterait la capacité de production totale de bitume à 2 000 m³/jour ou plus, lorsque l'installation est, selon le cas :

a) ailleurs que dans une province où une limite des émissions de gaz à effet de serre pour les sites de sables bitumineux de la province est établie en vertu de la législation en vigueur de cette province;

b) dans une province où une telle limite ainsi établie a été atteinte.

34 Le forage, la mise à l'essai et la fermeture de puits d'exploration qui sont situés au large des côtes et qui font partie du premier *programme de forage* — au sens du paragraphe 1(1) du *Règlement sur le forage et la production de pétrole et de gaz au Canada*, DORS/2009-315, dans une zone visée par un ou plusieurs permis de prospection octroyés conformément à la *Loi fédérale sur les hydrocarbures*, à la *Loi de mise en œuvre de l'Accord atlantique Canada — Terre-Neuve-et-Labrador* ou à la *Loi de mise en œuvre de l'Accord Canada — Nouvelle-Écosse sur les hydrocarbures extracôtiers*.

35 La construction, la mise sur pied et l'exploitation d'une nouvelle plate-forme flottante ou fixe, d'un nouveau navire ou d'une nouvelle île artificielle qui sont situés au large des côtes et qui sont utilisés pour la production de pétrole ou de gaz.

36 La désaffectation et la fermeture d'une plate-forme flottante ou fixe existante, d'un navire existant ou d'une île artificielle existante qui sont au large des côtes et qui sont utilisés pour la production de pétrole ou de gaz, dans le cas où il est proposé d'en disposer ou de les fermer au large des côtes, ou d'en modifier la vocation sur place.

37 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

(b) a new facility for the production of liquid petroleum products from coal with a production capacity of 2 000 m³/day or more;

(c) a new sour gas processing facility with a sulphur inlet capacity of 2 000 t/day or more;

(d) a new facility for the liquefaction, storage or regasification of liquefied natural gas, with a liquefied natural gas processing capacity of 3 000 t/day or more or a liquefied natural gas storage capacity of 136 000 m³ or more;

(e) a new petroleum storage facility with a storage capacity of 500 000 m³ or more;

(f) a new natural gas liquids storage facility with a storage capacity of 100 000 m³ or more.

38 The expansion of one of the following:

(a) an existing oil refinery, including a heavy oil upgrader, if the expansion would result in an increase in input capacity of 50% or more and a total input capacity of 10 000 m³/day or more;

(b) an existing facility for the production of liquid petroleum products from coal, if the expansion would result in an increase in production capacity of 50% or more and a total production capacity of 2 000 m³/day or more;

(c) an existing sour gas processing facility, if the expansion would result in an increase in sulphur inlet capacity of 50% or more and a total sulphur inlet capacity of 2 000 t/day or more;

(d) an existing facility for the liquefaction, storage or regasification of liquefied natural gas, if the expansion would result in an increase in the liquefied natural gas processing or storage capacity of 50% or more and a total liquefied natural gas processing capacity of 3 000 t/day or more or a total liquefied natural gas storage capacity of 136 000 m³ or more, as the case may be;

(e) an existing petroleum storage facility, if the expansion would result in an increase in storage capacity of 50% or more and a total storage capacity of 500 000 m³ or more;

a) d'une nouvelle raffinerie de pétrole, y compris une usine de valorisation d'huile lourde, d'une capacité d'admission de 10 000 m³/jour ou plus;

b) d'une nouvelle installation de production de produits pétroliers liquides, à partir du charbon, d'une capacité de production de 2 000 m³/jour ou plus;

c) d'une nouvelle installation de traitement de gaz sulfureux d'une capacité d'admission de soufre de 2 000 t/jour ou plus;

d) d'une nouvelle installation de liquéfaction, de stockage ou de regazéification de gaz naturel liquéfié d'une capacité de traitement de gaz naturel liquéfié de 3 000 t/jour ou plus ou d'une capacité de stockage de gaz naturel liquéfié de 136 000 m³ ou plus;

e) d'une nouvelle installation de stockage de pétrole d'une capacité de stockage de 500 000 m³ ou plus;

f) d'une nouvelle installation de stockage de liquides de gaz naturel d'une capacité de stockage de 100 000 m³ ou plus.

38 L'agrandissement d'une raffinerie ou d'une installation ci-après qui, selon le cas :

a) s'agissant d'une raffinerie de pétrole existante, y compris une usine de valorisation d'huile lourde, entraînerait une augmentation de la capacité d'admission de 50 % ou plus et porterait sa capacité d'admission totale à 10 000 m³/jour ou plus;

b) s'agissant d'une installation existante de production de produits pétroliers liquides, à partir du charbon, entraînerait une augmentation de la capacité de production de 50 % ou plus et porterait sa capacité de production totale à 2 000 m³/jour ou plus;

c) s'agissant d'une installation existante de traitement de gaz sulfureux, entraînerait une augmentation de la capacité d'admission de soufre de 50 % ou plus et porterait sa capacité d'admission totale de soufre à 2 000 t/jour ou plus;

d) s'agissant d'une installation existante de liquéfaction, de stockage ou de regazéification de gaz naturel liquéfié, entraînerait une augmentation de la capacité de traitement ou de stockage de gaz naturel liquéfié de 50 % ou plus et porterait, selon le cas, sa capacité de traitement totale à 3 000 t/jour ou plus ou sa capacité de stockage totale à 136 000 m³ ou plus;

e) s'agissant d'une installation existante de stockage de pétrole, entraînerait une augmentation de la

(f) an existing natural gas liquids storage facility, if the expansion would result in an increase in storage capacity of 50% or more and a total storage capacity of 100 000 m³ or more.

Electrical Transmission Lines and Pipelines

39 The construction, operation, decommissioning and abandonment of either of the following:

(a) a new international electrical transmission line with a voltage of 345 kV or more that requires a total of 75 km or more of new right of way;

(b) a new interprovincial power line designated by an order under section 261 of the *Canadian Energy Regulator Act*.

40 The construction, operation, decommissioning and abandonment of a new offshore oil and gas pipeline, other than a *flowline* as defined in subsection 2(1) of the *Canada Oil and Gas Installations Regulations*.

41 The construction, operation, decommissioning and abandonment of a new *pipeline*, as defined in section 2 of the *Canadian Energy Regulator Act*, other than an offshore pipeline, that requires a total of 75 km or more of new right of way.

Renewable Energy

42 The construction, operation, decommissioning and abandonment of one of the following:

(a) a new hydroelectric generating facility with a production capacity of 200 MW or more;

(b) a new in-stream tidal power generating facility with a production capacity of 15 MW or more;

(c) a new tidal power generating facility that is not an in-stream tidal power generating facility.

43 The expansion of one of the following:

capacité de stockage de 50 % ou plus et porterait sa capacité de stockage totale à 500 000 m³ ou plus;

f) s'agissant d'une installation existante de stockage de liquides de gaz naturel, entraînerait une augmentation de la capacité de stockage de 50 % ou plus et porterait sa capacité de stockage totale à 100 000 m³ ou plus.

Lignes de transport d'électricité et pipelines

39 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

a) d'une nouvelle ligne internationale de transport d'électricité d'une tension de 345 kV ou plus qui nécessite une nouvelle emprise d'une longueur de 75 km ou plus;

b) d'une nouvelle ligne interprovinciale désignée par décret au titre de l'article 261 de la *Loi sur la Régie canadienne de l'énergie*.

40 La construction, l'exploitation, la désaffectation et la fermeture d'un nouveau pipeline d'hydrocarbures qui est situé au large des côtes, autre qu'une *conduite d'écoulement* au sens du paragraphe 2(1) du *Règlement sur les installations pétrolières et gazières au Canada*.

41 La construction, l'exploitation, la désaffectation et la fermeture d'un nouveau *pipeline* au sens de l'article 2 de la *Loi sur la Régie canadienne de l'énergie*, autre qu'un pipeline au large des côtes, qui nécessite une nouvelle emprise d'une longueur de 75 km ou plus.

Énergie renouvelable

42 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

a) d'une nouvelle installation hydroélectrique d'une capacité de production de 200 MW ou plus;

b) d'une nouvelle installation de production d'énergie hydrolienne d'une capacité de production de 15 MW ou plus;

c) d'une nouvelle installation de production d'énergie marémotrice autre qu'une installation de production d'énergie hydrolienne.

43 L'agrandissement d'une installation ci-après qui, selon le cas :

(a) an existing hydroelectric generating facility if the expansion would result in an increase in production capacity of 50% or more and a total production capacity of 200 MW or more;

(b) an existing in-stream tidal power generating facility, if the expansion would result in an increase in production capacity of 50% or more and a total production capacity of 15 MW or more;

(c) an existing tidal power generating facility that is not an in-stream tidal power generating facility, if the expansion would result in an increase in production capacity of 50% or more.

44 The construction, operation, decommissioning and abandonment in an offshore area or in boundary water of a new wind power generating facility that has 10 or more wind turbines.

45 The expansion in an offshore area or in boundary water of an existing wind power generating facility, if the expansion would result in an increase in production capacity of 50% or more and a total number of wind turbines of 10 or more.

Transport

46 The construction, operation, decommissioning and abandonment of one of the following:

(a) a new aerodrome with a runway length of 1 000 m or more;

(b) a new aerodrome that is capable of serving aircraft of Aircraft Group Number IIIA or higher;

(c) a new runway at an existing aerodrome with a length of 1 000 m or more.

47 The operation of an existing runway

(a) that was not capable of serving aircraft of Aircraft Group Number IIIA and becomes capable of serving aircraft of Aircraft Group Number IIIA or higher; or

(b) that was capable of serving aircraft of an Aircraft Group Number IIIA or higher and becomes capable of serving aircraft of any higher Aircraft Group Number.

a) s'agissant d'une installation hydroélectrique existante, entraînerait une augmentation de la capacité de production de 50 % ou plus et porterait sa capacité de production totale à 200 MW ou plus;

b) s'agissant d'une installation existante de production d'énergie hydrolienne, entraînerait une augmentation de la capacité de production de 50 % ou plus et porterait sa capacité de production totale à 15 MW ou plus;

c) s'agissant d'une installation existante de production d'énergie marémotrice autre qu'une installation de production d'énergie hydrolienne, entraînerait une augmentation de la capacité de production de 50 % ou plus.

44 La construction, l'exploitation, la désaffectation et la fermeture, dans une zone extracôtière ou dans des eaux limitrophes, d'une nouvelle installation de production d'énergie éolienne qui comprend dix éoliennes ou plus.

45 L'agrandissement, dans une zone extracôtière ou dans des eaux limitrophes, d'une installation existante de production d'énergie éolienne qui entraînerait une augmentation de la capacité de production de 50 % ou plus et qui porterait le nombre d'éoliennes comprises dans l'installation à dix ou plus.

Transports

46 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

a) d'un nouvel aérodrome doté d'une piste de 1 000 m ou plus;

b) d'un nouvel aérodrome capable de desservir des aéronefs appartenant à un numéro de groupe d'aéronefs IIIA ou plus;

c) d'une nouvelle piste d'un aérodrome existant d'une longueur de 1 000 m ou plus.

47 L'exploitation d'une piste existante, dans les cas suivants :

a) si la piste n'avait pas la capacité de desservir des aéronefs appartenant au numéro de groupe d'aéronefs IIIA et qu'elle acquiert la capacité de desservir des aéronefs appartenant à un numéro de groupe d'aéronefs IIIA ou plus;

b) si la piste avait la capacité de desservir des aéronefs appartenant à un numéro de groupe d'aéronefs IIIA ou plus et qu'elle acquiert la capacité de desservir des

48 The construction, operation, decommissioning and abandonment of either of the following:

- (a)** a new international or interprovincial bridge or tunnel;
- (b)** a new bridge over the St. Lawrence Seaway.

49 The construction, operation, decommissioning and abandonment of either of the following:

- (a)** a new canal;
- (b)** a new lock or associated structure that controls water levels in navigable water.

50 The construction, operation, decommissioning and abandonment of a new permanent causeway with a continuous length of 400 m or more through navigable water.

51 The construction, operation, decommissioning and abandonment of a new all-season public highway that requires a total of 75 km or more of new right of way.

52 The construction, operation, decommissioning and abandonment of a new marine terminal designed to handle ships larger than 25 000 DWT.

53 The expansion of an existing marine terminal, if the expansion requires the construction of a new berth designed to handle ships larger than 25 000 DWT and, if the berth is not a permanent structure in the water, the construction of a new permanent structure in the water.

54 The construction, operation, decommissioning and abandonment of either of the following:

- (a)** a new railway line that is capable of carrying freight or of carrying passengers between cities and requires a total of 50 km or more of new right of way;
- (b)** a new railway yard with a total area of 50 ha or more.

55 The expansion of an existing railway yard, if the expansion would result in an increase of its total area by 50% or more and a total area of 50 ha or more.

aéronefs appartenant à un numéro de groupe d'aéronefs plus élevé.

48 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

- a)** d'un nouveau pont ou tunnel international ou interprovincial;
- b)** d'un nouveau pont enjambant la Voie maritime du Saint-Laurent.

49 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

- a)** d'un nouveau canal;
- b)** d'une nouvelle écluse ou d'une nouvelle structure connexe pour contrôler le niveau d'eau dans des eaux navigables.

50 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle chaussée permanente continue d'une longueur de 400 m ou plus à travers des eaux navigables.

51 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle voie publique utilisable en toute saison qui nécessite une nouvelle emprise d'une longueur de 75 km.

52 La construction, l'exploitation, la désaffectation et la fermeture d'un nouveau terminal maritime conçu pour recevoir des navires de plus de 25 000 TPL.

53 L'agrandissement d'un terminal maritime existant qui nécessite la construction d'un nouveau poste d'accostage conçu pour recevoir des navires de plus de 25 000 TPL et, si le poste d'accostage n'est pas une structure permanente dans l'eau, la construction d'une nouvelle structure permanente dans l'eau.

54 La construction, l'exploitation, la désaffectation et la fermeture, selon le cas :

- a)** d'une nouvelle ligne de chemin de fer pouvant effectuer le transport de marchandises ou le transport ferroviaire interurbain de voyageurs qui nécessite un total de 50 km ou plus de nouvelle emprise;
- b)** d'une nouvelle gare de triage d'une superficie totale de 50 ha ou plus.

55 L'agrandissement d'une gare de triage existante qui entraînerait une augmentation de 50 % ou plus de la superficie totale de la gare et qui porterait sa superficie totale à 50 ha ou plus.

Hazardous Waste

56 The construction, operation, decommissioning and abandonment of a new facility that is not more than 500 m from a natural water body and is used exclusively for the treatment, incineration, disposal or recycling of hazardous waste.

57 The expansion of an existing facility that is not more than 500 m from a natural water body and is used exclusively for the treatment, incineration, disposal or recycling of hazardous waste, if the expansion would result in an increase in hazardous waste input capacity of 50% or more.

Water Projects

58 The construction, operation, decommissioning and abandonment of a new dam or dyke on a natural water body, if the new dam or dyke would result in the creation of a reservoir with a surface area that would exceed the annual mean surface area of the natural water body by 1 500 ha or more.

59 The expansion of an existing dam or dyke on a natural water body, if the expansion would result in an increase in the surface area of the existing reservoir of 50% or more and an increase of 1 500 ha or more in the annual mean surface area of that reservoir.

60 The construction, operation, decommissioning and abandonment of a new structure for the diversion of 10 000 000 m³/year or more of water from a natural water body into another natural water body.

61 The expansion of an existing structure for the diversion of water from a natural water body into another natural water body, if the expansion would result in an increase in diversion capacity of 50% or more and a total diversion capacity of 10 000 000 m³/year or more.

SOR/2023-60, s. 1(F).

Déchets dangereux

56 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle installation qui est située à 500 m ou moins d'un plan d'eau naturel et qui est utilisée exclusivement pour le traitement, l'incinération, l'élimination ou le recyclage de déchets dangereux.

57 L'agrandissement d'une installation existante qui est située à 500 m ou moins d'un plan d'eau naturel et qui est utilisée exclusivement pour le traitement, l'incinération, l'élimination ou le recyclage de déchets dangereux, dans le cas où cet agrandissement entraînerait une augmentation de la capacité d'admission de déchets dangereux de 50 % ou plus.

Aménagement hydraulique

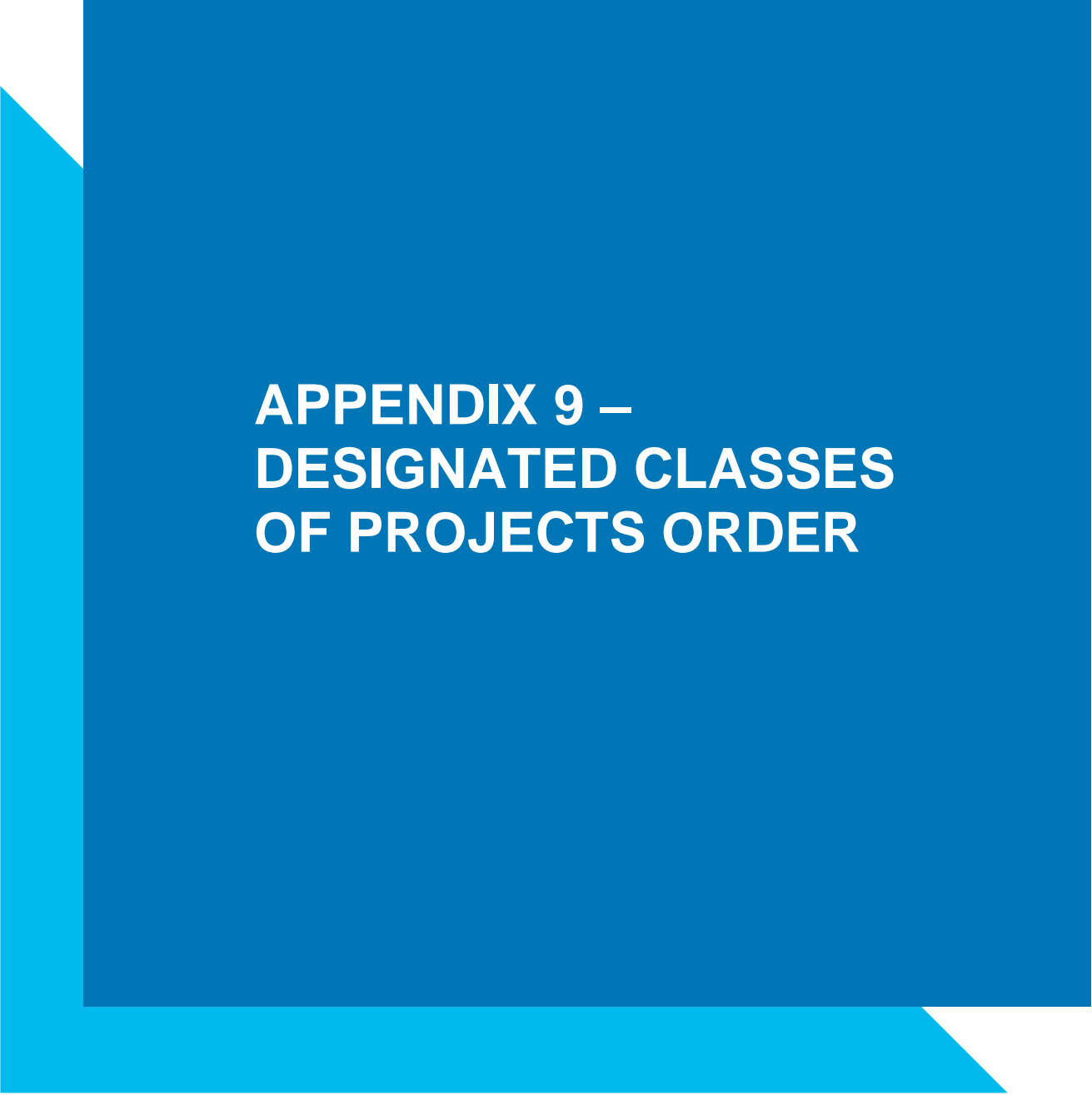
58 La construction, l'exploitation, la désaffectation et la fermeture, dans un plan d'eau naturel, d'un nouveau barrage ou d'une nouvelle digue lorsque le nouveau barrage ou la nouvelle digue en cause entraînerait la création d'un réservoir d'une superficie dépassant de 1 500 ha ou plus la superficie moyenne annuelle du plan d'eau naturel.

59 L'agrandissement, dans un plan d'eau naturel, d'un barrage existant ou d'une digue existante qui entraînerait une augmentation de 50 % ou plus de la superficie du réservoir existant et de 1 500 ha ou plus de la superficie moyenne annuelle de ce réservoir.

60 La construction, l'exploitation, la désaffectation et la fermeture d'une nouvelle structure destinée à la dérivation de 10 000 000 m³/an ou plus d'eau d'un plan d'eau naturel dans un autre.

61 L'agrandissement d'une structure existante destinée à la dérivation d'eau d'un plan d'eau naturel dans un autre, dans le cas où cet agrandissement entraînerait une augmentation de la capacité de dérivation de 50 % ou plus et porterait la capacité de dérivation totale à 10 000 000 m³/an ou plus.

DORS/2023-60, art. 1(F).



**APPENDIX 9 –
DESIGNATED CLASSES
OF PROJECTS ORDER**



CANADA

CONSOLIDATION

CODIFICATION

Designated Classes of Projects Order

Arrêté désignant des catégories de projets

SOR/2019-323

DORS/2019-323

Current to June 21, 2023

À jour au 21 juin 2023

Published by the Minister of Justice at the following address:
<http://laws-lois.justice.gc.ca>

Publié par le ministre de la Justice à l'adresse suivante :
<http://lois-laws.justice.gc.ca>

OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31 (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

LAYOUT

The notes that appeared in the left or right margins are now in boldface text directly above the provisions to which they relate. They form no part of the enactment, but are inserted for convenience of reference only.

NOTE

This consolidation is current to June 21, 2023. Any amendments that were not in force as of June 21, 2023 are set out at the end of this document under the heading “Amendments Not in Force”.

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1^{er} juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31 (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité — règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

MISE EN PAGE

Les notes apparaissant auparavant dans les marges de droite ou de gauche se retrouvent maintenant en caractères gras juste au-dessus de la disposition à laquelle elles se rattachent. Elles ne font pas partie du texte, n'y figurant qu'à titre de repère ou d'information.

NOTE

Cette codification est à jour au 21 juin 2023. Toutes modifications qui n'étaient pas en vigueur au 21 juin 2023 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

TABLE OF PROVISIONS

Designated Classes of Projects Order

Interpretation

- 1 Definitions

Designated Classes of Projects

- 2 Federal lands or outside of Canada
3 Lands administered by Parks Canada Agency
4 Excluded Projects

Coming into Force

- *5 S.C. 2019, c. 28, s. 1

SCHEDULE 1

Designated Classes of Projects
(Outside Canada or on Federal Lands
not Administered by Parks Canada
Agency)

SCHEDULE 2

Designated Classes of Projects (On
Federal Lands Administered by Parks
Canada Agency)

TABLE ANALYTIQUE

Arrêté désignant des catégories de projets

Définitions

- 1 Définitions

Catégories de projets désignées

- 2 Territoire domanial ou à l'étranger
3 Territoire domanial administré par Agence Parcs Canada
4 Projets exclus

Entrée en vigueur

- *5 L.C. 2019, ch. 28, art. 1

ANNEXE 1

Catégories de projets désignées (à
l'étranger ou sur un territoire
domanial non administré par Agence
Parcs Canada)

ANNEXE 2

Catégories de projets désignées (sur
un territoire domanial administré par
Agence Parcs Canada)

Registration
SOR/2019-323 August 30, 2019

IMPACT ASSESSMENT ACT

Designated Classes of Projects Order

Whereas the Minister of the Environment is of the opinion that the carrying out of a project that is a part of a designated class of projects described in the annexed Order will cause only insignificant adverse environmental effects;

And whereas, pursuant to subsection 89(2) of the *Impact Assessment Act*^a, that Minister has considered the comments received from the public in deciding whether to make the designation;

Therefore, the Minister of the Environment, pursuant to subsection 88(1) of the *Impact Assessment Act*^a, makes the annexed *Designated Classes of Projects Order*.

Gatineau, August 30, 2019

Enregistrement
DORS/2019-323 Le 30 août 2019

LOI SUR L'ÉVALUATION D'IMPACT

Arrêté désignant des catégories de projets

Attendu que la ministre de l'Environnement estime que la réalisation de projets des catégories de projets désignées au titre de l'arrêté ci-après entraînera seulement des effets environnementaux négatifs négligeables;

Attendu que, en vertu du paragraphe 89(2) de la *Loi sur l'évaluation d'impact*^a, la ministre a pris en compte les observations reçues du public avant de faire la désignation,

À ces causes, en vertu du paragraphe 88(1) de la *Loi sur l'évaluation d'impact*^a, la ministre de l'Environnement prend l'*Arrêté désignant des catégories de projets*, ci-après.

Gatineau, le 30 août 2019

La ministre de l'Environnement,

Catherine McKenna
Minister of the Environment

^a S.C. 2019, c. 28, s. 1

^a L.C. 2019, ch. 28, art. 1

Designated Classes of Projects Order

Interpretation

Definitions

1 The following definitions apply in this Order.

Act means the *Impact Assessment Act*. (*Loi*)

allied petroleum product has the same meaning as in section 1 of the *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations*. (*produit apparenté*)

boathouse means a structure, with or without walls, that is designed to shelter and store a boat. (*remise à bateau*)

building means a roofed physical work. (*bâtiment*)

developed land means land that is permanently altered from its natural state for human use or is landscaped and maintained for human use. (*terrain aménagé*)

expansion means an increase in the exterior dimensions or the production capacity of a physical work. (*agrandissement*)

historic canal has the same meaning as in section 2 of the *Historic Canals Regulations*. (*canal historique*)

hook-up means a structure or line that is used to connect a physical work to a main gas, oil, sewer, water, power or telecommunication line. (*raccordement*)

management plan means, in respect of a national park, the management plan for that land that is tabled in each House of Parliament under subsection 32(1) of the *Parks Canada Agency Act*, subsection 11(1) of the *Canada National Parks Act* or subsection 9(1) of the *Rouge National Urban Park Act*. (*plan directeur*)

modification means an alteration to a physical work that does not alter the purpose or function of the work. It does not include an expansion or relocation. (*modification*)

national historic site means a place that is commemorated under section 3 of the *Historic Sites and Monuments Act* and is under the administration of the Parks Canada Agency. (*lieu historique national*)

Arrêté désignant des catégories de projets

Définitions

Définitions

1 Les définitions qui suivent s'appliquent au présent arrêté.

agrandissement Augmentation des dimensions extérieures ou de la capacité de production d'un ouvrage. (*expansion*)

aire marine nationale de conservation S'entend au sens de *aire marine de conservation* ou *réserve* au paragraphe 2(1) de la *Loi sur les aires marines nationales de conservation du Canada*. (*national marine conservation area*)

bâtiment Ouvrage couvert d'un toit. (*building*)

canal historique S'entend au sens de l'article 2 du *Règlement sur les canaux historiques*. (*historic canal*)

lieu historique national Endroit commémoré en vertu de l'article 3 de la *Loi sur les lieux et monuments historiques* et administré par Agence Parcs Canada. (*national historic site*)

Loi La *Loi sur l'évaluation d'impact*. (*Act*)

modification Transformation apportée à un ouvrage qui n'en change pas la fonction ou la vocation. La présente définition ne vise pas l'agrandissement ou le déplacement de l'ouvrage. (*modification*)

parc national S'entend au sens de *parc* ou *réserve* au paragraphe 2(1) de la *Loi sur les parcs nationaux du Canada*. (*national park*)

plan d'eau S'entend notamment des lacs, des canaux, des réservoirs, des océans, des rivières et de leurs affluents ainsi que des terres humides — s'étendant jusqu'à la laisse ou limite annuelle des hautes eaux —, à l'exclusion des étangs de traitement des eaux usées ou des déchets, des étangs de résidus miniers ainsi que des réservoirs d'irrigation artificiels, des étangs-réservoirs et des fossés qui ne contiennent pas d'*habitat* au sens du paragraphe 2(1) de la *Loi sur les pêches*. (*water body*)

plan directeur À l'égard d'un parc national, plan directeur déposé pour cette terre devant chaque chambre du Parlement au titre du paragraphe 32(1) de la *Loi sur*

national marine conservation area has the meaning assigned by the definition *marine conservation area* or *reserve* in subsection 2(1) of the *Canada National Marine Conservation Areas Act*. (*aire marine nationale de conservation*)

national park has the meaning assigned by the definition *park* or *park reserve* in subsection 2(1) of the *Canada National Parks Act*. (*parc national*)

petroleum product has the same meaning as in section 1 of the *Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations*. (*produit pétrolier*)

water body includes a lake, a canal, a reservoir, an ocean, a river and its tributaries and a wetland, up to the annual high-water mark, but does not include a sewage or waste treatment lagoon, a mine tailings pond, an artificial irrigation pond, a dugout or a ditch that does not contain *fish habitat* as defined in subsection 2(1) of the *Fisheries Act*. (*plan d'eau*)

wetland means an estuary, tidal flat, marsh, swamp, bog, fen or other land where the presence of water has caused the formation of hydric soils and favoured the dominance of hydrophytic or water-tolerant plants. (*terres humides*)

Designated Classes of Projects

Federal lands or outside of Canada

2 The classes of projects set out in Schedule 1 and that are to be carried out on federal lands, other than lands administered by the Parks Canada Agency, or outside Canada are designated for the purposes of section 88 of the Act.

Lands administered by Parks Canada Agency

3 The classes of projects set out in Schedule 2 and that are to be carried out on federal lands administered by the Parks Canada Agency are designated for the purposes of section 88 of the Act.

Excluded Projects

4 The classes of projects set out in Schedules 1 and 2 do not include projects

- (a) that cause a change to

l'Agence Parcs Canada, du paragraphe 11(1) de la *Loi sur les parcs nationaux du Canada* ou du paragraphe 9(1) de la *Loi sur le parc urbain national de la Rouge*. (*management plan*)

produit apparenté S'entend au sens de l'article 1 du *Règlement sur les systèmes de stockage de produits pétroliers et de produits apparentés*. (*allied petroleum product*)

produit pétrolier S'entend au sens de l'article 1 du *Règlement sur les systèmes de stockage de produits pétroliers et de produits apparentés*. (*petroleum product*)

raccordement Structure ou ligne utilisée pour relier un ouvrage à une conduite principale de gaz, de mazout, d'égout ou d'eau ou à une ligne principale de transport d'électricité ou de télécommunications. (*hook-up*)

remise à bateau Structure, avec ou sans murs, destinée à protéger et à entreposer un bateau. (*boathouse*)

terrain aménagé Terrain dont l'état naturel a été modifié de façon permanente pour usage par les humains ou qui est aménagé et entretenu pour un tel usage. (*developed land*)

terres humides Estuaires, estrans, marécages, marais, tourbières ou autres terres où la présence d'eau a entraîné la formation de sols hydriques et favorisé la prédominance de plantes hydrophytes ou résistantes à l'eau. (*wetland*)

Catégories de projets désignées

Territoire domanial ou à l'étranger

2 Sont désignées, pour l'application de l'article 88 de la Loi, les catégories prévues à l'annexe 1 à l'égard des projets réalisés soit sur un territoire domanial non administré par Agence Parcs Canada, soit à l'étranger.

Territoire domanial administré par Agence Parcs Canada

3 Sont désignées, pour l'application de l'article 88 de la Loi, les catégories prévues à l'annexe 2 à l'égard des projets réalisés sur un territoire domanial administré par Agence Parcs Canada.

Projets exclus

4 Les catégories de projets prévues aux annexes 1 et 2 n'incluent pas les projets suivants :

- a) ceux qui entraînent des changements, selon le cas :

- (i) any characteristic of a water body,
 - (ii) *migratory birds* or *nests*, as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*,
 - (iii) *wildlife species*, as defined in subsection 2(1) of the *Species at Risk Act* that are listed in Schedule 1 of that Act, or
 - (iv) *residences* or *critical habitats*, as defined in subsection 2(1) of the *Species at Risk Act*, of wildlife species referred to in subparagraph (iii);
- (b) that involve an activity referred to in subsection 5(1) of the *Canadian Navigable Waters Act*, subsection 35(1) or 36(3) of the *Fisheries Act*, subsection 3(1) of the *Wildlife Area Regulations* or subsection 2(1) of the *Scott Islands Protected Marine Area Regulations*;
- (c) that involve the removal of any structure or resource that is of historical, archaeological, paleontological or architectural significance; or
- (d) that cause damage to any structure, resource or site that is of historical, archaeological, paleontological or architectural significance.

Coming into Force

S.C. 2019, c. 28, s. 1

*5 This Order comes into force on the day on which section 1 of *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*, chapter 28 of the Statutes of Canada, 2019 comes into force, but if it is registered after that day, it comes into force on the day on which it is registered.

* [Note: Order in force August 30, 2019.]

- (i) à toute caractéristique d'un plan d'eau,
 - (ii) aux *oiseaux migrants* ou *nids* au sens du paragraphe 2(1) de la *Loi de 1994 sur la convention concernant les oiseaux migrants*,
 - (iii) aux *espèces sauvages* au sens du paragraphe 2(1) de la *Loi sur les espèces en péril* qui sont énumérées à l'annexe 1 de cette loi,
 - (iv) aux *habitats essentiels* ou *résidences* au sens du paragraphe 2(1) de la *Loi sur les espèces en péril* des espèces sauvages visées au sous-alinéa (iii);
- b) ceux qui comportent une activité visée au paragraphe 5(1) de la *Loi sur les eaux navigables canadiennes*, au paragraphe 35(1) ou 36(3) de la *Loi sur les pêches*, au paragraphe 3(1) du *Règlement sur les réserves d'espèces sauvages* ou au paragraphe 2(1) du *Règlement sur la zone marine protégée des îles Scott*;
- c) ceux qui comportent l'enlèvement de toute structure ou de toute ressource d'importance sur le plan historique, archéologique, paléontologique ou architectural;
- d) ceux qui causent des dommages à toute structure, toute ressource ou tout emplacement d'importance sur le plan historique, archéologique, paléontologique ou architectural.

Entrée en vigueur

L.C. 2019, ch. 28, art. 1

*5 Le présent arrêté entre en vigueur à la date d'entrée en vigueur de l'article 1 de la *Loi édictant la Loi sur l'évaluation d'impact et la Loi sur la Régie canadienne de l'énergie, modifiant la Loi sur la protection de la navigation et apportant des modifications corrélatives à d'autres lois*, chapitre 28 des Lois du Canada (2019), ou, si elle est postérieure, à la date de son enregistrement.

* [Note : Arrêté en vigueur le 30 août 2019.]

SCHEDULE 1

(Sections 2 and 4)

Designated Classes of Projects (Outside Canada or on Federal Lands not Administered by Parks Canada Agency)

PART 1

General

- 1** The operation, maintenance or repair of a physical work.
- 2** Physical activities that are carried out entirely within the interior of a building.
- 3 (1)** The construction or operation of a well to conduct geotechnical or environmental investigations of the sub-surface characteristics of a site for the purpose of scientific research or of assessing or monitoring the site for contamination.
- (2)** The decommissioning of a well that was used to conduct a geotechnical or environmental investigation referred to in subsection (1).
- (3)** The classes of projects described in subsections (1) and (2) do not include projects that involve the placement of temporary or permanent fill in a water body.

PART 2

Buildings

- 4 (1)** On developed land, the construction, installation, operation, modification, demolition, decommissioning, removal or replacement of a building that has a footprint of no more than 1 000 m².
- (2)** On developed land, the expansion of a building that does not increase the building's footprint to more than 1 000 m².
- (3)** On land other than developed land, the construction or installation of a building that has a footprint of no more than 100 m².

ANNEXE 1

(articles 2 et 4)

Catégories de projets désignées (à l'étranger ou sur un territoire domanial non administré par Agence Parcs Canada)

PARTIE 1

Généralités

- 1** L'exploitation, l'entretien ou la réparation d'un ouvrage.
- 2** Les activités concrètes réalisées uniquement à l'intérieur d'un bâtiment.
- 3 (1)** La construction ou l'exploitation d'un puits afin d'effectuer des études géotechniques ou environnementales sur les caractéristiques du sous-sol d'un site soit pour des recherches scientifiques, soit pour évaluer ou surveiller la contamination du site.
- (2)** La désaffectation d'un puits qui a été utilisé afin d'effectuer les études géotechniques ou environnementales visées au paragraphe (1).
- (3)** Les catégories de projets prévues aux paragraphes (1) et (2) n'incluent pas les projets qui comportent le placement de remblais temporaires ou permanents dans un plan d'eau.

PARTIE 2

Bâtiments

- 4 (1)** Sur un terrain aménagé, la construction, l'installation, l'exploitation, la modification, la démolition, la désaffectation, l'enlèvement ou le remplacement d'un bâtiment d'une superficie d'au plus 1 000 m².
- (2)** Sur un terrain aménagé, l'agrandissement d'un bâtiment qui n'augmente pas sa superficie à plus de 1 000 m².
- (3)** Sur un terrain autre qu'un terrain aménagé, la construction ou l'installation d'un bâtiment d'une superficie d'au plus 100 m².

(4) The classes of projects described in subsections (1) to (3) do not include projects that

- (a)** involve the placement of temporary or permanent fill in a water body;
- (b)** involve the disturbance of known or suspected subsurface contamination; or
- (c)** involve the demolition of a building that is less than 30 m from a school, hospital or residential building.

PART 3

Physical Works Related to Building or Other Structure

5 (1) On developed lands, the construction, installation, operation, modification, expansion, replacement, removal or decommissioning of any of the following physical works that are related to a building or other structure and that have a footprint, when combined with the footprint of all other physical works related to the building or structure, of no more than 1 000 m²:

- (a)** lighting systems;
- (b)** signage;
- (c)** fire suppression infrastructure;
- (d)** parking lots;
- (e)** paved areas;
- (f)** charging stations for electrical vehicles;
- (g)** infrastructure that generates solar or wind power;
- (h)** fencing that does not prevent the passage of wild animals; and
- (i)** sidewalks, boardwalks, paths, pedestrian ramps or access roads.

(2) The classes of projects described in subsection (1) do not include projects that

- (a)** involve the placement of temporary or permanent fill in a water body; or

(4) Les catégories de projets prévues aux paragraphes (1) à (3) n'incluent pas les projets qui comportent, selon le cas :

- a)** le placement de remblais temporaires ou permanents dans un plan d'eau;
- b)** la perturbation de toute source de contamination souterraine, connue ou soupçonnée;
- c)** la démolition d'un bâtiment situé à moins de 30 m d'une école, d'un hôpital ou d'un bâtiment résidentiel.

PARTIE 3

Ouvrages connexes à un bâtiment ou à une autre structure

5 (1) Sur un terrain aménagé, la construction, l'installation, l'exploitation, la modification, l'agrandissement, le remplacement, l'enlèvement ou la désaffectation de tout ouvrage ci-après, connexe à un bâtiment ou à une autre structure, dont la superficie, combinée avec celle de tous les autres ouvrages connexes au bâtiment ou à la structure, est d'au plus 1 000 m² :

- a)** un système d'éclairage;
- b)** de la signalisation;
- c)** de l'infrastructure de lutte contre les incendies;
- d)** un terrain de stationnement;
- e)** une aire pavée;
- f)** une station de recharge pour véhicule électrique;
- g)** une infrastructure qui génère de l'énergie solaire ou une éolienne;
- h)** une clôture qui n'empêche pas le passage d'animaux sauvages;
- i)** un trottoir, une promenade en bois, un sentier, une rampe pour piétons ou une voie d'accès.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent, selon le cas :

- a)** le placement de remblais temporaires ou permanents dans un plan d'eau;

(b) involve the disturbance of known or suspected subsurface contamination.

6 (1) On lands other than developed lands, the construction, installation, operation, modification, expansion, replacement, removal or decommissioning of any of the following physical works that are related to a building or other structure and that have a footprint, when combined with the footprint of all other physical works related to the building or structure, of no more than 100 m²:

- (a)** lighting systems;
- (b)** signage;
- (c)** fire suppression infrastructure;
- (d)** parking lots;
- (e)** paved areas;
- (f)** charging stations for electrical vehicles;
- (g)** infrastructure that generates solar or wind power;
- (h)** fencing that does not prevent the passage of wild animals; and
- (i)** sidewalks, boardwalks, paths, pedestrian ramps or access roads.

(2) The classes of projects described in subsection (1) do not include projects that

- (a)** involve the placement of temporary or permanent fill in a water body; or
- (b)** involve the disturbance of known or suspected subsurface contamination.

PART 4

Utility Infrastructure

7 (1) The installation, operation, replacement, modification, decommissioning, abandonment or removal of a hydrant or hook-up that is part of a utility distribution system for a municipality or farm.

(2) The construction, installation, operation, replacement, modification, expansion, removal or decommissioning of water-related utility infrastructure, other than water pipelines, that has a footprint of no more than 100 m².

b) la perturbation de toute source de contamination souterraine, connue ou soupçonnée.

6 (1) Sur un terrain autre qu'un terrain aménagé, la construction, l'installation, l'exploitation, la modification, l'agrandissement, le remplacement, l'enlèvement ou la désaffectation de tout ouvrage ci-après, connexe à un bâtiment ou à une autre structure, dont la superficie, combinée avec celle de tous les autres ouvrages connexes au bâtiment ou à la structure, est d'au plus 100 m² :

- a)** un système d'éclairage;
- b)** de la signalisation;
- c)** de l'infrastructure de lutte contre les incendies;
- d)** un terrain de stationnement;
- e)** une aire pavée;
- f)** une station de recharge pour véhicules électriques;
- g)** une infrastructure qui génère de l'énergie solaire ou éolienne;
- h)** une clôture qui n'empêche pas le passage d'animaux sauvages;
- i)** un trottoir, une promenade en bois, un sentier, une rampe pour piétons ou une voie d'accès.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent, selon le cas :

- a)** le placement de remblais temporaires ou permanents dans un plan d'eau;
- b)** la perturbation de toute source de contamination souterraine, connue ou soupçonnée.

PARTIE 4

Infrastructures de services

7 (1) L'installation, l'exploitation, le remplacement, la modification, la désaffectation, la fermeture ou l'enlèvement d'une borne-fontaine ou d'un raccordement faisant partie d'un système de distribution de services pour une municipalité ou une ferme.

(2) La construction, l'installation, l'exploitation, le remplacement, la modification, l'agrandissement, l'enlèvement ou la désaffectation d'infrastructures de services relatives à l'eau, autres que des conduites d'eau, d'une superficie d'au plus 100 m².

(3) The construction, installation, operation, replacement, modification, expansion, removal or decommissioning of water pipelines that are

- (a)** no more than 100 m in length; or
- (b)** located underneath, or on developed land that is alongside and contiguous to, a railway or road.

(4) The modification of a water treatment facility.

(5) The construction, installation, operation, replacement, modification, expansion or abandonment of a portion of any of the following physical works that is located more than 30 m from a water body and are underneath, or on developed land that is alongside and contiguous to, a railway or road:

- (a)** sewers;
- (b)** drains;
- (c)** steam lines;
- (d)** service tunnels; and
- (e)** overhead or underground telecommunication lines.

(6) The classes of projects described in subsections (1) to (5) do not include projects that

- (a)** involve the placement of temporary or permanent fill in a water body;
- (b)** involve the crossing of a water body, other than an overhead crossing by a telecommunication line; or
- (c)** involve the disturbance of known or suspected subsurface contamination.

PART 5

Above Ground Storage Tank Systems

8 (1) The installation, replacement, operation, modification, expansion or removal of an above ground storage tank system for petroleum products or allied petroleum products that is

- (a)** located within an airport and has an aggregate capacity of no more than 30 000 L; or

(3) La construction, l'installation, l'exploitation, le remplacement, la modification, l'agrandissement, l'enlèvement ou la désaffectation des conduites d'eau suivantes :

- a)** celles d'une longueur d'au plus 100 m;
- b)** celles situées sous une voie ferrée ou une route ou sur un terrain aménagé situé le long d'une voie ferrée ou d'une route et contigu à la voie ferrée ou la route.

(4) La modification d'une usine de traitement de l'eau.

(5) La construction, l'installation, l'exploitation, le remplacement, la modification, l'agrandissement ou la fermeture d'une partie de tout ouvrage ci-après, lorsqu'elle se situe à plus de 30 m d'un plan d'eau et soit sous une voie ferrée ou une route, soit sur un terrain aménagé situé le long d'une voie ferrée ou d'une route et contigu à la voie ferrée ou la route :

- a)** un égout;
- b)** un drain;
- c)** une conduite de vapeur;
- d)** un tunnel de service;
- e)** une ligne de télécommunication souterraine ou aérienne.

(6) Les catégories de projets prévues aux paragraphes (1) à (5) n'incluent pas les projets qui comportent, selon le cas :

- a)** le placement de remblais temporaires ou permanents dans un plan d'eau;
- b)** la traversée d'un plan d'eau, à moins que ce soit par une ligne de télécommunication aérienne;
- c)** la perturbation de toute source de contamination souterraine, connue ou soupçonnée.

PARTIE 5

Systèmes de réservoirs de stockage hors-sol

8 (1) L'installation, le remplacement, l'exploitation, la modification, l'agrandissement ou l'enlèvement d'un système de réservoirs de stockage hors-sol de produits pétroliers ou de produits apparentés doté d'une capacité cumulative :

(b) located outside of an airport and has an aggregate capacity of no more than 5 000 L.

(2) The classes of projects described in subsection (1) do not include projects that involve the disturbance of known or suspected subsurface contamination.

a) dans le cas où il est situé dans un aéroport, d'au plus 30 000 L;

b) sinon, d'au plus 5 000 L.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent la perturbation de toute source de contamination souterraine, connue ou soupçonnée.

SCHEDULE 2

(Sections 3 and 4)

Designated Classes of Projects (On Federal Lands Administered by Parks Canada Agency)

PART 1

General

- 1** The operation or maintenance of a physical work.
- 2** Physical activities that are carried out entirely within the interior of a building.
- 3** The maintenance, repair or modification of a roadway, highway or parkway or of related infrastructure.
- 4** The installation, maintenance, repair or replacement of prefabricated structures.
- 5** The construction, maintenance, repair or replacement of a rudimentary campsite located within an existing rudimentary campground that does not involve the construction of a new toilet system or the use of heavy equipment.
- 6** The construction, installation, maintenance, repair or replacement of tent pads or movable accommodations at an existing campground that does not involve
 - (a)** the installation or modification of a septic field; or
 - (b)** the removal of vegetation with heavy equipment.
- 7 (1)** The construction or operation of a well to conduct geotechnical or environmental investigations of the subsurface characteristics of a site for the purpose of scientific research or of assessing or monitoring the site for contamination.
- (2)** The decommissioning of a well that was used to conduct a geotechnical or environmental investigation referred to in subsection (1).
- (3)** The classes of projects described in subsections (1) and (2) do not include projects that involve the

ANNEXE 2

(articles 3 et 4)

Catégories de projets désignées (sur un territoire domanial administré par Agence Parcs Canada)

PARTIE 1

Généralités

- 1** L'exploitation ou l'entretien d'un ouvrage.
- 2** Les activités concrètes réalisées uniquement à l'intérieur d'un bâtiment.
- 3** L'entretien, la réparation ou la modification d'une route, d'une autoroute, d'une promenade ou d'infrastructures connexes.
- 4** L'installation, l'entretien, la réparation ou le remplacement de structures préfabriquées.
- 5** La construction, l'entretien, la réparation ou le remplacement d'une aire rudimentaire de campement située à l'intérieur d'un terrain de camping rudimentaire existant, qui ne comporte pas la construction de nouveaux systèmes sanitaires ou l'utilisation de machinerie lourde.
- 6** La construction, l'installation, l'entretien, la réparation ou le remplacement de tabliers de tente ou d'hébergements mobiles situés sur un terrain de camping existant, qui ne comporte pas :
 - a)** l'installation ou la modification d'un champs d'épuration;
 - b)** l'enlèvement de la végétation au moyen de machinerie lourde.
- 7 (1)** La construction ou l'exploitation d'un puits afin d'effectuer des études géotechniques ou environnementales sur les caractéristiques du sous-sol d'un site soit pour des recherches scientifiques, soit pour évaluer ou surveiller la contamination du site.
- (2)** La désaffectation d'un puits qui a été utilisé pour effectuer les études géotechniques ou environnementales visées au paragraphe (1).
- (3)** Les catégories de projets prévues aux paragraphes (1) et (2) n'incluent pas les projets qui comportent le

placement of temporary or permanent fill in a water body.

8 The operation, maintenance or repair of overhead or underground electrical transmission or distribution lines or related infrastructure.

9 The maintenance, repair, modification or expansion of a land-based trail that does not involve

(a) the installation of a pedestrian bridge on the trail, unless the bridge is a replacement for an existing pedestrian bridge;

(b) the paving of any unpaved portion of the trail;

(c) the removal of vegetation with heavy equipment;

(d) the widening of the trail by more than 50 cm on either side;

(e) the extension of the trail's length by more than 500 m; or

(f) the rerouting of the trail such that the trail's route is more than 50 m from the former route or the trail's length is extended by more than 500 m.

10 (1) The operation of an above ground petroleum storage tank system for petroleum products or allied petroleum products.

(2) The removal, replacement or modification of an above ground petroleum storage tank system for petroleum products or allied petroleum products or its base that does not involve the removal of vegetation with heavy equipment.

11 (1) The maintenance, repair or removal of shoreline stabilization works, wharves, piers, docks, boathouses, launch ramps or navigational aids.

(2) The maintenance or repair of causeways, fishways, fish ladders, retaining walls or breakwaters.

(3) The classes of projects described in subsections (1) and (2) do not include projects that

(a) involve the placement of temporary or permanent fill in a water body;

(b) involve dredging; or

(c) involve the construction of a permanent diversion channel.

placement de remblais temporaires ou permanents dans un plan d'eau.

8 L'exploitation, l'entretien ou la réparation de lignes de transport ou de distribution d'électricité, souterraines ou aériennes, ou d'infrastructures connexes.

9 L'entretien, la réparation, la modification ou l'agrandissement d'un sentier terrestre qui ne comporte pas :

a) l'installation d'une passerelle sur le sentier, sauf s'il s'agit du remplacement d'une passerelle existante;

b) le pavage de toute portion non pavée du sentier;

c) l'enlèvement de la végétation au moyen de machinerie lourde;

d) son élargissement sur plus de 50 cm d'un côté ou de l'autre ou des deux côtés;

e) son prolongement sur plus de 500 m;

f) son déplacement à plus de 50 m de sa trace initiale ou de façon à le prolonger sur plus de 500 m.

10 (1) L'exploitation d'un système de réservoirs de stockage hors-sol de produits pétroliers ou de produits apparentés.

(2) L'enlèvement, le remplacement ou la modification de tout système de réservoirs de stockage hors-sol de produits pétroliers ou de produits apparentés, ou de sa base, qui ne comporte pas l'enlèvement de la végétation au moyen de machinerie lourde.

11 (1) L'entretien, la réparation ou l'enlèvement d'ouvrages de stabilisation de rives, de quais, de môles, de jetées, de remises à bateaux, de rampes de mise à l'eau ou d'aides à la navigation.

(2) L'entretien ou la réparation de chaussées, de passes à poissons, d'échelles à poissons, de murs de soutènement ou de brise-lames.

(3) Les catégories de projets prévues aux paragraphes (1) et (2) n'incluent pas les projets qui comportent, selon le cas :

a) le placement de remblais temporaires ou permanents dans un plan d'eau;

b) du dragage;

c) la construction d'un canal de dérivation permanent.

PART 2

Historic Canals and National Marine Conservation Areas

12 (1) The following classes of projects that are carried out within a historic canal or national marine conservation area:

- (a)** the maintenance or repair of locks, dams or bridges;
- (b)** the installation, maintenance, repair or removal of in-water anchoring systems, hook-ups, boat lifts, marine railways, inland boat slips or mooring basins; and
- (c)** the installation of shoreline stabilization works, wharves, piers, docks, boathouses, launch ramps or navigational aids.

(2) The classes of projects described in subsection (1) do not include projects that

- (a)** involve dredging;
- (b)** involve permanently increasing a physical work's footprint below the high-water mark; or
- (c)** involve the construction of a permanent diversion channel.

PART 3

National Parks and National Historic Sites

13 (1) The following classes of projects that are carried out on developed land that is accessible by road within a national historic site or an area of a national park that is zoned "Zone IV" or "Zone V" in accordance with the management plan, other than those that are carried out in the town of Banff:

- (a)** the installation, modification, maintenance, repair, replacement, decommissioning or abandonment of buildings or other structures;
- (b)** the maintenance, repair or modification of campsites;

PARTIE 2

Canaux historiques et aires marines nationales de conservation

12 (1) Les projets des catégories ci-après qui sont réalisés à l'intérieur d'un canal historique ou d'une aire marine nationale de conservation :

- a)** l'entretien ou la réparation d'écluses, de barrages ou de ponts;
- b)** l'installation, l'entretien, la réparation ou l'enlèvement de systèmes d'ancrage dans l'eau, de raccordements, d'ascenseurs à bateaux, de bers roulants, d'emplacements de bateaux sur la berge ou de bassins d'amarrage;
- c)** l'installation d'ouvrages de stabilisation de rives, de quais, de môles, de jetées, de remises à bateaux, de rampes de mise à l'eau ou d'aides à la navigation.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent, selon le cas :

- a)** du dragage;
- b)** l'augmentation permanente de la superficie d'un ouvrage sous la ligne des hautes eaux;
- c)** la construction d'un canal de dérivation permanent.

PARTIE 3

Lieux historiques nationaux et parcs nationaux

13 (1) Les projets des catégories ci-après qui sont réalisés sur un terrain aménagé qui est accessible par route et situé à l'intérieur d'un lieu historique national ou d'une aire d'un parc national qui est désignée à titre de zone IV ou de zone V conformément au plan directeur, sauf ceux qui sont réalisés dans le périmètre urbain de Banff :

- a)** l'installation, la modification, l'entretien, la réparation, le remplacement, la désaffectation ou la fermeture de bâtiments ou d'autres structures;
- b)** l'entretien, la réparation ou la modification d'emplacements de camping;

(c) the construction, installation, maintenance, repair, decommissioning or abandonment of hook-ups;

(d) the construction, installation, maintenance or repair of sidewalks, boardwalks, fences or railings;

(e) the decommissioning or abandonment of roads, parking lots, pull-offs, sidewalks, boardwalks or trails;

(f) the construction, modification, operation, maintenance, decommissioning or abandonment of recreational grounds; and

(g) the construction of buildings or other structures in a *park community*, as defined in subsection 2(1) of the *Canada National Parks Act*.

(2) The classes of projects described in subsection (1) do not include projects that involve

(a) the placement of temporary or permanent fill in a water body;

(b) the installation or modification of a septic field; or

(c) the removal of vegetation with heavy equipment.

14 (1) The following classes of projects that are carried out on developed land within the town of Banff:

(a) the modification, maintenance, repair, decommissioning or abandonment of buildings or other structures;

(b) the maintenance, repair or modification of campsites;

(c) the maintenance, repair, decommissioning or abandonment of hook-ups;

(d) the maintenance or repair of sidewalks, boardwalks, fences or railings;

(e) the decommissioning or abandonment of roads, parking lots, pull-offs, sidewalks, boardwalks or trails; and

(f) the modification, operation, maintenance, decommissioning or abandonment of recreational grounds.

(2) The classes of projects described in subsection (1) do not include projects that involve

(c) la construction, l'installation, l'entretien, la réparation, la désaffectation ou la fermeture de raccords;

(d) la construction, l'installation, l'entretien ou la réparation de trottoirs, de promenades en bois, de clôtures ou de balustrades;

(e) la désaffectation ou la fermeture de routes, de terrains de stationnement, de voies d'arrêt, de trottoirs, de promenades en bois ou de sentiers;

(f) la construction, la modification, l'exploitation, l'entretien, la désaffectation ou la fermeture de terrains récréatifs;

(g) la construction de bâtiments ou autres structures dans une *collectivité* au sens du paragraphe 2(1) de la *Loi sur les parcs nationaux du Canada*.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent, selon le cas :

(a) le placement de remblais temporaires ou permanents dans un plan d'eau;

(b) l'installation ou la modification d'un champ d'épuration;

(c) l'enlèvement de la végétation au moyen de machinerie lourde.

14 (1) Les projets des catégories ci-après qui sont réalisés sur un terrain aménagé situé dans le périmètre urbain de Banff :

(a) la modification, l'entretien, la réparation, la désaffectation ou la fermeture de bâtiments ou d'autres structures;

(b) l'entretien, la réparation ou la modification d'emplacements de camping;

(c) l'entretien, la réparation, la désaffectation ou la fermeture de raccords;

(d) l'entretien ou la réparation de trottoirs, de promenades en bois, de clôtures ou de balustrades;

(e) la désaffectation ou la fermeture de routes, de terrains de stationnement, de voies d'arrêt, de trottoirs, de promenades en bois ou de sentiers;

(f) la modification, l'exploitation, l'entretien, la désaffectation ou la fermeture de terrains récréatifs.

(2) Les catégories de projets prévues au paragraphe (1) n'incluent pas les projets qui comportent, selon le cas :

- (a)** the placement of temporary or permanent fill in a water body;
- (b)** the installation or modification of a septic field; or
- (c)** the removal of vegetation with heavy equipment.

- a)** le placement de remblais temporaires ou permanents dans un plan d'eau;
- b)** l'installation ou la modification d'un champs d'épuration;
- c)** l'enlèvement de la végétation au moyen de machinerie lourde.