



RAC Environment Committee Meeting

June 18, 2025

People. Goods.
Canada moves by rail.



Railway Association
of Canada

Competition Law Compliance Policy

STATEMENT

The RAC is committed to compliance with all **competition laws** applicable in Canada, including Canada's *Competition Act*.

Under the leadership of its Board of Directors, the RAC carries out its activities in strict compliance with all **competition laws**, provides guidance to its committees and its employees on how to comply with these laws, and promotes with them the importance and value to the RAC of complying with them.

The RAC Corporate Secretary ensures that RAC, its committees and its staff are familiar and comply with this policy.

COMPETITION LAW

Competition laws are designed to maintain and encourage competition in the marketplace. Non-compliance with the **competition laws** relating to improper coordination among competitors could constitute a criminal offence to which significant fines and prison terms can be attached, and for which significant damages can be awarded in private lawsuits, including large class actions.

RAC is a forum for railway members to exchange information and views on the railway sector. Particularly because RAC is an association that represents most of the players in the rail sector in Canada, including many that compete with one another, any activity it conducts must be in strict accordance with the **competition laws**, and avoid even the perception of possible improper conduct.

PROHIBITED ACTIVITIES

Due to the presence of multiple competing entities in RAC, any activity, including discussions or agreements that relate, directly or indirectly, to the following "**Prohibited Topics**" are strictly prohibited:

- ☐ Prices (rates) charged to shippers for services provided by members of the RAC
- ☐ Prices (costs) paid to suppliers for services provided to members of the RAC
- ☐ Any other conditions associated with services provided to shippers or received from suppliers of RAC members, including discounts, rebates, etc. and level of service provisions
- ☐ Customer or territory allocation
- ☐ Limitation of supply of services provided by RAC members to their customers

GUIDANCE

Any activity, including discussions or agreements that could even remotely be construed as relating to the above Prohibited Topics, cannot take place at the RAC or any of its committees or any meeting organized or attended by RAC staff, or otherwise among RAC members.

To ensure compliance with these rules, when meeting, members of a RAC committee or of the Board of Directors must:

- ☐ Have a pre-set agenda and take minutes, recording resolutions adopted and summarizing the essentials of conversations that took place.
- ☐ Limit themselves to issues identified on the agenda, except if circumstances call for other issues to be addressed, in which case careful notes of the additional issues discussed must be recorded.
- ☐ If any participant believes that Prohibited Topics have been raised or discussed, they must advise all participants of their concern and any discussion relating to that issue be ceased immediately pending legal advice.
- ☐ Require legal advice if any issue to be discussed might cause the members to believe that **competition laws** could be infringed.
- ☐ Suspend or even postpone to a later date discussions on such issues if legal advice cannot be sought in a timely manner.

Staff of the RAC shall in their duties ensure the confidentiality of information brought to their attention by members, avoid conflict of interest or situations that would discredit the RAC, unless doing so could violate the **competition laws**.

Updated May 3, 2021

RAC Environment Committee Meeting 02-2025

Wednesday, June 18, 2025

13:00 – 15:00 Eastern Time

Item	Lead	Time
1. Welcome & Call to Order <ul style="list-style-type: none"> a. RAC Competition Policy Statement b. Update regarding Committee Chair c. Approval of Meeting Minutes 	Ben Ben Ben	13:00
2. Subcommittee Updates <ul style="list-style-type: none"> a. Natural Environment b. Climate Resilience 	Joe V.H. Nick P.	13:10 13:20
3. Discussion Items & Member's Roundtable <ul style="list-style-type: none"> a. AAR Environment Update b. Incident mgmt. & response c. Committee Member's roundtable 	Stella/Francois Stella/Joe V. All	13:30 13:35 13:45
4. RAC Updates <ul style="list-style-type: none"> a. Locomotive Emissions Monitoring b. Public Affairs c. Government Relations d. Policy, Environment & Programs e. Regulatory Affairs f. Dangerous Goods 	Jonathan Morgan Katarina Ben Mike Scott	14:00
5. Written Updates <ul style="list-style-type: none"> a. Environmental Regulatory Monitoring b. Natural Environment Subcommittee Minutes c. Ontario Bill 27 – Proposed Amendments to Forest Fires Prevention Act 		14:45
6. Other Business	Ben	14:50
7. Next Meeting <ul style="list-style-type: none"> a. September 15 at 1pm – 3pm EST 	Ben	14:55
8. Adjourn		15:00

RAC Environment Committee Meeting 2025-01

March 19, 2025 - Virtual

Meeting Minutes

Attendees

Stella Karnis, CN (Chair)
Aaron Stadnyk, CN
Abbigail Shillinglaw, ONT
Daniel Lapierre, exo
David Huck, CPKC
Eric Czuboka, GWRR
Fanny Eliaers, VIA Rail Canada
Francois Belanger, CN

Joe Van Humbeck, CPKC
Joe Visce, ONTC
Luanne Patterson, CN
Mo Ebrahimibarmi, Metrolinx
Nick Pryor, CPKC
Paul Michael Pilkington, ONTC
Reid Bodley, CN
Ted Jones, CPKC

RAC Attendees

Ben Chursinoff, RAC
Eric Harvey, RAC
Johanne Delaney, RAC
Jonathan Thibault, RAC
Katarina Stipanovic, RAC

Lora Smith, RAC
Michael Barfoot, RAC
Morgan Swan, RAC
Scott Croome, RAC

Absent

André Lapalme, GWRR
Benoit Gringas, exo
Bruno Riendeau, VIA Rail
Christian Belliveau, NBMR
Emily Mak, SRY
Françoise Granda-Desjardins, VIA Rail

James Skuza, Metrolinx
Kevin Houle, CPKC
Marta Swiercz, Metrolinx
Murray Macbeth, GWRR
Sylvain Rodrigue, exo
Vanessa Côté, VIA Rail

1. Call to Order & Opening Remarks

Stella Karnis called the meeting to order at 1 PM ET.

a) Competition Law Compliance Policy – Forward statement

The Competition Guidelines, as adopted by the RAC Board of Directors, were read to the committee participants. The Guidelines explain that the policy emphasizes our organization's compliance with Canadian Competition Laws in all our meetings and activities.

b) Opening Remarks – President & CEO

Eric joined RAC in February and noted that the transition has been different from expectations due to political and tariff-related challenges in both the U.S. and Canada. He emphasized the importance of environmental considerations and regulatory changes, particularly in light of potential impacts from a federal election. With prior experience in environmental assessments alongside CN and other stakeholders, Eric underscored the growing significance of the environmental framework for railway operations in the coming months.

c) Meeting Minutes

The meeting minutes of October 2, 2024, were approved by Stella Karnis and David Huck.

d) Committee Chair and Vice-Chair

Stella Karnis' term as Chair will conclude on May 21, 2025, and the committee is looking for a new Chair and Vice-Chair roles. Members were encouraged to put themselves forward for consideration. Ben offered to have in-depth discussions with interested candidates about responsibilities. A follow-up discussion with committee members will take place in the near future.

2. RAC Updates**a) Public and Government Affairs**

Lora Smith delivered a high-level update on public and government affairs.

RAC is monitoring political developments in Ottawa, including a newly appointed Prime Minister and Cabinet. Federal election is expected to be announced soon, likely leading to an election in late April or early May. Discussed RAC's election readiness program, aiming to educate new MPs on the railway industry's role in the economy by:

- Transitioning the parliamentary guide to railroading into an online tool.
- Creating 343 customized riding maps based on GIS Atlas for MPs.
- Planning engagement efforts, including property visits for MPs and staff.

Provided updates on U.S.-Canada trade and tariff issues and noted countermeasures announced by Canada and their potential impact on imported products. Members were encouraged to report concerns about affected products.

Highlighted focus on Canadian competitiveness in trade by addressing challenges in supply chain investments due to current fiscal policies. Emphasizing labor stability and regulatory effectiveness to improve Canada's trading reputation.

March 20th marks the sunset of extended regulated interswitching and advocating for its discontinuation and prevention of future reintroduction.

RAC Continues efforts in Ontario to promote the shortline maintenance tax credit. Also engaging with newly announced provincial Cabinet at Queen's Park.

b) Public Affairs

Morgan Swan delivered the update on RAC's public affairs activities.

RAC launched their newly website **Movingeconomies.ca**, featuring three core policy priorities:

- Increasing permitting in Canada.
- Modernizing the labor code.
- Accelerated depreciation for investments.

Members were encouraged to subscribe for campaign updates via the website.

Morgan shared another link for members to subscribe on RAC's website to receive updates ahead of the election.

Also available on the RailCan website is the latest infographics featuring rail trends and environmental data as well as the dedicated payment page for purchasing physical copies of the Rail Atlas.

c) Government Relations

Katarina Stipanovic delivered the update on RAC's government relations activities.

The new Prime Minister and Cabinet present opportunities for advocacy with his emphasis on capital investments and innovation in driving economic growth.

The PM mentioned the importance of accelerated depreciation to encourage private investments. Tax policy revisions remain a key point for industry advocacy. On his first day, the PM he removed the consumer carbon tax while the industrial carbon tax remains in place. Rail carriers will no longer be required to pay the federal fuel charge in provinces where the federal carbon price was a backstop, effective April 1st.

The newly elected Transport Minister Chrystia Freeland has extensive experience in finance, foreign affairs, and trade negotiations.

Looking ahead, the recent polling show that the Conservative Party's lead over the Liberals has narrowed to 4 points, the closest gap in three years. RAC is preparing messaging strategies for either a Liberal or Conservative government. Main themes for engagement are productivity, labor stability, and investment.

A new Ontario cabinet is expected to be sworn in today. The provincial budget is anticipated in April. Strong support exists for a shortline tax credit, though it has yet to be included in the budget or legislation. Follow-up discussions with Ontario government contacts are ongoing.

To conclude, RAC is monitoring developments closely.

d) Locomotive Emissions Monitoring (LEM)

Jonathan Thibault delivered the update on the LEM.

The Technical Review Committee has had some meetings in February, and calculations are nearly finalized and reviewed by RAC's consultant Delphi. The report is scheduled for a July launch, pending no delays.

Going forward, the report will shift to using year-specific GHG emissions factors rather than relying on historical averages. This will better reflect the lower carbon intensity of fuels as biofuels are blended in higher volumes. Additionally, future reports will include more precise data on actual fuel usage through member surveys, making emissions calculations more accurate.

Pollution Probe research on modal shift is being reviewed to incorporate new quantitative indicators.

e) Regulatory Affairs

Mike Barfoot gave an update on the status of ongoing regulatory files

Large policy decisions are stalled due to the upcoming Federal election. However, regulatory files are continuing to progress, and there is business as usual.

There are currently temporary acting directors in place for several rail safety positions, leading to challenges in engaging effectively with Transport Canada (TC). The need for stability in these positions is crucial for better progress in consultations.

RAC met with the Advisory Council on Rail Safety (ACRS) to discuss their forward-looking regulatory plan. Three main files in 2024 was Enhance Train Control (ETC), training qualification and Safety Management Systems (SMS).

Enhance Train Control (ETC)

There was an extensive consultation in 2023, but progress was slow in 2024. TC is still considering implementation of ETC throughout the 2030s, though industry concerns remain about the timeline being aggressive. Further consultation with TC continues on defining specific requirements for different solutions across Canada.

Railway Employee Qualification Standards

TC's regulatory updates on qualifications went to Canada Gazette I in December with no prior notice to the industry. There are concerns with the pairing requirements for new employees and the unclear definition of "mentorship" or "coaching" for employees with less than two years of experience.

Concerns were also raised about time-based qualification requirements for instructors and evaluators, specifically the stipulation that instructors must have practical experience in the role they teach every 2 out of 5 years. A meeting with TC in Ottawa next week to discuss these regulatory concerns further.

Safety Management System (SMS) Regulatory Review

TC is beginning pre-consultation for a review of SMS regulations, potentially leading to changes by 2026. Industry concerns about the SMS implementation and how TC conducts audits were discussed. There's also uncertainty about potential future requirements for fatigue management and safety culture.

Transportation Safety Board of Canada (TSB)

A meeting is scheduled with TSB next week to review five watch list items related to rail, focusing on uncontrolled movements, following signal indications, and multimodal concerns like fatigue management, regulatory oversight, and safety management.

New Rule Changes

Canadian Rail Operator Rules Amendment: Section 103 has been amended, addressing discrepancies between grade crossing regulations and warning system requirements. These changes came into effect at the end of January.

New revisions to the train brake rules are expected to come into force on December 1 2025. There is ongoing work with TC and the National Research Council of Canada to improve cold wheel detectors and inspection effectiveness.

Updates were made to the 2024 edition Canadian Medical Rules Handbook, including new guidelines for managing diabetes, vision disorders, cerebrovascular, and neurological conditions.

f) Dangerous Goods

Scott Croome delivered the update on RAC's dangerous Goods team.

2025 marks the 40th anniversary of TransCAER (Transportation Community Awareness and Emergency Response training program). The main participants are railways, primarily CN and CPKC. The inaugural event in Vancouver will include a ribbon-cutting ceremony, with attendance from CIAC's new CEO and other key stakeholders. The new CCPX 911 training car has been launched and is currently enroute to its first event in Vancouver.

The RAC will be hosting two Responder Emergency Response (RER) programs in British Columbia (spring and fall). Current registration numbers is 23 students for the spring session and 17 for the fall session. CN and CPKC are major supporters of these programs.

The CCPX 911 car will also be launched in Cambridge, Ontario, during the week of May 12th. With planned event dates of May 13-16.

Ongoing discussions with Transport Canada regarding harmonization of regulations with the U.S. Concerns raised that proposed Canadian regulations do not align with U.S. regulations, particularly regarding buffer car requirements and

placard requirements. A recent call discussed these issues, and further updates are awaited.

The MAC-TDG meetings will be held in Ottawa in mid-May.

There is an ongoing push to provide first responders with real-time train data. The initiative slowed due to government changes in the U.S. The goal is to make AskRail the primary tool for first responders to access this data.

RAC will collaborate with CN and CPKC for the Fire Chiefs Conference in Winnipeg this September. Plans are to engage in additional forestry-related working groups regarding wildfire response.

May 31st is the final phase-out deadline for DOT-111 tank cars in flammable service in Canada. After this date, DOT-111 cars containing Class 1, 2, or 3 flammable liquids must be emptied, cleaned, and purged before movement. Facilities with these tank cars must arrange for on-site cleaning and purging before transportation.

3. Subcommittee Updates

a) Natural Environment

Joe Van Humbeck updated the committee on the Natural Environment subcommittee.

The Natural Environment Subcommittee was formed last fall and has held two meetings so far. Representatives from five member railroads are participating: CPKC, CN, VIA Rail, Ontario Northland, and Hudson's Bay Railway.

Discussions have been positive and collaborative, focusing on three key areas:

- The committee discussed Canadian Food Inspection Agency's (CFIA) monitoring of pests, particularly the Spotted Lanternfly.
- Discussions on fish passage in BC and Alberta, with culvert passage being a major topic.
- Regulatory concerns raised about the Department of Fisheries and Oceans (DFO) not considering culvert passage for habitat offsetting. Canada currently lacks third-party habitat banking for fish habitat, unlike the U.S., which has a wetland credit system. The inability to sell excess credits disincentivizes larger-scale habitat projects.
- Railroads are sharing best practices for managing beaver activity, especially in boreal regions like Northern Ontario and Quebec. Discussions on engineering solutions and experiences with different management approaches.

The next meeting is scheduled for May, with a goal of holding quarterly meetings.

Future topics may include wildfire risk as it relates to vegetation management. Railroads interested in joining the subcommittee are encouraged to reach out to Ben or Joe.

b) Climate Resilience

Nick Pryor updated the committee on the Climate Resilience subcommittee.

The Climate Resilience Subcommittee was established in November and has met a few times since. Current members include representatives from CPKC, CN, VIA Rail, and Ontario Northland. Most members are from sustainability-related functions, though engineering and risk management input would be beneficial.

The subcommittee recently received a high-level presentation from Amtrak on their nationwide risk assessment for physical resiliency. The group aims to engage with Transport Canada and other government bodies to explore partnership opportunities such as Transport Canada's Rail Climate Change Adaptation Program (R-CCAP).

RAC met recently with TC, Environment and Climate Change Canada (ECCC) and NRCan and had the opportunity to suggest more focus on the topic of climate resilience. TC was receptive. The meeting in June will include a dedicated discussion on this topic.

Additional members are welcome to join this committee.

4. Discussion Items

a) Scrap Tiles and Federal Reporting

Joe Viscek (Ontario Northland) discussed scrap ties reporting and compliance challenges as Ontario Northland transitions to federal regulation.

Discussion focused on the Canadian Environmental Protection Act (CEPA) requirements for hazardous waste and recyclable materials. Cross-border shipments of scrap ties reporting requirements. Class 1s avoid cross-border shipments to mitigate compliance complexities. Movements within a single province do not currently require notification to the Minister. The discussion helped clarify best practices and provided Ontario Northland with guidance on risk management and compliance strategies.

b) RAC Scrap Ties Infographic

Included in the meeting package is a new infographic explaining how scrap ties are handled in the railway industry. RAC will send infographic to committee members.

c) Environmental Regulatory Monitoring

A statement of work has been developed and a shortlist of firms identified for the initiative. An agreement has been signed with McCarthy to provide regulatory

monitoring support. The contract has been finalized with Nicholas Hodge from Vancouver.

The first deliverable will be a 2024 summary report covering environmental regulatory developments from the past year. The report is expected to be completed by the end of March 2025. The report will also include early 2025 updates.

Moving forward, quarterly updates will be provided to RAC members and the Environmental Committee.

Draft reports will be shared prior to finalization, allowing members to review and suggest deeper dives into specific topics of interest.

The first updates will be available shortly.

d) AAR Environment Update

Stella Karnis presented the update.

On the regulatory update, large and small quantity waste generators must register through E-manifest by January, eliminating paper manifesting in the U.S. The Environmental Protection Agency (EPA) has sent an information request to AAR members regarding hazardous waste storage, treatment, and disposal. AAR is coordinating responses with EPA with support from railroads.

Regulatory changes anticipated for the National Pollutant Discharge Elimination System (NPDES) general permitting were met with industry requests for withdrawal due to government changes. AAR is supporting this request and awaiting a response.

The California Air Resources Board (CARB) withdrew its request for a waiver and authorization from the Environmental Protection Agency (EPA). CARB will work with railroads as part of a working group to consider other options. Quarterly meetings are planned over a two-year commitment to explore alternative options.

The working group is focused on:

- Promoting the rail industry's decarbonization efforts.
- Highlighting biofuel usage compared to the aviation industry.
- Developing a standardized methodology for GHG emissions calculations.
- Addressing rail electrification feasibility concerns.

The working group is also working on defining the standard methodology for GHG emission graduation stroke around biofuels. The International Air Transport Association (IATA) proposed a standard methodology to their member. Can the railway industry to build and adapt from that.

The Rail Electrification Catenary Study was released at the end of February. The study was conducted by a third party mandated by the Class 1s. It was found to be full or partial catenary implementation infeasible due to cost and infrastructure challenges. Pushback is being made against DOE suggestions favoring electrification.

The best practice for 2025 will be on soil management.

The next AAR Meeting will be in Pueblo, April (in-person participation encouraged).

The Railroad Environmental Conference is November 11-12, Champaign, Illinois. Additional sustainability and resilience-focused day on November 13.

Abstract submissions due by end of March.

5. Written Updates

- a) McDonald-Laurier Institute Greenwashing Paper**
- b) Port of Vancouver Air Quality Action Plan**
- c) AAR Rail Electrification Report**
- d) BC Biofuels Regulations**

6. Other business and Roundtable

Ontario Northland continues to work with National Research Council (NRC) with their test car and dashboard development rail management monitoring. Working hard to bring back passenger service in Northern Ontario.

Ontario Northland continues to work on building their baseline for GHG emissions and looking at fuel usage energy. The goal is to have this data completed by end of April.

VIA Rail Canada continues to work towards their alternative fuel pilot project. Looking at decarbonization journey, trying to reduce idling time.

CPKC is going through their list of spill exercises for the next year. CPKC is looking at partnering with professors from the University of Calgary and Simon Fraser University to conduct a bed load management study using Columbia Valley as a test geography. Looking at how rock debris can be removed from within and underneath of our structures. CN will circulate their emergency preparedness and spill exercise dates and locations to the Chair. CN is also working with and Simon Fraser University for a study in BC to use photo imaging to an AI to map invasive species and vegetation along the right of way. As well, CN partnered with the University of Northern British Columbia for oil recovery and saltwater. That was also with their key partner, keystone environmental.

CN is also focussed on addressing soil management across all the provinces and doing their own regulatory basis or assessment on the provincial rules that seem to impact several of their capacity, build out projects out West as well as some of the more recent developments with the soil rigs in Ontario and the Maritimes as well.

Metrolinx's engineering team is actively working to gather information on biodiesel and the feasibility of using biodiesel in their fleet. Discussion of using hybrid diesel batteries as well. Metrolinx also have two main wayside monitoring system, one for load impact, one for wheel and brake and are running accuracy and data validation project on both to see their reliability and if they are fully compliant with all the standards.

RAC has established proximity guidelines to provide municipalities, developers, and planners with best practices for safely developing housing near railway infrastructure. Last reviewed and updated in 2013, these guidelines are now being modernized in collaboration with Dillon Consulting, a Calgary-based firm with extensive experience in rail-related planning and development. The update will address various factors, including emissions and the impact of railways on nearby residents, linking to broader discussions on greenhouse gas (GHG) emissions.

RAC has informed the Federation of Canadian Municipalities (FCM) about the project, and FCM will have opportunities to provide feedback. Additionally, RAC is developing a survey to gather input from industry stakeholders, municipalities, and other interested parties.

Next meeting is scheduled for June 18, 2025

7. **Adjournment**

The meeting adjourned at 2:35pm

Action Items		
1. Chair and Co-Chair discussion	Ben	Before next meeting in June
2. Share CCPX 911 launch at Cambridge.	Ben	
3. RAC Scrap Ties Infographic	Ben	Send infographic to committee members for timeline feedback.

Natural Environment Subcommittee

Thursday, May 15, 2025

13:00 – 14:00 Eastern Time

Meeting Minutes

Attendance

Joe Vanhumbeck, CPKC

Kiley Gibson, CPKC

Luanne Patterson, NC

Kari Harris, CN

Paul-Michael Pilkington, Ontario

Northland Rail

Brett Young, Hudson's Bay Railway

Ben Chursinoff, RAC

Olivia Russo, RAC

1. Administrative Items

Ben read RAC's competition statement to the committee to open the meeting.

2. Discussion Items

2.1. Environmental Assessments

Members discussed the Impact Assessment Agency of Canada (IAAC) project trigger for rail which is a 50km or more extension of a rail line. Projects of this size trigger a federal comprehensive Environmental Assessment. The challenge that members raised with IAAC is Section 82 which targets projects carried out on federal lands. Sect. 82 can slow down the regulatory process as a project must go through many levels of review (i.e. Indigenous consultation, environmental impact assessments, Department of Fisheries & Oceans, Parks Canada etc.)

With the new federal government talking about speeding up project approval timelines, members believe that this is an opportune time to improve the review process with one regulator and a singular Indigenous regulator/agency. This process previously existed

under the Canadian Environmental Assessment Agency (CEAA). Members believed that CEAA's strengths included the uniform Indigenous review.

Examples of projects that are stalled in the regulatory review process include CPKC's Logistics Park in Vancouver which has been awaiting approval for 2 and a half years, and their NTCF Port of Vancouver project.

Action Item: Plan an ad-hoc meeting for Eric to further discuss environmental assessments with the subcommittee.

2.2. WSA Permits in British Columbia

CN has begun receiving warning letters from the province of British Columbia for not having Water Sustainability Act permits to work in waterways. CN's contractors who have been working in the province have also requested a copy of the WSA permit for their files. In cases where CN has not obtained a permit, contractors have contacted the province and alerted them of the missing permit.

Federally regulated railways usually do not get these permits as they fall under provincial jurisdiction. Additionally, the permitting process has historically been lengthy, causing delays in projects. Meanwhile, CPKC has also begun to hear from B.C. to obtain a WSA permit, but they are continuing to push back and insist that they will abide by federal, not provincial, jurisdictional regulations. With pressure from the province mounting, CN has been advised by their legal team to apply for permits.

Members believe that the timing is right for RAC to write to the province of behalf of the industry to advocate for federally regulated railways to be exempt from requiring a WSA permit. RAC should argue that the provincial permitting process is repetitive when railways already have to undergo federal agency permitting. This creates an obstacle to moving forward on projects that are intended to strengthen supply chains.

Action Item: RAC to draft a letter to the Government of British Columbia explaining that Class 1 railways are federally regulated and follow federal permitting related to waterways.

2.3. Beaver Management – CSX in Ontario

CSX approached RAC for advice on how to manage beavers in Ontario that are on Indigenous land. The methods used by CSX thus far have not led to any collaboration

between the railway and the Indigenous community, so the question was posed to the subcommittee to share best practices.

Members were very clear that the railway should not take unilateral action on Indigenous land. They should rely on their Indigenous relations team to work with the community to find an agreed-upon minimum depth and possibly find members of the community to work on managing the dams. To do so, members recommended educating the community on the risks that the dam pose. Furthermore, there was a suggestion that a control structure could be put in the dam to help manage water flow, however this approach will take time.

2.4. Updates on Spotted Lantern Fly

CN let the committee know that they continue to work with the CFIA to monitor the pest. Currently their yard in Port Robinson, ON is still being monitored. CPKC has also been approached by the agency with a request to monitor yard in Ontario, however those yards do not meet the criteria for trains that could be susceptible to carrying the fly. They continue to engage with the CFIA to possible find a suitable yard.

2.5. Member Round Table: Emerging Issues

- a) CN shared that Parks Canada has stalled them in the Impact Assessment Process for a project to realign the river channel and dredge in a national park. They have been stuck in this review process for 8 years with no end in site since Parks Canada does not want to allow them to dredge in the river channel.
- b) A bridge connecting the U.S. to Canada through Sault St. Marie Soo bridge is the responsibility of the International Bridge Association. This association placed falcon nesting boxes on the road bridge. Currently, the falcons have been attacking CN employees who are doing inspections on the bridge. Members suggested using scaffolding to protect the employees or waiting for the young falcons to grow enough to leave their nest.
- c) CN employees working in Alberta are being stalked by a bear. They do not want to report the issue to the conservation agency because they worry, they will choose to kill the bear. HBR offered to share their polar bear policy with members to offer an idea of best practices.

Action Item: Brett Young to share the HBR polar bear policy for circulation with the subcommittee.

2.6. Scheduling Next Meeting

A doodle poll will be sent to members to schedule the following meeting in September.

Action Item: Send out doodle poll to subcommittee.

3. Adjournment

The meeting adjourned at the schedule time.

Action Item	Lead	Status
1. Brief Eric Harvey on advocating for a one project, one review.	Ben	Ongoing
2. RAC to write a letter to the Government of BC explaining Class 1 rail is a federal jurisdiction.	Ben	Ongoing
3. Brett Young to share the HBR polar bear policy for circulation with the subcommittee.	Brett	Complete
4. Schedule next committee meeting.	Olivia	Complete

**Ministry of Natural
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Date: May 28, 2025

From: Amanda Holmes, Assistant Deputy Minister, Provincial Services Division,
Ministry of Natural Resources

Subject: **Introduction of Bill 27, the *Resource Management Safety Act, 2025*
including proposed amendments to the *Forest Fires Prevention Act***

Good morning,

I am reaching out to share key updates on the continued efforts to modernize wildland fire management in Ontario.

Yesterday, the Hon. Mike Harris, Minister of Natural Resources, reintroduced the *Resource Management and Safety Act, 2025*. Included in the bill are proposed amendments to the *Forest Fires Prevention Act* (FFPA). The suite of proposed changes remains the same as what was introduced in November 2024 as part of Bill 228, aside from a small number of administrative updates that include edits to provide clarity.

The suite of changes would help strengthen collective responsibility for wildland fire management, improve awareness of wildland fire risk, expand prevention and mitigation, enhance preparedness and response, and strengthen rules and consequences for non-compliance with wildland fire laws. Please see the attachment for the list of proposed amendments.

To review the proposed amendments to the FFPA, please visit the Legislative Assembly of Ontario website: <https://www.ola.org/en/legislative-business/bills/parliament-44/session-1/bill-27>.

The introduction of this bill is a significant achievement as we continue our journey to modernize wildland fire management in Ontario. If the proposed amendments to the FFPA are passed, development of supporting regulations will follow. Your input will be very important to inform the regulations and what they will mean for you and your organization. Any forthcoming consultation on supporting regulations would occur

through the Environmental Registry and Regulatory Registry and will include opportunities for discussion.

We look forward to continuing to work with you to improve wildland fire management in Ontario to help keep people and communities safe.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Holmes', written in a cursive style.

Amanda Holmes
Assistant Deputy Minister
Provincial Services Division

Enclosed: Proposed amendments to the *Forest Fires Prevention Act*

Proposed amendments to the *Forest Fires Prevention Act* (FFPA)

The proposed amendments include that the name of the FFPA would be changed to the Wildland Fire Management Act and that implementation of the Act would be guided by a new purpose statement. The statement would clarify that the purpose of the Act is “to provide guidance and direction for wildland fire management so as to protect public safety and minimize adverse environmental, economic, health and social impacts of wildland fires, and contribute to a resilient province.”

Proposed amendments would achieve the following outcomes:

1. Clarify authority for the Minister to enter into agreements on all aspects of wildland fire management with, amongst others, municipalities, other governments or jurisdictions, Indigenous communities, and industry.
2. Require municipalities and certain industries in the fire region to have a wildland fire management plan that meets prescribed standards as set out in regulation. This could be updating an existing plan or preparing a new plan.
3. Clarify the Minister's order power to prohibit activities in areas that have been declared a wildland fire emergency area and provide the Minister with the authority to issue a permit allowing certain activities in certain circumstances.
4. Create a new power for the Minister to issue a remediation order and provide for opportunity for review of the order.
5. Enable the Minister to set out standard rates, terms and conditions (and their application/use) when privately owned equipment and operators are used to respond to wildland fires and wildland fire emergency events.
6. Enable administrative monetary penalties to address non-compliance with the FFPA and provide for an opportunity for review of the penalty.
7. Revise the provision on cost recovery for human-caused fires to eliminate the automatic establishment of debt to the Crown, thereby enabling the Minister to exercise discretion in determining whether the costs of suppressing or extinguishing a fire and any associated damages will be recovered.
8. Modernize and update enforcement provisions, including powers and authorities of different groups of officers under the Act, and
9. Administrative amendments, including changing the name of the Act, adding a purpose section and updating definitions.

**Ministry of Natural
Resources**

Assistant Deputy Minister's
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**Ministère des Richesses
naturelles**

Bureau du sous-ministre
adjoint
Division des services
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Tél.: 416-602-3286



Dât: May 27, 2025

Avec: Amanda Holmes, Sous-ministre adjointe, Division des services provinciaux, Ministère des Richesses naturelles

Objet: **Présentation du projet de loi 27 la *Loi de 2025 sur la gestion des ressources et la sécurité*, y compris les modifications proposées à la *Loi sur la prévention des incendies de forêt***

Bonjour,

Je vous écris pour vous faire part des principales mises à jour sur les efforts poursuivis pour moderniser la gestion des feux de végétation en Ontario. L'honorable Mike Harris, ministre des Richesses naturelles, a ré-introduit hier la *Loi de 2025 sur la gestion des ressources et la sécurité*. Le projet de loi comprend des propositions de modifications à la *Loi sur la prévention des incendies de forêt* (LPIF). L'ensemble de modifications proposées est identique à ce qui avait été présenté en novembre 2024 dans le cadre du projet de loi 228, à l'exception d'un petit nombre de mises à jour administratives qui comprennent des modifications pour clarifier les choses.

L'assemble des modifications contribueraient à renforcer la responsabilité collective à l'égard de la gestion des feux de végétation, à accroître la sensibilisation au risque de feux de végétation, à élargir les mesures de prévention et d'atténuation, à améliorer la préparation et l'intervention, et à renforcer les règles et les conséquences en cas de non-conformité aux lois sur les feux de végétation. Veuillez consulter la liste ci-jointe des modifications proposées.

Pour examiner les modifications proposées à la LPIF, veuillez visiter le site Web de l'Assemblée législative de l'Ontario: [Projet de loi 27, Loi de 2025 sur la gestion des ressources et la sécurité - Assemblée législative de l'Ontario](#).

L'introduction de ce projet de loi est une réalisation importante dans le cadre de notre démarche visant à moderniser la gestion des feux de végétation en Ontario. Si les modifications proposées à la LPIF sont adoptées, l'élaboration des règlements d'application suivra. Vos commentaires seront très importants pour éclairer les règlements et ce qu'ils signifieront pour vous et votre organisme. Toute consultation à

venir sur la réglementation se ferait par l'intermédiaire du Registre environnemental ou du Registre de la réglementation et des possibilités de discussion seraient offertes.

Nous sommes heureux de continuer à travailler avec vous pour améliorer la gestion des feux de végétation en Ontario en vue d'assurer la sécurité des personnes et des communautés.

Cordialement,

A handwritten signature in black ink, appearing to be 'Amanda Holmes', written in a cursive style.

Amanda Holmes
Sous-ministre adjointe
Division des services provinciaux, Ministère des Richesses naturelles

Pièce jointe : Modifications proposées à la *Loi sur la prévention des incendies de forêt*

Modifications proposées à la *Loi sur la prévention des incendies de forêt* (LPIF)

Les modifications proposées consisteraient notamment à changer le nom de la LPIF pour celui de la *Loi sur la gestion des feux de végétation* et à orienter la mise en œuvre de la Loi en fonction d'un nouvel énoncé d'objectif. Ce dernier préciserait que l'objet de la Loi est « de fournir des orientations et des directives pour la gestion des feux de végétation de façon à protéger la sécurité publique, à limiter les répercussions environnementales, économiques, sanitaires et sociales négatives des feux de végétation, et à contribuer à la résilience de la province ».

Les modifications proposées permettraient d'atteindre les résultats suivants :

2. Clarifier le pouvoir du ministre de conclure des ententes sur tous les aspects de la gestion des feux de végétation avec, entre autres, les municipalités, d'autres gouvernements ou administrations, les collectivités autochtones et l'industrie.
3. Exiger des municipalités et de certaines industries dans la région touchée par les incendies de se doter d'un plan de gestion des feux de végétation qui respecte les normes prescrites, conformément aux règlements. Il peut s'agir de mettre à jour un plan existant ou de préparer un nouveau plan.
4. Clarifier le pouvoir du ministre d'interdire des activités dans des zones d'urgence pour les feux de végétation et de conférer au ministre le pouvoir de délivrer un permis autorisant certaines activités dans des circonstances particulières.
4. Conférer au ministre le pouvoir d'émettre une ordonnance de remédiation et de prévoir la possibilité de la réviser.
5. Permettre au ministre d'établir des taux, des modalités et des conditions normalisés (ainsi que leur application et leur utilisation) lorsque de l'équipement et des exploitants privés sont utilisés pour intervenir en cas de feux de végétation et de situations d'urgence liées à des feux de végétation.
6. Permettre l'application de sanctions administratives pécuniaires en cas de non-respect de la LPIF et prévoir la possibilité d'une révision de la sanction.
7. Réviser la disposition relative au recouvrement des coûts pour les feux d'origine humaine afin d'éliminer l'établissement automatique d'une dette envers la Couronne, permettant ainsi au ministre d'exercer un pouvoir discrétionnaire pour déterminer si les coûts de suppression ou d'extinction d'un feu et tous les dommages associés seront recouvrés.
8. Moderniser et mettre à jour les dispositions relatives à l'application de la Loi, y compris les pouvoirs et les autorités des différents groupes d'agents en vertu de la loi, et
9. Apporter des modifications administratives, notamment le changement du nom de la Loi, l'ajout d'un article sur l'objectif et la mise à jour de certaines définitions.