

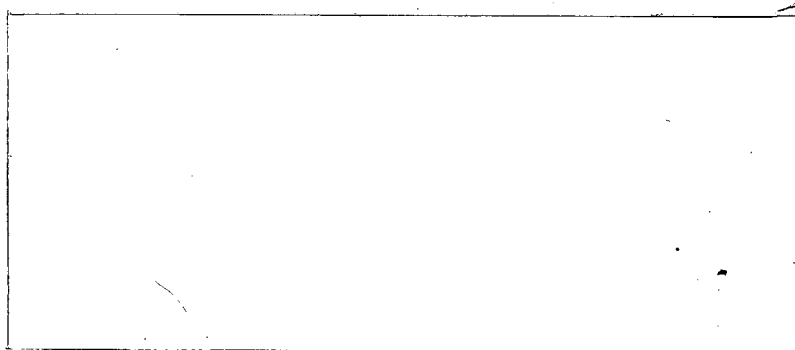


LANDS
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Program Impacts on Land Use
Interdepartmental Committee on Land
Departmental Summaries

January, 1983

13733

Table of Contents

	<u>Page</u>
Introduction	3
Guide to Users	3
Department of Agriculture	4
Department of the Environment	8
Department of Finance	11
Department of Indian Affairs and Northern Development	12
Department of Public Works	16
Department of Regional Economic Expansion	19
Department of Transport	22
Appendix A	26
Federal Policy on Land Use Policy Statements and Land-Use Guidelines	

Introduction

This report provides summaries of federal departmental program impacts on land use. It is presented in tabular format outlining agencies/authorities and activities/programs with land use implications. Also included are the respective departmental policies, mechanisms and processes utilized in land use programs as related to the Federal Policy on Land Use Policy Statements and Guidelines.

Identification of land use implications of federal government programs are important in the application of the Federal Policy on Land Use. A major purpose of this document is to illustrate to federal program managers how their programs relate to the Policy Statements and Guidelines. This is a first step in a more detailed exercise of identifying the major federal programs with maximum impact on land use used to implement the Policy.

Guide to Users

For each department, the tables are divided into Agencies/Authorities and Tools with related Policy Statements and Land-Use Guidelines. These Statements and Guidelines may be found in Appendix A. Thus one can select the programs with land use implications from the left hand column and the appropriate corresponding Statement(s) and Guideline(s) from the right hand column.

Any updates or amendments should be sent to the ICL Secretariat, c/o Lands Directorate, Environment Canada, Ottawa, K1A 0E7.

Department of Agriculture Programs that Impact on Land Use

Agencies/Authorities and Activities/ Programs with Land Use Implications	Tools (policies mechanisms, processes) and related Policy Statements and Land Use Guidelines
<p>1. <u>Soil Management and Conservation Research</u></p> <p>Develops improved soil management methods that have potential for changing soil characteristics, cropping systems and crop distributions.</p>	<p>Research and extension information FPLU Policy Statements, 1,6,7 and Guidelines B,F,H,I.</p>
<p>2. <u>Land Inventory and Evaluation</u></p> <p>Provides data for rating soil suitability for alternative uses, agricultural and non-agricultural, and for assessing degradation hazards. The program furnishes the basis for Canada Land Inventory, agriculture capability ratings, now widely used in the land use planning process.</p>	<p>Natural resources inventory, evaluation, research and information FPLU Policy Statements 1,2,3,6,7,8,11 and Guidelines A,B,C,F,H,I,J</p>
<p>3. <u>Irrigation, Drainage and Desalinization Research</u></p> <p>Advances in irrigation technology, including effluent irrigation, water conserving land management techniques and control of salinity have the potential to change farming systems, e.g. summerfallow ratio. Environmental water quality is a prime concern in both irrigation and land drainage.</p>	<p>Research and extension information FPLU Policy Statements 1,3,6,7,11 and Guidelines B,F,H.</p>
<p>4. <u>Agrometeorology Research</u></p> <p>Provides data for evaluation of production potentials and improvement of crop production practices.</p>	<p>Research and extension information FPLU Policy Statements 6,7, and Guidelines B,F.</p>

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

5. Energy Research

Potential impacts are improved energy-conserving field operations and cropping practices, improved fertilizer utilization, reduced soil compaction through optimized machinery systems and use of marginal lands for energy crops.

Energy R&D is ongoing under the Energy Research and Development in Agriculture and Food (ERDAF) program. Research will yield information on energy conservation, alternative fuels and energy production from renewable resources. New technology will change cropping practices and field operations. FPLU Policy Statements 1,3,6,7,11 and Guidelines B,H.

6. Environmental Quality Research

Involves pesticide residue research and manure management, with potential for some land use impact.

Research and extension information FPLU Policy Statements 1,3,6,7 and Guidelines B,F,H

7. Crop Production Development

Produces improved crop varieties, production practices and pest control techniques. Some possible impact on land use.

)
)
) Research and extension information FPLU Policy
) Statements 1,3,6,7 and Guidelines B,H.
)
)
)

8. Production Support Research

Basic research on crop production problems with indirect impacts on land use.

9. Crop Insurance

This program may have indirect impact on land use in so much as it can influence choice of crops to be planted.

The administration of this federal-provincial program takes into account provincial land use recommendations and existing land use practices in program development and determination of coverage and premium rates. FPLU Policy Statements 1,3,7,8 and Guidelines B,I,J.

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

This involves the construction of facilities on federally-owned land. Direct impact on land use in limited areas.

Involves obvious impact on the use of small areas of federal land.

Tools and related Policy Statements
indeterminate.

Department of the Environment

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Federal Environmental Assessment Review Office
(FEARO)

Entire Environmental Assessment review process - especially in preliminary screening and in panel review and reports - should incorporate FPLU and Guidelines. Effect should be supportive of program objectives.

The Order in Council mandated review process can help in the application of the FPLU to projects subject to review. All Guidelines, Policy Statements 4 and 8.

Parks Canada

Parks program affected in new park site selection vis-à-vis other land uses and local and provincial planning. Existing park management affected by need to consider surrounding land use effects of actions and local and provincial planning. Policy is generally supportive.

Mandate directly referenced in Policy Statements 2 and 5, and Guideline G. Land acquisition, special heritage lands. Generally can help implement FPLU through application in all programs at an early planning stage.

Historic programs affected in site selection and development, and local planning. Policy is supportive.

Agreements for Recreation and Conservation (ARC) programs and agreements affected through land use effects of federal/provincial agreements needing to be considered. Generally supportive.

Environmental Protection Service (EPS)

Regulatory, Standard setting, and Research programs all must consider land use effects of actions (or inaction). Should be generally supportive.

EPS can help implementation and goal achievement by taking into account land use effects of actions, and making decisions to have positive land use effects. Guideline 1, Policy Statements 7 and 8.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Canadian Forestry Service (CFS)

The Research, Data and Information Programs of CFS are affected by the Land Use Policy only indirectly in the way in which research and information is presented in a land-use context, or in such a way as to encourage land-use changes or practices. The Policy is generally supportive.

Canadian Wildlife Service (CWS)

Migratory Bird Protection and more specifically habitat protection through designation of National Wildlife Areas and Sanctuaries will be affected. The Land Use Policy will be generally supportive. The Wildlife Research Program will not be affected. The Interpretation Program will be little affected as it is active only in designated Areas and Sanctuaries.

Inland Waters Directorate (IWD)

Inland Waters, through its Canada-U.S. and federal-provincial agreements can play a positive role in supporting and to some extent refining the Federal Policy on Land Use.

Despite the limited time span of these agreements (usually five years or less), it is expected that federal agreement managers will fully apprise their provincial counterparts of the Federal Land Use Policy, and to the extent practicable secure their collaboration in implementing it.

The Research Program supports, or can support Guideline C and Statement 6. The Forest Systems and Statistics Branch supports Statement 7.

Programs can be used to help fulfill Policy Statements 2, 5, 6 and 7 and Guidelines G and H, especially with reference to the Migratory Bird Program.

Agencies/Authorities and Activities/ Programs with Land Use Implications	Tools (policies mechanisms, processes) and related Policy Statements and Land Use Guidelines
River Basin Planning, Water Management Data and Water Research Programs	Policy Statement 7, Guideline F.
Water Quality Management Program	Policy Statements 1 and 7, Guidelines A and F.
Flood Damage Reduction Program	Policy Statements 1, 7 and 8; Guidelines A, I and J
Canada-USA and Interprovincial Waters and the River Basin Implementation Programs	Policy Statements 1, 7 and 8; Guidelines A, F, I and J.
<u>Lands Directorate</u>	
Mandate (Secretariat) Research data and information directed to FPLU needs. Canada Land Data System - information processing and coordination	<ul style="list-style-type: none"> - Primary tool is information on land resource facts, trends, issues and solutions in support of policy objectives. - Federal Program Impact methodology, coordination and liaison inter and intra government re land use issues, problems, solutions, information and data. <p>Membership and Chair of ICL, and on TBAC/FLM. Policy Statements 1, 2, 3, 6 and 7. All Guidelines.</p>
<u>Atmospheric Environment Service (AES)</u>	
Research, information, data in land use context (warnings, long-term climatic predictions and effects etc.).	Policy Statement 7, information provision.

Department of Finance

The main objective of the Department of Finance is to assist the government in preparing and implementing financial and other economic policies and measures that will best accomplish major national economic and fiscal objectives.

Agencies/Authorities and Activities/ Programs with Land Use Implications

The Department administers few programs other than transfer payments and equalization grants to the Provinces. It does, however, have a key policy development and advisory role in areas which affect land use and allocation in both a direct and indirect fashion.

1. The Tax Policy and Legislation Branch is responsible for the Income Tax Act; International tax regimes; excise and sales taxes; and for any changes thereto.
2. The Economic Programs and Government Finance Branch, Energy and Resource Policy Division provides policy advice on energy policy; energy projects (e.g. pipelines); mining; northern development; environment.
3. The Economic Programs and Government Finance Branch, Economic Development Division, provides policy advice on economic, regional and industrial development; agriculture; forestry; fisheries; transport.
4. The Economic Programs and Government Finance Branch, Government Finance Division, administers government loans, investments and guarantees; Crown Corporations.
5. The Federal-Provincial Relations Branch, Social Policy Division provides policy advice on social development programs; housing; land claims.

Tools (policies mechanisms, processes) and related Policy Statements and Land Use Guidelines

The Tax Policy Branch originates a variety of tax initiatives. The primary focus of the relevant Divisions in the Economic Programs and Government Finance Branch and the Federal-Provincial Relations Branch is on the programs and policies of other Departments and Crown agencies.

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

1. The Minister of Indian Affairs and Northern Development is responsible for the following statutes:

Department of Indian Affairs and Northern Development Act

Indian Act

Indian Oil and Gas Act

James Bay and Northern Quebec Settlement Act

Yukon Act

Northwest Territories Act

Territorial Lands Act

Land Titles Act

Public Land Grants Act

Canada Land Surveys Part III

Northern Inland Waters Act

Arctic Waters Pollution Prevention Act

Dominion Water Power Act

Oil and Gas Production and Conservation Act

Yukon Placer Mining Act

Yukon Quartz Mining Act

Northern Canada Power Commission Act

Canada Oil and Gas Act

2. Title of two categories of land for which DIAND is responsible are vested in the Crown:

(i) Lands reserved for Indians, and

(ii) Most of the lands north of 60°, except for small parcels which are Commissioners Lands or privately owned.

3. The mandate of the Department can be divided into three main areas:

1. The Indian and Inuit Affairs Program provides management, advisory and Program services to Canada's approximately 300,000 status Indians, as well as to the Inuit of Northern Quebec and Labrador.

2. The Northern Affairs Program deals with economic and political development in the Yukon and Northwest Territories.

3. The Office of Native Claims receives the claims of various native groups and attempts to arrive at equitable and lasting settlements of these claims and grievances.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanism, processes) and related
Policy Statements and Land Use Guidelines

INDIAN AFFAIRS

Program Administration - Provides for the program management activities both at Headquarters and Regional office levels as well as common staff services such as policy development, program planning, finance, personnel and public information either in support or on behalf of the overall Indian and Inuit Affairs Program.

Reserves and Trusts - Provides for the management and control of Indian lands and the natural resources on Indian reserves; administers on behalf of Indian and Inuit people the trust responsibilities set out in the Indian Act; includes the maintenance of current membership rolls.

Education - Pre-school, elementary, secondary and higher education, adult education, vocational training, employability in general as well as support of cultural expression.

Economic and Employment Development - Assistance to Indians, Indian Bands and Inuit people in creating business, employment and socio-economic development opportunities.

Social Services - Provides and arranges for the provision of income support and family services to those individuals in need.

Community Infrastructure and Services - Provides support for the physical improvement and protection of communities including housing, essential community services and recreational facilities.

Band Government - Provides support to Bands in their administration of programs; assists them to increase their capacity to govern their communities.

Examples:

- Tripartite negotiations, Federal/Provincial/Indian
- Negotiations with municipalities
- Band Council Resolutions
- Land Surrenders by Bands
- Orders in Council
- Interdepartmental agreements e.g. Parks Canada/DIAND agreement, PFRA/DIAND agreement re treaty land entitlements

Policy Statements 1,2,9,11
Land Use Guidelines A,D,J

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

OFFICE OF NATIVE CLAIMS

Settlement of land claims

Legislation will be introduced as each claim is settled

NORTHERN AFFAIRS

Northern Co-ordination and Social Development - Negotiation and administration of financial arrangements with the Territorial Governments; research and review of territorial constitutional development; promotion of Eskimo art and funding of native enterprises in the Territories; administration of on-the-job and vocational training programs; provision of research and secretariat services for the Advisory Committee on Northern Development; evaluation and analysis of Federal and territorial Government programs and activities in the North; advise on scientific aspects of circumpolar matters administration of a university grants program and northern research centres in support of northern scientific research; sponsor and review of social research on the North.

Northern Economic Planning - Analysis and planning of socio-economic programs for the North in concert with the Territorial Governments; analysis of regional development proposals and negotiation of regional economic development agreements with the Territorial Governments; co-ordination of socio-economic studies and public review processes and analysis of energy transportation proposals for the North: financial analysis and evaluation of northern crown corporations and development of employment and training opportunities for disadvantaged northern residents in co-operation with the Territorial Governments.

- Negotiations with claimants
- Interdepartmental discussions
- Federal-Provincial and Federal-Territorial consultations

Policy Statements and Land Use Guidelines are generally related

Examples:

- Disposition (lease and Sale) of land
- Controls temporary activities to mitigate environmental effects
- Issuance of oil and gas permits and leases
- Controls removal of sand, gravel and rock
- Controls activities of Placer mine operators
- Controls cutting of timber

Policy statements are 4 to 8 inclusive.

Land Use Guidelines are C to J, inclusive.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Northern Environmental Protection and Renewable Resources -
Development of policies, plans and management of renewable
natural resources of water, lands and forest and environmental
protection in the Territories.

Northern Non-Renewable Resources - Development of policies,
plans and management of non-renewable natural resources of
mineral and oil and gas in the Territories.

Northern Roads - Provision of collector and resource access
road in the Territories.

ADMINISTRATION

Technical Services and Contracts - Planning, design,
procurement and maintenance of real property and other
capital assets.

Department of Public Works

The Public Works mission is to manage real property for the Government of Canada, and to provide planning, design, construction and realty services to government institutions, departments and agencies, while contributing to the achievement of the governments wider social, economic and environmental objectives.

Agencies/Authorities and Activities/ Programs with Land Use Implications	Tools (policies mechanisms, processes) and related Policy Statements and Land Use Guidelines
<p>1. Administration - The provision of central policy direction and administrative support services for federal departmental programs.</p> <p>2. Professional and Technical Services - The provision of these services in support of the Public Works Departments or agencies in the field of construction and fire prevention.</p> <p>3. Accommodation - The provision of accommodation to department and agencies of the federal government of approved standards of quality, quantity and efficiency at the most economical cost.</p> <p>4. Marine - The provision and maintenance of the most economical marine facilities as required by federal programs for the development and support of industries and for water level control.</p> <p>5. Transportation and Engineering - The provision and maintenance of the most economical cost roads, bridges, and public utility services as required under federal government programs.</p> <p>6. Land Management and Development - The management and development of federal lands so as to combine the efficient provision of government services with the achievement of wide social, economic, and environmental objectives.</p>	<p>1. The "realty services" includes purchase and disposal of land and other real property, accommodation rental as well as the maintenance, improvement and management of porperties owned or leased by the Government of Canada. Public Works also provides marine facilities, roads, bridges and public utilities required by other federal government programs.</p> <p>2. Primarily Public Works Canada's mandate and responsibilities are based upon land use, its management and development for the Crown. In its role as the builder/developer/manager of Crown assets, Public Works has responsibility to ensure that Federal Land Management (FLM) Policy and objectives are applied to all land related transactions of acquisition and disposal for and on behalf of all client departments and agencies, and is a permanent member of the Treasury Board Advisory Committee on Federal Land Management.</p> <p>3. A Property Development Branch was created in 1973 at Public Works to ensure FLM policy objectives were considered in all transactions of purchase and disposals actions for federal Crown properties and the Departmental Approvals Management System adjusted to incorporate this policy.</p> <p>Funding for all programs is through Treasury Board, and require ministerial approval and Orders in Council as well as the following Committee approval</p>

Agencies/Authorities and Activities/
Programs with Land Use Implications

Authority is under:

- Bridges Act R.S.C., 1970
- Expropriation Act R.S.C. 1970
- Dry Docks Subsidies Act R.S.P., 1970
- Government Harbours and Piers Act R.S.C., 1970
- Government Property Traffic Act R.S.C., 1970
- Government Works Toll Act R.S.C., 1970
- Ottawa River Act R.S.C., 1870
- Public Works Act R.S.C., 1970 (Amended 1977)
- Surplus Crown Assets Act R.S.C., 260s
- Trans-Canada Highway Act R.S.C., 1970

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

- Executive Committee
- Corporate Planning and Policy Committee
- Project Review Committee
- Regional Realty Strategy Committee

For all practical purposes the Public Works Canada mandate does not provide for subsidies nor grants by the nature of its operations as a common Service agency, other than Grants in Lieu of Taxes.

4. Public Works participates on tri-level or Intergovernmental Committee and has direct working relations with municipal/provincial authorities in planning and zoning matters in the daily operations of business. Such an Intergovernmental Committee is the Canada - Ontario Rideau Trent System Committee, others include port redevelopment projects such as Montreal, Vieux-Port du Québec, and Halifax Harbours Front.

5. The Program Planning and Co-ordination Branch ensures that client requirements are identified on a long range basis for input to the 5-year plans, and Area Plans. Property Development conducts Area Screening Studies and Land Use Studies (periodic and cyclical reviews), and provides liaison with municipal and provincial authorities in respect to the identification of development opportunities and the effective use of federal surplus holdings.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

6. In general it could be noted that Public Works currently observes the Federal Policy on Land Use and concerns itself with the impacts of development on land use as a matter of practice. Public Works has provided services and assistance to municipalities and provinces in redevelopment areas, and has made surplus federal properties such as the British Columbia Penitentiary available at market value to the City of New Westminster in furtherance of municipal goals and aspirations as per Federal Land Management policy and principles.

Policy Statements: 1-6; Guidelines: all.

DEPARTMENT OF REGIONAL ECONOMIC EXPANSION

The Department of Regional Economic Expansion (DREE) was established on April 1, 1969 with the objective of assisting and encouraging each region of Canada to realize its economic and social potential. Its mandate was contained in the Government Organization Act, 1969 (SC 1968-69, c.28) and is continued in the Department of Regional Economic Expansion Act (RSC 1970, c.R-4).

The Minister of Regional Economic Expansion is responsible for the following statutes:

- Agricultural and Rural Development Act (ARDA) (RSC 1970, C.A-4);
- Atlantic Provinces Power Development Act (APPDA) (RSC 1970, c.A-17) now dormant;
- Cape Breton Development Corporation Act (DEVCO) (RSC 1970, c.C-13) as amended;
- Maritime Marshland Rehabilitation Act (MMRA) (RSC 1970, c.M-4) now dormant;
- Prairie Farm Rehabilitation Act (PFRA) (RSC 1970, c.P-17); and
- Regional Development Incentives Act (RDIA) (RSC 1970, c.R-3).

The Department's mandate can be broadly divided into three categories:

- I - General Development Agreements, which are federal-provincial agreements outlining a basic strategy for regional development in each province;
- II - Regional Development Incentives, which create opportunities for employment by encouraging business and industry to establish, expand or modernize their facilities in certain slow-growth areas; and
- III - Other programs which provide assistance to areas requiring special measures.

The relationship of these categories to the Federal Policy on Land Use is outlined herein.

I General Development Agreements

Each Agreement outlines the broad objectives and opportunities for development in a particular Province. Subsidiary Agreements relate to agriculture, forestry, fisheries, tourism, urban, industrial and mineral development, energy conservation, transportation, drought proofing and social and economic planning; all of which effect land use throughout Canada.

Subsidiary Agreements under GDA are based on joint Federal-Provincial funding. These agreements are negotiated so as to ensure environmental considerations in terms that are compatible with and supportive of Policy Statements 1,2,3,4,8 and 9 and most Guidelines. We are cognizant of the guiding principle relating to Provincial Jurisdiction over control of land use within their boundaries.

II Regional Development Incentives Act

The purpose of this program is to create jobs and to encourage capital investment. The program provides financial assistance in the form of incentive grants and loan guarantees to business and industry willing to establish, expand or modernize their facilities in certain designated regions of the country. There is a limited affect on urban or rural land use.

Analysis of applications can ensure that Statements 1,3, 8 and 11 and most Guidelines are met. Similar situation as in Category I insofar as funding and negotiations are concerned.

III Other Programs

1. Agricultural and Rural Development Act

Special Agreements with several provinces involve programs to ensure that rural residents, particularly those of native ancestry, are able to benefit from Rural Development Programs in terms of increased employment and income and better living conditions. There is a limited affect on land use.

Current activities are in agreement with and supportive of Policy Statements 1,2,3,4 and B,F and J of the Guidelines.

Agencies/Authorities and Activities/ Programs with Land Use Implications	Tools (policies mechanisms, processes) and related Policy Statements and Land Use Guidelines
<p>2. Prairie Farm Rehabilitation Administration</p> <p>Programs are primarily concerned with the development and promotion of improved water supply, tree culture, farming methods and land utilization in the low-precipitation areas of Manitoba, Saskatchewan and Alberta. These programs are designed to combat drought and soil drifting and to bring greater economic stability to these provinces. Activities include large scale irrigation projects, land reclamation, community pasture operations and promotion of improved farm practices. The major affect is on rural and submarginal lands.</p>	<p>Current activities are in agreement with and supportive of Policy Statements 1, 2, 3, 4 and Guidelines B, F and J.</p>
<p>3. Cape Breton Development Corporation Act</p> <p>Principal programs involve coal mining, the distribution thereof and industrial development. The latter is concerned with fisheries, agriculture and tourism. There is a limited affect on land use.</p>	<p>Research in areas relating to fisheries, agriculture and forestry can be used to fulfill policy statements 6 and 7.</p>
<p>4. The Prince Edward Island Comprehensive Development Plan</p> <p>This Agreement provides for development programming in a number of economic sectors where opportunities exist, as well as for infrastructure and other types of support activities such as product and market development, land adjustment, community development, urban core redevelopment, school construction, and upgrading and expansion of the transportation system. There is a limited effect on land use.</p>	<p>Current programs are supportive of Policy Statements 1, 3 and 8 and Guidelines A, B, I and J. Funding can be used in a similar manner as in Category I.</p>

Department of Transport

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Air Transportation

Responsibility is by the Administrator, Canadian Air Transportation Administration under the authority of:

Department of Transport Act,
Aeronautics Act,
in the provision and operation of all elements of the national civil air transportation system (NCATS).

1. Air transportation policy development.
2. Air transportation strategic planning.
3. Participation on Federal/Provincial committees.
4. Provision and operation of airport services and facilities. Land use on site and inter-relationship of contiguous property is of prime consideration.
5. Environmental assessment of all alternatives during the planning of each project involving land use.
6. Public consultation and the EARP processes, and ASC reports.
7. Benefit-cost analysis.
8. Bilateral air negotiations.
9. Financial assistance programs.
10. Long range planning.
11. Input to appeals to CTC decisions.
12. Land acquisition/disposal and zoning/use legislation.

Parliamentary appropriations govern Departmental operation: supportive of all FPLU Policy Statements and Land-use Guidelines.

Includes land use and socio-economic impacts as factors; e.g. Arctic Facilities, roles of carriers. Broadly supportive. Land use impact is assessed. Broadly supportive.

Transportation impact is a discussion tool. Broadly supportive.

Departmental budgets and programming. Public consultation involved. Broadly supportive. TBAC/FLM Committee review. CATA activity management and review.

Area and site Master Planning and Land Use plans. Supportive.

Fundamental to project development. Generally supportive. TBAC/FLM review.

Includes guidance on inclusion of land use impacts. Generally supportive.

Assessment of land impact on route right proposals. Generally supportive.

Influenced by land use considerations. Generally supportive.

Land availability and use factors weighed in the long term. Generally supportive.

Impact of land use from decisions is included. Generally supportive.

Operating and safety requirements predominant. Generally supportive.

Principal Policies 1,2,3,4,6,7 and 11; Guidelines A,B,E,F; others lesser application.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Marine Transportation

The responsibilities exercised by the Canadian Marine Transportation Administration are exercised under legislation including the following examples:

National Transportation Act
Department of Transport Act
Financial Administration Act
Territorial Sea and Fishing Zones Act
Marine and Aviation War
Arctic Waters Pollution Prevention Act
Canada Shipping Act
National Harbours Board Act
Navigable Waters Protection Act

There are numerous other less general Acts which affect the Department's involvement in land use related activities.

The activity which most relates to land use policy is the support for construction, operation and maintenance of a system of ports and harbours in Canada. These are described in more detail below:

Program: Real Property Services, National Harbours Board

Purpose and Description: To institute policy for the administration and control governing the acquisition, expropriation, control and disposal of real property in accordance with FLM policy and towards the attainments of financial self-sufficiency.

Control and accountability of the Department is through Parliamentary appropriations governing Departmental operation
Departmental programming and budgets influencing activities

Treasury Board and internal approvals for specific projects
Strategic Planning
Departmental policy development
Public consultation
Interdepartmental liaison
Land acquisition and zoning use legislation
Port and Harbour master planning
EARP processes
TERMPOL processes
TBAC/FLM referrals
Input to appeals against CTC decisions
Bilateral and multilateral maritime agreements
Intradepartmental review

Public control is through:
Port facility contracts
Financial assistance
Regulations
Other acts e.g. Criminal Code, etc.

Policy Statements are 1,2,3,4,6,7 and 11; Guidelines are A,B,E and J.

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Land Use Impacts: National Transportation, Regional strategic planning, Industrial shipping and distribution priorities, Ecological changes, and, Economic/Social aspirations.

Program: Ports and Harbours Branch

Purpose and Description: In coordination with other marine activities and surface and air transportation systems, the operation of a system of public harbours and wharves effectively supporting the achievement of Canadian international trade objectives, and of national, regional and local economic and social objectives.

Land Use Impacts: Influence upon regional economic activity or potential; market and rental values and changes in land tenure.

Surface Transportation

Urban Transportation Assistance Program (UTAP)

The evaluation of road/rail grade separation projects, railway relocation projects and urban transportation projects takes into account improvements to the standards of urban environmental quality and land use efficiency. Policy is generally supportive.

Primary tool is based on federal approval of provincial proposals and federal funding of Agreements. All railway related projects require CTC construction orders under provisions of the Railway Act.

Guidelines A,E,J
Policy Statements 1,3

Agencies/Authorities and Activities/
Programs with Land Use Implications

Tools (policies mechanisms, processes) and related
Policy Statements and Land Use Guidelines

Atlantic Provinces Highway Strengthening Program

A program of cost-shared road construction activities on primary highways to increase the efficiency of the national transportation system. Very limited affects on land use.

Primary tool is based on federal approval and funding of Agreements.

Guidelines A,E,J
Policy Statements 1,3,4

Railway Planning Branch

The Branch reviews all CN proposed land transactions related to Canadian Government Railway property entrusted to CN. The manority of transactions involve very limited affects on land use.

Treasury Board Advisory Committee on Federal Land Management (TBAC/FLM) referrals.

Guidelines A,E,J
Policy Statements 1,2,3,4,7

Authorities

Appropriations Act
National Transportation Act
Motor Vehicle Transport Act
Railway Act
Railway Relocation and Crossing Act
Financial Administration Act
Canada Grains Act

Regulation of Railways

Responsibility is by the Canadian Transportation Commission under the authority of:

Railway Act
National Transportation Act
Railway Relocation and Crossing Act

Orders and Regulations under authority of the Act, to:

1. Approve projects and contribute financial assistance for crossing improvements.
2. Approve branch line construction.
3. Approve line revisions.
4. Approve additional land required for railway purposes.
5. Recommend federal grants by Minister of Transport.

Policy Statements are 1,2,3,4,6,7 and 11;
Guidelines are A,B,E and J.

APPENDIX AFederal Policy on Land Use

Following is an outline of policy statements and land-use guidelines by which the federal government will assess, develop and adapt its programs and policies to ensure a positive contribution to the wise use of Canada's land resources and thereby contribute to the achievement of Canada's goals.

Policy Statements:

1. The federal government will pursue the achievement of the policy goal through a cooperative federal/provincial approach, and will support those provincial land-use objectives, policies and programs that it views to be operating in the national interest.
2. The federal government will acquire and manage lands necessary for those activities for which it is responsible, so as to combine efficient provision of federal government services with the achievement of broader social, economic and environmental objectives.
3. The federal government will review its policies and programs in order to identify where and how its activities influence the use of private and public land and the evolution of land-use patterns.
4. The federal government will ensure that all significant land-related projects initiated by the federal government, for which federal funds are provided, or for which federal property is required, are subject to the Federal Environmental Assessment and Review Process or a provincial equivalent so that potential environmental and land-use ill effects can be identified and mitigated.
5. The federal government will identify and, as appropriate, protect through designation or acquisition, lands of particular value to the nation because of historical, cultural, recreational, aesthetic or ecological importance.
6. The federal government will provide a coordinated program of surveys and socio-economic, scientific and technical research on land capability, characteristics, tenure and use.
7. The federal government will provide information to the public on the land resource and its use as a primary means of achieving wise management of this resource.
8. The federal government will discourage inappropriate use of hazard-prone lands such as those subject to floods, erosion, slumping, avalanches, seismic activity and other man-made or natural hazards.

9. The federal government will honour its obligations to native peoples with respect to the settlement of land claims and in satisfaction of outstanding treaty land entitlements. It will ensure that all lands made available in satisfaction of native land claim settlements are subject to appropriate environmental provisions.
10. The federal government recognizes that foreign land ownership issues are most effectively managed by the provinces.
11. The federal government will apply the following land-use guidelines to federal policies, programs and activities which may affect land and to the management of its land holdings.

Land-Use Guidelines

These guidelines reflect concern for the nation's land resource and will be used to guide federal policies and programs. Where possible, all government departments and agencies will apply these guidelines in the implementation of their policies, programs and activities. The guidelines will be reviewed periodically and may be revised in the light of changing socio-economic and environmental conditions.

- A. The impact of policies and programs on urban land will be considered. Appropriate action will be taken to support urban land use which leads to economically efficient urban areas, and a high quality physical and social environment for urban residents.
- B. The impact of policies and programs on land with high agricultural capacity will be considered. Appropriate action will be taken to minimize the conversion of such lands to uses incompatible with long-term food production.
- C. The impact of policies and programs on land with high forestry capacity will be considered. Appropriate action will be taken to ensure the maintenance of such lands for sustained fibre production.
- D. The impact of policies and programs on the use and development of lands with potential for production of non-renewable resources such as minerals, hydrocarbons and aggregates will be considered. Appropriate action will be taken to ensure access and, where required, rehabilitation.
- E. The impact of policies and programs on land required for transportation and communication services will be considered. Appropriate action will be taken to help ensure that it will be available for future requirements.
- F. The impact of policies and programs on watersheds, aquifers, recharge and storage areas, and other lands critical to the quality and quantity of the nation's water supply will be considered. Appropriate action will be taken to ensure their protection.

- G. The impact of policies and programs on lands which are of particular value because of historical, cultural, recreational, aesthetic or ecological importance will be considered and appropriate action will be taken to preserve or enhance their value as a national heritage.
- H. The impact of policies and programs on fragile and critical habitats will be considered and appropriate action will be taken to prevent unnecessary damage to such lands.
- I. Federal policies and programs will not contribute to inappropriate use of hazard lands or inappropriate siting of hazardous processes.
- J. Local, regional and provincial concerns, plans and zoning will be considered, and appropriate action will be taken to ensure that the federal influence on land and local environments has a positive impact.