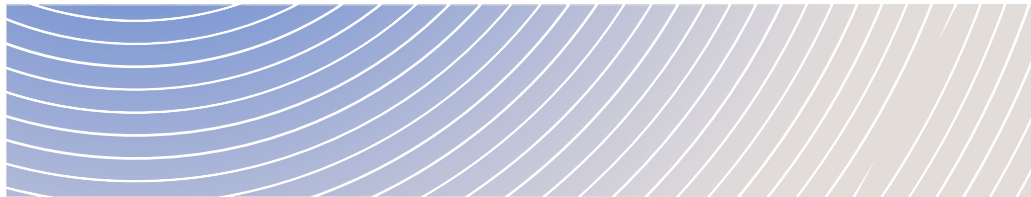


Analysis Report - Meltech Industrial Building Project



WHETHER TO DESIGNATE THE MELTECH INDUSTRIAL BUILDING PROJECT
IN QUEBEC PURSUANT TO THE *IMPACT ASSESSMENT ACT*

November 2021



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Context of Request

On August 23, 2021, the Minister of the Environment and Climate Change (the Minister) received a designation request from the Green Coalition (the requester) for the construction and operation of the Industrial Building Project (the Project), as proposed by Meltech Innovation Canada Inc. (the Proponent), in Dorval, on the northern part of the lands managed by Aéroports de Montréal (ADM). The requester is of the opinion that the proposed Project could impact the habitat of several wildlife species located on the Project site (1.55 hectares) and on adjacent federal lands (150 hectares), including the breeding habitat of the Monarch butterfly (a species of special concern under the *Species at Risk Act*), the feeding and nesting habitat of several migratory birds (several of which are listed on Schedule 1 of the *Species at Risk Act*) and fish habitat. The requester also has concerns about impacts on wetlands and on the rights of the Indigenous peoples of Canada. The requester also believes that the Project is located in an environmentally sensitive area, which would constitute the last large unprotected ecosystem on the island of Montreal. Furthermore, the requester would like that a national wildlife area be created on the federal lands that are part of the Project site. On September 25, 2021, the Minister received a second designation request from *Technoparc Oiseaux* whose concerns are similar to those expressed by the Green Coalition.

On September 13, the Impact Assessment Agency of Canada (the Agency) sent a letter to the Proponent and the land manager, ADM, informing them of the designation request and seeking information on the proposed Project. In addition, on September 13, the Agency sought advice or comments from Transport Canada, Innovation, Science and Economic Development Canada, Environment and Climate Change Canada, Fisheries and Oceans Canada, and the Ministère de l'Environnement et de la Lutte contre les changements climatiques du Québec. The same day, the Agency contacted the following First Nations for their comments and concerns on the designation request: the Algonquin Anishinabeg Nation Tribal Council and its First Nations members, as well as the Mohawk Council of Kahnawà:ke, the Mohawk Council of Akwesasne, and the Mohawk Council of Kanesatake. Only the Mohawk Council of Kahnawà:ke provided comments.

The Proponent and ADM responded to the Agency on September 27, 2021, by providing information on the Project, its components, its potential adverse effects, and the proposed mitigation measures. According to them, the proposed Project should not be designated.

The Agency also received advice on the applicable legislative mechanisms and potential effects of the Project from Environment and Climate Change Canada, Fisheries and Oceans Canada, Transport Canada, and the Ministère de l'Environnement et de la Lutte contre les changements climatiques du Québec. Innovation, Science and Economic Development Canada, which announced \$29 million in funding for the Project on June 17, 2021, also provided information to the Agency.

Project Context

Project Overview

The Proponent is proposing the construction and operation of an industrial building on a 15,500 square metre site located on Chemin de l'Aviation in Montreal, Québec (figure 1). The building would be used to produce rolls of non-woven fabric from polypropylene granules and additives, which is required for the manufacturing of personal protective masks. The estimated annual production is at 1,920 metric tonnes of textile.

The site is located to the north of the Montréal-Trudeau International Airport on federal lands owned by Transport Canada and managed by ADM (figure 2). The lot has been vacant since 2016 and is located on the site of two former fairways of an existing golf course adjacent to its southern boundary that is also part of federal lands. The site is zoned as *Industrial* on the map of major land uses in the Urban agglomeration of Montreal. It is also included in the *Industrial Park* zone of Annex A of the City of Dorval's zoning plan. ADM states that the use of the site for the purposes of the Project is permitted under its Master and land use plans, which have been the subject of consultations in accordance with a consultation plan approved by Transport Canada.

ADM, as manager of the federal lands where the Project would be carried out and as an authority under Schedule 4 of the *Impact Assessment Act* (IAA), is currently conducting an assessment under section 82 of the IAA to determine whether the Project is likely to cause significant adverse environmental effects. At the end of this process, if ADM concludes that the Project is not likely to cause significant adverse environmental effects, it will issue a permit to the Proponent to carry out the Project, which would include standards and requirements that the Proponent must comply with. In June 2021, Innovation, Science and Economic Development Canada (ISED) announced financial assistance of \$29 million to enable the Project to be carried out in whole or in part, and respond to government priorities in relation to COVID-19. As a federal authority, ISED must also conduct an assessment under section 82 of the IAA to determine if the Project is likely to cause significant adverse environmental effects. This assessment is conducted in conjunction with ADM. The contribution agreement, signed in June 2021, between ISED and the Proponent, stipulates that the Proponent must confirm that the conditions related to environmental obligations have been met before receiving funding.

Project components and activities

The Project includes an industrial building of approximately 3,400 square metres as well as a parking lot of approximately 2,200 square metres, two entrances/exits and a loading/unloading area for semi-trailers.

The construction phase would consist of tree clearing (mid-October 2021), decontamination work (mid-October to early November), earthworks and excavation (November and December), construction of the infrastructure, including the installation of the production line and the connection to the municipal systems



(spring 2022 to January-February 2023) and landscaping (spring 2023). The operational phase would begin in January or February 2023.

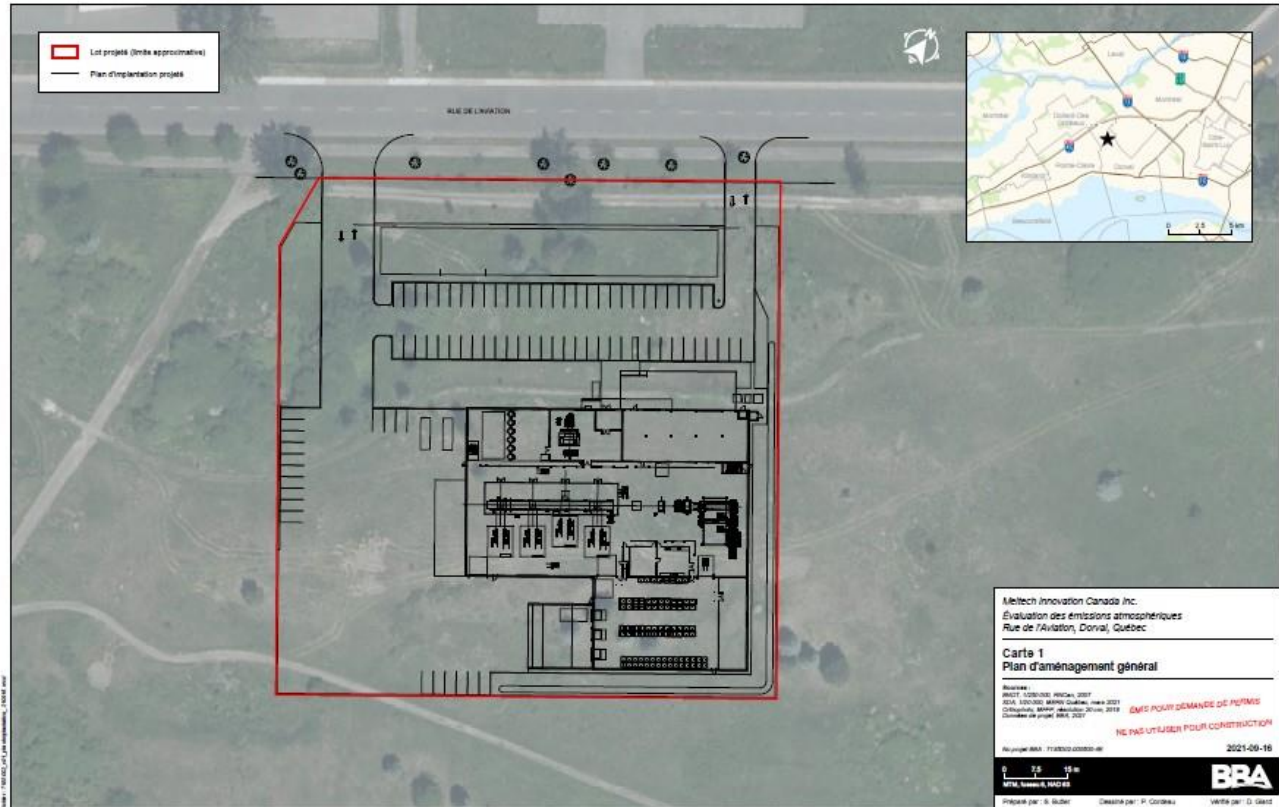


Figure 1: General development plan of the Meltech industrial building project



Figure 2: Location of the Meltech industrial building project

Analysis of Designation Request

Authority to Designate the Project

The *Physical Activities Regulations* (the Regulations) under the IAA identify the physical activities that constitute designated projects. The Project, as described in the information provided by the Proponent, is a construction and real estate development project, and is not included in the Regulations.

Under subsection 9(1) of the IAA, the Minister may, on request or on his own initiative, by order, designate a physical activity that is not identified in the Regulations. The Minister may do so if, in his opinion, the physical activity may cause adverse effects within federal jurisdiction or direct or incidental adverse effects, or if public concerns related to those effects warrant designation.

According to subsection 9(7) of the IAA, two factors may prevent the Minister from exercising his power to designate: if the carrying out of the physical activity has substantially begun or a federal authority has exercised a power or performed a duty or function under any Act of Parliament other than the IAA that would

allow the activity to be carried out, in whole or in part. At this time, there are no limitations preventing the Minister from designating the Project because the land preparation works have not started and no federal authority has exercised a power or performed a duty or function that would allow the project to be carried out, in whole or in part. Based on this understanding of the Project, the Agency is of the view that the Minister may consider designating this Project under subsection 9(1) of the IAA.

Potential adverse effects within federal jurisdiction

The adverse effects on fish and fish habitat and on migratory birds, and changes to the environment on federal lands would be limited by the Project design, the implementation of standard mitigation measures by the Proponent, and existing legislative mechanisms (including requirements under section 82 of the IAA, a potential permit under section 73 of the *Species at Risk Act*, the Communauté métropolitaine de Montréal's *Règlement sur les rejets à l'atmosphère et sur la délégation de son application*, and the Quebec's *Cultural Heritage Act*). No transboundary effects are anticipated since the volume of greenhouse gas emission from the Project would be small.

With respect to Indigenous peoples, as the Project is located on federal lands in an industrial area that is unsuitable for traditional activities, there are no adverse impacts anticipated directly on the Project site in relation to current use of land and resources for traditional purposes.

Appendix I provides a summary table of the potential adverse effects, the mitigation measures proposed by the Proponent, and the anticipated legislative mechanisms should the Project proceed.

Potential adverse direct or incidental effects

"Direct or incidental effects" are effects that are directly linked or necessarily incidental to a federal authority's exercise of a power or performance of a duty or function that would allow the project to be carried out in whole or in part, or to the provision of financial assistance by a federal authority to any person to enable that person to carry out the project in whole or in part.

The described Project may potentially require the exercise of a power or the performance of a duty or function by a federal authority and the provision of the following funding:

- a permit under section 73 of the *Species at Risk Act*, administered by Environment and Climate Change Canada; and
- a \$29 million contribution agreement between ISEDC and the Proponent through the Strategic Innovation Fund under the *Department of Industry Act* has been signed. Funds could be disbursed once the Proponent has confirmed that they have met all environmental requirements.

The direct or incidental effects associated with these powers, duties or functions would be the same as the potential effects within federal jurisdiction noted above. They would be limited or resolved through the Project design, the implementation of standard mitigation measures by the Proponent, and other existing legislative mechanisms.

Public Concerns

The Agency is of the view that the public concerns of which it is aware do not warrant designation under subsection 9(1) of the IAA. The concerns expressed by the requesters, the Mohawk Council of Kahnawà:ke and those gathered by the Proponent and ADM include:

- site selection and its environmental sensitivity;
- wildlife species and their habitat, including migratory birds and fish;
- species at risk and their habitat, including the Monarch butterfly and species of birds, bats and reptiles;
- wetlands;
- Indigenous peoples' rights including Aboriginal title and stewardship rights; and
- the large, unprotected ecosystem that would represent federal lands in the area, including the Project site.

The concerns expressed relate to certain adverse effects within federal jurisdiction or to adverse direct and incidental effects, including to: fish and fish habitat, migratory birds, changes to the environment on federal lands, the impact of environmental changes on Indigenous peoples, and the potential adverse impact on their rights. However, the Agency believes that these concerns can be addressed through the implementation of standard mitigation measures by the Proponent and existing legislative mechanisms (see Appendices I and II).

Potential adverse impacts on the rights of Indigenous peoples

In this analysis, the Agency considered the potential adverse impacts on the rights of the Mohawks of Kahnawà:ke First Nation, following the comments received from them.

The Project could have potential adverse impacts on the rights of the Indigenous peoples of Canada that are recognized and affirmed in section 35 of the Constitution Act, 1982.

ISED did not provide information to the Agency on its processes for conducting Crown Consultation in relation to the Project.

In ADM's exchanges with the Mohawk Council of Kahanwà:ke, as well as in the response letter to the Agency, ADM addresses some concerns regarding the potential biophysical impacts of the Project. As for the concerns about the First Nation's Aboriginal title or stewardship, ADM believes that it is not necessary to further discuss these points with the Mohawk Council of Kahanwà:ke as ADM is of the opinion that the Project has no adverse impact on the potentially asserted Aboriginal rights. The Proponent, for its part, did not provide any information on the consultation of Indigenous peoples.

Pursuant to section 84 of the IAA, ISED and ADM must take into account the potential adverse impacts of the Project on the rights of Indigenous peoples of Canada recognized and affirmed in section 35 of the *Constitution Act, 1982* before making their respective determination under section 82 of the IAA. In light of the responses provided, the Agency is unable to confirm that the actions of the federal authority (ISED), the authority (ADM)



and the Proponent will be sufficient to address the concerns of the Mohawk Council of Kahanwà:ke regarding the potential adverse impacts of the Project on their rights.

Regional and strategic assessments

No regional or strategic assessments under sections 92, 93, or 95 of the IAA are relevant to the Project.

Conclusion

The Agency is of the opinion that the potential for adverse effects, as described in subsection 9(1) of the IAA, would be limited by the Project's design as well as the implementation of standard mitigation measures by the Proponent and existing legislative mechanisms (Appendix I).

The Agency notes that ISEDC and ADM must take into account the concerns expressed by the requesters, the public, and the Mohawk Council of Kahanwà:ke as part of the assessment conducted for the purpose of their respective determination under section 82 of the IAA.

The Agency has analyzed the possibility that the Project may cause adverse impacts on the rights of Indigenous peoples as recognized and affirmed in section 35 of the *Constitution Act, 1982*. The Agency notes that section 84 of the IAA requires ISEDC and ADM to take into account the potential adverse impact of the Project on those rights before making their respective determination under section 82 of the IAA.

To inform its analysis, the Agency considered information and comments received from Meltech Innovation Canada Inc., Aéroports de Montréal, Transport Canada, Innovation, Science and Economic Development Canada, Environment and Climate Change Canada, Fisheries and Oceans Canada, the Ministère de l'Environnement et de la Lutte contre les changements climatiques du Québec, and the Mohawk Council of Kahnawà:ke. In addition, the Agency reviewed the concerns expressed by the Green Coalition and Technoparc Oiseaux in their letter to the Minister.



Appendices

Appendix I: Analysis Summary Table

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
<p>Change to fish and fish habitat as defined in subsection 2(1) of the <i>Fisheries Act</i></p> <p>and</p> <p>Public concerns related to effects on fish and fish habitat</p>	<ul style="list-style-type: none"> • Fisheries and Oceans Canada does not anticipate any adverse effects on fish and fish habitat. • The Proponent states that the Project would have no effect on fish and fish habitat. The nearest body of water to the site is located more than 60 metres away. It is an artificial pond created as part of the golf course development. Runoff water would be taken into account in the construction in order to limit the potential contribution of suspended solids to Bertrand Creek located 87 metres northeast of the Project. 	<ul style="list-style-type: none"> • Fisheries and Oceans Canada has confirmed that no permit under the <i>Fisheries Act</i> is required. • Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
<p>Change to migratory birds as defined in subsection 2(1) of the <i>Migratory Birds Convention Act, 1994</i></p> <p>and</p> <p>Public concerns related to potential effects on migratory birds</p>	<ul style="list-style-type: none"> • Environment and Climate Change Canada indicated that tree clearing could result in several effects on habitat (destruction, disturbance, fragmentation, food resources, breeding sites), nests, birds (avoidance, disturbance, by-catch), their eggs (destruction) and their behaviour (prey-predator relationships, migration, movement, nesting). • According to the Proponent, the Project would occupy a small area with only 27 ornamental trees and a few shrubs. This would not be suitable nesting habitat for many species, particularly for owl species. Furthermore, the Project site would not be a critical habitat for migratory birds. A few species opportunistically stop over in the area, but the Project site does not correspond to this ecological function. The migratory routes along the St. Lawrence are well documented and the areas where migratory birds are concentrated are protected. In order to protect nests, eggs and birds, surveys will be conducted before and during tree clearing to ensure that active nests, eggs and chicks are protected. A landscaping plan is also planned to replace the cut trees. Tree clearing would be carried out outside the bird nesting periods (April 15 to August 15). An inspection of the presence of active nests should be carried out prior to tree cutting in the fall. Particular care should be paid to the presence of Eastern Meadowlark nests. • Regarding the protocol used to evaluate the bird nesting, the Proponent points out that the presence of active nests was validated by the behavioural observation (warning songs, return to the nest) of the birds present on the site. • ADM stated that it ensures compliance with legislation concerning migratory birds on its territory. The activities carried out would take into account the migration and nesting periods. 	<ul style="list-style-type: none"> • Prohibitions of the <i>Migratory Birds Convention Act, 1994</i> must be respected. • Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
<p>Change to the environment that would occur on federal lands - Wetlands</p> <p>and</p> <p>Public Concerns related to Wetland Losses</p>	<ul style="list-style-type: none"> • Environment and Climate Change Canada has indicated that the Project could alter the hydrological regimes essential to maintain the wetlands adjacent to the Project and thus alter the quality or availability of habitat for migratory birds and other wildlife. The destruction and alteration of wetlands could affect migratory birds and species at risk that use these areas for breeding, migration, feeding or resting. The Project is located in one of the regions where wetland loss or degradation has reached critical levels. • Environment and Climate Change Canada points out that the principle of no net loss of function and the "avoid-minimize-compensate" sequence of the Federal Policy on Wetland Conservation applies to the Project, as it is located on federal lands. If a compensation plan is required, it should incorporate the principles of the Policy and those of Environment and Climate Change Canada's Operational Framework for Use of Conservation Allowances. • The Proponent explains that there is no wetland or aquatic environment at the Project site. The presence of a few species often associated with wetlands is limited to the lower areas of the former unmaintained golf course drainage ditches (swale). The identification, delineation and characterization of wetlands follow the guide of the Ministère de l'Environnement et de la Lutte contre les changements climatiques (Bazoge et al., 2015) as well as the criteria set out in the <i>Environment Quality Act</i> of Quebec. The proponent states that two wetlands are present off-site, at 60 and 165 metres from the Project site (adjacent lot 20). No disturbance to the water supply of the wetlands is anticipated. • The Project would be located 700 metres from the Technoparc protected wetland area, which is separated from the Project site by the operational portion of the Dorval golf course. There would be no ecological continuity between the two locations. According to the Proponent, the Project site would not constitute a buffer zone that could affect the protected environment of the Technoparc. There is no 	<ul style="list-style-type: none"> • Federal Policy on Wetland Conservation and Operational Framework for the Use of Conservation Allowances on Federal Lands. • Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
	<p>hydrological link between the Technoparc wetland and the Project site. The Project site drains northward into Bertrand Creek and the Des Prairies River, whereas the Technoparc marshes drain southward into the St. Lawrence.</p> <ul style="list-style-type: none"> An external expert was mandated by ADM to ensure that the Project would not have an impact on wetlands outside the Project site. ADM will consider the expert's analysis when making its determination regarding the environmental effects assessment. 	
<p>Changes to the environment that would occur on federal lands - Species at Risk</p> <p>and</p> <p>Public concerns related to potential effects on species at risk</p>	<ul style="list-style-type: none"> Environment and Climate Change Canada points out that permits under the <i>Species at Risk Act</i> contain conditions to manage some of the adverse effects related to the prohibitions and the species for which the permits are sought. On federal lands, prohibitions are in place for individuals and residences of all species listed under the <i>Species at Risk Act</i>. ADM indicates that the Project site is not a known, unique or specific habitat area for the Monarch, which uses it only opportunistically. The breeding population has sufficient habitat in the region. According to the Proponent, biological studies show that the Project site is a non-essential and non-historical breeding site for the species. The landscaping following the construction of the building would include the planting of 276 milkweed plants. This would result in a net gain in terms of milkweed availability for the Monarch. ADM indicates that a permit under the <i>Species at Risk Act</i> is not required for the Project, as there would be no species at risk during the construction phase. According to the work schedule submitted by the Proponent, the work would take place outside of the nesting periods of birds at risk. The work would take place during the day, which would have no impact on bats at risk, which have no habitat on the Project site. With regard to reptiles, no status species were identified during the surveys. Monarch butterflies migrate south from early November. Therefore, there would be no more chrysalis or Monarch butterflies when the Project would begin. In the event that the work schedule had to be revised, ADM would 	<ul style="list-style-type: none"> Individuals conducting activities affecting species listed in Schedule 1 of the <i>Species at Risk Act</i> and who infringe the general prohibitions of this Act must obtain a permit. Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. A lease between Transport Canada and ADM, which

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
	ensure that the work would not be carried out during periods that could affect, in any way, status species or their habitat.	allows ADM to manage federal lands.
<p>Change to the environment that would occur on federal lands - Human health</p>	<ul style="list-style-type: none"> • According to the Ministère de l'Environnement et de la Lutte contre les changements climatiques du Québec, the Project is not expected to result in the release of contaminants into the environment or to alter the quality of the environment, with the exception of potential air emissions. The management of air emissions is delegated to the Communauté métropolitaine de Montréal and exercised by the Service de l'environnement de la Ville de Montréal. • Innovation, Science and Economic Development Canada explains that this plant addresses government priorities related to COVID-19 and would fill a manufacturing gap in Canada. By securing an end-to-end supply chain for personal protective equipment, Canada would be more self-sufficient and reduce the risk of future supply chain interruptions. Once fully operational, the plant is expected to supply enough of this fabric to produce more than half a billion surgical masks per year. • The Proponent points out that the Project would secure the Canadian supply of surgical and respiratory mask filters needed by caregivers, patients, teachers and students, and would therefore contribute to the health security of the Canadian population. 	<ul style="list-style-type: none"> • The Proponent must meet the requirements of the <i>Règlement sur les rejets à l'atmosphère et sur la délégation de son application (2001-10)</i> (Communauté métropolitaine de Montréal). • Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
<p>Change to the environment that would occur on federal lands -</p>	<ul style="list-style-type: none"> • ISEDC indicates that the Project would have regional economic benefits in the Greater Montreal area. In addition to 	<ul style="list-style-type: none"> • A permit would be issued by ADM to the Proponent

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
Social or economic conditions	direct investment, job creation and benefits for the local economy, the company would set up a research and development laboratory and a facility to develop innovative material options for personal protective equipment.	<p>containing the requirements for addressing any adverse effects from carrying out the Project.</p> <ul style="list-style-type: none"> • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
Change to the environment that would occur in a province other than the one in which the project is being carried out or outside Canada	<ul style="list-style-type: none"> • No adverse effects outside the province of Quebec are expected. Potential environmental effects are expected to be localized and mitigated between the site boundary and receptors at the nearest perception points. The nearest provincial and international boundaries are approximately 50 km to the west (Ontario) and 57 km south of the site (United States), respectively. • According to the Proponent, the volume of greenhouse gas emissions produced by the Project facilities would represent less than one third of the threshold of the <i>Règlement sur la déclaration obligatoire de certaines émissions de contaminants dans l'atmosphère</i> of Quebec. The Proponent adds that having the warehouse near the mask filter manufacturing plant would considerably reduce transportation between these two facilities and thus greenhouse gas emissions. The Proponent points out that proximity to Montréal-Trudeau airport is also an important advantage, since part of the production is intended for export. 	<ul style="list-style-type: none"> • The Proponent must meet the requirements of the <i>Règlement sur la déclaration obligatoire de certaines émissions de contaminants dans l'atmosphère</i> (Quebec). • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
		allows ADM to manage federal lands.
<p>With respect to the Indigenous peoples of Canada, an impact - occurring in Canada and resulting from any change to the environment - on physical and cultural heritage (including any structure, site or thing that is of historical, archaeological, paleontological or architectural significance)</p>	<ul style="list-style-type: none"> Archaeological findings remain possible. Considering the location of the site away from significant tributaries and considering that the site has been substantially modified, the Agency considers that the chances of finding archeological indigenous artifacts are extremely low. 	<ul style="list-style-type: none"> It is recommended that the Proponent follow protocols in accordance with the Quebec's <i>Cultural Heritage Act</i> to protect any archaeological resources discovered. Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
<p>With respect to the Indigenous peoples of Canada, an impact - occurring in Canada and resulting</p>	<ul style="list-style-type: none"> The Agency considers that there are no impacts on the current use of lands and resources for traditional purposes directly on the Project site. The Project is located in an 	<ul style="list-style-type: none"> Determination by ADM and ISEDC whether the adverse environmental effects are

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
<p>from any change to the environment - on the current use of lands and resources for traditional purposes</p>	<p>industrial area adjacent to federal lands that are not suitable for traditional activities.</p> <ul style="list-style-type: none"> • The Project site does not contain habitat suitable for species valued by First Nations for harvesting. However, the Project site is located close to an ecological park that may contain waterfowl species hunted by First Nations who may be affected by the Project. • The land is adjacent to an industrial park to the north and west and adjacent to vegetated areas including the Dorval golf course to the south, an ecological park managed by ADM to the southeast and a proposed conservation area at Technoparc Montreal to the east. ADM has a master plan that includes the development of lands south of the Project site. Thus, from a cumulative effects perspective, considering reasonably foreseeable projects, the implementation of the Project is part of a development plan that could have a cumulative impact on the ecological functions of the area and reduce the possibility of using resources for traditional practices. 	<p>significant, pursuant to section 82 of the IAA.</p> <ul style="list-style-type: none"> • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
<p>Any change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada</p>	<ul style="list-style-type: none"> • The Agency is of the view that the Project is unlikely to result in direct impacts on the health, social or economic conditions of potentially affected Indigenous peoples given the size and scale of the Project. • The Project appears to be part of a long-term development plan of the currently undeveloped federal lands south of the site. The implementation of the Project is therefore likely to contribute to long-term cumulative effects on health, social and economic conditions since the development of the majority of the lots on the federal lands would result in: <ul style="list-style-type: none"> - A reduction in the ecosystem functions and ecological services of the area through devegetation and waterproofing of surfaces; and, - A reduction in attractive habitats for species that support ecological services (pollinators) and habitats 	<ul style="list-style-type: none"> • Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. • A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. • A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
	<p>for species valued by First Nations for traditional practices (waterfowl).</p> <ul style="list-style-type: none"> • The Project has the potential to diminish the ability of First Nations to exercise their environmental stewardship right. 	<p>the Proponent must comply with.</p> <ul style="list-style-type: none"> • A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
Adverse direct or incidental effects	<ul style="list-style-type: none"> • Innovation, Science and Economic Development Canada (ISED) has announced \$29 million in funding through the Strategic Innovation Fund under the <i>Department of Industry Act</i>. The contribution agreement includes environmental conditions that the Proponent must comply with. This assistance could enable the Project to be carried out in whole or in part. • Direct or incidental effects associated with a potential SARA permit or contribution agreement would be the same as the potential effects under federal jurisdiction described above. They would be limited or resolved through Project design, implementation of standard mitigation measures by the Proponent and existing legislative mechanisms. 	<ul style="list-style-type: none"> • A <i>Species at Risk Act</i> (SARA) section 73 permit may be required. • A contribution agreement is signed between ISED and the Proponent under the <i>Department of Industry Act</i>.
Public concerns related to site selection and its environmental sensitivity	<ul style="list-style-type: none"> • According to the Proponent, a search for vacant sites was conducted on the island of Montreal and no suitable site was available for construction, real estate transaction or for the use targeted by the Project. The Project site is of interest due to its proximity to Medicom's head office and warehouse. This proximity facilitates transportation and reduces greenhouse gas emissions. • The proximity of Montreal-Trudeau airport is an important advantage, as part of the production is destined for export. • ADM points out that the Project site is an abandoned area of the adjacent golf course characterized by a vacant anthropic lot with low environmental quality. The rear part of the site is adjacent to the golf course, which in turn is located along an area protected by ADM. The latter is adjacent to the Technoparc. 	

Adverse effect or public concern in relation to Subsection 9(1) of the <i>Impact Assessment Act</i>	Effects and mitigation measures proposed by the Proponent and advice from provincial and federal experts	Relevant legislative mechanisms
	<ul style="list-style-type: none"> The Proponent mentions that the Project site represents 1% of the Technoparc-Golf zone. 	
<p>Public concerns related to site attractiveness and wildlife refuge</p>	<ul style="list-style-type: none"> According to Environment and Climate Change Canada, during construction, invasive alien species could be introduced and harmful substances could be accidentally released into the environment, which may adversely affect wildlife that may be present. Depending on the nature of the spill, effects on wildlife could be acute and/or chronic, resulting in both on-site and off-site by-catch. ADM points out that the animals using the site are those often found in the city (e.g. raccoons). The site is not an animal shelter and should not become one according to the precautionary principle regarding bird and animal control¹. The Proponent mentions that the Project site does not contain any habitat for small mammals, amphibians and bats species. There would therefore be no concern about loss of habitat for these species following the implementation of the Project. He points out the confusion that exists between the Project site and the Technoparc. The Project site itself has no conservation attributes. Biodiversity is low because it is an abandoned part of the golf course with anthropogenic topography, soils and plants. The Proponent explains that the ecological survey methodology adopted complies with the requirements of Quebec's <i>Environment Quality Act</i> and ministerial requirements for ecological studies. 	<ul style="list-style-type: none"> Determination by ADM and ISEDC whether the adverse environmental effects are significant, pursuant to section 82 of the IAA. A permit would be issued by ADM to the Proponent containing the requirements for addressing any adverse effects from carrying out the Project. A contribution agreement is signed between ISEDC and the Proponent that contains environmental clauses that the Proponent must comply with. A lease between Transport Canada and ADM, which allows ADM to manage federal lands.
<p>Public concerns related to the creation of a conservation area</p>	<ul style="list-style-type: none"> The Proponent and ADM points out that the site does not have the qualities to be part of a conservation area. It is located within an industrial zone of the Montreal urban development plan, which includes an area known as green space or recreation area to the south of the site. 	

¹ Risks to aviation safety within ground and air traffic due to the risk of collision between birds, wildlife, and aircraft.

Appendix II: Potential Federal and Municipal Authorizations Relevant to the Project

Authorization	Description
<p>Determination under section 82 of the <i>Impact Assessment Act</i> (IAA)</p>	<ul style="list-style-type: none"> • ADM, as the managing authority for the federal lands on which the Project site is located, conducts an assessment to determine whether the Project is likely to cause significant adverse environmental effects. • ISEDC, as the federal authority that has announced funding to enable the Project to be carried out in whole or in part, is conducting an assessment in conjunction with ADM and will also need to determine whether the Project is likely to cause significant adverse environmental effects.
<p>Permit to release to the atmosphere issued by the Service de l'environnement de la Ville de Montréal, in accordance with <i>Regulation 2001-10</i> of the Communauté métropolitaine de Montréal.</p>	<ul style="list-style-type: none"> • The facility must comply with all regulatory requirements specified in sections of Regulation 90 (<i>Règlement sur les rejets à l'atmosphère et sur la délégation de son application (2001-10)</i>) of the Communauté métropolitaine de Montréal) and the specific requirements mentioned in the document entitled "Description des procédés et dispositions réglementaires".
<p>Permit under section 73 of the <i>Species at Risk Act</i></p>	<ul style="list-style-type: none"> • An ECCC permit may be required under section 73 of the <i>Species at Risk Act</i> for activities that may affect a listed wildlife species or its residence. • Permits under the <i>Species at Risk Act</i> contain conditions to manage some of the adverse effects associated with the prohibitions and with the species for which the permits are sought. • On federal lands, prohibitions are in place for individuals and residences of all species listed under the <i>Species at Risk Act</i>.