

Whereas the Minister of Indian Affairs and Northern Development has consulted with the member of the Executive Council of Yukon designated by the Commissioner of Yukon as the territorial minister for the purposes of the *Yukon Environmental and Socio-economic Assessment Act*^a and with the first nations, within the meaning of that Act;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Indian Affairs and Northern Development, pursuant to subsection 47(1) and paragraph 122(c) of the *Yukon Environmental and Socio-economic Assessment Act*^a, hereby makes the annexed *Assessable Activities, Exceptions and Executive Committee Projects Regulations*.

^a S.C. 2003, c. 7

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ASSESSABLE ACTIVITIES, EXCEPTIONS AND EXECUTIVE COMMITTEE
PROJECTS REGULATIONS

INTERPRETATION

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

"aboveground storage tank system" means a storage tank system in which each container has more than 90% of its volume above surface grade and the system operates at atmospheric pressure plus or minus 10 kPa. (*système de réservoirs de stockage hors terre*)

"Act" means the *Yukon Environmental and Socio-economic Assessment Act*. (*Loi*)

"aerodrome" means any area of land, any water body or any other supporting surface used, designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement or servicing of aircraft and includes any associated structure, facility or installation. (*aérodrome*)

"airport" means an aerodrome in respect of which a certificate issued under Subpart 2 of Part III of the *Canadian Aviation Regulations* is in force. (*aéroport*)

"Class II nuclear facility" has the same meaning as in section 1 of the *Class II Nuclear Facilities and Prescribed Equipment Regulations*. (*installation nucléaire de catégorie II*)

"Class II prescribed equipment" has the same meaning as in section 1 of the *Class II Nuclear Facilities and Prescribed Equipment Regulations*. (*équipement réglementé de catégorie II*)

"community undertaking" means an undertaking that is located

(a) in a municipality or settlement and that uses only a municipal water and sewage system; or

(b) in a camp or lodge. (*entreprise communautaire*)

"contaminant" means a contaminant mentioned in Schedule 1 or 3, or a substance for which a table has been set out in Schedule 2, to the *Contaminated Sites Regulations*, Yukon O.I.C. 2002/171. (*polluant*)

"contaminated site" means an area of land in which the soil, including any groundwater lying beneath it, or the water, including the sediment and bed below it, contains a contaminant the amount, concentration or level of which is

equal to or greater than that prescribed by the *Contaminated Sites Regulations*, Yukon O.I.C. 2002/171. (*site pollué*)

"control product" means any product, device, organism, substance or thing that is manufactured, represented, sold or used as a means for directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any injurious, noxious or troublesome animal, plant or other organism, including any injurious, noxious or troublesome organic function of an animal, plant or other organism, and includes

(a) any compound or substance that enhances or modifies or is intended to enhance or modify the physical or chemical characteristics of a control product to which it is added; and

(b) any active ingredient used for the manufacture of a control product. (*produit antiparasitaire*)

"corridor" means a path from which trees and brush have been cut to accommodate a water line, fuel line or power line.
(*corridor*)

"Crown land" means land vested in Her Majesty in right of Canada, whether the administration and control of the land is appropriated to the Commissioner of Yukon or not. (*terre domaniale*)

"effective dose" has the same meaning as in subsection 1(1) of the *Radiation Protection Regulations*. (*dose efficace*)

"endangered species" means those species listed in Part 2 of Schedule 1 to the *Species at Risk Act*. (*espèce en voie de disparition*)

"exemption quantity" has the same meaning as in section 1 of the *Nuclear Substances and Radiation Devices Regulations*. (*quantité d'exemption*)

"explosive" means any thing that is made, manufactured or used to produce an explosion, a detonation or a pyrotechnic effect, and includes any thing prescribed to be an explosive by the regulations under the *Explosives Act*, but does not include gases, organic peroxides and any thing prescribed not to be an explosive by those regulations. (*explosif*)

"fish" includes shellfish, crustaceans, marine animals and the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals. (*poissons*)

"fish habitat" means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or

indirectly in order to carry out their life processes.
(*habitat du poisson*)

"food or beverage processing facility" means a facility established for the processing of food or beverages for commercial purposes and includes

- (a) an alcohol distilling plant,
- (b) a brewery,
- (c) a facility for
 - (i) beverage production,
 - (ii) the bottling or canning of food,
 - (iii) meat or meat products processing,
 - (iv) poultry or poultry products processing,
 - (v) fish or seafood processing,
 - (vi) milk processing, or
 - (vii) the manufacturing of pet, stock or aquaculture food,
- (d) a rendering operation, and
- (e) smoking, drying or curing works,

but does not include a facility, such as a restaurant or bar, whose primary purpose is to prepare and serve food or beverages. (*établissement de transformation d'aliments ou de fabrication de boissons*)

"foundation" means the part of a structure that penetrates the ground and supports the structure. (*fondation*)

"Indian reserve" has the same meaning as "reserve" in subsection 2(1) of the *Indian Act*. (*réserve indienne*)

"industrial development" includes

- (a) mining and the development of an energy resource or of agricultural land;
- (b) for commercial purposes, cutting standing or fallen trees or removing fallen or cut trees;
- (c) the development of a townsite; and

(d) any land use or the construction, operation, modification, decommissioning or abandonment of a structure, facility or installation associated with any activity referred to in paragraphs (a) to (c).
(*développement industriel*)

"irradiator" has the same meaning as in section 1 of the *Class II Nuclear Facilities and Prescribed Equipment Regulations*.
(*irradiateur*)

"land treatment facility" means a facility designed and operated for the purpose of removing, destroying or containing a contaminant found in soil, sediment, snow or other similar material, or for the purpose of carrying out any other activity intended to reduce the exposure of human beings, animals and plants to the contaminant. (*installation de traitement des sols*)

"local advisory area" has the same meaning as in section 1 of the *Municipal Act, R.S.Y. 2002, c. 154*. (*collectivité locale*)

"mapped community" means a community in respect of which the boundaries are, for the purpose of this definition, shown on a map deposited with the Board by the territorial minister or the Regional Director General, Yukon Region of the Department of Indian Affairs and Northern Development, on November 28, 2005. (*collectivité désignée*)

"migratory birds" has the same meaning as in the Convention set out in the schedule to the *Migratory Birds Convention Act, 1994*, as that Convention is amended from time to time.
(*oiseaux migrants*)

"municipality" means any part of Yukon established as a city or town under the *Municipal Act, R.S.Y. 2002, c. 154*, and any municipality continued under that Act. (*municipalité*)

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

"national park" means a national park of Canada named and described in Part 11 of Schedule 1 to the *Canada National Parks Act*. (*parc national*)

"national park reserve" means a national park reserve of Canada named and described in Schedule 2 to the *Canada National Parks Act* that is in Yukon. (*réserve foncière*)

"natural gas" includes all substances that are produced in association with natural gas, including solution gas, and

any substance designated as a gas product by regulations made under section 130 of the *National Energy Board Act*. (*gaz naturel*)

"natural gas processing plant" does not include a well-head separator, treater or dehydrator. (*usine de traitement de gaz naturel*)

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

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

"oil" or "petroleum", means

(a) crude petroleum, regardless of gravity, produced at a well-head in liquid form; and

(b) any other hydrocarbons, except coal and natural gas, including hydrocarbons that may be extracted or recovered from surface or subsurface deposits, including deposits of oil sand, bitumen, bituminous sand, oil shale and other types of deposits. (*pétrole*)

"oil or natural gas field facility" means a battery, a satellite, a pumping station, a compressor station, a well-head separator, treater or dehydrator, a natural gas injection station, a line heater, an oilfield waste storage, treatment, processing or disposal facility, a liquefied natural gas handling facility, a water injection, storage, treatment or disposal station, a truck terminal, a power generating station, a flare system or any system of vessels and equipment designed to accommodate the production, injection, storage, treatment or disposal of well effluent products and by-products. (*installation de champ de pétrole ou de gaz naturel*)

"oil or natural gas pipeline" means a pipeline that is used, or is intended to be used, for the transmission of oil or natural gas alone or with any other commodity, and includes all property used in connection with or incidental to the operation of the pipeline. (*pipeline d'hydrocarbures*)

"oil or natural gas pipeline component" means

(a) a connection;

(b) piping;

(c) a cathodic protection system, including a rectifier;

(d) a valve, including a valve vault and pressure transmitter;

(e) a compressor and pump station component, including a compressor, pump, motor, silencer, scrubber, natural gas seal, system boiler, scraper trap, switch gear, transformer and uninterruptible power supply;

(f) a storage tank component, including a mixer and ladder;

(g) a metering and regulating facility;

(h) a quality measurement system, including an analyzer for water or basic sediments, a densitometer, calorimeter, in-line viscometer, gas chromatograph and automatic/composite sampler; or

(i) a mechanical or electrical system of a facility, including a plumbing, air conditioning, heating or ventilation system not involving the use or disposal of chlorofluorocarbons. (*composant d'un pipeline d'hydrocarbures*)

"paper product" includes paper, coated paper, paperboard, hardboard, boxboard, linerboard, insulating board, building board, corrugating medium, tissue, molded cellulose product and any other product directly derived from pulp, but does not include viscose, rayon, cellophane and any other cellulose derivative. (*produit de papier*)

"petroleum product" has the same meaning as in section 1 of the *Storage Tank Regulations*, Yukon O.I.C. 1996/194. (*produit pétrolier*)

"placer grant" means a parcel of land described in a grant by a federal agency, the Governor in Council or a territorial agency for the exclusive right to conduct placer mining or, in the case of category A settlement land, by a first nation for the right to conduct placer mining. (*concession de placer*)

"placer mining" means prospecting for or mining gold or other precious minerals found within any natural stratum or bed of earth, gravel or cement. (*exploitation d'un placer*)

"placer mining operation" means placer mining, and any other activity in relation to placer mining, undertaken by the same operator on either a placer grant that is not part of a group of claims referred to in a grouping certificate within the meaning of the *Placer Mining Act*, S.Y. 2003, c. 13, or on any placer grant in the same group if the grants are part of a group of claims referred to in a grouping certificate

within the meaning of that Act. (*programme d'exploitation d'un placer*)

"polluting substance" means a substance that, if added to a water body, is likely to degrade or alter or form part of a process of degradation or alteration of the physical, chemical or biological conditions of the water body to an extent that is detrimental to its use by human beings, animals or plants. (*substance polluante dans un plan d'eau*)

"power line" means facilities constructed or operated for the purpose of transmitting electricity and includes electrical transmission lines, distribution lines, switching stations and transformers. (*ligne d'énergie électrique*)

"public road" means a public road within a municipality and a public road outside of a municipality that the Minister responsible for the *Highways Act*, R.S.Y. 2002, c. 108, has a duty to maintain. (*route publique*)

"pulp" means processed cellulose fibres that are derived from wood, other plant material or recycled paper products. (*pâte*)

"quartz exploration program" means exploration for the purpose of quartz mining, and those activities conducted in relation to the exploration, undertaken within a 12-month period by the same operator on one or more quartz grants within an area circumscribed by a circle with a diameter of 20 km. (*programme d'exploration du quartz*)

"quartz grant" means a parcel of land described in a grant by a federal agency, the Governor in Council or a territorial agency for the exclusive right to conduct quartz mining or exploration for the purpose of quartz mining or, in the case of category A settlement land, by a first nation for the right to conduct quartz mining or exploration for the purpose of quartz mining. (*concession de quartz*)

"quartz mining" means the mining of minerals contained within a vein, lode or rock in place, other than coal, oil, natural gas, limestone, marble, gypsum, shale, slate, clay, sand, gravel, construction stone, volcanic ash, earth, marl or peat. (*exploitation du quartz*)

"radiation device" has the same meaning as in section 1 of the *Nuclear Substances and Radiation Devices Regulations*. (*appareil à rayonnement*)

"railway line" includes any structure that supports or protects a line of railway or provides drainage for it, a system of switches, signals or other like devices and that facilitates railway operations, or any other structure built across,

beside, under or over a line of railway that facilitates railway operations, but does not include a utility crossing or a road crossing. (*ligne de chemin de fer*)

"road crossing" means the part of a road that passes across, over or under a railway track, and includes a structure supporting or protecting that part of the road or facilitating the crossing. (*franchissement routier*)

"sealed source" has the same meaning as in section 1 of the *Nuclear Substances and Radiation Devices Regulations*. (*source scellée*)

"solid waste" does not include special waste, untreated forest debris and untreated wood products that are not mixed with other materials. (*déchets solides*)

"solid waste disposal facility" means a site designed for the handling or disposal by the public of solid waste and includes any machinery, equipment, devices, tanks or other installations used on the site for that purpose and any land, transfer stations or buildings associated with the handling or disposal of solid waste on the site. (*installation d'élimination des déchets solides*)

"special waste" has the same meaning as in section 1 of the *Special Waste Regulations*, Yukon O.I.C. 1995/047. (*déchets spéciaux*)

"storage tank system" means one or more closed containers with a capacity of more than 230 L each that are designed to be installed in a fixed location and includes all connections, piping, pumps, dispensers, diking, overflow protection equipment and associated spill containment and collection apparatus. (*système de réservoirs de stockage*)

"subcritical nuclear assembly" means an assembly of fissile material, moderators and reflectors that is not designed to achieve a self-sustaining nuclear chain reaction. (*assemblage nucléaire non divergent*)

"temporary trail" means a trail that is established or used as part of a quartz exploration program and that is required under a territorial or first nation law to be reclaimed and for which access is required, under that law, to be blocked at the end of the program. (*sentier temporaire*)

"threatened species" means those species listed in Part 3 of Schedule 1 to the *Species at Risk Act*. (*espèce menacée*)

"trenching" means excavation of a trench that extends below the vegetative mat. (*creusement de tranchées*)

"unsealed source" has the same meaning as in section 1 of the *Nuclear Substances and Radiation Devices Regulations*.
(*source non scellée*)

"utility crossing" means the part of a line of wire, cable or pipeline, or other like means of enabling the transmission of goods or energy or the provision of services, that passes over or under a railway track, and includes a structure supporting or protecting that part of the utility line or facilitating the crossing. (*franchissement par desserté*)

"vegetative mat" means the organic surface of soil, characterized by the accumulation of organic matter, or partly decomposed organic matter, derived mainly from leaves, twigs and woody materials, and includes the root mass of living vegetation.
(*couvert végétal*)

"waste", for the purposes of Part 9 of Schedule 1 and section 49 of Schedule 3, means

(a) any substance that, if added to water, would degrade or alter, or form part of a process of degradation or alteration of, the quality of the water to an extent that is detrimental to its use by human beings, animals or plants; or

(b) water that contains a substance in a quantity or concentration, or that has been treated, processed or changed by heat or other means, such that if added to other water, would degrade or alter, or form part of a process of degradation or alteration of, the quality of that other water to the extent described in paragraph (a). (*déchet*)

"waste oil" means oil that has become unsuitable for its intended purpose owing to the presence of impurities or the loss of original properties, and includes oil used as lubrication oil, hydraulic fluid, metal-working fluid, insulating fluid or coolant fluid. (*huile usée*)

"water body" means an inland water body, up to its ordinary high-water mark, in a liquid or frozen state, including a swamp, marsh, bog, fen, reservoir and any other land that is covered by water during at least three consecutive months of the year, but does not include a sewage or waste treatment lagoon, a dugout to hold water for livestock and a mine tailings pond. (*plan d'eau*)

"watercourse" means a natural watercourse, water body or water supply, including one that contains water intermittently, and includes groundwater, springs, swamps and gulches.
(*cours d'eau*)

"wildlife" means a vertebrate animal of any species or type that is wild by nature, and includes wildlife in captivity, but does not include fish nor does it include a species of animal prescribed not to be wildlife by a regulation made under the *Wildlife Act*, R.S.Y. 2002, c. 229. (*animal sauvage*)

"wildlife area" means an area of land set out in Part X of Schedule I to the *Wildlife Area Regulations*. (*réserve d'espèces sauvages*)

"winter" means the period of the year during which the ground is frozen sufficiently to support a vehicle that applies more than 35 kPa of pressure to the ground without rutting or gouging of the surface and during which there is a sufficient amount of snow on the ground to produce a packed base of at least 10 cm. (*hiver*)

(2) For the purposes of Part 13 of Schedule 1, none of the activities listed in that Part, other than those described in items 14, 19, 28 and 29, include those that are part of a quartz exploration program or a placer mining operation.

(3) A reference in these Regulations to an Act or Regulation of Yukon is a reference to that Act or Regulation as amended from time to time.

ACTIVITIES AND EXCEPTIONS

2. For the purpose of subsection 47(1) of the Act, activities that may, subject to section 3, be made subject to assessment are listed in column 1 of Parts 1 to 13 of Schedule 1.

3. Exceptions to activities referred to in section 2 are set out in

(a) column 2 of Parts 1 to 13 of Schedule 1;

(b) Part 1 of Schedule 2 if the activity is conducted in an area other than a national park, national park reserve and national historic site; and

(c) Part 2 of Schedule 2 if the activity is conducted in a national park, national park reserve or national historic site.

4. (1) A proposed activity of a proponent is an activity listed in column 1 of an item of Schedule 1 if the proposed activity is mentioned or included, in whole or in part, in column 1 of that item.

(2) The proposed activity is excepted from assessment if, for column 1 of each item of Schedule 1 in which the activity is listed in whole or in part, an exception applicable to that

activity, or to that part, is set out in column 2 of the respective item, or in Schedule 2.

PROJECTS TO BE SUBMITTED TO THE EXECUTIVE COMMITTEE

5. Projects for which proposals are to be submitted to the executive committee under paragraph 50(1)(a) of the Act are specified in Schedule 3.

COMING INTO FORCE

6. These Regulations come into force on the day on which they are registered.

SCHEDULE 1
(Sections 1 and 2, paragraph 3(a) and section 4)

ACTIVITIES AND SPECIFIC EXCEPTIONS

PART 1

MINING

Item	Column 1 Activity	Column 2 Specific Exception
1.	On other than an Indian reserve, exploration for the purpose of quartz mining, or other activity in relation to exploration for the purpose of quartz mining, on a quartz grant	On other than an Indian reserve, a quartz exploration program if the activities do not take place under, or within 40 m of, an oil or natural gas pipeline, and do not involve any of the following activities: (a) construction of a structure with a foundation, or the construction of a structure without a foundation intended for use for a period of more than 12 consecutive months; (b) construction of an underground structure in which 500 t or more of rock is moved to the surface;

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(c) use of a campsite by more than 10 persons at the same time;</p> <p>(d) use of a campsite for more than 250 person-days;</p> <p>(e) storage of petroleum fuel in a container with a capacity of more than 2000 L;</p> <p>(f) storage of petroleum fuel if the total amount stored on all of the quartz grants in the program is more than 5000 L at any one time;</p> <p>(g) cutting a line, for the purpose of carrying out a geophysical, geological or engineering survey, of more than 1.5 m in width or other than by hand or with hand-held tools;</p> <p>(h) construction of a corridor of more than 5 m in width;</p> <p>(i) construction of corridors if the combined length of the corridors on all of the quartz grants in the program is more than 0.5 km;</p> <p>(j) establishing a road, re-establishing a road that has not been usable by vehicles that it was originally designed to serve for more than five years, modifying a road to provide usability for vehicles that are of different types than those it was originally designed to serve or any other upgrading or modifying of a road, other than for maintenance, repair or erosion control;</p> <p>(k) on other than category A settlement land and category B settlement land, establishing a trail that is not a temporary trail;</p> <p>(l) on category A settlement land or category B settlement land, establishing a trail, including a temporary trail, or using a temporary trail that was established for another program;</p>

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(m) on other than category A settlement land and category B settlement land, establishing a temporary trail or using a temporary trail that was established for another program, if</p> <ul style="list-style-type: none">(i) the trail is 7 m or more in width or more than 1 m wider than the width of the equipment required for the program, or(ii) the trail is used for purposes other than moving sampling equipment between test sites; <p>(n) on other than category A settlement land and category B settlement land, establishing a temporary trail, or using a temporary trail that was established for another program, if the combined length of those temporary trails on all of the quartz grants in the program is more than 3 km;</p> <p>(o) trenching, for the purpose of obtaining geological information, of a total volume of</p> <ul style="list-style-type: none">(i) more than 1200 m³ for each combination of three adjoining quartz grants in the program provided no quartz grant in the program forms part of more than one combination of grants, or(ii) more than 400 m³ per quartz grant that is not part of a combination of three adjoining grants referred to in subparagraph (i);

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(p) establishing a clearing, other than a corridor, that involves the removal of the vegetative mat within 30 m of a water body;</p> <p>(q) establishing a clearing, other than a corridor, that results in more than eight clearings that are not corridors, including existing clearings, on any one of the quartz grants in the program;</p> <p>(r) establishing a clearing, other than a corridor and other than for a helicopter landing pad or camp, having a surface area of more than 200 m²;</p> <p>(s) establishing a clearing for a helicopter landing pad or a camp having a surface area of more than 500 m²;</p> <p>(t) establishing a clearing having a surface area of more than 200 m² for a helicopter landing pad or a camp that results in more than the following numbers of clearings of that size — including existing clearings — on any one of the quartz grants in the program:</p> <ul style="list-style-type: none">(i) two clearings for helicopter landing pads,(ii) two clearings for camps, or(iii) one clearing for a helicopter landing pad and one for a camp; <p>(u) use of a vehicle off a road or trail, other than in winter, that applies more than 35 kPa of pressure to the ground;</p> <p>(v) use of a vehicle, on a road or trail, with a gross vehicle weight</p> <ul style="list-style-type: none">(i) that exceeds the design parameters of the road or trail, or(ii) if the design parameters of the road or trail are unknown, that exceeds 40 t on a road or 20 t on a trail;

Item	Column 1 Activity	Column 2 Specific Exception
2.	On other than an Indian reserve, placer mining, or other activity in relation to placer mining, on a placer grant	<p>(w) use of vehicles, off a road or trail in winter, that have gross vehicle weights of more than 40 t and apply more than 35 kPa of pressure to the ground, over a distance of more than 15 km in total on all of the quartz grants in the program; or</p> <p>(x) use of a total of more than 1000 kg of explosives in any 30-day period on all of the quartz grants in the program</p> <p>On other than an Indian reserve, a placer mining operation if the activities do not take place under, or within 40 m of, an oil or natural gas pipeline, and do not involve any of the following activities:</p> <p>(a) construction of a structure with a foundation, or the construction of a structure without a foundation intended for use for a period of more than 12 consecutive months;</p> <p>(b) use of a campsite by more than 10 persons at the same time;</p> <p>(c) use of a campsite for more than 250 person-days in a 12-month period;</p> <p>(d) storage of petroleum fuel in a container with a capacity of more than 2000 L;</p> <p>(e) storage of petroleum fuel if the total amount stored on all of the placer grants in the operation is more than 5000 L at any one time;</p> <p>(f) cutting a line, for the purpose of carrying out a geophysical, geological or engineering survey, of more than 1.5 m in width or other than by hand or with hand-held tools;</p> <p>(g) construction of a corridor or trail of more than 5 m in width;</p> <p>(h) construction of corridors or trails if the combined length of both the corridors and the trails on all of the placer grants in the operation is more than 0.5 km;</p>

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(i) establishing a road, re-establishing a road that has not been usable by vehicles that it was originally designed to serve for more than five years, modifying a road to provide usability for vehicles that are of different types than those it was originally designed to serve or any other upgrading or modifying of a road, other than for maintenance, repair or erosion control;</p> <p>(j) creation of overburden piles of more than 3 m in height;</p> <p>(k) trenching, for the purpose of obtaining geological information, of a total volume, in a 12-month period, of</p> <ul style="list-style-type: none">(i) more than 1200 m³ for each combination of three adjoining placer grants in the operation provided no placer grant in the operation forms part of more than one combination of grants, or(ii) more than 400 m³ per placer grant that is not part of a combination of three adjoining grants referred to in subparagraph (i); <p>(l) construction of ditches or drains having a total volume on a placer grant of more than 250 m³ in a 12-month period;</p> <p>(m) removing trees, brush and vegetative mat from a total area on a placer grant of more than 600 m² in a 12-month period;</p> <p>(n) use of a vehicle off a road or trail, other than in winter, that applies more than 35 kPa of pressure to the ground;</p>

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(o) use of a vehicle, on a road or trail, with a gross vehicle weight</p> <p>(i) that exceeds the design parameters of the road or trail, or</p> <p>(ii) if the design parameters of the road or trail are unknown, that exceeds 40 t on a road or 20 t on a trail;</p> <p>(p) use of vehicles, off a road or trail in winter, that have gross vehicle weights of more than 40 t and that apply more than 35 kPa of pressure to the ground, over a distance of more than 15 km in a 12-month period in total on all of the placer grants in the operation; or</p> <p>(q) use of a total of more than 1000 kg of explosives in any 30-day period on all of the placer grants in the operation</p>
3.	On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a mine — other than a coal or placer mine — but not including exploration for the purpose of quartz mining or other activity in relation to exploration for the purpose of quartz mining	
4.	On an Indian reserve, exploration for or mining of, or other activity in relation to the exploration for or mining of, minerals, other than oil, natural gas or specified substances	
5.	On other than an Indian reserve, exploration for coal, or other activity in relation to exploration for coal, or the construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a coal mine	<p>On other than an Indian reserve, exploration for coal, or other activity in relation to exploration for coal, or the construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a coal mine, if the activities do not take place under, or within 40 m of, an oil or natural gas pipeline and do not involve any of the following activities:</p> <p>(a) use of more than 50 kg of explosives in a 30-day period;</p>

Item	Column 1 Activity	Column 2 Specific Exception
		<p>(b) use of a vehicle, of more than 5 t net vehicle weight or that applies more than 35 kPa of pressure to the ground, off a public road or off a road or trail maintained by a first nation;</p> <p>(c) earth drilling using power-driven machinery that has an operating weight of more than 500 kg, excluding the weight of drill rods or stems, bits, pumps and any other ancillary equipment;</p> <p>(d) hydraulic prospecting, moving earth or clearing land using a stationary power-driven machine other than a power saw;</p> <p>(e) moving earth or clearing land using a self-propelled power-driven machine;</p> <p>(f) establishment of a campsite for use by more than two persons at a time for more than 100 person-days;</p> <p>(g) establishment of a petroleum fuel storage facility that has more than one container and a capacity of more than 4000 L;</p> <p>(h) storage of petroleum fuel in a container that has a capacity of more than 2000 L; or</p> <p>(i) levelling, grading, clearing, cutting or snow ploughing of</p> <ul style="list-style-type: none">(i) a trail that is more than 1.5 m in width,(ii) a right of way that is more than 1.5 m in width and is the right of way of a power line, pipeline, railway line or road, other than that of a public road, or(iii) a route that is more than 1.5 m in width and provides access to land for the purposes of a geophysical, geological or engineering survey

PART 2

INDUSTRIAL ACTIVITIES

Item	Column 1 Activity	Column 2 Specific Exception
1.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a pulp mill or pulp and paper product mill	
2.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, (a) a magazine, within the meaning of section 2 of the <i>Explosives Act</i> ; (b) an explosives factory; (c) a facility for the manufacture of lead-acid batteries; (d) a metal smelter; (e) a facility for the commercial production of non-ferrous metals or light metals by pyrometallurgy or high temperature electrometallurgy; (f) a facility for the production of primary steel; (g) a facility for the manufacture of chemical products; (h) a facility for the production of pharmaceutical products; (i) a facility for the manufacture of wood products that are pressure-treated with chemical products; (j) a facility for the manufacture of plywood or particle board; (k) a tannery; (l) a facility for the manufacture of primary textiles; or (m) a facility for the production of respirable natural mineral fibres	
3.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a sawmill or a facility for the production of wood chips	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to,

Item	Column 1 Activity	Column 2 Specific Exception
		(a) a saw mill, if its production capacity is, and in the case of a modification remains, less than 20 000 m ³ /year; or (b) a facility for the production of wood chips, if its production capacity is, and in the case of a modification remains, less than 20 000 m ³ /year
4.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, an abattoir or a food or beverage processing facility	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a food or beverage processing facility if the facility is, and in the case of a modification remains, producing less than 800 m ³ /day of wastewater
5.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a metal mill	

PART 3

OIL AND NATURAL GAS

Item	Column 1 Activity	Column 2 Specific Exception
1.	On other than an Indian reserve, exploration for oil or natural gas, or other activity in relation to exploration for oil or natural gas	(1) On other than an Indian reserve, exploration for oil or natural gas, or other activity in relation to exploration for oil or natural gas, using an aeromagnetic survey (2) On other than an Indian reserve, exploration for oil or natural gas, or other activity in relation to exploration for oil or natural gas, if the activities do not take place under, or within 40 m of, an oil or natural gas pipeline, and do not involve any of the following activities: (a) use of more than 50 kg of explosives in a 30-day period; (b) use of a vehicle, of more than 5 t net vehicle weight or that applies more than 35 kPa of pressure to the ground, off a public road or off a road or trail maintained by a first nation;

Item	Column 1 Activity	Column 2 Specific Exception
2.	On other than an Indian reserve, drilling, operation, modification, decommissioning or abandonment of, or other activity in relation to, an oil or natural gas well or a seismic shot hole, but not including a hole drilled to obtain geological information	<p>(c) earth drilling using power-driven machinery that has an operating weight of more than 500 kg, excluding the weight of drill rods or stems, bits, pumps and any other ancillary equipment;</p> <p>(d) hydraulic prospecting, moving earth or clearing land using a stationary power-driven machine other than a power saw;</p> <p>(e) moving earth or clearing land using a self-propelled power-driven machine;</p> <p>(f) establishment of a campsite for use by more than two persons at a time for more than 100 person-days;</p> <p>(g) establishment of a petroleum fuel storage facility that has more than one container and a capacity of more than 4000 L;</p> <p>(h) storage of petroleum fuel in a container that has a capacity of more than 2000 L; or</p> <p>(i) levelling, grading, clearing, cutting or snow ploughing of</p> <ul style="list-style-type: none">(i) a trail that is more than 1.5 m in width,(ii) a right of way that is more than 1.5 m in width and is the right of way of a power line, pipeline, railway line or road, other than that of a public road, or(iii) a route that is more than 1.5 m in width and provides access to land for the purposes of a geophysical, geological or engineering survey

Item	Column 1 Activity	Column 2 Specific Exception
3.	On an Indian reserve, exploration for or production of, or other activity in relation to exploration for or production of, oil or natural gas	
4.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a natural gas processing plant	
5.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a plant for the liquefaction or storage of natural gas or re-gasification of liquefied natural gas	
6.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, an oil or natural gas field facility	
7.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, an oil or natural gas pipeline	
8.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, (a) an oil refinery; (b) a facility for the production of liquid hydrocarbon products from coal; (c) a heavy oil or oil sands processing facility; or (d) an oil sands mine	

PART 4

ENERGY AND TELECOMMUNICATIONS

Item	Column 1 Activity	Column 2 Specific Exception
1.	Construction, installation, operation, modification, decommissioning or abandonment of, or other activity in relation to, a power line or a telecommunications line	

Item	Column 1 Activity	Column 2 Specific Exception
2.	<p>Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to,</p> <p>(a) a hydroelectric generating station;</p> <p>(b) a fossil fuel-fired electrical generating station;</p> <p>(c) a wind-powered electrical generating station;</p> <p>(d) a wood-fired electrical generating station; or</p> <p>(e) a wood-fuelled heating facility for the commercial sale of heat</p>	<p>Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a wind-powered electrical generating station if its production capacity is, and in the case of a modification remains, 50 kW or less</p>

PART 5

WILDLIFE

Item	Column 1 Activity	Column 2 Specific Exception
1.	<p>Establishment, operation or expansion of a game farm within the meaning of the <i>Game Farm Regulations</i>, Yukon O.I.C. 1995/015</p>	<p>Operation of a game farm if the operation is consistent with conditions set out in a licence issued for that farm, under the <i>Game Farm Regulations</i>, Yukon O.I.C. 1995/015, that is in effect on the day on which these Regulations come into force, whether or not the licence remains in effect</p>
2.	<p>The introduction into Yukon, from outside Canada, for the purpose of sport, acclimatization or release from captivity, of a species of migratory bird not indigenous to Canada</p>	
3.	<p>Collecting eiderdown</p>	
4.	<p>Depositing oil, oil wastes or any other substance harmful to migratory birds in waters, or any area frequented by migratory birds, for scientific purposes</p>	
5.	<p>For scientific or educational purposes, killing a migratory bird, taking or capturing and banding a migratory bird or taking its nest or eggs</p>	<p>Capturing and banding a migratory bird for scientific or educational purposes</p>

Item	Column 1 Activity	Column 2 Specific Exception
6.	At an aerodrome, killing an endangered species of migratory bird if the bird is considered to be a danger to aircraft	
7.	Other than in a national park, national park reserve and national historic site, taking, possessing or capturing and banding a non-migratory bird for scientific or educational purposes	Other than in a national park, national park reserve and national historic site, taking, possessing or capturing and banding a non-migratory bird for scientific or educational purposes as part of any program, plan or study approved by the member of the Executive Council of Yukon responsible for the environment or, in the case of a local population of a species of non-migratory bird that inhabits the settlement land of a first nation, approved by that first nation, on condition that before final approval by that member or the first nation, as the case may be, a version of the program, plan or study was reviewed in accordance with either a final agreement by the Fish and Wildlife Management Board or a Renewable Resources Council, or the Agreement, as defined in subsection 90(1) of the Act, by the Wildlife Management Advisory Council (North Slope)
8.	Other than in a national park, national park reserve, national historic site and on Crown land administered by the Minister of National Defence, taking, possessing or capturing and releasing of wildlife, other than a bird, for scientific or educational purposes	Other than in a national park, national park reserve, national historic site and on Crown land administered by the Minister of National Defence, taking, possessing or capturing and releasing of wildlife, other than a bird, for scientific or educational purposes as part of any program, plan or study approved by the member of the Executive Council of Yukon responsible for the environment or, in the case of a local population of a species of wildlife that inhabits the settlement land of a first nation, approved by that first nation, on condition that before final approval by that member or the first nation, as the case may be, a version of the program, plan or study was reviewed in accordance with either a final agreement by the Fish and Wildlife Management Board or a Renewable Resources Council, or the Agreement, as defined in subsection 90(1) of the Act, by the Wildlife Management Advisory Council (North Slope)

Item	Column 1 Activity	Column 2 Specific Exception
9.	On other than Crown land administered by the Minister of National Defence, culling from a population of a species of wildlife, or destroying an entire population of a species of wildlife, for the purpose of protecting or enhancing the population levels of another species of wildlife	On other than Crown land administered by the Minister of National Defence, culling from a population of a species of wildlife, or destroying an entire population of a species of wildlife, for the purpose of protecting or enhancing the population levels of another species of wildlife as part of any program, plan or study approved by the member of the Executive Council of Yukon responsible for the environment or, in the case of a local population of a species that inhabits the settlement land of a first nation, approved by that first nation, on condition that before final approval by that member or the first nation, as the case may be, a version of the program, plan or study was reviewed in accordance with either a final agreement by the Fish and Wildlife Management Board or a Renewable Resources Council, or the Agreement, as defined in subsection 90(1) of the Act, by the Wildlife Management Advisory Council (North Slope)
10.	On Crown land administered by the Minister of National Defence, taking or destroying a plant, mammal, amphibian, reptile, bird, fish, insect or invertebrate, of a species that is wild by nature, in accordance with a management plan approved by that Minister	
11.	In a wildlife area, construction, operation, modification, decommissioning or abandonment of <ul style="list-style-type: none"><li data-bbox="402 1272 821 1335">(a) an electrical generating station or electrical transmission line;<li data-bbox="402 1356 821 1419">(b) a dam, dike, reservoir or other structure for the diversion of water;<li data-bbox="402 1440 821 1503">(c) an oil or natural gas facility or oil or natural gas pipeline;<li data-bbox="402 1524 618 1545">(d) a mine or mill;<li data-bbox="402 1566 651 1587">(e) a nuclear facility;<li data-bbox="402 1608 748 1629">(f) an industrial undertaking;<li data-bbox="402 1650 667 1671">(g) a marine terminal;<li data-bbox="402 1692 789 1713">(h) a railway line or public road;<li data-bbox="402 1734 643 1755">(i) an aerodrome; or<li data-bbox="402 1776 789 1797">(j) a waste management facility	

Item	Column 1 Activity	Column 2 Specific Exception
12.	In a wildlife area, removing or damaging plants, carrying out an agricultural activity or removing or disturbing soil	
13.	Importing wildlife from outside Canada that are to be introduced into the natural environment	
14.	Transporting from Yukon live wildlife that are indigenous to Yukon and that are an endangered species or a threatened species	Transporting from Yukon live wood bison
15.	On other than Crown land administered by the Minister of National Defence, an activity that threatens, either directly or through the alteration of habitat, the continued existence of a population of a species of plant, mammal, amphibian, reptile, bird, fish, insect or invertebrate, that is wild by nature in an ecoregion delineated on a map deposited with the Board for the purpose of this item by the Regional Director General, Yukon Region of the Department of Indian Affairs and Northern Development on August 29, 2005	On other than Crown land administered by the Minister of National Defence, an activity that threatens, either directly or through the alteration of habitat, the continued existence of a population of a species of plant, mammal, amphibian, reptile, bird, fish, insect or invertebrate, that is wild by nature in an ecoregion delineated on a map deposited with the Board for the purpose of this item by the Regional Director General, Yukon Region of the Department of Indian Affairs and Northern Development on August 29, 2005, as part of any program, plan or study approved by the member of the Executive Council of Yukon responsible for the environment or, in the case of a local population of a species that inhabits the settlement land of a first nation, approved by that first nation, on condition that before final approval by that member or the first nation, as the case may be, a version of the program, plan or study was reviewed in accordance with either a final agreement by the Fish and Wildlife Management Board or a Renewable Resources Council, or the Agreement, as defined in subsection 90(1) of the Act, by the Wildlife Management Advisory Council (North Slope)

PART 6

TRANSPORTATION

Item	Column 1 Activity	Column 2 Specific Exception
1.	Construction, modification or decommissioning of an aerodrome	

Item	Column 1 Activity	Column 2 Specific Exception
2.	Construction, installation, modification or decommissioning of aircraft manoeuvring lights or navigation aids for aircraft	
3.	Flying military fixed-wing jet aircraft as part of a training program at an altitude below 330 m above ground level	<p>Flying military fixed-wing jet aircraft as part of a training program at an altitude below 330 m above ground level if</p> <p>(a) the number of flying hours planned is 25 hours or less in a calendar year; and</p> <p>(b) the flying is on an aerial route established by the Minister of National Defence or the Chief of the Defence Staff for flying training under paragraph 4.2(f) of the <i>Aeronautics Act</i> before January 19, 1995</p>
4.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a railway line, road crossing or utility crossing	Construction of a railway line across another railway line, or of a road crossing or utility crossing, in accordance with an agreement referred to in subsection 99(1) or 101(1) of the <i>Canada Transportation Act</i>
5.	Abandonment of freight operations on a railway line	
6.	Construction, modification or use, on a railway right of way, of a storage facility for ammonium nitrate or fertilizers containing ammonium, other than a storage facility for	<p>Construction, modification or use, on a railway right of way, of a storage facility for ammonium nitrate or fertilizers containing ammonium if its storage capacity is, and in the case of a modification remains, 1360.79 kg or less, and if the facility is not a storage facility for</p> <p>(a) nitrocarbonitrates or other ammonium nitrate blasting agents; or</p> <p>(b) fertilizers containing less than 60% ammonium nitrate by weight and not containing iron oxide, chromic oxide, inorganic salts of chromium, copper or manganese, powdered metals, sulphur, potassium chloride or any other ingredient in quantities that will appreciably sensitize or otherwise increase the hazard of ammonium nitrate</p>
7.	Construction, modification or use, on a railway right of way, of a chlorine tank car unloading facility	Construction or modification, on a railway right of way, of a chlorine tank car unloading facility that complies with Parts II to V of the <i>Chlorine Tank Car Unloading Facilities Regulations</i>

Item	Column 1 Activity	Column 2 Specific Exception
8.	Construction, operation or modification, on a railway right of way, of a stationary bulk storage facility for flammable liquids	(1) Construction or modification, on a railway right of way, of a stationary bulk storage facility for flammable liquids that complies with the <i>Flammable Liquids Bulk Storage Regulations</i> (2) Operation, on a railway right of way, of a stationary bulk storage facility for flammable liquids if its storage capacity is less than 13 638.27 L of water measured at 15.5° C and if the facility complies with the <i>Flammable Liquids Bulk Storage Regulations</i>
9.	Construction or modification, on a railway right of way, of a stationary bulk storage facility for anhydrous ammonia or liquefied natural gas	Construction or modification, on a railway right of way, of a stationary bulk storage facility for anhydrous ammonia or liquefied natural gas if its storage capacity is, and in the case of a modification remains, less than 9092.18 L of water measured at 15.5° C and if the facility complies with the <i>Anhydrous Ammonia Bulk Storage Regulations</i> or the <i>Liquefied Petroleum Gases Bulk Storage Regulations</i> , as the case may be
10.	Construction, modification or decommissioning of a public road, including a public road used only in winter	
11.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a bridge	Other than for placer mining, the construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a bridge across a watercourse — other than a navigable watercourse — that is, at the point of the crossing, less than 5 m wide at its ordinary high-water mark

PART 7

NUCLEAR FACILITIES AND NUCLEAR SUBSTANCES

Item	Column 1 Activity	Column 2 Specific Exception
1.	Preparation of a site for, or construction, operation, modification, decommissioning or abandonment of, a nuclear facility	(1) Construction, installation, operation, modification, decommissioning or abandonment of (a) a subcritical nuclear assembly; (b) Class II prescribed equipment; (c) a radiation device affixed to a nuclear facility; or

Item	Column 1 Activity	Column 2 Specific Exception
2.	<p>Abandonment, disposal or release into the environment of a nuclear substance, if</p> <p>(a) the nuclear substance is readily removable from and is not distributed throughout a substance, material, a device or equipment, and the quantity of the nuclear substance exceeds its exemption quantity; or</p>	<p>(d) a Class II nuclear facility, other than a Class II nuclear facility that employs a pool-type irradiator in which the form and composition of the nuclear substance in the sealed source is such that the nuclear substance would be readily dispersed in air or easily dissolved in water if the source encapsulation were ruptured</p> <p>(2) Construction, operation, modification, decommissioning or abandonment of a facility for the processing of nuclear substances, or for the manufacture of sealed sources, if the activity of the annual throughput of nuclear substances is, and in the case of a modification remains, less than 1 PBq (10^{15} Bq)</p> <p>(3) Modification of any electrical, heating, fire-prevention, plumbing or security system, but not including a system that is intended to produce goods or energy, within a nuclear facility if the modification</p> <p>(a) is not being carried out in, on or within 30 m of a water body; and</p> <p>(b) is not likely to involve the release of a polluting substance into a water body</p> <p>(4) Construction, installation, operation, modification, decommissioning or abandonment of monitoring, safety or security equipment that is affixed or adjacent to a nuclear facility</p>

Item	Column 1 Activity	Column 2 Specific Exception
	<p>(b) the nuclear substance is distributed throughout and is not readily removable from the substance, material, device or equipment, and the concentration of the nuclear substance delivers an effective dose that exceeds 1% of the effective dose limit set out in column 3 of item 3 of the table to subsection 13(1) of the <i>Radiation Protection Regulations</i></p>	
3.	Possession or use of, or other activity in relation to the possession or use of, a nuclear substance that is an unsealed source in a quantity exceeding 1 Pbq (10^{15} Bq)	
4.	Abandonment or disposal of a substance, material, a device or equipment the surface of which is contaminated with a nuclear substance that is not readily removable from the surface, if	
	<p>(a) the contamination exceeds 3 Bq/cm² averaged over a surface of not more than 100 cm²; and</p> <p>(b) the dose rate at the surface of the substance, material, device or equipment exceeds 1 µSv/h</p>	

PART 8

CONTAMINANTS AND WASTE

Item	Column 1 Activity	Column 2 Specific Exception
1.	Construction, operation, modification, decommissioning or abandonment of a land treatment facility	Construction, operation, modification, decommissioning or abandonment of a land treatment facility if its treatment capacity is, and in the case of a modification remains, less than 3000 m ³ of materials containing contaminants
2.	Removing, destroying or containing, or any other activity intended to reduce the exposure of human beings, animals and plants to, materials containing a contaminant found on a contaminated site	On other than Crown land administered by a Minister of the Government of Canada, removing, destroying or containing, or any other activity intended to reduce the exposure of human beings, animals and plants to, materials containing a contaminant found on a contaminated site if

Item	Column 1 Activity	Column 2 Specific Exception
3.	Operating or testing mobile equipment that destroys polychlorinated biphenyls (PCBs) by thermal or chemical means	<p>(a) the activity takes place at a land treatment facility located on a site other than where the materials were found or, if the activity takes place on the site where the materials were found, involves less than 3000 m³ of those materials; and</p> <p>(b) the materials were contaminated after April 1, 2003 or, if they were contaminated on or before that date, the materials do not come from one of the following sites:</p> <ul style="list-style-type: none">(i) a site listed in section C, D or G of Appendix H to the Yukon Northern Affairs Program Devolution Transfer Agreement concluded on October 29, 2001, or(ii) a newly-discovered site that is a site requiring remediation, within the meaning of that Agreement
4.	On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a facility used exclusively for the treatment, incineration, disposal, recycling or storage of special waste	<p>On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a facility used exclusively for the treatment, incineration, disposal, recycling or storage of special waste, if</p> <p>(a) its treatment, incineration, disposal or recycling capacity is, and in the case of a modification remains, less than</p> <ul style="list-style-type: none">(i) 20 t/year of waste oil,(ii) 10 t/year of special waste, other than waste oil, generated as a result of the repair and maintenance of motor vehicles, or(iii) 5 t/year of special waste not described in subparagraphs (i) and (ii); and

Item	Column 1 Activity	Column 2 Specific Exception
		<i>(b)</i> its storage capacity is, and in the case of a modification remains, less than
		<i>(i)</i> 20 t of waste oil,
		<i>(ii)</i> 10 t of special waste, other than waste oil, generated as a result of the repair and maintenance of motor vehicles, or
		<i>(iii)</i> 5 t of special waste not described in subparagraphs <i>(i)</i> and <i>(ii)</i>
5.	On an Indian reserve, operation of a garbage dump or the disposal, storage or burning of garbage, liquid or semi-liquid substances, land-fill or scrap of any kind, or any combination of those activities	
6.	On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of equipment for the incineration of special waste, excluding waste oil	
7.	On other than an Indian reserve, open burning of solid waste	On other than an Indian reserve, open burning of less than 50 kg of solid waste per day
8.	On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a solid waste disposal facility	On other than an Indian reserve, construction, operation, modification, decommissioning or abandonment of a solid waste incinerator if its burning capacity is, and in the case of a modification remains, according to the manufacturer's specifications, less than 100 kg of solid waste per day
9.	Incineration, disposal or recycling of toxic chemicals or their precursors set out in Schedules 1 to 3 to the Annex on Chemicals in the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (United Nations), signed at Paris, France on January 13, 1993, as amended from time to time pursuant to Article XV of that Convention	

Item	Column 1 Activity	Column 2 Specific Exception
10.	Incineration, disposal or recycling of the microbial or other biological agents or toxins referred to in item 1 of Article 1 of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (United Nations), signed at London, Moscow and Washington on April 10, 1972, as amended from time to time, as well as the weapons, equipment or means of delivery to use those agents or toxins	

PART 9

WATER

Item	Column 1 Activity	Column 2 Specific Exception
1.	Drilling, operation, modification, decommissioning or abandonment of, or other activity in relation to, a well for the extraction of groundwater	(1) Operation, modification, decommissioning or abandonment of, or other activity — other than drilling — in relation to, a well that is for the extraction of groundwater for domestic purposes (2) On Crown land or settlement land in a municipality — including those settlement lands encircled by the municipality — a local advisory area, or a mapped community, drilling a well that is for the extraction of groundwater for domestic purposes (3) On Crown land or settlement land, drilling a well that is for the extraction of groundwater using power-driven machinery that has an operating weight of 500 kg or less, excluding the weight of drill rods or stems, bits, pumps and any other ancillary equipment
2.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a facility or installation — other than a well — that is for the extraction of groundwater	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a facility or installation — other than a well — that is for the extraction of groundwater for domestic purposes

Item	Column 1 Activity	Column 2 Specific Exception
3.	Direct use of water	<p>(1) Other than for an electrical power undertaking, the direct use of less than 100 m³/day of water that is from a source other than an artificial reservoir with no natural inflow if the use is for</p> <ul style="list-style-type: none">(a) an industrial undertaking — other than exploration for the purpose of quartz mining on a quartz grant, quartz mining on a quartz grant and placer mining on a placer grant; or(b) a community undertaking <p>(2) The direct use of less than 300 m³/day of water that is from a source other than an artificial reservoir with no natural inflow if the use is for an undertaking that is not</p> <ul style="list-style-type: none">(a) an industrial undertaking — other than exploration for the purpose of quartz mining on a quartz grant, quartz mining on a quartz grant not involving milling of ore or production leaching and placer mining on a placer grant;(b) an electrical power undertaking; or(c) a community undertaking <p>(3) The direct use of water from a watercourse for the construction of an ice bridge across the watercourse if the use is for an undertaking that is not</p> <ul style="list-style-type: none">(a) an industrial undertaking;(b) an electrical power undertaking; or(c) a community undertaking
4.	Construction, modification, decommissioning or abandonment of, or other activity in relation to, a watercourse crossing, other than one that is a bridge or is across navigable water	Other than for placer mining, the construction, modification, decommissioning or abandonment of, or other activity in relation to, a watercourse crossing — other than one that is a bridge or is across navigable water— of a watercourse that is, at the point of the crossing, less than 5 m wide at its ordinary high-water mark

Item	Column 1 Activity	Column 2 Specific Exception
5.	Construction, installation, operation, modification, decommissioning or abandonment of a work within the meaning of section 3 of the <i>Navigable Waters Protection Act</i> — other than a bridge — that is on, over, under or through navigable water	
6.	Removal or destruction of a wreck, vessel or other thing pursuant to section 16 of the <i>Navigable Waters Protection Act</i>	
7.	Removal of a vessel or other thing pursuant to section 20 of the <i>Navigable Waters Protection Act</i>	
8.	Watercourse training — such as that for the purpose of erosion control or that which is by means of a channel or bank alteration, artificial accretion, spur, culvert or dock — but not including the diversion of a watercourse	<p>(1) Other than for placer mining, watercourse training, other than a diversion, of an intermittent watercourse</p> <p>(2) Other than for placer mining, watercourse training, other than a diversion, of a watercourse that is, at the point of training, less than 5 m wide at its ordinary high-water mark</p> <p>(3) Other than for placer mining, watercourse training that involves the removal or placement of less than 100 m³ of material and does not change the cross-sectional area of the watercourse at the point of removal or placement</p>
9.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a structure for flood control	Other than for placer mining, construction of, or other activity in relation to the construction of, a structure for flood control that is to be in place for no more than 12 consecutive months
10.	Diverting a watercourse or increasing the diversion capacity of an existing diversion	Other than for placer mining, diverting a watercourse that is, at the point of diversion, less than 2 m wide at its ordinary high-water mark
11.	Construction, operation, modification, decommissioning or abandonment of a dam or dike, or other activity in relation to the alteration of flow or storage of water by means of a dam or dike	
12.	Other than for an electrical power undertaking, the deposit of waste into water or in any other place under conditions in which the waste, or any other waste that results from the deposit, may enter water	(1) Other than for an electrical power undertaking, the deposit — above the ordinary high-water mark of a watercourse — of waste related to quarrying for an industrial undertaking, under conditions in which the waste, or any waste that results from the deposit, cannot enter surface water

Item	Column 1 Activity	Column 2 Specific Exception
13.	Construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a facility or installation for the development or utilization of Dominion water-powers, within the meaning of section 2 of the <i>Dominion Water Power Act</i>	<p>(2) The deposit of waste related to an industrial undertaking — other than an electrical power undertaking, exploration for the purpose of quartz mining on a quartz grant, quartz mining on a quartz grant and placer mining on a placer grant — if the deposit is into water or any other place under conditions in which the waste, or any waste that results from the deposit, can enter water and is</p> <ul style="list-style-type: none">(a) related to the cleaning or hydrostatic testing of a storage tank or pipeline that has never been used; or(b) related to a cooling system and the waste does not contain biocides or conditioners <p>(3) The deposit — that is not into surface water or is not in any other place under conditions in which the waste, or any waste that results from the deposit, can enter surface water — of waste, if</p> <ul style="list-style-type: none">(a) the deposit is related to placer mining in which chemicals are not used during the mineral recovery process;(b) the deposit is related to exploration for the purpose of quartz mining or quartz mining and the waste is not from milling; or(c) the deposit is related to a community undertaking, other than an electrical power undertaking, and the waste is deposited by means of a disposal system that serves 50 persons or less and is installed in accordance with the <i>Sewage Disposal Systems Regulations</i>, Yukon O.I.C. 1999/82

PART 10

FISHERIES

Item	Column 1 Activity	Column 2 Specific Exception
1.	Destruction of fish	Destruction of fish by means of fishing
2.	Destruction, disruption or harmful alteration of fish habitat	
3.	Deposit of a deleterious substance, as those terms are defined in subsection 34(1) of the <i>Fisheries Act</i> , into Canadian fisheries waters, within the meaning of section 2 of that Act, or in any other place under conditions in which the deleterious substance, or any deleterious substance that results from the deposit, may enter those waters	
4.	Release of live fish into a fish habitat	(1) Immediate release of live fish into water from which they were caught (2) A release of a species of live fish into a pothole lake, for the purpose of stocking the lake for public use, if a licence for a release of the same species of fish into that lake, issued under section 56 of the <i>Fishery (General) Regulations</i> , is in effect on the day on which these Regulations come into force, whether or not the licence remains in effect
5.	Transfer of live fish into a facility for the natural or artificial propagation of fish	A transfer of a species of live fish into a facility for the natural or artificial propagation of fish if a licence for a transfer of the same species of fish into that facility, issued under subsection 4(2) of the <i>Yukon Territory Fishery Regulations</i> , is in effect on the day on which these Regulations come into force, whether or not the licence remains in effect
6.	At a slide, dam or other obstruction to the free passage of fish, constructed on a river, an activity providing (a) a sufficient flow of water over the spillway or crest of the obstruction to permit the safe and unimpeded descent of fish; or (b) a sufficient quantity of water into the river bed below the obstruction so the fish below are safe and the spawning grounds below are flooded	

	Column 1	Column 2
Item	Activity	Specific Exception
7.	During a period of construction of an obstruction impeding the free passage of fish, an activity providing free passage for both upstream and downstream migration of fish	

PART 11

AIR EMISSIONS

	Column 1	Column 2
Item	Activity	Specific Exception
1.	On other than an Indian reserve, quarrying, crushing or screening of minerals	On other than an Indian reserve, quarrying, crushing or screening of minerals in an excavation covering an area of 4 ha or less
2.	Operation of equipment capable of generating, burning or using heat energy	Operation of equipment that is not capable of generating, burning or using, according to the manufacturer's specifications, heat energy of 5 000 000 Btu/h or more
3.	Use of fuel, having a concentration of more than 1.1% sulphur, for heating purposes, for generating steam or electricity or for combustion in an industrial process	

PART 12

NATIONAL PARKS, NATIONAL PARK RESERVES AND NATIONAL HISTORIC SITES

Item	Column 1 Activity	Column 2 Specific Exception
1.	In a national park, national park reserve or national historic site, construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a structure, facility or installation	
2.	In a national park or national park reserve, for the management of the park or park reserve or for scientific purposes, culling from or destruction of a population of a species of mammal, amphibian, reptile, bird, fish, insect or invertebrate that is wild by nature, including the eggs and embryos of such species	
3.	In a national park or national park reserve, a recreational activity that is a business within the meaning of section 1 of the <i>National Parks of Canada Businesses Regulations</i>	In a national park or national park reserve, a recreational activity that is a business within the meaning of section 1 of the <i>National Parks of Canada Businesses Regulations</i> , if the activity is the same as an activity carried out in the same location for which an assessment had been conducted in accordance with the Act and if less than five years have elapsed since the date of the last assessment
4.	In a national park or national park reserve, taking water from a watercourse or well for business purposes	
5.	Supplying water from a national park or national park reserve to a community or resident of land adjacent to the park or park reserve	
6.	In a national park, national park reserve or national historic site, establishment, expansion or relocation of a trail, campsite or day-use area	
7.	Manipulation of an ecosystem function in a national park, national park reserve or national historic site	
8.	In a national park, national park reserve or national historic site, the damage or destruction of a member of an endangered species, a threatened species or a species listed as one of special concern in Part 4 of Schedule 1 to the <i>Species at Risk Act</i>	

Item	Column 1 Activity	Column 2 Specific Exception
9.	Removal, from a national park, national park reserve or national historic site, of a member of an endangered species, a threatened species or a species listed as one of special concern in Part 4 of Schedule 1 to the <i>Species at Risk Act</i>	
10.	In a national park, national park reserve or national historic site, the damage, destruction or removal of fossils, archaeological resources or other heritage resources	
11.	In a national park, national park reserve or national historic site, an activity that threatens, either directly or through the alteration of habitat, the continued existence of a population of a species of plant, mammal, amphibian, reptile, bird, fish, insect or invertebrate, that is wild by nature	
12.	In a national park, national park reserve or national historic site, modification of a shoreline, stabilization of a slope or an activity to control erosion or drainage	
13.	Removal of trees or shrubs for the purpose of establishing a view scape in, or delineating the boundary of, a national historic site	
14.	In a national park, national park reserve or national historic site, application by aircraft of a control product	
15.	In a national park, national park reserve or national historic site, establishment, expansion, relocation or closure of a site for the disposal of garbage	
16.	In a national park or national park reserve, cutting standing or fallen trees or removing fallen or cut trees	In a national park or national park reserve, cutting standing or fallen trees not exceeding 20 trees of a diameter at chest height of 15 cm or more per square kilometre, or removing that amount of that diameter of fallen or cut trees
17.	Landing or taking off of an aircraft in an area declared to be a wilderness area pursuant to subsection 14(1) of the <i>Canada National Parks Act</i>	In an area declared to be a wilderness area pursuant to subsection 14(1) of the <i>Canada National Parks Act</i> , dropping off or picking up persons or goods by aircraft, for management of the area

PART 13

MISCELLANEOUS

Item	Column 1 Activity	Column 2 Specific Exception
1.	Use of explosives	Use of 50 kg or less of explosives in a 30-day period more than 30 m from an oil or natural gas pipeline
2.	Use of a vehicle off a public road or off a road or trail maintained by a first nation	Use of a vehicle, of 5 t net vehicle weight or less or that applies 35 kPa or less of pressure to the ground, off a public road or off a road or trail maintained by a first nation
3.	Earth drilling using power-driven machinery, other than that for the extraction of groundwater	Earth drilling, other than that for the extraction of groundwater, using power-driven machinery that has an operating weight of 500 kg or less, excluding the weight of drill rods or stems, bits, pumps and any other ancillary equipment
4.	Construction of a facility or installation across, on, along or under an oil or natural gas pipeline	
5.	Excavation using power-operated equipment 30 m or less from an oil or natural gas pipeline	
6.	Other than in a national park, national park reserve and national historic site, and except for a military field camp or a troop concentration in a designated area established on January 18, 1995 by the Minister of National Defence under section 4 of the <i>National Defence Act</i> , the establishment of a campsite	Other than in a national park, national park reserve and national historic site, and except for a military field camp or a troop concentration in a designated area established on January 18, 1995 by the Minister of National Defence under section 4 of the <i>National Defence Act</i> , the establishment of a campsite intended to be used (a) by no more than two persons at a time or by more than two persons at a time for 100 person-days or less; (b) for trapping or non-commercial gathering, hunting or fishing; (c) on settlement land, for activities of a traditional cultural or spiritual nature; or (d) on settlement land, to hold a political assembly or gathering

Item	Column 1 Activity	Column 2 Specific Exception
7.	Construction or modification of an aboveground storage tank system for dangerous goods, within the meaning of section 2 of the <i>Transportation of Dangerous Goods Act, 1992</i> , other than petroleum products	Construction or expansion of an aboveground storage tank system for dangerous goods, within the meaning of section 2 of the <i>Transportation of Dangerous Goods Act, 1992</i> , other than petroleum products, if its capacity is, and in the case of an expansion remains, less than 4000 L
8.	On other than Crown land and settlement land, the construction, operation, modification, decommissioning or abandonment of a storage tank system for petroleum products	On other than Crown land and settlement land, the construction, operation, modification, decommissioning or abandonment of a storage tank system for petroleum products if its capacity is, and in the case of a modification remains, 100 000 L or less
9.	On Crown land or settlement land, the establishment of a petroleum fuel storage facility	On Crown land or settlement land, the establishment of a petroleum fuel storage facility that has more than one container and a capacity of 4000 L or less
10.	On Crown land or settlement land, the storage of petroleum fuel in a container	On Crown land or settlement land, the storage of petroleum fuel in a container that has a capacity of 2000 L or less
11.	On Crown land or settlement land, hydraulic prospecting, moving earth or clearing land using a stationary power-driven machine other than a power saw	<p>On settlement land, moving earth or clearing land using a stationary power-driven machine other than a power saw if the activity is related to the construction or modification of one of the following buildings:</p> <ul style="list-style-type: none"> (a) a building used in relation to non-commercial gathering, hunting or fishing; (b) a building used primarily for residential purposes and located in a municipality — including those settlement lands encircled by the municipality — a local advisory area or a mapped community; or (c) a building used for an undertaking other than an industrial undertaking if there is another building located on the same, or on a contiguous, parcel that is already being used in the same undertaking
12.	On Crown land or settlement land, moving earth or clearing land using a self-propelled power-driven machine	On settlement land, moving earth or clearing land using a self-propelled power-driven machine if the activity is related to the construction or modification of one of the following buildings:

Item	Column 1 Activity	Column 2 Specific Exception
13.	<p>On Crown land or settlement land, levelling, grading, clearing, cutting or snow ploughing of</p> <p>(a) a trail;</p> <p>(b) the right of way of a power line, pipeline, railway line or road; or</p> <p>(c) a route that provides access to land for the purposes of a geophysical, geological or engineering survey</p>	<p>(a) a building used in relation to non-commercial gathering, hunting or fishing;</p> <p>(b) a building used primarily for residential purposes and located in a municipality — including those settlement lands encircled by the municipality — a local advisory area or a mapped community; or</p> <p>(c) a building used for an undertaking other than an industrial undertaking if there is another building located on the same, or on a contiguous, parcel that is already being used in the same undertaking</p> <p>(1) On Crown land or settlement land, levelling, grading, clearing, cutting or snow ploughing of</p> <p>(a) a trail that is 1.5 m or less in width;</p> <p>(b) a right of way that is 1.5 m or less in width and is the right of way of a power line, pipeline, railway line or road;</p> <p>(c) a route that is 1.5 m or less in width and provides access to land for the purposes of a geophysical, geological or engineering survey; or</p> <p>(d) the right of way of a public road</p> <p>(2) On settlement land, levelling, grading, clearing, cutting or snow ploughing of a trail, the right of way of a power line, pipeline, railway line or road, or a route that provides access to land for the purposes of a geophysical, geological or engineering survey, if the activity is related to the construction or modification of one of the following buildings:</p> <p>(a) a building used in relation to non-commercial gathering, hunting or fishing;</p> <p>(b) a building used primarily for residential purposes and located in a municipality — including those settlement lands encircled by the municipality — a local advisory area or a mapped community; or</p>

Item	Column 1 Activity	Column 2 Specific Exception
14.	<p>Industrial development in any of the following locations:</p> <p>(a) a park established under the <i>Parks and Land Certainty Act</i>, R.S.Y. 2002, c. 165, as a wilderness preserve, ecological reserve, recreational park or natural environmental park or as a park of any other type prescribed by regulation under that Act;</p> <p>(b) an area set aside by a first nation law for purposes analogous to those set out in section 1 of the <i>Parks and Land Certainty Act</i>, R.S.Y. 2002, c. 165; or</p> <p>(c) a wildlife area</p>	<p>(c) a building used for an undertaking other than an industrial undertaking if there is another building located on the same, or on a contiguous, parcel that is already being used in the same undertaking</p>
15.	<p>On Crown land or settlement land, other than an Indian reserve, the extraction of sand, gravel, stone, marl, loam, clay or volcanic ash</p>	<p>On Crown land or settlement land, other than an Indian reserve, the extraction</p> <p>(a) for personal use and not for barter or sale, of less than 35 m³ of sand, gravel or stone per calendar year from land in relation to which the Governor in Council, a federal agency, the Commissioner of Yukon or a first nation has not granted any interest — other than an interest respecting minerals that are not specified substances — to a person other than the one who conducts the extraction;</p> <p>(b) for personal use and not for barter or sale, of 15 m³ or less of loam per calendar year; or</p> <p>(c) of sand, gravel, stone, marl, loam, clay or volcanic ash from a public pit or a pit subject to a lease issued under the <i>Quarry Regulations</i>, Yukon O.I.C. 1983/205</p>

Item	Column 1 Activity	Column 2 Specific Exception
16.	Operation, decommissioning, abandonment or expansion of a gravel or sand pit or stone quarry	<p>Operation, decommissioning, abandonment or expansion of a gravel or sand pit or stone quarry if the activities do not involve any of the following activities:</p> <ul style="list-style-type: none">(a) use of more than 50 kg of explosives in a 30-day period or any use of explosives within 30 m of an oil or natural gas pipeline;(b) use of a vehicle, of more than 5 t net vehicle weight or that applies more than 35 kPa of pressure to the ground, off a public road or off a road or trail maintained by a first nation;(c) earth drilling using power-driven machinery that has an operating weight of more than 500 kg, excluding the weight of drill rods or stems, bits, pumps and any other ancillary equipment;(d) hydraulic prospecting, moving earth or clearing land using a stationary power-driven machine other than a power saw;(e) moving earth or clearing land using a self-propelled power-driven machine;(f) establishment of a campsite for use by more than two persons at a time for more than 100 person-days;(g) establishment of a petroleum fuel storage facility that has more than one container and a capacity of more than 4000 L;(h) storage of petroleum fuel in a container that has a capacity of more than 2000 L; or(i) levelling, grading, clearing, cutting or snow ploughing of<ul style="list-style-type: none">(i) a trail that is more than 1.5 m in width,(ii) a right of way that is more than 1.5 m in width and is the right of way of a power line, pipeline, railway line or road, other than a public road, or

Item	Column 1 Activity	Column 2 Specific Exception
		(iii) a route that is more than 1.5 m in width and provides access to land for the purposes of a geophysical, geological or engineering survey
17.	Extraction of specified substances from an Indian reserve	
18.	On Crown land or settlement land, cutting standing or fallen trees or removing fallen or cut trees	On Crown land or settlement land, other than an Indian reserve and Crown land administered by the Minister of National Defence, cutting 1000 m ³ or less of standing or fallen trees or removing that amount of fallen or cut trees
19.	Starting an open fire to burn forest debris that has been piled or gathered using machinery	
20.	Use of lands on an Indian reserve for the purpose of Indian schools, the administration of Indian affairs, Indian burial grounds or Indian health projects	
21.	Occupation or use of, or residence or exercise of rights on, an Indian reserve by a person who is not a member of the band for whose use the reserve was set apart	
22.	Other than in a training area, test establishment or range established on January 18, 1995 for the testing of weapons by the Minister of National Defence under section 4 of the <i>National Defence Act</i> , testing of weapons for military purposes	
23.	Other than in a training area or range established by the Minister of National Defence under section 4 of the <i>National Defence Act</i> , military field exercises or military field training	Other than in a training area or range established by the Minister of National Defence under section 4 of the <i>National Defence Act</i> , military field exercises or military field training that does not involve more than 275 persons or more than 40 vehicles
24.	Construction of a training area, test establishment or range for the testing of weapons or for military training	
25.	Construction, expansion or decommissioning of a military base or station	

Item	Column 1 Activity	Column 2 Specific Exception
26.	On Crown land administered by a Minister of the Government of Canada other than in a national park, national park reserve and national historic site, the construction, operation, modification, decommissioning or abandonment of a structure, facility or installation	
27.	On land under the administration and control of the Commissioner of Yukon or on settlement land, the construction, establishment, modification, decommissioning or abandonment of a structure, facility or installation for the purpose of agriculture, commercial recreation, public recreation, tourist accommodation, telecommunications, trapping or guiding persons hunting members of a species prescribed as a species of big game animal by a regulation made under the <i>Wildlife Act</i> , R.S.Y. 2002, c. 229	<p>(1) On land under the administration and control of the Commissioner of Yukon, or on settlement land, in a municipality — including those settlement lands encircled by the municipality — the construction, establishment, modification, decommissioning or abandonment of a structure, facility or installation for the purpose of agriculture, commercial recreation, public recreation, tourist accommodation, telecommunications, trapping or guiding persons hunting members of a species prescribed as a species of big game animal by a regulation made under the <i>Wildlife Act</i>, R.S.Y. 2002, c. 229</p> <p>(2) In a local advisory area or mapped community, on land under the administration and control of the Commissioner of Yukon or on settlement land, the construction, establishment, modification, decommissioning or abandonment of a structure, facility or installation used for the purpose of agriculture, commercial recreation, public recreation, tourist accommodation, telecommunications, trapping or guiding persons hunting members of a species prescribed as a species of big game animal by a regulation made under the <i>Wildlife Act</i>, R.S.Y. 2002, c. 229, if there is another structure, facility or installation located on the same parcel that is already being used in the same undertaking</p>
28.	A commercial wilderness tourism activity that involves horseback riding, or the use of rafts or motorized boats, for which the operator employs more than 10 guides in a 12-month period	
29.	A commercial wilderness tourism activity that involves the use of off-road vehicles for which the operator employs more than five guides in a 12-month period	

	Column 1	Column 2
Item	Activity	Specific Exception
30.	Application of a control product that has a product class designation of "RESTRICTED" on the label as required by the <i>Pest Control Products Regulations</i>	Other than in a national park, national park reserve and national historic site, application of <i>Bacillus thuringiensis</i> spp. to water that contains mosquito or black fly larvae and that is not a direct source of drinking water for human beings
31.	On Crown land or settlement land, application of a control product to control pests or diseases that threaten forest resources	

SCHEDULE 2
(Paragraphs 3(b) and (c) and subsection 4(2))

GENERAL EXCEPTIONS

PART 1

ACTIVITIES IN AN AREA OTHER THAN A NATIONAL PARK, NATIONAL PARK
RESERVE AND NATIONAL HISTORIC SITE

1. Maintenance or repair of a structure, facility or installation.

2. Construction of a building if the building has a footprint of less than 100 m² and a height of less than 5 m and if the construction

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

3. Construction or modification of a structure or facility if the structure or facility has a footprint that is, and in the case of a modification remains, less than 25 m² and if the construction or modification

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

4. Modification of a building, including its electrical, heating, fire-prevention, plumbing or security system but not including a system that is intended to produce goods or energy, if the modification

(a) does not increase the footprint or height of the building by more than 10%;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

5. Construction, installation or modification of a ramp, door or handrail to facilitate wheelchair access.

6. Construction of a sidewalk or boardwalk, or a parking lot with a parking capacity of 10 automobiles or less, if the construction

(a) is contiguous to a building;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

7. Modification of a sidewalk, boardwalk or parking lot if the modification

(a) does not increase the area of the sidewalk, boardwalk or parking lot by more than 10%;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

8. Modification of a fence if the modification

(a) does not increase the length or height of the fence by more than 10%;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

9. Construction, installation or modification of a hydrant or a structure or line that connects a building to a main natural gas, sewer, water, electrical transmission or telecommunications line, if the hydrant, structure or line is part of a farm or municipal system of distribution and the activity does not involve the crossing of a water body other than an aerial crossing by a telecommunications or electrical transmission line.

10. Construction, installation or modification of a sign if each surface of the sign has an area that is, and in the case of a modification remains, 25 m² or less and the sign is, and in the case of a modification remains, either affixed to or located within 15 m of a building.

11. Construction, installation or modification of a radiocommunication antenna and its supporting structure, if the antenna and supporting structure are, and in the case of a modification remain, either affixed to or located within 15 m of a

building, and have a footprint that is, and in the case of a modification remains, 25 m² or less, and if the activity

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

12. Establishment or modification of a field camp used for scientific or technical research, or for reforestation, if the field camp will be in use for less than 200 person-days and if the establishment or modification

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

13. Modification of a road if the modification

(a) is being carried out on the road right of way;

(b) does not increase the length of the road;

(c) does not increase the width of the road by more than 15%;

(d) is not being carried out in, on or within 30 m of a water body; and

(e) is not likely to involve the release of a polluting substance into a water body.

14. Demolition of a building if the building has a floor area of less than 1000 m² and if the demolition

(a) is not being carried out within 30 m of another building;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

15. Construction, installation or modification of Canada-United States international boundary monuments.

16. Modification of a pipe, pump, pump house, reservoir or drain, or a canal with an inner lining, that is used for irrigating agricultural land, if the modification is not likely to involve the release of a polluting substance into a water body.

17. On agricultural land, construction or modification of a domestic or farm water supply well, pump house, water-tank loading facility, dugout to hold water for consumption by livestock, centre pivot or side roll sprinkler if the construction or modification

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

18. Construction, modification or demolition of a structure or facility located on land and associated with fishing or recreational boating if the structure or facility has a footprint that is, and in the case of a modification remains, less than 100 m² and a height that is, and in the case of a modification remains, less than 5 m and if the activity is not likely to involve the release of a polluting substance into a water body.

19. Modification of a wharf, other than a floating wharf, or of a breakwater that is accessible by land, if the modification

(a) is not being carried out below the ordinary high-water mark;

(b) does not involve dredging; and

(c) is not likely to involve the release of a polluting substance into a water body.

20. Re-installation of a floating wharf or a modification of a floating wharf that does not increase its area by more than 10%.

21. Demolition of a wharf if the demolition

(a) does not involve the use of explosives; and

(b) is not likely to involve the release of a polluting substance into a water body.

22. Modification of that part of a culvert that crosses under a railway or road and is not connected to a water body.

23. Construction, installation, replacement or modification of that part of the following facilities – an oil or natural gas pipeline, a pipeline used for the transmission of any other flammable or highly volatile liquid, a water pipe, a sewer or a drain – that crosses under a railway or road or is located within the railway or road right of way, if the activity

(a) does not result in an increase in airborne emissions or noise during the operation of the pipeline, pipe, sewer or drain;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

24. Addition or installation of an oil or natural gas pipeline component, or a relocation of a section of an oil or natural gas pipeline, except any part of the component or pipeline that crosses under a railway or road or is located within the railway or road right of way, if the activity

(a) does not result in an increase in airborne emissions or noise during the operation of the pipeline;

(b) does not result in the extension of the pipeline beyond the limits of the right of way or of other land on which the pipeline is located;

(c) is not being carried out in, on or within 30 m of a water body; and

(d) is not likely to involve the release of a polluting substance into a water body.

25. Construction or installation of an electrical transmission line, other than an international electrical transmission line, with a voltage of 130 kV or less, if the construction or installation

(a) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(b) is not likely to involve the release of a polluting substance into a water body; and

(c) does not involve the placement in or on a water body of the supporting structures for the electrical transmission line.

26. Modification of an electrical transmission line, other than an international electrical transmission line, or of a telecommunications line, if the modification

(a) does not alter its purpose or function;

(b) does not lengthen the line by more than 25 km;

(c) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(d) is not likely to involve the release of a polluting substance into a water body; and

(e) does not involve the placement in or on a water body of the supporting structures for the electrical transmission or telecommunications line.

27. Construction or installation of a switching station associated with an electrical transmission line with a voltage of 130 kV or less, other than an international electrical transmission line, or associated with a telecommunications line, if the construction or installation

(a) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

28. Modification of a switching station associated with an electrical transmission line or a telecommunications line if the modification

(a) does not alter its purpose or function;

(b) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(c) is not being carried out in, on or within 30 m of a water body; and

(d) is not likely to involve the release of a polluting substance into a water body.

29. Construction, installation or modification of an international electrical transmission line with a voltage of 50 kV or less if the activity

(a) with respect to any modification made, does not alter its purpose or function;

(b) does not extend the line more than 4 km outside Canada;

(c) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(d) is not likely to involve the release of a polluting substance into a water body; and

(e) does not involve the placement of the supporting structures for the international electrical transmission line in, on or within 30 m of a water body.

30. Modification of an aerodrome, other than a modification of a pavement or gravel area within the boundary of an airport, if the modification

(a) does not increase a pavement or gravel area by more than 20%;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body.

31. Modification of a pavement or gravel area within the boundary of an airport if the modification

(a) does not increase the pavement or gravel area by more than 10%;

(b) is not being carried out in, on or within 30 m of a water body; and

(c) is not likely to involve the release of a polluting substance into a water body

32. Modification of aircraft manoeuvring lights or navigation aids for aircraft.

33. Construction, installation or modification of an automatic warning structure at a railway level crossing.

34. Construction, installation or modification of a railway traffic control signal structure on a railway right of way.

35. Modification of a railway line, other than an expansion, if the modification

(a) does not alter its purpose or function;

(b) is being carried on within the railway right of way and involves the installation of no more than 3 km of track located beyond 100 m of the centre line of the railway line;

(c) is not being carried out in, on or within 30 m of a water body; and

(d) is not likely to involve the release of a polluting substance into a water body.

36. Modification of a road crossing, other than an expansion, if the modification

(a) does not alter its purpose or function;

(b) is not being carried out beyond a right of way developed for a power line, pipeline, railway line or road;

(c) is in accordance with an agreement referred to in subsection 101(1) of the *Canada Transportation Act*;

(d) is not being carried out in, on or within 30 m of a water body; and

(e) is not likely to involve the release of a polluting substance into a water body.

37. Construction, installation or modification of an exhibition structure that is inside or affixed to the exterior of a building and is to remain in place for less than 12 consecutive months.

38. Installation, operation, modification, decommissioning or abandonment of an environmental scientific data collection instrument and its housing or enclosure if the activity

(a) is not being carried out in, on or within 30 m of a water body; and

(b) is not likely to involve the release of a polluting substance into a water body.

PART 2

ACTIVITIES IN A NATIONAL PARK, NATIONAL PARK RESERVE OR NATIONAL HISTORIC SITE

39. Modification, maintenance or repair of a structure, facility or installation, including its electrical, heating, fire-prevention, plumbing or security system but not including a system that is intended to produce goods or energy, if the activity

(a) does not increase the footprint or height of the structure or facility;

(b) does not involve a structure, facility or installation commemorated under section 3 of the *Historic Sites and Monuments Act*;

(c) does not involve a change in the method of sewage disposal or an increase in the amount of sewage, waste or emission;

(d) does not involve any excavation beyond the footprint of the structure or facility;

(e) does not create a need for related facilities, such as parking spaces; and

(f) is not likely to involve the release of a substance into the environment that is likely to pollute the environment.

40. Maintenance or repair of

(a) a sidewalk, boardwalk or parking lot;

(b) a fence;

(c) an environmental data collection instrument and its housing or enclosure; or

(d) a fire tower.

41. Maintenance or repair of a road, including pull-off areas, if the maintenance or repair

(a) is being carried out on the right of way;

(b) is not likely to involve the release of a polluting substance into a water body; and

(c) does not involve the application of salt, a dust control liquid or a control product.

42. Construction, installation, modification, maintenance or repair of a sign if the sign is, and in the case of a modification remains, located on a right of way developed for a power line, pipeline, railway line or road, or if it is, and in the case of a modification remains, either affixed to or located within 15 m of a building.

43. Construction or installation of an interpretive display or exhibit associated with a building, road, pull-off area or trail if the construction or installation does not require the expansion of any related facilities or is to be carried out in a special preservation area or a wilderness area set out in a management plan tabled in each House of Parliament in accordance with section 32 of the *Parks Canada Agency Act* or section 11 of the *Canada National Parks Act*.

44. Construction, installation, modification, maintenance or repair of a handrail or guard-rail associated with a structure.

SCHEDULE 3
(Subsection 1(1) and section 5)

PROJECTS TO BE SUBMITTED TO THE EXECUTIVE COMMITTEE

Mining

1. Quartz exploration program involving the movement of 250 000 t or more of rock.
2. Placer mining operation involving suction dredging.
3. Construction, decommissioning or abandonment of
 - (a) a metal mine, other than a gold mine, with an ore production capacity of 1500 t/day or more; or
 - (b) a gold mine with an ore production capacity of 300 t/day or more.
4. Expansion of a metal mine, other than a gold mine, that increases ore production capacity by 50% or more, or by 750 t/day or more, and increases the ore production capacity to 1500 t/day or more.
5. Expansion of a gold mine that increases ore production capacity by 50% or more, or by 150 t/day or more, and increases the ore production capacity to 300 t/day or more.
6. Construction, decommissioning or abandonment, or an expansion that increases production capacity by more than 35%, of
 - (a) an asbestos mine;
 - (b) a graphite mine with a production capacity of 1500 t/day or more;
 - (c) a gypsum mine with a production capacity of 4000 t/day or more;
 - (d) a magnesite mine with a production capacity of 1500 t/day or more;
 - (e) a limestone mine with a production capacity of 12 000 t/day or more; or
 - (f) a clay mine with a production capacity of 20 000 t/day or more.
7. Construction, decommissioning or abandonment of a coal mine with a production capacity of 3000 t/day or more.

8. Expansion of a coal mine that increases production capacity by 50% or more, or by 1500 t/day or more, and increases the production capacity to 3000 t/day or more.

Industrial Activities

9. Construction, decommissioning or abandonment of a pulp mill or pulp and paper product mill or an expansion that increases production capacity by more than 35% and by more than 100 t/day.

10. Construction, decommissioning or abandonment, or an expansion that increases production capacity by more than 35%, of

(a) an explosives factory for the manufacture of chemical explosives involving chemical processes;

(b) a facility for the manufacture of lead-acid batteries;

(c) a metal smelter;

(d) a facility for the commercial production of non-ferrous metals or light metals by pyrometallurgy or high temperature electrometallurgy;

(e) a facility for the production of primary steel with a production capacity of 5000 t/day or more;

(f) a facility for the manufacture of chemical products with a production capacity of 250 000 t/year or more;

(g) a facility for the production of pharmaceutical products with a production capacity of 200 t/year or more;

(h) a facility for the manufacture of wood products that are pressure-treated with chemical products with a production capacity of 50 000 m³/year or more;

(i) a facility for the manufacture of plywood or particle board with a production capacity of 100 000 m³/year or more;

(j) a tannery with a production capacity of 500 000 m²/year or more;

(k) a facility for the manufacture of primary textiles with a production capacity of 50 000 t/year or more; or

(l) a facility for the production of respirable natural mineral fibres.

11. Construction, decommissioning or abandonment of a metal mill with an ore input capacity of 2000 t/day or more.

12. Expansion of a metal mill that increases ore input capacity by 50% or more, or by 1000 t/day or more, and increases the ore input capacity to 2000 t/day or more.

Oil and Natural Gas

13. Construction, decommissioning or abandonment, or an expansion that increases inlet capacity by more than 35%, of a sour natural gas processing plant with sulphur inlet capacity of more than 2000 t/day.

14. Construction, decommissioning or abandonment, or an expansion that increases processing capacity by more than 35%, of a sweet natural gas processing plant with processing capacity of 2 000 000 m³/day or more.

15. Construction, decommissioning or abandonment, or an expansion that increases processing capacity by more than 35%, of a plant for the liquefaction of natural gas or re-gasification of liquefied natural gas with processing capacity of more than 3000 t/day.

16. Construction, decommissioning or abandonment, or an expansion that increases storage capacity by more than 35%, of a plant for the storage of natural gas with storage capacity of more than 50 000 t.

17. Construction of an oil or natural gas pipeline 25 km or more in length if the pipeline is not on a right of way developed for a power line, pipeline, railway line or road nor on a right of way contiguous to, for its whole length, a right of way developed for a power line, pipeline, railway line or road.

18. Construction, decommissioning or abandonment of an oil or natural gas pipeline 75 km or more in length if the pipeline is on a right of way developed for a power line, pipeline, railway line or road.

19. Construction, decommissioning or abandonment of an offshore oil or natural gas pipeline in fresh water.

20. Construction, decommissioning or abandonment, or an expansion that increases input capacity by more than 35%, of an oil refinery with an input capacity of more than 5000 m³/day.

21. Construction, decommissioning or abandonment, or an expansion that increases production capacity by more than 35%, of

(a) a facility for the production of liquid hydrocarbon products from coal with a production capacity of more than 2000 m³/day;

(b) a heavy oil or oil sands processing facility with an oil production capacity of more than 5000 m³/day; or

(c) an oil sands mine with a bitumen production capacity of more than 5000 m³/day.

Energy and Telecommunications

22. Construction or installation of a power line with a voltage of 138 kV or more or of a length of more than 50 km if the power line is not on a right of way developed for a power line, pipeline, railway line or road nor on a right of way contiguous to, for its whole length, a right of way developed for a power line, pipeline, railway line or road.

23. Expansion of a power line that results in an increase, for a length of more than 100 km, of the width of the right of way on which it is located.

24. Expansion of the length of a power line by 25 km or more if the expanded portion of the power line is not on a right of way developed for a power line, pipeline, railway line or road nor on a right of way contiguous to, for its whole length, a right of way developed for a power line, pipeline, railway line or road.

25. Construction, decommissioning or abandonment of

(a) a hydroelectric generating station with a production capacity of 5 MW or more;

(b) a fossil fuel-fired electrical generating station with a production capacity of 5 MW or more; or

(c) a wood-fired electrical generating station with a production capacity of 5 MW or more.

26. Expansion of a hydroelectric generating station, or a fossil fuel-fired electrical generating station, that increases production capacity by 5 MW or more.

Wildlife

27. In a wildlife area, construction, decommissioning or abandonment of

(a) an electrical generating station or electrical transmission line;

(b) a dam, dike, reservoir or other structure for the diversion of water;

(c) an oil or natural gas facility or oil or natural gas pipeline;

- (d) a mine or mill;
- (e) a nuclear facility;
- (f) an industrial undertaking;
- (g) a marine terminal;
- (h) a railway line or public road;
- (i) an aerodrome; or
- (j) a waste management facility.

28. Importing wildlife from outside Canada that are non-indigenous to Yukon and that are to be introduced into the natural environment.

29. Transporting from Yukon live wildlife, other than wood bison, that are indigenous to Yukon and that are an endangered species or a threatened species.

Transportation

30. Construction or decommissioning of

- (a) an aerodrome located in the developed area of a community;
or
- (b) an airport.

31. Flying of military fixed-wing jet aircraft as part of a training program at an altitude below 330 m above ground level if the number of flying hours planned is more than 25 hours in a calendar year.

32. Construction of a railway line.

33. Construction of an all-season public road more than 50 km in length if the road

(a) is not on a right of way developed for a power line, pipeline, railway line or road nor on a right of way contiguous to, for its whole length, a right of way developed for a power line, pipeline, railway line or road; or

(b) will lead to a community that lacks all-season public road access.

34. Construction of a bridge on the Yukon, Pelly, Stewart, White, Teslin, Liard, Peel, Takhini or Porcupine River.

Nuclear Facilities and Nuclear Substances

35. Preparation of a site for, or construction, operation, modification, decommissioning or abandonment of, a nuclear facility.

36. Abandonment, disposal or release into the environment of a nuclear substance, if

(a) the nuclear substance is readily removable from and is not distributed throughout a substance, material, a device or equipment, and the quantity of the nuclear substance exceeds its exemption quantity; or

(b) the nuclear substance is distributed throughout, and is not readily removable from, the substance, material, device or equipment, and the concentration of the nuclear substance delivers an effective dose that exceeds 1% of the effective dose limit set out in column 3 of item 3 of the table to subsection 13(1) of the *Radiation Protection Regulations*.

37. Possession or use of, or other activity in relation to the possession or use of, a nuclear substance that is an unsealed source in a quantity exceeding 1 PBq (10^{15} Bq).

38. Abandonment or disposal of a substance, material, a device or equipment the surface of which is contaminated with a nuclear substance that is not readily removable from the surface, if

(a) the contamination exceeds 3 Bq/cm² averaged over a surface of not more than 100 cm²; and

(b) the dose rate at the surface of the substance, material, device or equipment exceeds 1 µSv/h.

Contaminants and Waste

39. Construction, decommissioning or abandonment of a facility used exclusively for the treatment, incineration, disposal, recycling or storage of special waste if

(a) its treatment, incineration, disposal or recycling capacity is

(i) 20 t/year or more of waste oil,

(ii) 10 t/year or more of special waste, other than waste oil, generated as a result of the repair and maintenance of motor vehicles, or

(iii) 5 t/year or more of special waste not described in subparagraphs (i) and (ii); and

(b) its storage capacity is

(i) 20 t or more of waste oil,

(ii) 10 t or more of special waste, other than waste oil, generated as a result of the repair and maintenance of motor vehicles, or

(iii) 5 t or more of special waste not described in subparagraphs (i) and (ii).

40. Expansion of a facility used exclusively for the treatment, incineration, disposal or recycling of special waste that increases its capacity by more than 35% if its treatment, incineration, disposal or recycling capacity is

(a) 20 t/year or more of waste oil;

(b) 10 t/year or more of special waste, other than waste oil, generated as a result of the repair and maintenance of motor vehicles; or

(c) 5 t/year or more of special waste not described in paragraphs (a) and (b).

Water

41. Drilling, decommissioning or abandonment of a well that extracts 200 000 m³/year or more of groundwater.

42. Expansion of a well for the extraction of groundwater that increases its extraction capacity by more than 35% and increases the extraction capacity to 200 000 m³/year or more.

43. Construction, decommissioning or abandonment of a facility or installation, other than a well, that extracts 200 000 m³/year or more of groundwater.

44. Expansion of a facility or installation, other than a well, for the extraction of groundwater that increases its extraction capacity by more than 35% and increases the extraction capacity to 200 000 m³/year or more.

45. Diverting 10 000 000 m³/year or more of water from one natural water body to another.

46. Increasing, by more than 35%, the capacity of a diversion that diverts 10 000 000 m³/year or more of water from one natural water body to another.

47. Construction, decommissioning or abandonment of a dam or dike having a reservoir with a surface area that exceeds the annual mean surface area of the natural water body by 100 ha or more.

48. Expansion of a dam or dike that results in the surface area of a reservoir increasing by more than 35% and exceeding the annual mean surface area of the natural water body by more than 100 ha.

49. The deposit of waste into surface water, or in any other place under conditions in which the waste, or any other waste that results from the deposit, can enter surface water if

(a) the deposit is related to placer mining in which chemicals are used during the mineral recovery process; or

(b) the deposit is related to a community undertaking and the waste is deposited by means of a disposal system that serves 500 persons or more and is installed in accordance with the *Sewage Disposal Systems Regulations*, Yukon O.I.C. 1999/82.

National Parks, National Park Reserves and National Historic Sites

50. In a national park, national park reserve or national historic site, the construction, operation, modification, decommissioning or abandonment of, or other activity in relation to, a structure, facility or installation if the activity is contrary to a management plan tabled in each House of Parliament in accordance with section 32 of the *Parks Canada Agency Act* or section 11 of the *Canada National Parks Act*.

51. In a national park or national park reserve, the expansion of the size of an area that is used for golfing or an expansion of the number of holes that are used for golfing in that area.

Miscellaneous

52. On other than Crown land and settlement land, the construction, operation, modification, decommissioning or abandonment of a storage tank system for petroleum products that has a capacity that is, and in the case of a modification remains, more than 250 000 000 L.

53. On Crown land or settlement land, the establishment of a petroleum fuel storage facility, or the storage of petroleum fuel in a container, that has a capacity of more than 250 000 000 L.

54. Operation, decommissioning or abandonment, or an expansion that increases the production capacity by more than 35%, of

(a) a gravel or sand pit with a production capacity of 500 000 m³/year or more; or

(b) a stone quarry with a production capacity of 1 000 000 t/year or more.

55. Cutting 20 000 m³ or more of standing or fallen trees or removing that amount of fallen or cut trees.

56. Other than in a training area, test establishment or range established on January 18, 1995 for the testing of weapons by the Minister of National Defence under section 4 of the *National Defence Act*, testing of weapons for military purposes.

57. Construction, outside of a military base, of a training area, test establishment or range for the testing of weapons or for military training.

58. Construction of a military base or of a station outside of a military base.

59. Decommissioning of a military base or station.

60. Expansion of a military base or station that increases its area by more than 25% or increases the cumulative footprint of its existing buildings by more than 25%.