

APPROVAL

PROVINCE OF ALBERTA

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT R.S.A. 2000, c.E-12, as amended.

APPROVAL NO.: 508440-00-00

APPLICATION NO.: 001-508440

EFFECTIVE DATE: June 13, 2025

EXPIRY DATE: March 31, 2028

APPROVAL HOLDER: Canadian National Railway Company

ACTIVITY: the application of pesticides in, on, or within 30 horizontal metres of
an open body of water

is subject to the attached terms and conditions.

Designated Director under the Act: 
Todd Aasen, P.Eng.

Date Signed: June 11, 2025

TERMS AND CONDITIONS ATTACHED TO APPROVAL

PART 1: DEFINITIONS

SECTION 1.1: DEFINITIONS

- 1.1.1 All definitions from the *Act* and the regulations apply except where expressly defined in this approval.
- 1.1.2 In all PARTS of this approval:
- (a) “Act” means the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c.E-12, as amended;
 - (b) “application” means the written submissions from the approval holder to the Director in respect of application number 001-508440 and any subsequent applications for amendments of approval number 508440-00-00;
 - (c) “aquatic vegetation” means vegetation that must be partially submerged in water for part of its lifecycle to survive;
 - (d) “bed and shore of an open body of water” means land that is or has been covered by water to the extent that:
 - (i) no vegetation grows on the land; or
 - (ii) the vegetation that grows on the land is aquatic vegetation;
 - (e) “Director” means an employee of the Government of Alberta designated as a Director under the *Act*;
 - (f) “pesticide(s)” means the Product(s)/Active Ingredient(s) listed in the table(s) in this approval;
 - (g) “project” means the application of Habitat Aqua Herbicide (*Pest Control Act* Registration No. 32374) in and within 30 metres of wetland sites along Canadian National Railway Company (CN) rail lines that run along Highway 14 and Highway 610 for control of *Phragmites australis subsp. australis* (invasive Phragmites) as described in application 001-508440.
 - (h) “regulations” means the regulations enacted pursuant to the *Act*, as amended; and
 - (i) “year” means calendar year, unless otherwise specified.

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PART 2: GENERAL

SECTION 2.1: REPORTING

- 2.1.1 The approval holder shall immediately report by telephone any contravention of the terms and conditions of this approval to the Director at 1-780-422-4505 or 1-800-222-6514.
- 2.1.2 The approval holder shall submit a written report to the Director within seven (7) days of the reporting pursuant to 2.1.1.
- 2.1.3 The report required in 2.1.2 shall contain, at a minimum, the following information:
- (a) a description of the contravention;
 - (b) the date of the contravention;
 - (c) the duration of the contravention;
 - (d) the location of the contravention;
 - (e) a detailed description of the circumstances leading up to the contravention;
 - (f) the steps or procedures which were taken to minimize, control or stop the contravention;
 - (g) a summary of proposed measures that will prevent future contraventions, including a schedule of implementation for these measures; and
 - (h) any other information required by the Director in writing.
- 2.1.4 The approval holder shall submit an Annual Report to the Director on or before November 30th of the year in which the information was collected.
- 2.1.5 The Annual Report shall include, at a minimum, all of the following information:
- (a) a map indicating the location where each application of pesticide occurred during the year;
 - (b) the application records, in accordance with the Pesticide (Ministerial) Regulation AR 43/97, as amended;
 - (c) any off-target impacts; and
 - (d) any other information required by the Director in writing.

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SECTION 2.2: RECORD KEEPING

- 2.2.1 The approval holder shall obtain a copy of the records maintained in accordance with the *Pesticide (Ministerial) Regulation AR 43/97* by the holder of a Pesticide Applicator Certificate conducting pesticide applications pursuant to this approval.
- 2.2.2 The approval holder shall retain records obtained pursuant to 2.2.1 for a minimum of five (5) years.

SECTION 2.3: OTHER

- 2.3.1 The terms and conditions of this approval are severable. If any term or condition of this approval or the application of any term or condition is held invalid, the application of such term or condition to other circumstances and the remainder of this approval shall not be affected thereby.

PART 3: OPERATIONS AND LIMITS

SECTION 3.1: OPERATIONS

- 3.1.1 The approval holder shall not apply pesticides in, on, or within 30 horizontal metres of an open body of water except as provided for in this approval, the regulations and the latest edition of the *Environmental Code of Practice for Pesticides*.
- 3.1.2 The approval holder shall ensure that the application of pesticide(s) under the authority of this approval is restricted to applications to control *Phragmites australis subsp. australis* (invasive Phragmites) growing in and within one (1) metre of standing water at wetland sites along Canadian National Railway Company rail lines that run along Highway 14 and Highway 610, as described in 3.1.3 and the Project, as described in application 001-508440.
- 3.1.3 The approval holder shall ensure that the application of pesticide(s) under the authority of this approval is restricted to the following locations:
- (a) wetland site near Chauvin along Canadian National Railway Company rail line located on the Southwest Quarter of Section 16, Township 43, Range 2, West of the 4th Meridian (Location 1); and
 - (b) wetland site near Viking along Canadian National Railway Company rail line located on the Southeast Quarter of Section 8, Township 48, Range 13, West of the 4th Meridian (Location 2); and
 - (c) wetland site near Bruce along Canadian National Railway Company rail line located on the North Half of Section 35, Township 48, Range 15, West of the 4th Meridian (Location 3); and

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- (d) wetland site near Ryley along Canadian National Railway Company rail line located on the Southwest Quarter of Section 13, Township 50, Range 18, West of the 4th Meridian (Location 4).

3.1.4 The approval holder shall ensure that the application of pesticides is conducted by the holder of:

- (a) a Pesticide Applicator Certificate as referenced in Schedule 5 of the Pesticide (Ministerial) Regulation AR43/97 and as amended; and
- (b) a corresponding Pesticide Service Registration.

3.1.5 The approval holder shall provide a copy of this approval to all pesticide application crews that apply pesticides in accordance with this approval.

3.1.6 The approval holder shall ensure all crews and contractors understand and abide by the approval conditions.

SECTION 3.2: PESTICIDE APPLICATION LIMITS

3.2.1 The approval holder shall spray only emergent foliage of *Phragmites australis subsp. australis* (invasive Phragmites) in a manner that maximizes spray interception by the target vegetation and minimizes spray or drift onto other susceptible vegetation and to prevent overspray from entering water.

3.2.2 The approval holder shall ensure that no application of Habitat Aqua Herbicide is made during periods where the winds are:

- (a) dead calm;
- (b) gusty; or
- (c) greater than 16km/h.

3.2.3 The approval holder shall not apply Habitat Aqua Herbicide where:

- (a) runoff may flow onto agricultural land;
- (b) the body of water is used for irrigation; or
- (c) land is slumping or washed out.

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- 3.2.4 The approval holder shall ensure that spraying of Habitat Aqua Herbicide is not within 1 km upstream of an active potable water intake in slow-moving water or within 1 km of an active potable water intake in a standing body of water.
- 3.2.5 The approval holder shall ensure that no application of Habitat Aqua Herbicide occurs when heavy rain is forecasted within 24 hours.
- 3.2.6 The approval shall not apply more than one (1) application of Habitat Aqua Herbicide per calendar year.
- 3.2.7 The approval holder shall:
- handle;
 - apply;
 - transport;
 - store; and
 - dispose
- of the pesticide specified in TABLE 3.2, in accordance with the information and instructions identified on the product label, the regulations and as described in the Project.
- 3.2.8 Application site(s), Product(s)/Active Ingredient(s), Target Pest(s), and Application Rate and Application Method(s) for pesticides shall be as prescribed in TABLE 3.2.

TABLE 3.2: PESTICIDE APPLICATION LIMITS

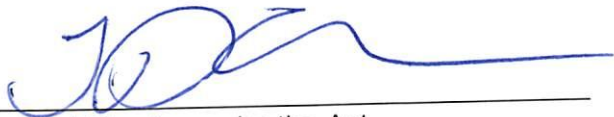
Application Site(s)	Product(s)/Active Ingredient(s)	Target Pest(s)	Application Rate and Application Method(s)
Areas specified in condition 3.1.3	Habitat Aqua Herbicide (imazapyr) PCP Act Reg. No. 32374	<i>Phragmites australis subsp. australis</i> (invasive <i>Phragmites</i>)	<ul style="list-style-type: none"> • Application rate of 3.0 to 4.68L/ha • Backpack sprayer • Hand-pump sprayer • High volume spraying equipment utilizing handguns or other suitable nozzle arrangements

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	Aquasurf Non-Ionic Spray Adjuvant (surfactant blend) PCP Act Reg. No. 32152	Not Applicable	<ul style="list-style-type: none">0.25% v/v
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- 3.2.9 The approval holder shall not undertake the activity in any manner or use any material that causes or may cause any of the following:
- (a) impairment, degradation or alteration of the quality of natural resources, including the aquatic environment;
 - (b) material discomfort, harm or adverse effect to the well-being or health of a person; or
 - (c) harm to property or public safety.

June 11, 2025
Date Signed


Designated Director under the Act
Todd Aasen, P.Eng.