

10.4 Appendix 1

## CANADA PUBLIC TRANSIT FUND

# BASELINE FUNDING GUIDE

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This guide has been prepared to provide an overview of the Baseline funding stream and to support applicants with the Expression of Interest (EOI) submission process. The EOI Instruction Guide [Annex A] will walk applicants through each section of the EOI, explaining what information to provide and how to ensure your submission meets the program requirements for consideration. This includes supporting and informing applicants about the requirements and information needed to prepare and submit an EOI.

This guide may be updated periodically to address questions that may arise. Please ensure you are consulting the latest version of the guide before finalizing an EOI for submission.

## 1. WHAT IS THE CANADA PUBLIC TRANSIT FUND?

In February 2021 the Prime Minister announced the new permanent federal funding for public transit and active transportation infrastructure, beginning in 2026-27.

The new Canada Public Transit Fund, announced in 2024, will provide \$3 billion per year for public transit and active transportation infrastructure, beginning in 2026-27. The Fund will provide stable and predictable funding to address long-term transit goals and aims to:

- Increase the use of public transit and active transportation relative to car travel
- Increase the housing supply and affordability as part of complete, transit-oriented communities
- Help mitigate climate change and improve climate resilience
- Improve public transit and active transportation options for all, especially Indigenous People and equitydeserving groups.

To support the Canada Public Transit Fund objective of advancing housing outcomes as part of complete and inclusive transit-oriented communities, certain recipients will be required to meet specific set of housing conditions.

Communities with a population above 30,000 will be required to complete a Housing Needs Assessment if not already completed as part of another federal program including Housing Accelerator Fund or Canada Community Building Fund.

In addition, communities with a population of more than 150,000 will be required to:

- Concentrate more housing development near transit by allowing high-density within 800 metres of high-frequency or higher-order transit.
- Eliminate mandatory minimum off-street parking requirements within 800 metres of high-frequency or highorder transit, excluding accessibility requirements.
- Enable more housing supply near post-secondary institutions by allowing high-density housing as-of-right within 800 metres of recognized post-secondary institutions.

These conditions do not need to be met before submission of an expression of interest. However, applicants that are deemed to be eligible and invited to submit a Capital Plan Application will be required to meet these above conditions.

## 2. WHAT IS THE BASELINE FUNDING STREAM?

Baseline funding will provide predictable, long-term funding to communities with existing transit systems to support routine capital and non-capital investments, with an expected focus on projects of a relatively small-scale, including public transit and active transportation system expansions, improvements, and state of good repair. The Baseline funding stream is an approximately \$500 million annual envelope that is part of the Canada Public Transit Fund. Allocations from the \$500 million funding envelope are determined based on a formula that considers both ridership and population metrics.

## **3. BASELINE APPLICATION PROCESS**

The Baseline funding stream has a two-stage application process:

- Stage I: The "EOI Submission"; and
- Stage II: The "Capital Plan Application".

### Stage 1: EOI Submission

In order to ensure all communities with existing public transit systems have the opportunity to receive support, Housing, Infrastructure and Communities Canada will launch an Expression of Interest process to invite communities to apply for Baseline funding. The EOI process will ensure that Housing, Infrastructure and Communities Canada has accurate and complete data on all transit systems across the country and can make effective, evidence-based eligibility and allocation decisions.

Throughout the EOI stage, Housing, Infrastructure and Communities Canada will maintain communications with applicants to address any questions or concerns. Additionally, Housing, Infrastructure and Communities Canada may reach out to applicants if their EOI is incomplete or if further clarification is required with respect to an EOI submission.

The completed EOI must be submitted to Housing, Infrastructure and Communities Canada by 3:00 PM EDT on September 16, 2024. The EOI is a mandatory component of the Baseline application process.

Applicants are encouraged to refer to <u>Annex A – EOI Instruction Guide</u>, which provides detailed instructions on completing the EOI.

## Stage II: Notional Allocation & Capital Plan Application

The confirmation of eligibility, communication of a notional allocation and invitation to submit a capital plan application will be undertaken following the closure date of the EOI intake. Final allocations for Baseline funding will be communicated to applicants after all capital plan applications have been reviewed and approved by Housing, Infrastructure and Communities Canada.

Funding will then be delivered through multi-year contribution agreements in alignment with communities' capital plans. This will enable Housing, Infrastructure and Communities Canada to provide enhanced funding stability by offering regular (e.g., annual) payments to support delivery of the capital plan investments, as long as identified milestones are being met. See *section 7* for more information on cost eligibility.

## Questions:

Questions for the Baseline funding team can be submitted by email to <u>baselinefunding-</u><u>financementdebase@infc.gc.ca</u>. In addition, please find the <u>FAQs here</u>.

## 4. ELIGIBLE RECIPIENTS

To be eligible to receive Baseline funding, a recipient must be a legal entity capable of entering into legally binding agreements.

In most cases, transit authorities or other public sector entities that own a municipal transit system are expected to be

The EOI will target the following eligible recipients that will be considered for Baseline funding:

- A municipal or regional government;

the lead applicants for Baseline funding.

- A public sector body that is established by or under provincial or territorial statute or by regulation or is wholly owned by a province, territory, municipal or regional government (such as a transit agency);
- A federally or provincially incorporated not-for-profit organization or charity;
- A provincial or territorial government;
- An Indigenous recipient, Indigenous development corporation or Indigenous benefiting organization; and
- A private sector, for-profit body, if they are working in collaboration with an eligible public sector entity or with an eligible Indigenous recipient.

#### **IMPORTANT INFORMATION:**

The following are not eligible recipients under the Canada Public Transit Fund:

- Individuals; private citizens;
- Federal entities, including federal Crown corporations;
- Private sector entities seeking funding for non-public transit/non-school transportation related projects.
- In case of not-for-profit organizations whose mandate is to improve Indigenous outcomes, Applicants must provide Housing, Infrastructure and Communities Canada with a letter of support from one of the eligible Indigenous recipients indicated above, a municipality, or province or territory.

### 5. WHO CAN APPLY?

Baseline funding is intended to support existing transit systems with ongoing capital expenditures, minimum thresholds have been established to determine eligible applicants. As such, at the EOI stage, to be considered eligible for Baseline funding, applicants must meet the following:

- ✓ Minimum of 3 years of historical ridership, population served, and capital investment data.
- ✓ A public transit system that includes fixed route service.
- ✓ Have a minimum annual capital expenditure of \$100,000 per year.
- ✓ Minimum ridership of 30,000 per year.

#### 6. HOW WILL MY EOI BE ASSESSED?

The EOI captures the information required to assess whether an applicant is eligible to receive Baseline funding and to determine notional allocations. All applicants will be notified of the outcome of their EOI after final review by Housing, Infrastructure and Communities Canada.

The EOI eligibility and program requirements will ensure applicants can effectively utilize the ongoing annual allocation for Baseline funding. This will also allow applicants to determine if they possess the necessary resources and capacity to meet the program requirements.

Applicants who are deemed eligible will be invited to submit Capital Plan Applications and will be required to meet certain program conditions. These include, but are not limited to the following:

- For communities with a population over 30,000, recipients will be expected to commit to completing a Housing Needs Assessment and a minimum set of housing expectations. Note that this may require collaborating with other with other responsible and accountable organizations.

- Recipients will be expected to commit to supporting Canada's plan to achieve net-zero emissions by 2050 and to ensure that future potential climate impacts are considered.
- Recipients will be required to report on progress and outcomes as specified in any funding agreements.
- Recipients will also have to ensure that all projects comply with applicable codes and standards, environmental assessment and other applicable federal laws and regulations, Indigenous consultation and accommodation obligations, accessibility standards and other specific conditions that will be outlined at the Capital Plan Application stage.

For communities unable to fully leverage Baseline funding or those without fixed-route transit systems but interest in transit funding, the targeted funding stream under the Canada Public Transit Fund may better align with their capacity and public transit needs. Future intake windows may be opened on a periodic basis to allow newly interested or newly eligible communities to express their interest in baseline transit funding. Housing, Infrastructure and Communities Canada will ensure that future intake windows are communicated to applicants in a timely manner.

## 7. WHAT TYPE OF PROJECTS AND EXPENDITURES ARE ELIGIBLE?

Baseline funding is intended to support public infrastructure, which is defined as tangible capital assets primarily for public use and/or benefit, and will include capital transit and active transportation infrastructure projects or non-capital projects. Investments must support program objectives and expected results and must meet applicable federal requirements.

- For a **capital infrastructure project** to be eligible for funding, it must include the acquisition, enhancement, modernization, rehabilitation, construction, expansion, restoration, renovation, refurbishment, or replacement of assets that fall under one of the following categories:
  - o Public transit systems and related infrastructure; or,
  - Active transportation infrastructure or networks.
- **Non-capital projects** will support transit-related development, planning, or design, of public infrastructure projects. For a non-capital project to be eligible for funding, it must support one of the following:
  - $\circ$  A potential future capital project that would be considered eligible under the program; or
  - Transit and active transportation projects related to planning, feasibility studies, stand-alone design work or other related capacity building, research or data projects. Projects that support the development of transit-oriented communities are also eligible; this would include projects like transitrelated housing needs assessments.

Eligible expenditures are costs that are considered direct and necessary to the project as agreed to by Housing, Infrastructure and Communities Canada in writing in advance of the cost being incurred, excluding those explicitly defined as ineligible (see below). Project expenditures related to construction and/or acquisition of assets will only be eligible as of project approval. Costs related to non-capital projects may be retroactively eligible. For example, costs associated with Indigenous engagement/consultation may be retroactively eligible. The decision on whether to provide funding retroactively would rest with the Minister or delegated authority.

Expenditures can only be reimbursed to the recipient if a funding agreement is signed, project approval conditions are met, including, where applicable, confirmation that environmental assessment and Indigenous consultation and accommodation obligations have been met and continue to be met.

## 8. WHAT TYPES OF EXPENDITURES ARE INELIGIBLE?

The following expenditures are ineligible under the program:

- Capital project costs incurred before project approval:
- Cost incurred for cancelled projects;
- Leasing land, buildings, and other facilities; leasing equipment other than equipment directly related to the construction of the project; real estate fees and related costs;
- Any overhead costs, including salaries and other employment benefits of any employees of the Eligible Recipient
  or ultimate recipient, its direct or indirect operating or administrative costs and more specifically its costs related
  to planning, engineering, architecture, supervision, management, and other activities normally carried out by its
  staff. The incremental costs of employees of an eligible recipient may be included as eligible expenditures under
  the following conditions:
  - The eligible recipient can demonstrate that it is not economically feasible to tender a contract; and
  - $\circ$   $\;$  The arrangement is approved in advance and in writing by Canada.
- Financing charges, and loan interest payments, including those related to easements (e.g., surveys),
- Legal fees, except those explicitly eligible;
- Principal and interest payments to the Canada Infrastructure Bank;
- Any goods and services costs which are received through donations or in kind;
- Provincial sales tax, goods and services tax, and harmonized sales tax for which the ultimate recipient is eligible for a rebate, and any other costs eligible for rebates;
- Costs associated with operating expenses and regularly scheduled maintenance work are ineligible with the exception of:
  - essential capital equipment purchased at the onset of the construction/acquisition of the main asset and approved by Canada; or
  - operating costs including staff training, salaries and benefits, fuel, maintenance, repairs, and insurance associated with pilot projects undertaken by Indigenous recipients or Indigenous benefitting organizations, and low-capacity recipients in rural, northern, or remote communities.
- Cost related to furnishing and non-fixed assets which are not essential for the operation of the asset/project;
- All capital costs, including site preparation and construction costs, until Housing, Infrastructure and Communities Canada has confirmed that environment/impact assessment and Indigenous consultation obligations have been met and continue to be met.

\* Capital plan approval is the date of the Approval-in-Principle letter signed by the Minister of Housing, Infrastructure and Communities and provided to the applicant. Any costs incurred prior to project approval are considered ineligible.

## 9. COST-SHARE/STACKING

Program contribution limits and stacking limits are outline below:

Maximum Program contributions, Maximum Federal Contributions, and Stacking Limits			
Funding Mechanism	Maximum Program Contribution	Maximum Federal Contribution from all sources (up to)	
Baseline funding capital projects	Up to 40% for projects located within provinces Up to 75% for projects located within territories	Maximum Federal Contributions are equal to Maximum Program Contributions	

	Up to 100% for Indigenous recipients or Indigenous benefitting organizations
Baseline funding Non-capital projects	Up to 80%

Notwithstanding the above, under all components, for projects receiving funding through the Canada Community-Building Fund (CCBF) or the Canada Mortgage and Housing Corporation (CMHC), the CCBF and CMHC portions of funding may bring the maximum federal contribution up to 100%. For projects with CIB involvement, the CIB portion of funding may also bring the maximum federal contribution up to 100%.

## 10. HOW DO I APPLY?

Interested applicants are invited to apply to the Baseline funding by creating an applicant account on the <u>Housing</u>, <u>Infrastructure and Communities Canada Funding Portal</u>.

All applicants who are not already registered must register for a Housing, Infrastructure and Communities Canada applicant account to access the Baseline EOI form. Once registered,

- New applicants will be required to create an organization profile. Once you have created your new
  organization in the Housing, Infrastructure and Communities Canada Applicant Portal, please select it from the
  existing organization name list.
- For applicants that have applied to other programs, your organization profile has already been created. You can find this profile by searching the existing organization name list. In the event that your organization is not found, you can proceed to create a new organization profile.

## 11. HOW DO I SUBMIT AN EOI?

Interested applicants are invited to complete the EOI which can be located in the <u>Housing</u>, <u>Infrastructure and</u> <u>Communities Canada Funding Portal</u>.

If an applicant cannot complete the EOI attestation, please make sure every section of the form is filled out. Only an employee from the eligible organization, authorized by the primary contact, can attest to the form; a third party cannot do so on behalf of the organization.

Applicants do not have to complete the form in one attempt, they can save it and return to it as many times as needed before the submission deadline.

If applicants encounter issues with submitting their EOI through the Housing, Infrastructure and Communities Canada webpage or have questions about the EOI, they are asked to reach out to the <u>baselinefunding-financementdebase@infc.gc.ca</u> for assistance.

## **12. OTHER PROGRAM REQUIREMENTS**

#### **Environmental Assessment**

Housing, Infrastructure and Communities Canada's funding of projects is contingent upon Canada ensuring the respect of federal environmental statutory requirements. All projects are assessed for federal environmental assessment requirements under the applicable legislation or regulatory process. Environmental assessment requirements must be met before project construction can begin and funding can flow. Depending on the project's location and the potential for adverse environmental effects, projects submitted for Baseline funding may have an environmental impact assessment requirement under the *Impact Assessment Act* (IAA), Northern regulatory regimes, modern treaties, and/or other federal legislation. Under the IAA, projects may be designated or may be subject to requirements if they are on federal lands (s.82).

Housing, Infrastructure and Communities Canada will review Capital Plan Applications for potential adverse environmental effects and will inform applicants of any environmental assessment requirements and next steps.

For more information about environmental assessment requirements and relevant legislation, please consult the Impact Assessment Agency of Canada's (IAAC) website, or the appropriate provincial or territorial government website.

#### **Duty to Consult**

The Government of Canada has a legal duty to consult and, where appropriate, accommodate, Indigenous peoples when it contemplates conduct that might adversely impact Aboriginal or Treaty rights. These rights include, but are not limited to, the right to hunt, fish, and practice traditional activities and ceremonies. While the duty to consult is a Crown obligation, Housing, Infrastructure and Communities Canada asks funding recipients to assist it in fulfilling the duty by undertaking consultation activities, given their knowledge of the projects and region. Indigenous consultation requirements must be met before project construction can begin and funding can flow.

Baseline funding projects are less likely to give rise to a duty; however, if any of the proposed projects are likely to have impacts on rights, applicants may be required to undertake early engagement prior to submitting a Capital Plan Application. Housing, Infrastructure and Communities Canada will provide applicants with more focused guidance following the review of the EOI, to help them identify projects that could have impacts and the communities with whom they should engage. Applicants must consider costs related to Indigenous engagement and consultation in their overall funding request. After reviewing the Capital Plan Application, Housing, Infrastructure and Communities Canada will assess projects for potential impacts and will inform applicants of any further engagement or consultation requirements and next steps.

## **13. ROLES AND RESPONSIBILITIES**

Housing, Infrastructure and Communities Canada is responsible for the implementation of the Baseline funding stream, including making payments, ensuring the proper use of federal funding, and monitoring projects and results.

Housing, Infrastructure and Communities Canada's role in a project is limited to making a financial contribution to the applicant and consequently, Housing, Infrastructure and Communities Canada will have no involvement in the implementation of that project or its operation. Housing, Infrastructure and Communities Canada is neither a decision-maker nor an administrator of a Project.

Housing, Infrastructure and Communities Canada will not be financially responsible for any ineligible expenditures or cost overruns.

Applicants are responsible for completing the EOI form with true, accurate, and reliable information based on professional knowledge. Applicants are also responsible for ensuring the financial accuracy of the capital spending on public transit. Successful applicants will be responsible for any cost increase, cost overruns, ineligible expenditures and costs associated with canceled projects.

All applicants that are approved for Baseline funding will be required to provide regular reports to I Housing, Infrastructure and Communities Canada. The terms of the reporting requirements will be set in contribution agreements. These may include any of the following: annual and final reports, status and progress updates, financial reports and evaluation reports.

## Purpose

The applicant Expression of Interest (EOI) guide has been designed to offer clear instructions to applicants regarding the necessary information required for submitting a complete EOI. The information in the EOI will help Housing, Infrastructure and Communities Canada to assess, review, and determine applicant eligibility for Baseline funding.

All fields within the EOI are mandatory. You will not be permitted to submit the EOI unless all fields are completed. Applications that include incomplete or inaccurate data will be returned to the applicant for corrections.

## APPLICANT IDENTIFICATION

## APPLICANT

The applicant must provide the full legal name of the applicant organization and the organization type such as the province, territory, municipality, regional government, or other <u>eligible</u> entity that is applying to receive funds to deliver the project.

Applicants must choose the Recipient type of the lead organization. Check one only:

- Municipal Government
- Regional Government
- Municipal Transit Agency
- Regional Transit Agency
- Provincial Government
- Territorial Government
- Provincial Transit Agency
- Territorial Transit Agency
- Indigenous Community
- Not-for-Profit Organization (Transit Agency)
- For-Profit Organization (Transit Agency)

Legal name – Organization's legal name as shown on the certificate of incorporation/registration. Please ensure its full legal name is reflected. For example, is your organization's legal name "The Corporation of the City of Smithville" or "The City of Smithville"?

Please add the province the organization is located in.

A "Primary Contact' must be identified that is directly affiliated with the Applicant Organization and authorized to submit an EOI and lead the completion of a Capital Plan Application. The applicant must provide the name and title of the applicant's primary contact.

A "Secondary Contact" from the applicant organization may also be engaged to support in the coordination of the EOI and Capital Plan Application. The applicants must provide the applicant's secondary contact for the organization.

Applicants are required to provide their mailing address.

## ORGANIZATION INFORMATION

#### ORGANIZATION INFORMATION

Please provide a description of your organization (municipality, transit agency, etc.) and its responsibilities with respect to transit.

The applicant is required to outline the roles and responsibilities of their organization in relation to public transit. This may include, but not limited to the development and on-going management of your Capital Plan Application including the organizational structure and the decision-making process, planning, funding, operations, maintenance, or oversight of transit services. More specifically, the lead applicant must provide its mandate, role in the project(s) and why it is best suited to undertake the project leadership role.

#### Asset Ownership

If your organization does not own the assets, please select "No" and provide information regarding the ownership of the assets. This may include the name of the organization(s), lease agreement(s), or any other relevant details.
 If your organization partially owns the assets or shares ownership with other organization(s), please specify the extent of the ownership and provide details on how ownership arrangements are managed. Include information on any joint agreements, partnership structures, or shared responsibilities related to asset ownership.

#### Asset Operation

- If your organization does not operate the assets, please select "No" and provide details regarding the operation of the public transit services. Include information about the organization(s) responsible for service delivery, the nature of the relationship between your organization and the service provider(s), and any relevant contractual agreements.
- If the asset(s) or infrastructure used in delivering public transit services are operated by private sector firms on behalf of your organization, please specify this arrangement. Include details on the contractual agreement including the duration of the contractual agreement and the scope of services provided.

#### TRANSIT SERVICES OFFERED

One of the eligibility criteria for communities to be considered eligible for Baseline funding is the presence a public transit system that includes fixed route services within the community. This section will help Housing, Infrastructure and Communities Canada in gaining a comprehensive understanding of the community's transit infrastructure by providing key information about the types of transit system available in the community.

Please provide a list and brief description of transit offered by your organization. For example, Housing, Infrastructure and Communities Canada recommends that applicants provide key information about each transit service offered which can include:

Rail

 Describe any rail transit services operated by your organization. This may include details such as type of rail service (e.g., community rail, light rail, subway) or high level overview of frequency of service/service levels

Fixed Route Bus

Outline the fixed route bus services provided by your organization. This may include details about key
destinations served or high level overview of frequency of service/service levels.

#### Para-transit

- Describe any para-transit service offered by your organization to accommodate vulnerable populations such as people with disabilities, women, Youth and Indigenous people.
- Describe any on-demand services offered by your organization, such as shuttle services and destinations served. This may include high level overview of frequency of service/service levels.

If your community offers any additional services not covered by the above categories, please include them in this section and provide a brief description of the services and service area.

#### RIDERSHIP

In order to be considered for Baseline funding, applicants will be required to share key data on the performance of their transit systems, capturing for example, the number of transit rides. These ridership figures are critical to support allocation of funds and performance assessment for Baseline funding.

This section aims to collect information on the utilization of public transit services over the past five years which includes linked and unlinked ridership data. Although Housing, Infrastructure and Communities Canada encourages applicants to provide linked and unlinked data for eligibility, applicants can provide only unlinked data if linked is not available. Providing both data points can offer a more comprehensive understanding of transit usage patterns and provides a more accurate representation of the transit services offered in communities.

Transit systems across Canada employ various methodologies to determine ridership figures, each tailored to their unique fare policies and technological capabilities. In this section, applicants are requested to briefly explain the methodology used to collect and analyze the ridership data and clarify whether the data represents linked trips, unlinked trips/boarding, or other methods. For example, this includes describing how the data was collected, whether through estimation-based ridership methodologies such as manual counts, pass multipliers, transfer rate collections, or technology-based methods such as automated passenger count or fare validation card systems.

The applicant must ensure transparency and accuracy in reporting ridership data and methodology. They may articulate any limitations or constraints that may affect the reliability of the data. It is important to note that as allocations will be based on ridership and population data, applicants must provide clear, accurate and substantive ridership and populations lacking this detailed information will be deemed incomplete and may not be considered eligible for baseline funding.

The expectation is that 5 years of data will be provided covering 2019-2023. At a minimum, 3 years of data must be entered to save and submit your application.

#### POPULATION

The population data section aims to gather information on the population served by the transit system, including the population of the municipality(ies) in which the organization is located and the service area population where transit services are provided. This data is crucial for assessing the reach and impact of transit projects and informing funding allocation decisions.

Population of Municipality(ies)

- Provide the population of the municipality(ies) in which the organization is located, using Statistics Canada 2021 Census data. This data can typically be obtained from official government sources or Statistics Canada's website. Service Area Population table

- Service Area Population: For each year, provide the total population in the geographical areas where the transit services are provided (service area population). This should reflect the population residing within the geographical boundaries covered by the transit system.
- Municipalities served by transit system: List the municipalities served by the transit systems operating within the specified service area for each corresponding year.
- How the service area population was calculated: Explain how the service area population was calculated, including the methodology used and the date (year) of the data source.

The expectation is that 5 years of data will be provided covering 2019-2023. At a minimum, 3 years of data must be entered to save and submit your application.

## CAPITAL INVESTMENT

This section aims to gather data on the past five years of capital spending on public transit. This data provides valuable insights into the financial commitments and contributions made by various levels of government and transit agencies towards transit infrastructure projects.

Applicant are requested to provide Housing, Infrastructure and Communities Canada with information on capital spending broken down by the following categories for the past five years:

Municipal/local Government/Transit Agency Fund

- Report capital spending contributed by municipal, local government, or transit agency sources towards public projects. This may include vehicle procurement costs, and facility upgrades and maintenance costs etc.,.

**Provincial Territorial Funding** 

- Report capital spending supported by provincial and territorial government funding for public transit initiatives.

Federal Funding

Report capital spending supported by federal government funding sources for transit projects. This includes any
direct funding allocations from federal programs or initiatives, including those from CCBF.

The expectation is that 5 years of data will be provided covering 2019-2023. At a minimum, 3 years of data must be entered to save and submit your application. Where no funding was received from a certain source, enter \$0.

## INVESTMENT PLANNING

#### CAPITAL INVESTMENT/ASSET MANAGEMENT PLAN

This section aims to assess applicants' readiness and capacity to maintain and support routine annual capital investments, including public transit and active transportation system expansions, improvements, and state of good repair. Housing, Infrastructure and Communities Canada will analyze this data to better understand how applicants can effectively utilize Baseline funding allocations and contribute their share towards transit infrastructure projects.

If applicants have an existing short-medium term capital investment or asset management plan for public transit, they should indicate "Yes" and proceed to provide the planned annual investment for the next five years.

For each year, applicants should specify the planned annual investment amount allocated towards public transit projects. This includes funding dedicated towards transit infrastructure improvements, maintenance, expansions, and upgrades within the transit system.

Baseline funding will allocate recipients a steady envelope of funding – it is imperative that recipients have sufficient capital investment requirements to make meaningful use of that envelope. By providing this information, applicants can demonstrate to Housing, Infrastructure and Communities Canada their readiness and capacity to effectively utilize Baseline funding allocations towards transit projects, contributing to the overall success of the program.

#### CONSULTATIONS WITH INDIGENOUS PEOPLES ON POTENTIAL IMPACTS

#### Duty to Consult

The Government of Canada may have a legal duty to consult with, and if applicable, accommodate, Indigenous Peoples when it contemplates conduct that might adversely impact Indigenous or treaty rights. These rights include, but are not limited to, the right to hunt, fish, and practice traditional activities and ceremonies. Housing, Infrastructure and Communities Canada will assess potential impacts of projects on these constitutionally protected Indigenous and treaty rights to ensure that those affected are properly notified, consulted and, where required, accommodated. While the duty to consult is an obligation that rests with the Crown, the Government of Canada will expect funding recipients under the Baseline program to carry out certain procedural aspects of consultation on a proposed project, where appropriate ( e.g. providing notification letters to, and organizing consultation sessions with, Indigenous communities that will be affected by the proposed project).

#### **Environmental Assessment**

An Environmental Assessment ensures that project impacts are carefully reviewed before a federal department or agency recommends whether a proposed project may proceed. Depending on where the project is located and the potential for adverse effects, an environmental impact assessment may be required prior to undertaking construction activities. Applicants are responsible for providing information to determine whether their project may require an impact assessment under the federal Impact Assessment Act (IAA), or an environmental assessment under Modern Treaties or Northern Regimes. If you are unsure of the legislative responsibilities, please consult the appropriate provincial or territorial government for environmental assessment requirements and the Impact Assessment Agency of Canada's (IAAC's) website for the basics of federal IA requirements. Under the IAA, projects may be designated (s.8) or may be subject to requirements if they are on federal lands (s.82). EA requirements must be met for a project to proceed.

#### **REQUIREMENTS AND COMMITMENTS**

#### PROGRAM REQUIREMENTS

The intake process for Baseline funding will comprise of an EOI stage followed by confirmation of eligibility, communication of a notional allocation to eligible applicants and an invitation to submit a capital plan application. Capital plan applications will then be submitted by eligible applicants, reviewed by Housing, Infrastructure and Communities Canada to ensure applicants meet program requirements and commitments (see section 5 – EOI Eligibility and Program Requirements) prior to determination of the final Baseline funding allocations for applicants.

#### **EOI APPLICATION ATTESTATION:**

The EOI Application must be signed by an authorized senior official such as: Chief Financial Officer (CFO), Chief Administrative Officer (CAO), Chief Executive Officer (CEO), Certified Planner, and/or a Certified Engineer.