

**Tom A. Loski**

Chief Regulatory Officer

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May 6, 2016

Ms. Laurel Ross  
Acting Commission Secretary  
British Columbia Utilities Commission  
Sixth Floor – 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Ms. Ross:

**RE: Project No. 3698854  
British Columbia Utilities Commission (BCUC or Commission)  
British Columbia Hydro and Power Authority (BC Hydro)  
W.A.C Bennett Riprap Upgrade Project  
Response to Commission and Interveners Information Request No. 3  
(Exhibit B-18)**

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BC Hydro writes in compliance with Commission Order No. G-54-16 to provide, as Exhibit B-18, its responses to Commission and Interveners Information Request No. 3.

BC Hydro has reviewed the evidence submitted by Saulteau First Nations on Tuesday, May 3, 2016 (Exhibit C5-12). Where appropriate, BC Hydro has attached evidence to its IR responses. BC Hydro does not intend to file any further rebuttal evidence.

For further information, please contact Geoff Higgins at 604-623-4121 or by email at [bchydroregulatorygroup@bchydro.com](mailto:bchydroregulatorygroup@bchydro.com).

Yours sincerely,



Tom Loski  
Chief Regulatory Officer

gh/ma

Enclosure

Copy to: BCUC Project No. 3698854 (W.A.C. Bennett Riprap Upgrade Project)  
Registered Intervener Distribution List.



British Columbia  
Utilities Commission

Laurel Ross  
Acting Commission Secretary

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VIA eFILING

May 2, 2016

**BC HYDRO W.A.C. BENNETT  
RIPRAP UPGRADE PROJECT EXHIBIT A-16**

Mr. Tom A. Loski  
Chief Regulatory Officer  
BC Hydro and Power Authority  
333 Dunsmuir Street  
Vancouver, BC V6B 5R3

Dear Mr. Loski:

Re: British Columbia Hydro and Power Authority  
W.A.C. Bennett Dam Riprap Upgrade Project

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Further to your November 13, 2015 filing of the above noted application and the Regulatory Timetable revised in British Columbia Utilities Commission Order G-54-16, enclosed please find Commission Information Request No. 3. In accordance with the Regulatory Timetable, please file your response no later than Friday, May 6, 2016.

Yours truly,

*Original signed by:*

Laurel Ross

AT/dg  
Enclosure

**British Columbia Hydro and Power Authority  
W.A.C. Bennett Dam Riprap Upgrade Project**

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**29.0 Reference: FIRST NATIONS CONSULTATION  
Exhibit B-14, pp. 7, 9; Exhibit B-3, BCUC IR 1.23.4  
Environmental Management and Protection Plans (EMP and EPPs)**

On page 7 of Exhibit B-14, British Columbia Hydro and Power Authority (BC Hydro) states:

Many of the mitigation measures requested in the FNITR were already scheduled to be included in the Project as part of BC Hydro's Environmental Management Plan (EMP) or through the Project Contractor's Environmental Protection Plan (EPP) and specific mitigation plans.

On page 9 of Exhibit B-14, BC Hydro states:

The EPP will contain a number of specific mitigation plans. In the meantime, BC Hydro has provided the FNITR and the table referred to above to the Project Contractor so that it is aware of the mitigations that BC Hydro has committed to and will make the necessary inclusions into its EPP and relevant mitigation plans. BC Hydro has committed to consulting with First Nations on these before they are finalized.

In response to BCUC Information Request (IR) 1.23.4, BC Hydro states:

BC Hydro will share the EMP with First Nations and will consider any feedback received by First Nations to modify the EMP. The EMP then establishes the content of the Contractor's EPP. BC Hydro will share any requested EPPs with First Nations.

29.1 Will First Nations have to request the EPPs in order to review them as suggested by the IR response?

29.1.1 Will First Nations' feedback be considered to modify the EPPs? If not, why not?

29.1.2 What are the consequences, if any, for the Project Contractor if specific measures in the EPPs are not implemented?

29.1.2.1 What contractual provisions are in place with the Project Contractor to ensure that they implement all measures in the EPPs and comply with these measures throughout the lifespan of the Project?

29.1.3 It appears that BC Hydro is delegating much of the project impact mitigation to the Project Contractor through the EPPs that may or may not be reviewed by First Nations. Please discuss any risks or concerns associated with this given that the Project Contractor does not have a duty to consult that is grounded in the honour of the Crown.

**30.0 Reference: FIRST NATIONS CONSULTATION  
Exhibit B-14, pp. 9–10; Exhibit C5-10, p. ii of the FNITR Final Report  
Assessment of impacts and consultation process**

On pages 9-10 of Exhibit B-14, BC Hydro states:

Overall, BC Hydro disagrees that its EA and permit application materials are inadequate. The level of the assessment in the EA was guided by the size and scope of the Project. The Project does not trigger an environmental assessment under either the provincial or federal regime. Many of the gaps or deficiencies identified in the FNITR are based on standards that would apply if an environmental assessment was required.

Page ii of the First Nations Independent Technical Review (FNITR) Final Report states:

BC Hydro's impact assessment methodology is questionable as it fails to account for all Valued Ecosystem components (VECs) that are important to First Nations, and consequently fails to accurately identify and interpret potential adverse effects on those VECs. Importantly, this report identifies how BC Hydro's mitigation and environmental management plans either are not available, or how they fail to adopt adequate impact avoidance, mitigation, and compensation measures.

30.1 Please address the issue raised in the FNITR that BC Hydro's methodology is questionable as it fails to account for all VECs that are important to First Nations. Is the identification of VECs that are relevant to First Nations, in consultation with First Nations, a requirement of the EA?

30.1.1 Would the consultation process have been more meaningful and responsive if BC Hydro identified VECs with First Nations prior to commissioning the environmental study(ies) required for the Project?

**31.0 Reference: FIRST NATIONS CONSULTATION  
Exhibit B-14, pp. 15–18  
Assessment of impacts**

On page 12 of Exhibit B-14, BC Hydro states: The notable change to the existing landscape from the Project is to the SFQ [Sand Flat Quarry].

On pages 15 and 16 of Exhibit B-14, BC Hydro states:

BC Hydro has concluded that the seriousness of the potential impacts of the Project are low having regard to the historical context of past impacts in the vicinity of the Project and the larger Treaty 8 territory as set out in the FNITR and TUSs...

While in certain circumstances the historical context in which the Project arises may deepen the severity of the potential Project impacts, the temporary and limited nature of the Project in this case does not give rise to such an outcome.

On page 17 of Exhibit B-14, BC Hydro states:

In *Mikisew*, the Supreme Court of Canada found that the construction of a winter road occupying 23 square kilometres in part adjacent to the Mikisew's reserve lands, through a national park and on surrendered lands triggered a duty to consult at the lower end of the Spectrum...

On page 18 of Exhibit B-14, BC Hydro states:

As in the case of *Mikisew*, the rights in question in this case are established Treaty 8 rights. The Project is temporary, on previously disturbed lands, with no new permanent taking up of lands, and a significant distance from First Nations' main communities.

- 31.1 Given that the *Mikisew* decision was based on evidence from a number of years ago, does the cumulative impact on the Treaty 8 territory, which has continued since the time of *Mikisew*, contribute to a higher assessment of impacts than low?
- 31.2 Could a permanent change to landscape, such as will occur at the Sand Flat Quarry, be considered a permanent "taking up of lands" under Treaty 8? How is BC Hydro sure that the land will be suitable for First Nations to potentially exercise their treaty rights after the Project is complete?

**32.0 Reference: FIRST NATIONS CONSULTATION  
Exhibit B-14, Appendix A, p. 18; Exhibit C5-10, p. 26 of SFN Knowledge and Use Study  
Mitigation of impacts**

On page 18 of Appendix A in Exhibit B-14, BC Hydro states:

In regards to the requested chance find procedures [for previously unidentified heritage resources] BC Hydro agrees with the requests with the exception of the following. The buffer applied to the stop work order will be determined by the nature of the chance find. BC Hydro will notify Chief and Council of the chance find and will consult on how to move forward. Should there be a chance find, BC Hydro hopes to gain First Nations support through its efforts to address any concerns, but ultimately the decision on how to proceed is BC Hydro's. BC Hydro decision must be consistent with regulatory requirements.

On page 26 of the *Saulteau First Nations' (SFN) Knowledge and Use Study* states that the Regional Study Area includes burial places of Saulteau ancestors.

- 32.1 Given that chance finds could include burial sites, is it appropriate for BC Hydro to maintain the position that the ultimate decision on how to proceed is BC Hydro's? Would there be a different protocol for a chance find of a site with great cultural significance or with the significance of a burial site?

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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On page 9 of Exhibit B-14, BC Hydro states:

The EPP will contain a number of specific mitigation plans. In the meantime, BC Hydro has provided the FNITR and the table referred to above to the Project Contractor so that it is aware of the mitigations that BC Hydro has committed to and will make the necessary inclusions into its EPP and relevant mitigation plans. BC Hydro has committed to consulting with First Nations on these before they are finalized.

In response to BCUC Information Request (IR) 1.23.4, BC Hydro states:

BC Hydro will share the EMP with First Nations and will consider any feedback received by First Nations to modify the EMP. The EMP then establishes the content of the Contractor's EPP. BC Hydro will share any requested EPPs with First Nations.

3.29.1 Will First Nations have to request the EPPs in order to review them as suggested by the IR response?

**RESPONSE:**

**BC Hydro approaches consultation with each potentially affected First Nation in a manner that is respectful of its wishes. As described in Exhibit B-1 (section 4.2.5) some of the identified First Nations have advised that they intend to be less directly involved in the Project. For instance, Fort Nelson First Nation has advised that given the location of the Project they are deferring to other First Nations.<sup>1</sup> Similarly, the consultation process with others has not identified any potential impacts from the Project on their Aboriginal interests.<sup>2</sup> Given this, BC Hydro does**

<sup>1</sup> See for instance the summary of Engagement with Fort Nelson First Nation (Exhibit B-1, page 4-21).

<sup>2</sup> See for instance the summaries of Engagement with Blueberry River First Nations (Exhibit B-1, page 4-19) and with Prophet River First Nation (Exhibit B-1, page 4-25).

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

not intend on providing the draft EPP to First Nations in the absence of a request to do so. That being said, where a First Nation has indicated a desire to be involved in further engagement on the development of mitigation and monitoring measures or is actively still engaged on the Project, BC Hydro will advise them that the draft EPP is available for review and provide them a copy if requested. BC Hydro's approach to the sharing of the EPP is both reasonable and supported in law. As stated by the Supreme Court of Canada in *Haida Nation v. British Columbia (Minister of Forests)*, [2004] 3 SCR 511, 2004 SCC 73 (CanLII) , the precise requirements of the consultation process "will vary with the circumstances" and "[e]very case must be approached individually" (paragraphs. 44 to 45).

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
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**29.0 Reference: FIRST NATIONS CONSULTATION  
Exhibit B-14, pp. 7, 9; Exhibit B-3, BCUC IR 1.23.4  
Environmental Management and Protection Plans (EMP and  
EPPs)**

On page 7 of Exhibit B-14, British Columbia Hydro and Power Authority (BC Hydro) states:

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In response to BCUC Information Request (IR) 1.23.4, BC Hydro states:

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3.29.1 Will First Nations have to request the EPPs in order to review them as suggested by the IR response?

3.29.1.1 Will First Nations' feedback be considered to modify the EPPs? If not, why not?

**RESPONSE:**

**Yes. BC Hydro will consider feedback from First Nations as part of its review of the draft EPP and will make appropriate amendments and additions to the draft EPP prior to approving its final content.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.2</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

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3.29.1 Will First Nations have to request the EPPs in order to review them as suggested by the IR response?

3.29.1.2 What are the consequences, if any, for the Project Contractor if specific measures in the EPPs are not implemented?

**RESPONSE:**

**The Construction Contract is currently being negotiated and will be executed only if BC Hydro's Board of Director's approves the Project cost for implementation. Should the Project be approved, BC Hydro will ensure that the Construction Contract will provide BC Hydro the ability to, at its discretion and upon BC Hydro's environmental monitor identifying non-compliances with the EPP:**

- **Stop work; and**
- **Issue a default notice to the Contractor requiring compliance within a reasonable period of time.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.2</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

**Further, should the Contractor not achieve compliance in accordance with any default notice, BC Hydro will have the option of terminating the Construction Contract or doing the work itself at the Contractor's expense.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.2.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
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  - 3.29.1.2 What are the consequences, if any, for the Project Contractor if specific measures in the EPPs are not implemented?
    - 3.29.1.2.1 What contractual provisions are in place with the Project Contractor to ensure that they implement all measures in the EPPs and comply with these measures throughout the lifespan of the Project?

**RESPONSE:**

**Please refer to BC Hydro's response to BCUC IR 3.29.1.2.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.3</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

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3.29.1.3 It appears that BC Hydro is delegating much of the project impact mitigation to the Project Contractor through the EPPs that may or may not be reviewed by First Nations. Please discuss any risks or concerns associated with this given that the Project Contractor does not have a duty to consult that is grounded in the honour of the Crown.

**RESPONSE:**

**The involvement of a private proponent in the construction of the Project does not risk or put into question BC Hydro's constitutional obligations to First Nations: "the ultimate legal responsibility for consultation and accommodation rests with the Crown. The honour of the Crown cannot be delegated." (Haida, at para. 53).**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.29.1.3</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
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**BC Hydro has taken adequate steps to ensure that it retains ultimate decision-making authority on the mitigation and monitoring measures adopted and oversight over their implementation.**

**With respect to determining the content of mitigation and monitoring measures for the Project, as set out in BC Hydro's response to BCOAPO IR 3.14.1, BC Hydro determines the standard and content set in the EMP and has approval authority over the EPP. In approving the content of the EPP, BC Hydro has to consider a number of factors including but not limited to cost, schedule, safety, stakeholders' feedback, environmental issues and concerns raised by First Nations. BC Hydro has the ability to reject the final EPP if it does not believe that adequate mitigation and monitoring measures have been incorporated. As such, there is no risk that First Nations' feedback will not be considered and where appropriate, incorporated as part of the development of mitigation and monitoring measures for the Project.**

**With respect to BC Hydro's power to ensure that the EMP and EPP are adhered to, refer to BC Hydro's response to BCUC IR 3.29.1.2.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.30.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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 Report  
 Assessment of impacts and consultation process**

On pages 9-10 of Exhibit B-14, BC Hydro states:

Overall, BC Hydro disagrees that its EA and permit application materials are inadequate. The level of the assessment in the EA was guided by the size and scope of the Project. The Project does not trigger an environmental assessment under either the provincial or federal regime. Many of the gaps or deficiencies identified in the FNITR are based on standards that would apply if an environmental assessment was required.

Page ii of the First Nations Independent Technical Review (FNITR) Final Report states:

BC Hydro's impact assessment methodology is questionable as it fails to account for all Valued Ecosystem components (VECs) that are important to First Nations, and consequently fails to accurately identify and interpret potential adverse effects on those VECs. Importantly, this report identifies how BC Hydro's mitigation and environmental management plans either are not available, or how they fail to adopt adequate impact avoidance, mitigation, and compensation measures.

3.30.1 Please address the issue raised in the FNITR that BC Hydro's methodology is questionable as it fails to account for all VECs that are important to First Nations. Is the identification of VECs that are relevant to First Nations, in consultation with First Nations, a requirement of the EA?

**RESPONSE:**

**BC Hydro's selection of ECs studied in the EA was informed by the information it had at the time, which came from a number of sources including input from First Nations, stakeholders, FLNRO, literature searches, site visits and field studies. With respect to input from First Nations, consultation on the Project began two years before the EA began. Issues that were identified by First Nations at that time were incorporated into the EA. By way of example, during a meeting with BC Hydro in March 2014, Saulteau raised the importance of bees. As a result, bees were considered as part of the Wildlife Environmental Component in the EA. Further, West Moberly raised concerns about impact to the Moberly caribou herd, and BC Hydro then included the Moberly caribou herd as a component in the EA.**

**BC Hydro voluntarily undertook the EA as part of prudent Project planning. There is no regulatory requirement to do so. BC Hydro informed its EA with input**

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received from First Nations up to that point in time. BC Hydro relied on its EA in support of its FLNRO applications. FLNRO consulted with First Nations during the regulatory permitting process and the scope of the EA was acceptable to the permitting authorities.

BC Hydro agrees that the TUSs and FNITR provide useful information as to the Valued Components (VCs) important to the First Nations, and this information would have informed the EA had it been available at that time. That being said, the EA and the TUSs adequately assess potential Project impacts on the First Nations' VCs. Please refer to BC Hydro's consideration of potential Project impacts to First Nations VCs at Exhibit B-14, pages 10 to 14, section 2.1.2.1.

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.30.1.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
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3.30.1.1 Would the consultation process have been more meaningful and responsive if BC Hydro identified VECs with First Nations prior to commissioning the environmental study(ies) required for the Project?

**RESPONSE:**

**Please refer to BC Hydro's response to BCUC IR 3.30.1.**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.31.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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3.31.1 Given that the Mikisew decision was based on evidence from a number of years ago, does the cumulative impact on the Treaty 8 territory, which has continued since the time of Mikisew, contribute to a higher assessment of impacts than low?

**RESPONSE:**

**No. As set out in Exhibit B-3 (BC Hydro's response to BCUC IR 1.20.2 and Exhibit B-14 (section 2.1.2.1 (at pages 16-17))), BC Hydro's assessment of the seriousness of the potential impacts arising from the Project was consistent with the approach articulated by the Court of Appeal in *West Moberly First Nations v. British Columbia (Chief Inspector of Mines)*, 2011 BCCA 247. The Court of Appeal in *West Moberly* required the Crown to assess the potential impacts of the Project**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.31.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

**within the appropriate historical context to ensure a proper understanding of the seriousness of the potential impacts to the First Nations' interest. The Court of Appeal's decision in *West Moberly* did not hold that when the Crown contemplates conduct in an area that has undergone significant development the severity of the impact will necessarily be greater than in an area that has not undergone a similar level of development. There is no support for such a proposition at law. Instead, what is required is that the Crown considers the potential Project impacts within the historical context to determine their true severity. This is precisely the analysis that BC Hydro undertook. It considered the nature of the specific potential impacts of this Project within the appropriate historical context, and concluded that even in this context the Project's potential impacts were still low.**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

**31.0 Reference: FIRST NATIONS CONSULTATION  
 Exhibit B-14, pp. 15–18  
 Assessment of impacts**

On page 12 of Exhibit B-14, BC Hydro states: The notable change to the existing landscape from the Project is to the SFQ [Sand Flat Quarry].

On pages 15 and 16 of Exhibit B-14, BC Hydro states:

BC Hydro has concluded that the seriousness of the potential impacts of the Project are low having regard to the historical context of past impacts in the vicinity of the Project and the larger Treaty 8 territory as set out in the FNITR and TUSs...

While in certain circumstances the historical context in which the Project arises may deepen the severity of the potential Project impacts, the temporary and limited nature of the Project in this case does not give rise to such an outcome.

On page 17 of Exhibit B-14, BC Hydro states:

In *Mikisew*, the Supreme Court of Canada found that the construction of a winter road occupying 23 square kilometres in part adjacent to the Mikisew’s reserve lands, through a national park and on surrendered lands triggered a duty to consult at the lower end of the Spectrum...

On page 18 of Exhibit B-14, BC Hydro states:

As in the case of *Mikisew*, the rights in question in this case are established Treaty 8 rights. The Project is temporary, on previously disturbed lands, with no new permanent taking up of lands, and a significant distance from First Nations’ main communities.

3.31.2 Could a permanent change to landscape, such as will occur at the Sand Flat Quarry, be considered a permanent “taking up of lands” under Treaty 8? How is BC Hydro sure that the land will be suitable for First Nations to potentially exercise their treaty rights after the Project is complete?

**RESPONSE:**

**In some cases, a permanent change to the landscape may amount to a permanent “taking up of lands”, but the determining factor should not be whether there is a change in the landscape, but whether or not after the activity in question has concluded, the lands will be available for First Nations to meaningfully practice their treaty rights. In the present case, the legal requirement as per the Quarry**

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.31.2</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
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Permit Q-9-043<sup>1</sup> is to reclaim the Sand Flat Quarry site back to an environment that is suitable habitat for wildlife. Below are the relevant permit conditions:

**2. Land Use**

The surface of the land and watercourses shall be reclaimed to the following land use: **Wildlife Habitat.**

**4. Re-vegetation**

Land shall be re-vegetated to a self-sustaining state using appropriate plant species. Re-vegetation species shall be selected based on the principles of ecological succession, traditional use, and cultural significance, including all reasonable efforts to use only native species unless short-lived agronomic species are required to temporarily control erosion.

Thus, despite the change to the landscape at the Sand Flat Quarry the land will be available to and suitable for traditional activities like hunting and trapping after the Project is completed.

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<sup>1</sup> Exhibit B-1, Appendix H, at page 11 of 67.

<b>British Columbia Utilities Commission</b> Information Request No. <b>3.32.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

**32.0 Reference: FIRST NATIONS CONSULTATION  
 Exhibit B-14, Appendix A, p. 18; Exhibit C5-10, p. 26 of SFN  
 Knowledge and Use Study  
 Mitigation of impacts**

On page 18 of Appendix A in Exhibit B-14, BC Hydro states:

In regards to the requested chance find procedures [for previously unidentified heritage resources] BC Hydro agrees with the requests with the exception of the following. The buffer applied to the stop work order will be determined by the nature of the chance find. BC Hydro will notify Chief and Council of the chance find and will consult on how to move forward. Should there be a chance find, BC Hydro hopes to gain First Nations support through its efforts to address any concerns, but ultimately the decision on how to proceed is BC Hydro's. BC Hydro decision must be consistent with regulatory requirements.

On page 26 of the Saulteau First Nations' (SFN) Knowledge and Use Study states that the Regional Study Area includes burial places of Saulteau ancestors.

3.32.1 Given that chance finds could include burial sites, is it appropriate for BC Hydro to maintain the position that the ultimate decision on how to proceed is BC Hydro's? Would there be a different protocol for a chance find of a site with great cultural significance or with the significance of a burial site?

**RESPONSE:**

**BC Hydro agrees that the nature and type of a chance find must be considered in determining the appropriate scope and scale of any response measures. The discovery of a site with great cultural significance or a burial site will attract different response measures than the discovery of a single common artifact. As previously committed to, BC Hydro will notify and consult with First Nations if any chance finds are discovered.**

**FLNRO has specific requirements for reporting archaeological sites and human remains. The RCMP has its own requirements for the discovery of human remains. BC Hydro is required to meet these legal requirements. As such, BC Hydro does not believe it is appropriate to defer to the direction of Chief and Council on how to proceed in the case of a chance find. However, BC Hydro will seek input from First Nations as to how they believe BC Hydro should proceed and will consider this input in deciding a course of action that is consistent with the honour of the Crown and BC Hydro's regulatory requirements. BC Hydro agrees with the FNITR recommendation that if appropriate measures are not agreed upon between Chief and Council and BC Hydro within a reasonable timeframe, the parties will meet jointly with government regulators to discuss appropriate measures for addressing the identified spiritual or cultural value.**

REQUESTOR NAME: BCOAPO  
INFORMATION REQUEST ROUND NO: 3  
TO: BRITISH COLUMBIA HYDRO &  
POWER AUTHORITY  
DATE: May 2, 2016  
APPLICATION NAME: W.A.C. Bennett Riprap Upgrade  
Project

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**14.0 Reference: Exhibit B-14, pages 7-8**

14.1 It is noted that on page 7 BC Hydro has accepted further mitigations as recommended by the FNITR after which BC Hydro goes on to list a number of additional mitigations that are now included in its plan. Please indicate whether the list includes all of the additional mitigations that BC Hydro has now committed to or whether there were any others since the filing of the initial Application.

**15.0 Reference: Exhibit B-14, page 10 (lines 20-27)**

15.1 The Update states: "As to potential impacts to the quantity and quality of wildlife, no residual impacts are expected with appropriate mitigation measures." Are these "appropriate mitigation measures" all included in BC Hydro's current commitments or are they yet to be determined? If the former, please indicate what they are and where they are set out in the evidence provided to date.

**16.0 Reference: Exhibit B-14, page 11 (lines 14-22)**

16.1 Similarly, the Update states: "With proper mitigation measures, no effects to water quality or fish availability are expected". Again, are these "appropriate mitigation measures" all included in BC Hydro's current commitments or are they yet to be determined? If the former, please indicate what they are and where they are set out in the evidence provided to date.

**17.0 Reference: Exhibit B-14, page 1 (lines 11-12)**

17.1 Please reconcile BC Hydro's commitment to additional mitigation measures and its indicated willingness to consider further mitigation measures with the statement that "there is no change to the Project cost".

**18.0 Reference: Exhibit B-14, page 23 (lines 15-18) and Appendix A**

18.1 Please indicate specifically which requested workplans or mitigation measures BC Hydro considers as "not being accepted".

<b>British Columbia Old Age Pensioners' Organization</b> Information Request No. <b>3.14.1</b> Dated: <b>May 2, 2015</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

**14.0 Reference: Exhibit B-14, pages 7-8**

3.14.1 It is noted that on page 7 BC Hydro has accepted further mitigations as recommended by the FNITR after which BC Hydro goes on to list a number of additional mitigations that are now included in its plan. Please indicate whether the list includes all of the additional mitigations that BC Hydro has now committed to or whether there were any others since the filing of the initial Application.

**RESPONSE:**

**BC Hydro would like to clarify the process of developing the final EPP. The process starts with identifying project activities and potential environmental and social interactions to identify potential effects from the Project. Potential environmental and social effects are determined through literature searches, site visits, field studies, First Nations consultation, stakeholder engagement and provincial permitting processes. These potential issues are addressed in the Environmental Assessment (EA) or Environmental Management Plan (EMP) where mitigation measures are identified. BC Hydro develops an EMP based on the EA results and best Management Practices for standard construction activities associated with the Project (e.g., fuel handling and storage) as guidance for the Contractor. The EMP is included in the Request for Proposals as a specification. The review of proposals received includes an evaluation of the proponents past environmental performance, which is a contributing factor in the selection of the preferred Contractor.**

**BC Hydro requires the Contractor to develop a detailed site specific Environmental Protection Plan (EPP) based on the EMP and proposed construction plan. The EPP is adapted to include more site specific content for mitigations. Generally, BC Hydro will require the contractor to provide a draft EPP so that it can be reviewed for consistency with the EMP. In reviewing the draft EPP, BC Hydro considers whether it addresses First Nations' concerns or other stakeholder requests regarding potential environmental impacts. In this case, BC Hydro will be providing the EPP to First Nations that have requested it, and seeking their input. BC Hydro will consider their input when reviewing the EPP and determine if changes are necessary. BC Hydro then approves the EPP. The Contractor will be required to provide an environmental monitor for the duration of the Project. BC Hydro will also have an environmental monitor to confirm the EPP is being adhered to. The implementation of mitigation measures is adaptive and might be modified if conditions are not as expected during the construction phase of the Project.**

**The list on page 7 does not include all of the additional mitigation measures that BC Hydro will be incorporating into the Project. It is a list of some of the mitigation**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit: B-18</b>

**measures agreed to by BC Hydro in response to the FNITR. BC Hydro is working on a number of other mitigations that are being developed as part of the ongoing EMP/EPP process described above. In addition the FLNRO and MEM also imposed several conditions to mitigate environmental effects of the Project.**

<b>British Columbia Old Age Pensioners' Organization</b> Information Request No. <b>3.15.1</b> Dated: <b>May 2, 2015</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

**15.0 Reference: Exhibit B-14, page 10 (lines 20-27)**

3.15.1 The Update states: "As to potential impacts to the quantity and quality of wildlife, no residual impacts are expected with appropriate mitigation measures." Are these "appropriate mitigation measures" all included in BC Hydro's current commitments or are they yet to be determined? If the former, please indicate what they are and where they are set out in the evidence provided to date.

**RESPONSE:**

**Please refer to BC Hydro's response to BCOAPO IR 3.14.1.**

<b>British Columbia Old Age Pensioners' Organization</b> Information Request No. <b>3.16.1</b> Dated: <b>May 2, 2015</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit: B-18</b>

**16.0 Reference: Exhibit B-14, page 11 (lines 14-22)**

3.16.1 Similarly, the Update states: "With proper mitigation measures, no effects to water quality or fish availability are expected". Again, are these "appropriate mitigation measures" all included in BC Hydro's current commitments or are they yet to be determined? If the former, please indicate what they are and where they are set out in the evidence provided to date.

**RESPONSE:**

**Please refer to BC Hydro's response to BCOAPO IR 3.14.1.**

<b>British Columbia Old Age Pensioners' Organization</b> Information Request No. <b>3.17.1</b> Dated: <b>May 2, 2015</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit: B-18</b>

**17.0 Reference: Exhibit B-14, page 1 (lines 11-12)**

3.17.1 Please reconcile BC Hydro's commitment to additional mitigation measures and its indicated willingness to consider further mitigation measures with the statement that "there is no change to the Project cost".

**RESPONSE:**

**BC Hydro's Project Cost Range of \$171.4 million and \$109.7 million has contingencies adequate to the Project's size and complexity, including contingency for Project design growth and rework. BC Hydro continues to believe the Project Cost range is adequate to address mitigations.**

<b>British Columbia Old Age Pensioners' Organization</b> Information Request No. <b>3.18.1</b> Dated: <b>May 2, 2015</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

**18.0 Reference: Exhibit B-14, page 23 (lines 15-18) and Appendix A**

3.18.1 Please indicate specifically which requested workplans or mitigation measures BC Hydro considers as “not being accepted”.

**RESPONSE:**

In Exhibit B-14, Appendix A, BC Hydro responds to the specific mitigation/accommodation measures or further studies recommended in the FNITR workplans. As noted in Exhibit B-14 page 7, BC Hydro hopes to gain First Nations’ support through its efforts to address their concerns, but does not require First Nations’ approval for its plans. BC Hydro continues to develop mitigation measures in many cases it is unclear if there will be agreement or disagreement between the parties. The specific recommendations that BC Hydro has not agreed to are as follow (Appendix A table reference # provided):

#2	A blanket 30 km/hour speed limit – instead undertaking road hazard assessment
#7	Mandatory uses of the SCQI. BC Hydro will only suggest the SCQI to the certified professional in erosion and sediment control (CPESC).
#8	Set two-hour intervals for turbidity measurements – frequency of measurements will be determined based on risk
#16	Dust modeling and monitoring – addressed through monitoring and sediment and erosion control plan
#17	Noise modeling – address through monitoring
#19	Preconstruction seed collection – unnecessary as adequate seeds in surrounding area
#23	Developing Habitat sustainability models
#30	BC Hydro will not agree to defer to First Nations direction in the event of a chance find. BC Hydro will work with First Nations and take steps to build their support for a plan, but will follow regulatory requirements. Also please refer to BC Hydro’s response to BCUC IR 3.32.1.
#31	BC Hydro does not agree to trapper compensation.
#32	All recommendations related to a cumulative effects assessment which is not warranted given the scope of the Project.
#33	Habitat offsets – Reclamation will be undertaken

In addition to the above, BC Hydro does not agree with the FNITR that its EA was deficient and provided its reasons in Exhibit B-14, Appendix B. BC Hydro is continuing to consult on a number of other proposed mitigations in the FNITR.



# DONOVAN & COMPANY

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May 2, 2016

## VIA EMAIL

Ms. Laurel Ross  
Acting Commission Secretary  
British Columbia Utilities Commission  
Sixth Floor – 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Ms. Ross:

**Re: Project No. 3698854  
British Columbia Hydro and Power Authority (BCH)  
W.A.C. Bennett Dam Riprap Upgrade Project Application  
Saulteau First Nations Information Request No. 3**

We write on behalf of Saulteau First Nations (SFN). Please find enclosed SFN's Information Request No. 3 to BCH in the above-referenced matter.

Please note that the Transcript dated April 21, 2016 referenced under "Appendix I" was not recorded by Leah Manson as indicated, but was recorded by Carmen Marshall.

Yours truly,

DONOVAN & COMPANY

Mary Anne Vallianatos  
MAV/jb

Enclosures

cc: Tom Loski, Chief Regulatory Officer, BC Hydro  
Registered Interveners

**Saulteau First Nations**  
**Information Request No. 3**  
**British Columbia Hydro and Power Authority (BCH)**  
**W.A.C. Bennett Dam Riprap Upgrade Project Application**  
**Project No. 3698854**

<b>7.0</b>	<b>Reference:</b>	<p><b>KNOWLEDGE AND USE STUDY, CULTURAL IMPACTS</b></p> <p><b>Exhibit B-14, Appendix C-1, pp. 660-661; Exhibit C5-10, SFN Knowledge and Use Study, s. 4.3.4; SFN TUS slide presentation (Appendix C); April 21 Transcript, pp. 5-13 (Appendix I)</b></p> <p><b>Cross-cultural training</b></p>
	<p>On page 661 of Exhibit B-14 BC Hydro's meeting minutes for April 12, 2016 state that BC Hydro is not sure how to interpret the information in the SFN Knowledge and Use Study.</p> <p>The study describes how hunting, trapping, fishing, and harvesting plants, fungi, and medicines are traditional activities that are central to the SFN community and culture. The study discusses how extensive travel and habitation on the land contributes to intangible values such as sense of community, identity, wellbeing and spirituality, and articulates how life on the land, ceremony, history, subsistence and passing on traditional knowledge are intertwined and important to SFN members.</p> <p>SFN gave a presentation and invited questions on the TUS from BC Hydro during the April 21, 2015 meeting.</p> <p>SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.</p>	
	7.1	Has BC Hydro's Project team had cross-cultural training so that they (i) understand: (i) how First Nations people use the land; (ii) why land use is important to First Nations' communities and cultures; and (ii) cultural differences in communication?
	7.2	Does BC Hydro have any anthropologists working on its Project team?
	7.3	Why was Rodney Hill removed from the WAC Bennett Dam Upgrade Project?
	7.4	Does BC Hydro have First Nations people on the team for the Project?
	7.5	How has BC Hydro re-assessed its views on potential impacts and appropriate mitigation measures in light of the TUS? Please provide

		examples.
	7.6	How will BC Hydro ensure that workers do not disrupt SFN members' privacy or create a hostile social environment that can affect members' comfort in their territory?
<b>8.0</b>	<b>Reference:</b>	<p><b>CULTURAL CONTINUITY</b></p> <p><b>Exhibit B-14, Appendix C-1, pp 660-661; Exhibit C5-10, SFN Knowledge and Use Study, s. 4.3.5, pp 76-82</b></p> <p><b>Critical travel routes</b></p>
		<p>On page 661 of Exhibit B-14 BC Hydro's meeting minutes for April 12, 2016 describe consultation about SFN's use of the Utah FSR as a critical travel route to Carbon Lake:</p> <p style="padding-left: 40px;"><u>Carbon Lake</u></p> <p style="padding-left: 40px;">KK [Mr. Khandpur for BC Hydro] asked how Carbon Lake, identified in the TUS, related to the project. CM [Ms. Marshall for SFN] replied that people accessed Carbon Lake from the Utah Road. KK and CM acknowledge that there was another way to access Carbon Lake.</p> <p>On page 76 of Exhibit C5-10, the SFN Knowledge and Use Study explains the cultural, spiritual and historical importance of Carbon Lake:</p> <p style="padding-left: 40px;">What makes Carbon Lake noteworthy for the SFN is not only the density of recorded rights practiced in the area, but also the history of the community in the region.</p> <p style="padding-left: 40px;"><i>Carbon Lake here, there was a battle there in the early 1800s, eh. The Beaver against the Carrier Sekanis, a seven-day battle, right up in here. That area there. A seven-day battle. I guess the bones and everything are still there. That's why the, that's why the Carrier Sekanis are on that side of the Pine Pass, and the Beaver are on this side of the Pine Pass</i></p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">Carbon Lake is also linked to the Twin Sisters Mountains ...The Twin Sisters Mountains also play a large role in SFN's history and contemporary spiritual, social, and cultural landscape as a part of the SFN's origin story.</p> <p>The two access routes to Carbon Lake from the SFN reserve are the Utah FSR and Johnson Creek Road. The travel route along Utah FSR is important in its own right for SFN members to camp, fish, hunt and harvest plants, berries and mushrooms on the way to Carbon Lake (Exhibit C5-10, p 80). The study summarizes how SFN access to the Johnson Creek Road has been restricted due to existing development, road hazards, unsafe traffic conditions, security and institutional control (Exhibit C5-10, p 82).</p>
	8.1	How does BC Hydro plan to ensure SFN can continue to access

		Carbon Lake using SFN-preferred routes, and to preserve the spiritual nature of SFN's pilgrimage to this historically and culturally significant location?
	8.2	Please confirm that BC Hydro does not view avoidance of Utah FSR as an adequate mitigation measure.
<b>9.0</b>	<b>Reference:</b>	<p><b>AQUATIC RESOURCES</b></p> <p><b>Exhibit B-14, Appendix A, #9; Exhibit B-14, p. 9; Exhibit C5-10, SFN Knowledge and Use Study, Figure 8, pp. 34, 53, 59</b></p> <p><b>Exhibit B-14, Appendix C-1, p. 326-372; Exhibit C5-10, SFN Knowledge and Use Study, pp. 60-61</b></p> <p><b>Impacts to Fish - Table and Stott Creeks and Tributaries</b></p>
	<p>BC Hydro states in its table in response to SFN mitigation measures that no effects to fish are expected, and therefore fish availability for FNs should not be affected.</p> <p>Figure 8 of the SFN Knowledge and Use Study shows site specific values SFN members at various creeks crossed by Table Road, including the Table and Stott Creeks. SFN members reported fishing for subsistence purposes and catching grayling, bull trout, and white fish in the creeks traversed by Table FSR.</p> <p>Members also explained that fishing activities are often combined with camping, hiking and hunting. SFN members also expressed concern over the fact that the creek water is no longer potable, and are concerned about preventing water quality from deteriorating further.</p> <p>On page 60 of the TUS, the study describes SFN concerns about the effect of dust and silt on fish and fish habitat. Possible project impacts included the deterioration of fish habitat and streams from sedimentation, dust and erosion generated by project road traffic and construction, which would result in members avoiding the water and avoiding fishing until the end of the Project.</p> <p>Some SFN interviewees did not believe sediment and erosion could be removed once in the water courses and others requested that the stream and creek waters be tested at the end of the Project.</p>	
	9.1	Has BC Hydro taken into account potential impacts to First Nations fishers from lack of access, and affected quality of fish habitat (e.g., as a result of diminished water quality and quantity) to reach the above conclusion.
	9.2	If not, how do BC Hydro's proposed mitigation measures address the potential impacts to First Nations fishers?
	9.3	Has the contractor been informed of SFN members' reliance on and use of Table and Stott creek for fishing, camping, hiking, hunting? Has the contractor responded to SFN's concerns about fish and fishing activities?

	9.4	Can dust be extracted if extensive erosion, silt or sedimentation ends up in water course, tributaries?
<b>10.0</b>	<b>Reference:</b>	<b>RIPARIAN MANAGEMENT AREAS</b> <b>Exhibit B-14, Appendix A, #12</b>
		<p>BC Hydro states in their response that they will minimize any vegetation removal in the Riparian Management Areas to what is necessary.</p> <p>BC Hydro states in their response that an assessment area of 70 m from the centre of access roads was applied with an assumed 20 m zone of impact for road construction, and that as a result of assessment, no wetlands were found within the assessment area, and no wetlands outside this area are expected to be affected.</p>
	10.1	How was the 70 m assessment area chosen and how have First Nation concerns regarding wetlands, and their accessibility and use (e.g., plant and medicinal resources) been incorporated in this choice?
	10.2	What is the rationale for concluding that no wetlands outside the 70m assessment area would be affected? How did this conclusion take into account SFN wetland values?
	10.3	How will BC Hydro avoid disturbance to SFN plant and medicine values in riparian areas within the Project area?
<b>11.0</b>	<b>Reference:</b>	<b>AIR QUALITY, DUST</b> <b>SFN TUS slide presentation, slide 13 (Appendix C); Knowledge and Use Study, pp. 43, 47, 51-52</b> <b>Impacts to Traditional Plants (e.g. Utah FSR)</b>
		<p>The TUS outlines the following concerns about the Project impacts to culturally significant plants: concerns associated with dust (e.g. plants “suffocating”), physical disturbance and removal; concern medicinal plants will not grow back; and concern that Project activity will reduce the quality of plants traditionally harvested.</p> <p>SFN members explained that the roads are particularly dusty and the area is always windy, both factors which increase the risk of dust impacts on air quality and negative impacts on wildlife (p 43).</p> <p>Slide 13 of Firelight’s April 21, 2016 presentation shows that on both sides of the Utah FSR there are medicinal plants and timber, and SFN members have collected these for years, if not generations.</p> <p>The TUS is clear that Utah FSR is relied on by SFN for gathering food plants and medicines as well as harvesting blueberries, huckleberries, raspberries and strawberries. Additionally, members reported using diamond willow along Utah road</p>

		used for traditional preparations of moose meat.
	11.1	What is BC Hydro's rationale for choosing the dust control measures required from the <i>Mines Act</i> as opposed to ambient air quality objectives of the BC government?
	11.2	Will BC Hydro be accountable to SFN members' views on acceptable air quality and dustfall levels (including dispersion) in light of traditional use activities, through dust monitoring?
<b>12.0</b>	<b>Reference:</b>	<b>AIR QUALITY, DUST Exhibit B-14, Appendix A, #15 Dust control chemicals</b>
		<p>BC Hydro's response table indicated that chemical sprays will be used for dust control. BC Hydro has said the contractor has been made aware of First Nation concerns on sediment and dust erosion.</p> <p>BC Hydro states in their response that control of dust may include calcium chloride or lignosulfonate.</p> <p>The TUS describes SFN concerns about chemical sprays interfering with harvesting medicinal plants, as well as berries (p 49). SFN members also explained that the roads are particularly dusty and the area is always windy, both factors which increase the risk of dust impacts on air quality and negative impacts on wildlife (p 43).</p> <p>TUS describes how Project operations are expected to increase the risk of chemical contamination from the interaction of wildlife with water use for dust suppression, road compaction, and fire suppression, and blasting.</p>
	12.1	Please provide further details on possible chemical usage.
	12.2	Was the possible use of chemicals for dust suppression disclosed at the time of the TUS or FNITR?
	12.3	Describe how the effects of dust on traditional activities will be monitored and traditional uses protected in the absence of dust monitoring stations.
<b>13.0</b>	<b>Reference:</b>	<b>AIR QUALITY, DUST Exhibit B-14, Appendix A, # 15 Transcript, April 21, 2016, pp. 40, 134, (Appendix I) Dust Monitoring and Mitigation</b>
		<p>BC Hydro states in their response table that potential effects from dust will be low.</p> <p>BC Hydro further states in their response table that it will require the contractor to develop a dust control plan.</p>

		During the meeting on April 21, 2015, SFN explained its request that BC Hydro monitor dust levels, including by establishing dust monitoring stations. BC Hydro responded: "... Monitoring stations are very difficult. There would be, you know, outside influences other than just our trucks on the road, things like that. I mean, I think we have to come up with some way to not measure dust ...".
	13.1	How did BC Hydro's conclusion that the potential effects from dust would be low take into account SFN members' concerns regarding dust on the quality and quantity of plant and medicine resources and water resources in the vicinity of the Project?
	13.2	In the absence of any monitoring stations, how will BC Hydro's dust control plan determine if dustfall is a problem with respect to traditional use areas and the quality and quantity of culturally significant plant water resources in the vicinity of the Project?
	13.3	Please estimate the incremental costs associated with the establishment of dust monitoring stations. Please provide the estimate, and any assumptions and calculations.
<b>14.0</b>	<b>Reference:</b>	<b>AIR QUALITY, NOISE</b> <b>Exhibit B-1, Appendix F, pp. 86-88; Exhibit B-14, Appendix A</b> <b>Noise</b>
		In September 2015, BC Hydro provided a presentation to First Nations which indicated impacts from noise would be addressed in the Contractor's EPP.  However, in April 2016, BC Hydro's response to SFN's request for noise modelling was that noise modeling for the Project would be of little use because all potential impacts from noise was determined to be mitigatable (Exhibit B-14, Appendix A, #17).  SFN members have explained that grizzlies are sensitive to noise, and the blasting and traffic noise may have a noise impact zone as far as Battleship Mountain (p. 42). The TUS also summarizes SFN concerns that noise from the rock trucks will impact moose, by pushing them out of the area, as well as SFN trapping activities (p 41).
	14.1	Did BC Hydro change its approach to noise between September 2015 and April 2016. If so, why and how did it change its approach?
	14.2	How does BC Hydro's assessment that noise impacts will be low account for the disturbance to SFN sense of place, avoidance, and use from noise, including, but not limited to, dispersal of animals?
<b>15.0</b>	<b>Reference:</b>	<b>HUNTING</b> <b>Exhibit C5-10, SFN Knowledge and Use Study, pp. 38, 46; Exhibit</b>

		<b>B-14, Appendix A, #25</b> <b>Impacts on exercise of hunting rights</b>
	<p>BC Hydro states in Appendix A that no mineral licks were identified in the Project area.</p> <p>TUS data suggests that there is good moose habitat within the Project footprint and moose licks within the LSA.</p> <p>On page 38 of the TUS, SFN explain that hunting conditions have improved in the Project area recently with the reduced intensity of logging and traffic. SFN members observed the return of rabbits, lynx and marten.</p> <p>On page 41 of the TUS, the non-stop truck traffic associated with the Project is expected to interfere with SFN members who track wildlife.</p> <p>On pages 42 and 43 of the TUS, SFN members expressed concern that quarrying, road construction and truck traffic would damage creeks, as well as cut moose off from water access, and steady non stop truck traffic would cut off other wildlife, including small game, access to water.</p>	
	15.1	Does BC Hydro intend to re-examine its conclusion that impacts to culturally significant wildlife in the Project area are insignificant?
	15.2	How will BC Hydro address First Nations wildlife values given the findings from the TUS interviews?
<b>16.0</b>	<b>Reference:</b>	<b>HUNTING</b> <b>Exhibit C5-10, p. 87</b> <b>Recreational hunters</b>
	<p>SFN is concerned about increased stress on hunting activities in the longer term due to experience in the region of previous projects that failed to deactivate project roads by replanting trees and vegetation. One key concern is that the road upgrades performed by BC Hydro will result in increased access by recreational hunters and increased hunting activity that is not sustainable.</p>	
	16.1	How will BC Hydro address SFN concerns noted in the TUS that the Project road upgrades will lead to greater use and presence of recreational hunters in the long term?

<b>17.0</b>	<b>References:</b>	<b>WATER WITHDRAWAL AND WITHDRAWAL LOCATIONS</b>
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	<p><b>Exhibit B-14, Appendix C-1, pp. 42-45, 670; Transcript dated April 21, 2016, pp. 38-40 (Appendix C); Exhibit B-14, Appendix C-1, p. 384; Exhibit C5-10, SFN Knowledge and Use Study, Figure 8, pp. 57-58</b></p>
	<p>SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.</p> <p>The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.</p> <p>The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.</p> <p>On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.</p> <p>The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations. There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.</p> <p>BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)</p> <p>BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)</p> <p>During the April 21, 2015 meeting, SFN asked whether BCH had performed any modeling or economic analysis to determine whether or the degree to which withdrawing water from creeks and streams would be less efficient or more costly than withdrawing water from Williston. BCH confirmed “...we haven’t done any</p>

	<p>analysis.” (see Transcript p. 39, line 3)</p> <p>During the April 21, 2015 meeting, SFN asked about the practical aspects of water hauling, with a view to exploring BC Hydro’s position on this subject. For example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)</p> <p>During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: “I don’t know how much they’d store. ...”. (see Transcript p. 40, line 1)</p> <p>In its recently produced table, BCH stated: “We have indicated to our contractor, First Nation’s interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project.” (see Exhibit B-14, Appendix C-1, p. 670)</p> <p>BCH has indicated that it has the authority and discretion to approve the contractor’s plans.</p>
17.1	<p>What analysis, if any, has BCH undertaken since the April 21, 2015 meeting to support its position that withdrawing water from only from Williston Reservoir will increase costs?</p>
17.2	<p>Please provide an estimate of the incremental increase in project costs that would be caused if BC Hydro were to commit to withdrawal water only from Williston Reservoir. Please provide the estimate of increased costs, along with your assumptions and calculations.</p>
17.3	<p>Given that planned water withdrawals will require approximately 25 water trucks on the road per day, please explain whether and how BCH has included water trucking and water truck traffic in its assessment of the Project and Project impacts.</p>
17.4	<p>Has BCH undertaken any baseline studies or other assessments of water flow in each of the relevant creeks and streams, with a view to estimating the time period during which water withdrawals would be permissible under the conditions set out in the relevant <i>Water Act</i> permit? Please provide the results of any such study or assessment.</p>

	17.5	Please provide the date on which BCH first informed its contractor of SFN's request that water be withdrawn only from Williston Reservoir.
	17.6	Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's request that water be withdrawn only from Williston Reservoir.
	17.7	How many water trucks will be running during hauling operations? Where will those trucks be stored overnight and/or during shift change? Where will the water trucks travel from at the start of work shift?
	17.8	Please provide a reference photograph of the kind of water truck contemplated for use during the Project. Please ensure that the photograph includes a reference object for scale. Please also provide relevant vehicle specifications including, for example, pumping capacity (e.g. volume/minute), storage capacity (litres or m <sup>3</sup> ), gross vehicle weight loaded and unloaded, and safe stopping distances.
	17.9	Please confirm that, if BC Hydro was willing to do so, BC Hydro has the ability to require its contractor to ensure that water trucks working on the Project withdraw water only from Williston Reservoir.
	17.10	Does BC Hydro's <i>Water Act</i> license authorize BC Hydro to withdraw water from Williston Reservoir at the Marine Load Out Area ("Location 2" in Appendix A (included in Evidentiary Update but not in initial Application Materials)?
<b>18.0</b>	<b>Reference:</b>	<b>TRUCKING SAFETY AND FIRST NATIONS ACCESS</b> <b>Exhibit B-1, pp. 5-16; Transcript dated April 21, 2016, pp. 10-15, 42-45, 85-95; Exhibit B-14, Appendix C-1, pp. 667-668, 686; Exhibit B-1, pp. 3-16; Exhibit B-1, Appendix F, p. 86; Exhibit B-14</b>
		BC Hydro has previously stated that the Project will require the transportation of 10,000 truckloads of rip-rap, and that the transportation of rip-rap will involve four to five trucks per hour moving in convoy between the quarry and the dam site, during three construction seasons (March to June), according to the then current construction plan. (Plan A). (see Exhibit B-1, pp. 5-16)

BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip-rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

SFN has advised that moose and other wildlife become active and mobile in the period around dusk, and with that in mind SFN has raised concerns about the potential impacts of continuous rock truck hauling on wildlife (and hunting activities), particularly during dusk in the Summer and Autumn months. To accommodate the Project and SFN interests, SFN has proposed that rip-rap hauling be timed so that there are no rock trucks on the road for a three hour window before and during dusk, when moose and other wildlife are active and when First Nations people are likely to want to use the relevant roads to access traditional hunting and gathering areas.

BC Hydro has advised that “The recommended mitigation to stop truck traffic at dusk in the summer months would have significant impacts on the Project schedule and costs, and could result in extending the Project beyond the currently contemplated schedule. ...” (see Exhibit B-14, Appendix C-1, p. 668)

BC Hydro further advised that “The stopping truck traffic at dusk, it’s a bit of a tricky one for us because we think there might be some sort of sizeable impacts on project schedule and potentially cost.” (see Transcript, p. 86, line 3)

SFN asked BC Hydro what analysis BCH had undertaken in determining that a break in hauling at dusk in the summer months would have “significant impacts” on schedule and costs. BC Hydro’s answer was non-responsive to the question. (see Transcript, p. 86)

On page 86 of Appendix F to Exhibit B-1, BC Hydro’s presentation in September 2015 to First Nations identified the potential impact of road usage to be

“encounters with wildlife”. To protect wildlife, BC Hydro informed First Nations that BC Hydro was contemplating the following measures:

“Caribou Mitigation Plan, speed restrictions in sensitive areas, protect game trail corridors, report and record wildlife sightings, Contractor will develop an Environmental Protection Plan (EPP)”.

On page 5-16 of Exhibit B-1, BC Hydro describes its cost contingency considerations for “Vehicle Traffic Safety Hazards”.

On page 38 of the TUS, the study reports that SFN have habitation sites in the Project area, and continue to access the area even with Canfor’s current presence. In one interview a SFN member observed that families, including children camped in nearby locations and that Canfor’s logging trucks drove slowly:

*Last year when I was camped there [near Canfor’s site] I counted 32 truckloads that went down, and that’s some of them carrying three loads – that’s a lot of trees. But they were all polite, they drove slow where we were camped which was good we had kids going back and forth there.*

SFN asked BC Hydro to ensure that rock trucks observed a 30km/h speed limit. SFN further advised that other industrial proponents in the region (e.g. coal mines) apply similar speed limits on rock trucks. (see Transcript, pp. 42-45, 85)

BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

	<p>SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)</p> <p>BC Hydro has advised that its contractor is conducting, or has conducted, a traffic hazard assessment to inform traffic management planning. (see Transcript, p. 44, line 10)</p> <p>BC Hydro has stated that it is "... willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities. In order to do so, BC Hydro will need specific information about timing, location, and duration of use. In considering any planned stoppage, BC Hydro will balance the cost and schedule implications to the Project with the benefits to the community." (see Exhibit B-14, Appendix C-1, pp. 668, 686)</p>	
18.1	<p>Please provide a reference photograph of the kind of rock truck (and trailer) contemplated for use during the Project. Please ensure that the photograph includes a reference object for scale.</p> <p>Please also provide relevant rock truck and trailer specifications including, for example, transport capacity (<math>m^3</math> and weight of material), gross vehicle weight loaded and unloaded, and safe stopping distances.</p>	
18.2	<p>Please provide the approximate average volume (<math>m^3</math>) and weight (tonnes) of rip-rap that each rock truck and trailer will be loaded with at the quarry site.</p>	
18.3	<p>What analysis, if any, did BC Hydro undertake in determining that a temporary suspension of hauling activities at dusk in the summer months would have "significant impacts" on schedule and costs? Please fully describe any such analysis, including assumptions and calculations.</p>	
18.4	<p>How many rock trucks and water trucks will be used during an average day and a peak hauling day during operations? Please provide your answer for Plan A and for Plan B.</p>	
18.5	<p>How long would a rock truck travelling at 30km/h take to make the journey from quarry gate to stockpile?</p>	

18.6	What adjustments to the hauling schedule could be made to allow for a three hour break around dusk during high traditional use periods? Assume the high traditional use period is August 1 to October 31.
18.7	Please provide an estimate of the incremental increase in project costs that would be caused by instituting a three hour break around dusk during the periods of high traditional land use. Please provide the estimate of increased costs, along with your assumptions and calculations. Please provide the requested information for both Plan A and Plan B.
18.8	Please confirm that Plan B contemplates rock truck hauling activity on roads for 20 hours per day, with two two-hour shift change periods.
18.9	If the Project proceeded according to Plan A, how many hours of rock truck hauling activity would be undertaken per day, how many shifts would be required, how long would the shifts last, and how long would be the shift change period (or interval between shifts)?
18.10	Please confirm that, if BC Hydro was willing to do so, BC Hydro has the ability to require its contractor to ensure that rock trucks working on the Project observe speed limits set by BC Hydro.
18.11	Please provide an estimate of the incremental increase in project costs that would be caused if BC Hydro were to limit rock-truck speed to 30km/h. Please provide the estimate of increased costs, along with your assumptions and calculations. Please provide the requested information for both Plan A and Plan B.
18.12	What analysis, if any, has BC Hydro itself undertaken in support of its position that it will not require rock and water trucks to travel at or below 30km/h? Please fully describe any such analysis, including assumptions and calculations.
18.13	Please confirm whether BC Hydro's traffic hazard assessment includes First Nations use of proposed haul roads and traditional use activities in areas adjacent to those roads. Please provide a copy of the assessment and explain how First Nations road use is addressed therein.
18.14	Please provide the date on which BCH first informed its contractor of SFN's request that there be a break in rock truck traffic during a three hour window around dusk, during high traditional use periods.
18.15	Please provide the date on which BCH first informed its contractor of SFN's request that a 30km/h speed limit apply to trucks during

		project operations.
	18.16	Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's requests with respect to traffic around dusk and speed limits.
	18.17	Will BC Hydro ensure that a pilot car is available to guide SFN traditional land users to and from traditional use areas?
	18.18	Please provide a detailed description of the equipment and training that BC Hydro would give to SFN individuals and families who use the relevant roads to access traditional use areas during rip-rap hauling activities.
	18.19	<p>Please explain how BC Hydro's proposed traffic mitigation measures would be applied to facilitate safe First Nations access to traditional use areas, using each of the following examples. Assume that in each case the vehicles will approach the haul road from the Johnson Creek FSR (not through the GMS security check point) and will travel the length of the haul roads up to the quarry site.</p> <p>(i) An elderly couple want to use the road to access a traditional medicine gathering area on an evening in September, and to scout out other potential traditional use areas. They are accompanied by their ten and twelve year old granddaughters. Both grandparents are hard of hearing. They plan to park on the side of the road and will gather medicines for about three hours, returning after dark. They are carrying a rifle in case they cross paths with a moose during their journey. They have never used a radio and are unfamiliar with radio calling protocols.</p> <p>(ii) A father is taking his two young sons fishing on creeks in the Project area, at 5a.m. on a Saturday morning in October. They intend to park on the side of the road, and camp overnight next to a creek, departing Sunday evening at around dusk. If the fish aren't biting at the first creek they visit, they will continue to other potential fishing spots in the Project area. They are carrying a rifle in case they cross paths with a moose during their journey. Their truck is not equipped with a radio.</p> <p>(iii) A convoy of three cars and trucks carrying an extended family will be using the road to access a mushroom</p>

		<p>picking area on a Saturday afternoon in October. They intend to park their vehicles on the side of the road and pick mushrooms until late in the evening. If the weather is good, they will camp overnight and continue picking mushrooms and medicines until late on Sunday evening. None of the vehicles have a radio and none of the drivers are familiar with radio protocols.</p> <p>(iv) An elderly trapper and his 11 year old granddaughter are using the road to access trapping areas on a Monday mid-morning in November. They will park on the side of the road and set traps parallel to the road all day until dark. They will walk back along the road to their vehicle, then drive out and come back the next morning to check the traps and set additional traps at another point along the road. They will make intermittent use of the road in this way from mid-November to early March. The grandfather speaks Cree only and the granddaughter cannot read. They have no radio and are unfamiliar with radio protocols.</p>
<b>19.0</b>	<b>Reference:</b>	<p><b>HARVESTING MEDICINAL PLANTS</b></p> <p><b>Exhibit B-1, Appendix F, p. 35; Exhibit B-14, Appendix C-1, p. ; Exhibit C5-10, SFN Knowledge and Use Study, pp. 34, 46; Exhibit B-14, Appendix A, #20</b></p> <p><b>Medicinal plants &amp; roadside vegetation</b></p>
		<p>BC Hydro states in response #20 in the response table on mitigations that 23 plants were identified in the FNITR as being of potential medicinal use, but that since none are rare, protection measures as suggested in the FNITR would not be adopted.</p> <p>On page 35 of Appendix F to Exhibit B-1, BC Hydro states that during the September 25, 2015 site visit with SFN members, no concerns were raised by SFN participants.</p> <p>However, SFN members indicated their traditional use values along the FSRs during the site visit. On page 45 of Exhibit C5-10, a SFN member who attended the BC Hydro site visit in the fall explains that SFN members stopped the cars to harvest mushrooms and morels on the roadside.</p> <p>On page 46, SFN members interviewed for the Knowledge and Use Study reported that plants and fungi used for medicines can be hard to find, and can be harvested in close vicinity to the Project, for e.g., along the Utah FSR and Table FSR.</p> <p>The Knowledge and Use Study describes SFN members' concerns about physical damage to culturally significant plants and access to those plants from road widening, culvert placement, construction, dust and traffic.</p>
	19.1	How does BC Hydro's EMP address SFN concerns and traditional knowledge about the availability of medicinal plants, SFN harvesting

		preferences, and the usability of medicinal resources within the Project area?
	19.2	Why did BC Hydro's account of the site visit omit the fact that SFN members exercised traditional use values on the Project roads during the site visit?
	19.3	Regarding SFN concerns for physical damage to vegetation, will BC Hydro need to widen Spur road or to construct pull outs on Table or Utah Roads?
<b>20.0</b>	<b>Reference:</b>	<p><b>QUARRY RECLAMATION AND REVEGETATION</b></p> <p><b>Exhibit B-14, Appendix C-1, p. 678</b></p> <p><b>Exhibit B-3, p. 157</b></p> <p><b>SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21, 33</b></p>
		<p>SFN has raised concerns and interests with respect to quarry and other reclamation activities, and in particular with respect to the use of native plants for revegetation activities.</p> <p>SFN has requested that BC Hydro work with Twin Sisters Native Plant Nursery (jointly owned by SFN and West Moberly First Nations) to select plants for reclamation activities and to facilitate the collection of seeds from plants at the quarry site prior to construction for use in later quarry reclamation activities.</p> <p>In response to SFN's concerns and interests, BC Hydro stated: "BC Hydro will not be collecting seeds for reclamation in advance of construction as we do not believe this is necessary. The plant species in the Project footprint are the same as the surrounding area and can be obtained at any time." (see Exhibit B-14, Appendix C-1, p. 678)</p> <p>BC Hydro further stated that: "As to First Nation's request that Twin Sisters be involved in the reclamation work, BC Hydro will work with First Nations to select plants for reclamation. However, BC Hydro cannot commit to working with a particular contractor until the open book procurement process is complete. ...". (see Exhibit B-14, Appendix C-1, p. 678)</p> <p>BC Hydro's Contractor circulated the Quarry Reclamation Subcontract Bid Package to bid for work regarding re-vegetation of the SFQ.</p> <p>The Bid Package does not appear to require subcontractors to consider traditional use as a category for seed selection.</p>

	<p>BC Hydro’s contractor recently sent an email requesting that companies interested in bidding on quarry reclamation work submit pricing for the following seed mix:</p> <ul style="list-style-type: none"> <li>• <b>Central North East – General Mix</b> <ul style="list-style-type: none"> <li>○ Smooth Bromegrass – 40%</li> <li>○ Creeping Red Fescue – 20%</li> <li>○ Timothy – 15%</li> <li>○ Alfalfa – 15%</li> <li>○ Alsike Clover – 10%</li> </ul> </li> </ul> <p>The BCUC asked BC Hydro “to explain how there can be no residual effects from blasting and removing material from a quarry site, even if the site is reclaimed according to the Mines Act. Is that quarry site not forever different than it was before the quarrying and the reclamation?” In its response, BC Hydro stated that “[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)</p>
20.1	Please confirm whether any of the species listed above in the description of “Central North East – General Mix” are native to the quarry site and ecosystems in the Project area.
20.2	Please confirm that the species listed above in the description of “Central North East – General Mix” can accurately be described as “invasive species” if planted at the quarry site and within the ecosystems in the Project area.
20.3	Please confirm whether BC Hydro has conducted any analysis on the potential negative ecological impacts of the introduction of the species listed above, including impacts on small herbivores, ungulates, and predators.
20.4	Please explain how each of the agronomic species listed above can be removed after becoming established in reclaimed areas.
20.5	Please confirm whether BC Hydro intends to select re-vegetation species based on traditional use and cultural significance. If the answer is affirmative, then please explain when and how BC Hydro intends to undertake this selection.
20.6	Please explain what other ways are available to prevent erosion of soil stockpiles besides seeding with agronomic species. For

		example, can soil stockpiles be covered with tarps? Are there other ways to prevent erosion of soil stockpiles?
	20.7	Please explain the efforts BC Hydro will make to re-vegetate the quarry site (and other sites requiring reclamation) using only native species.
	20.8	Please provide the date on which BCH first informed its contractor of SFN's request that the quarry be re-vegetated using native plants and that the collection of seed from the quarry site be facilitated.
	20.9	Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's requests with respect to re-vegetation with native plants.
	20.10	Please provide an estimate of the incremental increase in project costs that would be caused by facilitating the collection of native seed from the quarry site prior to construction. Please provide the estimate of increased costs, along with your assumptions and calculations.
	20.11	Why were SFN's requests that re-vegetation incorporate plants used for traditional and medicinal purposes not included in the Bid Package?
	20.12	What would be the additional cost of including traditional use as a criteria for re-vegetation and reclamation seed selection?
<b>21.0</b>	<b>Reference:</b>	<p><b>FNITR WORKPLANS, EMPs and EPPs</b></p> <p><b>Transcript dated April 21, 2016, pp. 72-79, Appendix I; Exhibit B-3, pp. 144, 158, 167, 168, 169, 171;</b></p> <p><b>Exhibit B-14, Appendix C-1, pp. 326-372, 432-433, 697; Exhibit C5-10, p.12</b></p> <p><b>Incorporating First Nations concerns</b></p>
		<p>The FNITR provides a number of workplans aimed at resolving issues of concern to First Nations.</p> <p>SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)</p> <p>BC Hydro previously stated: "Based on the ITR findings, BC Hydro will further refine the existing mitigation plans and/or develop new mitigation options as required, in consultation with the First Nations, to minimize or avoid potential impacts from the Project. ..." (see Exhibit B-3, p. 144)</p>

BC Hydro previously stated, with reference to the EA conducted by Ecofor, that: “The project Environmental Assessment (EA) process involved selecting Valued Components (VC) based on literature searches, field assessments and discussions with FLNRO, First Nations, stakeholders and BC Hydro’s experience in the Project area. ...” (see Exhibit B-3, p. 158)

The FNITR identified VCs that are not included in the EA. In particular, the EA omits: soils and terrain; water quantity; aquatic resources; riparian habitat; and reclamation.

BC Hydro previously made the following statements regarding EMPs and EPPs:

- “Ecofor prepared the EMP for, and in consultation with, BC Hydro.” (see Exhibit B-3, p. 168)
- “The Environmental Management Plan (EMP) is a BC Hydro document, prepared by Ecofor in consultation with BC Hydro, which provides information and guidance to the Contractor.” (see Exhibit B-3, p. 167)
- “The Contractor’s EPPs must be approved by BC Hydro before mobilization.” (see Exhibit B-3, p. 167)
- “During the procurement process, BC Hydro will discuss the requirements of the EPPs with the Contractor. The Contractor will prepare the Project EPPs and submit them to BC Hydro for review and acceptance.” (see Exhibit B-3, p. 169)
- “BC Hydro is responsible for and will ensure that the EPPs are designed to adhere to the EMP.” (see Exhibit B-3, p. 171)
- “Before the EPPs are accepted by BC Hydro, Ecofor will review them on behalf of BC Hydro and provide comments and recommendations on the adequacy of the EPPs in satisfying EMP and permit requirements.” (see Exhibit B-3, p. 168)
- “During Project implementation, the EMP and EPPs will be part of daily tailboard meetings. BC Hydro and the Contractor will each have an environmental monitor to review and audit compliance with the EPPs. BC Hydro can stop the work in cases of non-compliance.” (see Exhibit B-3, p. 171)

The EMP is dated August 2015. It does not appear to have been revised since then. (see Exhibit B-14, Appendix C-1, pp. 326-380)

On page 9 of Exhibit B-14, BC Hydro states:

BC Hydro’s response was provided in draft as it is a work in progress as consultation continues and mitigations continue to be developed... In the meantime, BC Hydro has provided the FNITR and the table referred to above

	<p>to the Project Contractor...</p> <p>On page 697 to Exhibit B-14, BC Hydro's April 21, 2016 meeting minutes state:</p> <p style="padding-left: 40px;">BC Hydro's intention was to take the concerns and proposed mitigations to the contractor to incorporate them into the projects [sic] plans.</p> <p>On pages 33, 47 and 48 of the transcript of the April 21 meeting, Appendix I to SFN's IR No. 3, BC Hydro explains that the Contractor participated in drafting BC Hydro's response tables:</p> <p style="padding-left: 40px;">KK: After [BC Hydro received the FNITR and TUS], the whole team, including the environmental. And we also involved the contractor, and that sort of table we have sent to you on Tuesday.</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">JT: Can TUS information be included in that assessment?</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">KK: For your information, we are -- as soon as we -- on Friday, they were immediately passed on to the contractor.</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">KK: The mitigation table which you have prepared, they participated in preparing those responses. So we are doing our duty.</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.</p>	
21.1	Please explain and provide evidence in support of the claim that Ecofor selected VCs based on discussions with First Nations.	
21.2	Did Ecofor discuss VCs with SFN before conducting the EA? Please provide details of those discussions and supporting documents.	
21.3	Why does the EA identify fewer VCs than the FNITR? How did BC Hydro decide which of the VCs identified by First Nations to eliminate?	
21.4	Please provide more information on BC Hydro's possible commitment to conduct noise modelling. Is there a reference to this noise modelling requirement in the EMP?	
21.5	How has BC Hydro amended the EMP to accommodate SFN concerns and interests? Please identify and provide information on all amendments.	

	21.6	What date did BCH provide the tables to the contractor?
	21.7	Did BC Hydro request the Contractor to integrate SFN mitigation measures into EPPs?
	21.8	<p>For each of the FNITR workplans listed below, please explain whether and how the workplan has been integrated into the EMP and EPPs:</p> <ul style="list-style-type: none"> <li>▪ Work Plan S1: Sediment and Erosion Control Plan</li> <li>▪ Work Plan WQ1: Water Quality Monitoring Plan</li> <li>▪ Work Plan AQ1: Dust Management and Monitoring Work Plan</li> <li>▪ Work Plan R1: Riparian Habitat Protection</li> <li>▪ Work Plan V1: Pre-disturbance Baseline Vegetation Analysis</li> <li>▪ Work Plan V2: Vegetation Monitoring and Protection Plan</li> <li>▪ Work Plan V3: Revegetation Plan</li> <li>▪ Work Plan W1: Operational Wildlife Protection and Monitoring Plan</li> <li>▪ Work Plan W2: Moose Habitat Suitability Models</li> <li>▪ Work Plan W3: Pre-Construction Nest Surveys</li> <li>▪ Work Plan W4: Pre-Construction Wildlife Habitat Feature Surveys</li> <li>▪ Work Plan W5: Pre-Construction Amphibian Surveys</li> <li>▪ Work Plan SAR1: Caribou Mitigation and Monitoring Program</li> </ul>

		<ul style="list-style-type: none"> <li>▪ Work Plan SAR2: Olive-sided Flycatcher Mitigation and Monitoring Program</li> <li>▪ Work Plan SAR3: Western Toad Mitigation and Monitoring Program</li> <li>▪ Work Plan HR1: Chance Find Procedures</li> <li>▪ Work Plan TLRU1: Trapper Compensation</li> </ul>
22.0	Reference:	<p><b>MEETING NOTES</b>  <b>Application, Appendix F, p 31</b>  <b>SFN IR No. 3, Appendices E, F, G, H</b>  <b>Consultation record discrepancies</b></p>
<p>Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)</p> <p>Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around April 14, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix F)</p> <p>Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around February 15, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix H)</p> <p>Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)</p> <p>On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No.</p>		

	<p>3 as Appendix H.</p> <p>On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.</p> <p>BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".</p>	
22.1	Please describe in detail BC Hydro's practice with regard to the creation and keeping of notes on meetings and teleconferences with First Nations.	
22.2	Do BC Hydro representatives or consultants create handwritten notes during or after meetings with First Nations, and subsequently transcribe all or some of those meeting notes in electronic format?	
22.3	Please provide copies of any handwritten notes created by BC Hydro representatives or consultants during or after meetings or telephone calls with SFN.	
22.4	Before meeting with First Nations, does BC Hydro advise First Nations that it will be creating and filing electronic notes on its meetings and teleconferences with those First Nations for future use in regulatory processes?	
22.5	Does BC Hydro routinely share with First Nations its notes on meetings and teleconferences with those First Nations? For example, does BC Hydro present and review meeting minutes with First Nations at the next subsequent meeting? If the answer is yes, please explain when those notes are shared with First Nations.	
22.6	Please provide your comments on the minutes not previously included in BC Hydro's evidentiary update.	
22.7	Did Leah Manson ever respond to Carmen Marshall's concern and request that BC Hydro's minutes be edited at the next meeting?	
22.8	Why did BC Hydro omit SFN's concern about the Project schedule and SFN's request for mitigation commitments from BC Hydro, in light of the nearing construction start date?	
22.9	Did BCH follow-up on SFN's request about bonding?	

	22.10	Did BC Hydro follow up with SFN regarding SFN's problems with BC Hydro's account of the April 12 meeting before BC Hydro filed the minutes as evidence of consultation with the Commission?
<b>23.0</b>	<b>Reference:</b>	<b><u>REGULATORY MATTERS</u></b> <b>Exhibit B-3, pp. 126-127, 129-130</b>
	<p>BC Hydro previously made the following statements:</p> <ul style="list-style-type: none"> <li>▪ "... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...". (see Exhibit B-3, pp. 129-130)</li> <li>▪ "Should the Commission's decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. . . ." (see Exhibit B-3, pp. 129-130)</li> <li>▪ "As an administrative tribunal, the Commission is "confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application..." (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 ("Rio Tinto"), para. 62)." (see Exhibit B-3, pp. 126-127)</li> </ul>	
	23.1	Does BC Hydro maintain the view that it is not required to seek acceptance from the Commission under section 44.2(1)(b) of the Act? Yes or No?
	23.2	Does BC Hydro maintain the view that it can commence construction before the Commission issues a decision? Yes or No?
	23.3	Does BC Hydro maintain the view that, because acceptance by the Commission is not required, BC Hydro can commence construction if the Commission does not approve the expenditure schedule for any reason? Yes or No?
	23.4	Does BC Hydro agree that the Commission must, in making its decision on the Application, determine whether consultation and accommodation have been meaningful and adequate in this case? Yes or No?

	23.5	Does BC Hydro agree that its decision on whether to proceed with the Project is also subject to the duty to consult and accommodate SFN? Yes or No?
24.0	Reference:	<p><b>REVIEWABLE PROJECT REGULATION</b></p> <p><b>Exhibit B-1, ss. 3.8.1, 3.9.2, pp. 3-27, 3-29; Exhibit B-1, Appendix D-1, p. 55, Appendix F, p. 49; Exhibit B-14, Appendix C-1, p. 335</b></p> <p><b>BC Environmental Assessment Office</b></p>
<p>On December 5, 2011, BC Hydro stated in a letter to First Nations:</p> <p style="padding-left: 40px;">The GMS Riprap Upgrade Project as currently planned does not trigger any environmental assessment under the either the Provincial British Columbia Environmental Assessment Act. (Appendix F, p. 49).</p> <p>On August 14, 2015 BCH wrote to First Nations as follows:</p> <p style="padding-left: 40px;">As previously communicated, we will maintain a restriction on the amount of rip rap that can be exported annually from the quarry. In accordance with the <i>Mine Act</i>, we will not export more than 250 000 metric tonnes of material from the quarry during a calendar year.</p> <p>On page 3-27 of the Application, BC Hydro states:</p> <p style="padding-left: 40px;">The Project does not trigger an environmental assessment...</p> <p>On page 3-29 of the Application, BC Hydro states that it:</p> <p style="padding-left: 40px;">Met with BC Environmental Assessment Office (<b>BCEAO</b>) to discuss the Project scope and the BCEAO later confirmed that the Project does not trigger a <i>BC Environmental Act Environmental Assessment</i>;</p> <p>On page 55 of the Preliminary Design Report, the Expert Engineering Panel states:</p> <p style="padding-left: 40px;">This Project will not trigger a BCEAA environmental assessment as rock removed from the quarry will not exceed 250,000 tonnes per year.</p> <p>BC Hydro's Environmental Management Plan explains:</p> <p style="padding-left: 40px;"><b>2.4 BC Environmental Assessment Act</b></p> <p style="padding-left: 40px;">This project has not triggered the BC Environmental Assessment Act. It is important to note that one trigger is based on quantity of material removed from the quarry in any given year. The contractor must ensure that no more than 250,000 tonnes is removed from the quarry in any year to remain in compliance with the fact that a BCEAA process is not triggered.</p> <p>Under the <i>Reviewable Project Regulation under the BC Environmental Assessment Act</i> an environmental assessment is required if a new project at a quarry facility will have a production capacity of more than 250 000 tonnes/year of quarried product.</p>		

	24.1	Is BC Hydro's position that the BCEAA is not triggered based on the above statements in the Expert Engineering Report and in BC Hydro's EMP?
	24.2	What was the BCEAO's basis under the BCEAA and its regulations for the Project not requiring an EA?
	24.3	How did BCEAO provide subsequent confirmation to BC Hydro that the project did not trigger the BCEAA? Please provide the confirmation provided to BC Hydro from the BCEAO.
	24.4	Was the confirmation qualified, subject to any conditions or subject to BC Hydro providing the BCEAO with further project details and information on project scope?
<b>25.0</b>	<b>Reference:</b>	<b>REVIEWABLE PROJECT REGULATION</b> <b>Exhibit B-1, s. 3.3.3, Appendix D-1, p. 20; Exhibit B-1, Appendix F, p. 79</b> <b>Rip rap volume</b>
		<p>In section 3.3.3 of the Application, BC Hydro has explains that in determining how much limestone is needed to place 150,000 m<sup>3</sup> of riprap and bedding on the dam, rock transport and handling loss, expected to be 20%, should be taken into account.</p> <p>In September 2015 BC Hydro presented to First Nations that the volume of riprap removed from the SFQ would be less than 750,000 m<sup>3</sup>.</p> <p>On page 20 of Exhibit B-1, Appendix D-1, according to the Preliminary Design Study the conversion of volume of riprap in m<sup>3</sup> can be converted into metric tonnes as follows:</p> <p style="padding-left: 40px;">The density of the placed riprap as placed in the dry was estimated to be about 1.85 tonnes/m<sup>3</sup>. A bulking factor of 45% for placed riprap was determined as the in-situ rock has a density of 2.69 tonnes/m<sup>3</sup>.</p> <p>During 3 years of quarry operations the Project will remove 750,000m<sup>3</sup> of limestone from the quarry to place 150,000m<sup>3</sup> of riprap and bedding on the dam face. According to the estimates provided in the Preliminary Design Study, 750,000m<sup>3</sup> of riprap and bedding would exceed one million tonnes of riprap and bedding over 3 years.</p>
	25.1	Will the SFQ Project operations have a production capacity of more than 250 000 tonnes per year of quarried product?
	25.2	Please provide a copy of the application materials BC Hydro submitted to Ministry of Energy and Mines with respect to the Quarry.

	25.3	<p>How many metric tonnes of riprap and bedding will be removed per yearly quarter during quarry operations? Please complete the following tables:</p> <table border="1" data-bbox="592 331 1500 516"> <tr> <td colspan="5">2016</td> </tr> <tr> <td>Quarter</td> <td>Jan-Mar</td> <td>Apr- Jun</td> <td>Jul-Sep</td> <td>Oct-Dec</td> </tr> <tr> <td>Metric tonnes of quarried product:</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <table border="1" data-bbox="592 583 1500 768"> <tr> <td colspan="5">2017</td> </tr> <tr> <td>Quarter</td> <td>Jan-Mar</td> <td>Apr- Jun</td> <td>Jul-Sep</td> <td>Oct-Dec</td> </tr> <tr> <td>Metric tonnes of quarried product:</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <table border="1" data-bbox="592 835 1500 1020"> <tr> <td colspan="5">2018</td> </tr> <tr> <td>Quarter</td> <td>Jan-Mar</td> <td>Apr- Jun</td> <td>Jul-Sep</td> <td>Oct-Dec</td> </tr> <tr> <td>Metric tonnes of quarried product:</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	2016					Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec	Metric tonnes of quarried product:					2017					Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec	Metric tonnes of quarried product:					2018					Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec	Metric tonnes of quarried product:				
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**SFN Response to BC Hydro Table on Mitigation Requests**

**May 2, 2016**

#	FNITR Recommendation	BC Hydro's Response	SFN Comments
<b>A. Access</b>			
1	<p>BC Hydro and its contractor(s) must facilitate safe First Nations access on roads during all phases of the Project.</p> <p>Safety procedures must be developed and agreed upon between BC Hydro, its contractor and the First Nations to ensure they are effective and responsive to First Nations' concerns.</p>	<p>BC Hydro has required its prime contractor for the Project, Kiewit (the "Project Contractor") to incorporate mitigation measures into its Traffic Management Plan (the "TMP"). These include:</p> <ul style="list-style-type: none"> <li>• A radio-calling protocol that requires the contractor to communicate with other trucks about public users on the road;</li> <li>• Signage, pylons, flagging personnel, message boards, barricades, stop signs and traffic lights will be used where appropriate to facilitate safe road use;</li> <li>• The quarry area, Spur Road and stockpile area will be gated; and</li> <li>• Prior notice of any significant disruptions in road access will be provided to First Nations and will be publicly posted on message boards at the project site.</li> <li>• Development of a communication plan to provide First Nations with project updates.</li> </ul> <p>In addition to the specific mitigations to be included in the Project Contractor's TMP, BC Hydro has also committed:</p> <ul style="list-style-type: none"> <li>• to provide First Nations with the Project Contractor's trucking schedule; and</li> <li>• to work with First Nations and the Project Contractor to develop additional appropriate communication protocol and safety measures to address any particular</li> </ul>	<p>BC Hydro has not made the commitment that it, and its contractor will work with First Nations on traffic management and facilitating safe access.</p> <p>BC Hydro's response relies on a future plan, and does not commit to the specific mitigation requests in the FNITR.</p> <p>The Contractor's TMP must limit GMS Riprap project traffic at dusk and dawn. Dusk is likely to be a period where there is higher use of the area by SFN members (5-9pm) and dawn is a high use time for hunting (4-7am).</p> <p>Special traffic management and mitigation measures must be in place when high numbers of First Nations are traveling along the roads, such as when cultural camps are ongoing.</p> <p>Hauling must be limited on August 30, a time of high SFN land use.</p> <p>In response to the bullet points:</p> <ul style="list-style-type: none"> <li>• Use a pilot car to guide traffic during hauling is required. BC Hydro proposed in the April 21, 2016 meeting to provide radios to SFN members as part of the radio-calling protocol. However, providing radios to members will not be effective unless SFN members are comfortable with the use of the radios. Should they not be comfortable alternate means of safely traveling along the</li> </ul>

		<p>desired access dates and time provided reasonable advance notice is provided from First Nations.</p>	<p>roads must be available, i.e., use of a pilot car. Signage and flagging persons should be stationed, at a minimum, at the entrance of the stockpile area and the junction between the Utah and Table FSRs.</p> <ul style="list-style-type: none"> <li>• BC Hydro should consult with SFN before gating areas and denying SFN members access to areas completely. The TUS describes how heightened security and restrictions alienate SFN members from their traditional territory.</li> <li>• Significant disruptions include: 20 hours of rock hauling, culvert replacement work, road widening or constructing pullouts</li> <li>• A communication plan should be developed <i>with</i> First Nations and properly implemented</li> </ul> <p>It is unclear how providing First Nations with the trucking schedule will facilitate First Nations access.</p>
<b>B. Trucking and Road Use</b>			
2	<p>BCH must ensure that truck speed limits will not exceed 30km per hour and that there will be no truck traffic at dusk in the summer months (including early and late summer).</p>	<p>BC Hydro is not prepared to commit to a blanket 30km/h speed limit for the entire Project area. Rather, it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds that may vary depending on road conditions. All trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor. BC Hydro does not have the ability to control speed limits for other road users.</p>	<p>SFN previously responded by requesting BC Hydro provide which factors will be considered in the hazard assessment.</p> <p>BC Hydro has not confirmed whether consideration of traditional use sites will be included in the hazard assessment.</p> <p>Reducing the speed of hauling trucks on forest service roads will increase safety for SFN road users and lessen impacts related to dust, noise and animal collisions.</p>
		<p>Potential wildlife interactions will be mitigated with a wildlife/Caribou Mitigation Plan. Potential conflicts with traditional users will be mitigated through project notifications. For further details, see Item #1.</p>	<p>The Caribou Mitigation and Monitoring Plan states speed limits will be adhered to but does not provide a specific speed limit</p>

		<p>The recommended mitigation to stop truck traffic at dusk in the summer months would have significant impacts on the Project schedule and costs, and could result in extending the Project beyond the currently contemplated schedule. As an alternative, BC Hydro is willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities. In order to do so, BC Hydro will need specific information about timing, location, and duration of use. In considering any planned stoppage, BC Hydro will balance the cost and schedule implications to the Project with the benefits to the community.</p>	<p>In summer months, dusk is as late as 10:00p.m. Dusk is likely to be a period where there is higher use of the area by SFN members (5-9pm). Traffic must also be reduced during high use times for hunting (4-7am).</p> <p>BC Hydro's proposal for a planned stoppage should be combined with reduced road speeds and the involvement of First Nations in the development of a communication plan and Traffic Management Plan.</p> <p>It is not clear what weight is being given to the mitigation of harm to SFN land use values in BC Hydro's balancing of costs, scheduling and community benefits. A detailed draft plan is required.</p>
<p><b>C. Water Quality</b></p>			
<p>3</p>	<p>BC Hydro must ensure that:</p> <ul style="list-style-type: none"> <li>• First Nations are meaningfully involved in the preparation of a Sediment and Erosion Control Plan;</li> <li>• First Nations concerns and proposed solutions are clearly addressed and integrated into the Plan; and</li> <li>• First Nations environmental monitors are meaningfully involved in the implementation of the Plan with BC Hydro's contractor(s).</li> </ul> <p>Construction must not commence until a First Nations approved Sediment and Erosion Control Plan is in place.</p>	<p>As per BC Hydro's Environmental Management Plan, the Project Contractor is required to develop an overall Sediment and Erosion Control Plan as part of its EPP for the Project. In addition, the Project Contractor is also required to develop location specific plans. These plans will be developed by a certified professional in erosion and sediment control (CPESC).</p> <p>These will be developed after further site visits and site specific tasks have been identified where sediment and erosion is a potential issue (i.e. the need for a culvert replacement). BC Hydro has shared the sediment and erosion control measures identified by First Nations with the Project Contractor.</p> <p>BC Hydro has committed to consulting with First Nations on the draft EPP once it is available for review, which is expected to be sometime in May.</p> <p>BC Hydro hopes to gain First Nation's support for the Sediment and Erosion Control Plan through its efforts to address First Nations's concerns.</p>	<p>BC Hydro has failed to commit to ensuring the FNITR's recommendations are included in the Contractor's Sediment and Erosion Control Plan. BC Hydro's response does not explain why it will not commit to the requested mitigation measures on sediment and erosion.</p> <p>First Nations should be included in further site visits to ensure traditional uses are incorporated in the Environmental Protection Plan. As a next step to SFN's Knowledge and Use Study, ground truthing must be undertaken.</p>

Saulteau First Nations Response to BC Hydro Table on Mitigation Requests

		<p>Ultimately the decision on the Sediment and Erosion Control Plan rests with BC Hydro, however, it will use the information obtained from First Nations to inform decisions as to content.</p> <p>With respect to the role of First Nations monitors in the implementation of such plans, see Item #14 (below).</p>	
4	<p>BC Hydro must ensure that sediment and erosion control measures include:</p> <ul style="list-style-type: none"> <li>• Identification of locations at the SFQ and along the access roads for appropriate sediment and erosion control structures.</li> <li>• Installation of structures prior to the commencement of work.</li> <li>• Regular inspection of erosion and sediment control measures during Project operations, and in collaboration with First Nations, to identify performance and maintenance requirements.</li> <li>• Adequately diverting surface water runoffs on roads away from watercourses by the proper use of ditches, berms and other structures;</li> <li>• Silt laden waters that could conceivably enter a watercourse shall be pumped to designated settling areas for filtration.</li> <li>• Pump discharge hoses and gravity diversion pipes shall be placed so as not to cause erosion. This is usually accomplished by discharging onto poly sheeting and using large rocks or wood to dissipate discharge flows.</li> </ul>	<p>The requested sediment and erosion control measures are practical components of a sediment and erosion control plan. BC Hydro will ensure these measures will be contained in a site specific sediment and erosion control plan if applicable per the requirements of the certified sediment and erosion control specialist. BC Hydro commits to consulting with First Nations on seed mixes.</p> <p>Sediment and Erosion Control Plans will be developed in accordance to established Best Management Practices, applicable permits (i.e. Water Sustainability Act Section 9) and regulatory guidelines.</p> <p>BC Hydro's Water Act permit for placement of rip rap requires BC Hydro to adhere to the following best management practices and standards:</p> <ul style="list-style-type: none"> <li>• BC Hydro, Fisheries and Oceans Canada, and BC Minister of Environment, 2003. Approved Work Practices for Managing Riparian Vegetation</li> <li>• BC Minister of Environment, 2004 Standards and Best Practices for Instream Works</li> <li>• BC Minister of Environment, 2009, A User's Guide to Working in and Around Water: Understanding the Regulation Under BC Water Act</li> <li>• BC Minister of Environment, 2010. Terms and Conditions for Changes in and About a Stream Specified by Ministry of</li> </ul>	<p>As discussed at the April 21, 2016 meeting, the types of measures implemented will depend on the Project activities that are conducted.</p> <p>There was some discussion on the change of scope to the project activities and it still remains unclear how BC Hydro and its contractor will implement the project. BC Hydro must provide further definition and specifics on measures that it will commit to.</p>

	<ul style="list-style-type: none"> <li>• Soil stockpiles shall be placed in designated area where erosion back into watercourses cannot occur and will not impede drainage.</li> <li>• Soil and material stockpiles with the potential to erode into flowing watercourses shall be covered with poly sheeting, as determined by the Environmental Monitor.</li> <li>• Disturbed areas of exposed soil and erosion-prone slopes that may potentially erode into watercourses shall be seeded with approved seed mix immediately upon completion of work, covered with geotextile, or another erosion control method approved by the Environmental Monitor.</li> <li>• Sediments ponds at the SFQ site shall be adequately designed and monitored in collaboration with First Nations. Water quality in the ponds shall be monitored and reported prior to any releases.</li> <li>• Road upgrades and maintenance shall be stopped during intense rainfall events or whenever surface erosion occurs and affects a watercourse. This shall be at the discretion of the Environmental Monitor.</li> <li>• Immediately seeding (with First Nations approved seed mix) disturbed areas of exposed soil and erosion prone slopes; and</li> </ul>	<p>Environment Habitat Officers, Peace Sub-Region</p> <ul style="list-style-type: none"> <li>• Fisheries and Oceans Canada et al, 2012. Fish-stream Crossing Guidebook: Revised Edition</li> <li>• Fisheries and Oceans Canada, 1995. Fresh water Intake End-of-Pipe Fish Screen</li> <li>• Fisheries and Oceans Canada, 2013. Measures to Avoid Causing Harm to Fish and Fish Habitat</li> <li>• BC Ministry of Environment. 2004. Standards and Best Practices for Instream WorksBC Ministry of Water, Lands and Air Protection, 2002. A Field Guide for Fuel Handling, Transportation and Storage</li> </ul> <p>With respect to the role of environmental monitors in relation to sediment and erosion control please see our response to item 14 (below).</p>	
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Saulteau First Nations Response to BC Hydro Table on Mitigation Requests

	<ul style="list-style-type: none"> <li>regularly inspecting and maintaining erosion and sediment control measures during project operations.</li> <li>regularly inspecting and maintaining erosion and sediment control measures during project operations.</li> </ul>		
5	<p>BC Hydro and its contractor(s) must use dust suppression equipment such as enclosures, tarpaulin covers, and water mist sprays on the riprap stockpile, riprap bedding stockpile, waste stockpiles, and topsoil stockpiles.</p>	<p>The requested dust control measures are practical components of a dust control plan. BC Hydro will ensure these measures will be considered in a site specific dust control plan and used where appropriate as informed by the designated professional. Note that not all the listed items will require dust control because these items do not contain fine particles that generate dust (for example, large rip rap rocks).</p> <p>There are already a number of existing dust control mitigations included in BC Hydro's <i>Mines Act</i> Notice of Work. For further details, see response to item #15.</p>	<p>The plan must include a dust monitor, which is not a costly to measure to mitigate impacts.</p> <p>The items that are to be included in the dust control plan will have to be determined based on the on-site monitoring, which should include participation of the SFN.</p> <p>The mitigations described in the Mines Act Notice of Work permit are general in nature and do not provide for specific measurements of dustfall.</p>
6	<p>BC Hydro and its contractor(s) must not withdraw water from creeks or other watercourses or wetlands in the Peace Arm Basin, and may only withdraw water from the Williston Reservoir.</p>	<p>BC Hydro has a <i>Water Act</i> Section 8 Permit to extract water from Williston Reservoir and three other creeks that cross Table Road (Table Creek, Stott Creek, and a Stott Creek tributary). No water withdrawal from wetlands or other watercourses is permitted. The <i>Water Act</i> permit includes strict conditions about when water can be withdrawn. The conditions include maximum water withdrawal rate, quantities, and timing. For example, the maximum water withdrawal rate must be reduced during low flows to no more than 10% of the current flow at any time, and no diversion is permitted from where stream (wetted) depth is less than 0.30 meters at the point of withdrawal location.</p> <p>BC Hydro anticipates that these conditions will</p>	<p>Permitted extraction sites include creeks crossed by the Table FSR. The TUS report describes site-specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and whitefish in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with camping, hiking and hunting.</p> <p>BC Hydro has not shown that restricting water withdrawal to Williston Reservoir will be costly or inefficient.</p> <p>BC Hydro has not performed an analysis of how withdrawing water from creeks will noticeably reduce traffic.</p>

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		<p>have the practical effect of Williston Reservoir being the primary water source for the Project's water requirements. However, there may be times, where drawing water from the three permitted creeks instead of the Williston Reservoir will reduce water truck traffic and its accompanying potential impacts. Again, any withdrawal from the three permitted creeks will be pursuant to the strict conditions in the Section 8 <i>Water Act</i> Permit.</p> <p>Furthermore, BC Hydro must keep a daily record of water removed from the Williston Reservoir and the creeks and provide this information to the Ministry of Forests, Lands and Natural Resource Operations. BC Hydro has committed to sharing this information with First Nations.</p> <p>We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project.</p>	<p>A detailed estimate is requested regarding the amount of water truckloads offset by extraction from Stott Creek, Stott Creek Tributary, and Table Creek.</p> <p>BC Hydro's Application does not address the amount of traffic created by water trucks on access roads.</p>
7	<p>BC Hydro must conduct Stream Crossing Quality Indices (SCQI) to obtain baseline levels of potentially impacted watercourses and ensure minimal variation to the baseline levels during the Project.</p>	<p>BC Hydro has completed stream assessment following the BC Resource Inventory Committee stream assessment methodology which is an established standard by the Ministry of Environment. This information is set out in the EA (Exhibit B-1, Appendix E-2(a), p18 and 21). This information, combined with the sediment and erosion control plans, is being used mitigate potential impacts on water quality. Environmental monitors will be on site to monitor potentially impacted watercourses.</p> <p>SCQI is a tool to evaluate the risk of erosion and sedimentation affecting water quality at an individual watercourse, and the methodology for SCQI was developed by a CPECS. BC Hydro's</p>	<p>The collection of baseline information is important to SFN.</p> <p>The Contractor's plan must include a dust monitor.</p> <p>The contractor's sediment and erosion control plan needs to be agreed upon by the First Nations after an independent review is completed to ensure it meets the expectations of the SFN. Before this review, however, BC Hydro must commit to the use of a dust monitor.</p>

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		<p>EMP requires the contractor to retain a CPESC of its own to develop a sediment and erosion control plan for the project. BC Hydro intends to leave the design of the sediment and erosion control plan up to the CPESC. BC Hydro will suggest the SCQI to the contractor's CPESC to consider for use in the program however this will not be mandatory if the contractor's CPESC intends to use their own approach to Sediment and Erosion control plan.</p>	
8	<p>Parties must agree on the frequency of inspecting the water quality of potentially impacted watercourses.</p> <p>Where the potential for sediment infiltration into watercourses is higher, turbidity measurements shall be conducted at frequency of 2 hour intervals. This frequency will increase during periods of increased risk related to precipitation or higher risk project activities.</p> <p>Turbidity levels must be measured in all fish-bearing watercourses prior to construction activities.</p> <p>Environmental monitoring must also include turbidity measurements at select locations along the Utah and Table FSRs. These locations can be selected based on the location of road upgrades and maintenance. The BC Water Quality Guidelines (BCWQG) for the protection of aquatic life must be the applicable criterion. The Guidelines stipulate an acceptable increase of 8 NTU Nephelometric Turbidity Units) when background levels are between 8</p>	<p>BC Hydro will require its Project Contractor to include in its EPP provisions for regular monitoring of upstream and downstream sites (compared to the location of construction) to monitor and record water quality during construction. The frequency of water monitoring will be determined in accordance with Environmental Best Management Practices, applicable permits (i.e. Water Sustainability Act Section 9) and regulatory regulations and guidelines and an a variety of site specific factors (eg. activity in the area, the local receptor and the weather. .Also in accordance with the Section 9 permit for rock placement on the dam, an Environmental Management Plan, Sediment Control Plan and Water Quality Monitoring Plan must be developed by a qualified professional and submitted to the Ministry for acceptance.</p> <p>Background turbidity levels will be measured in the nine fish bearing watercourses prior to construction activities. Environmental Monitoring and water quality monitoring will be conducted at site specific construction activities that could possibly have an effect on water quality, and BCWQG will be used as a water quality monitoring guideline. Corrective actions and the need to stop work will be collaboratively assessed and remedied between the EM and contractor.</p> <p>BC Hydro does not agree to two hour intervals for</p>	<p>Turbidity was measured for the environmental assessment using the visual scale. We recommend that turbidity be measured with appropriate monitoring devices so that a quantitative measure is made.</p> <p>The 2 hour frequency is recommended when the</p>

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	<p>and 80 NTU, and a 10% increase when background levels exceed 80 NTU.</p> <p>In the event this criterion is exceeded, the Environmental Monitor shall stop all construction activities until more effective sediment and erosion control measures are implemented.</p>	<p>turbidity measurements. The frequency of water quality monitoring will increase when there is increased risk. The risk and the frequency of monitoring will be addressed in the sediment and erosion plan included in the EPP. BC Hydro will consult with First Nations on the EPP.</p>	<p>potential for sediment infiltration in watercourses is higher. This could include, but is not limited to, construction activities in close proximity to a watercourse and/or periods of heavy rain fall.</p>
<p><b>D. Aquatic Resources</b></p>			
<p>9</p>	<p>Parties must agree on avoidance and mitigation measures to protect fish and other aquatic species (amphibians), as well as First Nations fishing activities.</p>	<p>Section 4.1 of the EA identifies a number of potential mitigation measures to protect fish, fish habitat and amphibians. (Exhibit B-1, Appendix E-2(a), p43-46 and p42-46) BC Hydro shared these mitigations with First Nations in December 2014. These mitigations measures have been adopted in the Project's EMP.</p> <p>Site specific EPPs will be developed to address potential effects to fish and other aquatic species in accordance to BMPs, Permits and regulatory regulations and guidelines. The only confirmed instream works activity is the rock placement on the dam and a Section 9 permit has already been obtained from the Ministry. No effects to fish are expected therefore fish availability to First Nations fishers should not be affected.</p> <p>Further information on mitigations, best management practices, and permit conditions for among other things fish habitat, see items #3 and 4.</p> <p>BC Hydro has required the Prime Contractor to meet the conditions in the Section 9 approval and if additional instream works are required (i.e. culvert replacement) they must obtain a Section 9 approval , and to include a number of mitigation</p>	<p>Updated baseline data on the location of amphibian breeding and movement corridors is required to ensure this plan is effective in protecting wildlife.</p> <p>Ground truthing of traditional use sites is also required to ensure protection of First Nations fishing activities.</p> <p>BC Hydro's conclusion that "no effects to fish are expected and therefore fish availability" for First Nations will be unaffected, fails to take into account impacts to First Nations fishers from: lack of access; affected quality of fish resources (e.g., as a result of deteriorated water quality/quantity); concerns over contamination; and SFN members' avoidance of the area.</p>

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		<p>measures into its EPP.</p> <p>As this time BC Hydro does not anticipate any amphibian salvage, but as a precautionary measure the EMP requires the Project Contractor to develop as part of its EPP an amphibian salvage and relocation program in accordance with the salvage permit issued by the Ministry of Forest, Lands and Natural Resource Operations if relocation is required.</p>	
		<p>BC Hydro hopes to gain First Nation's support for the mitigation measures that address fish, fish habitat and amphibians through its efforts to address First Nation's concerns. Ultimately the decision on fish, fish habitat, and amphibians rests with BC Hydro, however, it will use the information obtained from First Nations to inform decisions as to content of the EPP.</p>	<p>Mitigation measures are presented in the FNITR that will protect fish and fish habitat. We recommend that BC Hydro follow these measures to gain SFN's support.</p>
10	<p>BC Hydro and its contractor(s) must exceed the B.C. Water Quality Guidelines for the protection of aquatic life, actively monitor and record water quality indices during construction activities, and stop all construction activities if water quality measurements exceed acceptable levels.</p>	<p>As part of the Water Act Section 9 approval for Bennett WAC Dam instream works BC Hydro will submit to the Ministry of Environment a water quality monitoring plan developed in accordance with the BC Water Quality and Turbidity Guidelines, a Sediment Control Plan and an Environmental Management Plan.</p> <p>For all instream work activities a site specific water quality monitoring plan will be developed by the Contractor in accordance with established BMPs, permitting requirements and regulatory regulations and guidelines, including adaptive management component to address potential exceedances with water quality monitoring criteria. For further information about BC Hydro's response to potential impacts to water quality in the Project area, see above responses to items #3 and 4.</p>	<p>Activities that are not associated with instream works, such as road traffic, have the potential to introduce dust and sedimentation into watercourses. Therefore, project activities that are outside the scope of permit approvals must also be considered during mitigation planning and implementation</p> <p>Monitoring instream activity does not address concerns about water quality where instream activities are not being conducted but may nonetheless be affected by road traffic and other Project activities.</p>
11	<p>BCH must ensure that water</p>	<p>Both the Table and Utah Roads are Canfor</p>	<p>See SFN response #6 for a description of SFN</p>

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	<p>crossings are designed to facilitate fish passage at both high and low flows and timing windows that incorporate spawning, incubation and hatch times for all species using watercourses.</p>	<p>permitted roads and have existing culverts. If BC Hydro’s improvements to and/or use of the Table and Utah roads require culvert work, culverts will be installed in accordance with current road standards, including road standards to facilitate fish passage in accordance with Forest Road Engineering Standards and Fish Passage Guidelines.</p> <p>In the EMP BC Hydro identified two potential culvert replacements on Table Road. These culverts will be assessed to determine if replacement is necessary. For all water crossing replacements a Water Sustainability Act Section 9 will be required and obtained by the Contractor. All water crossing will be conducted in accordance to the Section 9 approval conditions. (see EMP section 2.2.2)</p>	<p>members’ use of creeks and description of fish and fish habitat.</p> <p>The EMP establishes the requirements for the EPP. The EMP, however, fails to incorporate traditional use information from SFN and the FNITR’s requested mitigation measures.</p> <p>BC Hydro’s reliance on the Contractor’s EPP fails to provide SFN with a commitment that its requested mitigation measures for fish and fish habitat will be implemented.</p>
<p>12</p>	<p>Removal of vegetation within or near a riparian management area (RMA) must be planned and coordinated to prevent an increased windthrow risk to RMAs.</p> <p>BC Hydro must ensure that within and adjacent to RMAs, wildlife trees are retained.</p> <p>Riparian habitat features along the roadside must be clearly marked and protected prior to road widening and maintenance commencing.</p> <p>Removal of vegetation within or adjacent to RMAs must be supervised by a First Nations Environmental Monitor.</p>	<p>Agreed. BC Hydro will ensure that removal of vegetation in RMA must be planned and coordinated to prevent an increased windthrow risk to RMAs. BC Hydro will minimize any vegetation removal in the Riparian Management Areas to what is necessary.</p> <p>BC Hydro initially advised First Nations that no wildlife-supporting trees will be removed as part of the vegetation clearing for the Project (except hazard trees). However, an osprey nest was subsequently identified in the Sand Flat Quarry area which may need to be removed at some point. At this time, the Ministry has provided BC Hydro with Wildlife Act approval to place a deterrent in the nest which will be removed at the end of the Project. The deterrent was placed in the nest on April 9, 2016. If the deterrent fails BC Hydro will submit a new application to remove the tree.</p> <p>With regard to windthrow risk, the Sandflat Quarry</p>	<p>SFN is concerned about the adverse impacts of haul trucks, the construction of road pull-outs and the possibility of road widening that encroaches upon RMAs on riparian habitat.</p> <p>The protection of RMAs requires the ground truthing of traditional use sites.</p> <p>As discussed at the April 21, 2016 meeting, SFN requests signage to protect riparian vegetation, as well as buffering, applying “dust buffers”, and fencing sensitive areas.</p>

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		<p>site has a pre-existing windthrow condition due to previous logging and pine beetle kill. BC Hydro does not envision the vegetation clearing for the Project to increase the existing windthrow condition. The vegetation to be removed is generally small regeneration in the Sand Flat Quarry cut block and not subject to windthrow.</p> <p>With respect to the role of First Nation environmental monitors, see response to item #14.</p>	
13	<p>BCH must ensure wetlands adjacent to roads are protected by ensuring that there is no road widening into wetlands or into buffers around wetlands, and by implementing sediment control measures to reduce sediment distribution to wetlands.</p> <p>Standard erosion and sediment control mitigation, such as silt fences, erosion control matting should be employed to reduce sediment delivery to wetlands (see Work Plan S1).</p> <p>Construct and maintain sediment traps in ditches to reduce sedimentation into wetlands (see Work Plan S1).</p> <p>Schedule regular inspections and maintenance of all structures related to water management and sediment control (see Work Plan S1).</p> <p>Management of fugitive dustfall through a Dust Management and Monitoring Plan. If appropriate, a</p>	<p>With respect to the concerns raised regarding potential project impacts to wetlands, the EA included a search for wetlands in the Project area and buffer. An assessment area of 70m from the centre of the access roads was applied (the zone of impact for road construction is 20m). The EA concluded that there are no wetlands within the assessment area. (Exhibit B-1, Appendix E-2(a), p32). No wetlands outside this assessment area are expected to be affected by the Project.</p> <p>With respect to the concerns raised regarding potential project impacts from sediment distribution, see BC Hydro's response to items #3 and 4.</p> <p>BC Hydro and LGL agree that wetlands in the vicinity of the Project are at low risk of being directly affected by the Project activities. Please see response to item #3-8 in respect of mitigations to water quality and items #15-16 in respect of Dust Mitigation and Air Quality.</p>	<p>SFN's original requests remain outstanding, and BC Hydro's paragraphs are unresponsive.</p> <p>For clarification, LGL agrees that the Project is not likely to directly affect the extent (i.e., area) of any wetlands in the Project area, but changes to water flow and water quality (e.g., sedimentation) could affect the integrity of wetlands</p>

	dust monitoring station should be established at one of the wetlands, such as the larger wetland adjacent to Elizabeth Creek identified in Figure 7 (see Work Plan AQ1).		
<b>E. Environmental Management (First Nation Monitoring)</b>			
14	BC Hydro must ensure that First Nations environmental monitors are employed at all work sites during construction activities and all Project phases.	BC Hydro will ensure First Nations are provided opportunities to work as Environmental Monitors on the Project. The precise nature of the opportunities will be discussed further with First Nations.	At the April 21, 2016 meeting BC Hydro mentioned having First Nation monitors accompany the BC Hydro Environmental Monitor during any visits to the site. First Nation Environmental Monitors require autonomy at the site and should not be limited to “tagging along” with the BC Hydro Environmental Monitor. The role and responsibilities of the First Nation Environmental Monitor will need to be determined prior to the commencement of the Project.
<b>F. Dust Mitigation and Air Quality</b>			
15	<p>BCH and its contractor(s) must exceed Provincial ambient air quality objectives to protect human health and vegetation against increased dust resulting from the Project.</p> <p>The BC ambient air quality guidelines for dustfall represent an appropriate threshold where adverse impacts can be measured. To ensure these guidelines are not exceeded BC Hydro, and its Prime Contractor, will implement a Dust Management and Monitoring Plan that must be developed in collaboration with First Nations.</p> <p>The plan will include appropriately located dust monitoring stations, actions for reducing high levels of</p>	<p>The B.C. Ambient Air Quality Objectives are nonbinding limits that can inform regulatory decision makers. FLNRO and the Ministry of Energy and Mines did not include the B.C. Ambient Air Quality Objectives as conditions of the regulatory permits issued for the Project. While BC Hydro is not required to meet the BC Ambient Air Quality Objectives for the Project, it will nonetheless take steps to ensure that any potential impacts from dust caused by the Project are mitigated through appropriate mitigation measures and management plans.</p> <p>The EA assessed the potential effects from dust as being low. Furthermore BC Hydro will be requiring the contractor to develop a dust control plan that will mitigate the effects of dust. This dust control plan must include an environmental monitoring program to ensure the plan’s effectiveness. For these reasons, BC Hydro</p>	<p>The ambient air quality objectives are derived statistically from several studies and can be interpreted as the levels above which there is statistical confidence that an adverse impact to human health or the environment will occur. Therefore, monitoring and management of dust to levels below these objectives will provide assurances to First Nations that effects are minimized to the extent possible.</p> <p>Dust monitors and adaptive monitoring are required as part of the EEP. See SFN responses #5 and 7.</p> <p>The EA was based on qualitative information. No actual dust or air quality measurements were made to support the environmental assessment.</p> <p>Dust dispersion modelling was completed for the Wuthrich Quarry, that is being used as part of the Site C Project. This modelling suggested that</p>

	<p>fugitive dust, such as details on the frequency of road watering and/or use of dust suppressants and compliance reporting of dust levels throughout the Project site.</p> <p>Dust monitoring stations will be erected prior to the start of construction.</p> <p>Monitoring stations should be placed in locations that meet the following criteria:</p> <ul style="list-style-type: none"> <li>• Low-lying areas (away from crests of ridge lines) so as to allow for dust collection as a result of gravity settling,</li> <li>• Open areas (i.e., existing clear cuts with sufficient ground cover or meadows) with trees and other obstructions that are less than 30 above horizontal viewed from the station location,</li> <li>• Trees and other obstructions within 20 m of the station should be less than 1 m in height, and Readily accessible.</li> </ul> <p>The air quality objective for dustfall should be set at 1.7 mg/dm<sup>2</sup>/day (averaged over a 30 day period).</p>	<p>does not consider dust monitoring stations as necessary. Further details on dust control are set out below.</p> <p>BC Hydro has required the Prime Contractor to develop and implement an Air Quality and Dust Control Plan which will include the following monitoring measures to control dust. This is both a potential environmental and safety issue and all workers on site will have a role in monitoring dust. For example, in addition environmental monitors truckers on the road will be expected to call in instances of fugitive dust so this can be mitigated. Measures may include:</p> <ul style="list-style-type: none"> <li>• Access roads, lay down areas and borrow/spoiling areas will be the focus of dust suppression. Calcium chloride or lignosulfonate will be used as the primary dust mitigation measure on the Project site; The Material Safety data sheet will be provided in the EPP.</li> <li>• In order to minimize the potential for dust generation in general construction works, limit the handling of potential dust generating materials (i.e. avoid double-handling);</li> <li>• All drivers are to maintain safe speeds on all access roads, limiting dust generation where practicable;</li> <li>• Visual site inspection of dust generation and general air quality will be undertaken at all times whilst construction works are being undertaken;</li> <li>• Maintain on-site heavy machinery and construction equipment exhaust systems in accordance with the Provincial requirements; and,</li> </ul> <p>Where water is to be utilized for dust control (or compaction), the withdrawal will comply with the terms and conditions provided in the Water Act</p>	<p>ambient air quality objectives and Canada-wide standards for particulate matter may be exceeded. As stated in response #5, the mitigations in the <i>Mines Act</i> Notice of Work Permit are general and lack specific protection measurements for dust.</p> <p>The documents BC Hydro provided that were reviewed as part of the FNITR only mentioned water as the dust control agent. No mention of calcium chloride or lignosulfonates was made.</p> <p>Visual site inspection of dust generation and general air quality is subjective. Having quantitative dust measuring devices will provide more accurate and consistent data on dust levels caused by the project.</p> <p>These measures do not appear to account for SFN members' concerns regarding dust on the quality and quantity of plant and medicine resources and water resources in the vicinity of the Project, and avoidance of the area stemming from dustfall.</p>
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		<p>Section 8 Approval – #A703728 including but not limited to water take locations, type of water use and volumes of water permitting at each location. A copy of the Water Act Section 8 Approval is provided in Appendix B.</p> <p>BC Hydro's <i>Mines Act</i> Notice of Work includes Condition 21 which provides that BC Hydro must adhere to the following conditions in respect of dust control:</p> <p><u>21. Dust Control:</u></p> <ul style="list-style-type: none"> <li>a) All dust on the mine site shall be suitably controlled at the source. Dust shall not be allowed to impact adjacent properties. All dust inside building and structures shall be suitably controlled at the source.</li> <li>b) All roads on the mine site shall be appropriately constructed and topdressed such that dust is controlled.</li> <li>c) A sprinkler system, water truck, or other appropriate means shall be utilized to ensure dust is adequately controlled at the mine site.</li> <li>d) The Permittee shall ensure all vehicles exiting the mine site are adequately washed to minimize the potential spread of dust.</li> <li>e) Covered trailers shall be utilized on all haul trucks exiting the mine site. (Exhibit B-1, Appendix H, p15).</li> </ul>	
16	Parties must agree on further dust modelling and dust control.	<p>BC Hydro believes that dust modelling for the Project would be of little use given that the EA assessed all potential impacts from dust to be mitigatable. Dust will be mitigated at the quarry site and on the haul roads. In BC Hydro's experience, modelling tends not to identify specific issues or mitigation measures. The dust models we're familiar with measure the impacts of dust in relation to specific residences (known as</p>	<p>There are many SFN values (that may act as receptors) in the Project area vulnerable to dust and dust is a major concern of SFN members. The extent of potential impacts from the Project was not possible to assess due to a lack of precise information on dustfall.</p> <p>Dust modelling would show First Nation members the extent of potential impacts. When these are</p>

		<p>receptors). In the case at hand, there is no permanent human residence or receptor located in the Project area to which we can usefully apply a model. In BC Hydro's view, environmental monitoring will be more effective at identifying specific issues and impacts related to dust.</p> <p>For further information regarding BC Hydro's intended dust mitigation and monitoring measures, see response to items #15 and 16.</p>	<p>considered with the location of traditional use sites (from the TUS report) First Nations could clearly understand the level of effects.</p> <p>Furthermore, if the dust modeling shows that dust may travel up to 50 m from the road, for example, then the Environmental Monitors can monitor dust dispersion to see if this actually occurs or if the dust mitigation is being effective.</p> <p>A quantitative measure needs to be in place for monitoring and managing the effects of dust.</p>
<b>G. Noise</b>			
17	Parties must agree on noise modeling and mitigation.	<p>BC Hydro believes that noise modelling for the Project would be of little use given that the EA assessed all potential impacts from noise to be mitigatable. In BC Hydro's experience, noise modelling tends not to identify specific issues or mitigation measures we can usefully act upon. BC Hydro can however assess specific noise issues and impacts through environmental monitoring.</p> <p>To address noise, Condition 20 of BC Hydro's <i>Mines Act</i> Notice of Work Permit for the quarry site calls for a number of noise abatement measures:</p> <p><u>20. Noise Abatement:</u></p> <p>a) The Manager shall ensure compliance with 2.6.1 of the Code and ensure any machinery or equipment which, when operating, exposes the operator or persons in the vicinity to noise levels in excess of those prescribed in Table 2-2, Part 2, for unprotected ears, shall if practicable, be fitted with a properly maintained muffler or other noise reducing device.</p> <p>b) Stationary engines and portable compressor</p>	<p>Similar to the dust modelling, noise modelling would show First Nation members the extent of the impact. For example, if noise levels are elevated within 100 m of the roads, and this area overlaps with traditional use sites (e.g., plant and medicine picking), First Nation members can decide whether or not to go to these areas.</p> <p>SFN's comments in responses #5 and #15 also apply to Condition 20.</p>

		<p>installations shall be enclosed in noise attenuating structures. Site equipment shall be fitted with high efficiency muffling devices. (Exhibit B-1, Appendix H, p15)</p>	
		<p>To address any safety issues arising from noise hazards, access to the quarry will be limited to persons authorized by the mine manager, and a gate and/or security will be set up at the entrance to the Spur Road.</p> <p>BC Hydro has required the Prime Contractor to incorporate mitigation measures into the EPP and TMP to address impacts from noise. These include:</p> <ul style="list-style-type: none"> <li>• Implementing a vehicle/equipment anti-idling policy for construction equipment and vehicles;</li> <li>• Equipment operators and maintenance staff will routinely (daily visual inspections of all equipment and 500-hour preventative maintenance) check the exhaust systems of construction equipment to identify actual or potential exhaust system deficiencies;</li> </ul> <p>Correct any deficiencies with equipment within a reasonable time frame.</p>	<p>BC Hydro’s requirement that the Contractor correct equipment deficiencies “within a reasonable time” does not respond to SFN’s concerns.</p> <p>Any deficiencies with equipment should be corrected immediately. Equipment should be taken out of service until deficiencies are corrected.</p>
18	<p>BCH and its contractor(s) must provide an expected zone of influence based on agreed noise dispersion modelling, with regard to the noise of dozers, dumpers, front-end loaders, excavators, air track drills, and rock trucks.</p>	<p>BC Hydro will not be providing an expected zone of influence based on noise modelling. With respect to the issue of noise modelling, see BC Hydro’s response to item #17.</p> <p>While BC Hydro does not intend to undertake noise modelling, it has estimated noise levels of the various equipment and machinery likely to be</p>	<p>It remains unclear what these typical noise levels are.</p> <p>BC Hydro informed SFN at the April 21, 2016 meeting that the scope of the Project has changed. Accordingly, we request confirmation on the number of blasts that will occur on a daily basis.</p>

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		used on the Project. BC Hydro expects that the noise levels associated with blasting will be typical of quarrying operations. In this particular case, the impacts are estimated to be low and temporary as only one blast per day is expected, possibly two per day if the Project Contractor expedites the blasting program. (Exhibit B-3, BC Hydro Response to MLIB/SFN IR 1.1.1.2).	BC Hydro's estimation that impacts from blasting will be low does not address disturbance to SFN members' cultural values and land uses due to a loss of sense of place, avoidance of the area, and the dispersal of animals.
19	<p><u>Pre-disturbance Baseline Vegetation Analysis</u></p> <p>BC Hydro must collect comprehensive baseline data on individual plant species that may be impacted during construction, and work with Twin Sisters Nursery to select plants for reclamation.</p> <p>Delineate ecosystem units (i.e., polygons) that overlap the Project footprint boundaries.</p> <p>Characterize the vegetation attributes and composition within these areas.</p> <p>Document any rare and/or traditionally used plant species within these ecosystems.</p>	<p>BC Hydro has already collected comprehensive baseline data on individual plant species that may be impacted during construction. Specifically, the EA included a vegetation survey of 10 terrestrial survey points throughout the Project area. A total of 85 plants species were encountered; none are conserved considered rare. BC Hydro will use this information to inform the Reclamation Plan.</p> <p>BC Hydro will not be collecting seeds for reclamation in advance of construction as we do not believe this is necessary. The plant species in the Project footprint are the same as the surrounding area and can be obtained at any time.</p> <p>As to First Nation's request that Twin Sisters be involved in the reclamation work, BC Hydro will work with First Nations to select plants for reclamation. However, BC Hydro cannot commit to working with a particular contractor until the open book procurement process is complete. BC Hydro understands that the Project Contractor is currently engaged in discussions with First Nations contractors in regards to Reclamation, it is our understanding that First Nations have shown interest in the Reclamation work package.</p>	<p>We disagree that the data collected was comprehensive. According to the EA report, vegetation data was collected at 14 survey points along the access roads and 5 survey points within the quarry site. The methods in the EA stated vegetation transect surveys were also conducted but no data was reported for these surveys.</p> <p>BC Hydro did not determine if these plant species were traditionally used species, therefore the pre-disturbance baseline vegetation analysis is warranted.</p>
20	<p><u>Vegetation Monitoring and Protection Plan</u></p> <p>Clearly mark the location of</p>	<p>The majority of the clearing for Project Areas is in the SFQ area and BC Hydro will be addressing impacts to vegetation through reclamation as opposed to a protection plan. Clearing on the</p>	<p>Also, as stated in the FNITR report other plants not specifically indicated in the list may also be used for medicinal purposes; however, specific knowledge of these plants is considered private for two reasons: 1)</p>

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	<p>traditionally used plants where these occur in the vicinity of Project activities.</p> <p>Where applicable, include a protective vegetated buffer around traditionally used plants.</p> <p>Monitor the impacts of Project activities on these plant species.</p>	<p>road will be much less than the quarry and will be within the limits of Canfor's permitted use.</p> <p>The EA notes that none of 85 plant species that were identified in the Project area are considered rare by BC Conservation Data Center. The First Nations Independent Technical Review reviewed these plants and identified 23 that could be used for medicinal purposes. Since none of the plants identified are rare, BC Hydro does not propose to apply the requested protection measures.</p> <p>With respect to the role of First Nations Monitors see response to item #14.</p>	<p>specific information about medicinal plants is taught in a particular way; and 2) if individuals are not properly trained in how to collect and prepare medicines they can be dangerous. A traditional plant expert will need to verify the list of species and can help to inform the protection of vegetation.</p> <p>BC Hydro is required under its <i>Mines Act</i> Notice of Work permit to consider traditional use of plant species for reclamation work.</p>
21	<p><u>Revegetation Plan</u></p> <p>Parties must agree on reclamation standards for the SFQ site, roads and other work sites. These standards must include post construction habitat enhancement.</p> <p>Conduct pre-disturbance vegetation surveys to characterize plant species</p> <p>Re-evaluate the pre- and post-closure ecosystem units, including a tabular summary of capability targets of forest productivity and wildlife capability using pre-disturbance conditions.</p> <p>Twin Sisters Nursery to collect seed from select vegetation species on the Project site.</p> <p>Conduct active reclamation throughout Project area.</p>	<p>With respect to the baseline vegetation data already collected in the EA please see the response immediately above.</p> <p>With respect to the Sand Flat Quarry Site, BC Hydro is required to develop and implement a Reclamation Plan for the Sand Flat Quarry site as part of its Mines Act Notice of Work Permit. In particular, Condition 27 of the Notice of Work provides:</p> <p>27. Reclamation:</p> <p style="padding-left: 40px;">The Manager shall ensure that topsoil is salvaged and stockpiled as a routine standard procedure and whenever there is material to salvage, for use in reclamation. Seeding of stockpiles is to be done when necessary, to prevent erosion and/or the spread of invasive species.</p> <p>Concurrent reclamation shall be practiced whenever practicable, or as other permit conditions may require.</p> <p>Reclamation activities shall include re-contouring</p>	<p>At the April 21, 2016 meeting SFN stressed that revegetation should take forest productivity and wildlife capability into consideration. For example, the Project is within the range of the Klinse-Za caribou herd so active reclamation and revegetation of the site to return it to suitable caribou habitat as quickly as possible is preferred.</p>

	<p>of disturbed areas similar to pre-disturbance shapes and re-establishment of natural gullies and swales so that surface drainage patterns are re-established. Compacted surfaces should be ripped to allow normal water infiltration and growth of vegetation.</p> <p>Once disturbed sites have been re-graded, soil materials salvaged prior to the construction of the site shall be replaced. Applied soils should:</p> <ul style="list-style-type: none"> <li>• be rough and loose with lots of microsites (small depressions) for seeds to lodge in and germinate;</li> <li>• be keyed into the materials under the soils so that they do not slide or slump off;</li> <li>• incorporate roots, stumps and other woody debris to reduce erosion and create greater biological diversity; and</li> <li>• be re-vegetated promptly. (Exhibit B-1, Appendix H, p17)</li> </ul> <p>The Reclamation Plan will be developed once the footprint of the quarry is confirmed, and implemented at the end of the quarry work. We will consult with First Nations on the Reclamation Plan while it is being developed.</p> <p>The Spur Road will be deactivated after the quarry site is closed.</p> <p>With respect to the Table and Utah Roads, Canfor holds the Road Permit for these roads, and it is our understanding that these roads will remain in continued use by Canfor as permit holder after the Project is completed.</p> <p>In regards to Twin Sister, please see response to item #19.</p>	
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		<p>BC Hydro hopes to gain First Nations support for the Reclamation Plan through its efforts to address First Nations concerns. Ultimately the decision on the Reclamation Plan rests with BC Hydro, however, it will use the information obtained from First Nations to inform decisions as to content.</p>	<p>BC Hydro is required under its <i>Mines Act</i> Notice of Work permit to consider traditional use of plant species for reclamation work:</p> <p><b>4. <u>Re-vegetation</u></b></p> <p>Land shall be re-vegetated to a self-sustaining state using appropriate plant species. <u>Re-vegetation species shall be selected based on the principles of ecological succession, traditional use and cultural significance</u>, including all reasonable efforts to use only native species unless short-lived agronomic species are required to temporarily control erosion. [Emphasis added.]</p>
<p><b>I. Wildlife</b></p>			
<p>22</p>	<p><u>Operational Wildlife Protection and Monitoring Plan</u></p> <p>BC Hydro, in collaboration with T8FNs, will develop a table of contents and outline for the Operation Wildlife Protection and Monitoring Plan (OWPMP).</p> <p>The OWPMP will provide details on site selection for implementing mitigation measures and monitoring programs, personnel responsibilities and timeframe of programs.</p> <p>Protection measures must include:</p> <ul style="list-style-type: none"> <li>The hours of the day that trucks can be on the road, as agreed by the parties, so that</li> </ul>	<p>Potential wildlife interactions will be mitigated with a Wildlife/Caribou Mitigation Plan. Potential conflicts with traditional users will be mitigated through project notifications. For further details, see response to item #1.</p> <p>BCH has required the Project Contractor to incorporate a provision in its Environmental Protection Plan that provides that BC Hydro's employees and contractors' employees (including the Project Contractor) cannot engage in hunting or fishing activities in the Project area while engaged in employment activities connected with the Project.</p> <p>BC Hydro will update its EMP to account for operational wildlife protection and monitoring and this will also form part of the contractors EPP. First Nations will have an opportunity to provide comment on the EPP.</p>	<p>The Contractor's EPP must incorporate traditional use information. The current EMP fails to incorporate traditional use information and the First Nations requested mitigation measures. For e.g., the EMP comments that noise may disperse wildlife, but does not discuss mitigation measures.</p>

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	<p>conflicts with wildlife are avoided.</p> <p>BC Hydro must ensure that there is no hunting or fishing by employees of BC Hydro or its contractor(s).</p>		
23	<p><u>Moose Habitat Suitability Models</u></p> <p>BC Hydro will develop habitat suitability models for moose in the winter and calving seasons based on ecosystem units in the Project area.</p> <p>Suitability ratings will be modeled by GIS staff using RIC standards and based on modeling programs using ArcGIS.</p> <p>Assumptions used in the development of the models will be identified, including the zones of influence of Project components.</p>	<p>BC Hydro is not going to be developing habitat suitability models because BC Hydro does not consider these studies necessary for this Project. The Project does not trigger a provincial or federal environmental assessment and this type of modelling is not required. The Environmental Assessment undertook an appropriate assessment of wildlife given the size and scope of the project.</p>	<p>According to BC Hydro's Application, Project activities are expected to occur within the critical period for moose (May 15 – July 15), which is the calving period.</p> <p>Additionally, BC Hydro stated at the April 21, 2016 meeting that the quarrying may be completed within one year (e.g., August 2016 to April 2017). This project schedule would require quarry work and rock hauling throughout the winter.</p> <p>These activities would overlap the cautionary period for moose (November 6 – May 15), which can affect moose wintering in the area. The winter period can be a limiting season for moose therefore a clear understanding of the availability of moose habitat in the Project area is key for understanding the impacts.</p> <p>Furthermore, the EA report prepared for the Project did not consider Project activities during the winter as this was not the original scope of the Project.</p>
24	<p><u>Pre-Construction Nest Surveys</u></p> <p>BC Hydro will develop a framework for avoiding and mitigating Project effects on songbirds and their nests, in consultation with federal and provincial regulators as part of the OWPMP.</p> <p>Should vegetation clearing be required by BC Hydro during the nesting period for migratory birds in the region, an active migratory bird</p>	<p>Project effects on songbirds are addressed in the EMP (section 4.16.2) and will be further addressed in a bird nesting mitigation plan that is part of the contractors EPP. This section of the EMP addresses bullets 1-3. During bird nesting season BC Hydro will require the contractor to conduct pre-construction nest surveys in accordance with the Project contractors EPP. The EPP will include the measures listed by LGL, with the exception that it will not be done in consultation with provincial and federal regulators as we are not currently contemplating removal of a bird nest. Should nest removal be required BC</p>	<p>The incidental take of a bird, egg or nest is in contravention of the Migratory Birds Convention Act and the BC Wildlife Act. Any pre-construction nesting surveys must be planned and conducted with due care. Once this plan is prepared there must be an independent technical review of field plans. Additionally, the results of any nest searches will need to be reviewed by First Nations.</p>

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	<p>nest survey(s) will be conducted.</p> <p>The active migratory bird nest survey will require a field plan, including acquiring all relevant permits, for conducting nest searches with input by T8FNs. Maps will be prepared by BC Hydro to assist in field planning.</p> <p>For any given area, field surveys will be required seven days in advance of that area being cleared. The area will require re-surveying if clearing is scheduled beyond the seven day period.</p> <p>BC Hydro will report daily to the Environmental Monitor on site to coordinate the clearing schedule.</p> <p>Where timing windows overlap, nest surveys will be completed in conjunction with other pre-construction surveys, such as amphibian surveys and wildlife habitat feature surveys.</p>	<p>Hydro will consult with the appropriate regulatory authorities.</p>	
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<p>25</p>	<p><u>Pre-Construction Wildlife Habitat Feature Surveys</u></p> <p>BC Hydro, in collaboration with T8FNs, will prepare a Project-specific mitigation plan for wildlife habitat features and prepare a field program for pre-construction surveys in consultation with federal and provincial regulators.</p> <p>BC Hydro, in collaboration with T8FNs, will identify which wildlife habitat features are applicable to the Project area and timing windows for surveys. Wildlife habitat features may include large stick nests, wildlife trees, ungulate movement corridors and mineral licks.</p> <p>Wildlife habitat features should be maintained in a natural state to ensure wildlife species will continue to have access to these features during critical and high use periods.</p> <p>Mineral licks are culturally sensitive and traditional land use sites for First Nations. All mineral licks in the vicinity of the Project should be identified and assessed. The significance of a lick should be determined based on the level of traditional land use, location, extent of ungulate use and the relative availability of other licks in the area.</p>	<p>As part of the EA, Ecofor conducted field work to record observations of wildlife and wildlife features in the SFQ. The SFQ is an old cut block and will be cleared for quarry development. There are no other Project activities that require a large amount of vegetation removal and associated wildlife habitat. Road widening will be limited to pull-outs and widening in specific corners as required. Road widening will be within permitted use, but BC Hydro does intend to widen the road where this is not necessary for the Project. When these pull-out areas have been identified a professional biologist will conduct a wildlife habitat assessment to identify potential issues to wildlife habitat.</p> <p>Wildlife habitat features will be included in the SFQ reclamation plan.</p>	<p>The data from the TUS can be used in the assessment of impacts to wildlife habitat potential caused by construction of the pull outs. Additionally, First Nations should accompany the professional biologist during this work.</p> <p>Specific surveys to target mineral licks (or wildlife habitat features) were not conducted by BC Hydro.</p>
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	<p>Developments within 400 m of mineral lick site and wildlife trails connecting to mineral licks should be minimized. This larger setback, compared to what is recommended by regulatory agencies, provides for the protection of habitat that is capable of protecting both ecological integrity and cultural values relating to mineral licks that are related to harvesting and practicing Treaty rights.</p> <p>BC Hydro must avoid the disruption to drainage and groundwater near mineral licks and to maintain visual screening (i.e., forested cover) to provide security and escape cover around mineral lick sites and wildlife trails.</p> <p>BC Hydro, in collaboration with T8FNs, will conduct field surveys for wildlife habitat features in the Project area. Surveys may be coupled with other wildlife surveys, such as amphibian surveys and/or nest surveys should the timing windows overlap.</p>	<p>No mineral licks have been identified in the Project area to date.</p>	
26	<p><u>Pre-Construction Amphibian Surveys</u></p> <p>BC Hydro, in collaboration with</p>	<p>BC Hydro evaluated wetlands and ponds and concluded there are none within the Project footprint. Due to the absence of wetlands in the</p>	<p>It is unclear how wetlands and ponds were evaluated since none of the survey points were within any of the wetlands that occur within the Project area.</p>

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	<p>T8FNs, must prepare a Project-specific mitigation plan for amphibians, which will include a field plan for pre-construction surveys. The plan must include maps that identify potential high risk areas (e.g., breeding sites, movement corridors) for amphibians with particular attention to western toads.</p> <p>BC Hydro, with the assistance of T8FNs, must conduct field surveys during the cautionary period for amphibian breeding activity (May to August).</p> <p>The plan must include provisions for relocating affected amphibians and other measures such as erecting diversion fences. A federal handling permit is required for working with western toads.</p>	<p>Project footprint it is anticipated that this will not be necessary. However, in the unlikely event the contractor's activities requires amphibian salvage the procedures for these activities will be set out in the contractors EPP. Any measure undertaken will adhere to applicable federal and provincial regulatory requirements. See section EMP 4.16.3 for further details.</p>	<p>Therefore, SFN requests site visits with traditional land users.</p> <p>As discussed above and in the FNITR report there are wetlands in close proximity to the access roads. These may act as suitable breeding areas for western toads (note: one western toad was observed in the project area during the baseline surveys). Western toads can disperse several kilometers from breeding area and the mass migration of toadlets is a common occurrence for this species. Therefore confirmation of breeding areas and movement corridors is important.</p>
27	<p><u>Caribou Mitigation and Monitoring Program</u></p> <p>BC Hydro, will prepare wildlife observation forms for use by Project personnel on-site, and will liaise with the Environmental Coordinator to record and manage caribou observations during Project activities.</p> <p>BC Hydro will survey critical caribou habitat and telemetry locations that are in close proximity to the SFQ.</p> <p>The vegetation and ecosystem characteristics will be documented to aid in the reclamation planning.</p>	<p>Agreed.</p> <p>The contractor will be utilizing wildlife observations forms for all wildlife sittings.</p> <p>The First Nations Independent Technical Review has identified new information from the Federal Species at Risk Recovery Strategy series. This regarding Caribou completed its assessment of Caribou.</p> <p>BC Hydro will survey critical caribou habitat and telemetry locations that are in close proximity to the SFQ.</p> <p>The vegetation and ecosystem characteristics will be documented to aid in the reclamation planning.</p>	<p>Outputs (i.e., reports) from any of this work will require and independent technical review.</p>

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	<p>Spatial analysis of telemetry data to assess potential disturbance effects from the mine.</p>	<p>BC Hydro is seeking to obtain spatial telemetry data from the Province to assess potential disturbance effects from the mine.</p>	
28	<p><u>Olive-sided Flycatcher Mitigation and Monitoring Program</u></p> <p>The general breeding period for Olive-sided Flycatcher in the Project area is April 15 to August 30 (Environment Canada 2016). The Pre-construction Nest Surveys, identified in Work Plan W3, will ensure effects to this species at risk are minimized. However, separate reporting of species at risk is required. Any occurrences of Olive-sided Flycatcher recorded during the Pre-construction Nest Surveys and/or incidentally must be documented in a separate report. Occurrence information must be accompanied with maps of species locations, details of mitigation measures employed to avoid or minimize effects to birds and follow-up monitoring of birds and/or nests as required.</p>	<p>Agreed.</p> <p>Please see response to the request for pre-construction bird nesting surveys. As to reporting, the project contractor requires the completion of wildlife siting forms.</p> <p>BC Hydro will review completed wildlife observation form and where a SARA species has been observed, BC Hydro will map where the species are located, describe mitigation measure employed and undertake follow-up monitoring as required.</p>	<p>For pre-construction nest surveys, reporting should include a description of the methods used, which include the search effort. This is critical information even if no bird nest are found and should form part of the due diligence completed by BC Hydro.</p> <p>Results of any pre-construction bird nesting surveys must be reported to First Nations.</p>
29	<p><u>Western Toad Mitigation and Monitoring Program</u></p> <p>The Pre-construction Amphibian Surveys, identified in Work Plan W5, will confirm the presence of western toad breeding or migration areas prior to the commencement of the Project. However, separate reporting of species at risk is required. Any</p>	<p>Agreed.</p> <p>Please see response to pre-construction Amphibian surveys. As to reporting, the project contractor requires the completion of wildlife siting forms.</p> <p>BC Hydro will review completed wildlife observation form and where a SARA species has been observed, BC Hydro will map where the</p>	<p>As mentioned above, details of survey methods and effort are important to include in any reports. This critical information is typically not included on wildlife sighting forms.</p>

	<p>occurrences of Western Toad recorded during the Pre-construction Amphibian Surveys and/or incidentally must be documented in a separate report. Occurrence information must be accompanied with maps of species locations, details of mitigation measures employed to avoid or minimize effects to individuals and follow-up monitoring of occurrences as required.</p>	<p>species are located, describe mitigation measure employed and undertake follow-up monitoring as required.</p>	
<p><b>J. Socio-Economic</b></p>			
<p>30</p>	<p><u>Chance Find Procedures</u></p> <p>If a previously unidentified heritage resource is discovered in the course of the actions and activities during the construction and operation of the Project, the following procedures will be followed:</p> <ul style="list-style-type: none"> <li>• All work in the area will be stopped immediately within 500m to avoid damaging the location of the heritage resource;</li> <li>• No part of the heritage resource location will be disturbed and steps will be taken to isolate and protect the location;</li> <li>• Any finds will be reported immediately to the appropriate representative of BC Hydro and the First Nations' Monitors;</li> <li>• An initial Chance Find Form will be completed;</li> </ul>	<p>BC Hydro has required its contractor to employ a chance find procedure as set out in section 4.17 of the EMP.</p> <p>In regards to the requested chance find procedures BC Hydro agrees with the requests with the exception of the following. The buffer applied to the stop work order will be determined by the nature of the chance find. BC Hydro will notify Chief and Council of the chance find and will consult on how to move forward. Should there be a chance find, BC Hydro hopes to gain First Nations support through its efforts to address any concerns, but ultimately the decision on how to proceed is BC Hydro's. BC Hydro decision must be consistent with regulatory requirements.</p>	<p>The decision to proceed must comply with the BC Heritage Conservation Act. BC Hydro's commitment must be provided to SFN in writing.</p>

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	<ul style="list-style-type: none"> <li>• A geographic reference point will be taken and all discoveries will remain in place;</li> <li>• BC Hydro will contact appropriate regulatory authorities;</li> <li>• BC Hydro and the First Nations' Monitors will contact the Chief and Council of the First Nations, which will provide direction on how to proceed;</li> <li>• If appropriate measures are not agreed upon between Chief and Council and BC Hydro within a reasonable timeframe, the parties will meet jointly with government regulators to discuss appropriate measures for addressing the identified spiritual or cultural value.</li> </ul>		
31	<p><u>Trapper Compensation</u></p> <p>Trapping of furbearers typically occurs during the winter season; however, trapline users (trappers) will often access traplines during other times of the year to check on trail access and cache supplies. The timing and location of road upgrades must be coordinated with local trappers to ensure trapline maintenance activities are not impeded.</p> <p>If impacts to trapping areas are realized, BC Hydro must provide</p>	<p>BC Hydro has advised First Nations that it is only aware of one licenced trapline in the Project area, though BC Hydro understands that others exercise their Treaty 8 rights to trap in the area. BC Hydro requested contact information of individual local trappers so it could share the Project Contractor's TMP and trucking schedules with them. For trappers who have not been individually identified y First Nations, public notifications are listed in the "Trucking and Road Use" section above.</p> <p>In regards to compensation for trappers generally BC Hydro has developed mitigation measures to avoid impacts to trapping activities, and is of the view that impacts will not be such that</p>	<p>Additional information is required on what these mitigation measure are, particularly in light of the new information that quarry work and riprap hauling may be conducted throughout the winter.</p>

	<p>funding and support for First Nations trappers to retrieve traps and relocate trapping activities to another area. This measure must include the development of a Retrieval and Replacement Strategy by impacted First Nations that will be submitted to BC Hydro, and will include an estimated budget, timing, personnel, equipment, and activities.</p> <p>BC Hydro must provide funding and support for First Nations trappers to rehabilitate old trails and/or developing new trails.</p> <p>BC Hydro must provide funding for First Nations to cover all of the costs associated with fixing, upgrading, and maintaining access to trapping areas.</p>	<p>compensation or enhancements are warranted.</p>	
<b>K. Cumulative Effects</b>			
32	<p>BC Hydro must make reasonable efforts to confer with Canfor on the planned logging activity within the next 10-15 years.</p> <p>BC Hydro in collaboration with First Nations must provide a determination of land cover classification change over time.</p> <p>Quantitative analysis of past disturbances (1984-2015) must be conducted.</p> <p>Any analysis must incorporate traditional use / cultural use studies</p>	<p>Provincial and federal regulatory guidelines direct that a cumulative effects assessment is triggered where residual effects remain. BC Hydro does not agree the proposed measures are warranted in this case because the Project will not result in residual effects to the environment.</p> <p>Nevertheless, BC Hydro considered the historical context of past impacts to put the potential new impacts of the Project in proper context and to comprehend their magnitude.</p>	<p>BC Hydro's assessment did not include traditional use data and knowledge to reach its conclusion that there would be no residual effects.</p>

	<p>by T8FNs.</p> <p>BC Hydro must provide an assessment of potential effects of other projects on culturally important wildlife and ecosystems.</p>		
<p><b>L. Reclamation and Offsetting</b></p>			
<p>33</p>	<p>Parties must agree on habitat offsetting, and other kinds of offsetting to protect and promote traditional values during and after construction and other project phases (e.g. measures to facilitate or enhance traditional use in adjacent areas).</p>	<p>Given the scope, size, and temporary nature of the Project. BC Hydro does not anticipate any residual habitat impacts that would require habitat offsetting.</p> <p>BC Hydro is prepared to consider mitigations that will enable traditional use during the life of the Project. For example, BC Hydro is willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities (see item 2 above).</p> <p>BC Hydro is also open to exploring with First Nations potential enhancements to the project area to protect and promote traditional values following construction.</p>	<p>We still need confirmation on what the scope of the project will be.</p> <p>It is unclear what BC Hydro would consider an enhancement and how this differs from offsetting.</p>

**SFN Response to BC Hydro Table on Deficiencies identified in the FNITR, May 2, 2016**

#	FNITR Section	FNITR Conclusion	BC Hydro's Response, April 20, 2016	SFN Comments, May 2, 2016
1	2.2.2.1 GMS Riprap Project Environmental Assessment	The scope of the EA only evaluated the environmental aspects related to water quality, fish, wildlife, vegetation, fossils, and cultural heritage resources	In addition to those evaluations identified in the FNITR, the EA evaluated wetlands and air quality.	<p><u>Wetlands:</u> No baseline survey data was collected for wetlands and air quality.</p> <p>The full extent of the EA review on wetlands is in section 3.6: "After completing a search of the project areas and buffers no wetlands were found. Localised areas standing water were noted along the side of the access road. These areas were generally small and did not contain hydrophytic vegetation; they are not wetlands."</p> <p><u>Air quality:</u> Section 3.7 on air quality is 10 lines and only provides qualitative information. The EA observes that surrounding communities have identified dusts and airborne sands as an environmental and health concern.</p>
			The EA scope is discussed in section 1.3 of the EA. This project does not trigger an Environmental Assessment under the BC Environmental Assessment Act and the project did not require a detailed Environmental Assessment for the MFLNRO approval process.	<u>Environmental Assessment Act.</u> BC Hydro's EMP prohibits the Contractor from removing more than 250,000 tonnes from the quarry to ensure that the BC <i>Environmental Assessment Act</i> is

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				<p>not triggered.</p> <p>During 3 years of quarry operations the Project will remove approximately 750,000m<sup>3</sup> of limestone from the quarry to place up to 150,000m<sup>3</sup> of riprap and bedding on the dam face. This would be more than 1 million tonnes of riprap over 3 years.</p>
			<p>BC Hydro selected the Ecosystem Components (EC) studied in the EA, through consultation with First Nations and MFLNRO, literature searches, site visits, professional judgment and field studies.</p>	<p><u>ECs:</u> The FNITR identifies the valued components that are of interest to First Nations (Box 1, p 12). The EA report, however, has a limited number of valued components. The EA omits: soils and terrain; water quantity; aquatic resources; Riparian habitat; and reclamation.</p>
2	2.2.2.1 GMS Riprap Project Environmental Assessment	The EA did not address any expansion of the Table Road	<p>The EA study area included the entire Table road. Potential impacts and mitigations for the EC's within the EA include consideration of road widening. EA Table 12 identifies that road widening could have a potential risk of sedimentation in to small watercourses, with a potential impact to aquatic organisms, and the mitigation for the contractor to prepare a sediment and erosion control plan. BC Hydro has carried this mitigation through to its Environmental Management Plan for the project, requiring the contractor to prepare a detailed sediment an erosion control plan for Access Roads (Utah, Table, and Spur</p>	<p><u>Road construction:</u> In addition to sedimentation into watercourses, road widening in general would also result in physical disturbance of plant resources; and the introduction of dust and other traffic-related contaminants into the bush.</p>

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			Road) – Reference EMP 4.5.1 p. 24.	
3	2.2.2.1 GMS Riprap Project Environmental Assessment	The EA did not address impacts to soils and terrain, ground water quality, air quality, noise dispersion, riparian habitat, impacts to wetlands within a 100m boundary of project components, comprehensive baseline data for vegetation.	<p>The EA did not identify soils and terrain, and ground water quality as a EC, nor was noise dispersion undertaken. However, these issues were commented on within the Management Plans prepared for the Project.</p> <p>The EA includes a section on air quality.</p> <p>The EA does not have a specific section titled Riparian habitat however effects to riparian habitat are brought up in other areas of the EA.</p>	<p><u>Management plans:</u> The Environmental Management Plan (EMP) does not require the contractor to mitigate noise impacts. The EMP “commented” that noise may disperse wildlife, but does not discuss mitigation measures. The EMP indicates that temporary impacts do not require specific mitigation measures (EMP, Table 13).</p> <p>The EMP observes that noise from blasting may adversely affect human health, fish and wildlife, but does not “comment” on the impacts of noise on First Nations who exercise rights in the Project area.</p> <p>The Spur Road management plan lacks any specific management actions; and the Sand Flat Quarry plan does not adequately address impacts.</p> <p><u>Noise:</u> Noise dispersion from the Project, including from blasting and road traffic, are serious concerns voiced by SFN members with regard to the presence of animals within the TUS Study Area and SFN members' sense of place. A noise dispersion model is</p>

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				<p>requested.</p> <p><u>Air quality:</u> SFN response #1 explains the EA gap regarding air quality assessment.</p>
			<p>With regard to Wetlands, the project considered wetlands with a study area extending 70m from road centreline. The zone from 70m to 100m was outside the study area. The 70m study area was based on a 20m distance from road centreline where the potential project footprint would extend, plus, a 50m buffer of that area. 50m buffer distance was selected because that is the maximum riparian buffer applied in RMA process.</p> <p>The EA contains summary data from our vegetation surveys which identified 85 species.</p>	<p><u>70m buffer:</u> Wetlands are key sites for medicinal plant harvesting. BC Hydro's buffer may be insufficient to prevent avoidance of medicinal resources contaminated or perceived to be contaminated by disturbance.</p> <p>The recommended noise and dustfall dispersion modelling would assist in identifying the magnitude of impacts on wetlands and the traditional use of wetlands for harvesting plant species.</p>
4	2.2.2.1 GMS Riprap Project Environmental Assessment	The FNITR analysis of the EA report concludes that the following aspects of the EA require revisiting: an assessment of ecosystem components, an assessment of potential impacts of the proposed works on environmental values associated with the Project, and mitigation and monitoring measures to minimize impacts to environmental components associated with the project	BC Hydro disagrees. The EA scope and methodology was appropriate for the scope of the Project. The Project does not trigger an Environmental Assessment under the BC Environmental Assessment Act and the Project did not require a detailed Environmental Assessment for the MFLNRO approval process.	<p><u>Missing ECs:</u> As mentioned in responses #1-3, several environmental components that are of interest to First Nations were not included in the EA.</p> <p><u>Problem of qualitative review:</u> Additionally, where qualitative information was relied on to address ECs, (e.g., air quality, wetlands), conclusions or assessments are subjective.</p>
5	2.2.2.2 Environmental Management Plans	The EMP relies on the information presented in the EA and other documents described herein and	The intent of the EMP is to inform the management of environmental risks and mitigation measures relative to the	<u>Incorporation of Traditional Use:</u> The EMP is the foundation for the Contractor's Environmental

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		therefore does not address the management of potential impacts to Aboriginal and Treaty Rights	Project.	Protection Plan (EPP) and sets the standard that the EPP must meet. Unfortunately, the EMP fails to incorporate traditional use information and the First Nations requested mitigation measures. In light of this gap, it is unreasonable for BC Hydro to rely on the Contractor to incorporate SFN's requested mitigation measures into the EPP, and SFN has no assurances that Project impacts on the exercise of rights will be mitigated.
6	2.2.2.3 Management Plan for Sand Flat Quarry	Specific management actions were not clearly articulated in the plan.	The management plan for SFQ met all the requisite permitting requirements as directed and accepted by MFLNRO.	<p><u>Reliance on EPP:</u> The SFQ management plan relies on yet to be drafted management actions and incomplete or ongoing processes to develop management actions. The plan states that it will consult with First Nations on potential impacts “so that BC Hydro and First Nations can work together to identify measures to avoid, mitigate, or otherwise accommodate those impacts”.</p> <p>The SFQ management plan identifies the EMP and the Contractor EPP as the primary means through which BC Hydro will manage environmental aspects of the Project.</p>

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7	2.2.2.4 Management Plan for the Spur Road	Specific management actions were not clearly articulated in the plan.	The management plan for the Spur Road met all the requisite permitting requirements as directed and accepted by MFLNRO.	<p><u>Reliance on EPP:</u> Approval of the plan by MFLNRO does not mean that specific management actions were articulated. The Spur Road management plan explains:</p> <p style="padding-left: 40px;">“The EMP will be completed following MFLNRO review of the Project and after project details are confirmed with the Contractor.</p> <p style="text-align: center;">...</p> <p style="padding-left: 40px;">The contractor’s EPP will be completed after contract award and prior construction work”.</p>
8	2.2.2.5 Sand Flat Quarry – Quarry Development, Reclamation, and Safety Plan	The report did not provide a detailed assessment of potential impacts.	The Klohn Crippen Berger engineering report on the Project met all the requisite information requirements for the Ministry of Energy and Mines to issue the Notice of Work.	<p><u>Reclamation:</u> The Notice of Work permit contains reclamation requirements for the Project. BC Hydro is required to select species for re-vegetation based on traditional use and cultural significance, among other factors. However, BC Hydro has not agreed to SFN’s request to include plants used for traditional and medicinal purposes for re-seeding. BC Hydro’s basis for the refusal is that SFN’s identified plant species are not rare (BC Hydro Response table on FNITR requested mitigations, #20-21).</p>

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9	4.2.2 Water Quality and Quantity Effects Assessment	BC Hydro determined that water quality within watercourse is good and is not expected to change given the current stable conditions of the environment and the amount of riparian vegetation present that can filter out sediments. BC Hydro's conclusion, however, fails to account for a likely change to these stable conditions as a result of construction and operation of the Project. The Project, therefore, is likely to impact the quality of surface water.	BC Hydro understands that the stable conditions will change as a result of Project construction. However, this does not support the conclusion that there will be a likely impact to the quality of surface water. BC Hydro's EMP requires a sediment and erosion control specialist to prepare a sediment and erosion control plan for the Project.	<u>EPP</u> : BC Hydro still has not provided plan details.  SFN understands that BC Hydro has committed to ensuring its contractor creates a plan. SFN has requested plan details, in addition to First Nations environmental monitoring to ensure potential impacts to water quality are mitigated.
			The sediment and erosion control plan, including monitoring will mitigate any potential affects to water quality.	<u>Water quality</u> : Absent plan details, and absent confirmation that the BC Hydro's specialist will consider impacts to traditional use, BC Hydro has not supported its assurance that it will "mitigate <i>any potential affects</i> to water quality".
10	4.2.2 Water Quality and Quantity Effects Assessment	BC Hydro has concluded that all quarry activities will take place above the ground water elevation, so no effects on ground water were predicted. BC Hydro's assessment, however, fails to consider the impacts of blasting on groundwater. In light of this informational gap, it remains unclear what impact blasting will have on groundwater resources.	In Phase 1 of the Project BC Hydro undertook geotechnical investigations which included preliminary investigations on groundwater levels. BC Hydro determined groundwater levels during those geotechnical investigations and determined that quarry depth will not extend to that level.  Section 4.2 of the EMP on Blasting Management provides best practices required for the contractors EPP. Two in particular mitigate potential impacts to groundwater from blasting.  <ul style="list-style-type: none"> <li>ANFO (Amonium nitrate fuel oil) explosives are not permitted for use</li> </ul>	<u>Blasting chemicals</u> : The EMP requires the Contractor to provide details on what blasting chemicals and materials will be used. Without this relevant information, the possible impacts to groundwater remain unknown.

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			<p>on the Project.</p> <ul style="list-style-type: none"> <li>• Design blasts to control blasting energy to only that required.</li> </ul> <p>In regards to bullet 2 above, properly designed blasting charges will mitigate the risk of blasting fractures extending deeper than necessary and potentially reaching the groundwater table.</p> <p>Additional groundwater evaluation was not a requirement under the MFLNRO or <i>Mines Act</i> processes for the Project.</p>	
11	4.2.2 Water Quality and Quantity Effects Assessment	<p>While the extraction of up to 40,000 m<sup>3</sup> of water from the Williston Reservoir annually will not have an effect on the water quality or quantity of the reservoir, the extraction will result in approximately 2,666 water truck loads each year or approximately 27 water trucks each day filling at the Elizabeth Creek boat launch and travelling along the access roads. These 27 water trucks are in addition to the 50 round trips per day by the rock trucks. Therefore, there will be a higher level of traffic on the access roads than estimated in BC Hydro's Application information.</p>	<p>The permit amount is up to 40,000m<sup>3</sup>, and this may not all be required for the project. The amount is a conservative value intended to ensure the project could proceed under all circumstances.</p>	<p><u>Water withdrawal:</u> Permitted extraction sites include creeks crossed by the Table FSR. The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and whitefish in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with camping, hiking and hunting.</p> <p>BC Hydro has not shown that restricting water withdrawal to Williston Reservoir will be costly or inefficient.</p>

Saulteau First Nations Response to BC Hydro Table on Deficiencies in the FNITR

			<p>One important reason that BC Hydro has obtained the Water Act Section 8 approval with extraction locations at Stott Creek, Stott Creek Trib, Table Creek, and Elisabeth Boat Launch, is to ensure that water can be extracted from various sources throughout the Project, and close to the location where it will be used. This will enable water being provided promptly to the areas where required, and significantly reduce the trucking distance and amount of time the water trucks are on the road. Any extraction of water will be controlled by strict water extraction conditions in the <i>Water Act</i> section 8 permit.</p>	<p>BC Hydro has not performed an analysis of how withdrawing water from creeks will noticeably reduce traffic.</p> <p>A detailed estimate is requested regarding the amount of water truck loads offset by extraction from Stott Creek, Stott Creek Tributary, and Table Creek.</p> <p>BC Hydro's Application does not address the amount of traffic created by water trucks on access roads.</p>
12	4.2.3 Water Quality and Quantity Mitigation and Monitoring	<p>Water extraction shall only be conducted in the Williston Reservoir because ample water exists here and can be extracted without significant impacts to fish, fish habitat, and fishing activities.</p> <p>BC Hydro and its contractors must not withdraw water from creeks or other watercourses or wetlands in the Peace Arm Basin and may only withdraw water from the Williston Reservoir.</p>	<p>BC Hydro understands the values First Nations hold for fish, aquatic organisms, water quality, which could be impacted if too much water is drawn from streams. Table Creek water source is located at KM 12 on the Table Road, and the Stott Creek watercourses are near KM 26. The locations of these water sources along the project enable access to water at various locations promptly to control dust, as well as to minimize trucking distance and number of vehicles travelling on the road network.</p> <p>The permit conditions from MFLNRO place specific requirements on extraction from the permitted streams which BC Hydro has carried through into its EMP for the contractor. These requirements are</p>	<p><u>Water withdrawal:</u> BC Hydro has rejected SFN's sought mitigation. SFN's response #11 explains the concerns of SFN regarding water extraction from creeks and how BC Hydro's reliance on its permit has not addressed these concerns.</p> <p><u>MFLNRO permitted creeks:</u> In SFN's experience, during times of drought the water department at MFLNRO may have a slow response time to prevent improper</p>

			<p>intended to ensure that the water extraction from streams does not significantly decrease the available water flowing down the watercourse. These include:</p> <ul style="list-style-type: none"> <li>• Maximum rate of withdrawal from streams May 1 – July 31 = 0.027m<sup>3</sup>/sec (this is approximately the maximum performance of a 2” Honda water pump).</li> <li>• Maximum rate of withdrawal from streams in the month of April, and from August 1 to November 31 (0.12m<sup>3</sup>/s). Note this is approximately 1/3 the total performance of a 2” Honda water pump)</li> <li>• The maximum water withdrawal will be reduced during low flows to not exceed 10% of the current flow at any time.</li> <li>• No diversion is permitted from any stream where stream (wetted) depth is less than 0.30 meters at the point of withdrawal location</li> <li>• Maximum volume per day per site 45m<sup>3</sup></li> </ul> <p>These permit conditions ensure appropriate use of water from the streams.</p>	<p>water withdrawal from permitted creeks or to notify permit holders that they cannot withdraw water from permitted creeks. This was discussed at the April 21 meeting and is addressed in the TUS.</p> <p>SFN has requested that water not be withdrawn from creeks as a preventative measure to protect creeks, water courses and wetlands in the Peace Arm Basin.</p>
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Saulteau First Nations Response to BC Hydro Table on Deficiencies in the FNITR

13	4.3.2 Air Quality Effects Assessment	The British Columbia government has established ambient air quality objectives under the authority of the <i>Environmental Management Act</i> (Ministry of Environment 2014). These objectives are derived statistically from several studies and should be interpreted as the levels above which there is statistical confidence that an adverse impact to human health or the environment will occur (Federal-Provincial Working Group on Air Quality Objectives and Guidelines 1999). The air quality objective for dustfall is based on the pollution control objective for mining, smelting and related industries, which should apply to the GMS Riprap Upgrade Project.	BC Hydro will adhere to the dust control requirements of the Mines Act Quarry Permit Q-9-043, for the Project.	<u>Dust modelling:</u> As per the TUS and the April 21, 2016 meeting between SFN and BC Hydro, dust dispersion and dustfall modeling is requested, especially as it pertains to road traffic. As previously noted, dust on vegetation in the area is a major concern of the SFN. Permitted levels are not the same as acceptable levels for the SFN.  BC Hydro has not explained why it will not adhere to the ambient air quality objectives of the BC government.
14	4.4.2 Fish and Fish Habitat Effects Assessment	Effective protection of this unnamed watercourse is warranted	BC Hydro agrees and the watercourse will be protected through the EPP and the environmental monitoring.	<u>Stream protection:</u> The unnamed S6 stream addressed in the FNITR is at sites #61 and #71. The EPP's protection measures and environmental monitoring applicable to this stream should also include instream work protection.
15	4.4.2 Fish and Fish Habitat Effects Assessment	During the course of the FNITR we requested a copy of the stream / watercourse assessment data from BC Hydro to verify the site conditions, but this information was not provided.	BC Hydro responded to this request at the time of the request. BC Hydro felt that the amount of information presented within the EA was adequate.	<u>Stream assessment data:</u> BC Hydro's response is an outright denial of SFN's request. SFN disagrees that the EA is adequate. This is why SFN requested the

Saulteau First Nations Response to BC Hydro Table on Deficiencies in the FNITR

				stream assessment data.
16	4.5.2 Riparian Habitat	BC Hydro did not specifically assess potential effects to riparian habitat	The EA completed Fish and Fish Habitat assessments to determine appropriate stream classifications. Stream classifications are used to evaluate riparian buffers.	<p><u>Stream classifications:</u> In this case, stream classifications were used to identify riparian buffers, not to evaluate effects to riparian habitat.</p> <p>Riparian habitat outside of the SFQ polygon serves as a travel corridor for wildlife, suitable amphibian habitat and sustain vegetation of cultural or medicinal value.</p> <p>Potential Project impacts to riparian habitats outside of the SFQ polygon due to clearing of roadside vegetation and culvert upgrades include impacts to ecosystem function and harvesting of medicinal plants.</p> <p>An evaluation of potential effects to riparian habitat should have included a survey of riparian areas and the characterization of riparian plant species.</p>
17	4.5.2 Riparian Habitat	The SFQ, will avoid impacting the recommended RMA (ie 20m) for this stream, but the RMA needs to be identified on site plans and marking or flagging of this boundary is recommended to ensure encroachment on this habitat does not accidentally occur. This	Appropriate stream side protection areas will be established at all water courses within the Project footprint.	Effective monitoring of this also needs to occur.

		mitigation must be included in the environmental management plan.		
18	4.5.2 Riparian Habitat	<p>Moreover, Project elements outside of the SFQ polygon have the potential to impact riparian habitat, but were not addressed by the EA. These impacts include clearing of roadside vegetation and culvert upgrades. In some circumstances a substantial vegetated area along the roadside will be removed or cleared back to facilitate the safe movement of haul trucks and Project vehicles as part of BC Hydro's road widening and maintenance. Protection of riparian habitat features during BC Hydro's road upgrades will be necessary to maintain temperature regulation, ecosystem functions and provide protective cover for fish, as well as to preserve culturally sensitive and medicinal plants.</p>	<p>Although the EA does not have a section specifically titled "Riparian Habitat" it does address riparian habitat through the Fish and Fish Habitat section, and the vegetation section. Table 12 on p30 identifies culvert replacement as having a potential risk of reduction of riparian vegetation, with a potential impact being reduced shade and cover for fish and fish habitat. The recommended mitigation is to minimize clearing and stripping near watercourses. Table 13 in the water quality section identifies culvert replacement as having a potential risk of reduction of riparian vegetation, with the potential impact of reduced filtering capacity and bank stability, and a recommended mitigation to minimize clearing and stripping near watercourses. Table 14 in the vegetation section identifies culvert replacement as having a potential risk of reduction of riparian vegetation, with potential to impact rare plant species, and recommends minimizing clearing and stripping near watercourses.</p>	<p><u>Vegetation protection:</u> Areas identified in the TUS as valued site-specific plant harvesting areas should be protected through the avoidance of clearing and stripping. In addition, a SFN environmental monitor should be present during work in riparian areas to ensure minimal disturbance.</p>

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19	4.6.2 Wetland Effects Assessment	BC Hydro did not assess potential effects to wetlands. BC Hydro did not consider the indirect impacts to wetlands caused by road construction, road maintenance, and fugitive dust from vehicle traffic that may extend beyond the 70m zone of influence.	<p>The FNITR report discusses wetlands and draws attention to the fact that there are five wetlands separated from the FSRs by greater than 70m, and that these were not studied by BC Hydro. The FNITR also concludes that these wetlands are at low risk of being directly affected by the project activities.</p> <p>BC Hydro's study area methodology was specific and no wetlands exist within the study area extending from the road centerline out a distance of 70m. The five wetlands identified in the FNITR are outside the study area that BC Hydro employed.</p>	<p><u>Wetlands:</u> To clarify, the FNITR report states that the extent of wetlands will likely not be affected by the project; however, indirect effects from changes to water quality and quantity and dust may occur.</p>
			<p>BC Hydro acknowledges the value that the First Nations hold in the wetlands, and the importance of protecting wetlands.</p> <p>The intent of the mitigations that are proposed in the FNITR Wetland Mitigation and Monitoring section are captured by BC Hydro in its sediment and erosion control plan requirements, and its dust control requirements.</p>	<p><u>Importance of wetlands:</u> BC Hydro has not provided SFN with its sediment and erosion control plan. At present there is no commitment to ensure protection of valued wetlands where SFN members harvest plants and medicine.</p> <p>As wetlands were not included in BC Hydro's study area, it is recommended given the importance of these values to the SFN that further study be conducted as to their identification and the identification of risks from the Project. This may include ground truthing. 70 meters may not be sufficient to mitigate</p>

Saulteau First Nations Response to BC Hydro Table on Deficiencies in the FNITR

				<p>impacts to medicinal and plant resources for the SFN, or the willingness of members to harvest in such proximity to roadways.</p> <p>Effective monitoring by First Nations is required to ensure these mitigations are working.</p>
20	4.7.1 Vegetation Environmental Setting	importance of these plant species, even though more than a quarter of the plant species recorded are used for cultural purposes, being either for sustenance, medicinal or spiritual purposes (Appendix 1).	The EA considered vegetation and the EC's identified were informed by any feedback received by First Nations at the time. BC Hydro also invited First Nations to participate in a site visit to identify culturally important plants in the area.	<p><u>Culturally important plants:</u> New information has emerged through the TUS. It is requested that the cultural and medicinal values of plant species be accommodated in mitigation, including pathways of impact such as dust contamination and disturbance from traffic on harvest and safety. The involvement of SFN environmental monitors during construction and operation is also requested to mitigate against possible damage to medicinal and subsistence plant values.</p>
21	4.8.1 Wildlife and Wildlife Habitat Environmental Setting	Regardless, the methods used do not provide an adequate representation of wildlife use and wildlife habitat of the area and information on the density, distribution, and local populations of wildlife species is lacking.	The survey's undertaken were adequate given the scope of work and temporary nature of the project. These surveys satisfied MFLNRO's requirements to issue the permits.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.
22	4.8.1 Wildlife and Wildlife Habitat Environmental	The survey recorded 46 bird species during the point count survey. The survey, however, failed to report the total number of birds detected. This	The survey's undertaken were adequate given the scope of work and temporary nature of the project. These surveys satisfied MFLNRO's requirements to issue	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.

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	Setting	information gap limits BC Hydro's ability to determine species abundance and composition for different habitat types.	the permits.	
23	4.8.2 Wildlife and Wildlife Habitat Effects Assessment	BC Hydro's analysis failed to quantify the distribution and abundance of wildlife species in the Project area, the availability and suitability of wildlife habitat or the level of anticipated Project effects	The survey's undertaken were adequate given the scope of work and temporary nature of the project. These surveys satisfied MFLNRO's requirements to issue the permits.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.
24	4.8.2 Wildlife and Wildlife Habitat Effects Assessment	Our review of BC Hydro's assessment reveals that effects to wildlife and wildlife habitat are generally misunderstood and indicates that appropriate mitigation measures must be enacted to prevent significant negative impacts to wildlife habitat.	BC Hydro includes appropriate mitigation measures to prevent significant negative impacts to wildlife in the EA and in the project EMP. These were reviewed and accepted by MFLNRO during the application process.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.
25	4.8.2 Wildlife and Wildlife Habitat Effects Assessment	Ecofor did not quantify the distribution and abundance of wildlife species in the project area. Further, Ecofor's assessment does not provide specifics as to the availability and suitability of wildlife habitat in the area, nor does it provide the level of anticipated effects from the Project.	The assessment undertaken was adequate given the scope of work and temporary nature of the project. The assessment satisfied MFLNRO's requirements to issue the permits.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.
26	4.8.2 Wildlife and Wildlife Habitat Effects Assessment	Accordingly, we recommend a Zone of Influence of at least 500m be applied to the project activities to understand the level of effects.	The assessment undertaken was adequate given the scope of work and temporary nature of the project. The assessment satisfied MFLNRO's requirements to issue the permits.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.
27	4.8.2 Wildlife and Wildlife Habitat Effects Assessment	The qualitative assessment completed by BC Hydro does not provide confidence that effects to wildlife and wildlife habitat are understood and	The assessment undertaken was adequate given the scope of work and temporary nature of the project. The assessment satisfied MFLNRO's requirements to issue	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.

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		that adequate and appropriate mitigation measures will be enacted	the permits.	
28	4.8.3 Wildlife and Wildlife Habitat Mitigation and Monitoring	The GMS Riprap Upgrade Project as planned will overlap the critical and cautionary periods for several wildlife species.	Work within the timing windows was considered by MFLNRO during the review of the Project. BC Hydro will undertake wildlife observations and environmental monitoring during construction to mitigate risk to wildlife during critical periods.	See SFN responses #6, 7, 8 and 11 on BC Hydro's permits.  <u>Project schedule:</u> At the April 21, 2016 meeting BC Hydro indicated the scope of the Project may have changed such that quarrying could be completed within one year (e.g., August 2016 to April 2017). This Project schedule would require quarry work and rock hauling throughout the winter.  <u>Moose cautionary periods:</u> Winter activities would overlap the cautionary period for moose (November 6 – May 15), which can affect moose wintering in the area. The winter period can be a limiting season for moose therefore a clear understanding of the availability of moose habitat in the Project area is key for understanding the impacts.  Furthermore, the EA report prepared for the Project did not consider Project activities during the winter as this was not the original scope of the Project.
29	4.9.1 Species at Risk Environmental Setting	BC Hydro's failure to evaluate species at risk resulted in the omission of meaningful data and information on species at risk in the Project area.	The EA includes a general screening with findings listed in Appendix 1 of the EA. Species at risk is noted in the relevant sections of the EA. Mitigation measures discussed throughout the wildlife section	<u>Species at risk:</u> SFN disagrees and finds the data omission results in inadequate mitigation measures.

			are designed to address species at risk.	<p>In fact, in BC Hydro's response table on the FNITR's mitigation requests, BC Hydro acknowledged that the FNITR report has identified new information from the Federal Species at Risk Recovery Strategy series. BC Hydro acknowledged this in relation to its assessment of Caribou.</p> <p>BC Hydro stated it will survey critical caribou habitat and telemetry locations that are in close proximity to the SFQ and that vegetation and ecosystem characteristics will be documented to aid in the reclamation planning.</p> <p>BC Hydro also stated it is seeking to obtain spatial telemetry data from the Province to assess potential disturbance effects from the mine.</p>
30	4.9.1 Species at Risk Environmental Setting	Discussion is provided about Critical Habitat for Caribou within 1000m of the project.	<p>BC Hydro is evaluating its Caribou Mitigation Plan in relation to the more recent information provided in the FNITR and will revise the plan as necessary.</p> <p>BC Hydro's current caribou mitigation plan includes procedures for chance encounter of caribou within the Project area and believes that these remain appropriate.</p>	See SFN response #28 on changes to the Project schedule.

# Knowledge and Use Study of BC Hydro's GMS Rip Rap Project

## Saulteau First Nations



Rachel Olson and Jordan Tam  
Firelight Research Inc.  
April 21, 2016

# Who are the Firelight Group?

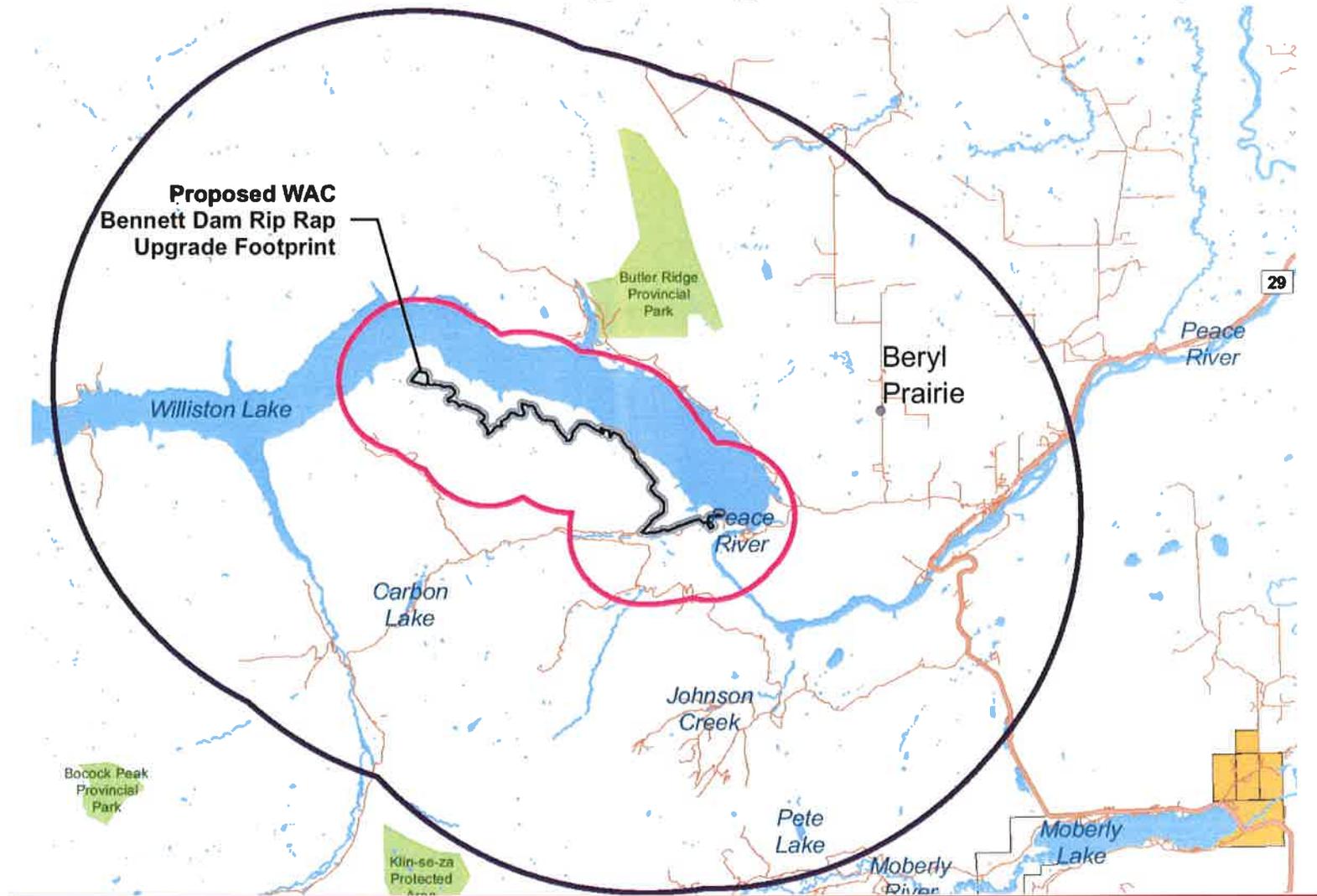
- We provide high quality, community-based research, analysis, and technical support
- Research services include:
  - Social, cultural, economic, ecological, and health impact assessments and mitigation of large-scale industrial projects
  - Traditional use studies / land use and occupancy mapping
- Health, governance and policy research and support
- Consultation, negotiation and agreement support services



## What SFN have contracted us to do

- Mapping and interviews with SFN members. This was the main source of information collected for the BC Hydro GMS Rip Rap Study; and
- Review of existing data collected during previous mapping interviews with SFN members

# BC Hydro's GMS Rip Rap Project Study Area



## Interviews and Mapping

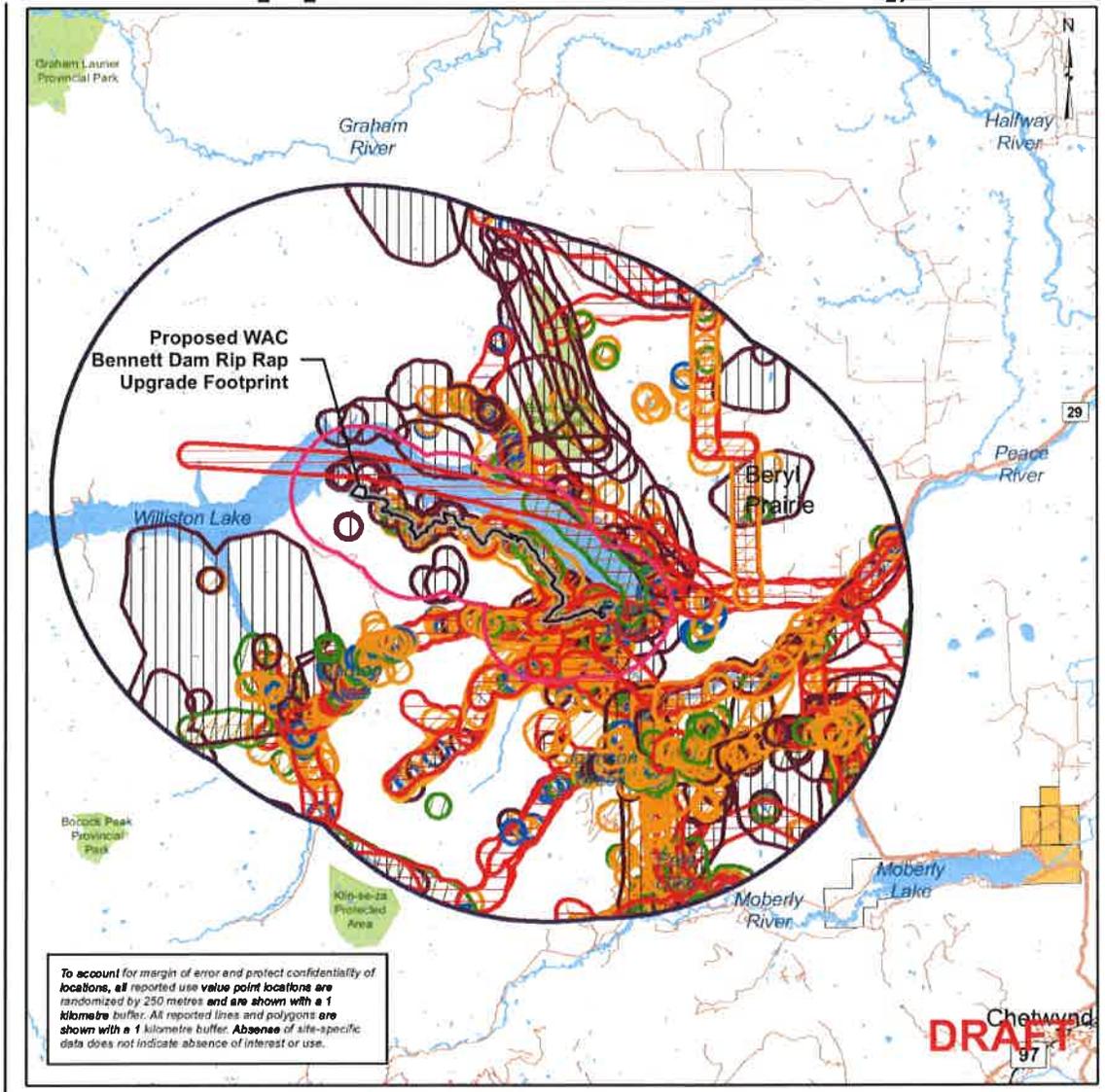
- Interviews conducted between February 23-March 04, 2016;
- 54 SFN members interviewed;
- Mapped where members have hunted, fished, camped, harvested, etc.; and
- Identified potential Project impacts on the land, wildlife, and SFN members



# Results

- **158 values** reported within the Project footprint (within 250 m of the physical footprint of the Project and Project features, including roads, quarry, and laydown site);
  - **402 values** within the Project LSA (within 5 km from the Project including the Project footprint); and
  - **2,084 values** within the Project RSA (within 25 km from the Project including the Project footprint and LSA)
-

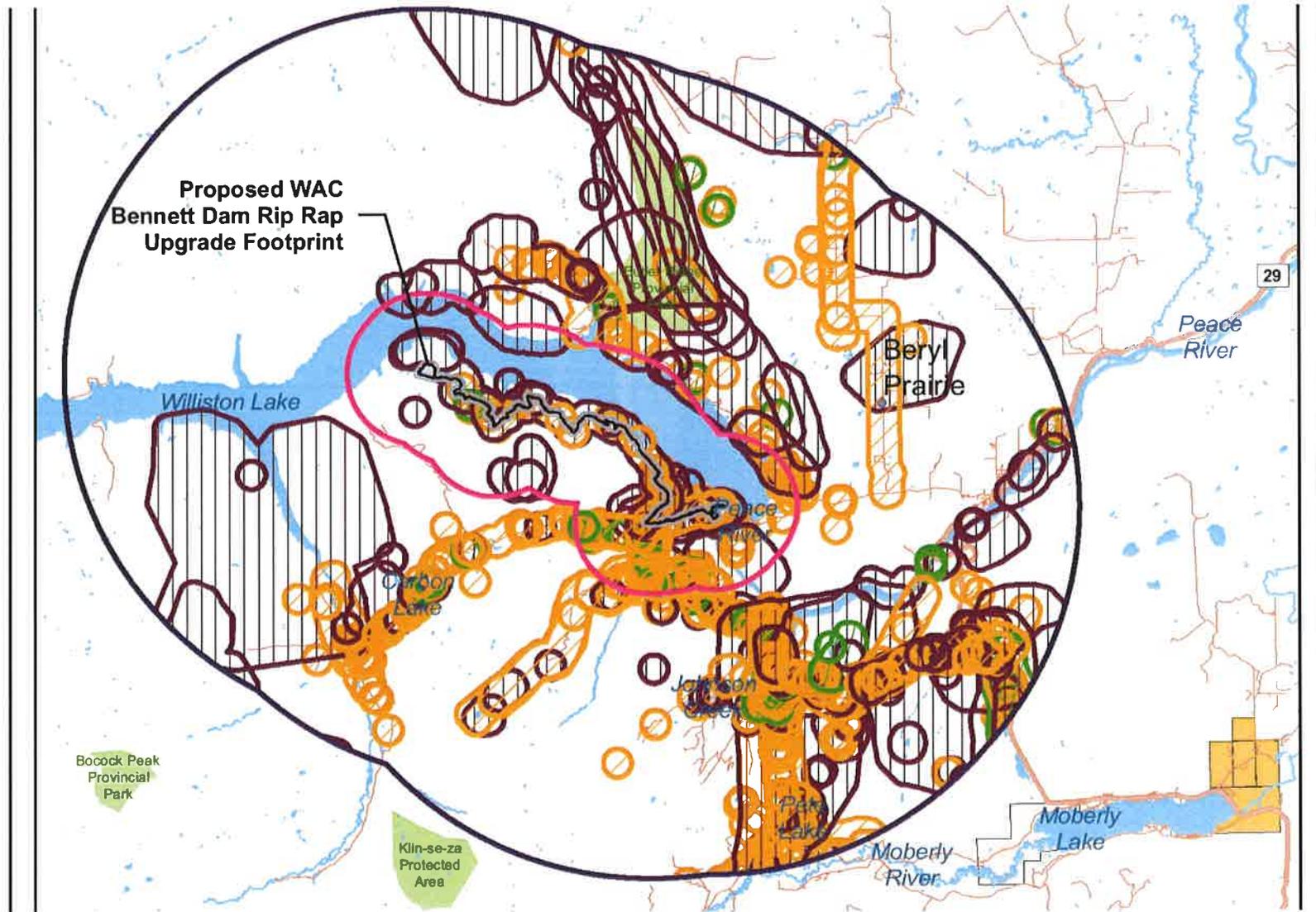
# SFN Mapped Use in BC Hydro Rip



# Valued Components (VCs)

- Hunting and trapping;
- Gathering food plants and medicines;
- Fishing and water;
- Cultural continuity; and
- Carbon Lake and access to traditional territory

# Hunting and Trapping



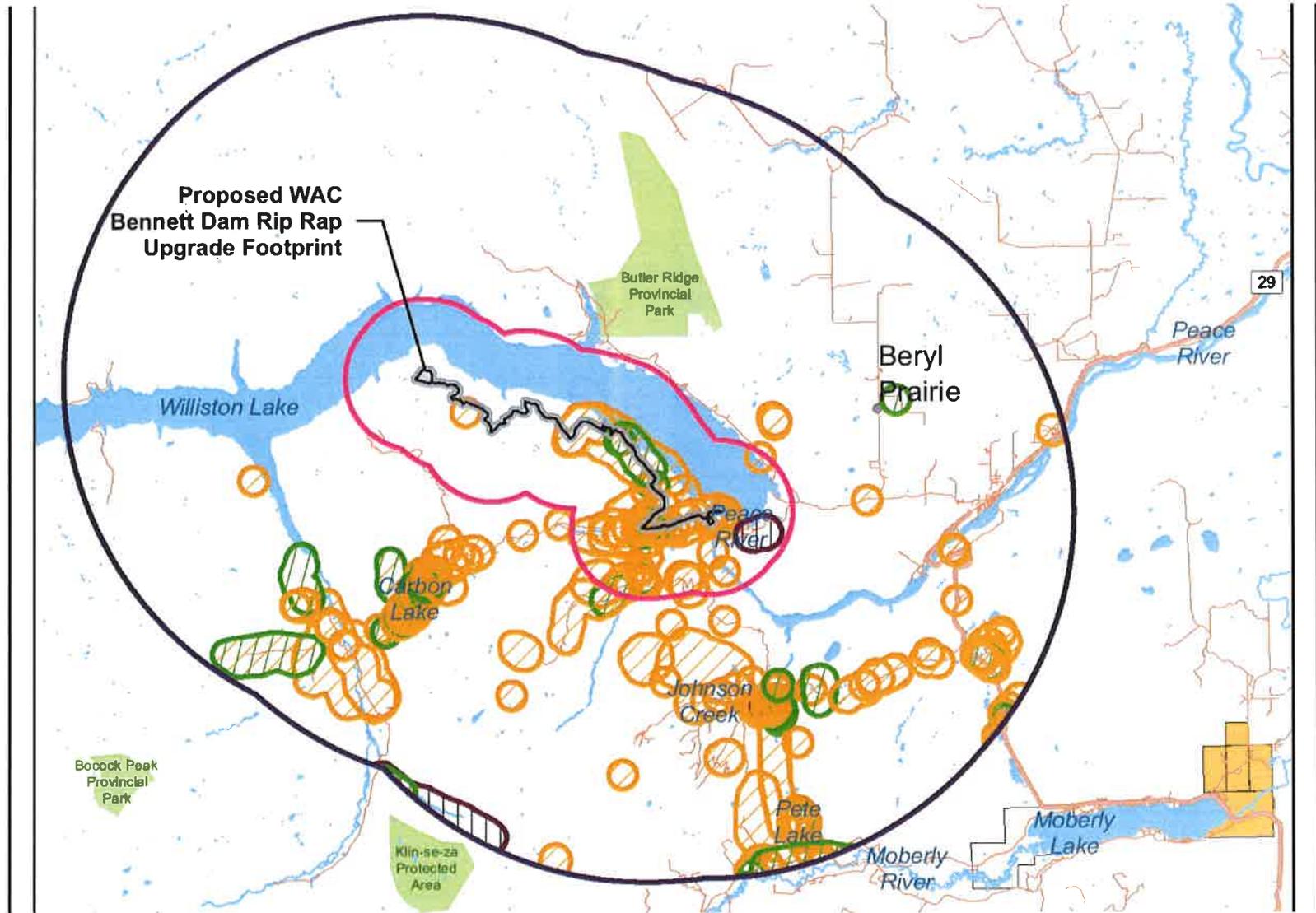
# Importance of Hunting and Trapping

*Right from there, right up until there, for example, we seen a lot of game in there, a lot of game. A lot of rabbits, a lot of chickens, bears, moose, deer and all in that area cause we travelled that a lot cause we would come in through here and take a short cut and even going up to, by Utah up to the Carbon, we would take that road. But, there was always game, yeah, in that area, right up to the quarry actually. (S23)*

# Project Interactions with Hunting and Trapping

- Dispersal of animals from Project-related noise;
- Disruption of animal movement from Project-related disturbances (e.g., road construction);
- Loss of wildlife habitat from Project construction;
- Avoidance of trapping and hunting in the vicinity of the Project due to Project disturbances and hazards;
- Direct physical harm to wildlife from Project-related traffic;
- Increased access to recreational hunters and increased hunting activity due to road upgrades; and
- Increased risk of chemical contamination from the interaction of wildlife with water use for dust suppression, road compaction, and fire suppression, and blasting.

# Gathering Food Plants and Medicines



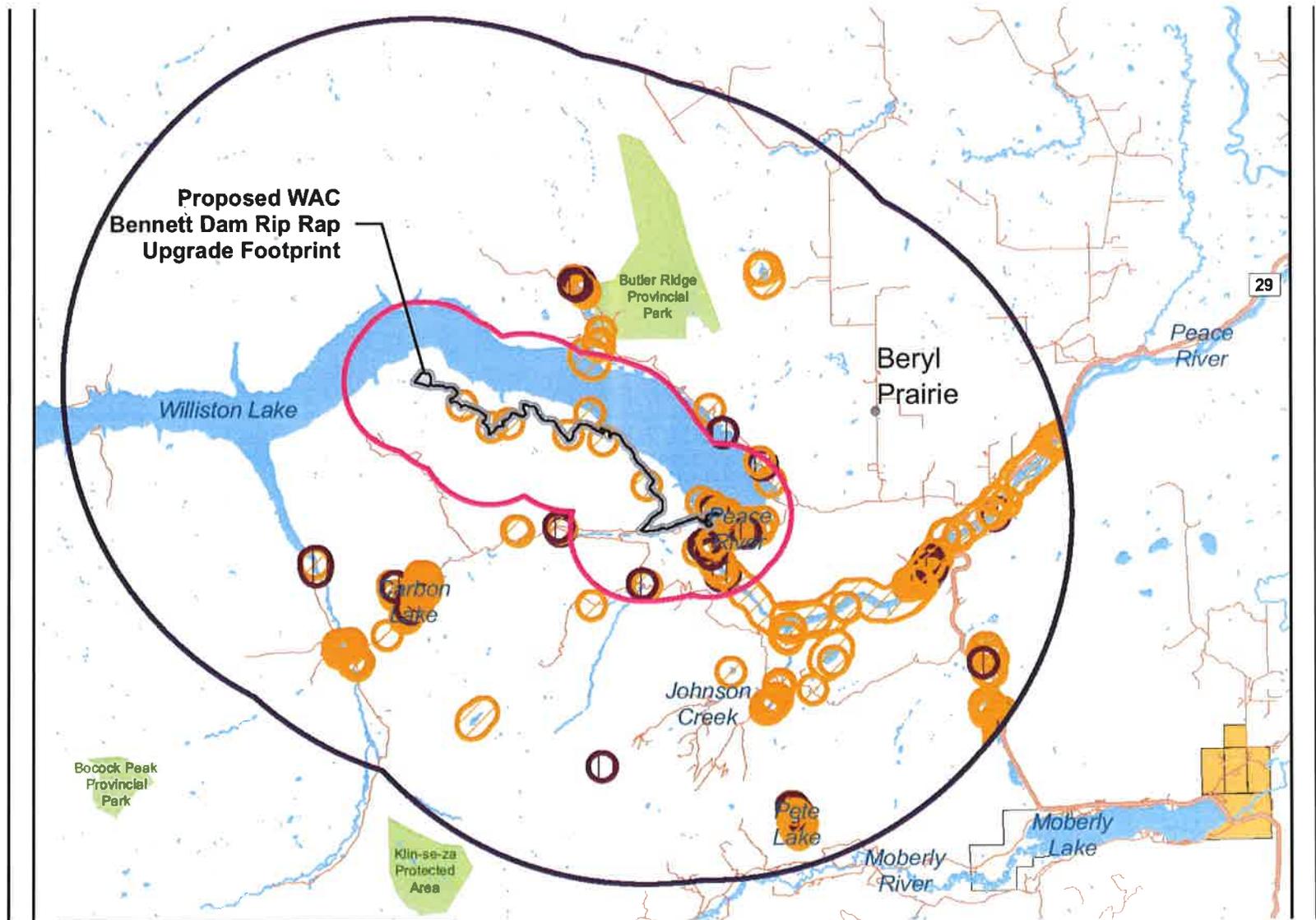
# Importance of Plants and Medicines

*... All in this area [Utah FSR], this timber here on both sides there's a lot of [medicinal plant]. There's a lot of [medicinal plants] in here ... [Interviewer: When did you find it? Yeah, how long ago was that?] Since I was a kid. The road always used to have it, since they made this road. (S63)*

# Project Interactions with Gathering Food Plants and Medicines

- Physical damage to plant and medicine habitats from road widening, construction, and traffic;
- Damage to plants and medicines and avoidance of plants and medicines from dust generated by Project-related road traffic, quarrying, and construction; and
- Avoidance of plant and medicine resources due to hazards from Project-related traffic.

# Fishing and Water



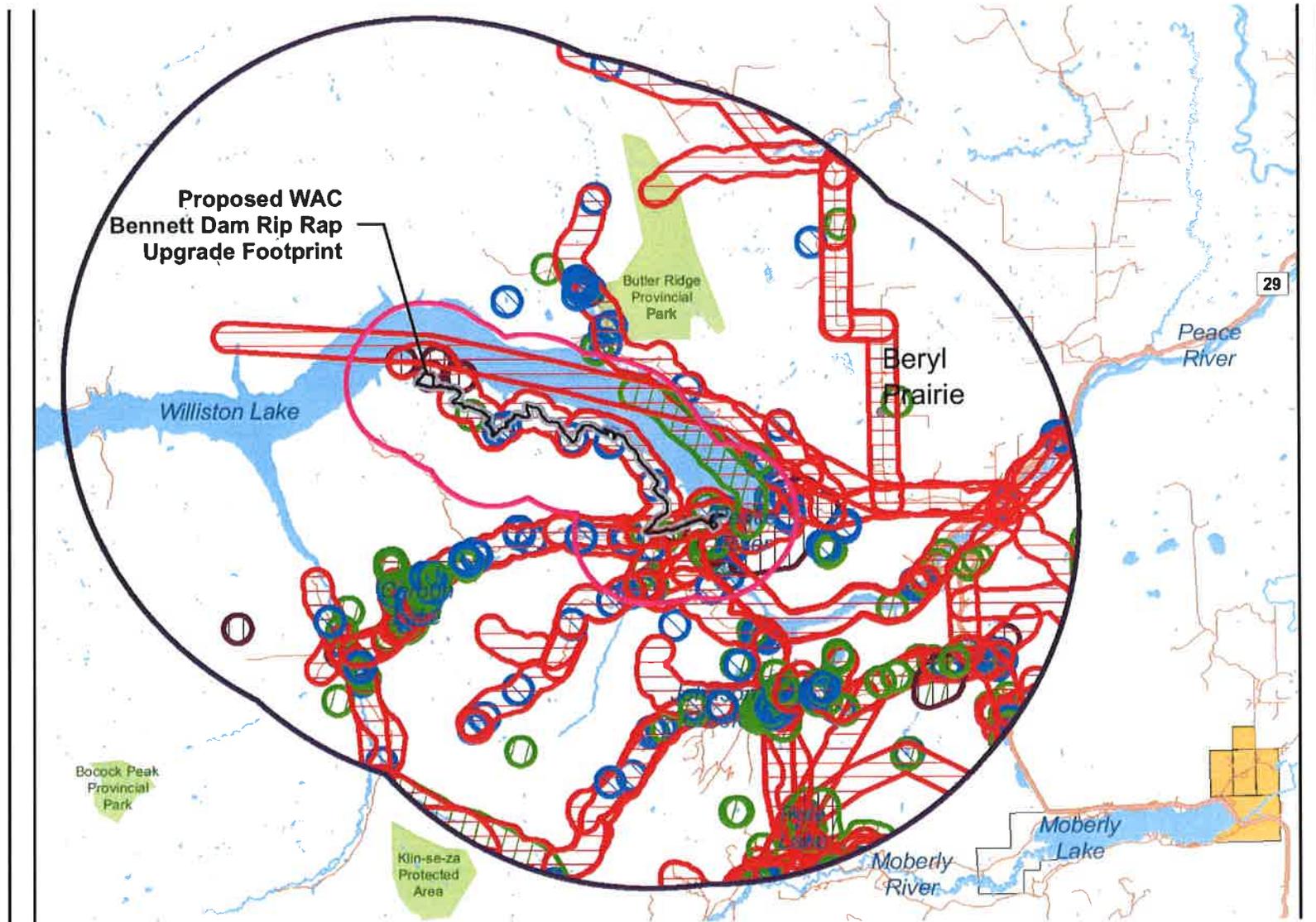
# Importance of Fishing and Water

- We traveled a lot through those roads there and we follow game trails right down to the lake. Then we go try and do some fishing there.... And there was a nice little creek come down there. And I said, “Water is running in here. I bet you there’d be fish right here close to the lake – in Williston Lake there. And there we caught five bull trout...Because the fresh water is coming into the lake and I just said to my friend there, I said, “Let’s go check it out here,” I said. “There’s water running in. There’s got to be fish close by.” And here we caught five bull trout... (S39)*

# Project Interactions with Fishing and Water

- Potential contamination of water and fishing resources through Project-related accidents and improper fuel disposal;
- Deterioration of fish habitat and streams from sedimentation, dust, and erosion generated by Project-related road traffic and construction;
- Avoidance of water resources in the vicinity of the Project due to Project-related traffic; and
- Deterioration of creeks and streams in the vicinity of the Project from water extraction.

# Cultural Continuity



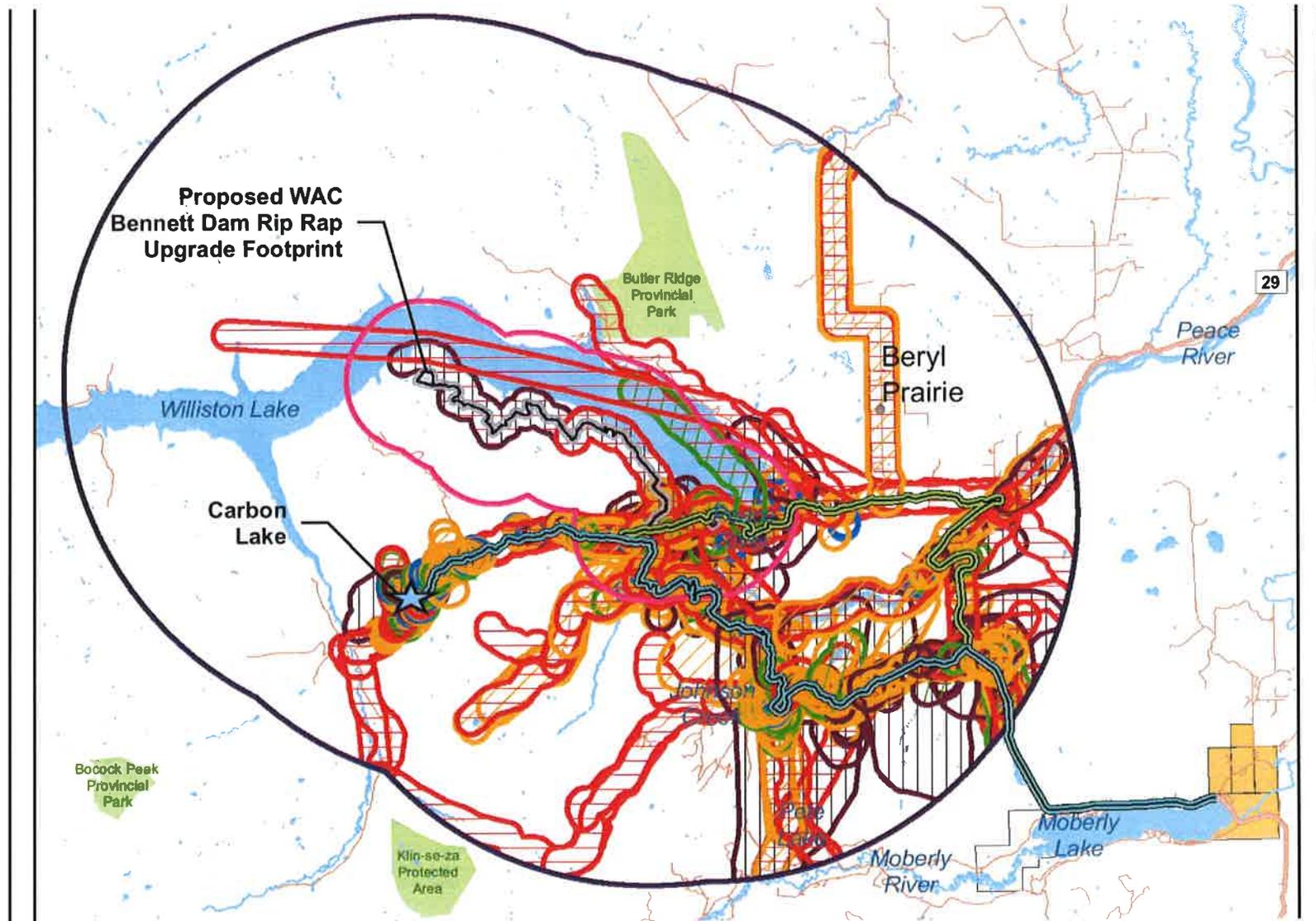
## Importance of Cultural Continuity

- *Yeah, did a lot of, yeah like, I mean, you can do a lot of soul-searching when you're out in the bush. You can get a lot, gain a lot of clarity. Without, without going, without having the option to go out to the bush and to do a lot of soul-searching and a lot of clearing of my mind because I was in a bad way ... So we went ... A very good group of us had a big camp. A lot of laughter, a lot of talking when things needed to be said. A lot of, they counseled me in ways. And yeah, and without that I don't know where I would be right now ... So to be able to go out to the bush and have that. Well it saved me, the bush saved me...So, I mean, it's everything to us. It's our groceries, it's our spirituality, it's our connection to Mother Earth. It means a great deal. So, we're losing it, a lot of it. And it was still good to be able to go in and find areas out there where's nobody around.. (S35 2016)*

# Project Interactions with Cultural Continuity

- Loss of enjoyment and connection to the land from Project-related negative effects on SFN traditional activities (e.g., hunting and gathering resources);
- Loss of opportunities for teaching and learning traditional knowledge and the SFN way of life due to declines in animal and plant quantities and quality;
- Loss of opportunities for teaching and learning traditional knowledge and the SFN way of life due to barriers of access; and
- Loss of cultural continuity due to declines in the willingness of community members to visit and use the Project area due to Project disturbances.

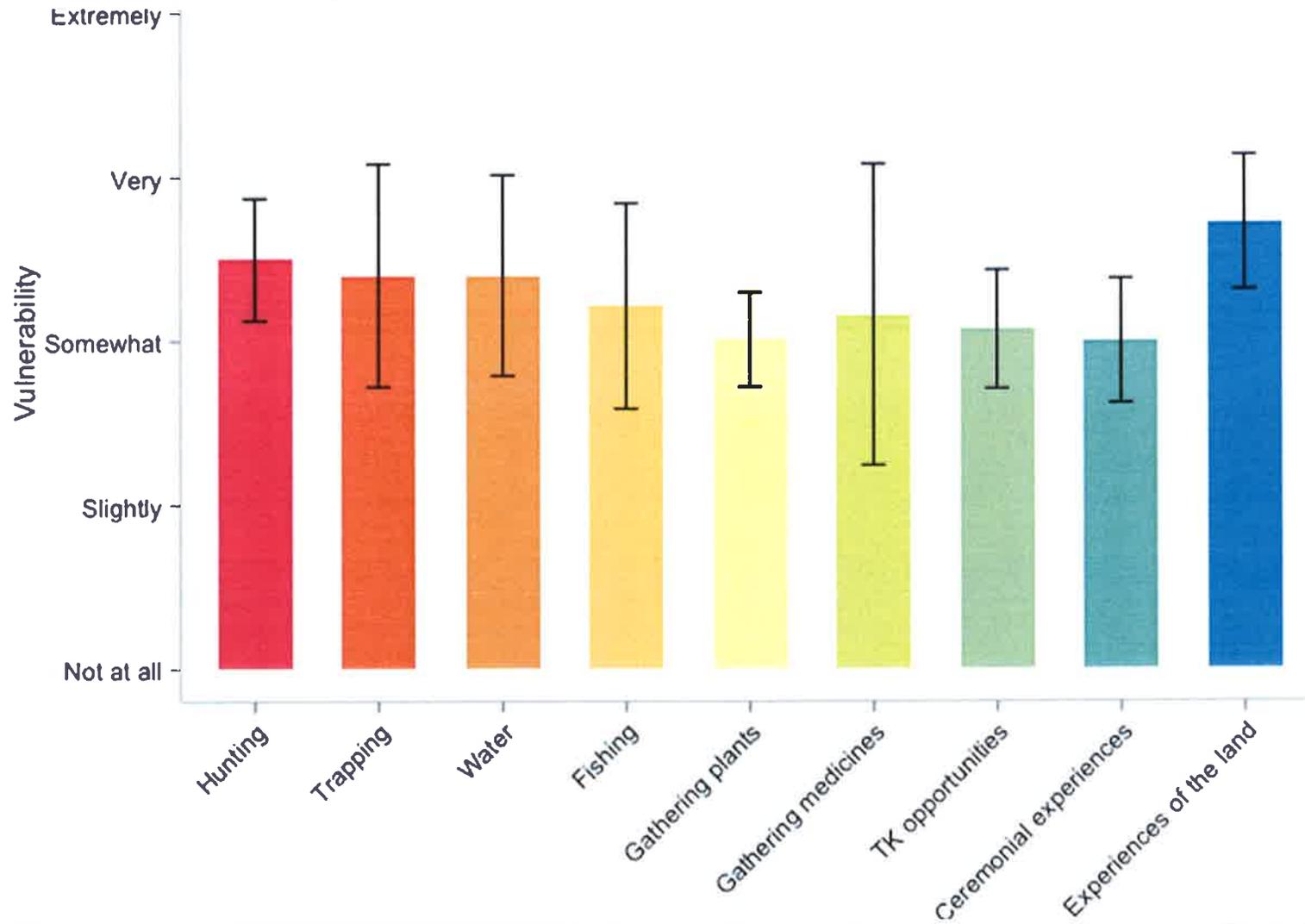
# Carbon Lake and Access to Traditional Territories



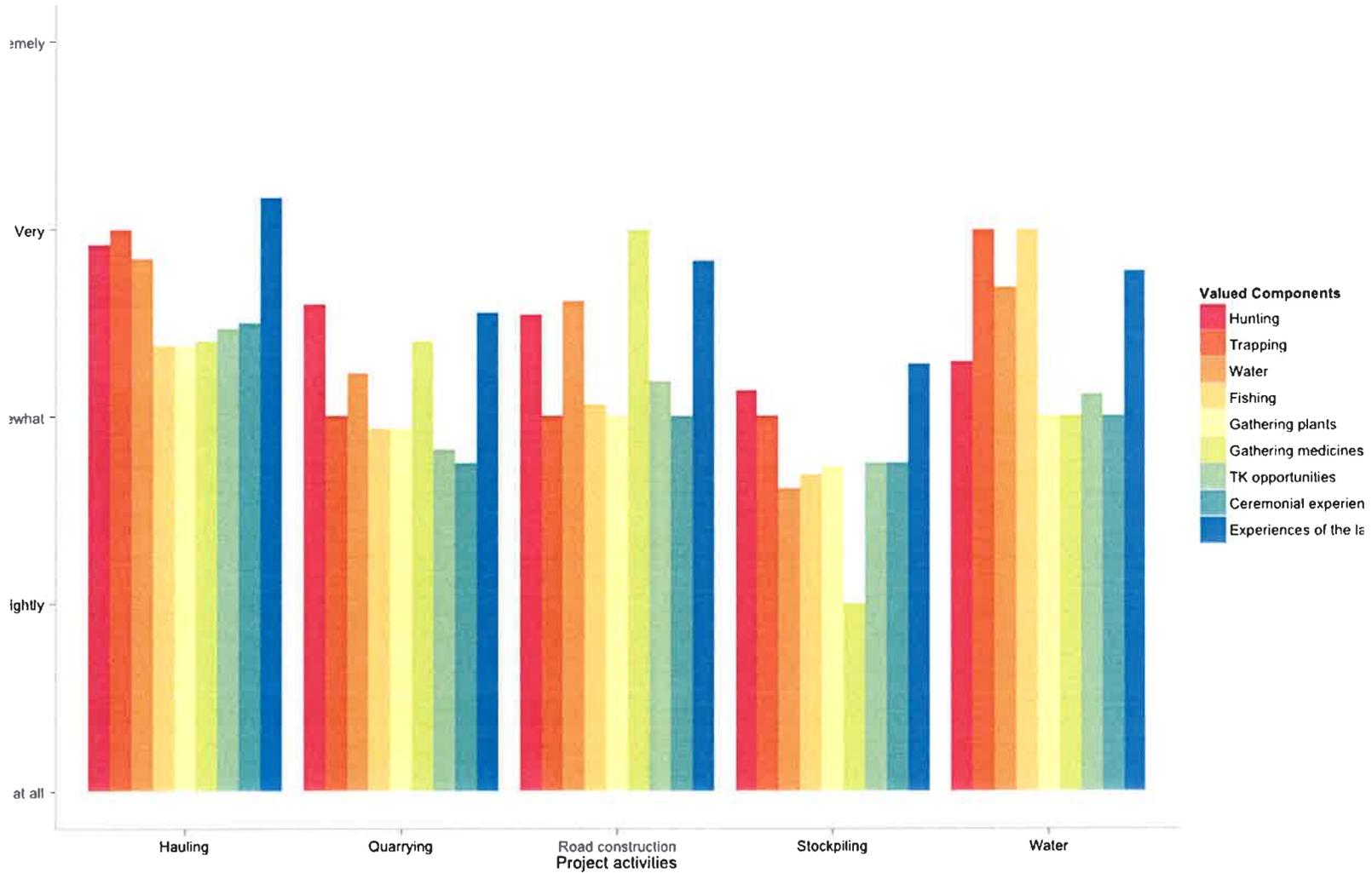
# Project Interactions with Carbon Lake and Access to Traditional Territories

- Disrupted access to the Project footprint and critical areas such as Carbon Lake from Project-related traffic, hauling, and construction;
- Increased burden of cost and time to access Carbon Lake and areas further afield due to Project-related traffic, hauling, and construction;
- Decreased willingness by SFN members to access the Project footprint and nearby areas due to Project-related traffic;
- Decreased willingness and increased burden to access the Project footprint, LSA, and beyond by SFN members due to increased regulations and potentially hostile social environments;
- Increased anxiety and fear regarding safety in the Project footprint due to the presence of Project-related hauling and traffic; and
- Disrupted sense of place due to longer-term increases in access for recreational land users and attendant impacts.

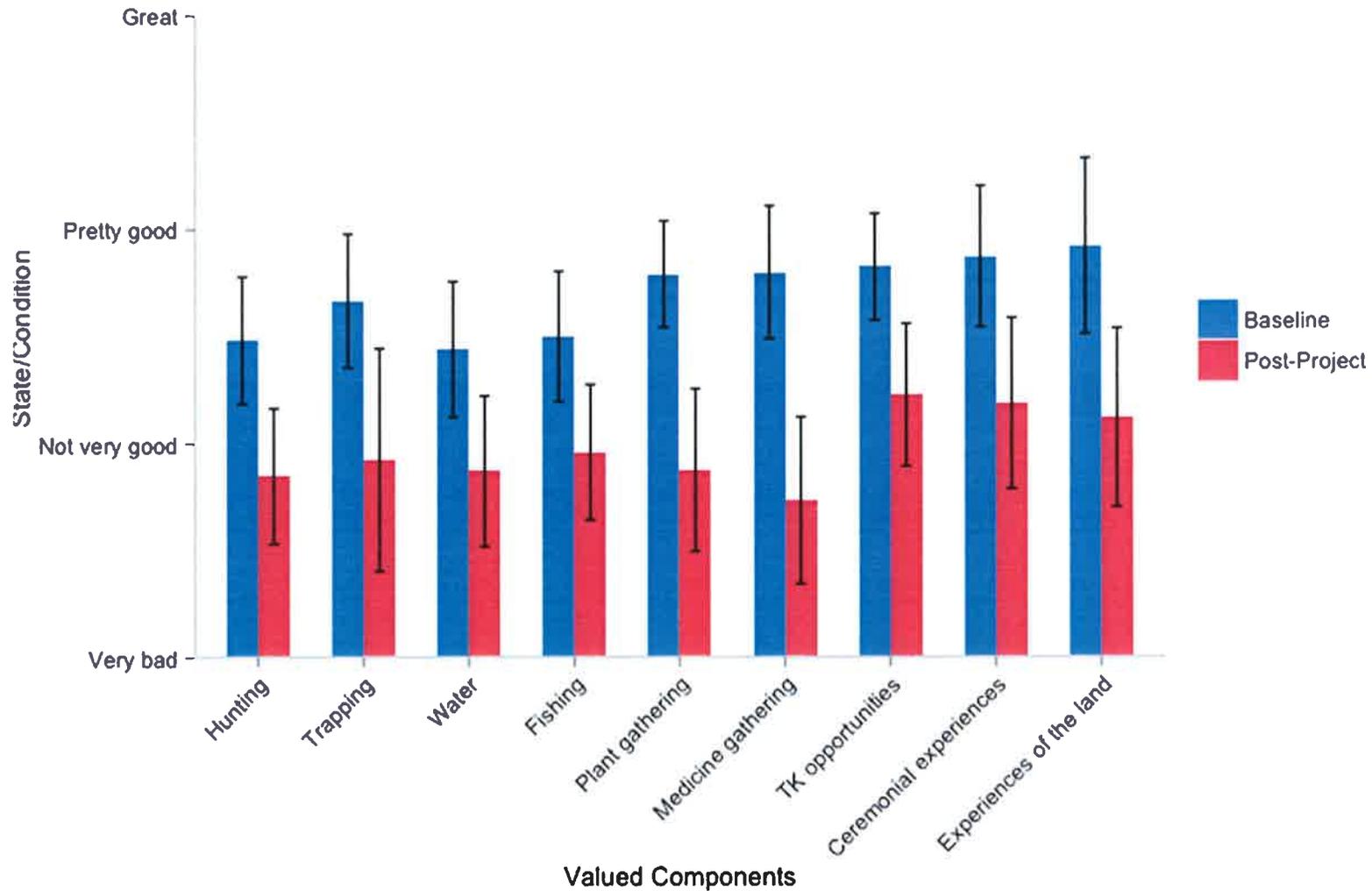
# Vulnerability of SFN Values



# SFN Values by Project Activity



# VCs Before and After the Project



# Questions?

- For more information, please contact:
  - Carmen Marshall
    - [cmarshall@saulteau.com](mailto:cmarshall@saulteau.com)
  - Rachel Olson
    - [rachel.olson@thefirelightgroup.com](mailto:rachel.olson@thefirelightgroup.com)



## James Hickling

---

**From:** Salim.Semsarilar@kiewit.com  
**Sent:** Monday, April 25, 2016 12:56 PM  
**To:** Salim.Semsarilar@kiewit.com  
**Cc:** Shawn.Lannen@kiewit.com; Chris.Dandurand@kiewit.com; tim.huffman@kiewit.com; wesley.prothe@kiewit.com  
**Subject:** RE: WACBDRUP-025 - Quarry Reclamation - Subcontract Bid Package (2016.04.20)

All,

Further to this bid package, please submit your pricing based on the below seed mix:

- **Central North East – General Mix**
  - Smooth Bromegrass – 40%
  - Creeping Red Fescue – 20%
  - Timothy – 15%
  - Alfalfa – 15%
  - Alsike Clover – 10%

Also as mentioned in the email below, please be advised that the deadline for this bid is **Wednesday April 27, 2016 at 12:00PM Pacific Standard Time.**

Thanks,  
-Salim

---

**From:** Salim.Semsarilar  
**Sent:** Wednesday, April 20, 2016 2:18 PM  
**To:** Salim.Semsarilar <Salim.Semsarilar@kiewit.com>  
**Cc:** Shawn.Lannen <Shawn.Lannen@kiewit.com>; Chris.Dandurand <Chris.Dandurand@kiewit.com>; Tim.Huffman <tim.huffman@kiewit.com>; Wesley.Prothe <wesley.prothe@kiewit.com>  
**Subject:** WACBDRUP-025 - Quarry Reclamation - Subcontract Bid Package (2016.04.20)

Please see attached for:

WACBDRUP-025 - Quarry Reclamation - Subcontract Bid Package (2016.04.20).

Please be advised that the deadline for this bid package only, is Wednesday April 27, 2016 at 12:00PM Pacific Standard Time.

Thanks,



**SALIM SEMSARILAR, P.Eng.**  
WAC Bennett Dam – Riprap Upgrade Project

**PETER KIEWIT INFRASTRUCTURE CO.**  
#310, 4350 Still Creek Drive, Burnaby, BC V5C 0G5  
(604) 220-2419 cell  
[kiewit.com](http://kiewit.com)



## WACBDRUP-025 Bid Package

**\*\*RFP Due Date: April 27, 2016 at 12:00 PM PST\*\***

### 1.0 INTRODUCTION

Peter Kiewit Infrastructure Co. (Kiewit or **Contractor**) has entered into an Early Contractor Involvement (ECI) contract with British Columbia Hydro and Power Authority (BC Hydro or **Client**) as part of the GMS WAC Bennett Dam Riprap Upgrade Project. Kiewit would like to invite you (**Subcontractor**) to submit a tender for the WACBDRUP-025 Bid Package.

Contractor will issue communications, documents, proposal packages and addendums via email. A standard set of documents will be available to all trades for this project and will include:

- Commercial Samples
  - Standard Subcontract and Associated Forms
- WAC Bennett Dam Riprap Upgrade Project RFP
- Appendix G – Specifications

All documents are to be assumed confidential.

Any commercial/technical inquiries can be directed to the contact persons below:

Salim Semsarilar, P. Eng.  
PETER KIEWIT INFRASTRUCTURE CO.  
#310, 4350 Still Creek Drive  
Burnaby, BC V5C 0G5  
Phone: 604-220-2419  
E-mail: [salim.semsarilar@kiewit.com](mailto:salim.semsarilar@kiewit.com)

## 2.0 PROJECT OVERVIEW

The WAC Bennett Dam is an earthfill embankment dam constructed on the Peace River in northeast British Columbia. The dam has been in operation since 1968 and provides over one quarter of BC Hydro’s total generating capacity. The maximum height of the dam is approximately 183m (600ft) and the length along the crest is approximately 2,040m (6,700ft). The right abutment incorporates concrete transition blocks and a gated concrete spillway structure. Submerged intakes and an underground powerhouse are located near the left abutment.

Since construction of the dam, wind generated waves and ice action has eroded and degraded the originally placed riprap on the upstream face of the dam to a condition where it is no longer adequate to serve its design intent.

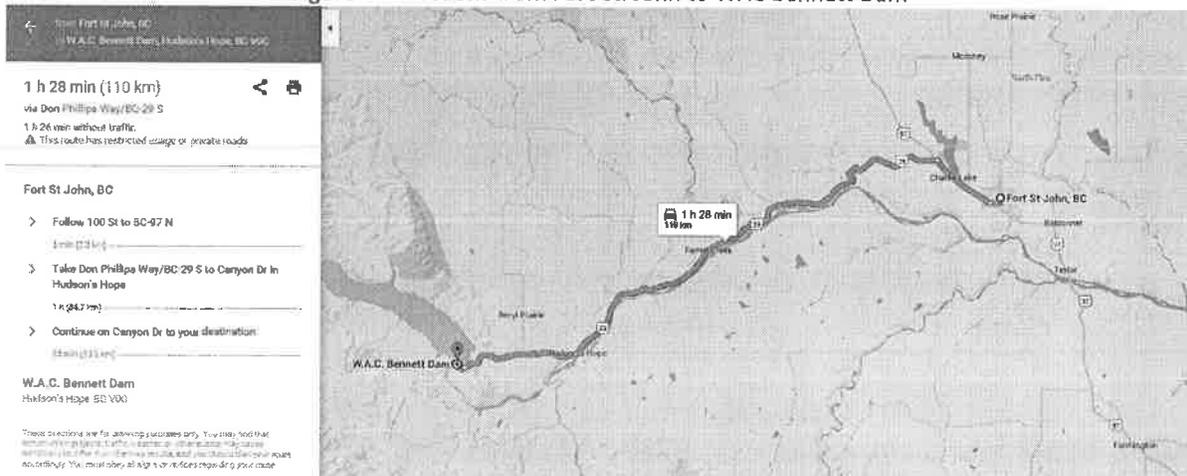
The work related to this contract consists of riprap upgrade to the damaged portion of the upstream face of the dam, including, but not limited to:

- Quarrying riprap and bedding materials at the Sand Flat Quarry located approximately 40 km northwest of the dam site.
- Transporting and stockpiling riprap and bedding materials to a Main Stockpile Area near the dam site.
- Removal of the existing riprap on the upstream face of the dam and relocating this material to construct the toe berm.
- Placing new riprap and bedding materials extending from the toe berm to the crest of the dam.
- Repaving of the Dam Crest Road, upgrade of the existing log boom anchor block, and placing new concrete roadside barriers.

### Access to Site

The WAC Bennett Dam is located approximately 1h 28min from Fort St. John, BC as shown in the figure below. The dam is accessible from the east via a paved road (Canyon Drive) or from the west via the unpaved Johnson Creek Forest Service Road.

Figure 1: Directions from Fort St. John to WAC Bennett Dam



**3.0 OVERALL PROJECT SCHEDULE**

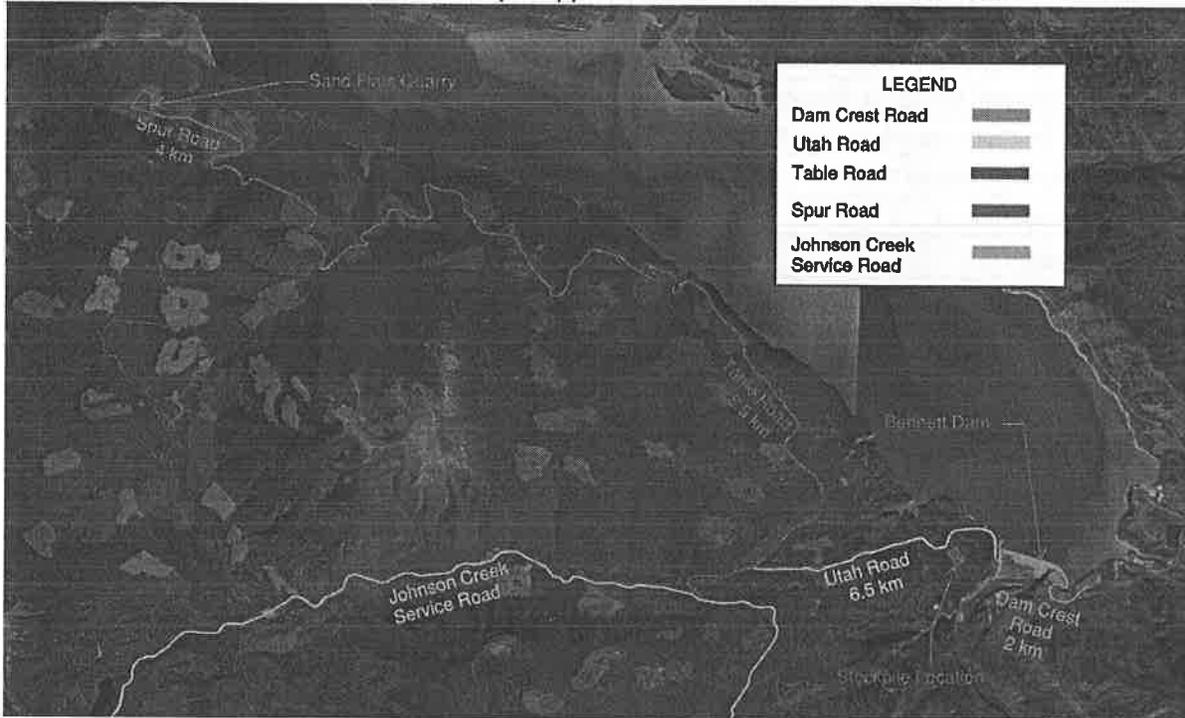
Activity	Start Date	Finish Date
<b>Season 1 - 2016</b>		
Road Maintenance	7-Jun-16	15-Dec-16
Operational Support	7-Jun-16	15-Dec-16
Roads Upgrade / Development	1-Jul-16	30-Sep-16
Quarry Mobilization	7-Jun-16	30-Jun-16
Stockpile Preparations	15-Jul-16	15-Aug-16
Site Prep., Clearing, Stripping, Grubbing & Overburden Stockpiling	1-Jul-16	15-Dec-16
Quarry and Stockpile Development & Rock Processing	1-Jul-16	15-Dec-16
Rock Hauling to Stockpile Area	16-Aug-16	15-Dec-16
Quarry Demobilization	16-Dec-16	22-Dec-16
<b>Season 2 - 2017</b>		
Road Maintenance & Traffic Control	15-Feb-17	29-Sep-17
Operational Support	15-Feb-17	29-Sep-17
Rock Hauling to Stockpile Area	1-Jun-17	29-Sep-17
Mobilization for Riprap Placement	15-Feb-17	7-Mar-17
Removal and Placement of Existing Class A Riprap to Toe Berm	8-Mar-17	30-May-17
Haul from Stockpile & Placement of New Riprap along the Dam Berm	8-Mar-17	30-May-17
Demobilization	31-May-17	6-Jun-17
<b>Season 3 - 2018</b>		
Road Maintenance & Traffic Control	15-Feb-18	22-Jun-18
Operational Support	15-Feb-18	22-Jun-18
Mobilization for Riprap Placement	15-Feb-18	7-Mar-18
Removal and Placement of Existing Class A Riprap to Toe Berm	8-Mar-18	30-May-18
Haul from Stockpile & Placement of New Riprap along the Dam Berm	8-Mar-18	30-May-18
Upgrade of Dam Crest Road	4-Jun-18	15-Jun-18
Demobilization	18-Jun-18	22-Jun-18

## 4.0 SCOPE OF WORK

The Contractor is looking for a Subcontractor to perform the required work to reclaim the Sand Flats Quarry after all the mining has been completed and the Contractor has demobilized from the Sand Flats Quarry Site.

The Quarry Reclamation is estimated to begin in 2018 after all the materials have been hauled out of the Sand Flat Quarry Site.

The map below shows the Sand Flats Quarry in approximation to the WAC Bennett Dam.



Due to the fact that the Quarry Reclamation has yet to have a defined scope from BC Hydro, the Contractor has put together a bid table that includes the anticipated equipment and man power required for the Work to be performed. The table can be viewed in the attached Commercial Bid Form. It is the Contractors intention to develop an estimated baseline for our Subcontractors to bid. Please be aware that the scope of work can be defined at any time and can change any/or all quantities.

All Subcontractors' equipment will undergo Contractor's Maintenance Inspection Program prior to being utilized on the Project. The Subcontractor will be required to provide all fuel and maintenance for its equipment

The Subcontractor will be required to provide all accommodations for its personnel for the duration of the work

Please refer to the attached "Appendix G – Specifications" for more information.



## 5.0 FINANCIAL SUBMISSION REQUIREMENTS

A "Commercial Bid Form" is attached for your convenience. Please complete all fields on the form in the table provided. Indicate 'No Bid' on any items for which you do not wish to provide pricing. Empty items will be assumed to have been included in the other provided unit prices.

**\*\*Proposal Due Date: April 27, 2016 at 12:00 PM PST\*\***

**\*\*Pricing to remain valid for acceptance until July 31, 2016\*\***

Please provide all prices in Canadian currency.

Proposals received after the published due date will be considered **non-responsive**.

If Subcontractor decides not to submit a proposal, please provide notice to the contact found in Section 1.0 of this document as soon as possible.

### 5.1 TAX

Subcontractor is required to comply with the Province of British Columbia's GST/PST requirement. Subcontractor shall exclude GST/PST from unit and extended prices and, if applicable, shall display GST/PST as a single line total.

### 5.2 HOLDBACK

All subcontract progress payments are subject to 10% Statutory Lien Holdback per Section 2 - "Payment" of the Standard Subcontract.

### 5.3 BOND

Subcontractor shall provide a price to supply a Performance Bond and Labour and Material bond for 100% of the Subcontract value per Section 3 - "Bonding" of the Standard Subcontract. Such bonding shall be valid through the Warranty Period. Subcontractor shall provide optional pricing for 50% bonds.

## 6.0 SUBMISSION REQUIREMENT

- A completed Commercial Proposal Form which includes but not limited to:
  - Unit pricing completed within attached bid-form
  - Last 3 years safety records
  - Alternative pricing proposal that may provide an economical benefit to the project
  - Any exceptions and deviations to scope and commercial conditions including marked up sample Standard Subcontract
- WCB good standing letter
- List of proposed lower tier subcontractors

Subcontractor understands that this RFP may not necessarily result in a contract being awarded to Subcontractor or anyone, and in the event of a contract being awarded, agrees that Contractor reserves the sole right to accept other than the lowest price and/or accept or reject any tender in whole or in part, or to reject all proposals with or without notice or reasons or to enter into negotiations with any interested party at any time. All costs associated with the preparation, submittal, clarification, acceptance or rejection, and the like, of Subcontractor's submission(s) shall be solely to Subcontractor's account.

Any proposal which contains an error, omission, misstatement, qualifying conditions, or does not fully address all the requirements and expectations of the RFP; or, which otherwise fails to conform to the RFP, may or may not be considered by Contractor, at Contractor's sole discretion.



## 7.0 SAFETY REQUIREMENTS

All Subcontractors undertaking work for or through Contractor are required to comply with any and all requirements established for the project. Subcontractors and visitors are subject to safety reprimands by Contractor management personnel. Repeat violators will be removed from the site by Contractor. Each Subcontractor and its employees are required to perform their work in a safe and professional manner. To accomplish the goal of an accident-free work site, Contractor must ensure that each Subcontractor follows the set of work safety requirements on any project site.

These requirements include:

- Be recognized through applicable provincial safety associations as developing and implementing an Occupational Health and Safety Program and receiving certification of that fact (i.e. Certificate of Recognition).
- Accept and implement Contractor's overall health, safety and environment programs.
- Complete Client's indoctrination and orientation programs for each employee (1-day duration in Fort St. John, BC) and attend any re-indoctrination/orientations as required. All cost associated shall be included in subcontract cost.
- Complete Contractor's indoctrination and orientation programs for each employee (1-day duration on Site) and attend any re-indoctrination/orientations as required. All cost associated shall be included in subcontract cost.
- Develop work plans, hazard analyses and safe work procedures for the work scope and have them reviewed and approved by Contractor's Project Manager or Job Superintendent prior to work commencement.
- Designate a site Safety Representative to monitor their effort on safety and loss management and to participate with the project's safety committee. Committee will meet once a week for approximately an hour.
- Inspect their work area daily.
- Complete and submit weekly inspection reports and incident/accident reports to Contractor's Project Manager. Incident/accident reports must be completed with recommendations for safety improvements.
- Plan each operation, making health, safety and environment the number one priority.
- Complete and submit to Contractor Job Manager Reports of weekly Toolbox meetings with their employees and pre-job instruction meetings prior to startup of any work.
- All Subcontractor personnel are expected to participate in daily Play of the Day (POD) and Stretch and Flex program (15 mins daily).
- Representatives from the Subcontractor personnel are expected to attend a weekly CVIS (Craft Voice in Safety) meeting held by the Contractor (1-hour duration)
- Foremen are expected to participate in weekly foremen training meetings (1-hour duration).



- All Subcontractor personnel are expected to attend monthly mass safety meetings held by Contractor (1-hour duration).
- Set a good positive example.
- Subcontractor personnel must wear all personal protective equipment (PPE) required on the project. The minimum required safety apparel is:
  - A hard hat;
  - Foam lined eye protection;
  - A long-sleeved shirt and full-length pants (no sweat pants);
  - A high-visibility vest;
  - Gloves;
  - CSA-approved work boots (above the ankle);
  - Using the proper tools and equipment for each job.
- Additional PPE may be required based on the specific tasks performed.



## 8.0 QUALITY CONTROL REQUIREMENTS

Subcontractor must ensure compliance with the Project performance requirements as stated within the Specifications, and as well as compliance with the intent of such requirements.

Contractor will have a Quality Management Plan, Inspection and Testing Plan (ITP) and Quality Standard Procedures (QSP). It shall provide a detailed list of activities, hold points, tolerances, corresponding checklists and responsible persons. Subcontractor to follow the requirements listed within these plans.

The following terms form part of this contract:

- Develop work plans for the work scope in accordance with the approved quality plans. Work plans shall be reviewed and approved by Contractor Project Manager or Job Superintendent prior to work commencement
- Contractor is to be notified immediately upon evidence of a non-conformance quality event.
- Quality non-conformance of an activity, product, or service will result in withholding of funds until rectification or resolution of the non-conformance is achieved.
- Assistance with the preparation of "as-built" plans including the provision of information.
- Permanent Materials documentation where procured by Subcontractor

## **9.0 ENVIRONMENTAL REQUIREMENTS**

Subcontractor is obligated to familiarize with and to fully comply with all laws, regulations, codes, Specifications, and Project Environmental Protection Plan concerning environmental protection.

The most relevant Canadian environmental laws affecting our business are:

- Canadian Environmental Assessment Act
- Canadian Environmental Protection Act
- Environmental Management Act
- Fisheries Act
- Migratory Birds Convention Act (and regulations)
- Navigable Waters Protection Act
- National Fire Code
- Environmental Emergency Regulations
- Transportation of Dangerous Goods Act
- Disposal at Sea Regulations
- Ozone Depleting Regulations

Subcontractor to develop work plans for the work scope in accordance with the approved Project Environmental Protection Plan and all applicable regulations. Work plans shall be reviewed and approved by Contractor Project Manager or Job Superintendent prior to work commencement. Subcontractor shall implement reasonable measures to minimize the environmental impact from its operations, including, but not limited to the following:

- Prevent discharging pollutants or sediment that impact water courses
- Prevent releases of hazardous and toxic pollutants to the air, soil, and/or water
- Provide environmental compliance training and education for our employees
- Seek to prevent pollution before it is produced, and reduce the amount of waste at the project
- Work continuously to improve the effectiveness of the project environmental program
- Not interfere with Contractor's established environmental controls



## 10.0 INSURANCE REQUIREMENTS

Subcontractor shall procure and thereafter maintain insurance(s) at Subcontractor's expense as required by the Contractor, Provincial Laws and Regulations. In regards to insurance in the case of a discrepancy between this Request for Proposal and the Standard Subcontract, this Request for Proposal shall take precedence.

- A "Professional liability insurance policy" in an amount of \$5,000,000 per claim and in the aggregate, to cover damages because of any error, omission or negligent act in professional services rendered by Subcontractor. Subject to reasonable commercial availability coverage shall be maintained for at least 24 months after completion of the scope of work.
- Commercial General Liability ("CGL") of not less than \$5,000,000 each occurrence/aggregate. CGL shall include coverage extensions for: (1) contractual liability, (2) products/completed operations, and as applicable (3) X.C.U. hazards, and (4) independent contractors.
- Automobile Liability ("AL") of not less than \$2,000,000 each accident, covering "any auto", or covering of any Work provided. The limit of such insurance shall be in the replacement cost of such item(s) being transported.
- Worker's Compensation Insurance (British Columbia)
- "All Risks" Contractor's Equipment for all equipment owned, rented, leased, or borrowed by the Supplier used at the Site.
- 60 day cancellation notice on all insurance documents

The policies shall include the British Columbia Hydro and Power Authority and Peter Kiewit Infrastructure Co. as Additional Insured.



## 11.0 SUBCONTRACTOR'S RISKS

- Price escalation for 2019



## 12.0 MEASUREMENT AND PAYMENT

The quantities are estimated only. The final Subcontract Contract Price shall be the sum of the products of the actual quantities of work performed or materials furnished as determined by counts and measurements made by Contractor multiplied by the applicable Subcontract Contract Unit Prices. It is mutually agreed that the quantities of work to be done or materials to be furnished may vary from the estimated quantities and such variances shall not be considered as a waiver of any condition of the Subcontract Contract, nor as invalidating any of the provisions thereof, nor shall any changes be made to the Subcontract Contract Unit Prices on account of such variations, and the same Unit Price shall apply to all variances in quantities.

Gals Reprap Th's + FNTR

Reprat: SFN only

Date April 21, 2016

Carmen Marshall - SFN

Rachel Ober - Finlight

Jordan Tam - Finlight

Leah Hanson - BCW

KK - BCW

Erin Abbott - OCU

Ryan Paddis - Eto

Pat Gray - BCW

Mara d. - LGL

Reprat  
Th's

- mosses, heax, lyax
- berries, mushrooms - along roads
- eagles - culturally important birds
- transportation - hunting / camping

- park car - go off side of road to pick
- not too far away
- important to have clear areas to pick

Cultural continuity:

Access: timing of traditional use.

- → not directly questioned. - season of use
- more active in summer / early fall
- cultural camps at Caribou Lake
- Twin Sisters access in August
- trappers active in winter.

Page

Page

Date April 21, 2016

SFN / CANFOR

- Heavy water haul reduce hauling at sensitive areas
- water extraction monitored.

KE - Can we develop a similar protocol that is being used in logging.  
 - SFN suggests solution - not always agreed to.  
 - communication plan.

Project changes:

Table 1510 - 6m wide. (plus pull outs - 5m)

Extended schedules for hauling.

end of May - finalizing plans w/ contractor

- safe access - important issues
- disturbance levels - noise - dust

Contractor:

- may not widen road.
- center upgraded up to Spur Road.

Water Quantity:

- cost-benefit analysis.

Speed limits - contractor conduct hazard assessment

- provide speed recommendations

Page

Date April 21, 2016

Contractor - traffic management plan

Commitment letter:

Belt table:

- 15. th commitment to develop work plans together.

May 12, 2016: First Nations / Belt Update Meeting

Belt determination - adequacy of consultation - end of May

Belt Commitment Table

develop a working group?

- very preliminary

Exploit quarry work

- 2 shifts

may incorporate a pre-planned and targeted storage.

hauling could start in August 2016

quarry, road work the start in July 2016

quarry / transport

50% riprap by mid-Dec.

throughout winter

Sediment + Erosion Control Plan

- involvement of FH? Review + comment.

Stream Crossing Quality Index:

- Belt to let contractor address this in sediment management control plan

Page

Date April 21, 2018

• water quality monitoring

DRIT:

- need to work on an approach to mitigate / monitoring.
- need commitment that dust levels does not impact humans / vegetation.

Date

Page

Page

## #GMS Pipelap Project

2006/11

Dec 3/15

### Hydro Update

#### Dec 8<sup>th</sup> BC UC project

hearing starts:

Looking to fulfill the board process

- IR's in December
- Provide early response early January.

Start date before may - to go towards hydro board.

Start up time date for starting mobilization

March the first of every year is the best time to work on the quarry.

Do MLIB sign off  
- FNTR / TLWS.

BC Bid public SSSO BC Bid org  
Quarry development register first  
EPC  
Dec 10<sup>th</sup> / 11<sup>th</sup>

Prime working deadline by Dec 21<sup>st</sup>.

EPC Selected

- o 20 million in Aboriginal bid - involvement
- o BC Hydro Contact.

→ Schedule July start time for project 2016  
Trip Rap handling road maintenance starts immediately

Current replacement July  
dry current to be stream / re pass  
Engineer issues to currents - BC Hydro  
Carfor Pre issues currents.

Request EPP as soon as possible.

Independent environmental monitor onsite for project.

Reclamation on quarry - <sup>Not</sup> is the contractor responsible

→ Set aside \$ amount for FN / EPP

develop it before May - to do the quarry work.

Requesting TSNPN start the seed bank

deferral RFP differential - <sup>#20</sup> levels don't drop.

15 Dec 15.

3 years of placement in  
deferral 4 years longer.

FNTR review

Send a presentation on FNTR technicians

1) Site and terrain

Free discharge to be replaced to collect  
water quality testing water → close that go FWCB.  
weekly reports.  
weathering of waste rock

Simulation:

1) Withdrawal - below the reservoir is not connected

2) Quantity water withdrawal Section 8 withdrawal.

4000 m<sup>3</sup> withdrawal  
5000 m<sup>3</sup> table creek

are the suitable areas →

Road safety

MFLNfo requires → permit reporting of the flow

25 days a day of water may be used  
for road construction

- 1030 m<sup>3</sup>/sec flow

40,000 m<sup>3</sup> \*

3) Air Quality Air dust - issues mitigate impacts  
Propose on williston dust studies.

traffic control -  
• 30 rock trucks  
• ~~20 water trucks~~

15-30 trucks a day on conveyor basis  
large trucks about 10 people

### Environmental Quality

- Input source of dust from the
- NO air quality monitoring we request
- Vegetation relocation a factor
- Road use agreement with Confor
- Single American as cut on the road - look at coal

- Decibel levels for noise disturbance
- > noise disturbance for animals
- > request a model with spatial layout

Health Canada - school walls - noise disturbance  
 Blasting - short

### 3) Fish / Fish habitat

water infrastructure - fish habitat replaced  
 not important species habitat

n = wetland identified on project -> are near the project  
 Preparing the contractor

### 4) Vegetation - rare plant survey

Neil Mac

Neil MacLean  
 Starke.com

### 5) Wildlife

Remove osprey nest ->  
 request to remove it is this species  
 This April - Cooper is charge of  
 NFWO application coming

ZOI -> getting into definition for wildlife  
 estimate sites for the land use study

Date

SAKA - List

→ EPP developed after

→ Based on encountering the Species

Included in the Environmental Management Plan

EPP not pass if it doesn't follow EPP

Thus



- ~~Scotbank~~
- ~~Buddy~~
- ICBC

10 year capital plan;

- reclamation requests:
- Capital project: → the need for bonds -
- different Pest management plan → need for a universal plan.

Vegetation funded through maintenance programs -

\* Veg management plan. Cardyn stock.

Fiscal planning 2017 <sup>2019.</sup> NSW

funding is given in the next 3 years.

56 <sup>projects.</sup> → up to 2020

BCUC timing -

- Continguous planning exposed moving forward.
- We request NRECA is followed
- and MFLNRO notifico of change.

Still double consultation on MFLNRO files.

\* request grading each permit.

participation -

- 1) 5-6 month construction Encana.  
high load

2) 10377 transmission project  
increasing thermal capacity.  
expand the width of ROW.  
Construction start next yr.

3) Wac slump repair  
duration of the project / Hr reports

4) Gms water and sewer project  
request land tenure description-

5) Arc Sunrise

\* Send list of requirements - to BCH  
including cumulative effects.  
what are the disturbance analysis.

\* BC Hydro do a cumulative effects  
assessment.

Reclamation -  $\rightarrow$  decommissioned - when does that  
happen how does it allow - it to happen.  
opportunities for T&NPN.

PRES - 1

Exemption; what is the needed  
doesn't remove it from duty to consult

Certainty is the timing of cost generation

forecasting is not meeting actual demand

Rationale for route 5:

→ DART firm supply

→ New customers.

looks into the existing transmission lines - 10 year  
 \* BCI provide 11 year load forecast  
 7:30am print off.

Request to withdraw exemption request

Comfort letter? to BCI

GMS - OSpray monitoring → job shadow.  
 → Long term.

Announcement on pre-ferred contractor  
 for procurement.

## OMs rip rap meetings

Jan 22/15

### Interview techniques

Always generate leads - taking them out on  
the land - youth giving something part of identification

forming and maintaining the work relations and work of tool

Commitment for their treaty rights

Some studies have to this level the other studies

others need to be protected

Translator needed - in the field of data  
essentially involved.

interview learning systems

Dig Camp on the land → and change the format.

Need to know the baseline → how do they affect

the way to the forest

Mineral, see the way forward, but the way  
to the land from forest to disturbance.

Need more than a surveying party.

You need to stretch your knowledge

Share a data → to assess the land's effect  
post assessment - follow up - so important

Suggest to include individuals to be part of

interviews → or interviews are members on the land.

GLD concerns - medicinal plants.

Tasha interested in interviewing

Transcribing illustrations/diagrams of Carbon Lining

Use mapping on the map

If we can have interests → mitigation.

monitoring of water courses multiple of creeks  
working

Be Hyaru

Date April 7/16

Lindsay Thompson, - ; Laura Murphy.  
Michelle McDonald,  
Naomi Owens,  
Erik Thompson.  
Clayton Davis.

Take note; Laura Murphy.

FNITR 1)

Jim talked about

- Pellet count case - Cariba habitat / First cut
- ~~Prior informed consent~~
- Prior and informed consent.
  - Cultural sustainability
  -

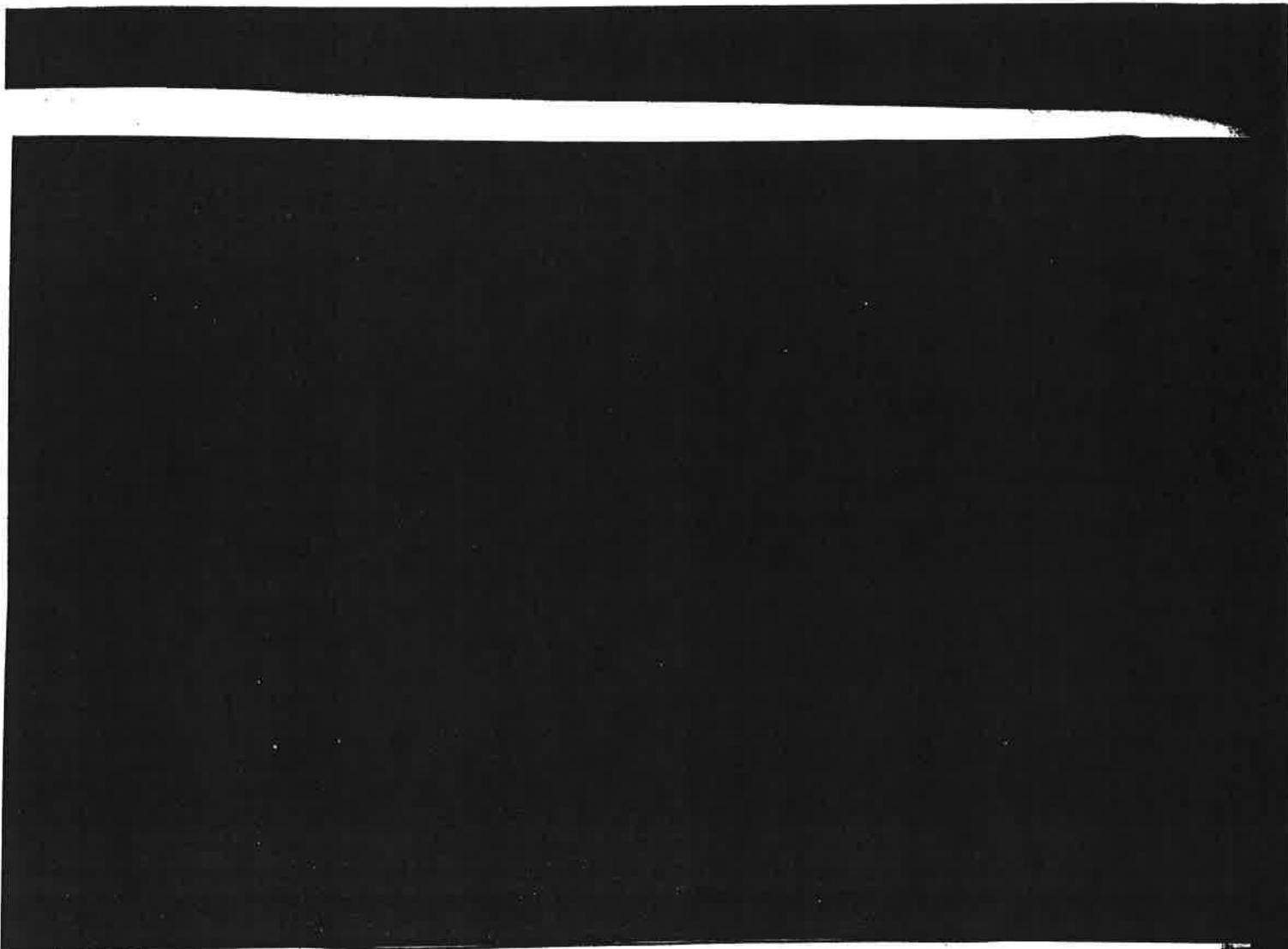
1) Commit to development that they are incapable and promised under the treaty.

- no forced interference
- usual vocations free of white competition
- hunting/trapping/fishing and way of life protected.

Consultation is not complete;  
govt coming to question how  
1998 GMS has been a concern

Jim suggests talking about...

GMS Sklum to septimus



Date April 7/16

# GMS verification Proposed mitigation

- water controlling dust
- dust controlled in winter?
- monitor creeks use the creeks by fish.
- monitor wildlife animal counts
- Raptor letter part of the request.
- Long term effects - a lot of effects.

- Possible Compensation package Pursued by SFN.  
+ Bring to James  
Request → Put picture of where sinkholes.

Emergency plan of SFN → needed.

→ Sand cones with eagles, owls, frogs

→

~~200,000 m<sup>3</sup>~~

20,000

GMS

Date April 12/16

KK project, Bruce Mattick,  
Ryan Dodel, Robert Fernuijg

- Feb 16<sup>th</sup> letter / March 10<sup>th</sup>.

Request → working on the letter

FSJ: 9-3pm:

~~max~~ 3 people.

Initial letter traffic of dust

\* Wetland Land use study →

Utah / Table road

\* Dusk question why.

\* trapping notification... no prevent

\* noise and dust → are the impacts the same?

(As we are not specialist we request models to link the two.

\* SCQI-BC Hydro has a different data set.  
are we ok?

Canfor - has a SCQI.

BC Hydro



GMS meeting

Date Ap. 12/11

Buce matrix regularity environment

Leah Mason

Ryan Dicks - Eco for

Pet Craig & Environment

→ TUS study results; Rachel and Jordan.  
Cork.

(clean places - close to community)

~~to~~ Questions

- Dust

- Noise

- road extraction (model difference in trips)

- mitigation measures

- archaeological finds

- workplans - reference

- Speeds (30km/h)

- Disk limits (10pm)

ey topic pimatsowin

family experience in area

\* Road widening of Table Creek - 6m wide  
in the pullouts - corners things.

\* Schedule tightened up Shortened!

at end of scheduling - window for w/  
transporting to stocking area.

# FNITR-

Date

→ Overview by Mac

→ Indep review - integrate Socio-economic issues  
in relation to the assessments of the effects.

Ast fail upgrade - Can for for their operations

→ Widening is not included - Since  
New information

SEH worked on TUS/FNITR → and answering all questions

SEH hydro-analysis on extra working

hours on the road. dust suppression methods used.

Request dust noise suppression monitoring plan.  
dispersal rates.

Getting monitor dust mem.

dust quality objectives

\* need analysis - on what was answered. provided 2 days  
before.

\* Hazardous - assessment for road speed -  
yes can do it.

- TUS included <sup>WA</sup> including noise dust modelling.

\* Current assessment + TBD?

→ 5km 400m buffer noise link

- \* looking for breeding areas - mapped before hand  
 Be Hydro - asked how?  
 Monitor and survey (Prior construction)
- \* Start plan in (July - August) request  
 in wetlands. →  
 mitigation on warning signs - reduce  
speed. NO work proposed in wetland  
move into a new construction sites  
 (current upgrades not required.)

### Species

Flycatcher, western toad, & Caribou heron.  
 Nesting Aprils  
 August.

check for natural selection succession to  
 occur at pit.

\* reporting requirement.

Heritage act → compliance outlined in Equip.

(Cumulative effects = assessment question

- Pre disturbance analysis
- and Cumulative effect assessment.
- forest Practices - preliminary thoughts.

BC Hydro update;

- Safety  
 → GMS - Supply radios.  
 Station
- Communication protocol

→ 2 x 10 hour shift work plan @ dusk areas.

July 2016. Quarry prep / road prep. Start.  
Until mid-August 2016.

Aug 15 2016 Start hauling  
dusk and dawn to start

Dec 15 2016 End 50% done 4 months.

2017 + 4 months other 50% not.

Reclamation start Spring 2017

Per. pu road → 20m upgrade  
Table / Lith. belong to Confor

Involve FN? in plans.

Review plans - extract plans / capacity committed to

4 different plans

- > rock quarry
- > Road
- > Dam quarry?
- > Repair zone?

Water withdrawal →

\* Concern send to Kiewit to EPP  
Commit to monitor's on the project  
watching water withdrawals.

SQI guidelines - Risk rating Custom use

BC Hydro want QEP. may

→ we recommend SQI to Contractor

15-20p Oasite.

in stream works applied by Kiwnet.

Vegetation RMIT → OSpray next tree  
Capped off?

- no requirement to  
be monitoring

information on OSpray → ask for monitoring plans.

→ no wetlands in area - 70m buffer.  
BCH response

Road restrictions → Splur on it.  
ask contractor's to ~~more~~ minimize

→ no closure on roads urban / table.

Accomodate communication protocol established.

BCH want to mitigation.

- not want monitoring dust control
- hot spots on monitoring -

↳ Authority of Environmental monitor →  
to stop.

- RYAN BCNL - Dec 3 - interview notes.
- LEAH - public notice
- BRUCE
- GUOXI - Utah FSR - hill coming down to storage area
- RANDY - clay - very slick when wet.
- BEN
- CLAYTON - end of BCNL - end May 2016
- MARC - IRs - commission - interviews - Dec. 2015
- CARMEN - responses by BCNL - January 2016

- FNTR / BCNL parallel process - showing that meeting consultation

CONTRACT (RFPSSSO) : closes Dec. 21, 2015

BCBid

EMP

- quarry development, road construction / maintenance, riprap placement
- one contractor to oversee all components.
- Addendum - incorporation of FNs - \$20M set aside for FNs

Schedule.

- July 2016
- contractor's engineer - assess roads/culverts
- should be conducted ASAP
- reclamation

EPPs / EMPs  
 ↳ FN review in time  
 - BCNL objective as well

- part of contract SSSO - \$ set aside for FNs
- seed collection (Turk Sisters) - spring, summer, fall  
 ↳ be a sub-contractor to EPC - go out early to collect seeds

- Site Reclamation Plan - goes from Ministry of mines.
- contract: 2 scenarios. 3 yrs vs 4 yrs - quarry active / placement of riprap.

SN- open house - 2 hours.

- TCU study to come.
- not yet signed off

SOILS + TERRAIN

FWCP - database: - WQ reports.

- Water withdrawal.
- Table Creek / Stott Creek.

WQ + Quantity.

- issue - drought conditions.
- can us MGA for water withdrawal  
↳ no road - not an option
- details on 5000 m<sup>2</sup>
- quantifies report to FLNRO :

daily consumption 300 m<sup>3</sup> / day = 25-30 trucks / day

- quantity of water trucks considered.
- has been identified that BCH does not want to impact use of boat launch.

Methyl Mercury - Reconnaissance Studies - part of FWCP.

Air Quality.

- Fryson et al 2011 report from northern part of reservoir
- BC Hydro - williston dust studies.

- 30 rock trucks - contractor likely operate 15 trucks
- small crew - daily - light vehicles.

- # of medals
- drills / cuts / excavators (3 large)
- limestone - once stock piled - low likelihood of dust generation.

→ monitoring.  
 - dust modelling

- would be visual → keep dust to minimum.
- contractor responsible for whatever road condition
- re cumulative dust impacts - no method currently in place to address.

→ Traffic mitigation plan

TECH - WORK PLANS

Noise:

- 1-2 blasts / day.
- traffic.
- noise modeling? - check on sub-contractor

FISH & HABITAT

- culverts
- standard BMPs road construction
- fishing - sitting cuts
- Utah FSR

RIPARIAN HABITATS

- BMPs
- incorporate TLU data.

VEGETATION

- Ryan to confirm methods for veg. surveys.
- \* - Stantec report - Getting vegetation
- fireweed - indicator of when to hunt moose.

WILDLIFE

- osprey: - MCB cultural significance for osprey.
- re-location site w/ permitted areas/lands
- do nest removal in April 2016

Trap lines - NMFN -

- BCH has talk to trapper.
- 2 layers - 80 trap lines
- Treaty B

Caribou - FN plan to have caribou return to area  
- reclamation

Species @ Risk

- show us how its SARA compliant.
- EA report - Appendix F (check).

Must clearly surveys - contractor responsibility.

SPN - BC Hydro 69MS Rip Rap.  
- Focus on debrising.

April 21, 2016.

Notes

KC - How does SPN average existing forest land in the Project Area.

[Call]: We need/ask for some mitigation from Dorena + Carter - Dist, timing of land use etc.

KC - Can we develop a similar protocol as w/ Carter + Dorena → want something along similar lines.

[Call]: Consultant letter → asks for timing of land use - extraction points of land.

KC: Particulate for experiment to develop mitigation plans? = etc...

Hydro - Part of the project has changed

\* Table won't be widened to 30m - 6m wide → pullouts @ certain locations - for trucks to pass safely.

location of pullouts? # trucks the same but schedule might be tightened up. → may have extended schedule for land use. → trying to finish all the quarrying / quarrying might take less time than anticipated.

[Call]: Do we have latest project description

KC: End of May probably out of vegetation w/ construction.

CM: Remedial measures must appear  
stage for mitigation measures.

- looking for a commitment - building a  
good relationship

Brace et. - what is the priority VC.

CM: Part of study is - ~~that~~ in mode of life  
flexibility of life.

- Solutions: ways to accommodate  
schedule of this construction  
- avoid overlap of high  
times ~~to~~

CM: Soft access price is a major piece we are hearing

CM: - Dist & noise what are the impacts of  
that from the project? need these  
details.

CM: would it be help

KK: The road has already been upgraded by Convors upgraded already happened last fall. They've cleared all the vegetation already. Won't be widening the road except for pullouts. → upgraded up to the Spigar Road.

CM: also of one way rock trucks

KK: One way one lane → one way pullouts.

CM: Need to have the most up to date information  
Need updates in writing.

KK: Will send new project update when available.

CM: You need information from both reports for commitment table.

→ Some are ready to commit for some but all monitoring will be committed to.

CM: what is the SCQI - asking Hydro to conduct for summary

→ Confusion this subject - baseline.

~~State~~ MD: Request water not taken from creeks.

CM: Focus withdrawn to boat ramps + millstone reservoir. Has there been modeling + economic analysis done creeks vs. millstone.

↳ creek act → ~~is~~ practicality of develop water?

Bounce → no study done.

KK: Contractor is trying to minimize water requirement. Use of chemical an alternative.  
- Silica dust

MD: Request monitoring of dust levels. Asking recommended dust monitoring by M.O.E.

CU: Speed reduction act - why 30km → best loading + animal collisions. What is standard road speeds.

KK: depends on type of road → FSR.  
no speed limit on FSR. What speed  
Cater monitors

CU: Using rock trucks is 30km.

KK: Asked a risk hazard assessment to be done by contractor to come up with speed limits. May have any unwritten requirement of 30km. Haven't reached that edge yet.

CU: Would like an increase on fuel from 30 Hydro. on this. Indignate had use value  
\* 7th hazard assessment

MD: How noisy will it actually be? Missing piece of information - how far will it travel?  
Quarry + trucks. Noise dispersion model  
in ask.

RP: How to manage medicinal plants + buffers. —

CM: Could just remove the footprint — communicated  
don't place the project into the buffer w/o  
identifying exactly what / volume of IS.

BAM: Can they help restore areas given to contractors right

CM: That would be good way to do it.  
- communication — need to know when a certain time  
people can go back as a mitigation measure.

CM: Do we have any work prepared in the wetlands?

RP: No —

RP: Amount of potential new ponds from work - leading  
to occupation by amphibians

CM: Any known Cabinet opposite sight view?

RP: No.

CM: Am to redress area for Caribou - habitat.

BH: Knows any specific Caribou specific sites.

CM: Thom as-fog has list of key species for Caribou diet.

BH: Can be worked into vegetation management plan.

CM: Use appropriate species in appropriate area.

? : exists a protocol for choice of heritage  
research

BM: Tapping line & access map would be  
CMI: Early Cannon.

Phil Cannon -> how detailed information do you want to  
provide. e.g. re: tapping.

LM: re: Commitment letter, what would be in it?

CMI: - No master plan yet given timelines

- ~~support for the castle~~

- Commitment to work together, develop plans  
in collaboration.

- BM: Will scope of work from Kewett by May 15  
update. -> can provide some updates for the

CMI: May 20 BCUC requirement whether consultation has  
been adequate. Regardless of contractors. Need  
more funds consider all submission by May 15  
-> Ask is Commitment letter.

LM: Request to address many of issues raised.

Re: Access safety.

7?

Call: - Factors provided @ access entry area.  
- communication protocol of access on Project footprint.

Call: Re: shut in North @ 10pm or later.

time?

KK: 2x 10hr shifts. Is a possibility of couple hour  
pause.

1.

LM: Why to talk about high use - targeted stoppages.

Call: How long are they going to be heavily from generating to down?

→ KK: Construction, first half of June, first week of July

Max 2 yrs.   
regularly.   
Start, gantry, pump stockpile area,  
road of gravel completed by mid-August - to mid Dec  
and then restart until end of May.

KK: Reclamation once gantry finished.

→ Spur road one 10-12m down, will be upgraded.

Call: when BC Hydro says involve FWS on sediment control.

Call: First plan would be closed with FWS for comments  
on sediment control.

Call: Will there be more time for review all the plans.

KK: Capacity funding can be provided if necessary.

RP: A diff. plan for sediment control in diff. areas  
of the plan.

Call: Withdrawal of water from smaller streams → entry  
contractor to other

Call: Study of catch indicators of only Williston vs  
also streams.

BM: Almirante can always be here for water withdrawal  
CM: Communication re: drought conditions & timing  
withdrawals.

RP: SCQ1 → looks at risk rather than time water goes  
BC: Hydrex will suggest SCQ1 for the contractor  
but contractor may come up with other methods

CM: Ask B to be able to know if there is a change  
in turbidity when it occurs.

BM: No permits for culvert replacements yet.

⊗ Settling ponds for trout Pop Pop?

CM: How many people are actually working on the  
KK: @ Quarry 15-20 ppl. No camp. Local trip  
of workers.

CM: Same roads of relocation of osprey & salmon  
trucks relocation?

RP: How decided not to have birds in the area &  
by the agency.

→ Will there be security - or pilot car? is that an option?  
e.g. during a transition time.

BL: with adequate notice can try to accommodate that.

KK: communication protocol.

BL: Need to come up with some measure of knowing when  
level is too high & more mitigation needs to be  
approved.

P...: Application of calcium chloride - Conversation  
with monitors.

RP: specific plants areas & maps  
CM: could bring it back to members.

BL Hydro update on play table

CM: Go through table, under sea aster are on-table.  
Then have a conversation w/ tables.

→ Both committed to having FAS monitors.  
→ Members can be from any of the sectors.

## **SFN-BC Hydro GMS Riprap**

April 21, 2016

10:00AM-3:00PM, Northern Grand Hotel, Fort St. John

**H:** BC Hydro

**S:** Saulteau First Nation

**B:** Bruce McIvor

**H:** How does SFN manage existing forest hauling the project area

**S:** We would ask the same mitigations from Daewa & Canfor-Dust, timing of hauling etc.

**H:** Can we develop a similar protocol as with Canfor & Daewa-want something along similar lines

**S:** Contribute better-asks for timing of hauling

**H:** Protocols for engagement to develop mitigation plans?

- Table won't be widened to 20 m from 6m wide-pullouts at certain location for trucks to pass people
- Trucks the same but schedule might be tightened up-may have extended schedule for hauling-trying to finish all the quarrying/quarrying might take less time than anticipated

**S:** Do we have latest project description

**H:** End of May probably, after negotiations with contractors

**S:** Prevention measures most important stage for mitigation measures

- Looking for a commitment-building a collaborative relationship

**B:** What is the priority VC?

**S:** Part of Treaty is in mode of life, quality of life

- Solutions: ways to accommodate schedule of this construction
- Avoid hauling of high-use area

**H:** Safe access piece is a major piece we are having

**S:** Dust and noise, what are the impacts of that from the project? Need these details

**H:** The road has already been upgraded by Canfor, upgraded last fall. They've cleared all the vegetation already. Won't be widening the road except for pullouts-upgraded up to the Spur Road

**S:** Need to have the most up to date information, need updates in writing

**H:** Will send new project updates when available

**S:** You used information from both reports for commitment table

- Some are ready to commit to some, not all. Monitoring will be committed to

**S:** What is the SCQI?-asking the Hydro to conduct this survey

- Canfor has this dataset-baseline

**S:** Request water not taken from creeks

**S:** Focus withdrawal to boat ramp + Williston reservoir. Has there been modelling + economic analysis done creeks vs. Williston

- Creek act-practicality of trucking water

**B:** No study done

**H:** Contractor is trying to minimize water requirement. Use of chemicals as effective

- Silica dust

**S:** Request monitoring of dust levels. Getting recommended dust monitoring by MoE

**S:** Speed reduction ask-why 30km

- Loading + animal collisions. What is standard road speeds

**H:** Depends on type of road-FSR, no speed limit on FSR. What speed Canfor maintains

**S:** rock trucks is 30km

<b>DATE:</b>	April 4, 2016
<b>TIME:</b>	12:00PM - 4:00PM
<b>LOCATION:</b>	Dunne Za Lodge
<b>RE:</b>	Vegetation Management Meeting
<b>IN ATTENDANCE:</b>	Clayton Davis (MLIB), Carmen Marshall (SFN), Naomi Owens (SFN), Jim Webb (WMFN), Lindsay Thompson (BCH), Michelle Macdonald (BCH), E. Swanson (BCH) and Laura Murphy (BCH)

<b>AGENDA ITEM</b>	<b>MEETING NOTES</b>
<b>Welcome</b>	<p>L. Thompson thanked C. Marshall, N. Owens, J. Webb, and C. Davis for their time and the opportunity to meet in the West Moberly First Nation community. L. Thompson introduced the BCH staff in attendance and advised of the recent hire of a Relationship Lead, L. Murphy, for the Treaty 8 area. L. Thompson advised that L. Murphy was hired in an effort to improve BCH's relationship with all of the Treaty 8 communities and provide a consistent point of contact for all projects.</p> <p>C. Davis welcomed L. Murphy and expressed his approval for this decision by BCH to provide improved continuity across projects. C. Davis advised that L. Murphy should consult with WMFN, SFN and MLIB as a collective.</p> <p>C. Marshall shared that this is a positive development; however, there are many areas for improvement in SFN's relationship with BCH.</p>
<b>Relationship Discussion</b>	<p>C. Marshall thanked L. Thompson for her attendance at the meeting and advised that this was a good opportunity for this group to share their feedback on BCH's recent activities.</p> <p>C. Marshall shared her concern that BCH projects are not being assessed based on cumulative environmental and social impacts as well as impacts to Title. SFN are focused on assessing the long-term implications of each proposed activity and do not feel that this information is incorporated into BCH's project design.</p> <p>C. Marshall shared that she felt consultation on BCH projects including PRES and GMS Rip Rap has not been accommodating to SFN. BCH asks for First Nations input but doesn't take the feedback into consideration. C. Marshall advised that consultation without accommodation was very challenging for SFN.</p> <p>C. Marshall advised that there is a lack of trust in the consultation process and a perceived disconnection between the feedback provided and what is presented to the British Columbia Utilities Commission (BCUC).</p>

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
	<p><b>PRES:</b></p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>C. Marshall advised that SFN do not see the value in continuing to participate in consultation activities if feedback is not respected and project outcomes have already been decided.</p> <p>[REDACTED]</p> <p>C. Marshall advised that note taking at previous meetings has been incorrect.</p>

	<p>[REDACTED]</p> <p><b>W.A.C Bennett Dam and GMS Rip Rap:</b></p> <p>C. Davis referenced a recent article in the Globe and Mail and shared his concern that the Bennett Dam could fail due to potential structural failings.</p> <p>C. Davis shared his concern that BCH have not been transparent over the ongoing risks and that a potential failure could result in major safety issues.</p> <p>C. Davis questioned why BCH would pursue the construction of Site C rather than prioritize safety issues at the Bennett Dam/GMS.</p> <p>C. Marshall pointed out that GMS should have been repaired before putting Site C forward.</p> <p>C. Davis advised that First Nations community members are concerned that the road from Fort St. John to Dawson Creek will be increasingly dangerous and congested due to vehicles and equipment on the road associated with GMS Rip Rap.</p> <p>N. Owens advised that this is a historic and ongoing issue as SFN have never received compensation for the impacts created by the reservoir and dam.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
--	---

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>[REDACTED]</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

<b>Next Steps</b>	<p>L. Thompson thanked the attendees from each First Nation for their honest and passionate feedback. L. Thompson stated that BCH is genuinely committed to improving relationships with all First Nations.</p> <p>E. Swanson to provide the Vegetation Management presentation at the next Quarterly meeting on May 12, 2016.</p> <p>L. Thompson committed to attend the next Quarterly meeting on May 12, 2016.</p> <p>L. Murphy to establish monthly meetings with SFN, WMFN and MLIB as a collective and/or individually (as requested) with a shared agenda and goal to improve the relationships.</p>
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**From:** Carmen Marshall <CMarshall@saulteau.com>  
**Sent:** Wednesday, April 20, 2016 1:39 PM  
**To:** Manson, Leah  
**Subject:** Re: Attendees for tomorrow?

Hi Leah,  
 I would like to edit these minutes in tomorrows meeting.  
 Regards,  
 Carmen

**From:** Manson, Leah  
**Sent:** April 20, 2016 2:33 PM  
**To:** Carmen Marshall  
**Subject:** RE: Attendees for tomorrow?

Thanks Carmen. We'll definitely ensure we get meeting minutes recorded. That reminds me – I intended to provide you with minutes from our April 12 call. They are below. If you have any changes to suggest, please let me know.

<b>Date (D/M/Y) &amp; Time</b>	April 12, 2016, 11:30am	
<b>Location / Phone</b>	Teleconference	
<b>Communication Type Or Communication Method</b>	<i>Teleconference</i>	
<b>BC Hydro Participants</b>	Leah Manson, Robert Fornasier, Pat Craig, Bruce Mattock, Kunwarjit Khandpur	
<b>First Nation Participants</b>	Carmen Marshall	
<b>Other Participants</b>	Ryan Dodds (Ecofor)	
<b>Summary / minutes recorded by</b>	Leah Manson	
<b>Minutes sent to</b>		
<b>Documents exchanged</b>		
<b>Project Name / Topics / Issue</b>	<b>Key Discussion</b>	<b>Action Items</b>
GMS Rip Rap	<p>On April 12, 2016, BC Hydro (LM, BM, KK, RF, PC), Ecofor (RD) and Saulteau First Nations (CM) held a conference call to discuss Saulteau's preliminary list of mitigation measures, and BC Hydro's responses.</p> <p>CM noted that Saulteau's general approach with commitment letters was to work on them together with project proponents. LM suggested that perhaps a tracking table showing Saulteau's concerns and BC Hydro's proposed mitigation could be used for this purpose. CM indicated she had something simpler such as a mutual letter in mind, though a tracking table could be attached to the letter. CM suggested that the parties could work through such a letter during their April 21, 2016 meeting. The parties then discussed the logistics for the April 21 meeting and agreed to meet from 9:00am to 3:00pm in Fort St. John. LM said she would send out meeting location information. CM agreed to confirm who would</p>	<ul style="list-style-type: none"> <li>• LM to send out meeting location information for April 21 meeting.</li> <li>• CM to confirm who will attend from Saulteau.</li> </ul>

attend the meeting from Saulteau.

The parties then worked through some BC Hydro questions about Saulteau's preliminary list of mitigation measures.

#### Truck traffic at dusk

CM advised that the dusk window was approximately 3-4 hours. CM indicated that wildlife was often active at dusk, as were community members who hunted. In response to a question from KK around whether this concern was more relevant at particular times of year, CM said she would look at the traditional use study (TUS) for further information, but that the hunting season in summer was an important one.

#### Aquatic resources

In response to a question from LM, CM advised that more detailed recommendations around mitigations for aquatic resources would be contained in the final TUS.

#### Wetlands

LM noted that Saulteau had previously identified a concern with a wetland outside of the 70 metre road buffer BC Hydro had used in its environmental overview assessment, and asked whether a specific wetland would be identified. CM said she would look into this question. BM indicated that he believed the wetland in question was located near the intersection of the Utah and Table Roads.

#### Dust

LM asked what concerns were driving Saulteau's requests around dust mitigation. CM indicated that further detail could be found in the TUS, and gave an example that medicinal and gathering plants could be negatively affected by dust. CM further noted that animals might avoid overly dusty areas.

#### Trappers

LM noted that BC Hydro only had information about one registered trap line in the project area, and asked whether Saulteau could provide information on other trappers so that BC Hydro could provide its road and construction schedule to them. CM replied that providing schedule information to trappers was not a sufficient mitigation measure, noting that Treaty 8 members had the treaty right to trap in the area and so the list of trappers in the area was fluid, making it hard to inform trappers. CM said she would prefer to see preventative measures taken first.

#### Noise

BM asked if the concerns underlying Saulteau's overall noise concern were similar to those underlying the dust concern. CM said Saulteau had noticed trends around noise affecting animals and peoples' quiet enjoyment of the land. CM noted that more information might be available in the final TUS. She advised that Saulteau was looking for a visual model of noise impacts in order to better understand project impacts.

#### Water quality

LM noted that BC Hydro had not used the SQCI measure indicated in Saulteau's February 16 letter, but that they nevertheless had

baseline water quality information, which BM advised was collected in accordance with Ministry standards and indices. CM suggested that the SQCI and Ministry indices could be compared to see if there were any data gaps between the two.

#### Traditional Use Study

RF asked if the TUS could provide more specific location information around Saulteau's concerns and cultural sites. CM indicated that the interim TUS contained site information. BM said that BC Hydro was unsure how to interpret this information, noting that more specific site information allowed BC Hydro to create better mitigation plans. CM indicated that cultural sites were fluid, particularly where the project was a long term project like the GMS rip rap project.

#### Carbon Lake

KK asked how Carbon Lake, identified in the TUS, related to the project. CM replied that people accessed Carbon Lake from the Utah Road. KK and CM acknowledge that there was another way to access Carbon Lake.

#### FNITR

LM asked whether additional recommendations other than those in Saulteau's February 16 letter would be contained in the final FNITR. CM indicated this was likely, and that West Moberly and McLeod Lake would likely provide additional comments.

#### Cultural continuity

KK asked what the term 'cultural continuity' from the TUS meant. CM pointed to the explanation of the term available in the interim TUS, and described it as the ability for Saulteau members to continuously practice their way of life. KK noted that the project impacts would be temporary, though CM pointed out that temporary impacts could still displace people and the practice of treaty rights.

CM advised that she wished to see movement on the commitment letter between BC Hydro and Saulteau. The parties concluded the call.

---

**Leah Manson | Aboriginal Relations**

**BC Hydro**

6911 Southpoint Drive, 10th floor

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**From:** Carmen Marshall [mailto:CMarshall@saulteau.com]

**Sent:** 2016, April 20 1:12 PM

**To:** Manson, Leah

**Subject:** Re: Attendees for tomorrow?

Hi Leah,

Myself, Marc and Rachel Olson (firelight) will be joining the mtg tomorrow in person, with no know dietary constrictions. Also we would like to record the meeting for meeting minute purposes.

Regards,  
Carmen

---

**From:** Manson, Leah <[Leah.Manson@bchydro.com](mailto:Leah.Manson@bchydro.com)>

**Sent:** April 20, 2016 1:37 PM

**To:** Carmen Marshall

**Subject:** Attendees for tomorrow?

Hi Carmen,

I wanted to follow up on my previous note on meeting attendance for tomorrow, so I have the right #s and any dietary restrictions. Right now I am expecting you and Marc D'Entremont. Is anyone from Firelight attending? Will James Hickling be in attendance? Any special dietary needs I should know about? Thanks,

Leah

---

**Leah Manson** | Aboriginal Relations

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She Wolfe gifted  
to BC Hydro by  
Art Thompson  
from the Dittidaht  
First Nation.

**Quarterly Meeting | Treaty 8**

**Date: February 15<sup>th</sup>, 2016**

**Time: 10:00am – 4:00pm**

**Location: Dunne za Lodge, Moberly Lake**

	<p>[Redacted text block]</p>		
•	<p>[Redacted text block]</p>	+	=

























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**Quarterly Meeting | Treaty 8**  
**Date: February 15<sup>th</sup>, 2016**  
**Time: 10:00am – 4:00pm**  
**Location: Dunne za Lodge, Moberly Lake**

	<p>[Redacted text block]</p>		
<p>•</p>	<p>[Redacted text block]</p>	<p>[Redacted text block]</p>	<p>[Redacted text block]</p>











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Quarterly Meeting | Treaty 8  
Date: February 15<sup>th</sup>, 2016  
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Location: Dunne za Lodge, Moberly Lake

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>		
6	<p>Discussions moved to GMS Rip Rap in the remaining 15 minutes of the meeting</p> <p><b>GMS Rip Rap</b></p> <p>CD – Is submitting the draft First Nations Independent Technical Review to Chief and Council for review and approval</p> <p>CM – SFN has done the technical review and have asked for a commitment letter from Hydro on items identified in the FNITR. The reason for a direct ask is because the project is 3 months from construction. LGL will also be sending a report on the detailed concerns.</p> <p>LM – Asked if the FNITR report will be completed by April 15?</p> <p>CM – It will be completed by April 15 but the report will likely be provided to BCH after.</p> <p>CD – Pointed out that council has to review this.</p> <p>LM – Asked if the Nations be comfortable submitting a draft to BCH?</p> <p>CM – SFN can't submit until it's completed with the traditional use information. Draft comfort letter from the legal office containing items of concern from the FNITR was sent to BCH. And can be re-sent. SFN will be meeting to discuss. SFN's legal may send a cleaned-up version of the letter this week.</p> <p>LM – Explained that an osprey nest near the Sand Flat quarry needs to be moved. BCH has drafted a wildlife mitigation plan for that and will be submitting a Wildlife Act permit to MFLNRO, who would refer it out to the Nations Are the Nations interested in receiving the osprey nest relocation plan prior to this?</p> <p>CD – He has heard other BCH osprey plans suggest high success rates with osprey relocations, but he doesn't know what that means and wants to see it.</p> <p>PC – The success rates referred to may be set out in BC Hydro's general osprey</p>	Leah All	3:30 – 3:48



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	<p>plans for ongoing program work. This plan will be a different, project-specific plan.</p> <p>LM - BCH can provide that.</p> <p><b>Action – Supply Nations with osprey nest relocation plan</b></p> <p>CD – Would be interested in monitoring the osprey relocation. Doesn't understand how MLIB views the sacredness of Osprey. He needs to follow up with MLIB.</p> <p>CB – Proposes that they send a monitor to shadow Ecofor so they can get training on how to deal with this.</p> <p>CD – The monitoring rates BCH pays are old rates and they don't reflect the true costs. Things have to be done to ensure that there is accommodation being made in order to support this process.</p> <p>NO – Pointed out that the rates are not sufficient.</p> <p>LM – BCH will have an announcement on the preferred project proponent by the end of February. They will be reaching out to the nations to discuss how that will involve the nations.</p> <p>CB – Asked LM to send information on the RFP package for the project</p> <p><b>Action: LM to send information on the RFP package for the project</b></p> <p>CD – Asked George if he had any additional comments.</p> <p>GD – Would have spoken more but everyone said everything.</p> <p>CB – Asked that BCH not take this meeting personally. This is emotional and he can respect where BCH is coming from, he hopes BCH can respect where he is coming from too.</p>		
7	<p>Closing</p> <p>RH thanked everyone for coming together.</p>	Rod George	3:48 – 3:50



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	GD - Provided a closing prayer.  Meeting adjourned 3:50pm		
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# BC HYDRO W.A.C. BENNETT RIPRAP UPGRADE PROJECT

**DATE:** APRIL 21, 2016  
**LOCATION:** NORTH GRAND HOTEL, CROWN ROOM  
**NOTATION:** NO BREAKS

---

**BC HYDRO PARTICIPANTS:**

LEAH MANSON  
KUNWARJIT KHANDPUR  
PAT CRAIG  
BRUCE MATTOCK

**FIRST NATION PARTICIPANTS:**

CARMEN MARSHALL  
(SAULTEAU FIRST NATIONS)

**OTHER PARTICIPANTS:**

RYAN DODDS  
(ECOFOR)

MARC D'ENTREMONT  
(LGL LIMITED)

RACHEL OLSEN  
JORDAN TAN  
(THE FIRELIGHT GROUP)

**RECORDED BY:**

LEAH MANSON

---

**COPY**

Mary Catherine McNeely / Charest Reporting Inc.  
#1650 – 885 W. Georgia Street, Vancouver, B.C. V6C 3E8  
Phone: 604-669-6449 Fax: 604-629-2377

1 [MEETING WITH BC HYDRO - NO BREAKS]

2 [BEGINNING OF AUDIO]

3

4 KK: -- and we don't have -- originally we thought it might  
5 take two to three years.

6 JT: M'mm-hmm.

7 KK: It may take a shorter period.

8 JT: For the quarry?

9 KK: Quarry, yes. So they're still preparing the plans which  
10 are being discussed, and only when BC Hydro is  
11 satisfied, they will accept those plans.

12 CM: Yeah.

13 KK: So we are still in -- because we are through the  
14 [indiscernible] process. So that includes a lot  
15 of things, including construction planning.

16 CM: Okay. Well, we had the most up-to-date when we started  
17 the study on a time crunch, so we didn't have  
18 time to, "Well, let's wait and see what the most  
19 up-to-date one is and then we'll do a study."  
20 But this kind of thing is good to know moving  
21 forward for mitigation.

22 BM: Yeah, absolutely.

23 CM: Yeah. Yeah.

24 KK: Well, there are two things. One is --

25 CM: But we -- we need that in writing.

1 KK: BC Hydro had a base plan. So we put that base plan in  
2 an RFP.

3 CM: Yeah.

4 KK: And then comes the contractor's plan.

5 CM: M'mm-hmm.

6 KK: So the contractor's plan can -- can be the same as BC  
7 Hydro, or it can be different.

8 CM: M'mm-hmm.

9 KK: And what we find is, they are slightly doing it more  
10 quickly than what we thought.

11 CM: Oh, okay. Yeah.

12 KK: They're putting in more resources --

13 CM: Yeah.

14 KK: -- and trying to complete the work, because that  
15 saves -- if we do it faster --

16 CM: Saves money.

17 KK: Saves time and money.

18 CM: Yeah. So do you guys have in writing the latest  
19 commitments or changes that we can look at?

20 KK: No. We don't have it, no.

21 CM: Okay. Because that's helpful.

22 BM: I'm still negotiating it.

23 CM: Okay.

24 KK: By end of May we will be probably finalizing our plans  
25 with the contractor. We, like I say, very -- I

1                   want to say active negotiations of engagement is  
2                   going on with the contractor.

3    CM:   M'mm-hmm.

4    KK:   And we hope to finalize by the end of May.  That's our  
5           plan.

6    CM:   So, yeah.  That puts us in a pickle in a way, because  
7           consultation is delegated with regulators, we  
8           have a timeframe.  So we kind of need to work  
9           with what we have, and when people did the study,  
10          they -- anyways, it just -- it is -- we did the  
11          study with the base knowledge we had.

12   KK:   Yeah.

13   CM:   And then we work on changes together going forward.  We  
14          kind of have these deadlines with the hearing,  
15          right --

16   LM:   Yeah.

17   CM:   -- that we need to submit things, so not having the  
18          latest plan printed, the only thing we can do is  
19          go off what we have.

20   BM:   We can agree to things, but the details are still to be  
21          worked out, right?

22   CM:   Yeah.

23   BM:   I mean, the fine details to be worked out.

24   CM:   Yeah.

25   BM:   That's basically what I'm saying.

1 CM: Yeah.

2 KK: We can work on the whole process around those things.

3 Yes, we are working with the contractor trying to  
4 finalize the things as soon as possible.

5 CM: M'mm-hmm. And as a First Nations group we have an  
6 established treaty with the government, so we're  
7 trying to work on the consultation requirements  
8 around that, and we don't have the liberty or  
9 option to work on consultation with contractors.  
10 So we're kind of following where we can make a  
11 difference in consultation right now.

12 So, you know, we understand that at the  
13 time, the people doing the work or the water  
14 extractions will be contractors, they'll develop  
15 their custom plan with details, but as a First  
16 Nations person, we really -- the most difference  
17 is made in the preventive measures to your treaty  
18 rights when you're working at a regulator stage.  
19 We don't have the luxury to go out and meet with  
20 the local contractors and say, "Understand our  
21 treaty rights, this is how they're mitigated",  
22 it's not delegated to contractors.

23 So we're trying to do what we are able to do  
24 now, is what I'm trying to say.

25 LM: Yeah, no, of course.

1 CM: Yeah.

2 LM: It's not our intention to sort of fob you off on  
3 contractors, or anything like that.

4 CM: No.

5 LM: I mean, we need to be here to hear all this, and then  
6 we -- I think what we're -- what we're trying to  
7 convey right now is that, you know, we've --  
8 we've got your reports, we've heard, like, a lot  
9 of these concerns --

10 CM: M'mm-hmm.

11 LM: -- and we want to [indiscernible] contractor to sort of  
12 incorporate some of these into the plans that  
13 we're developing right now. That being said,  
14 obviously we're going to share those plans with  
15 you too, so you can make sure that you get a look  
16 and, you know, have your own eyes on it and  
17 stuff. Yeah.

18 CM: Yes, but we're asking for a commitment, like we  
19 discussed last time. You know, committing to it  
20 twice doesn't hurt the process in any way, but  
21 that's what we're -- we're requesting. To build  
22 a relationship, to be preventive on the impacts,  
23 and go forward.

24 So did you guys have any questions about the  
25 land use study? I know we had some really good

1 discussion in our last telephone conversation.

2 KK, you had some questions on cultural  
3 continuity. Does that kind of make -- is it more  
4 clear now, or should we elaborate on it?

5 KK: Yes, we have the studies, we know what are the -- we  
6 still a [sic] little bit more knowledge into the  
7 [indiscernible] this time.

8 CM: Okay. How so? Some more knowledge on it?

9 KK: Yes.

10 CM: Okay.

11 JT: Do you have any specific questions? We're happy to  
12 answer them now.

13 KK: I think we [inaudible].

14 JT: Do you want to go to that section?

15 RO: This one is probably the good one.

16 BM: So of the five or six valued components, which one  
17 received the most -- the most responses, or the  
18 most interest, or the most --

19 JT: Do you mean in terms of ...

20 BM: Like, was it hunting? Was it cultural access? Which  
21 one provided -- I'm just trying get an idea on  
22 what -- you know, trying to prioritise them.

23 CM: Yeah.

24 JT: That one's a little tricky to answer, because, well, the  
25 most obvious answer from the perspective of what

1                   we got, in terms of the usage report, is cultural  
2                   continuity aspects would probably be the largest  
3                   ones because it's connected with all the rest of  
4                   it.

5    CM:  Yeah.

6    JT:  But if you're looking -- and again, maybe I should ask  
7                   for some clarification about whether or not we're  
8                   talking about specifically the map values, or are  
9                   you talking about a more general sense about what  
10                  aspect are Saulteau members most concerned about  
11                  overall?

12   BM:  I would say in our project area.

13   JT:  In your --

14   BM:  Yes.

15   JT:  But do you mean the map values, or do you mean as a  
16                  general sense of concern?

17   BM:  Yeah, of your 156 responses --

18   CM:  What is the most numerous one?

19   BM:  -- you know, 80 were hunting --

20   JT:  Okay.

21   CM:  Okay.

22   BM:  40 were cultural continuity, 12 we're fishing.  I  
23                  don't --

24   JT:  Let me just take a look.

25   KK:  Yes, we are a little bit unsure about what are those

1 values related to or how they are correlated.

2 CM: M'mm-hmm. Correlated, okay.

3 R0: So they're -- they're detailed on page 22 of the report.

4 JT: Yes, so if you look at page -- yeah. 22 that's -- yeah.

5 So there's a table there that will show you --

6 R0: There's a table on 21.

7 JT: -- the amount of reporting. And there's also one for

8 [indiscernible] Lake, as well. But if you look

9 at the table, Table 1, it does list the amount of

10 values that we mapped in each area, study area,

11 and for each valid component.

12 I do want to stress though, that the values

13 that are mapped, again, you know, we do our best

14 that we can in the amount of time and with the

15 amount of resources that we have available to us.

16 So any absence of value, if we didn't map it, for

17 instance, but because hunting and trapping appear

18 strong in the footprint, doesn't mean that there

19 aren't other values in, say, medicine gathering,

20 and these are, as with all quantitative kinds of

21 metrics, for instance, gathering of plants and

22 medicines, especially medicines, isn't something

23 that you go out and do all the time, right?

24 CM: It's not -- we're talking about -- we're talking about a

25 question of quantity and importance of quantity.

1 JT: Yeah.

2 CM: So one example of that is, like, for example, my family  
3 and I, as a little girl would travel up here and  
4 practice our rights, put it officially. So our  
5 family would go out, and my uncle would go and he  
6 would be hauling wood and he would be hunting.  
7 But along the trail, my aunties or my mom, we'd  
8 all be together, and they would show me things  
9 about plants.

10 And so we -- but those plants, we wouldn't  
11 do that as numerous as, say, hunting a grouse.  
12 So the value of hunting a grouse could be pretty  
13 numerous. We could have got, in that season, 20  
14 or 30 chickens, because we'd be going out and  
15 they'd be hidden on the side of the road or  
16 hiding in a bush, and we'd learn about hunting  
17 grouse.

18 But say on a trip I learned three different  
19 times how to harvest medicine. And harvesting  
20 that medicine is really important to me as an  
21 adult now, and it's just as important as hunting  
22 the grouse. But if I didn't know where that  
23 medicine is, and when I get sick to help heal  
24 myself, we just -- there's a caution with that,  
25 because that medicine, where it is would be a

1           number 3, and a grouse would be number 20 on  
2           there, you know what I mean?

3    BM:   Yeah.  Yeah.

4    CM:   So those values both are just as important.  Like, even  
5           Twin Sisters, we don't have a high quantity of  
6           numbers of extractions, so Twin Sisters is a very  
7           spiritual site, very integral to our -- who we  
8           are as people, but we don't do a lot of, say,  
9           wood chop in there because it's alpine, there's  
10          wood.  So you haul your wood up there, and it's  
11          part of you working and learning to be a  
12          productive adult, let's put it that way.

13                 So it -- the quantity number is important,  
14                 to know that the values are there, but sometimes  
15                 it doesn't always stress the importance of the  
16                 value to our people.

17   BM:   Okay.  That's good.

18   CM:   And there's one thing I really want to share, is when  
19           we -- part of our treaty is our mode of life.  
20           And "mode of life" in Cree is "pimatisiwin"  
21           [phonetic].  When people ask you, they'll say,  
22           "How are you doing?"  Doesn't really mean, like,  
23           "Hey, how was your lunch?"  They -- it's a little  
24           more in depth.  And what it means is, "How is  
25           your way of life?  Are you living a healthy life?"

1           How is your quality of life?" You kind of ask a  
2           person. And generally people will tell you about  
3           how am I doing as an individual. And health  
4           indicators for people that are -- that are  
5           Saulteau, would be talking about stress levels,  
6           diet, relationships with your family. All those  
7           kind of things indicate -- how are your children  
8           doing? Are they healthy? All those things are  
9           part of your mode of life that are protected.

10                   And so, like, my great grandpa lived a  
11           really healthy life. He was a [indiscernible] in  
12           this area. And when people would ask him, he  
13           would tell you about those things, about his way  
14           of life.

15                   And so those are the things that we love.  
16           Those are things we want to protect. So when we  
17           come to the table, we're thinking about those  
18           values. And when we have culture camps, we're  
19           trying to think about gathering health and  
20           people's way of life and how to be a healthy  
21           person and how to have that quiet enjoyment.

22                   And we all know those things as humans.  
23           That's nothing special to Saulteau. Those are  
24           values, that we all have places of solitude. The  
25           bushes are our church where we practice our

1 ceremonies, it's our grocery store, it's our  
2 pharmacy, it's our gym, it's our -- instead of  
3 hanging out with the girls in the mall, you go  
4 pick some berries with your family. You  
5 interact.

6 So I just want to share that with you guys,  
7 that those things are the things we love so much  
8 that we're trying to protect, the values. And  
9 ways we think would be an improvement or  
10 solutions are really directed to less -- less  
11 impacts on those rights and ways that we can kind  
12 of accommodate the schedule of this construction,  
13 and still continue our way of life.

14 And -- and one way we see a solution to that  
15 is kind of doing timing, right, with  
16 construction, so that we're not overlapping  
17 high-use times in the summer. And you know, kind  
18 of just really communicating those solutions to  
19 you guys so we can kind of keep on doing what  
20 we're doing, and you guys still repair the dam,  
21 which is very important as well.

22 You know, I just hope that comes across as  
23 where we're -- our prerogative here is to show  
24 you those values, and people are concerned  
25 because they love their way of life. They want

1 to remain healthy. We want a healthy community.  
2 How do we work with the proponents in the area to  
3 do so. And that's why -- you know, that's the  
4 whole reason why we're doing these technical  
5 studies, to really bring to light what are those  
6 issues and ways that we can work together.

7 LM: Absolutely. It's sounding like -- just sort of thinking  
8 about the presentation and some of the things  
9 we're hearing here, it definitely sounds like the  
10 safe access piece is very important.

11 CM: M'mm-hmm. Yes.

12 LM: And we've been talking a lot about that internally, and  
13 how we can try and facilitate some of that,  
14 because it -- and I'm glad that -- I'm glad it  
15 looks like we've been focusing some effort in the  
16 right area --

17 CM: M'mm-hmm.

18 LM: -- because that does seem to be a pretty big deal for  
19 folks.

20 CM: Yeah, it's the -- and the disturbance levels with the  
21 noise and dust was coming up a lot in the study,  
22 and people were really concerned with "Where is  
23 the dust traveling? Will it affect my berry  
24 picking, my medicines that I'm picking?" And  
25 then they're asking "What are the impacts", too,

1 right? Like, we want to understand how much dust  
2 loading. Is it going to disturb animals, the  
3 noise, are they going to be avoiding the area for  
4 four years and then we're avoiding the area  
5 because we don't have things to hunt?

6 I guess another piece -- so cultural  
7 continuity is talking about sharing those values,  
8 but not share them in an office where you talk  
9 about "This is how you pick a berry." You take  
10 the kids out, you show them you can do so. So in  
11 order to do so, you need to have safe places to  
12 practice for younger generations. You need to  
13 have comfortable environments for elders to feel  
14 welcome. You know, elders don't feel welcome if  
15 there's a jackhammer behind them and they're  
16 trying to talk about berries, you know? Or  
17 you've got kids that you're trying to deal with,  
18 logging trucks or -- and trying to show them how  
19 to do things.

20 We -- one of the culture camps is right on  
21 the Johnson, and there's so much dust loading and  
22 noise from the traffic that people are starting  
23 to avoid the area. So one was that they didn't  
24 haul two weeks out of the year when they're -- a  
25 lot of people are out there. It wasn't the

1 perfect solution, but it helped.

2 LM: Yeah.

3 CM: Because people can't practice spirituality when you have  
4 a huge truck flying by.

5 LM: Yeah.

6 CM: You know, people that are praying in a church, if you  
7 have a huge jackhammer going, it makes it more  
8 hard to practice your way of life. You know,  
9 it's the same thing.

10 LM: Yeah, absolutely. Well, I wonder, would it be helpful  
11 at this point to maybe start going through some  
12 of the recommendations in the FNITR and what we  
13 think we can do, or ...

14 CM: We could, yeah. For sure. Maybe we could take a little  
15 five minute break for people to refresh --

16 LM: Yeah, of course. Take a five minute break.

17 CM: -- and then Marc could show some of the hands on stuff.

18 LM: Yeah, sure. That would be great.

19 RO: Thank you.

20 JT: Thank you.

21 LM: There are washrooms down the hall.

22 CM: Thank you.

23 LM: Incase you didn't see them earlier.

24 [BREAK - RECORDING OFF]

25 MD: -- main issues and concerns there from a First Nations

1 perspective, see how they're addressed by  
2 [indiscernible] environmental assessment work,  
3 permitting work, or any of the other -- whatever  
4 documentation was available to see whether that  
5 information, then, does address those issues and  
6 concerns, or whether there remain gaps. And  
7 then, if there are gaps and issues that are  
8 unresolved, kind of work with proponents to see  
9 if there's a way of resolving those issues. And  
10 then, at the end of the process, kind of bring  
11 all that information back and use it to say  
12 "Here's how the issues and concerns are being  
13 addressed, or remain unresolved", essentially.

14 And so for the independent technical review,  
15 kind of based back on the proposal we submitted,  
16 we -- there's valued components that are  
17 identified from the bio-physical and  
18 socio-economic areas. And then I just put the  
19 box up here on the screen, just to highlight  
20 them.

21 And so the format of the report, then,  
22 follows these valued components, and again, kind  
23 of reiterates what information was presented on  
24 them in terms of what the current environmental  
25 condition is of the site, how that then relates

1 to the assessment of effects, whether they're  
2 assessed or not. And then from that, that leads  
3 into the, you know, what specific mitigation we  
4 think would be applicable to reducing any  
5 identified impacts, or not.

6 A lot of the components, there is a lot of  
7 overlap in them. So you know, just depending on  
8 what the issues are, for example, you know, with  
9 soils and terrain, the biggest concern is  
10 sedimentation into water courses, which then  
11 affects water quality, fish habitat,  
12 [indiscernible] areas and such. So there's --  
13 like I say, there's lots of overlap. And so we  
14 tried to kind of raise the main ones under each  
15 sort of component, but be more succinct in  
16 identifying specific work plans for addressing  
17 them.

18 So any questions sort of on the approach?

19 It's pretty straight forward.

20 BM: Were those feathered out of the TUS?

21 MD: So -- so we started this several months ago, well before  
22 the TUS got [indiscernible], and again, when we  
23 were asked to send in a proposal for bidding this  
24 work, the information that Carmen and Clayton and  
25 others, said, you know, "These are the components

1 we'd like you to focus on." So these are the  
2 components that are of importance to First  
3 Nations.

4 And I guess there is the, you know,  
5 traditional land use and resource use and  
6 community health stuff, which is more closely  
7 related to the TUS work, but I will say that from  
8 the technical side of things, you know, the  
9 components on the bio-physical side are very --  
10 also very closely related to the TUS work, as we  
11 kind of just heard, in terms of hunting and  
12 fishing values and things like that.

13 CM: And part of the bio-physical values are pretty -- pretty  
14 standard, and are tailored for projects. But we  
15 do other independent reviews for mines and  
16 quarries and wind projects, and those are similar  
17 values that we put up. Mining has more of a  
18 focus on contamination, for example, or  
19 pipe-lines, that sort of thing. But we generally  
20 follow these in their scope of the community,  
21 what keeps coming out as valued components.

22 BM: They're pretty standard in most units.

23 MD: Yeah.

24 CM: Yeah. Yeah, exactly.

25 MD: And so I guess the couple different things with this

1 particular project is, you know, so the --  
2 everybody knows it didn't trigger a formal grand  
3 mal assessment review through Saulteau or BCEAO.  
4 There was a lot of, you know, permits that were  
5 being applied for and that were received, but --  
6 so a lot of the focus was on just kind of  
7 reviewing what information was -- was used to  
8 support [indiscernible].

9 BM: Yeah. And that was our primary focus is --

10 MD: Yeah.

11 BM: -- providing output information for [indiscernible].

12 MD: Yeah. So from here, like, I don't know if I need to go  
13 through each component, so I don't know what is  
14 the best way to proceed here, in terms of, do you  
15 want to go look at some of the recommended work  
16 plans for addressing key issues, or do you want  
17 to focus on some of the key issues, or ...

18 CM: Well, it might be good to do an overview of the key  
19 issues, like a high level, and then a direct ask  
20 for each section. Just as a summary, because we  
21 did --

22 MD: Yeah.

23 CM: We did submit it last Friday, which was -- how -- do you  
24 guys feel comfortable doing that?

25 LM: Yeah, I think --

1 BM: I think key issues are key.

2 CM: Key issues? Straight to the key issues, sure. Okay.

3 MD: So we'll go through kind of each component and we'll  
4 just skip down to the summary part of it. So the  
5 other thing, too, when we were first working  
6 with, I guess, Rod, on scoping this all out, he  
7 was hoping that we would, you know, give him the  
8 sort of abbreviated timeline of where the  
9 project, you know, when it came to getting enough  
10 work done, having this kind of approach where  
11 mitigation and monitoring would be presented as  
12 well. So that's -- that's the -- whereas I think  
13 in other kinds of independent reviews, it's, you  
14 know, here are the issues, and then let's work  
15 together on mitigation work. So that's kind a  
16 different ...

17 So I -- with the soils and drain component  
18 of it, like I said, the major issue was the  
19 sedimentation into other components that would --  
20 primarily the creeks and stuff -- which would  
21 impact water quality, fish habitat,  
22 [indiscernible] habitat, wildlife habitat.

23 BM: And it does seem to be a key concern. I just have a  
24 question, was -- was the bulk of the settlement  
25 in erosion control issues related to expanding

1                   the table road to 20 metres?

2    CM:  Not always.

3    MD:  No.

4    CM:  It's the hauling.

5    MD:  Yeah, I mean --

6    CM:  Yeah.

7    MD:  -- there was the road upgrade component of it, but also,

8                   you know, road activity, and then also work at

9                   the actual quarry site, too.  Yeah.

10   BM:  I just -- if you were using the assumption --

11   CM:  It's a factor.

12   BM:  -- that that road was going to be 20 metres, that's a

13                   significant [indiscernible] work --

14   CM:  M'mm-hmm.

15   BM:  -- with, I don't know, 78 water courses there, of course

16                   there's going to be a lot of sediment erosion.

17   CM:  Yeah.  Yeah.

18   BM:  But I would assume that the scope in the road from point

19                   E, down to six, would reduce some of these

20                   sediment erosion control issues.

21   CM:  Well, when we -- we scoped the review with the members

22                   and just generally went through what activities

23                   this project includes.  So we -- we said, you

24                   know, some type of road construction or

25                   maintenance is part of this project, they're

1 going to be hauling, and just giving them the  
2 overall general things that will happen in this  
3 project.

4 So the hauling and then the quarrying, and  
5 moving rock. And so they were aware that all  
6 those activities, [sic] but they weren't  
7 specifically -- we didn't gear down to "This road  
8 will be widened right here at this point", we  
9 were trying to focus on, generally, what would be  
10 concerns with value components interacting. They  
11 said, "Okay, hauling" -- hauling --

12 MD: So this is more broad based?

13 CM: It's more broad based.

14 MD: Yeah, yeah, okay.

15 CM: Yeah.

16 MD: And like I say, whether the road is getting, you know,  
17 widened by a metre or five metres, there is still  
18 the potential there for sedimentation to occur,  
19 depending on where it's happening, if it's  
20 happening in closer proximity to the water  
21 portion and all that. So it's -- so it's things  
22 like that.

23 BM: M'mm-hmm.

24 MD: And I think, too, like, getting into the specifics of a  
25 plan, well, do we know where these road upgrade

1 activities are happening? Is there -- is there,  
2 you know, a commitment that --

3 BM: What culvert is going to be replaced?

4 MD: Well, there's the culvert stuff, but then, you know, is  
5 there a commitment that they're not going to  
6 widen roads within 100 metres of the water  
7 course, for example, or --

8 BM: Hmm.

9 MD: Things like that.

10 KK: I can just -- the current road has already been up  
11 graded by Canfor for their use. And what I  
12 understand, the team is going, maybe, next week.  
13 The contractors team is going there to assess the  
14 condition of the road.

15 CM: M'mm-hmm.

16 KK: But there was a previous visit also, an assessment, and  
17 the current road has been significantly upgraded  
18 by Canfor.

19 MD: Has that happened --

20 KK: So probably --

21 MD: Has that happened since the site visit in September?

22 KK: It happened in the last fall, and that is the current  
23 condition. I think even Ryan went over there.  
24 They have cleared all the vegetation, and blah,  
25 blah, all those things, for their operation.

1 MD: Right.

2 KK: So all the contractors are not yet on the field, but I  
3 don't think -- as Bruce is saying, we don't think  
4 that we are going to widen the road, except for  
5 these pullouts. The road is in pretty good shape  
6 now, and the contractor is going to make an  
7 assessment whether any further upgrade is  
8 required. I don't say it is not required, may be  
9 required --

10 CM: M'mm-hmm.

11 KK: -- but depending on the traffic which is planned for  
12 this project -- so what I'm trying to say is that  
13 the upgrades may be minimal, because that again  
14 involves cost, and it has to align with the  
15 hauling objectives of the contractor.

16 CM: But we need -- we need that --

17 LM: Yeah.

18 CM: So that information is brand new to us. Great. But we  
19 need that -- some kind of assurance.

20 KK: No, the -- the upgrade done by Canfor is actually when  
21 we visit there, we came to know.

22 CM: Sure, okay.

23 KK: And they didn't tell us that we had to upgrade it.

24 CM: Oh, yeah.

25 KK: So they have actually upgraded this [indiscernible]

1 road.

2 CM: M'mm-hmm.

3 KK: The road is already -- I visited last -- last September

4 we had a visit by the elders, and after October,

5 we had a site visit for the contractors because

6 when we floated the RFP, there was no opportunity

7 to go for a site visit. So we did a pre-RFP site

8 visit.

9 CM: Okay. Yeah.

10 KK: And in September you were there --

11 MD: Yeah.

12 KK: -- when we also went with the elders of the First

13 Nations.

14 CM: M'mm-hmm, yes.

15 MD: So it was after that that Canfor --

16 CM: That they upgraded the road.

17 KK: Yes.

18 MD: Okay.

19 KK: That's what -- when I went in October, I found the road

20 to be in very good condition.

21 CM: So will they be hauling wiggle or rock trucks on the

22 road?

23 KK: Excuse me, what?

24 CM: What kind of trucks are going to haul the quarry rocks?

25 Is it rock trucks?

1 MD: Rock trucks.

2 KK: They will be rock trucks.

3 CM: Rock trucks.

4 KK: Hauling in rock trucks. I think those details are being  
5 worked out.

6 CM: So we're saying that the road -- they're not confirmed  
7 yet, you need to talk to the contractor, but  
8 you're saying that we can haul one-way rock  
9 trucks on this road, no problem?

10 KK: Yes. I am told by my --

11 CM: Are they passing each other?

12 KK: I'm -- no, the pullouts are there. Pullouts are for --

13 CM: Pullouts, okay, for one-way rock trucks back and forth?

14 KK: Yes.

15 CM: Okay.

16 KK: That means the road is not double lane in any way?

17 CM: No, yeah.

18 KK: So that is why there will be pullouts?

19 CM: M'mm-hmm.

20 KK: There are already existing pullouts, also.

21 CM: Yes.

22 KK: Because Canfor trucks, they pass each other.

23 CM: Yes.

24 KK: So they have a pullout.

25 CM: Okay.

1 KK: But there's the possibility that contractor may like to  
2 have more pullouts for efficient hauling.

3 CM: Sure. M'mm-hmm.

4 KK: Because if the hauling is not efficient, they incur more  
5 expenditure in hauling. So there has to be  
6 optimisation of [indiscernible].

7 CM: It's also on a cliff, so ...

8 KK: M'mm-hmm.

9 CM: We're always puzzled how they're going to widen a road  
10 on a cliff.

11 KK: No, we are not going to widen the road from single lane  
12 to double lane. That should be very clear to  
13 you. We are only having additional pullouts.

14 CM: Sure. So I think one solution is -- this is all new to  
15 us, and this changes some things, and it doesn't  
16 change others, but it's brand new today to learn  
17 this stuff. And the more information we have in  
18 our -- get to those solutions, right? We're not  
19 going off in left field. Some things will still  
20 apply, like hauling impacts. But if we're not  
21 widening a road by 20 metres and we're talking  
22 about a wetland --

23 KK: I think that was very clear --

24 CM: -- this would be helpful.

25 KK: But that was already very clear in our RFP and our

1 documents.

2 CM: That was after this study.

3 LM: -- [indiscernible], though, KK.

4 KK: Okay.

5 LM: I think -- I mean, I think what we're -- what we're --

6 what I'm hearing, anyways, is that if we, sort

7 of, based on our contractors' visit, if we end up

8 deciding, and the contractor decides that we

9 don't actually need to do much in the way of

10 upgrading, it would be nice to give that kind of

11 a descriptor and update to Saulteau --

12 KK: Yes.

13 LM: -- as soon as we got it, right?

14 CM: Exactly.

15 KK: Yes, we will give that ...

16 LM: Yeah.

17 KK: Yes, we will give that to you.

18 CM: But I was talking about, "Hey, we're not doing this

19 anymore", and these concerns. What we're trying

20 to say is, till we get that committed to, it's

21 still -- what it is --

22 LM: It's fair for you to use the base [indiscernible].

23 CM: -- like, yeah. We don't know, because we had the

24 hauling with barging, too, which we were set on.

25 LM: Oh, yeah, right.

1 KK: Well barging was not feasible because --

2 CM: Oh, we know, but it was presented to us first, right?

3 So until we get it in writing, then we move along

4 with the new information in writing.

5 KK: No, we have been from the beginning saying there are two

6 alternate routes.

7 CM: M'mm-hmm.

8 KK: And that information we, I think, I have been giving you

9 from the beginning.

10 LM: Yeah, and I think --

11 KK: -- and we said we will -- it will be based on

12 contractor's rate.

13 CM: Yes, and were verbally communicated that out of the two

14 options --

15 KK: Yes.

16 CM: -- water barging was preferred.

17 MD: M'mm-hmm.

18 CM: Then, hence, a trigger didn't happen for us to do the

19 technical or land use. It wasn't saying this is

20 the only one in verbal communications with Rod

21 Hill, it was that this was a preferred option by

22 Hydro. So all we're trying to point out is, it

23 is very helpful in relation to building to just

24 put it in writing saying, "After", you know, "we

25 are not widening this road." It directs our

1 mitigation in appropriate places.

2 LM: Yeah.

3 CM: That's where I am -- we both are not on a lot of time to  
4 get things properly organized before a rock truck  
5 starts hauling.

6 LM: Yeah. And I think we can definitely provide you with a  
7 bit of an update once we've got a better idea of  
8 the scope of the road upgrade slash  
9 [indiscernible].

10 CM: I think for the aid of this --

11 KK: And we considered those two options in BC Hydro, and in  
12 August 2015, I think, we sent out a communication  
13 that [indiscernible].

14 CM: That's great, yeah.

15 LM: Yeah.

16 CM: That's fine. It is what it is. When we're talking  
17 about these concerns, by responding to us saying,  
18 "We're not sure, we don't even think that's an  
19 option" doesn't really --

20 LM: You need [indiscernible] --

21 CM: I'm just trying to think of -- like, saying, "Well,  
22 we're probably not going to do that anymore",  
23 doesn't really get to the heart of the solution  
24 here, until we get that in writing, is what I'm  
25 trying to say.

1 BM: I think we're just trying to provide you with an update,  
2 verbally.

3 CM: Yeah.

4 BM: And as soon as we know some of the finer details for  
5 sure, we're going to have to provide you with a  
6 project update.

7 KK: Yes, definitely.

8 CM: Yes, great.

9 [MULTIPLE SPEAKERS INDISCERNIBLE]

10 CM: Great.

11 MD: So the other issue I want to raise with the road  
12 activity, though, is just, you know, the movement  
13 of trucks and traffic back and forth. And that,  
14 depending on the weather conditions, is going to  
15 create sediment and dust. And with the, you  
16 know, the watering of the road and/or heavy rains  
17 and stuff, there's still the potential for  
18 sedimentation to get the water courses.

19 KK: Yes. Yes.

20 MD: So we want to make sure that that issue is identified  
21 and addressed by, you know, making sure that if  
22 certain control structures need to be placed  
23 around the water courses, whether it's silt  
24 fencing or diversion channels and stuff, so that  
25 there isn't --

1 KK: [Indiscernible] get covered more on these things.

2 JT: And you know, the idea too is that Hydro and its  
3 contractor work with the First Nations on the  
4 specific issues, and again, getting -- jumping  
5 ahead here, we're getting to the point of having  
6 a First Nations monitor on site to say, "Yes,  
7 these measures are in place." And they can  
8 address that issue and stuff, so ...

9 LM: Yeah, for sure.

10 MD: I think -- like I said, and assume, you know, those  
11 specific details will be outlined in the  
12 contractor's [indiscernible] in terms of what  
13 structures and stuff can be used and what they  
14 look like and things like that. And it will be  
15 where they're applied that we'll need to  
16 communicate on as well, right?

17 LM: Yeah. And I think we took a look at the list of --

18 KK: Oh, yes.

19 LM: -- sort of sediment control measures that you had  
20 provided, too. And I think, you know, I'll let  
21 the environmental folks speak to this with a bit  
22 more knowledge, but I mean, to us, I think those  
23 look like pretty standard practical measures that  
24 would be in a sediment control plan and we're  
25 prepared to --

1 KK: I think after we received the -- your final FNITR and  
2 also the TUS --

3 CM: We have --

4 KK: We received it on Friday last --

5 CM: Yes.

6 MD: Yeah.

7 KK: After that, the whole team, including the environmental.  
8 And we also involved the contractor, and that  
9 sort of table we have sent to you on Tuesday.

10 CM: M'mm-hmm.

11 LM: Yeah, and Carmen said she hasn't had a chance to look at  
12 it, so we can run through it a bit today.

13 KK: Yes, if you run through it, you will see that --

14 LM: Or speak to it as we speak to the work plans.

15 KK: -- we speak to all -- all the mitigations are what you  
16 have proposed in the FNITR and the TUS, we have.

17 CM: They're all committed, too?

18 KK: We have -- that's why we want to go through that with  
19 you.

20 LM: I think there's a few that are sticky for us, but  
21 there's some of them that we know right now that  
22 we can say "yes" to.

23 KK: So that --

24 CM: So you guys took the results from both our land uses and  
25 FNITR to commit to them all?

1 KK: We prepared --

2 LM: Are the TUS ones in there, guys?

3 BM: If you look through the -- our table, I mean, you'll see

4 there's ones we can commit to, and there's ones

5 where we need more information really to

6 understand what would be required, and there's

7 some that no, we're not going to commit to. So

8 there's a range in there.

9 CM: Okay.

10 MD: And then, I guess, the last point I'll just reiterate on

11 this is, so when it comes to installing any

12 structures is the monitoring, to make sure that

13 they're effective.

14 KK: We answered that in our table which we sent you on

15 Tuesday.

16 MD: So there's -- the things --

17 CM: What we're trying to do today is just share the

18 information. This is phase one, here.

19 LM: [Indiscernible] concerns, then we'll move on to some

20 mitigation measures.

21 KK: Okay.

22 CM: It's exciting to --

23 MD: And the only thing about monitoring I want to reiterate

24 too, is the communication that monitoring

25 involves back to [indiscernible] say things are

1           working, things are not working. If it's not  
2           working, [indiscernible] fix.

3   KK: With respect to the communicating, we had committed to  
4           that. We will communicate all the monitoring.  
5           We have --

6   BM: Let's go through the information first, and then we can  
7           talk about -- get that all in one spot so it's  
8           easy to convey.

9   MD: So from a water quality -- so there's two things: Water  
10           quality and water quantity. We'll talk about  
11           water quality first. Again, related to  
12           sedimentation issues [indiscernible]. So we talk  
13           about specific water quality monitoring plan. So  
14           looking at specific turbidity levels in  
15           particular fish bearing water courses within the  
16           project area.

17   CM: We had a question about this last week, about what were  
18           the stream crossing quality indices?

19   LM: Oh, yeah, that's right.

20   CM: And the question came up, well, we have a data set, but  
21           it may not match this data set. Do you remember  
22           we were --

23   BM: Yeah.

24   LM: Yeah, absolutely.

25   BM: So you've done this?

1 CM: We're asking that Hydro conduct this survey.

2 BM: Have you done this before?

3 CM: The -- with -- not the projects that I'm a lead on,  
4 because it's not forestry.

5 BM: Right.

6 CM: So I can say Saulteau has done some other projects, but  
7 not that I'm a lead on.

8 BM: And just curiosity, why -- why do you use these? This  
9 index?

10 CM: We reference that index because of Canfor having that  
11 data set.

12 MD: Because of forestry --

13 CM: Because of the baseline part of it. That was where we  
14 thought it might be useful to look at trends and  
15 say, "Well, we know what -- this is really high  
16 level -- turbidity levels have been in the area  
17 prior to logging and are during logging." And we  
18 can make sure turbidity is on the checklist for  
19 this.

20 So I know we wanted to talk a little further  
21 about just comparing the two. We might not have  
22 that answer right today and right now, but if we  
23 take it on our action item to say what are those  
24 values we're looking for and compare it to what's  
25 collected, we can kind of make sure that there's

1                   nothing missing. I just wanted to flag that for  
2                   us to do that activity.

3    MD: So we provided some recommendations just in terms of,  
4                   you know, frequency of water quality monitoring  
5                   and that kind of stuff.

6    BM: So where does the two hour interval come from?

7    CM: That's the water --

8    MD: That figure, yeah, it came from previous environmental  
9                   monitoring plans that [indiscernible] and it's  
10                  more so -- so it says potential for sedimentation  
11                  is higher. So essentially, under higher  
12                  [indiscernible], things like that.

13   JT: High risk activities.

14   MD: High risk activities, yeah.

15   CM: Culvert replacement.

16   BM: [Indiscernible] in the water.

17   CM: Yeah.

18   MD: Increase in frequency [inaudible]. Which is again,  
19                  standard practice. So then skipping over to the  
20                  quantity -- water quantity issue. So we know you  
21                  have the permits to extract water from the  
22                  Williston dam Squaw Creek and the perimeter of  
23                  Squaw Creek, then I think there still remains  
24                  concerns about extracting water from those  
25                  creeks.

1                   So I think we know that there's ample water  
2                   in Williston, and it just becomes a question of,  
3                   will that be the main source of water or, like,  
4                   as I mentioned earlier too, with water levels and  
5                   the risk of -- lower water levels in some of the  
6                   creeks and use of those particular ones for  
7                   fishing and stuff. Any individual impact would  
8                   be of heightened concern.

9    CM:   Yep. We're looking at drought and such, though. Our  
10           request is to focus withdraw on the boat ramp.  
11           It has a pretty low impact access to the  
12           reservoir, huge body of water with less  
13           allocation of the water body to the water trucks.  
14           So we've noticed that there's been some  
15           resistance, because the permits issued that you  
16           guys have for those smaller tributaries, and we  
17           were curious to find out, has there been a  
18           modeling or economic analysis done to say how much  
19           it saves time for the water hauler to extract out  
20           of those small creeks, compared to going back and  
21           getting a load from the Williston?

22   BM:   That's the trade-off, right?

23   CM:   Yeah.

24   BM:   It's more truck time and dust on the road to go all the  
25           way to Williston because of the distance, or it's

1           less dust and less truck activity if we use it  
2           closer to the site where we're going to use it.  
3           But we haven't done any analysis.

4    CM:   So -- you guys haven't.   Because what I was curious  
5           about is, where would the water truck haulers  
6           stay?   Like, if they're doing loads out of Hudson  
7           Hope and they're travelling back and forth, like,  
8           as a water truck driver, you know, you have to  
9           get to the quarry site every day, and you're  
10          going to be doing the lower end of it.   Is  
11          that -- like if work is allocated to three rock  
12          trucks -- sorry, water trucks, or is there one  
13          main guy and he's going to Hudson Hope everyday?

14                 Like, you know what I mean?   Like just  
15                 practically -- being from a practical sense, is  
16                 it really -- is it really a ton of extra dust  
17                 loading and time, or are they going by there  
18                 anyway?   That's our question to find out if it's  
19                 practical.   Maybe we don't want them hauling an  
20                 extra 10 hours, come back 42 or whatever  
21                 kilometres it is.

22    MD:   Like, is water being stored at the quarry as well?

23    BM:   I would imagine there will be some water, because  
24           they'll need water at the study bank.

25    CM:   Yeah.

1 BM: I don't know how much they'd store. Because during  
2 trial blasting, they stored some water there,  
3 right?

4 PT: They had like, one tank for water use, but not tons of  
5 water.

6 KK: It also depends on the drilling technology they have.  
7 Some of the drilling rigs require water, some of  
8 them don't require it. Again, what we understand  
9 from contractors, they are trying to, because it  
10 costs them, minimize the water requirement.

11 BM: So then they can minimize the water requirement for  
12 drilling, for example, but they would also need  
13 the water on site to manage dust as well.

14 PC: Safety piles and silica dust.

15 BM: So will they calculate all that as well as part of their  
16 plan, or ...

17 KK: Yes, they will calculate the dust. There are various  
18 dust suppression methods apart from water.

19 BM: Yeah.

20 KK: And uses the chemicals that dust doesn't -- so they are  
21 thinking of all those things. And I think,  
22 again, coming back, we have also answered some of  
23 them, too.

24 BM: Okay.

25 MD: So air quality. So the two main issues with air quality

1 are dust, and the noise. And we talked about the  
2 dust levels, so we've already chatted a bit about  
3 the dust suppression and that stuff. We're  
4 recommending that there's a bit more than a  
5 specific dust management monitoring plan that  
6 actually includes monitoring of dust levels, and  
7 I'll just -- again, Carmen mentioned the  
8 [indiscernible] project, and we actually worked  
9 with West Moberly on some of the permit stuff for  
10 that, and I believe the ministry requirement in  
11 their permitting as stipulated that the  
12 [indiscernible] folks actually monitored dust  
13 with, you know, standard methods and stuff.

14 So, and then I can't remember exactly what  
15 that bulk sample is --

16 CM: It just got renewed. I knew it expired and they have a  
17 five-year term, but I'm not exact on exactly how  
18 much of that time was construction.

19 MD: Yeah.

20 CM: But their plan is to start this year.

21 MD: Yeah, so it's --

22 CM: And good point. They have a have a dust monitor.

23 MD: Yeah, so it's -- not a very long -- not a very long  
24 project, but they -- they've been required to  
25 monitor. Monitor and report on dusting levels.

1                   Yeah, so it includes some specifics of  
2                   setting up dust monitoring stations and things.  
3                   And again, the idea too, and there's air quality  
4                   objectives that Ministry of Environment has  
5                   established for dust [indiscernible]. I would  
6                   recommend they are followed. And those standards  
7                   are based on [indiscernible] that show dust  
8                   levels below these sort of objectives, reduce the  
9                   levels of health impacts.

10                   So again, this is something, if followed, we  
11                   can report back to community members to say, you  
12                   know, "Here's how the dust is being addressed and  
13                   dust is being -- you know, being kept below these  
14                   leaves", and concerns would be alleviated.

15                   And I'll skip back up to the  
16                   [indiscernible]. So as we heard already, noise  
17                   is a concern. It has a big area of impact on the  
18                   use of the area.

19    BM: Did I already ask you, what's the 30 kilometres an hour?

20                   How is that determined?

21    CM: The speed reduction we're asking for?

22    BM: Yeah.

23    CM: It was based -- or how was 30 determined?

24    BM: Yeah.

25    CM: Just a little lower than 60 there. Lessen the impacts

1 of animal collisions and dust loading. I can  
2 look into research of how much less dust it  
3 loads, but it was a thought that we had, to  
4 lessen impacts. What is currently a standard  
5 road speed that you guys have on your work sites?

6 KK: See, that's what [indiscernible] I talked to one of our  
7 construction experts, they say the speed limits  
8 are on the roads and the highway. On the forest  
9 service road there is no speed management.

10 That's what I --

11 CM: No, I'm asking about Hydro. What are the other ones on  
12 site C, or how fast do people fly on that road?

13 KK: Again, it depends on the type of road, that's what I'm  
14 trying to say.

15 CM: Okay.

16 KK: The forest service road, which is Utah and the stake,  
17 and we have to conform with Canfor. Maybe  
18 they -- we don't use the forest road so often, BC  
19 Hydro.

20 CM: M'mm-hmm.

21 KK: So, and when I talked to our construction guys, they say  
22 there is no speed limit on the forest roads.

23 However, there are other users also, like Canfor.

24 What speed do they maintain, we don't know.

25 CM: Because I know for rock trucks, for the Willow Creek

1 mine, they had a speed limit of no faster than  
2 30 K for a rock truck because it's a hazard for a  
3 rock truck to be flying at 50 K. They get  
4 tickets if they go faster than 25.

5 KK: That is what the contractor has --

6 CM: So I'm just wondering if this is an issue to even  
7 discuss, or is that something you guys -- I know  
8 in mining, 30 K for rock trucks is standard.  
9 They don't -- so that's --

10 KK: We have asked our contractor to do a hazard assessment  
11 and come up with the speed limits where  
12 applicable.

13 CM: Okay. M'mm-hmm. Okay.

14 KK: So there may not be a blanket kilometre. Again, it all  
15 depends on the speed limit hazard assessment.  
16 I'm not committing to anything or whether there  
17 will be a speed limit or no speed limit. I don't  
18 commit. It depends on the hazard assessment to  
19 be done by the contractor, and they will come up  
20 with the speed limits as part of the hazard  
21 assessment.

22 So there may be areas, like corners, or  
23 turns, and all those things where they have real  
24 speed limits, but on -- in general, probably an  
25 unwritten commitment with the contractor may be

1                   not to exceed 50.

2    CM: Well, yeah, that's dangerous.

3    KK: Because these are the things that the contractor has to

4                   look at the work schedule, speed limits and the

5                   efficiencies at hauling. Again that's not

6                   written. We are not trying to commit anything

7                   this way or that way.

8    CM: We're not pressuring you to commit, we're pressuring our

9                   treaty rights be protected.

10   KK: I understand.

11   CM: Yeah.

12   KK: So we have asked the contractor to do a hazard

13                   assessment and let us know what are the practical

14                   speed limits. So we are not reach that stage

15                   [sic]. There's a possibility the contractor may

16                   come up with the speed [indiscernible] we don't

17                   know exactly right now at this stage.

18   LM: Yeah. So we're waiting for them to come back. We just

19                   don't know, right?

20   KK: It's a slow process. We have asked the contractor to

21                   follow a process. Do a hazard assessment, and if

22                   as you say, the mine trucks, the speed limit was

23                   30, it's possible that after the hazard

24                   assessment they may, themselves, come up with

25                   that speed.

1 JT: Do you know what gets included in the hazard assessment?  
2 What components?

3 CM: Yeah, that was my next question.

4 KK: See, I'm a project manager. I'm not a construction  
5 manager of those things. Those have been looked  
6 into by the experts.

7 CM: Can we get that answered at a later time, what's  
8 assessed? Because we'd be interested in  
9 thresholds for dust and noise.

10 KK: Exactly. They will submit us a traffic management plan.  
11 And you see, the BC Hydro process is, we follow  
12 the best management practices and try to do our  
13 due diligence in every aspect. There will be an  
14 environmental protection plan from the  
15 contractor, there will be a traffic management  
16 plan from the contractor, there are other plans  
17 which are required as part of our RFP, and they  
18 have to be accepted by BC Hydro before the  
19 contractor can go forward with the construction.

20 LM: Yeah, I think -- I think what Carmen's asking is whether  
21 we can give them an idea of what exactly the  
22 contractor is looking at when they do this hazard  
23 assessment.

24 MD: M'mm-hmm.

25 CM: The topics that they assess. Their value components.

1 KK: I'm not the expert at that --

2 LM: Yeah, but is that something we can at least ask them

3 for?

4 KK: Yes.

5 LM: Because I think --

6 KK: We can ask them.

7 JT: And can TUS information be included in that assessment?

8 LM: Sorry?

9 JT: Can TUS information be included in that assessment?

10 Because --

11 KK: The TUS --

12 LM: The contractor --

13 KK: -- has already been given to the contractor.

14 JT: Okay.

15 KK: For your information, we are -- as soon as we -- on

16 Friday, they were immediately passed on to the

17 contractor.

18 JT: Hmm.

19 KK: The mitigation table which you have prepared, they

20 participated in preparing those responses. So we

21 are doing our duty.

22 CM: But we're asking for more than a response. We're asking

23 for a commitment to protect our treaty values.

24 But what we are asking --

25 KK: [Indiscernible].

1 CM: So what we're asking for is that -- not to just throw a  
2 copy at them, but to actually integrate land use  
3 values, like dust loading and noise disturbance,  
4 into their assessment. That's our clear ask here  
5 today.

6 LM: Okay. Well, we'll see what we've got in there.

7 CM: Yeah.

8 LM: See what we can do and at least let you know. For sure.

9 I should say, lunch is here. It's outside.

10 So --

11 MD: So do you want to just finish up noise and --

12 LM: Yeah, yeah. Let's do that.

13 MD: So again, on the noise side, the information, this gap  
14 that's kind of missing, is essentially how noisy  
15 the activities will be. Because Rachel mentioned  
16 earlier, you know, when it comes to the use of  
17 the area, a lot of members will kind of park on  
18 the side of the road and go into the bush a  
19 certain distance to pick berries and medicines  
20 and stuff.

21 We don't know, with the amount of road  
22 traffic, what, you know, noise is being emitted  
23 and how far that noise is going to travel,  
24 essentially, and what the zone of influence will  
25 be adjacent to the access corridor. And likewise

1 with the quarry as well.

2 So essentially, we are asking for, you know,  
3 can you provide a noise dispersion  
4 [indiscernible] here's the zone of influence, at  
5 least, that will provide members an idea of which  
6 areas they will likely [indiscernible] full  
7 access. With some certainty, knowing that if  
8 they're in there, it's going to be noisy and ...

9 CM: So again, so dust. Once we get our food and then  
10 continue on with dust.

11 LM: Working through. All righty.

12 [BREAK - VARIOUS TOPICS DISCUSSED -  
13 ACCOMODATION, FOOD, WEATHER, ET CETERA]  
14 [MEETING RESUME]

15 BM: For the information what was presented in the EA and  
16 [indiscernible], and I think the biggest issue  
17 was related to sedimentation into the water  
18 courses [indiscernible]. So ... There wasn't a  
19 specific work plan that came out of this one, but  
20 kind of referred back to the sediment erosion  
21 control and water quality plan stuff. And then  
22 there's probably still not a decision on whether  
23 culverts need to be replaced or not.

24 LM: I don't know. Bruce or -- I guess -- do you know if --

25 BM: I think that KK said that they were going on to the site

1                   again like, this week.

2   LM: Oh, yeah, right.

3   BM: Because they tried going out there before, and it was a  
4                   lot of snow.

5   LM: Okay. So we don't know yet, but we should know soon.

6   MD: All right. Riparian. So again, this was one component  
7                   that wasn't really specifically addressed in the  
8                   documentation, so we just wanted to highlight  
9                   that it is a specific value that's of concern and  
10                  related to repairing areas along water courses,  
11                  wetlands as well, any water bodies that may  
12                  occur. There are these riparian management areas  
13                  that have been sort of stipulated as part of the  
14                  stream assessment work that the Ministry of  
15                  Environment receives. And I'm just going to  
16                  highlight that, and we include a work plan for  
17                  riparian protection about -- again, more related  
18                  to if -- if there was road widening around any  
19                  water courses, or close to any wetlands, that  
20                  these riparian management areas be applied.

21   BM: When you say "riparian management area" you're referring  
22                  to the *Forestry Act*?

23   MD: Yeah. So I have the table here.

24   BM: Yeah. I know we classified them -- or Ryan classified  
25                  them according to Forestry Standards.

1 MD: Yeah, so again, [indiscernible] stream classification in  
2 the associated riparian management area and  
3 those, and specific things like risks, grass,  
4 wildlife, tree [indiscernible].

5 BM: So when you talk about windthrow, you're talking about a  
6 clearing that opens up other trees susceptible to  
7 falling down?

8 MD: Yeah. Which again, is probably as much as we need it  
9 now, if the road is of a state that doesn't  
10 require as much activity.

11 BM: Yeah.

12 MD: Ad it's more focused on where the pullouts are going to  
13 be, if that then --

14 BM: Don't put a road next to a stream.

15 MD: -- [indiscernible] water courses, yeah.

16 Okay, wetlands. So in the review of  
17 materials, including a couple figures in the  
18 reports highlighting the wetlands, so again, this  
19 is -- I'm just trying to remember the data source  
20 for this. It was either the Trim or BRI data,  
21 but there's specific --

22 BM: I think it was the Ministry wetland data that you used.

23 MD: Maybe. Anyways, so there's delineated wetlands based on  
24 [indiscernible]. There's a couple over here,  
25 closer to the quarry, but still quite a ways

1 away. That's good. Most of them are here and  
2 along the Utah and Table, and I'll just zoom in  
3 on this one.

4 So with those delineated ones, put a 70  
5 metre buffer on them, that's this yellow line,  
6 the ones further up the table are -- the roads  
7 are well away from the 70 metre buffer. These  
8 ones show that it's close to the road. And I  
9 can't recall what the condition of this  
10 particular clearcut is, whether it's -- like, how  
11 grown over it is and whether that would limit the  
12 risk of any dust, kind of, coming into the  
13 wetland, things like that, which are a concern.

14 And then back to the water course here, any  
15 potential impacts affecting that water flow,  
16 which would then impact the infiltration of water  
17 into the wetlands, or ...

18 So I think -- and I can't remember, was this  
19 one of the wetlands that specifically --

20 CM: I think it was the one that was in last week's call.

21 The wetland we were talking about with the  
22 buffer?

23 LM: Right.

24 BM: Right, yeah. That's basically in Table, Utah.

25 MD: Yeah.

1 BM: [Indiscernible].

2 MD: But when you guys do your work, were people saying this

3 is --

4 JT: They did use this area for vegetation and medicine

5 gathering in this area. I didn't -- they did

6 mention -- well, the types of things they were

7 gathering come from wetlands. I didn't realize

8 that there was [indiscernible] on the actual

9 [indiscernible] that corroborates that.

10 MD: So again, I don't think we had a specific wetland work

11 plan in the -- back to sediment erosion control,

12 the water quality, air quality work, which would

13 help to form potential impacts on wetlands. I'm

14 just going to keep going unless there's specific

15 questions.

16 For vegetation, we know that there's some

17 baseline work, and the appendix to the report has

18 taken the species list that Ryan and his crew

19 developed, and just based on other information,

20 say, well, so many plants and species that are

21 known for either sustenance or medicines or other

22 sort of traditional practices. So that's not

23 identified, but there's probably more on that

24 list which are used, I just -- based on the

25 information that I had, I -- this is probably

1 limited, so that could be updated.

2 The other thing to reiterate, too, with this  
3 work plan is, you know, and kind of building on  
4 the TUS work, there's probably a lot more plants  
5 and -- out there that are being used, and it  
6 would be worth identifying those prior to the  
7 construction happening. And then knowing whether  
8 the impact -- the extent of any impacts on those  
9 which could then form reclamation work. So over  
10 with Twin Sisters, we could identify the plants  
11 and stuff, and then kind of the monitoring and  
12 protection component of that.

13 So we have specific areas identified that  
14 can be protected, and that everyone is aware of  
15 where those are.

16 RD: With the recommendation to clearly mark the location of  
17 plants like that, how do you see that? Like,  
18 when a lot of the plants on the list are quite  
19 common, like, even pine trees and stuff like  
20 that. Like, I could understand that some would  
21 be maybe less frequent and more important.

22 CM: Yeah.

23 RD: Is that ...

24 CM: Yeah. So the -- well, we wouldn't want to flag every  
25 pine tree out there or anything, but we would

1           want it for more where -- where for our community  
2           plants they not be blue listed, but distinct in  
3           the area, and that's important. Pine tree is  
4           really common throughout the area, but you may  
5           have another type of plant that's common in BC in  
6           general, but high value there for the wetland.  
7           So we want to mark those ones.

8    JT:   Some may also exist, but may not be harvestable for  
9           whatever reason, so ...

10   CM:   Or might become more rare to our nation to go harvest  
11           there.

12   MD:   And I mean -- I may, it may not be -- from my  
13           understanding, it may not be, you know,  
14           individual plants as well. It could just be  
15           areas where multiple plants may be. You know,  
16           using the information you guys collected in terms  
17           of specific collection sites.

18   JT:   There are some areas where there are multiple types of  
19           species collected in one area, yeah.

20   CM:   M'mm-hmm.

21   RD:   Is there information like that in the TUS?

22   JT:   It's in the TUS. Usually with values like that, which  
23           are highly sensitive, we -- all the values are  
24           buffered but we don't identify specific plants  
25           and specific places. We say that they are

1 medicinal plants in that area.

2 CM: And then we work on creating buffers we can live around.

3 RD: How do you -- what kind of buffer? Like, a different  
4 way that I could see would be like it was an  
5 archeology site. It would kind of be like you  
6 would put a flag in the field around something  
7 like that. But how would you -- what's a  
8 practical way to do a plant buffer? How does  
9 that work?

10 CM: Well, you could communicate how -- where you want the  
11 buffer in maps so that road construction doesn't  
12 occur in that area.

13 RD: Yeah.

14 CM: Or for wind turbines we -- one example is we had a bit  
15 of medicine on the west end of a turbine line, so  
16 they moved the one turbine to another location.  
17 It was preplanning well in advance of -- and so  
18 they said, "Well, we've moved this turbine to the  
19 east and just not go there." So they just saw a  
20 buffer, and there was some medicine there and  
21 they didn't want to work on mitigation. It  
22 wasn't a big deal for them to put the turbine in  
23 a similar, stable position. They just preplaced  
24 it.

25 So we didn't have a physical, you know, gate

1 all around it, we just communicated very early,  
2 "Can you not put a turbine there?" And "This  
3 is -- this is the buffer." And they moved the  
4 area. They also didn't put road access in there.  
5 Like, they didn't extend the roads, so there was  
6 constant road access.

7 So that's one example, is just early  
8 communication. If this road was to be widened 20  
9 metres, then it would be in that buffer, but it's  
10 not. So it's usually preplanning stuff and  
11 avoiding areas.

12 BM: Can you feather out high potential areas to identify,  
13 like, areas on the road that we should be really  
14 aware of?

15 CM: We could, that's a possibility. So what we do sometimes  
16 with medicine, is we'll take the person and  
17 provide the data. And we'll say to them, "Can we  
18 mark this area where you're comfortable with  
19 people not to be going through?" Like, if it's a  
20 plant with roots, for example, they'll say, "Oh,  
21 generally the roots are this long", and then we  
22 mark it with a GPS coordinate, tracking it, and  
23 kind of flag, and then provide a detailed map of  
24 that.

25 So usually it involves a person with the

1 data, and then -- fencing is possible too, so  
2 you're not having to communicate with everyone  
3 who's not reading the maps.

4 RD: M'mm-hmm it's just, if there was a highly sensitive  
5 area, we could flag it right to the contractor  
6 right away.

7 CM: Yeah, for sure.

8 RD: Pay attention to this.

9 LM: Yeah, put a pullout here.

10 CM: Yeah, exactly.

11 RD: And then -- yeah, then there would be that communication  
12 protocol where we're avoiding that, but "We're  
13 putting it here, is that okay", type thing.

14 CM: Yeah. Yeah. And -- yeah. That's another good positive  
15 way to avoid impacts, yeah.

16 MD: Yeah, I guess the other thing to do, so even after some  
17 of these sites are identified and delineated,  
18 they may not be impacted. And again, we can just  
19 go back to [indiscernible] just the way the  
20 project's designed, it's going to be way easier  
21 if some are detected.

22 CM: Yeah.

23 RD: The environmental monitor will confirm.

24 MD: Yeah.

25 CM: M'mm-hmm. We clearly lay out and monitor it.

1 MD: All right.

2 CM: Another piece I just wanted to mention to that, is  
3 communication. So sometimes members will post  
4 the project right off the area because say they  
5 had four years of disturbance and they really  
6 weren't in that area, say that wetland, for  
7 example. They just didn't turn on the road, but  
8 they weren't privy to the knowledge of when it  
9 ends, they may just never go back and make that  
10 trip as an elder. So if we are really great with  
11 our communication and saying, you know, "2020,  
12 you're going to be able to go back here. This is  
13 not a permanent project." It really helps the  
14 youths part of it. Because just because the  
15 bio-physical is there doesn't mean we can  
16 actually use it. The -- we need to communicate  
17 with our members too, as a mitigation measure.

18 LM: Yeah.

19 MD: This is the re-vegetation plan. So we had been coming  
20 up with reclamation standards that are  
21 [indiscernible], including components of the  
22 wildlife capability and that, having Twin Sisters  
23 involved. So it just gets more active  
24 reclamation to achieve a desired result.

25 BM: Yeah, we have no problem with that.

1 MD: And that's it for wildlife.

2 And so there were several work plans  
3 identified in the wildlife section. First one  
4 being this Operational Wildlife Protection and  
5 Monitoring Plan. So again, it really relates to  
6 the traditional use work and sites and stuff that  
7 were identified as well, in terms of identifying  
8 [indiscernible] and how to provide a bit more  
9 protection measures around that.

10 So things related to, you know, truck  
11 activity, again the whole speed limit concerns,  
12 addressing that, hunting and fishing,  
13 [indiscernible] contractors. [Inaudible].

14 And I think one of the other points should  
15 be kind of identifying, like I say,  
16 [indiscernible] have the feature that should be  
17 protected or identified, and again, could be  
18 things such as game trails, or kill sites, or  
19 mineral licks, or things like that that are out  
20 there that wildlife are using, and influence that  
21 wildlife are using -- using the area.

22 And then specifically getting into the whole  
23 moose habitat setup. So identifying, you know,  
24 based on the stuff I reviewed, the areas -- and I  
25 think it says various values for moose and we

1 referred to that [indiscernible] moose area part  
2 of it is good wintering habitat. And then with  
3 the amount of clear cuts and reroute that's  
4 happening, there's probably some spring foraging  
5 going on as well. So we know that there's moose  
6 value throughout that whole site.

7 So this one really gets into that  
8 [indiscernible] and puts some parameters around  
9 that and identifies clearly that here is good.  
10 This is where the good moose areas are, and then,  
11 again, look at how those are going to be  
12 affected.

13 And then with the pre-construction nest  
14 surveys, again, depending on any clearing and  
15 vegetation, whether it's for the pullouts or the  
16 ground in the quarry site itself, if that's  
17 happening during the nesting period, then there's  
18 some standard nest impact [indiscernible]  
19 recommended.

20 Oh, here's the one I want to [indiscernible]  
21 feature [indiscernible]. So there's a plan for  
22 that. So again, I'm focusing on wildlife  
23 treaties, movement corridors, mineral licks,  
24 things like that. And specific setbacks and  
25 stuff recommended for certain sites.

1                   And then pre-construction amphibian survey.  
2                   So we know that there are amphibians on the site.  
3                   And I don't think we know exactly where they're  
4                   breeding. So lead up to [indiscernible] breeding  
5                   areas and movement corridors for things like  
6                   western toads, and if there's any mass migrations  
7                   across the roadways and things like that, that we  
8                   haven't identified beforehand.

9    RD: How would you do that?

10   MD: We'll, again, confirming wherever they're breeding, and  
11           then if that is in close proximity on the  
12           roadways, [indiscernible] when the toadlets come  
13           out and [indiscernible].

14   RD: So it's kind of a monitoring type thing?

15   MD: Yeah. Yeah.

16   CM: It's also a baseline understanding where they are before  
17           impacts occur with pre-construction surveys.  
18           Going out in the field and doing the assessment,  
19           getting those known sites before hammers hit the  
20           road.

21   MD: Yeah. And if there is movements over the roadways,  
22           specific mitigations [indiscernible].

23   RD: Do you have any idea what time of year that is here?

24   MD: Well, breeding activity is May to August, it's probably  
25           later in the --

1 RD: So September, October?  
2 MD: No, it's [indiscernible].  
3 RD: So I mean, the obvious places are the two big wetlands,  
4 right?  
5 MD: Yeah, I mean, that was certainly the starting areas.  
6 Start in the wetlands ...  
7 PC: [Indiscernible] mitigation measure start putting up  
8 signs.  
9 BM: Beg your pardon?  
10 PC: For the toad crossings and that, what I've seen,  
11 especially with QIT and other jobs, is they'll  
12 put up warning signs about the toads.  
13 BM: Oh, yeah?  
14 PC: And then they'll basically -- it's reduce the speed of  
15 the trucks and space them out further.  
16 BM: Oh, yeah.  
17 PC: That's typically the approach that they take, and the  
18 contractors -- most contractors are fairly aware  
19 of that.  
20 BM: Yeah.  
21 CM: Is there any work proposed in the wetlands at all?  
22 BM: No.  
23 CM: No?  
24 MC: No. No.  
25 CM: Okay. So there isn't any amphibian salvage permits

1                   required at all for this project?

2   RD: We just flagged, like, a low probability, that if the  
3                   contractor sort of -- if a puddle happened to  
4                   form on the property or something, and then some  
5                   frogs were observed in it through environmental  
6                   monitoring, that that would be taken care of.

7   CM: Yeah, okay. So it's a new -- a new form that they move  
8                   into.

9   RD: Into a ditch or something.

10   CM: Okay.

11   RD: Something like that, right? But there's no --

12   PC: Deactivating the pond.

13   CM: Yeah.

14   RD: There's no scope of work to deactivate a flooded area  
15                   right now.

16   CM: Okay.

17   RD: Like, it doesn't exist anywhere in the project intent,  
18                   you know, aside from, like, other things, like a  
19                   fish salvage or something like that if a culvert  
20                   upgrade is required.

21   CM: Okay. And we don't know of any culvert upgrades right  
22                   now? No? Okay.

23   MD: So under species at risk, there's three main species  
24                   that we looked at: Klinse-za herd, the woodland  
25                   caribou, olive-sided flycatcher, and western

1 toad.

2 So we know that the project is -- it's in  
3 the range of wetlands. We know that's in the  
4 range of the klinse-za herd, as that range has  
5 been delineated by the carbon strategy  
6 [inaudible] also be involved in the mapping  
7 projects as well.

8 So the long and short of it is, it's within  
9 the range. That area has been, you know, it's  
10 caribou habitat, it has also been highly modified  
11 because the reservoir activities, the logging,  
12 and the other stuff. But at the end of day, too,  
13 it still remains caribou habitat. And it's the  
14 goal of First Nations to see that any  
15 reclamations of any site, keep that in mind and  
16 reclaim for essentially the capability that the  
17 caribou can be returned to the area.

18 So that's the mitigation [indiscernible]  
19 right around the caribou, kind of addresses that.

20 RD: Do you know of any specific caribou mitigation or  
21 habitat type features?

22 CM: Yeah.

23 RD: I mean, the big restoration is going to be the quarry  
24 site, right?

25 MD: Yeah, so ...

1 CM: We do actually -- so there's a research team out of  
2 Alaska, and they work in the Peace Region  
3 documenting what caribou eat. And so they're  
4 publishing a list of species of plants. So the  
5 caribou are eating lichen in the winter, but  
6 there's also eating other things like  
7 huckleberries in the summer, bulking up on the  
8 vegetation.

9 So the nursery, Twin Sisters, has that list.  
10 And so when it is caribou habitat, they keep  
11 those species in mind that -- I mean, huckleberry  
12 is used for a lot of different -- humans,  
13 caribou, moose, whatever, right? So we do know  
14 of a published list of plants that they're  
15 eating, so it is helpful.

16 RD: I mean, that can easily be worked into the vegetation  
17 plan.

18 CM: When it's appropriate, right? Like, you know, you're  
19 looking at the quarries next to a cut block, but  
20 up hill of that, there's more plants there, and  
21 just using appropriate species that are in the  
22 area. I mean, we don't want to change the  
23 environment at all, but if there are  
24 huckleberries in the area, which there are,  
25 they're appropriate there. If they wouldn't grow

1           there at all, we wouldn't recommend that.  
2           Instead the grower works with what's going to  
3           actually grow there. We're not recommending that  
4           lichen get put in areas that lichen wouldn't grow  
5           in, for example. It would be what's appropriate.

6   MD:   And recognizing that the sort of reclamation recovery of  
7           the area will take multiple years, but we can  
8           almost sort of kick start it. Get the right  
9           plants in there to sort of expedite that sort of  
10          recovery as fast as we can.

11                 So with olive-sided flycatcher, so it's a  
12                 federal -- federally listed species at risk and  
13                 has the potential to occur in the area. So the  
14                 pre-construction survey, that we talked about the  
15                 other day, would address them.

16   BM:   Include them?

17   MD:   Include these guys, and likewise with the western toad,  
18           the amphibian report plan, as well. So  
19           [inaudible] with the species. And I guess the  
20           only other point to make on the species at risk  
21           side of things is, when it's things, like, you  
22           know, western toad, or olive-sided flycatcher,  
23           other activities are [indiscernible] again, just  
24           reporting out that they're being addressed.

25                 So the socio-economic side of things,

1           there's a few work plans in here, a lot of it --  
2           a lot of -- there's more relevant information in  
3           the TUS reports on that, so I didn't really want  
4           to repeat a lot of that in the FNITR.

5           A couple things touched on, on the heritage  
6           side of things, are the chance find,  
7           [indiscernible] or any sort of heritage  
8           resources. So nothing has been identified to  
9           date, but should resources be found during the  
10          operations, there's a procedure in place that --

11   BM: Yeah. And that's a standard environmental management  
12          plan in basically all agro projects, I believe.

13   JT: Yeah, [indiscernible] chance find procedure. And  
14          basically, it adheres to the *Heritage Act*, but  
15          it's outlined in the MPA as well, that we have.  
16          There's -- there's discussion on fossils,  
17          location as well. Finds and fossils and that,  
18          too.

19   MD: And under traditional land use, would lead into -- trap  
20          compensation should be an issue. So we've had  
21          some discussion about trapping in the area, and  
22          having trapping and [indiscernible] in the end,  
23          there's probably better information in the TUS in  
24          terms of, you know, where some of the specific  
25          trapping activities are happening, and whether

1           there's potential overlap with [indiscernible]  
2           activities and stuff. So we would look into  
3           specifics of whether specific trap lines may or  
4           may not be impacted, access to those, that kind  
5           of stuff.

6   RD: Does the TUS identify -- happen to identify specific  
7           trapping areas?

8   JT: When they're raised. We don't tend to document formal  
9           trapping areas, but where there have been sites,  
10          trapping sites, yeah, those would be in there,  
11          and if there are specific lines or trap lines  
12          that people say they frequent as an area, we  
13          usually map that as a polygon, so that would be  
14          available as well.

15   RD: That would be helpful.

16   CM: Yeah.

17   MD: Yeah, and I know West Moberly has also identified  
18          trapping -- specific trap lines in the area.

19   CM: Yes. M'mm-hmm.

20   MD: Wildlife as well, so ...

21   CM: We have a trap line holder in this area with  
22          [indiscernible] Cameron, and then we have people  
23          individually practicing their trapping rights,  
24          too. So it's listed in the TUS under the value  
25          of hunting and trapping.

1 JT: Hunting and trapping, yeah.

2 CM: And that is in there. And then, like Marc is saying,  
3 because this is the tri-nation with the technical  
4 part and Saulteau-specific, but we know for sure  
5 that there's active trapping heavily by West  
6 Moberly, over there too, because people share  
7 resources and the trapping is active for West  
8 Moberly, too.

9 JT: Yeah, in the footprint we do have recorded wolf, lynx,  
10 and rabbit in the area.

11 MD: Resource use, don't overlap with the traditional land  
12 and resource use. And there's connections here,  
13 again, to cultural continuity, which is probably  
14 better addressed in the TUS report. And likewise  
15 with, I think, the final on community health too,  
16 a bit more detail in the TUS around cultural  
17 continuity [indiscernible] do that. And  
18 hopefully, I think that was it for this -- oh,  
19 and finally, the cumulative effects of that.

20 So in review of the environmental  
21 assessment, where it essentially stated that  
22 potential impacts could be mitigated, therefore  
23 there would be cumulative effects of concern, I  
24 think the First Nations take a different view of  
25 that based on the amount of activity within the

1           territory. There has been historic impacts of --  
2           better -- it's a better presentation of their  
3           understanding of what the cumulative effects of  
4           the area are, specific [indiscernible]. Some  
5           things could happen in terms of understanding the  
6           level of work that Canfor has planned for the  
7           area, how this could impact land cover, and, I  
8           mean, just a better understanding of what all  
9           these impacts mean to traditional land use. And,  
10          I think I just ran out of power.

11   LM: Out of juice. Were there other sections, or that was  
12          the last section?

13   MD: That was the last. There was just a closure section.

14   LM: Okay. Because I could always pull it up here. So thank  
15          you. I think that's helpful for us to sort of  
16          understand in a little bit more depth sort of  
17          what the results of all of the studies have been,  
18          and that's good.

19                 So we've -- as I said, I mean, we  
20                 [indiscernible] the studies, we gave some sort of  
21                 preliminary thought to how we could respond to  
22                 some of the work plans and the mitigations.

23                 I guess one thing maybe I wouldn't mind  
24                 touching on before we go sort of through some of  
25                 that, is -- is the connective matter that you're

1 thinking of. So where we have items, I guess,  
2 you know, we've sort of gone through this and  
3 said, "Yeah, there's some items we can say yes to  
4 right now, there's some items where we're either  
5 looking for a bit more information from the  
6 contractor, or some Saulteau, and there's some  
7 items that we just -- we think we're going to  
8 need to find another way to mitigate around."

9 So in terms of a commitment letter, given  
10 where we are right now, is we've got solutions  
11 for some things, and probably not for everything.  
12 I'm curious as to, sort of, what you envision.  
13 Something that has a commitment to do certain  
14 things now and to work on the rest, or something  
15 more general. Like, I'd just move to get a  
16 better idea of that.

17 CM: Well, today was really -- we had our nose to the grind  
18 producing reports on what were our concerns, so  
19 today we were really focused on articulating  
20 that, communicating that clearly. So the short  
21 answer would be, we don't have a master plan of  
22 how we want this all rolled out.

23 LM: Fair enough.

24 CM: But we want to work on that, so we think -- we listed  
25 reasons why commitment letters work for Nations,

1 given the consultation requirements and when it's  
2 in a review post, working with contractors. So  
3 commitment letters help the Nations, and many  
4 proponents have signed them, and they're not hard  
5 commitments that we will do everything you ask  
6 Saulteau First Nations. It's saying -- Peace  
7 River Coal has one saying "We will develop these  
8 eight work plans together." Yes, they may be  
9 duplicates, the plans we already committed to,  
10 but we -- if we're going to do an emergency find  
11 procedure in this plan, we can also duplicate in  
12 a work plan.

13 So it's an upfront commitment that says we  
14 will develop this in conjunction with you, Nation  
15 A, B, C.

16 LM: M'mm-hmm.

17 CM: So the -- we do see a lot of benefits to having a  
18 commitment letter. Because reality is, we don't  
19 have a lot of capacity, or we find that there's  
20 less -- how do I put it? Less of a commitment  
21 once permits are issued and everything is rolling  
22 ahead. So that's kind where we kind of stand on  
23 reasons why commitment letters work for the  
24 Nations. So we definitely have specific asks and  
25 some of them will be answered in later plans, but

1                   that just gives us reassurance to move forward  
2                   and keep working.

3    LM:   Okay.

4    CM:   So we see that as a benefit to work on the commitment  
5           letter, but maybe we can go through the table  
6           today. I understand Saulteau is only represented  
7           here, and there is a three nation review.

8    LM:   Yeah. Of course.

9    CM:   So we'll be here to listen. We certainly can't commit  
10           or negotiate any sort of thing without the other  
11           Nations here.

12   LM:   Yeah.

13   CM:   But we may need to present this as well to them. I  
14           don't know how that all works.

15   LM:   Yeah, we could put together a bit of a sort of working  
16           group on it to review everything.

17   CM:   Yeah, when BC Hydro updates, coming up in May, where all  
18           Nations meet regarding that.

19   LM:   Oh, right. Okay.

20   CM:   For timing sake, there's one planned with BC Hydro that  
21           includes the other Nations on May 12th, as a  
22           possible day.

23   BM:   Maybe a good time to provide -- by May 12th will we have  
24           a pretty good idea what the scope of work will  
25           be? Hmm?

1 KK: Scope of work for the ...

2 BM: Work from Peter Kiewit. Would we have enough  
3 information to provide an update?

4 KK: We can provide an update, but again, whether the update  
5 is complete or not, I cannot [indiscernible].

6 BM: Yeah, but there's some standard things we can put in the  
7 update, like the road is not going to be 20  
8 metres wide, and things like that?

9 KK: Yes, I think so.

10 BM: It just might provide --

11 CM: Exactly.

12 BM: You know, that's the opportunity we need to give you an  
13 update, so I mean ...

14 CM: That's one of the really important updates for this  
15 time-sensitive --

16 KK: No, we can -- I can just assure you that as soon as any  
17 material update is finalized, is available, it  
18 will be passed on to you.

19 CM: Yes, but we kind of need to know. We're getting --  
20 we're getting questions how comfortable we are  
21 with this whole process. We kind of need to  
22 know, you know, general.

23 JT: Yeah, more information.

24 CM: More information to move forward, that's what we're  
25 trying to say.

1 KK: See, if everything goes -- the current process with the  
2 contractor involves multiple things. One is the  
3 construction methodology that they're proposing;  
4 how they will do the quarry development plan; how  
5 they are subcontracting to First Nation  
6 businesses; and that is the key thing which is at  
7 risk. We want to finalize that.

8 CM: M'mm-hmm.

9 KK: We are committed to provide, what do they call it?  
10 Subcontracting of business and employment  
11 opportunities to First Nations, local First  
12 Nations, and that is a high agenda with the  
13 contractor.

14 CM: There's also a timeline by BCUC to see if consultation  
15 is adequate for this project. By May 20th  
16 they're wanting to make a decision on it.

17 LM: 20th, 23rd or something?

18 RO: Yeah, I know. Fast.

19 KK: I can't answer that question right now because that is  
20 not my specialization. So I will --

21 CM: It's not a question, though. It's --

22 LM: Yeah. Are we comfortable with --

23 CM: It's more of a -- the fact that BCUC is asking to make a  
24 decision on whether consultation is complete by  
25 the end of May, which involves, heavily involves

1 First Nations' feedback on what equipment levels  
2 are for Hydro. That's what I'm trying to  
3 communicate.

4 LM: Yeah.

5 CM: Regardless of a contractor's --

6 KK: Exactly. That's for our legal --

7 CM: I just -- it's a fact.

8 KK: That's for our legal to decide what approach they're  
9 taking, so that's why I'm keeping silent on that  
10 particular issue. I don't want to comment on  
11 that.

12 LM: But I think -- I think what --

13 CM: I'm not asking for a comment. I'm just -- I was just  
14 kind of saying, how do we get that done in a way  
15 that -- that's why commitment letters work.

16 LM: Yeah, so you guys have some comfort, and yeah. Okay.

17 KK: But we didn't -- the problems with --

18 RD: I think that's a good opportunity, though, that time, to  
19 provide a project update.

20 CM: I agree. Prior to --

21 LM: Yeah.

22 RD: And we can also provide more details on things that  
23 we've agreed to as well. Flesh them out some  
24 more.

25 LM: Exactly. And we can, like -- we can facilitate sharing

1                   that with West Moberly and McLeod Lake obviously,  
2                   too. Like, we don't want to sit all that on your  
3                   shoulders, so ...

4    CM:  No, because I think the requirement -- I don't know.  
5                   But they should know sooner than later --

6    LM:  That is our job, so yeah.

7    CM:  -- before the 12th, because the 20th is a week after.

8    LM:  M'mm-hmm.

9    BM:  M'mm-hmm.

10   CM:  And give them more time to kind of work on committing  
11                   and agreeing that, "Yeah, that works. It's  
12                   something we both agree on." I mean, they  
13                   haven't even been aware of this yet. Like, have  
14                   a meeting scheduled and having that stuff ready  
15                   gives us a week to meet that deadline.

16   LM:  Yeah. Okay.

17   KK:  I think we -- what we and BC Hydro understand that we  
18                   will be engaging the First Nations through all  
19                   the implementation phase till the project is  
20                   completed, and we are committed to that. And  
21                   maybe -- I'm just saying --

22   CM:  Yeah, but that doesn't -- well, maybe it's like you say,  
23                   you don't want to comment on it, but consultation  
24                   is -- includes accomodation. So engaging us  
25                   through the whole thing. And where you're

1 engaged, you're fully monitoring the death of  
2 caribou, we're all engaging, we're all  
3 documenting, doesn't -- isn't consultation.

4 So we're really stressing that commitment  
5 letters get stuff done. They save wetlands, they  
6 protect caribou, because we're just working  
7 through those impacts.

8 LM: M'mm-hmm.

9 CM: But we don't want to be fully engaged in just blah,  
10 blah, give our comments the whole time. And  
11 we're all listening. We want action, and that's  
12 one way to do that.

13 LM: Okay. Well, maybe we can work through sort of a few of  
14 these responses so you get an idea of what we're  
15 thinking, and you can give some thought to  
16 whether this makes sense in a commitment letter,  
17 whether it's an appendix, whether you want  
18 something more general, like, whatever it is  
19 you're looking for. Because yeah, I mean, I  
20 think, you know, a lot of -- a lot of the things  
21 that you've identified, like, we're quite  
22 prepared to find a way to address.

23 CM: Great. That's good news.

24 LM: Why don't I plug this puppy in. Oh, thanks Marc.

25 So I guess the only opening comment that I

1 will make about this table is it includes stuff  
2 from both the February 16th letter, and the  
3 FNITR. So unfortunately it's not, like, totally  
4 organized in the same way as the work plans, but  
5 I think we can probably manage it nevertheless.

6 Do people want five minutes to, like, go to  
7 the washroom or anything before we get going on  
8 this?

9 JT: Sure, let's do it.

10 LM: Okay.

11 [BREAK - VARIOUS TOPICS DISCUSSED - WEATHER,  
12 TRAVEL, CAR ACCIDENT, ET CETERA]

13 [MEETING RESUME]

14 KK: So do you have to leave by 3:00?

15 CM: Yes, because we have another meeting.

16 KK: We have got only one hour left.

17 CM: It's -- like I say, we're going to need to present it to  
18 McLeod and West Moberly, too.

19 LM: Yeah. I think, like, as far as I know, we're planing on  
20 sharing this --

21 KK: So Leah, can we do one more thing? We will discuss this  
22 today. Can we -- we need your help to facilitate  
23 another meeting in about a week or so.

24 CM: You need my help to organize Saulteau time?

25 KK: Yes, we need you to have a meeting with Saulteau, McLeod

1                   Lake, and West Moberly on whatever we have  
2                   presented.

3    LM: Well, we'll -- we'll organize that, KK. I'll do that.

4    KK: No, but that's what --

5    LM: I'll obviously work with Carmen to ensure --

6    KK: In order to honour the regulatory process --

7    LM: Yeah.

8    KK: -- I was thinking if we can have another meeting quickly  
9                   with them --

10   LM: We'll see when we can, right?

11   KK: -- on what we discussed today, and we have presented  
12                   something to you, maybe you go through that and  
13                   consider those things. So that is my request,  
14                   that if we can do something.

15   LM: Yeah, we'll think about the best way to sort of get  
16                   these guys tied into like, a working group where  
17                   we can discuss this all together, but I think for  
18                   now we've got [indiscernible] and you can take it  
19                   away and think about it, and see if we're hitting  
20                   the mark here.

21                   So I guess here's sort of the first bucket  
22                   of things that we thought, you know, the FNITR  
23                   recommends: Facilitating safe access. And I  
24                   think that really did sound, from the stuff we  
25                   heard about the TUS this morning too, like, that

1                   really does seem to be a big concern.

2    CM: Leah, can I ask a question?

3    LM: Yeah, of course.

4    CM: So it says FNITR recommendations.

5    LM: M'mm-hmm.

6    CM: Is there -- do they change, or -- for the commitment

7                   letter just so I have them organized?

8    LM: Good question.

9    CM: Are they -- these overlap, right?

10   LM: Yeah, so these are basically -- oopsies. Sorry, oh,

11                   come on. These are basically copied and pasted

12                   from the FNITR, but you're right, they're

13                   organized in kind of a different way. So --

14   JT: They were based on the letter, weren't they?

15   LM: Yeah, we sort of remit them --

16   KK: Yes.

17   LM: -- and according to the groupings in the commitment

18                   letter.

19   CM: Okay.

20   LM: Yeah. So that's sort of how they're organized. I mean,

21                   if we need to organize them, we can do that. So

22                   I mean, in terms of a response, we do want to

23                   ensure people are safe on the roads. And so

24                   here's some of the things that we've initially

25                   been thinking about that might be sort of safety

1 measures that we'll ask the contractor to use.  
2 And we've also -- you know, we've also thought  
3 about some commitments that we can make as well.  
4 You know, making sure you guys got the schedule,  
5 having communications protocols so people know,  
6 you know, what's going on on the roads, and this  
7 sort of thing. You know, if there's desired  
8 access dates and times, we can try to work with  
9 you to make those happen. That sort of thing.

10 So we've taken sort of a first cut at what  
11 we think some safety measures could be. You  
12 know, if you want to take some time to think  
13 about them and comment on them, and obviously  
14 we'll think about looping in the other Nations as  
15 well. But that's sort of what we were  
16 initially -- our sort of initial thoughts on this  
17 one.

18 RD: Yeah, they're very preliminary. I think two of the key  
19 issues that we're kind of worrying about is,  
20 obviously, radio protocol is very important on  
21 these roads. We know you guys don't have a radio  
22 for everybody. So trying to figure out how we  
23 can get radios to people who are going to use the  
24 area. And I mean, it's a difficult one because  
25 there's a lot of people and we don't have an

1 unlimited supply of radios. One thing we were  
2 thinking of is, you know, the GMS check-in gate  
3 there.

4 CM: Yeah.

5 RD: That maybe there's an opportunity to provide radios to  
6 the First Nations that are going up to our  
7 project area at that location.

8 CM: Okay.

9 RD: So these are the types of things we're trying to think  
10 of to -- to, you know, make the access safer.

11 CM: Okay.

12 RD: I think another important component to that one is,  
13 like, our communication protocol, however we  
14 develop that. So, you know, if there is a large  
15 group going out at this certain time, we have a  
16 communication protocol that, you know, you tell  
17 us, and obviously it goes the other way where we  
18 tell you we're going to be really busy on the  
19 road this next three weeks. You know, that type  
20 of information updates. So I think those are the  
21 two key things in that, being safe.

22 CM: And then we talked earlier today about the assessment  
23 that's going to be done on the speed limits.

24 LM: Oh, the hazard assessment?

25 CM: The hazard assessment stuff.

1 LM: Yeah.

2 RD: That comes down in another box. [Indiscernible] brought  
3 up the speed limit, I think.

4 LM: Yeah, I think -- I can't remember where it landed.

5 KK: It's the next page. Next page.

6 LM: Oh, there you go. Oh, trucking and road use. Okay.  
7 Right. So this is the 30 kilometre  
8 recommendation, and we said, you know, at this  
9 point, we don't know if we can do a blanket, but  
10 we are going to do this hazard assessment, and  
11 I've committed that we're going to provide you  
12 with how they're assessing. And you know what?  
13 The more that I think about it, because you were  
14 asking, you know, like, are some of the  
15 traditional values going to be there, or are  
16 things like, dust is going to be in there. Dust  
17 is almost assuredly going to be in that hazard  
18 assessment, because dust is a safety issue.

19 KK: Oh, absolutely.

20 LM: Yeah. I was just sort of thinking that through.

21 KK: So this is on the assessment and --

22 LM: Yeah. Wildlife interactions, you know, that's obviously  
23 sort of a component of the concern, I think,  
24 around trucking and road use, so we do want to  
25 try and mitigate wildlife interactions through

1           our caribou mitigation plan that we're --  
2           wildlife and caribou mitigation plan, I guess.  
3           The stopping truck traffic at dusk, it's a  
4           bit of a tricky one for us because we think there  
5           might be some sort of sizable impacts on project  
6           schedule and potentially cost. But we are at  
7           least willing -- sorry, go ahead.  
8    CM: One point on that, to clarify. We're talking dusk in  
9           the north, right, in the summertime, which is  
10          pretty late in the day.  
11   LM: Okay.  
12   CM: The sun is setting anywhere from 10:00 at night to --  
13          I'm just curious about -- has that been  
14          considered? We're not asking for a 6:00 o'clock  
15          stop on all traffic, but when the sun is going  
16          down, is --  
17   KK: See --  
18   CM: Like, is this a 24 hour operation? Just understanding  
19          [indiscernible] trucks 24 hours?  
20   KK: They're planning two shifts in a day, two 10-hour  
21          shifts.  
22   CM: Okay.  
23   KK: So the question is --  
24   RD: And this is to expedite the quarry work.  
25   CM: Okay.

1 KK: This is to expedite the transport of the rock from  
2 quarry to stockpile. And the contractor  
3 definitely has got a window. You see, we have  
4 discussed everything -- these things with the  
5 contractor, but we're waiting for them to respond  
6 to us.

7 CM: Okay.

8 KK: So there is a possibility that during the shift  
9 change --

10 CM: Yeah.

11 KK: -- we can have a pause.

12 CM: Yeah.

13 KK: But not for three, four hours; that impacts the  
14 production. It maybe one or two, or a couple of  
15 hours at max. So that can be -- that's what I'm  
16 saying. We are trying out -- doing our best to  
17 accommodate your requests, but we have to work  
18 through all those details to come to an  
19 understanding.

20 CM: Yeah.

21 LM: Yeah, and I think the other thing we've sort of said  
22 here is that we are willing to consider, like, a  
23 preplanned and a targeted stoppage. So if you  
24 know there's a certain period with, like, really  
25 high use, you know, let's talk about it and see

1           if we can plan, sort of, something -- you know?  
2           It will probably have to be somewhat limited in  
3           scope, but that's not to say that we can't, you  
4           know, do a few targeted stoppages so that people  
5           can at least get out a bit during the season and  
6           stuff.

7    CM:   And so for the rock hauling, what is the latest and  
8           greatest timeframe that they think it will take  
9           to haul the rocks from point A to point B?

10   KK:   Excuse me, I couldn't understand that.

11   CM:   How long are they going to haul rocks from the quarry to  
12           the dam?

13   KK:   Again, that, I cannot say, but we are -- but contractors  
14           are even planning if we get the -- see, basically  
15           we can haul the stockpile.

16   CM:   Yeah.

17   KK:   But we cannot [indiscernible] the dam until it is  
18           advisable.

19   CM:   Sure, and the main one is the stockpile path.

20   LM:   Yeah.

21   CM:   For impacts right?

22   LM:   Yeah.

23   CM:   Once it's there, really close, then the impacts are --  
24           they're minimal.

25   KK:   Then there's -- no, then the road is already double

1                   lane, because that's stockpiling.

2    CM:   What I'm saying is how long is that from the quarry, way  
3                   off in the inlet, to there?  Are we talking five  
4                   years, are we talking ten months?

5    KK:   No.  No.  I would say they will use the minimum time,  
6                   and if they're even prepared -- if we get more  
7                   than 95 days of [indiscernible] in the very first  
8                   year, because the placement takes place from  
9                   February, 2017.

10   CM:   So February, 2017 is when they start hauling?

11   KK:   No, no, no.  Hauling will be done in '16.

12   CM:   Okay.

13   PC:   Hauling -- hauling will start in August.

14   KK:   Let me explain -- let me explain if the schedule is like  
15                   this.  If we have everything -- everything is --  
16                   we get everything done, approvals from management  
17                   [indiscernible] and whatever it is, we are  
18                   planning to have a construction contract with the  
19                   contractor in the first half of June.

20   CM:   M'mm-hmm.

21   KK:   And they will then mobilize.  And probably they're going  
22                   to start in the first week of July.  So that will  
23                   include only quarry work.  The upgrade of  
24                   whatever is required on the service roads, and  
25                   preparing the stockpile area to receive the rock.

1                   So that is starting from July onwards. So  
2                   they are -- and when it comes to February, we  
3                   should have enough stockpile to place it on the  
4                   dam. So that can be starting from minimum, 50  
5                   percent of the total rock to be placed. Was this  
6                   even 100 percent?

7                   So what the contractor is planning, is they  
8                   will start quarry in July, and continue quarry,  
9                   except for some minor breaks during the Christmas  
10                  period, maybe a month or so or a couple of  
11                  months, that is yet to be finalized. But that is  
12                  the plan. They will keep on quarry and  
13                  transporting to the stockpile.

14   LM: So KK, when they -- I guess the question is around  
15                  hauling. The idea is, once they start quarrying,  
16                  they would start hauling to the stockpile area.

17   KK: It will take about -- you see, it is not -- blasting,  
18                  sorting out they are to do.

19   LM: M'mm-hmm.

20   KK: Plus they have to do these road upgrades.

21   LM: Yeah.

22   KK: First of all, they have to complete the road upgrades.

23   LM: Yeah.

24   KK: Like puffers and all those things. If that is -- the  
25                  plan is to complete by mid-August.

1 LM: Okay.

2 KK: Those upgrades.

3 LM: Okay.

4 KK: So if upgrades are completed around mid-August, that's  
5 the current, I would say, draft schedule that  
6 [indiscernible] changes.

7 LM: Yeah.

8 KK: So I'm not committing to anything.

9 CM: No.

10 KK: But I just give you information.

11 LM: That's what we would expect from --

12 KK: So then after the 15th of August, they would start  
13 hauling.

14 LM: Okay.

15 CM: Great.

16 KK: And that is the time when the sun sets late, and all  
17 those things. I understand those things. So --  
18 and they have told us we'll have two 10-hour  
19 shifts for hauling, and [indiscernible] a change  
20 over in between. So one can be at the dusk time,  
21 one can be at the dawn. Somewhere like that. So  
22 those details have yet to come, but this is an  
23 understanding that there will be.

24 So hauling will definitely start by, say,  
25 mid-August. Before that, they are to do the

1                   quarrying, sort out the rock, and stockpiling,  
2                   and the quarrying. Then they are to transport  
3                   and stockpile close to the dam.

4    CM: Till when?

5    KK: I am -- I think it is still mid-December when they break  
6                   for Christmas break.

7    CM: Okay.

8    LM: And then they would start up again in the new year.

9    KK: They will restart if they have to --

10   BM: Will they have 50 percent done by December?

11   KK: Yes.

12   LM: Oh, really.

13   KK: That is the plan.

14   BM: And that's, what, six months? September, October,  
15                   November, December. Five.

16   KK: September, October, November, December. Mid-December --  
17                   Mid-August to mid-December is four months.

18   BM: Okay.

19   CM: Four months.

20   BM: And that's halfway. So theoretically, it should be  
21                   another four months to get the --

22   KK: Another four months.

23   BM: I think that's what you're trying to get at.

24   LM: Yeah, that's exactly -- yeah.

25   KK: And if they find that the [indiscernible] is low, and

1                   they are getting 90 days, their plan is to  
2                   replace all the rock in 90 days on the dam, but  
3                   depending on the window available and the dam.  
4    CM:   Okay.   The water level.  
5    KK:   The window available on the dam can be 30 days, can be  
6                   40 days.  
7    CM:   Yeah, sure.  
8    KK:   Can be 20 days.  
9    CM:   Yeah.  
10   KK:   So we don't know.   It can be completed in one year, it  
11                   can be completed in four years.   That's the  
12                   placement.  
13   CM:   Yeah.  
14   KK:   But with respect to the quarry and stockpiling.  
15   CM:   M'mm-hmm.  
16   KK:   Maximum two years.  
17   LM:   Yeah.  
18   KK:   Not more than that.  
19   LM:   It sounds like the detailed hauling schedule would be  
20                   super helpful to pass on to these guys, if you  
21                   have it.  
22   KK:   Yes.   So it's only a two-year project, if we get  
23                   everything -- everything is okay.   That's our  
24                   plan.  
25   CM:   Okay.

1 PC: So if you get all your rip-rap to your storage place by  
2 mid, say, 2017, will you start -- will you leave  
3 the quarry open?

4 KK: No. We start -- we start reclamation. Once the quarry  
5 operations and all the rock required, we made  
6 stockpiles of extra rock to take care of some  
7 contingencies [indiscernible] requirement.

8 PC: Yes, that's what I was wondering too.

9 KK: So our requirement right now is, say, 132,000 cubic  
10 metres. We may transport 150,000, because that  
11 way, [indiscernible] 130 to 150. It includes  
12 some extra rock stockpiling over there --

13 CM: M'mm-hmm.

14 KK: -- so that, if replacing, if we require, we don't know  
15 at the dam, the requirement we have assessed is  
16 132,000. It may go up to 150,000. Depending  
17 on --

18 PC: So the situation being like, you have it stockpiled,  
19 say, if you take two years to place it on the  
20 dam, and then you discover you're short --

21 KK: It was to sit at the stockpile.

22 PC: Yeah, you'll --

23 KK: Close to that.

24 PC: You don't have to go back to the quarry.

25 KK: But -- but -- so that is the plan. It is more

1                   economical for the contractor to finish the  
2                   quarry and stockpile it, and then they  
3                   minimize --

4    JT:   Focus on the dam.

5    LM:   M'mm-hmm.

6    KK:   -- and that's good for them.

7    LM:   Yeah.

8    JT:   Okay.   That's good.

9    KK:   So once we complete the quarry, and we shut down the  
10                quarry, we'll start reclamation.

11   CM:   Okay.

12   LM:   Cool.   Okay.

13   KK:   So with regard to [indiscernible] just came to mind, I  
14                just try to -- although we are not -- we are not  
15                expanding the road from one lane to two lanes,  
16                but this [indiscernible] road currently itself is  
17                about 10 to 12 meters wide.

18   JT:   Yeah.

19   KK:   If you have gone and seen that.

20   CM:   M'mm-hmm.

21   KK:   It's already 12 meters wide.

22   LM:   Okay.

23   CM:   Are you meaning the right of way is 12 meters wide?

24   KK:   No, right of way is 30 meters, but it -- the road, when  
25                it branches off on the table road into the

1 quarry, which is about three kilometres --

2 CM: Yes.

3 KK: -- it's already widened to about 10, 12 metres. So 10,  
4 12 metres. So we are going to upgrade that also.

5 CM: Okay.

6 KK: Table and Utah have different [sic] because they belong  
7 to Canfor, they don't belong to us. But the  
8 [indiscernible] road belongs to Hydro. Now you  
9 can continue.

10 LM: All right. Another thing is --

11 KK: If something comes to my mind, I got to try to share it.

12 LM: Just spit it out. So we had also talked about water  
13 quality. There was some recommendations around  
14 that, around the involvement in the development  
15 of the sediment and erosion control plan and  
16 ensuring your concerns were addressed. And, of  
17 course, ensuring that there's monitoring -- that  
18 monitors are sort of meaningful involved --  
19 meaningfully involved.

20 So we definitely have plans to do a sediment  
21 and erosion control plan. That is going to  
22 happen. It's going to be a professional who  
23 develops it. That being said, we will obviously  
24 be sharing that with you for your, sort of,  
25 consultation purposes, for your review, for your

1           comments on it. You know, we're open to  
2           suggestions on that, and the project doesn't  
3           start construction until that plan is approved.

4    CM:    So when you say you want to involve us, can we get a bit  
5           more definition to that?

6    LM:    Yeah, I mean, I think we're asking the contractor to  
7           sort of take the first cut, right, with this  
8           certified sediment and control specialist,  
9           whatever they're called. So we are asking them  
10          to take the first cut at it. At that point we  
11          would like to share it with you. You know, have  
12          you take some time to review it, comment on it if  
13          you have additional sort of things you might want  
14          to see in there that we can flip back to the  
15          contractor and ask them to consider. That's, you  
16          know, obviously a process we're open to.

17   CM:    It just seems like we're -- because to hire a  
18          professional to go through there and make  
19          specific comments on the plan --

20   LM:    M'mm-hmm.

21   CM:    -- our data gaps, that's a limited budget that we  
22          have --

23   LM:    Yeah.

24   CM:    -- and this is not a continual forever thing.

25   LM:    Right.

1 CM: And then when LGL is done their work, these plans come  
2 along developed, we're swamped two months in  
3 advance.

4 LM: Yeah.

5 CM: So I'm just being practical of where can we block off  
6 some time. Does that mean that we get to do  
7 another review? The reason why we've asked for a  
8 commitment letter now, is this is where we have  
9 the help now. The other review we had the time  
10 allotted to do the work.

11 LM: M'mm-hmm. Maybe --

12 CM: And it's something to just think about, to bring back.  
13 We're not asking for quick commitments or  
14 answers, they're just comments.

15 BM: Yeah, those are good.

16 LM: Yeah, that's a really good point.

17 CM: But how does that actually work? Like, throwing me a  
18 huge plan, and I'm swamped with site C, doesn't  
19 work.

20 LM: Yeah. No, fair enough.

21 CM: Like, how is that humanly possible?

22 KK: We can provide you some extra funding if required.  
23 [Indiscernible].

24 LM: Yeah. If we need -- it's a do-able thing if you wanted  
25 to continue to retain LGL, or whatever. Like,

1                   that's --

2   KK:  We're open to those things.

3   CM:  But we're also -- you're paying twice for the same

4                   amount of work.

5   LM:  Well, you know what?  I'm going to actually skip down to

6                   the next one, because maybe this will help.

7   CM:  Okay.

8   LM:  LGL did make specific recommendations, right, about what

9                   sorts of things should be in that sediment and

10                  erosion control plan.

11  CM:  Yeah.

12  LM:  And we basically said -- this is a bit verbose, but we

13                  said, you know, these are like practical measures

14                  and we're going to ensure that they are in this

15                  sediment and erosion control plan.  Assuming they

16                  apply, which maybe, Bruce, I think you had some

17                  insight into what exactly we were getting at

18                  there.

19  BM:  It really depends on the activity, right?  Whether

20                  you're pumping discharge somewhere else, or

21                  there's [indiscernible] waters and things like

22                  that.  So I mean, it comes down to having a

23                  site-specific management plan.

24  PC:  Yeah.  They may choose not to use settling ponds, for

25                  example, by reducing the footprint of their

1 project area, right? So there's lots of measures  
2 they can put in place. And so, you know, to say  
3 that they have to have that, or should have  
4 settling ponds where it may not be practical,  
5 they can reduce their footprint in other measures  
6 that they have.

7 CM: So if we added the language in like, "where applicable",  
8 not saying you must put a settling pond  
9 everywhere if there's not water, it's not  
10 applicable.

11 BM: Right.

12 PC: Yeah.

13 LM: Yeah.

14 CM: Right? If you -- if that's applicable, then it makes it  
15 flexible, right?

16 LM: Yeah.

17 PC: And there's four different plans to be done, right?

18 LM: That's right. It's quite involved.

19 PC: Four different [indiscernible] to be done. So there  
20 will be a plan for the quarry, one for the roads,  
21 one for the placement of [indiscernible]. Yeah.  
22 So the different work areas with different plans.

23 LM: And then I think we've just called out here, too, some  
24 of the best management practices that we are  
25 planning to adhere to, or that we have to,

1           because it's part of our *Water Act* permit. So  
2           there's -- those will be in place as well.

3   BM: Typical resources we use. You're probably fully aware  
4           of them all.

5   LM: This reference appears a lot with respect to the role of  
6           environmental monitors. "Please see item 14."  
7           Item 14 is basically, we expect to have First  
8           Nations environmental monitors, and we'll talk to  
9           you about the scope of those and get those all  
10          fixed up.

11                 What else do we got in here? Oh, yeah, dust  
12           suppression. Right. So these were some more,  
13           sort of, detailed recommendations that came out  
14           of the FNITR. And again, we've basically said  
15           "Yes, these measures are going to be incorporated  
16           into the dust control plan where appropriate."  
17           And then I guess there's just a note here that  
18           maybe not all items would require dust control,  
19           because some of them might not be -- might not  
20           generate fine particles. And then we've got some  
21           additional dust control measures in our  
22           [indiscernible] course of work, too.

23                 Now, I know this one has been a concern, and  
24           we heard a little bit more about this today,  
25           about the withdrawing of water from the creeks,

1 right? And we've said, "Well, we have a permit."  
2 And I think we've heard from you today that  
3 people are still a bit concerned, despite the  
4 conditions of the permit.

5 CM: M'mm-hmm.

6 LM: So I think what we -- what we have said on this one,  
7 we've indicated to PKI that this is a concern to  
8 you guys, Peter Kiewit, the contractor. And so  
9 we've asked them to basically take this into  
10 consideration when they develop their EPP.

11 You know, we -- I can't make any sort of  
12 guarantees on that at this point, but we have  
13 asked them to consider it because we're  
14 definitely hearing that that is a concern for you  
15 guys.

16 I mean, I think the other point to make, is  
17 we actually think that practically most of the  
18 water is coming from Williston.

19 CM: We also asked a question earlier today about -- asking  
20 to do an analysis if it costs the contractor a  
21 lot of extra time and money to extract. If they  
22 can look into comparing the two and seeing it --  
23 because you guys don't know those details, the  
24 contractor will.

25 LM: M'mm-hmm.

1 KK: Yeah.

2 CM: To find out if it's a big headache to only withdraw from  
3 the Williston, or maybe it saves time because you  
4 don't have to crawl down a bank into a creek.

5 LM: Yeah. And I expect --

6 KK: And yes, I understand what you're saying, absolutely.

7 CM: Okay.

8 KK: But we also have some permit limits. If the water is  
9 less than 30 centimetres, they cannot withdraw.  
10 If there's -- the flow is 10 -- I think there are  
11 some conditions on the permit. So they will not  
12 do -- the primary withdraw will be from the  
13 Williston reservoir, but because the permits are  
14 there, we don't want the contractor to lose that  
15 right of withdrawing water from the creeks as per  
16 the permits.

17 LM: Although we have asked --

18 PC: One way to satisfy, you know, your comfort level, and  
19 what we're doing, is to have your environmental  
20 monitor there when they do it, right?

21 CM: That's one way. Because we don't have enough staff in  
22 compliance and enforcement from FLNRO out there  
23 monitoring these things.

24 PC: Yeah, that's one way to do it.

25 KK: When we come to the environmental monitor bullet, we'll

1 discuss the environmental monitoring. Let's go  
2 through the others.

3 CM: The tables are turning.

4 KK: I have some ideas --

5 CM: Okay.

6 KK: -- which will be -- as Marc has said, basically you need  
7 the environmental monitoring reports. So we can  
8 discuss that when we reach that stage.

9 LM: But yeah, that's a good point, Bruce, right? Like, the  
10 monitor can always be there.

11 PC: I think we require that as well. Like, we require them  
12 to check the water flow before they start. You  
13 can't just go in there and say "We're permitted  
14 to do this, and we're taking the water."

15 LM: Yes.

16 CM: Yeah.

17 PC: They got to be able to demonstrate that it's adequate.

18 CM: Indeed.

19 PC: Yeah.

20 CM: We also have a slow response time for FLNRO section 8,  
21 or use permits, compared to OGC. When they have  
22 a drought condition, OGC pulls the plug,  
23 communicates it to all the license holders fairly  
24 quickly.

25 PC: Okay. Yeah.

1 CM: Working with the -- with the FLNRO, the water  
2 department, they were two weeks late last year  
3 communicating that to every section owner. So  
4 they weren't in noncompliance, the people were  
5 out there drawing water.

6 PC: M'mm-hmm.

7 CM: Nobody told them otherwise, and we had members on high  
8 alert saying, you know, "This creek is running  
9 dry. Why is Canfor pulling out our Johnson Creek  
10 water?" And we went to the regulators and said  
11 "What is going on?"

12 And they said, "Well, we sent them an email  
13 and they didn't get back to us," right?

14 So these kind of things sometimes are bigger  
15 than the proponents applying for the  
16 applications. We have concerns, and preventative  
17 measures are -- you're not going to get a drought  
18 withdrawal out of Williston. It's so huge a  
19 creek that would not be applicable. Just  
20 prevents even going there. We're never going to  
21 be -- the water in the Williston, it's just so  
22 huge.

23 PC: Yeah.

24 LM: Yeah.

25 PC: There's some pros and cons which we talked about in the

1 response as well, like, having water, like, close  
2 to where you need it, and the trucking that's  
3 associated with it.

4 CM: Yeah.

5 PC: And there's just analysis that would happen through the  
6 project, and that's kind of why the proponent  
7 wants to hang on to that. And you know, my  
8 personal opinion is that we should not be sucking  
9 any creek dry, or there shouldn't be any chance  
10 of that through environmental monitoring and  
11 through the conditions. But you know, we're  
12 working towards that anyway.

13 CM: Okay.

14 LM: We've talked about this a couple of times, the SCQI  
15 index to obtain baseline levels. So what did we  
16 do on this one? So we -- we did a bit of  
17 assessment, using, I guess, a different set of  
18 standards, right? The Ministry of Environment  
19 standards, what else? And we did go on to talk a  
20 bit about the SCQI.

21 PC: The last paragraph was the important part here.

22 LM: Yeah, that's what I thought.

23 PC: I talked to -- I phoned up Pierre Beaudry who invented  
24 the SCQI, to talk to him specifically about this  
25 and get the background on it.

1 CM: Yeah.

2 PC: And what it is, is it's actually, in my opinion, a  
3 useful tool. It's one way to do it, though.  
4 Like, it's just one way to do it, I'll make that  
5 clear. But it is useful. They look at, you  
6 know, you go to water course crossing, and you'd  
7 look at the left side and the right side, and  
8 just sort of quantify some -- some observations,  
9 put it into a formula, and it would give you a  
10 risk rating.

11 CM: Okay.

12 PC: And if it was a high risk rating, meaning it might have  
13 been a highly disturbed site or new, higher risk,  
14 you would put more erosion control measures in  
15 place at that site to control it.

16 CM: M'mm-hmm.

17 PC: Oh, it wasn't so much going to measure water quality as  
18 it was going to evaluate the site's risk.

19 CM: Okay.

20 PC: Which I think is good. But what BC Hydro wants to do is  
21 let the contractor's certified professional look  
22 at how they want to do it, and we would recommend  
23 the SCQI as one way their [indiscernible] might  
24 want to do it, but that they're going to come up  
25 with the plan they want to use, but we'll suggest

1           that to them.

2                   I think that Pierre Beaudry -- I think  
3           vented that for Canfor, and it's almost like an  
4           internal thing that he made for Canfor, but  
5           anyway.

6    CM:   Okay.

7    PC:   This Cpass [phonetic] can totally adopt those if they  
8           see it as an appropriate thing, or they may come  
9           up with their other -- other measures to  
10          accomplish the same thing.

11   LM:   All right. And we talked about frequency of water  
12          quality monitoring. And there was some pretty  
13          detailed recommendations around this, I guess, in  
14          the FNITR. What did we say about this?

15                So we are going to require the contractor to  
16          do -- to -- yeah, to have in its EPP, sort of,  
17          provisions for regular water quality monitoring  
18          during construction. What have I got here? You  
19          guys might want to just speak to this.

20   BM:   What do you guys want -- standard environmental  
21          management practices that will be applied?

22   PC:   I think just downstream, upstream turbidity monitoring,  
23          yeah. I think the challenge of our two intervals  
24          is not to say that it's not an effective measure,  
25          and it may, you know, be that, but I think the

1 big thing there, is it's a level of activity and  
2 a level of risk. You get very, you know, high  
3 precipitation levels and you're responding in  
4 other areas, and you might see a data gap in  
5 something.

6 It's a matter of how you track that  
7 information, what the risk is and the  
8 documentation behind it. So it may very well be  
9 two hour intervals, but you know, it's hard to  
10 say, yeah, you know, a person's got to do it  
11 every two hours, and if you're not there, you  
12 know, there could be other reasons, because you  
13 have an event somewhere else. It's basically a  
14 much higher risk. So you have to basically look  
15 at the level of risk on some of these things,  
16 but ...

17 CM: So in there, because the ask is not for -- it's saying  
18 here that the frequency will increase during  
19 periods of increased risk related to  
20 precipitation or higher risk of project activity.  
21 So it kind of singles it out to in-stream kind of  
22 work.

23 LM: Yeah.

24 CM: Or, you know, we could define that more. That it's  
25 something that triggers turbidity as something

1                   that's in question.

2   PC: Well, you know --

3   CM: So it wouldn't be every stream, 24 hours.

4   PC: Yeah, you know, I think water quality monitoring is

5                   something that's just a constantly ongoing thing

6                   for the environmental monitors, whether it's BC

7                   Hydro's auditor [sic] or contractor's monitor, or

8                   the First Nations' monitor, however that is

9                   structured. And it's being able to essentially

10                  have all that data, and track reasons why you're

11                  looking at certain areas and addressing comments

12                  and risks, and being able to track what's leading

13                  to more frequent monitoring of concern areas.

14                  So if we're starting see high turbidity

15                  levels in a specific location attributed to road

16                  use, your frequency is going to adjust based on

17                  that. And you're going to be looking at what

18                  measures you need to place. You know, new

19                  mitigation measures, and now what's working and

20                  what's not working. So ...

21   CM: So if the language were to say turbidity measures will

22                  be increased but not specific on the two hour,

23                  because you're saying it could be more, could be

24                  less, we can't commit to exactly two hours.

25   PC: Yeah.

1 CM: Like the overall measurement is that --  
2 BM: It says that right here, right?  
3 PC: Yeah. Basically -- will increase.  
4 BM: The frequency of water quality monitoring will increase  
5 with the increase in risk.  
6 CM: M'mm-hmm.  
7 MD: Yeah. But my expectation with any environmental monitor  
8 that's on site, is that they're not just looking  
9 at these things, you know, when there's a lot of  
10 traffic, when it's poor weather. My expectation  
11 is that I'm also getting data regardless of  
12 whether it's good or whether it's bad, because  
13 that's always giving me some decent background.  
14 CM: Baseline, yeah.  
15 MD: Yeah, it's baseline data, right?  
16 CM: Yeah.  
17 MD: So it's -- I don't want my monitors to be sitting out  
18 there doing nothing all day.  
19 CM: M'mm-hmm. And it's easy to take a radio.  
20 MD: You know, if they've got -- yeah, exactly. They've got  
21 equipment in their truck and they should be using  
22 it.  
23 CM: Yeah.  
24 MD: And I want to see that data. If I'm not getting that  
25 data I'm going to start asking questions.

1 CM: Yeah.

2 MD: You know, what are they doing? Are they being used for  
3 other purposes where they shouldn't be? How is  
4 the contractor taking advantage of the monitor to  
5 basically put them to work doing other stuff when  
6 they should actually be out monitoring. So, you  
7 know, that's kind of the expectation.

8 CM: Just trying to -- because the original ask was there  
9 because we -- the idea is to constantly monitor  
10 if there's an increase. And so you're sitting  
11 there and you know what an increase is, because  
12 BC doesn't have some strict, hard deadlines that  
13 everybody is -- like selenium, you know, you have  
14 site quality objectives for a stream, and you got  
15 the rule. And it's just -- this is the guidance  
16 for everybody. Turbidity is a little more  
17 tricky, but the original ask came out of the --  
18 it's being monitored, we know when things are  
19 unusual for that environment, and that something  
20 is done about it, you know, to stop the loading.  
21 Say somebody is working in a stream, and it's  
22 higher than eight NTUs, and you kind of got a  
23 trigger to say "We're higher than our baseline  
24 here."

25 Our question is kind of coming from that

1 type of language, to know what's abnormal, to  
2 monitor and plan for events that cause harm to  
3 fish.

4 MD: Yeah. Yeah, NTU about background, so, I mean ...

5 CM: All right.

6 MD: But, yeah, I mean, tying that turbidity to, you know,  
7 background on specific times of the year, and  
8 weather is an important piece too, right?

9 CM: Yeah.

10 PC: Yeah, that's why that regular monitoring and reporting  
11 is important.

12 MD: Yeah.

13 LM: So we've got -- we've given some thought, I guess, to  
14 some potential litigation measures. We've got a  
15 few set out in the EA. We'll also got site  
16 specific environment protection plans to, I  
17 guess, address fish effects and effects on other  
18 aquatic species.

19 The only confirmed industry warrant, this  
20 might be helpful, is the rock placement on the  
21 dam. We've got -- we've got a reference to some  
22 of our best management practices and permit  
23 conditions. If we require culvert replacements,  
24 the contractor has to get a Section 9, and to  
25 include mitigation measures in that EPP.

1 BM: So we haven't got the permitting for any culvert  
2 replacements.

3 CM: Okay.

4 BM: That will be up to the contractor to provide all the  
5 plans and designs and everything to get those.

6 CM: Okay.

7 LM: What else do I have in here? So I guess we're not -- so  
8 there will be an amphibian salvage and relocation  
9 plan developed.

10 CM: So this is to -- do you guys know any more details on  
11 this salvage permit? Is there wetland or known  
12 area that's being disturbed to salvage?

13 PC: We've asked them too -- we've mentioned that, like, what  
14 I explained before --

15 CM: Is that the same one?

16 PC: Yeah. Well, there's no known amphibian salvage required  
17 for the project at this time.

18 CM: Okay.

19 PC: There's no wetlands and there's no big water pockets or  
20 anything like that.

21 CM: Okay.

22 PC: But we've advised them to be precautionary because it  
23 takes a long time to get a permit.

24 CM: Yeah.

25 PC: So I'm hopeful that they will just apply for a permit

1           for the entire, like, sort of project footprint  
2           area. And then something comes up in a ditch and  
3           they need to do sediment and erosion control  
4           measures quickly, but it turns out that maybe  
5           some frogs happened to be living in there, then  
6           they can salvage them, right? That's kind of the  
7           concept behind it.

8    CM:   Okay.  M'mm-hmm.

9    MD:   Same thing goes if they want to decommission any of  
10           their -- if they do have settling ponds, to  
11           decommission those ponds, they may have to do a  
12           salvage for that.

13   CM:   Yeah.  Place a home in there.

14   MD:   Yeah.

15   PC:   But over all, there should not be a lot of just idle  
16           water sitting around on the project.

17   CM:   Yeah.

18   PC:   I don't think -- like, it should be managed properly to  
19           drain off and stuff.

20   MD:   And in terms of the toad crossings and such, that's  
21           something we can work with.

22   CM:   Yeah.

23   MD:   That's pretty straight forward.

24   CM:   They have toad crossing that are like big culverts, and  
25           they go under the road.

1 PC: Yeah, sometimes it works, sometimes it doesn't.

2 CM: Yeah.

3 PC: I've worked with Kiewit on a PV project where we tried a  
4 number of measures. And as I said earlier, what  
5 we ended up doing, is we have peak times during  
6 the day when we slowed traffic down, spaced it  
7 out.

8 CM: Yeah.

9 PC: You know, not every toad is going to make it across the  
10 road. But you know, that's part of it. You  
11 know, they went to extraordinary efforts of  
12 basically putting signs up on the road and --

13 CM: Yeah, did they have a toad flag or anything like that?

14 PC: They had a toad flag, but it was part of the tailboard  
15 meeting every signal morning.

16 CM: Okay.

17 PC: And they're huge signs that were basically posted at the  
18 start and at the finish, and then, basically,  
19 Like, you're approaching this area, and then once  
20 you're into it --

21 CM: Okay.

22 PC: -- and, you know, basically had guys out there  
23 monitoring the speeds.

24 CM: Okay.

25 PC: So, you know, they took it very seriously.

1 CM: And where do you -- and generally how many people will  
2 be working on the site? Like, just to get a  
3 visual? We had the truck loads that are given,  
4 but how many people are expected to work? Are we  
5 talking 1,000 people?

6 KK: I'm not counting truck drivers, but at the quarry mine,  
7 I think we reach the maximum at about 15 or 20,  
8 that's it. Not more than that. Again, that is  
9 subject to -- I'm just giving you --

10 CM: Sure. I'm just trying to understand, are we --

11 BM: A ballpark.

12 LM: A ballpark.

13 Bm: Ballpark, 20, I would think.

14 CM: And then there's a lot of truck loads, but a person can  
15 do quite a few, right?

16 BM: M'mm-hmm.

17 CM: So we're talking, like, these people generally are going  
18 to live in Hudson Hope area and drive to work  
19 everyday? There's not this big camp set up?

20 KK: No.

21 CM: Yeah.

22 KK: The -- currently, as per the proposal, there are no  
23 camps.

24 CM: Just local traffic going from the dam, over to this.  
25 Considering frogs crossing, we're talking about X

1 amount of vehicles, right? Like --

2 BM: They might bus them out to the quarry. You know, it's

3 hard to say.

4 CM: Yeah. Okay.

5 BM: Instead of everybody driving a truck out there.

6 CM: Yeah. Okay.

7 KK: They may have a truck, or sort of a mini van they can

8 go.

9 CM: Haul them all at once.

10 KK: Because there are shifts, so they will have to manage it

11 accordingly.

12 CM: Okay.

13 KK: It's a shift basis.

14 CM: Okay.

15 KK: It's not that anybody can come in and come out, it's a

16 shift basis.

17 CM: Yeah.

18 KK: So once they're in, they're in.

19 BM: There will also be a few people at the stockpile site

20 managing that.

21 CM: Yeah.

22 BM: And then, you know, people doing the dam place work,

23 there will be, I don't know, probably a few

24 people there.

25 KK: In fact, probably when I say 15, 20, I'm being on the

1 conservative side. There will be less people.  
2 Because the less people means the contractor is  
3 making more money. More efficient.

4 CM: All right.

5 LM: Oh, dear. All right. The water quality guidelines.  
6 Right. This was a recommendation around  
7 protecting aquatic life. We will be doing a  
8 water quality monitoring plan in accordance with  
9 water quality and turbidity guidelines, and of  
10 course, we'll have the sediment control plan and  
11 environment management plan as well. So this is  
12 kind of verbose. So this is what we agree.

13 BM: Yeah, yeah. I mean, they're used all over the place,  
14 and they'll be used here.

15 LM: Oh, I thought we said more.

16 BM: [Indiscernible].

17 LM: Best management practices, permitting requirements,  
18 regulations and guidelines, et cetera, et cetera.  
19 Okay. Exceedances. Somebody was being creative  
20 with their language. Okay. Oh, right. Okay.

21 BC Hydro needs to ensure that water  
22 crossings are designed to facilitate fish  
23 passage. So I guess for this one, we're really  
24 thinking about if we need to do any culvert  
25 work --

1 CM: Yeah.

2 LM: -- and I guess we don't know that yet, and we'll know it  
3 relatively soon. So if we do, obviously culverts  
4 will be installed in accordance with fish passage  
5 guidelines. So we do, you know, want to do  
6 things to facilitate passage. Oh yeah, and of  
7 course, I guess the Section 9 would be required  
8 for the placements of those culverts, right?

9 BM: Yeah, and contractor will get that.

10 LM: And the contractor will get that.

11 PC: I think as well the -- the more frequently turbidity  
12 monitoring typically occurs on construction  
13 in-stream work projects like culverts and  
14 replacements, if that was ever to be required by  
15 this project, that would be one instance where it  
16 would be quite applicable.

17 LM: There was some recommendations around, oh, vegetation in  
18 the riparian management areas. We said a lot  
19 about this, but the first word is the most  
20 important. Basically, we agree with these  
21 recommendations. We can implement these. Let's  
22 see.

23 BM: And there will probably be, you know, a minimum now that  
24 we're not widening that full side.

25 CM: Yeah.

1 BM: I mean, if there's a water course on a corner where we  
2 have to increase vision lanes, I mean, there  
3 might be a few trees removed, and that might be  
4 an instance.

5 CM: M'mm-hmm.

6 LM: I guess there was a clarification around wildlife trees,  
7 because we did put in -- our March 10th letter  
8 said there was not going to be any wildlife  
9 trees, I think, and here we noted actually there  
10 was that osprey nest tree. So just a  
11 clarification there.

12 I think we also made a comment about we're  
13 not really envisioning much in the way of  
14 windthrow.

15 BM: Yeah, the road is not widened as far as once thought.

16 CM: For the -- you guys mentioned the osprey nest there.

17 LM: M'mm-hmm.

18 CM: You received a permit to cap the nest off?

19 LM: Right.

20 BM: Yes.

21 CM: Is there a long-term monitoring plan to see if there's  
22 successful relocation?

23 PC: It wasn't a requirement for the permit conditions.

24 RD: Yeah, what we're -- what the -- I believe the  
25 understand -- the intent is the osprey would just

1                   go somewhere else. There's no plan to -- like,  
2                   you mean find out where it went?

3    CM: Yeah, to see where it went, to see if it worked. I  
4                   mean, it worked that it's not going to go on a  
5                   capped tree, but --

6    RD: We're going to keep an eye on it.

7    JT: It worked if it's not there.

8    CM: They're not there, but I mean, do they find a good home,  
9                   were they able to relocate and --

10   RD: Yeah, I think they acknowledged that osprey is fairly  
11                  secure in the Williston Lake area. Like, there's  
12                  a lot of them, so they didn't specify a  
13                  requirement to -- I don't know. Like, you'd have  
14                  to tag it and see where it went, and -- anyway,  
15                  it's not part of the plan.

16   PC: It's really difficult to do that, I imagine.

17   CM: Yeah. The reason why we're asking is, we'll probably  
18                  deal with this again, and want to see what's the  
19                  best way of -- best mitigation, because Hydro  
20                  deals with osprey all the time.

21   LM: Oh, yeah.

22   CM: They try and [indiscernible] and building platforms for  
23                  them.

24   RD: Yeah.

25   CM: And what is the success rate of those different methods?

1           So when we're being consulted on removing osprey,  
2           we look at the data and say, "Hydro has done ten  
3           of these projects already, 70 percent of time  
4           they go live on a platform." You know what I  
5           mean? You're looking at solutions and actual  
6           data --

7   LM: Does it actually work? Do we know if it works?

8   CM: -- does this work? And same with the toad relocations,  
9           do these kind of things work? And then we're not  
10          always reacting to things without information.

11                 Like, you know, we get that they move  
12                 around, they got more than one nest and they  
13                 populate, for bacteria reasons, move along, but  
14                 to facilitate the confidence, we would really  
15                 like to see plans like that developed.

16                 This one may not be the best example, but if  
17                 monitors are out there and they're noticing this  
18                 osprey is hanging out near the quarry, he doesn't  
19                 like moving, all those kind of things would be --  
20                 anyway, we're directly asking for a long-term  
21                 plan.

22   KK: I think monitors would be there onsite.

23   RD: Our monitors will be, like, you know --

24   CM: On the project area.

25   RD: -- any other environmental monitor, and on the project

1                    area we'll be monitoring that.

2    CM: Yeah.

3    RD: But there's ...

4    BM: [Indiscernible].

5    CM: Like, where did that osprey go? Like, there's one that

6                    was relocated near Peace Canyon with a platform.

7    RD: Okay.

8    CM: And I'm just curious to see where that one went.

9    KK: It also depends how much the osprey is resistant to

10                    blasting.

11    CM: Yes.

12    KK: We did our trial blasting, there was -- the osprey nest

13                    had these chicks.

14    CM: Yeah.

15    KK: Whenever the blasting used to take place, they flew

16                    away, and then in ten minutes they were back.

17    CM: After the blasting?

18    KK: Yes.

19    CM: Hmm.

20    KK: Ryan was among them. He noticed all those things.

21    CM: Yeah.

22    RD: We did -- we did do that program with also Bigochay

23                    [phonetic] from Saulteau, she was there with us.

24                    And we basically dealt with the people at FLNRO

25                    here and discussed the situation, and that was

1                   the plan that we undertook.

2    CM:   Okay.   Yeah.

3    RD:   And it was interesting to see.   Like, we were worried

4                   that the mother would abandon the chicks.

5    CM:   Yeah.

6    RD:   And you know, then they would die if they couldn't fly,

7                   right?

8    CM:   Yeah.

9    RD:   And our contingency at that time was that we would

10                  rescue the chicks if the mother did abandon them.

11                  But anyway, it was successful.   But this year,

12                  you know, we just intended to not even have birds

13                  in the proximity of the project.

14   CM:   Okay.

15   RD:   So that was the sort of route that we'd done.

16   BM:   The trial [indiscernible] a very short period of time.

17   RD:   Yeah.

18   KK:   This is one of --

19   BM:   Less than a week, or something.

20   RD:   Yeah.

21   CM:   They were going to start nesting.

22   BM:   One or two a day for a year.

23   CM:   Yes.

24   RD:   But the information on osprey is that they're pretty

25                  tolerant birds to construction.   Like, you know,

1           in this area they're a pretty stable population.  
2           Anyway.

3    CM:   Okay.

4    MD:   So, sorry?  So the intent is to remove the tree and not  
5           provide a replacement for it?

6    RD:   Right now we're not replacing the tree.  We're not  
7           cutting down the tree at all.  We just put -- our  
8           permit is to put a cap on top, so we installed  
9           the cap already, and it's there, and then the  
10          bird has to go somewhere else, and then we'll  
11          remove it when the blasting is complete, so then  
12          they'll have access back to the nest.

13   KK:   We have been --

14   MD:   What if they nest on top of the cap?

15   KK:   Yes.

16   RD:   I don't think they're going to do that.

17                           **[MULTIPLE SPEAKERS INDISCERNIBLE]**

18   RD:   That would be a problem.

19   JT:   The cap is another nest.

20   RD:   Is a big deterrent, a cap.

21   KK:   Preventative measure.

22   LM:   There were a number of recommendations around wetlands,  
23          and I think those were -- we sort of discussed  
24          this earlier.  A lot of them were centred around,  
25          like, the sediment and erosion control plans,

1 dust control plans to try and reduce any impacts  
2 to wetlands.

3 We've talked a little bit about sort of the  
4 buffer -- buffer zones we applied when assessing  
5 the project, to sort of figure out whether there  
6 were wetlands in the vicinity, but I mean, we are  
7 obviously going to be implementing a lot of  
8 sediment and erosion control and are proposing to  
9 sort of mitigate impacts to wetlands that way,  
10 which I think is roughly in line with what you  
11 guys are recommending.

12 What else do I have here? Environmental  
13 monitoring.

14 JT: May I raise a question?

15 LM: Yeah.

16 JT: I don't think it's come up yet, but just something I  
17 recall coming up during the interviews. There  
18 was a question about what would the actual  
19 restrictions be, or would there be any actual  
20 restrictions on, say, Saulteau members, or the  
21 public in general, to get into this area, or  
22 would there be certain times where nobody would  
23 be allowed in, or is there some kind of protocol  
24 that will be put in place in terms of ID  
25 checking, anything like that?

1 BM: They can't go into the quarry site. The quarry site  
2 will be gated.

3 JT: But the roads?

4 BM: I mean, if they're replacing a culvert and the road has  
5 to be dug up, I can see some interruption in  
6 traffic there.

7 JT: Right.

8 BM: But other than like a --

9 LM: Otherwise, we're not restricting access to Table and  
10 Utah with gates or anything.

11 RD: You said a gate on the spur road, right?

12 CM: Yeah, there was a --

13 BM: Yes.

14 LM: That's the one that leads to the quarry.

15 JT: 30 kilometres.

16 LM: Yeah, that's right.

17 JT: But for Utah and Forest -- Utah and Table?

18 KK: That is not our road. That's Canfor's road. We  
19 cannot --

20 RD: And we told the contractor to minimize total disturbance  
21 like that, road shutdowns.

22 KK: See, obviously, when there are road upgrades --

23 JT: Right.

24 KK: -- there may be some --

25 LM: Yeah, temporary closures and stuff.

1 KK: -- sort of short duration shut downs. That is obvious,  
2 when we do some upgrades for the safety of the  
3 public and the site. But we have told our  
4 contractor to minimize those. And again, as I  
5 told you, they plan to finish the upgrades in  
6 about a month and a half or so.

7 JT: M'mm-hmm.

8 KK: And if at all, there are some, how to say, stoppages or  
9 some closures, it will be very minor. We told  
10 the contractor that maximum four days to one  
11 week, that's it. Not more than that. And that  
12 also you'll be provided with adequate timely  
13 information.

14 RD: We'll get a communication protocol going.

15 CM: Yeah.

16 LM: Yeah.

17 KK: Once we have the --

18 RD: People should be notified in adequate time when things  
19 like that are going to happen.

20 CM: So the -- for a visual on the traffic, say you're  
21 traveling to Carbon Lake and you take this road  
22 in peak hauling season, will you be, as a road  
23 user, you'll be required to yield to the larger  
24 trucks, correct, on those Utah and Table roads?  
25 And so --

1 MD: I don't know what the standard protocol is.

2 RD: I think that's typically what happened. Like, in a  
3 logging truck situation.

4 PC: You pull over and the truck goes by?

5 RD: If you're heading -- yeah.

6 CM: It's not a two-way road.

7 RD: Like, if you actually have a radio, typically the  
8 largest vehicle you just give the right of way.  
9 In my experience.

10 CM: Okay. Will there be -- there was a question, will there  
11 be any escorting of -- just put on the lens of an  
12 older elderly person, and they're used to going  
13 somewhere, and there's different rules when  
14 you're up, large trucks, and they avoid Johnson.  
15 Is there an option to have a pilot car?  
16 Like, say if it's a dangerous time and  
17 there's rock trucks flying on the road, would  
18 there be options to have a pilot car move people  
19 through? In a sense of time, like, if we had a  
20 culture camp. You know, things like that.  
21 There's an option out there where they're not  
22 radioing or trying to figure out where this  
23 person is, because you have two different roads  
24 with different frequencies.

25 BM: If adequate notice was given, we could probably work

1                   something out.

2    CM:  Yeah.  To lead them through there.

3    RO:  And the ask would be for the Utah road, not necessarily

4                   for the Table.

5                   **[MULTIPLE SPEAKERS INDISCERNIBLE]**

6    KK:  It's only five kilometres, approximately, to the dam.

7    CM:  Up this spur?

8    RO:  No, of the --

9    CM:  Yeah, Utah, with the big dip in it.

10   KK:  See, from the dam, Utah goes like this, and then we turn

11                   to Table.  Whereas you're not going to do this to

12                   the Johnson.

13   CM:  Yes, to the Johnson, yeah.

14   KK:  So --

15   CM:  But that's the one I'm talking about.  Is there one that

16                   could be a pilot there?

17   BM:  The other option is, you know, you pull in behind the

18                   truck, right?

19   CM:  Yeah.

20   BM:  And follow the truck.

21   CM:  That's true.

22   BM:  I mean if, like we talked before, if there's a period of

23                   time when there's a whole group of people going

24                   out to Carbon, or whatever, if that time period

25                   is notified to us in adequate time, you know, we

1                   can try and accommodate it.

2    CM:   Okay.

3    KK:   That's what we want, too.  Definitely sort of a

4                   communication protocol so that the inconvenience

5                   of the thing is minimized.

6    BM:   What sort of capacity do you have for environment

7                   monitors?

8    CM:   We have a lot.

9    BM:   Oh, you guys --

10   CM:   We have 30 plus monitors.

11   LM:   Oh, wow.

12   CM:   And they need to know in advance when you want to

13                  schedule them because they get booked.

14   BM:   M'mm-hmm.

15   CM:   But we have a lot of people and they have the training

16                  so ... We also have a tablet that they pack with

17                  them.  You might have seen B with a tablet out

18                  there.

19   RD:   Yeah.  Or she had, like, a fancy cellphone anyway.  I

20                  don't know if it was a tablet, but she was taking

21                  photos and GPSing and adding notes.  It was -- it

22                  was good, yeah.

23   CM:   Yeah.  And so they send that to us, to our department.

24                  And then we have our own data set and then they

25                  send their requirements, and they were working

1 with Ecofor, and so the people are trained to do  
2 two jobs in one day, it's really --

3 RD: I didn't see a lot of what we had produced, actually. I  
4 only worked with her on a different job. It  
5 wasn't that one.

6 CM: Okay.

7 RD: That was three years ago and I don't think she had --  
8 she was still writing notes and she was  
9 explaining to me about her computer ability,  
10 which wasn't good. Anyways ...

11 CM: Yeah, that's a new upcoming thing that we did with the  
12 tablets.

13 RD: Yeah, but nonetheless.

14 CM: Yeah, okay. We have a lot. West Moberly is less right  
15 now with their amount of people there, but a lot  
16 of people do want to do monitoring.

17 LM: Okay. Yeah. Because I think -- I mean, we certainly  
18 want to have First Nations monitors on, and so we  
19 just need to work with you guys to develop a  
20 scope of work and think about who's reporting to  
21 who and all this kind of stuff.

22 CM: Yeah. The manager is Josh Border [phonetic] and it's  
23 Voracdev [phonetic] corporation 4EG, and it, you  
24 know, goes to them and we receive the reports.

25 LM: Okay. Dust mitigation. We had some -- okay. So there

1 was, I guess, a number of recommendations around  
2 here. And this one, we probably need to sort of  
3 think about whether we could use some alternate  
4 mitigations, I think. I mean, REA assessed the  
5 potential effects from dust as low, and what  
6 we're really hoping to do is sort of mitigate the  
7 measures, I think, rather than do, like, a model.

8 BM: Or monitoring stations. Monitoring stations are very  
9 difficult. There would be, you know, outside  
10 influences other than just our trucks on the  
11 road, things like that. I mean, I think we have  
12 to come up with some way to not measure dust, but  
13 you know, be able to talk about how much dust is  
14 there and get the contractor to apply more  
15 mitigation. That's something I think we have to  
16 work on a bit.

17 CM: Well, you know, we're concerned about the loading of  
18 dust.

19 LM: Yeah.

20 CM: Like, we originally talked back in the day when Rod  
21 worked, there was contractors that came into  
22 meetings and we said, "Do you have a modeling  
23 plan."

24 And their response was, "We wont let it get  
25 to a level where it's a safety concern." So if

1                   we can't see oncoming traffic --

2    MD:  Yeah.

3    CM:  -- that creates a lot -- decrease in confidence on

4                   monitoring environmental impacts and dust.

5    BM:  M'mm-hmm.  Yeah.

6    CM:  Because we're concerned with photosynthesis in plants.

7                   You know, if you can't see the guy coming at you,

8                   you're definitely affecting photosynthesis and

9                   berry control.

10   BM:  Yeah.  Yeah.

11   CM:  So we were trying -- we talked about this last time.

12   LM:  Yeah.

13   CM:  But where we're trying to look at is where the impacts

14                   travel to, and then minimizing them.

15   BM:  Yeah.  I mean, we'll find hot spots in the road that

16                   probably produce more dust than other sections,

17                   and you know, try and focus on the riskier areas,

18                   that type of thing.

19   CM:  Yeah.

20   BM:  But even modeling road dust is not very accurate at all,

21                   and I don't really think it would tell us

22                   anything.

23   CM:  So do you guys have a level that you're monitoring where

24                   it's a threshold?

25   BM:  Well, that's what I was talking about before.  We have

1 to determine some measure, and I'm not sure what  
2 it is, where you know, the contractor needs to  
3 know when he has to apply more mitigation, right?

4 CM: Yeah. Yeah.

5 BM: So I think that's something for to us work on.

6 RD: I mean, it comes down to the authority of the  
7 environment monitor and Hydro's monitor being  
8 able to, basically, shut down certain things, you  
9 know, where it may be seen as an issue. So yeah,  
10 it's --

11 But I mean, one of the things, just in terms  
12 of the road, is using application, cay calcium  
13 chloride. It will help keep it down.

14 CM: M'mm-hmm.

15 RD: But then from that point forward, it's -- I mean, that's  
16 not the end all. There's definitely going to be  
17 a requirement for watering, and maybe another  
18 application down the road. But as Bruce was  
19 saying, there will be hot spots and, you know, as  
20 we get into -- into the project, certainly those  
21 areas will start getting identified and become  
22 key monitoring components for our monitor,  
23 whether -- you know, of each team's monitor: So  
24 yourself, ourselves, and the contractor.

25 CM: Still, you know, we want a commitment that they won't

1 reach levels that impact vegetation collection  
2 and impede people's use of the land. So right  
3 now, we can read over and review it, but it's  
4 kind of tough to say, "Yeah, we're going to  
5 monitor."

6 LM: Yeah.

7 BM: I know it's going to be a difficult one to agree on, and  
8 maybe one of the ones that we're just like --

9 CM: If we kind of had, generally --

10 BM: -- we're going to do the best we can, and there may be  
11 some dust on the road, right, or on the  
12 vegetation along the road as well.

13 CM: Yeah.

14 BM: I mean, I'm sure there's dust there now.

15 CM: Yeah, it's going to be increased with the site, and  
16 we're unsure what that level and the outcome  
17 would be.

18 LM: Yeah, what's acceptable?

19 BM: Yeah.

20 CM: Because we, like, as mentioned in the TUS, we have  
21 medicine sites there, vegetation sites.

22 BM: Yeah.

23 CM: So how do we work together to say, "yeah, the reality is  
24 that there is going to be dust loading, but we're  
25 comfortable that, given the study, we know that

1           this many particles won't affect it more than a  
2           year", and then we work on something, like, that  
3           concrete.

4   BM:   And I think it develops over, you know, you identify  
5           sites, we look at them together, figure out  
6           mitigation, you know, ways to mitigate.

7   CM:   Yeah.  And there's sites right on the project road.  
8           Yeah.

9   BM:   And if there are --

10  CM:   So then what would be the dust loading rate, five metres  
11          from the road.

12  RD:   Is there any info, like, from the TUS study where you  
13          could actually give us a specific buffer and say,  
14          like, "This is one, and we should do it"?  Like,  
15          just on a site specific, like, you know what I  
16          mean?

17  CM:   Like, explain where the vegetation --

18  RD:   Well, if you actually knew of a person that had a spot,  
19          and then, like, tell us that, we -- we don't want  
20          to know the confidential location of it or what  
21          it is, but put 30 metre buffer on it, and then  
22          we'll work that right into our plan right now.  
23          We could definitely do that.

24  CM:   So the study has --

25  BM:   So I think he said you were going to give us some of

1                   that.

2    JT:  Also -- also we have the data that we have -- from --  
3                   collected from the study and others, but whether  
4                   or not -- and the level of detail that can be  
5                   provided is something that -- I guess for  
6                   Saulteau to ...

7    CM:  Did you guys see on the map where you have the summary,  
8                   and the green polygons right on the road are  
9                   vegetation collection sites.  And they're  
10                  specific.  Like, they're not just whole blanket  
11                  area.  It will show you right on the road.  Like,  
12                  you'll have a polygon.

13   RD:  Is it like, 1,000 metre buffer?

14   CM:  On each of the sites?

15   JT:  It's 1 K, yeah.

16   LM:  So there is a specific map that just shows berries and  
17                  medicines?

18   JT:  There's a plant.  It is on page ...

19   R0:  Around 45.

20   RD:  Page 45?

21   R0:  Somewhere very close to 45.

22   RD:  So there's no [indiscernible].

23   PC:  We only got six minutes.  Maybe we should just -- you  
24                  know, we'll work with these.

25   CM:  Table that for later.

1 R0: It is on page 50.

2 LM: Okay. And this map is specific to berries and plants.

3 RD: So it's the green areas?

4 CM: Yeah.

5 RD: When it says "cultural" that means "vegetation"?

6 CM: Yes.

7 RD: Okay.

8 R0: So this is plant and medicine gathering values.

9 CM: So everything in that --

10 RD: So it's kind of just that one piece, right?

11 R0: So we classified -- so we have five different categories

12 that we map in, and then we split them into VCs

13 so we have multiple categories. So if it's a

14 medicine plant, we mark it as cultural.

15 CM: So you see, there's a circle buffer in different parts

16 of the road, for example. Not on the whole road,

17 but there's a -- this is a buffering spot here.

18 JT: Yeah, I mean, we could provide it more zoomed in than

19 that.

20 BM: Yeah, a little.

21 RD: If we had more time to go over that, the interpretation

22 would be helpful.

23 JT: M'mm-hmm.

24 R0: I think you could, like --

25 RD: Because I could see totally bringing some site buffers

1 to the project, right?

2 CM: Yeah. You see the wetlands?

3 BM: For example, if there -- if there was a wetland by the  
4 road --

5 CM: You see a lot of values overlapping wetlands on that  
6 map.

7 BM: Yeah.

8 CM: Yeah. So people are picking vegetation near the  
9 wetlands that are in the FNITR review.

10 RD: Also, a question I have is, like, if the specific plant  
11 was the same, is it -- would an option be to  
12 protect, like, one area and give Saulteau, like,  
13 really good easy access to one area? I mean, I  
14 guess you want all of it protected. Or with  
15 facilitating access, like, maybe facilitating  
16 access to the closest one as well.

17 CM: Yeah, that could be. That could be an option, go to the  
18 land user and say, you know, "If you had access  
19 to this wetland and it wasn't impeded in any way,  
20 could you still collect the plants?" Because  
21 these ones by the quarry it's just going to be  
22 too busy. To much traffic.

23 RD: That's right. Yeah.

24 CM: We could go to the member and ask them if they're  
25 comfortable.

1 RD: That's pretty good, I guess, that you guys have, like,  
2 an actual -- you can go back to the person's name  
3 and then --

4 CM: We can go right back to that person and sit down with  
5 them in another session and say, "Hey, you know,  
6 they're not widening the road, but they're going  
7 to have lots of trucks. Would it be okay for you  
8 to access this till August 15th?"

9 You know, talking to them and then they can  
10 say, "Oh, we harvest the plant in April, so ..."  
11 or, I don't know.

12 RD: Yeah.

13 LM: Yeah.

14 CM: Those are things to talk to them about and work on the  
15 mitigation. As long as you stay out of there in  
16 April, then I can still harvest my plant, or ...

17 RD: Yeah.

18 LM: Okay. I'm cognisant of the fact that we have three  
19 minutes and we're sort of halfway through this  
20 table. So just thinking of what we want to do  
21 next on this. I obviously want to try and  
22 organize a bit of, I think, a working session for  
23 us and McLeod.

24 CM: With the Nations?

25 LM: Yeah. To sort of go through this in a bit more detail

1                   and discuss, sort of how we can hammer through,  
2                   you know, like, actual mitigation plans or  
3                   commitments or whatever works. Let's see.

4    CM: So we -- next Thursday we have a technical meeting with  
5                   all the groups, so it would be --

6    LM: Okay.

7    KK: Next Thursday is -- today -- is the 28th.

8    CM: Yeah. So --

9    BM: Is it like a quarterly meeting or something?

10   CM: We have monthly meetings with all the technical reviews  
11                   we do. So the Nations meet and --

12   BM: Oh, I see.

13   CM: We can discuss next meeting dates with the group.

14   LM: I'll make sure everybody has this by then, for sure.

15   CM: Yeah.

16   BM: Yeah, that would be good if that gets put up as a topic.

17   LM: Yeah.

18   KK: You guys can come. You don't need me on that.

19   CM: No, it's internal.

20   BM: It's internal.

21   LM: It's internal for them to sort of --

22   KK: Did you say that after that meeting you have a meeting  
23                   with her, or no? I didn't understand.

24   CM: Yeah, I was just mentioning is that the collective  
25                   actually meets, so we put this on our to-do list.

1 LM: Okay.

2 CM: I can't commit that the Nations, other than myself, can  
3 look at it.

4 LM: Yeah, of course.

5 CM: But it can be tabled for, you know. We can have Marc  
6 call, if it would be appropriate, and talk about  
7 these are some of the next steps, and you talk  
8 about this Table. That's -- but we can only  
9 commit to present that that's a to-do list.

10 LM: Okay.

11 CM: And like I say, we have our BC Hydro update on the 12th.

12 LM: On the 12th. Which I think I've got that in my  
13 calender, so if we want to put this on the agenda  
14 for that, then --

15 KK: [Indiscernible].

16 CM: Quarterly.

17 KK: Quarterly.

18 LM: Quarterly, yeah.

19 KK: That is [indiscernible].

20 CM: Definitely is free to present. It's BC Hydro's  
21 quarterly updates. That one -- the other one's  
22 internal, but this one is full on Hydro.

23 LM: Yeah. Yeah, exactly. So Hydro can be there. Yeah, so  
24 that's good. I mean, I guess, obviously, in the  
25 interim, if you have sort of -- if you read

1 through this and you have thoughts or responses,  
2 like, I'm always open to hear them, so ...

3 CM: Yeah. But I think the next step would be, and it's just  
4 a suggestion, is that we go through our asks,  
5 double check that they're on this list and then  
6 talk from there collectively about the issues.

7 LM: Yeah. Okay. I think that makes sense. And maybe I can  
8 check -- sort of check-in with you after Thursday  
9 and just see if you got to get to this and if  
10 there are any initial thoughts.

11 CM: We won't -- so honestly what will happen, is we say this  
12 table is being -- as a response, and provide an  
13 update that we've submitted our final technical  
14 review, here's a response from Hydro, and people  
15 will slot in their schedules to review it.

16 LM: Okay.

17 CM: But it won't be a "full-on let's" in two hours.

18 LM: Discussion. Okay.

19 CM: We only have two hours together in total for 13 points.

20 LM: Fair enough. Okay.

21 KK: So before we go, just, I want to make some -- some  
22 thing. First of all, I want to assure you guys  
23 that when we implement this project, our intent  
24 is to be very diligent on the environment and the  
25 treaty rights you have.

1 CM: M'mm-hmm.

2 KK: And we would like to honour them. It's not that we --  
3 and from the monitoring aspect, I can tell you we  
4 have required the contractor to have a monitor --  
5 environmental monitor. Over and above that we  
6 have, maybe depending on how it goes forward,  
7 Ecofor as our BC Hydro monitor in the  
8 [indiscernible] contractor's mind.

9 CM: M'mm-hmm.

10 KK: So we will -- and they prepare the -- sort of a daily  
11 report or a weekly report, and all those reports  
12 can be shared with the First Nations. We are  
13 transparent on that. Because as Marc was saying,  
14 if the reports are there, you can understand that  
15 we are doing our due diligence with respect to  
16 the -- for Hydro, irrespective of whatever  
17 project they're implementing, safety and  
18 environment are most important. We normally  
19 don't compromise on those aspects.

20 CM: M'mm-hmm.

21 KK: And we try to maintain high standards of environmental  
22 monitoring and safety upon all of our projects.  
23 Because for each incident, if it happens, it goes  
24 to the management side, where they come to know  
25 how the project is performing. We have to fill

1 an incident report.

2 So it's not that we just take it lightly, we  
3 take it very seriously. And if First Nations --  
4 if this is okay with you, that we provide you  
5 with sort of a monthly report of our activities  
6 on the project, and if you think that that is --  
7 you can get satisfied, is that acceptable, or  
8 not?

9 LM: I think that's in addition to having their monitor's  
10 sort of eyes and ears on the ground.

11 KK: So with respect to your -- if you -- if First Nations  
12 wants to have their own monitors, I think it is  
13 better that they have a sort of liaison with our  
14 BC monitor, because BC Hydro monitor informs the  
15 contractor when they go and do their monitoring  
16 inspection and audits.

17 CM: M'mm-hmm.

18 KK: So it would be better that you tag on with our BC Hydro  
19 monitor, and we will be providing all the --  
20 we'll set up a communication protocol between our  
21 BC Hydro environmental monitor and First Nation  
22 monitors so that the activities are coordinated.  
23 And if there is any concern, like, any activity  
24 taking place and you need -- or you think that  
25 concern areas require additional monitoring or

1 special monitoring, that can also be communicated  
2 with the environmental monitors, and a -- sort of  
3 a framework how to do those things.

4 So this is what, as a project manager, I can  
5 offer to you from my project.

6 CM: So is Hydro committing to hire our monitors, or are they  
7 committing to sent reports to our monitors?

8 KK: See --

9 LM: We're committed to hire First Nations monitors.

10 KK: Hmm?

11 LM: We said we would hire First Nations monitors.

12 KK: Yes.

13 BM: Yeah.

14 LM: It's in the thing. That's happening.

15 KK: But see, we can direct Ecofor, who will be our  
16 environmental -- environmental monitoring, they  
17 will have the responsibilities to hire First --  
18 and I think Ryan has done during the  
19 investigation stage also, but the question is, he  
20 need not be from Saulteau, it can be from West  
21 Moberly, it can be from McLeod Lake.

22 So we send an open invitation. In fact, I  
23 can go to the extent that if you have some people  
24 who need training to become an environmental  
25 monitor --

1 CM: M'mm-hmm.

2 KK: -- we are ready for that also. Bear the cost of  
3 training so that your monitor, your environmental  
4 monitor is capable of doing --

5 LM: Although I think she was saying they have some monitors.

6 KK: Hmm? If they have, it is okay.

7 LM: Yeah, they've got like, 30 monitors.

8 KK: I'm keeping things open. We are -- we are ready for  
9 those things.

10 CM: Okay.

11 KK: And I have -- I was actually very -- I had one project  
12 in Campbell River, I adopted the same approach --

13 CM: Yeah.

14 KK: -- and the First Nations in that area were quite happy.

15 CM: Which Nation is that?

16 KK: There were four First Nations.

17 CM: Okay.

18 KK: Campbell River Indian Band, Wiwiki, what is the name?

19 LM: Weywakia, Weywakum.

20 KK: And ...

21 LM: I don't know who the fourth one would be.

22 KK: Comox.

23 LM: Oh, Comox, okay.

24 KK: And hel -- hel --

25 LM: Hul'qumi'num Treaty Group.

1 KK: There are four First Nations. Homalco, what is that?  
2 LM: Oh, Homalco, yeah.  
3 KK: There are four First Nations, yes.  
4 LM: Okay.  
5 KK: They were quite happy and satisfied with the way we did  
6 to them. [Sic]  
7 CM: M'mm-hmm.  
8 KK: And that was the project provided significant employment  
9 opportunities also. We even trained the people  
10 and they were hired by the contractor, you know?  
11 So those types of things. And this time, in this  
12 project, we have already told our contractor that  
13 for this particular, you have to give business,  
14 and I think Saulteau is -- you're -- everything  
15 is already discussed with them.  
16 CM: M'mm-hmm.  
17 KK: So we are going to provide business and employment  
18 opportunities.  
19 CM: M'mm-hmm.  
20 KK: Plus we are open to this monitoring and -- but we have  
21 to sort of sit down and develop a sort of  
22 protocol of what communication --  
23 LM: We need to develop a scope of work, right?  
24 KK: Yes, yes. A scope of work and a protocol so that you  
25 are also satisfied, and we are also satisfied

1                   that we are doing the right thing.

2    CM:  So I can't commit to any of the commitments, but we'll

3                   discuss further?

4    LM:  For sure.

5    CM:  Okay.

6    LM:  Gotcha.

7    BM:  Us too.

8    LM:  Yeah.

9    CM:  Yeah.

10   LM:  Okay.  Well, thank you so much for coming.

11   CM:  Thank you.

12   LM:  Again, I totally appreciate it.

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1 CM: Yes, appreciate it, yeah.

2

3 [END OF AUDIO]

4 I, Mary Catherine McNeely, Official Reporter  
5 in the Province of British Columbia, Canada,  
6 do hereby certify:

7

8 That the proceedings were transcribed by me  
9 from audiotapes provided of taped proceedings,  
10 and the same is a true and correct and complete  
11 transcript of said recording to the best of my  
12 skill and ability.

13

14 IN WITNESS WHEREOF, I have hereunto  
15 subscribed my name this 29th day of April, 2016.

16

17

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\_\_\_\_\_

19

Mary Catherine McNeely

20

Official Reporter

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

- 7      **Reference:    KNOWLEDGE AND USE STUDY, CULTURAL IMPACTS  
Exhibit B-14, Appendix C-1, pp. 660-661; Exhibit C5-10, SFN  
Knowledge and Use Study, s. 4.3.4; SFN TUS slide  
presentation (Appendix C); April 21 Transcript, pp. 5-13  
(Appendix I)  
Cross-cultural training**

On page 661 of Exhibit B-14 BC Hydro's meeting minutes for April 12, 2016 state that BC Hydro is not sure how to interpret the information in the SFN Knowledge and Use Study.

The study describes how hunting, trapping, fishing, and harvesting plants, fungi, and medicines are traditional activities that are central to the SFN community and culture. The study discusses how extensive travel and habitation on the land contributes to intangible values such as sense of community, identity, wellbeing and spirituality, and articulates how life on the land, ceremony, history, subsistence and passing on traditional knowledge are intertwined and important to SFN members.

SFN gave a presentation and invited questions on the TUS from BC Hydro during the April 21, 2015 meeting.

SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.

- 3.7.1            Has BC Hydro's Project team had cross-cultural training so that they (i) understand: (i) how First Nations people use the land; (ii) why land use is important to First Nations' communities and cultures; and (ii) cultural differences in communication?

**RESPONSE:**

**The level of cross-cultural training varies by individual team member and their role in the Project. The Project team includes a representative from BC Hydro's Aboriginal Relations department with cross-cultural training. Cultural training includes an understanding of First Nations use of the land, the importance of land use to First Nations' communities and cultures, and cultural differences in communication. These individuals also provide knowledge and support to other Project team members in carrying out their duties that may involve interaction with First Nations or impact on First Nations' land use.**

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- 3.7.2            Does BC Hydro have any anthropologists working on its Project team?

**RESPONSE:**

**BC Hydro does not have any anthropologists directly working on its Project team. BC Hydro funded TUS studies, undertaken by First Nations selected consultants, which included an anthropologist. BC Hydro considered the information collected and reported on by the anthropologist in the TUSs as part of its assessment of the potential impacts of the Project.**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

- 7      **Reference:    KNOWLEDGE AND USE STUDY, CULTURAL IMPACTS  
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SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.

3.7.3            Why was Rodney Hill removed from the WAC Bennett Dam Upgrade Project?

**RESPONSE:**

**BC Hydro does not publicly discuss personnel issues, and does not see the relevancy of this question as it relates to an assessment of the adequacy of consultation on the Project.**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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Exhibit B-14, Appendix C-1, pp. 660-661; Exhibit C5-10, SFN  
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The study describes how hunting, trapping, fishing, and harvesting plants, fungi, and medicines are traditional activities that are central to the SFN community and culture. The study discusses how extensive travel and habitation on the land contributes to intangible values such as sense of community, identity, wellbeing and spirituality, and articulates how life on the land, ceremony, history, subsistence and passing on traditional knowledge are intertwined and important to SFN members.

SFN gave a presentation and invited questions on the TUS from BC Hydro during the April 21, 2015 meeting.

SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.

3.7.4            Does BC Hydro have First Nations people on the team for the Project?

**RESPONSE:**

**No, not at this time. Personnel involved on this Project are appropriately qualified for their respective roles.**

<b>Saulteau First Nations</b> Information Request No. <b>3.7.5</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
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- 7      **Reference:    KNOWLEDGE AND USE STUDY, CULTURAL IMPACTS  
Exhibit B-14, Appendix C-1, pp. 660-661; Exhibit C5-10, SFN  
Knowledge and Use Study, s. 4.3.4; SFN TUS slide  
presentation (Appendix C); April 21 Transcript, pp. 5-13  
(Appendix I)  
Cross-cultural training**

On page 661 of Exhibit B-14 BC Hydro’s meeting minutes for April 12, 2016 state that BC Hydro is not sure how to interpret the information in the SFN Knowledge and Use Study.

The study describes how hunting, trapping, fishing, and harvesting plants, fungi, and medicines are traditional activities that are central to the SFN community and culture. The study discusses how extensive travel and habitation on the land contributes to intangible values such as sense of community, identity, wellbeing and spirituality, and articulates how life on the land, ceremony, history, subsistence and passing on traditional knowledge are intertwined and important to SFN members.

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SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.

- 3.7.5            How has BC Hydro re-assessed its views on potential impacts and appropriate mitigation measures in light of the TUS? Please provide examples.

**RESPONSE:**

**BC Hydro’s consideration of the SFNs TUS in BC Hydro’s assessment as set out in Exhibit B-14 section 2.1.2. BC Hydro provided a detailed table responding to the mitigation measures proposed in the FNITR. Examples of mitigation measures either accepted from the FNITR or that BC Hydro has indicated will require further consultation on are set out in Exhibit B-14 section 2.1.2 page 7-8.**

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- 7      **Reference:    KNOWLEDGE AND USE STUDY, CULTURAL IMPACTS  
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SFN members identified, through the TUS, their experience of alienation from the Project area during the construction of the WAC Bennett Dam from the social aggression and intrusion of workers on their privacy.

- 3.7.6            How will BC Hydro ensure that workers do not disrupt SFN members' privacy or create a hostile social environment that can affect members' comfort in their territory?

**RESPONSE:**

**BC Hydro cannot ensure any persons privacy on public lands, but is continuing to consult with First Nations to minimize disruptions from the Project. BC Hydro's Construction Contract will require that workers abide by BC Hydro's Code of Conduct and Supplier Interaction Guidelines. Copies of these documents are publicly available on BC Hydro's external website at the following link <https://www.bchydro.com/about/suppliers/doing-business-with-bchydro.html>**

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**8.0 Reference: CULTURAL CONTINUITY**  
**Exhibit B-14, Appendix C-1, pp 660-661; Exhibit C5-10, SFN Knowledge and Use Study, s. 4.3.5, pp 76-82**  
**Critical travel routes**

On page 661 of Exhibit B-14 BC Hydro's meeting minutes for April 12, 2016 describe consultation about SFN's use of the Utah FSR as a critical travel route to Carbon Lake:

Carbon Lake

KK [Mr. Khandpur for BC Hydro] asked how Carbon Lake, identified in the TUS, related to the project. CM [Ms. Marshall for SFN] replied that people accessed Carbon Lake from the Utah Road. KK and CM acknowledge that there was another way to access Carbon Lake.

On page 76 of Exhibit C5-10, the SFN Knowledge and Use Study explains the cultural, spiritual and historical importance of Carbon Lake:

What makes Carbon Lake noteworthy for the SFN is not only the density of recorded rights practiced in the area, but also the history of the community in the region.

*Carbon Lake here, there was a battle there in the early 1800s, eh. The Beaver against the Carrier Sekanis, a seven-day battle, right up in here. That area there. A seven-day battle. I guess the bones and everything are still there. That's why the, that's why the Carrier Sekanis are on that side of the Pine Pass, and the Beaver are on this side of the Pine Pass*

...

Carbon Lake is also linked to the Twin Sisters Mountains ...The Twin Sisters Mountains also play a large role in SFN's history and contemporary spiritual, social, and cultural landscape as a part of the SFN's origin story.

The two access routes to Carbon Lake from the SFN reserve are the Utah FSR and Johnson Creek Road. The travel route along Utah FSR is important in its own right for SFN members to camp, fish, hunt and harvest plants, berries and mushrooms on the way to Carbon Lake (Exhibit C5-10, p 80). The study summarizes how SFN access to the Johnson Creek Road has been restricted due to existing development, road hazards, unsafe traffic conditions, security and institutional control (Exhibit C5-10, p 82).

3.8.1 How does BC Hydro plan to ensure SFN can continue to access Carbon Lake using SFN-preferred routes, and to preserve the spiritual nature of SFN's pilgrimage to this historically and culturally significant location?

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**RESPONSE:**

**BC Hydro is consulting with SFN on how to facilitate continued access to Carbon Lake on their preferred routes. BC Hydro has committed to providing SFN with a copy of the draft Traffic Management Plan (TMP). BC Hydro will consider feedback from SFN prior to approval.**

<b>Saulteau First Nations</b> Information Request No. <b>3.8.2</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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3.8.2 Please confirm that BC Hydro does not view avoidance of Utah FSR as an adequate mitigation measure.

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**RESPONSE:**

**BC Hydro is not proposing SFN avoid Utah Road, but notes there will be intermittent disruptions to its use, particularly during road upgrade work. BC Hydro is consulting SFN on appropriate measures to facilitate access on Utah Road during the Project.**

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- 9.0 Reference: AQUATIC RESOURCES**  
**Exhibit B-14, Appendix A, #9; Exhibit B-14, p. 9; Exhibit C5-10, SFN Knowledge and Use Study, Figure 8, pp. 34, 53, 59**  
**Exhibit B-14, Appendix C-1, p. 326-372; Exhibit C5-10, SFN Knowledge and Use Study, pp. 60-61**  
**Impacts to Fish - Table and Stott Creeks and Tributaries**

BC Hydro states in its table in response to SFN mitigation measures that no effects to fish are expected, and therefore fish availability for FNs should not be affected.

Figure 8 of the SFN Knowledge and Use Study shows site specific values SFN members at various creeks crossed by Table Road, including the Table and Stott Creeks. SFN members reported fishing for subsistence purposes and catching grayling, bull trout, and white fish in the creeks traversed by Table FSR.

Members also explained that fishing activities are often combined with camping, hiking and hunting. SFN members also expressed concern over the fact that the creek water is no longer potable, and are concerned about preventing water quality from deteriorating further.

On page 60 of the TUS, the study describes SFN concerns about the effect of dust and silt on fish and fish habitat. Possible project impacts included the deterioration of fish habitat and streams from sedimentation, dust and erosion generated by project road traffic and construction, which would result in members avoiding the water and avoiding fishing until the end of the Project.

Some SFN interviewees did not believe sediment and erosion could be removed once in the water courses and others requested that the stream and creek waters be tested at the end of the Project.

- 3.9.1 Has BC Hydro taken into account potential impacts to First Nations fishers from lack of access, and affected quality of fish habitat (e.g., as a result of diminished water quality and quantity) to reach the above conclusion.

**RESPONSE:**

**Yes. Please refer to Exhibit B-14, page 11.**

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Some SFN interviewees did not believe sediment and erosion could be removed once in the water courses and others requested that the stream and creek waters be tested at the end of the Project.

- 3.9.2 If not, how do BC Hydro's proposed mitigation measures address the potential impacts to First Nations fishers?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.9.1.**

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- 9.0 Reference: AQUATIC RESOURCES**  
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Some SFN interviewees did not believe sediment and erosion could be removed once in the water courses and others requested that the stream and creek waters be tested at the end of the Project.

- 3.9.3 Has the contractor been informed of SFN members' reliance on and use of Table and Stott creek for fishing, camping, hiking, hunting? Has the contractor responded to SFN's concerns about fish and fishing activities?

**RESPONSE:**

**BC Hydro provided a copy of the FNITR, BC Hydro's Response Table, and the SFN TUS to the Contractor. BC Hydro has directed the Contractor to consider the information therein in drafting the EPP. SFN will be provided a copy of the draft EPP for review and comment. As discussed in BC Hydro's response to BCOAPO IR 3.14.1, BC Hydro has final approval over the content of the EPP.**

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Some SFN interviewees did not believe sediment and erosion could be removed once in the water courses and others requested that the stream and creek waters be tested at the end of the Project.

- 3.9.4 Can dust be extracted if extensive erosion, silt or sedimentation ends up in water course, tributaries?

**RESPONSE:**

**BC Hydro does not expect that there will be extensive erosion or sedimentation from the Project impacting water courses. Best management practices to prevent and mitigate sedimentation issues in watercourses will be included in the EPP. Environmental monitoring will confirm appropriate implementation of the EPP.**

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**10.0 Reference: RIPARIAN MANAGEMENT AREAS  
Exhibit B-14, Appendix A, #12**

BC Hydro states in their response that they will minimize any vegetation removal in the Riparian Management Areas to what is necessary.

BC Hydro states in their response that an assessment area of 70 m from the centre of access roads was applied with an assumed 20 m zone of impact for road construction, and that as a result of assessment, no wetlands were found within the assessment area, and no wetlands outside this area are expected to be affected.

3.10.1 How was the 70 m assessment area chosen and how have First Nation concerns regarding wetlands, and their accessibility and use (e.g., plant and medicinal resources) been incorporated in this choice?

**RESPONSE:**

**The 70 m assessment area was determined based on a 20 m effects area from potential work on the road plus a 50 m riparian management area around wetlands. The 70 m assessment area was chosen for the Project EA, and supported the permitting materials provided to FLNRO.**

**BC Hydro acknowledges that the FNITR noted that Project affects may extend up to 100 m. BC Hydro considered this, and concluded that no wetlands outside the 70 m assessment area are expected to be affected by the Project. Please refer to Exhibit B-14, Appendix A, Item # 13.**

**As to impacts to access, the assessment in the EA is of potential Project impacts to wetlands, not accessibility. BC Hydro is consulting Saulteau on access issues in the Project area and developing mitigations measures. Please refer to Exhibit B-14, Appendix A, Item # 1.**

**BC Hydro also notes that the FNITR concludes that “wetlands in the vicinity of the Project are at low risk of being directly affected by the Project activities, primarily because of the separation distance between the FSRs and the wetlands, with the likelihood of effects generally decreasing with increasing distance from roads.” (page 51).**

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3.10.2 What is the rationale for concluding that no wetlands outside the 70m assessment area would be affected? How did this conclusion take into account SFN wetland values?

**RESPONSE:**

**The conclusion that wetlands outside the 70 m assessment area will not be affected was based on:**

- **No construction activities have been identified that would impact the wetlands;**
- **The distance and vegetation between the wetlands acts as a buffer; and**
- **The mitigation measures that will be implemented as part of the EPP including Dust Management Plan, Sediment and Erosion Plan, Water Quality Monitoring and TMP.**

**The original conclusion in the EA was determined prior to the TUS. The conclusion is still considered valid by BC Hydro with the implementation of the EPP.**

**As to how SFN's input was considered in coming to this conclusion, please refer to BC Hydro's response to SFN IR 3.10.1.**

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Exhibit B-14, Appendix A, #12**

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BC Hydro states in their response that an assessment area of 70 m from the centre of access roads was applied with an assumed 20 m zone of impact for road construction, and that as a result of assessment, no wetlands were found within the assessment area, and no wetlands outside this area are expected to be affected.

3.10.3 How will BC Hydro avoid disturbance to SFN plant and medicine values in riparian areas within the Project area?

**RESPONSE:**

**Please refer to BC Hydro's statement in Exhibit B-14, Appendix A, Item # 12. BC Hydro will minimize any vegetation removal in the Riparian Management Areas to what is necessary.**

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**11.0 Reference: AIR QUALITY, DUST  
SFN TUS slide presentation, slide 13 (Appendix C);  
Knowledge and Use Study, pp. 43, 47, 51-52  
Impacts to Traditional Plants (e.g. Utah FSR)**

The TUS outlines the following concerns about the Project impacts to culturally significant plants: concerns associated with dust (e.g. plants “suffocating”), physical disturbance and removal; concern medicinal plants will not grow back; and concern that Project activity will reduce the quality of plants traditionally harvested.

SFN members explained that the roads are particularly dusty and the area is always windy, both factors which increase the risk of dust impacts on air quality and negative impacts on wildlife (p 43).

Slide 13 of Firelight’s April 21, 2016 presentation shows that on both sides of the Utah FSR there are medicinal plants and timber, and SFN members have collected these for years, if not generations.

The TUS is clear that Utah FSR is relied on by SFN for gathering food plants and medicines as well as harvesting blueberries, huckleberries, raspberries and strawberries. Additionally, members reported using diamond willow along Utah road used for traditional preparations of moose meat.

3.11.1 What is BC Hydro's rationale for choosing the dust control measures required from the Mines Act as opposed to ambient air quality objectives of the BC government?

**RESPONSE:**

**BC Hydro did not choose the dust control measures required for the *Mines Act*, over the ambient air quality objectives. BC Hydro must adhere to the conditions in the *Mines Act* Notice of Work. As to voluntarily adopting the ambient air quality objectives, BC Hydro has chosen not to because the potential effects from dust are mitigable and therefore adopting the ambient air quality objectives is not necessary. Please refer to Exhibit B-14, Appendix A, Item # 15.**

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3.11.2 Will BC Hydro be accountable to SFN members’ views on acceptable air quality and dustfall levels (including dispersion) in light of traditional use activities, through dust monitoring?

**RESPONSE:**

**As an Agent of the Crown, BC Hydro must balance multiple interests in making decisions in respect of the Project. These include but are not limited to safety, First Nations, ratepayer interests (e.g., costs, reliability), and the environment.**

<b>Saulteau First Nations</b> Information Request No. <b>3.12.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
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**12.0 Reference: AIR QUALITY, DUST  
Exhibit B-14, Appendix A, #15  
Dust control chemicals**

BC Hydro's response table indicated that chemical sprays will be used for dust control. BC Hydro has said the contractor has been made aware of First Nation concerns on sediment and dust erosion.

BC Hydro states in their response that control of dust may include calcium chloride or lignosulfonate.

The TUS describes SFN concerns about chemical sprays interfering with harvesting medicinal plants, as well as berries (p 49). SFN members also explained that the roads are particularly dusty and the area is always windy, both factors which increase the risk of dust impacts on air quality and negative impacts on wildlife (p 43).

TUS describes how Project operations are expected to increase the risk of chemical contamination from the interaction of wildlife with water use for dust suppression, road compaction, and fire suppression, and blasting.

3.12.1 Please provide further details on possible chemical usage.

**RESPONSE:**

**Lignosulfonate and calcium chloride are common chemical dust suppressants used on roads in watersheds. These chemicals might be used as part of the Projects dust control measures. The EMP (Exhibit B-14, Appendix C-1, page 468 of 703) requires that if a chemical dust suppressant is used, the EPP must include its Material Safety Data Sheet, and verification that the product is not environmentally harmful.**

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**12.0 Reference: AIR QUALITY, DUST  
Exhibit B-14, Appendix A, #15  
Dust control chemicals**

BC Hydro's response table indicated that chemical sprays will be used for dust control. BC Hydro has said the contractor has been made aware of First Nation concerns on sediment and dust erosion.

BC Hydro states in their response that control of dust may include calcium chloride or lignosulfonate.

The TUS describes SFN concerns about chemical sprays interfering with harvesting medicinal plants, as well as berries (p 49). SFN members also explained that the roads are particularly dusty and the area is always windy, both factors which increase the risk of dust impacts on air quality and negative impacts on wildlife (p 43).

TUS describes how Project operations are expected to increase the risk of chemical contamination from the interaction of wildlife with water use for dust suppression, road compaction, and fire suppression, and blasting.

3.12.2 Was the possible use of chemicals for dust suppression disclosed at the time of the TUS or FNITR?

**RESPONSE:**

**The possible use of chemicals for dust suppression was noted in paragraph 3 of section 4.9 of the EMP (dated August 2015) which was provided to Saulteau on March 10, 2016. The FNITR acknowledges receipt of this document at page 13. The use of chemicals was also noted in BC Hydro's Response Table on the FNITR.**

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TUS describes how Project operations are expected to increase the risk of chemical contamination from the interaction of wildlife with water use for dust suppression, road compaction, and fire suppression, and blasting.

3.12.3 Describe how the effects of dust on traditional activities will be monitored and traditional uses protected in the absence of dust monitoring stations.

**RESPONSE:**

**BC Hydro is requiring its Contractor to develop an Air Quality and Dust Control Plan as part of the EPP. Environmental monitors will be employed to ensure compliance with the EPP. BC Hydro is consulting with First Nations, including SFN, on the role of First Nation environmental monitors for the Project. Environmental monitoring will identify key influences in dust production (e.g., dry weather period, particular sections of the road, time of the day) to focus on specific issues and adapting the mitigation measures to these specific issues as required. Specific dust indicators are being discussed with the Contractor for inclusion in the EPP.**

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**13.0 Reference: AIR QUALITY, DUST  
Exhibit B-14, Appendix A, # 15  
Transcript, April 21, 2016, pp. 40, 134, (Appendix I)  
Dust Monitoring and Mitigation**

BC Hydro states in their response table that potential effects from dust will be low.

BC Hydro further states in their response table that it will require the contractor to develop a dust control plan.

During the meeting on April 21, 2015, SFN explained its request that BC Hydro monitor dust levels, including by establishing dust monitoring stations. BC Hydro responded: "... Monitoring stations are very difficult. There would be, you know, outside influences other than just our trucks on the road, things like that. I mean, I think we have to come up with some way to not measure dust ...".

3.13.1 How did BC Hydro's conclusion that the potential effects from dust would be low take into account SFN members' concerns regarding dust on the quality and quantity of plant and medicine resources and water resources in the vicinity of the Project?

**RESPONSE:**

**BC Hydro took this feedback into consideration as part of its updated assessment on the scope of consultation. Please refer to Exhibit B-14, pages 10 and 11, in particular the VC relating to Gathering Food Plants and Medicine, and Fishing and Water.**

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3.13.2 In the absence of any monitoring stations, how will BC Hydro's dust control plan determine if dustfall is a problem with respect to traditional use areas and the quality and quantity of culturally significant plant water resources in the vicinity of the Project?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.12.3.**

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BC Hydro further states in their response table that it will require the contractor to develop a dust control plan.

During the meeting on April 21, 2015, SFN explained its request that BC Hydro monitor dust levels, including by establishing dust monitoring stations. BC Hydro responded: "... Monitoring stations are very difficult. There would be, you know, outside influences other than just our trucks on the road, things like that. I mean, I think we have to come up with some way to not measure dust ...".

3.13.3 Please estimate the incremental costs associated with the establishment of dust monitoring stations. Please provide the estimate, and any assumptions and calculations.

**RESPONSE:**

**BC Hydro does not intend to establish dust monitoring stations. Instead, as set out in BC Hydro response to SFN IR 3.12.3, BC Hydro will monitor potential impacts from dust through environmental monitors. As such, BC Hydro is not estimating the cost of dust monitoring stations.**

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**14.0 Reference: AIR QUALITY, NOISE  
Exhibit B-1, Appendix F, pp. 86-88; Exhibit B-14, Appendix A  
Noise**

In September 2015, BC Hydro provided a presentation to First Nations which indicated impacts from noise would be addressed in the Contractor's EPP.

However, in April 2016, BC Hydro's response to SFN's request for noise modelling was that noise modeling for the Project would be of little use because all potential impacts from noise was determined to be mitigatable (Exhibit B-14, Appendix A, #17).

SFN members have explained that grizzlies are sensitive to noise, and the blasting and traffic noise may have a noise impact zone as far as Battleship Mountain (p. 42). The TUS also summarizes SFN concerns that noise from the rock trucks will impact moose, by pushing them out of the area, as well as SFN trapping activities (p 41).

3.14.1 Did BC Hydro change its approach to noise between September 2015 and April 2016. If so, why and how did it change its approach?

**RESPONSE:**

**BC Hydro's approach to noise has been informed by consultation with First Nations. While BC Hydro does not agree that noise modelling would be useful for the Project, BC Hydro has and will continue to develop further mitigation measures on noise with input from First Nations. Please refer to Items #17 and #18 in Exhibit B-14, Appendix A.**

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3.14.2 How does BC Hydro's assessment that noise impacts will be low account for the disturbance to SFN sense of place, avoidance, and use from noise, including, but not limited to, dispersal of animals?

**RESPONSE:**

**BC Hydro took this feedback into consideration as part of its updated assessment on the scope of consultation. Please refer to Exhibit B-14, pages 10 and 11, in particular VCs related to Cultural Continuity and Hunting and Trapping.**

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**15.0 Reference: HUNTING**  
**Exhibit C5-10, SFN Knowledge and Use Study, pp. 38, 46;**  
**Exhibit B-14, Appendix A, #25**  
**Impacts on exercise of hunting rights**

BC Hydro states in Appendix A that no mineral licks were identified in the Project area.

TUS data suggests that there is good moose habitat within the Project footprint and moose licks within the LSA.

On page 38 of the TUS, SFN explain that hunting conditions have improved in the Project area recently with the reduced intensity of logging and traffic. SFN members observed the return of rabbits, lynx and marten.

On page 41 of the TUS, the non-stop truck traffic associated with the Project is expected to interfere with SFN members who track wildlife.

On pages 42 and 43 of the TUS, SFN members expressed concern that quarrying, road construction and truck traffic would damage creeks, as well as cut moose off from water access, and steady non stop truck traffic would cut off other wildlife, including small game, access to water.

3.15.1 Does BC Hydro intend to re-examine its conclusion that impacts to culturally significant wildlife in the Project area are insignificant?

**RESPONSE:**

**BC Hydro considered the information in the TUS and provided its updated assessment of potential impacts in Exhibit B-14. Section 2.1.2 of Exhibit B-14 notes that as to potential impacts to the quantity and quality of wildlife, no residual impacts are expected with appropriate mitigation measures. A Wildlife Mitigation Plan will be developed and environmental monitoring will be conducted to ensure compliance.**

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**Exhibit B-14, Appendix A, #25**  
**Impacts on exercise of hunting rights**

BC Hydro states in Appendix A that no mineral licks were identified in the Project area.

TUS data suggests that there is good moose habitat within the Project footprint and moose licks within the LSA.

On page 38 of the TUS, SFN explain that hunting conditions have improved in the Project area recently with the reduced intensity of logging and traffic. SFN members observed the return of rabbits, lynx and marten.

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On pages 42 and 43 of the TUS, SFN members expressed concern that quarrying, road construction and truck traffic would damage creeks, as well as cut moose off from water access, and steady non stop truck traffic would cut off other wildlife, including small game, access to water.

- 3.15.2 How will BC Hydro address First Nations wildlife values given the findings from the TUS interviews?

**RESPONSE:**

**Please refer to Exhibit B-14, Appendix A, Items # 22 (hunting and fishing), # 25 (wildlife habitat), and # 27 (caribou) for examples. The Wildlife Mitigation Plan in the EPP will include wildlife identified as a value to SFN and daily wildlife tracking forms recording wildlife observations. This plan will be adaptive. If high use wildlife areas are identified, further mitigation measures will be incorporated to mitigate potential effects to wildlife.**

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**16.0 Reference: HUNTING**  
**Exhibit C5-10, p. 87**  
**Recreational hunters**

SFN is concerned about increased stress on hunting activities in the longer term due to experience in the region of previous projects that failed to deactivate project roads by replanting trees and vegetation. One key concern is that the road upgrades performed by BC Hydro will result in increased access by recreational hunters and increased hunting activity that is not sustainable.

3.16.1 How will BC Hydro address SFN concerns noted in the TUS that the Project road upgrades will lead to greater use and presence of recreational hunters in the long term?

**RESPONSE:**

**This concern was previously communicated to BC Hydro by other First Nations. For BC Hydro's response, please refer to Exhibit B-1, Chapter 4, page 4-15.**

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**17.0 References: WATER WITHDRAWAL AND WITHDRAWAL LOCATIONS**  
**Exhibit B-14, Appendix C-1, pp. 42-45, 670; Transcript dated April 21, 2016, pp. 38-40 (Appendix C); Exhibit B- 14, Appendix C-1, p. 384; Exhibit C5-10, SFN Knowledge and Use Study, Figure 8, pp. 57-58**

SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.

The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.

On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.

The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

During the April 21, 2015 meeting, SFN asked whether BCH had performed any modeling or economic analysis to determine whether or the degree to which withdrawing water from creeks and streams would be less efficient or more costly than withdrawing water from Williston. BCH confirmed “...we haven’t done any analysis.” (see Transcript p. 39, line 3)

During the April 21, 2015 meeting, SFN asked about the practical aspects of water hauling, with a view to exploring BC Hydro’s position on this subject. For

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example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)

During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: "I don't know how much they'd store. ...". (see Transcript p. 40, line 1)

In its recently produced table, BCH stated: "We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project." (see Exhibit B-14, Appendix C-1, p. 670)

BCH has indicated that it has the authority and discretion to approve the contractor's plans.

- 3.17.1            What analysis, if any, has BCH undertaken since the April 21, 2015 meeting to support its position that withdrawing water from only from Williston Reservoir will increase costs?

**RESPONSE:**

**BC Hydro is still considering the extent to which it can avoid withdrawal of water from creeks. BC Hydro has not conducted cost analyses of withdrawing water only from Williston Reservoir. BC Hydro's rationale for not accepting the FNITR request that the Project not use water from the Table Creek, Stott Creek, and a Stott Creek tributary at this time is not due to cost. BC Hydro applied for its section 8 *Water Act* permit because it believed that, and continues to believe, that there may be times during the course of the Project where drawing water from the three permitted creeks instead of the Williston Reservoir will reduce water truck traffic and its accompanying potential impacts. Please refer to Exhibit B-14, Appendix A, Item #6.**

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**17.0 References: WATER WITHDRAWAL AND WITHDRAWAL LOCATIONS**  
**Exhibit B-14, Appendix C-1, pp. 42-45, 670; Transcript dated**  
**April 21, 2016, pp. 38-40 (Appendix C); Exhibit B- 14,**  
**Appendix C-1, p. 384; Exhibit C5-10, SFN Knowledge and Use**  
**Study, Figure 8, pp. 57-58**

SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.

The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.

On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.

The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

During the April 21, 2015 meeting, SFN asked whether BCH had performed any modeling or economic analysis to determine whether or the degree to which withdrawing water from creeks and streams would be less efficient or more costly than withdrawing water from Williston. BCH confirmed “...we haven’t done any analysis.” (see Transcript p. 39, line 3)

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example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)

During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: "I don't know how much they'd store. ...". (see Transcript p. 40, line 1)

In its recently produced table, BCH stated: "We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project." (see Exhibit B-14, Appendix C-1, p. 670)

BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.2 Please provide an estimate of the incremental increase in project costs that would be caused if BC Hydro were to commit to withdrawal water only from Williston Reservoir. Please provide the estimate of increased costs, along with your assumptions and calculations.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.1.**

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**17.0 References: WATER WITHDRAWAL AND WITHDRAWAL LOCATIONS**  
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The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.

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The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

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BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.3            Given that planned water withdrawals will require approximately 25 water trucks on the road per day, please explain whether and how BCH has included water trucking and water truck traffic in its assessment of the Project and Project impacts.

**RESPONSE:**

**BC Hydro did not assess the impacts of water trucks specifically. Water truck volume is currently expected to be lower than 25 truck trips per day (please refer to BC Hydro's response to SFN IR 3.18.4). The TMP will mitigate impacts related to all truck volume.**

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**Exhibit B-14, Appendix C-1, pp. 42-45, 670; Transcript dated April 21, 2016, pp. 38-40 (Appendix C); Exhibit B- 14, Appendix C-1, p. 384; Exhibit C5-10, SFN Knowledge and Use Study, Figure 8, pp. 57-58**

SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.

The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.

On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.

The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

During the April 21, 2015 meeting, SFN asked whether BCH had performed any modeling or economic analysis to determine whether or the degree to which withdrawing water from creeks and streams would be less efficient or more costly than withdrawing water from Williston. BCH confirmed “...we haven’t done any analysis.” (see Transcript p. 39, line 3)

During the April 21, 2015 meeting, SFN asked about the practical aspects of water hauling, with a view to exploring BC Hydro’s position on this subject. For

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example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)

During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: "I don't know how much they'd store. ...". (see Transcript p. 40, line 1)

In its recently produced table, BCH stated: "We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project." (see Exhibit B-14, Appendix C-1, p. 670)

BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.4 Has BCH undertaken any baseline studies or other assessments of water flow in each of the relevant creeks and streams, with a view to estimating the time period during which water withdrawals would be permissible under the conditions set out in the relevant Water Act permit? Please provide the results of any such study or assessment.

**RESPONSE:**

**FLNRO did not require BC Hydro to undertake any baseline studies or other water flow assessments in Table Creek, Stott Creek, and a Stott Creek tributary as part of its section 8 *Water Act* permit. The permit conditions imposed by FLNRO take into consideration and provide adequate protection in times where the watercourses are experiencing low flow. For example, the maximum water withdrawal rate must be reduced during periods of low flows to no more than 10 per cent of the current flow at any time, and no diversion is permitted from where stream (wetted) depth is less than 0.30 meters at the point of withdrawal location. The section 8 *Water Act* permit was issued by the appropriate regulatory authority.**

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**17.0 References: WATER WITHDRAWAL AND WITHDRAWAL LOCATIONS**  
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SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.

The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

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The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

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During the April 21, 2015 meeting, SFN asked about the practical aspects of water hauling, with a view to exploring BC Hydro’s position on this subject. For

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example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)

During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: "I don't know how much they'd store. ...". (see Transcript p. 40, line 1)

In its recently produced table, BCH stated: "We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project." (see Exhibit B-14, Appendix C-1, p. 670)

BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.5 Please provide the date on which BCH first informed its contractor of SFN's request that water be withdrawn only from Williston Reservoir.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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The TUS report describes site specific use by SFN members at Table and Stott Creeks. SFN members have caught grayling, bull trout, and white fish can be caught in the creeks traversed by Table FSR. SFN participants explained that fishing activities are often combined with other traditional activities.

The TUS reports that SFN are concerned about strained water resources and reduced access to fishing, especially in the context of dry summer months when riprap quarried and transported.

On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.

The Location Map appended to BC Hydro’s water permit indicates 5 potential water extraction locations There are two permitted water extraction points on Williston Reservoir – one near the dam site and one near the quarry site – at each end of the Project footprint.

BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

BCH has refused to commit to withdrawing water only from Williston Reservoir. By letter dated March 10, 2015, BCH stated: “... There may be times, however, where the three permitted creeks are closer to the locations where water is needed than the Williston Reservoir. In these situations, we may withdraw water from the creeks in order to reduce water trucking distances ...”. (see Exhibit B-14, Appendix C-1, p. 670)

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example, how many water trucks would be involved, where would the water truck haulers stay, and would they in any case be travelling near to Williston Reservoir withdrawal points, during operations. BCH did not provide a responsive answer to the question. (see Transcript pp. 38-39)

During the April 21, 2015 meeting, SFN asked if water would be stored at the quarry site. BCH responded: "I don't know how much they'd store. ...". (see Transcript p. 40, line 1)

In its recently produced table, BCH stated: "We have indicated to our contractor, First Nation's interest in avoiding use of the Creeks for water and will be considering this in the development of their EPP for road upgrades and dust suppression for the duration of the Project." (see Exhibit B-14, Appendix C-1, p. 670)

BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.6 Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's request that water be withdrawn only from Williston Reservoir.

**RESPONSE:**

**BC Hydro will not be providing copies of, or further details regarding, its correspondence and communications with the Project Contractor. BC Hydro is in the process of negotiating the Construction Contract with its Contractor and these correspondences are part of confidential commercial negotiations. In any event, copies of these correspondences are not relevant to the assessment on the adequacy of consultation.**

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SFN has expressed concern about water withdrawal from creeks and streams, and has asked BCH to commit to withdrawing water only from Williston Reservoir because it is a large body of water, with low impact access to withdrawal points.

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On page 58, the TUS explains that SFN members have observed other proponents withdrawing water from creeks with low water levels – concerned about water extraction from sensitive areas.

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BCH’s meeting notes for the December 3, 2015 meeting record that BCH confirmed that the level of water withdrawals planned would place approximately 25 water trucks on the road per day. (see Exhibit B-14, Appendix C-1, pp. 42-45)

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BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.7            How many water trucks will be running during hauling operations? Where will those trucks be stored overnight and/or during shift change? Where will the water trucks travel from at the start of work shift?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.3. These details have not yet been determined.**

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BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.8 Please provide a reference photograph of the kind of water truck contemplated for use during the Project. Please ensure that the photograph includes a reference object for scale. Please also provide relevant vehicle specifications including, for example, pumping capacity (e.g. volume/minute), storage capacity (litres or m<sup>3</sup>), gross vehicle weight loaded and unloaded, and safe stopping distances.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.7.**

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BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.9 Please confirm that, if BC Hydro was willing to do so, BC Hydro has the ability to require its contractor to ensure that water trucks working on the Project withdraw water only from Williston Reservoir.

**RESPONSE:**

**Confirmed.**

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BCH has indicated that it has the authority and discretion to approve the contractor's plans.

3.17.10 Does BC Hydro's Water Act license authorize BC Hydro to withdraw water from Williston Reservoir at the Marine Load Out Area ("Location 2" in Appendix A (included in Evidentiary Update but not in initial Application Materials)?)

**RESPONSE:**

**Yes.**

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**18.0 Reference: TRUCKING SAFETY AND FIRST NATIONS ACCESS Exhibit B-1, pp. 5-16; Transcript dated April 21, 2016, pp. 10-15, 42-45, 85-95; Exhibit B-14, Appendix C-1, pp. 667- 668, 686; Exhibit B-1, pp. 3-16; Exhibit B-1, Appendix F, p. 86; Exhibit B-14**

BC Hydro has previously stated that the Project will require the transportation of 10,000 truckloads of rip-rap, and that the transportation of rip-rap will involve four to five trucks per hour moving in convoy between the quarry and the dam site, during three construction seasons (March to June), according to the then current construction plan. (Plan A). (see Exhibit B-1, pp. 5-16)

BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

SFN has advised that moose and other wildlife become active and mobile in the period around dusk, and with that in mind SFN has raised concerns about the potential impacts of continuous rock truck hauling on wildlife (and hunting activities), particularly during dusk in the Summer and Autumn months. To accommodate the Project and SFN interests, SFN has proposed that rip-rap hauling be timed so that there are no rock trucks on the road for a three hour window before and during dusk, when moose and other wildlife are active and when First Nations people are likely to want to use the relevant roads to access traditional hunting and gathering areas.

BC Hydro has advised that “The recommended mitigation to stop truck traffic at dusk in the summer months would have significant impacts on the Project schedule and costs, and could result in extending the Project beyond the currently contemplated schedule. ...” (see Exhibit B-14, Appendix C-1, p. 668)

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BC Hydro further advised that “The stopping truck traffic at dusk, it’s a bit of a tricky one for us because we think there might be some sort of sizeable impacts on project schedule and potentially cost.” (see Transcript, p. 86, line 3)

SFN asked BC Hydro what analysis BCH had undertaken in determining that a break in hauling at dusk in the summer months would have “significant impacts” on schedule and costs. BC Hydro’s answer was non-responsive to the question. (see Transcript, p. 86)

On page 86 of Appendix F to Exhibit B-1, BC Hydro’s presentation in September 2015 to First Nations identified the potential impact of road usage to be “encounters with wildlife”. To protect wildlife, BC Hydro informed First Nations that BC Hydro was contemplating the following measures:

“Caribou Mitigation Plan, speed restrictions in sensitive areas, protect game trail corridors, report and record wildlife sightings, Contractor will develop an Environmental Protection Plan (EPP)”.

On page 5-16 of Exhibit B-1, BC Hydro describes its cost contingency considerations for “Vehicle Traffic Safety Hazards”.

On page 38 of the TUS, the study reports that SFN have habitation sites in the Project area, and continue to access the area even with Canfor’s current presence. In one interview a SFN member observed that families, including children camped in nearby locations and that Canfor’s logging trucks drove slowly:

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SFN asked BC Hydro to ensure that rock trucks observed a 30km/h speed limit. SFN further advised that other industrial proponents in the region (e.g. coal mines) apply similar speed limits on rock trucks. (see Transcript, pp. 42-45, 85)

BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)

BC Hydro has advised that its contractor is conducting, or has conducted, a traffic hazard assessment to inform traffic management planning. (see Transcript, p. 44, line 10)

BC Hydro has stated that it is “... willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities. In order to do so, BC Hydro will need specific information about timing, location, and duration of use. In considering any planned stoppage, BC Hydro will balance the cost and schedule implications to the Project with the benefits to the community.” (see Exhibit B-14, Appendix C-1, pp. 668, 686)

3.18.1 Please provide a reference photograph of the kind of rock truck (and trailer) contemplated for use during the Project. Please ensure that the photograph includes a reference object for scale. Please also provide relevant rock truck and trailer specifications including, for example, transport capacity (m<sup>3</sup> and weight of material), gross vehicle weight loaded and unloaded, and safe stopping distances.

**RESPONSE:**

**The specific type of trucks and trailers which will be used to transport materials from the Quarry to the Stockpile has not yet been finalized with the Contractor, as it is also dependent on the subcontractor selected. Nevertheless, preliminary assumptions were that the Contractor would employ trucks between 40 to 60 tonne capacity (typical payload would be 20 to 25 m<sup>3</sup>) with trailer, and would be trucks which would meet B.C. highway regulations, thereby minimizing road widening requirements. Although no final decision has been made, this continues to be the current assumption.**

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BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

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SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

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SFN asked BC Hydro what analysis BCH had undertaken in determining that a break in hauling at dusk in the summer months would have “significant impacts” on schedule and costs. BC Hydro’s answer was non-responsive to the question. (see Transcript, p. 86)

On page 86 of Appendix F to Exhibit B-1, BC Hydro’s presentation in September 2015 to First Nations identified the potential impact of road usage to be “encounters with wildlife”. To protect wildlife, BC Hydro informed First Nations that BC Hydro was contemplating the following measures:

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On page 5-16 of Exhibit B-1, BC Hydro describes its cost contingency considerations for “Vehicle Traffic Safety Hazards”.

On page 38 of the TUS, the study reports that SFN have habitation sites in the Project area, and continue to access the area even with Canfor’s current presence. In one interview a SFN member observed that families, including children camped in nearby locations and that Canfor’s logging trucks drove slowly:

Last year when I was camped there [near Canfor’s site] I counted 32 truckloads that went down, and that’s some of them carrying three loads – that’s a lot of trees. But they were all polite, they drove slow where we were camped which was good we had kids going back and forth there.

SFN asked BC Hydro to ensure that rock trucks observed a 30km/h speed limit. SFN further advised that other industrial proponents in the region (e.g. coal mines) apply similar speed limits on rock trucks. (see Transcript, pp. 42-45, 85)

BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

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3.18.2 Please provide the approximate average volume (m3) and weight (tonnes) of rip-rap that each rock truck and trailer will be loaded with at the quarry site.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.18.1.**

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SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional

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3.18.3           What analysis, if any, did BC Hydro undertake in determining that a temporary suspension of hauling activities at dusk in the summer months would have "significant impacts" on schedule and costs? Please fully describe any such analysis, including assumptions and calculations.

**RESPONSE:**

**BC Hydro did not undertake a detailed analysis of impacts to schedule and cost from hauling suspension for approximately three hours at dusk. Any daily suspension of hauling activities in the summer months would extend the Project schedule and reduce productivity. Costs associated with this scheduling delay would include, but are not limited to, under-utilized equipment and extended overhead. Further, due to changes in the timing of dusk, there would be concerns with worker fatigue and safety due to continually adjusting shifts.**

**BC Hydro is working with the Contractor to develop its proposed schedule during its construction season. As part of this process, BC Hydro is exploring potential windows for hauling suspensions, but needs to balance other facts such as cost, schedule and safety implications with benefits to First Nations. The logistics and impacts of scheduling hauling around dusk, which shifts in time as the calendar progresses, are not insignificant. BC Hydro will continue to consult with SFN as more detail becomes available. Please refer to BC Hydro's response to SFN IR 3.18.4.**

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3.18.4            How many rock trucks and water trucks will be used during an average day and a peak hauling day during operations? Please provide your answer for Plan A and for Plan B.

**RESPONSE:**

**To clarify, BC Hydro does not have a Plan A or Plan B. What SFN refers to as Plan A in the preamble to SFN IR 3.18 is a description of trucking activities that BC Hydro included in section 5.3 of the Application (Exhibit B-1). As set out in section 5.2 of Exhibit B-1, the Project Definition phase was still in progress. Data at that time was based on BC Hydro's own internal estimates and assumptions around how the Project would ultimately be designed and built. BC Hydro is now further along in the Project Definition phase, and is in the Early Contractor Involvement process (ECI). As discussed in section 3.6.2 of Exhibit B-1, the ECI process is used to collaboratively develop detailed joint construction planning with the Contractor's expertise. After the ECI process commenced and BC Hydro had input from its Contractor, BC Hydro discussed a schedule option in its meeting with SFN on April 21, 2016, which SFN refers to as Plan B (Exhibit C5-12, Transcript, pages 89 to 95). Construction planning, including trucking plans and schedules, continue to evolve as BC Hydro progresses through the ECI process, and continues to consult with First Nations.**

**With respect to the water trucks, usage will vary based on time of year, time of day, weather conditions, location of the source for extracting water, and the effectiveness of any Calcium Chloride (or Lignosulfinate) that may be used for dust suppression, which can be weather dependent. For the above reasons BC Hydro cannot provide a precise estimate of water trucks per day, however, as the ECI Process has progressed, BC Hydro now expects its water usage to be well below permitted levels.**

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SFN asked BC Hydro to ensure that rock trucks observed a 30km/h speed limit. SFN further advised that other industrial proponents in the region (e.g. coal mines) apply similar speed limits on rock trucks. (see Transcript, pp. 42-45, 85)

BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)

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3.18.5            How long would a rock truck travelling at 30km/h take to make the journey from quarry gate to stockpile?

**RESPONSE:**

**The actual travel time which will be experienced will be variable as it is dependent on a number of factors including: weather conditions; road conditions; time of day; road alignment; road grades; loaded weight; road widths, line of sight, traffic conditions (i.e., other users), and the need to use pullouts on any given trip; etc. A simple calculation of the time required to travel the distance from the Quarry gate to the Stockpile at an average speed of 30 km/h would not be reflective of expected travel duration, if the sort of factors mentioned above are not considered.**

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3.18.6           What adjustments to the hauling schedule could be made to allow for a three hour break around dusk during high traditional use periods? Assume the high traditional use period is August 1 to October 31.

**RESPONSE:**

**BC Hydro is working with the Contractor during the ECI Process to consider the timing and duration of shift changes. At this point in the ECI Process, BC Hydro believes there is a possibility of a one to two-hour pause between trucking shifts. This would ultimately need to be determined through further planning.**

**Please also refer to BC Hydro’s response to SFN IR 3.18.3.**

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3.18.7 Please provide an estimate of the incremental increase in project costs that would be caused by instituting a three hour break around dusk during the periods of high traditional land use. Please provide the estimate of increased costs, along with your assumptions and calculations. Please provide the requested information for both Plan A and Plan B.

**RESPONSE:**

**BC Hydro did not undertake a detailed analysis of the incremental increase in Project costs that would be caused by a break around dusk. Please refer to BC Hydro’s response to SFN IRs 3.18.3 and 3.18.4.**

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3.18.8 Please confirm that Plan B contemplates rock truck hauling activity on roads for 20 hours per day, with two two-hour shift change periods.

**RESPONSE:**

**This is the schedule currently being discussed with the Contractor. Please refer to BC Hydro’s response to SFN IRs 3.18.4 and 3.18.6.**

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BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)

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3.18.9 If the Project proceeded according to Plan A, how many hours of rock truck hauling activity would be undertaken per day, how many shifts would be required, how long would the shifts last, and how long would be the shift change period (or interval between shifts)?

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.18.4.**

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BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

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3.18.10 Please confirm that, if BC Hydro was willing to do so, BC Hydro has the ability to require its contractor to ensure that rock trucks working on the Project observe speed limits set by BC Hydro.

**RESPONSE:**

**Confirmed.**

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3.18.11 Please provide an estimate of the incremental increase in project costs that would be caused if BC Hydro were to limit rock-truck speed to 30km/h. Please provide the estimate of increased costs, along with your assumptions and calculations. Please provide the requested information for both Plan A and Plan B.

**RESPONSE:**

**BC Hydro did not estimate the incremental increase in Project costs that would be caused if BC Hydro were to limit rock-truck speed to 30 km/h. Please refer to BC Hydro’s response to SFN IRs 3.18.4 and 3.18.5.**

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3.18.12            What analysis, if any, has BC Hydro itself undertaken in support of its position that it will not require rock and water trucks to travel at or below 30km/h? Please fully describe any such analysis, including assumptions and calculations.

**RESPONSE:**

**BC Hydro is not prepared to commit to a *blanket* 30 km/hour for the entire Project area. Rather, BC Hydro will require its Contractor to develop a hazard assessment plan to determine safe trucking speeds, which may vary depending on road conditions. Speed limits will not be determined until that assessment is complete.**

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BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)

BC Hydro has advised that its contractor is conducting, or has conducted, a traffic hazard assessment to inform traffic management planning. (see Transcript, p. 44, line 10)

BC Hydro has stated that it is “... willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities. In order to do so, BC Hydro will need specific information about timing, location, and duration of use. In considering any planned stoppage, BC Hydro will balance the cost and schedule implications to the Project with the benefits to the community.” (see Exhibit B-14, Appendix C-1, pp. 668, 686)

3.18.13 Please confirm whether BC Hydro’s traffic hazard assessment includes First Nations use of proposed haul roads and traditional use activities in areas adjacent to those roads. Please provide a copy of the assessment and explain how First Nations road use is addressed therein.

**RESPONSE:**

**The draft TMP will include a traffic hazard assessment. When ready, BC Hydro will consult with First Nations on the TMP. First Nations’ input on potential hazard areas will be considered in finalizing the traffic hazard assessment.**

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**18.0 Reference: TRUCKING SAFETY AND FIRST NATIONS ACCESS Exhibit B-1, pp. 5-16; Transcript dated April 21, 2016, pp. 10-15, 42-45, 85-95; Exhibit B-14, Appendix C-1, pp. 667- 668, 686; Exhibit B-1, pp. 3-16; Exhibit B-1, Appendix F, p. 86; Exhibit B-14**

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BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

SFN has advised that moose and other wildlife become active and mobile in the period around dusk, and with that in mind SFN has raised concerns about the potential impacts of continuous rock truck hauling on wildlife (and hunting activities), particularly during dusk in the Summer and Autumn months. To accommodate the Project and SFN interests, SFN has proposed that rip-rap hauling be timed so that there are no rock trucks on the road for a three hour window before and during dusk, when moose and other wildlife are active and when First Nations people are likely to want to use the relevant roads to access traditional hunting and gathering areas.

BC Hydro has advised that “The recommended mitigation to stop truck traffic at dusk in the summer months would have significant impacts on the Project schedule and costs, and could result in extending the Project beyond the currently contemplated schedule. ...” (see Exhibit B-14, Appendix C-1, p. 668)

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SFN asked BC Hydro what analysis BCH had undertaken in determining that a break in hauling at dusk in the summer months would have “significant impacts” on schedule and costs. BC Hydro’s answer was non-responsive to the question. (see Transcript, p. 86)

On page 86 of Appendix F to Exhibit B-1, BC Hydro’s presentation in September 2015 to First Nations identified the potential impact of road usage to be “encounters with wildlife”. To protect wildlife, BC Hydro informed First Nations that BC Hydro was contemplating the following measures:

“Caribou Mitigation Plan, speed restrictions in sensitive areas, protect game trail corridors, report and record wildlife sightings, Contractor will develop an Environmental Protection Plan (EPP)”.

On page 5-16 of Exhibit B-1, BC Hydro describes its cost contingency considerations for “Vehicle Traffic Safety Hazards”.

On page 38 of the TUS, the study reports that SFN have habitation sites in the Project area, and continue to access the area even with Canfor’s current presence. In one interview a SFN member observed that families, including children camped in nearby locations and that Canfor’s logging trucks drove slowly:

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3.18.14 Please provide the date on which BCH first informed its contractor of SFN's request that there be a break in rock truck traffic during a three hour window around dusk, during high traditional use periods.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

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The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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3.18.15 Please provide the date on which BCH first informed its contractor of SFN's request that a 30km/h speed limit apply to trucks during project operations.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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3.18.16 Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's requests with respect to traffic around dusk and speed limits.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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3.18.17 Will BC Hydro ensure that a pilot car is available to guide SFN traditional land users to and from traditional use areas?

**RESPONSE:**

**BC Hydro is prepared to consider making a pilot car available to guide First Nation traditional land users to and from traditional use areas, with adequate notice.**

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**18.0 Reference: TRUCKING SAFETY AND FIRST NATIONS ACCESS Exhibit B-1, pp. 5-16; Transcript dated April 21, 2016, pp. 10-15, 42-45, 85-95; Exhibit B-14, Appendix C-1, pp. 667- 668, 686; Exhibit B-1, pp. 3-16; Exhibit B-1, Appendix F, p. 86; Exhibit B-14**

BC Hydro has previously stated that the Project will require the transportation of 10,000 truckloads of rip-rap, and that the transportation of rip-rap will involve four to five trucks per hour moving in convoy between the quarry and the dam site, during three construction seasons (March to June), according to the then current construction plan. (Plan A). (see Exhibit B-1, pp. 5-16)

BC Hydro recently stated that the construction plan may change and that the Project may instead proceed by producing and transporting all of the required rip- rap in two construction seasons – August to December 2016 and January to April 2017. (Plan B). (see Transcript, pp. 89-95)

Regarding Plan B, BC Hydro recently stated that during the two construction seasons, the daily rip-rap hauling activities may proceed with two shifts of ten hours each, separated by a two-hour shift change. (see Transcript, pp. 86-91)

SFN has raised concerns about the ability of First Nations people to continue to use the proposed haul roads for traditional activities, particularly during high traditional use periods. To accommodate the Project and SFN interest in continued access to traditional hunting and gathering areas, SFN has proposed that rip-rap hauling be timed so that there are no rock truck convoys on the road for a three hour window before and at dusk, during the months when First Nations people are likely to want to use the relevant roads.

SFN has advised that moose and other wildlife become active and mobile in the period around dusk, and with that in mind SFN has raised concerns about the potential impacts of continuous rock truck hauling on wildlife (and hunting activities), particularly during dusk in the Summer and Autumn months. To accommodate the Project and SFN interests, SFN has proposed that rip-rap hauling be timed so that there are no rock trucks on the road for a three hour window before and during dusk, when moose and other wildlife are active and when First Nations people are likely to want to use the relevant roads to access traditional hunting and gathering areas.

BC Hydro has advised that “The recommended mitigation to stop truck traffic at dusk in the summer months would have significant impacts on the Project schedule and costs, and could result in extending the Project beyond the currently contemplated schedule. ...” (see Exhibit B-14, Appendix C-1, p. 668)

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BC Hydro further advised that “The stopping truck traffic at dusk, it’s a bit of a tricky one for us because we think there might be some sort of sizeable impacts on project schedule and potentially cost.” (see Transcript, p. 86, line 3)

SFN asked BC Hydro what analysis BCH had undertaken in determining that a break in hauling at dusk in the summer months would have “significant impacts” on schedule and costs. BC Hydro’s answer was non-responsive to the question. (see Transcript, p. 86)

On page 86 of Appendix F to Exhibit B-1, BC Hydro’s presentation in September 2015 to First Nations identified the potential impact of road usage to be “encounters with wildlife”. To protect wildlife, BC Hydro informed First Nations that BC Hydro was contemplating the following measures:

“Caribou Mitigation Plan, speed restrictions in sensitive areas, protect game trail corridors, report and record wildlife sightings, Contractor will develop an Environmental Protection Plan (EPP)”.

On page 5-16 of Exhibit B-1, BC Hydro describes its cost contingency considerations for “Vehicle Traffic Safety Hazards”.

On page 38 of the TUS, the study reports that SFN have habitation sites in the Project area, and continue to access the area even with Canfor’s current presence. In one interview a SFN member observed that families, including children camped in nearby locations and that Canfor’s logging trucks drove slowly:

Last year when I was camped there [near Canfor’s site] I counted 32 truckloads that went down, and that’s some of them carrying three loads – that’s a lot of trees. But they were all polite, they drove slow where we were camped which was good we had kids going back and forth there.

SFN asked BC Hydro to ensure that rock trucks observed a 30km/h speed limit. SFN further advised that other industrial proponents in the region (e.g. coal mines) apply similar speed limits on rock trucks. (see Transcript, pp. 42-45, 85)

BC Hydro responded that there are no speed limits on the Project roads, and that it is not prepared to commit to a 30km/h speed limit for its trucks. (see Transcript, pp. 43-44)

BC Hydro further responded that “it will require its prime Contractor to assess the roads and develop a hazard assessment to determine safe trucking speeds ... and that all trucks undertaking work for the Project will adhere to the speed limits set by the prime contractor.” (see Exhibit B-14, Appendix C-1, pp. 667-668)

The BC Hydro Project Manager further responded that: “... there may be areas, like corners, or turns, and all those things where they have real speed limits, but

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on – in general, probably an unwritten commitment with the contractor may be not to exceed 50.” (see Transcript, p. 44, line 22)

SFN explained how multigenerational family units travel together on the roads that the Project contemplates using as rip-rap haul roads, to access traditional use areas for traditional activities and the transmission of traditional knowledge from elders to youth. (see Transcript, pp. 10-15)

BC Hydro has advised that its contractor is conducting, or has conducted, a traffic hazard assessment to inform traffic management planning. (see Transcript, p. 44, line 10)

BC Hydro has stated that it is “... willing to consider planned and targeted stoppage of truck traffic to accommodate First Nations traditional activities. In order to do so, BC Hydro will need specific information about timing, location, and duration of use. In considering any planned stoppage, BC Hydro will balance the cost and schedule implications to the Project with the benefits to the community.” (see Exhibit B-14, Appendix C-1, pp. 668, 686)

3.18.18 Please provide a detailed description of the equipment and training that BC Hydro would give to SFN individuals and families who use the relevant roads to access traditional use areas during rip-rap hauling activities.

**RESPONSE:**

**As indicated in BC Hydro’s Responses Table (Exhibit B-14, Appendix A, page 2 of 21), the Contractor is developing a TMP. A copy of the draft TMP will be provided to SFN for review and BC Hydro will consider input from SFN on equipment and training. Please refer to Exhibit B-14, Item #1 for a list of mitigation measures to be included in the TMP.**

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3.18.19 Please explain how BC Hydro’s proposed traffic mitigation measures would be applied to facilitate safe First Nations access to traditional use areas, using each of the following examples. Assume that in each case the vehicles will approach the haul road from the Johnson Creek FSR (not through the GMS security check point) and will travel the length of the haul roads up to the quarry site.

- (i) An elderly couple want to use the road to access a traditional medicine gathering area on an evening in September, and to scout out other potential traditional use areas. They are accompanied by their ten and twelve year old granddaughters. Both grandparents are hard of hearing. They plan to park on the side of the road and will gather medicines for about three hours, returning after dark. They are carrying a rifle in case they cross paths with a moose during their journey. They have never used a radio and are unfamiliar with radio calling protocols.
- (ii) A father is taking his two young sons fishing on creeks in the Project area, at 5 a.m. on a Saturday morning in October. They intend to park on the side of the road, and camp overnight next to a creek, departing Sunday evening at around dusk. If the fish aren’t biting at the first creek they visit, they will continue to other potential fishing spots in the Project area. They are carrying a rifle in case they cross paths with a moose during their journey. Their truck is not equipped with a radio.

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- (iii) A convoy of three cars and trucks carrying an extended family will be using the road to access a mushroom picking area on a Saturday afternoon in October. They intend to park their vehicles on the side of the road and pick mushrooms until late in the evening. If the weather is good, they will camp overnight and continue picking mushrooms and medicines until late on Sunday evening. None of the vehicles have a radio and none of the drivers are familiar with radio protocols.
- (iv) An elderly trapper and his 11 year old granddaughter are using the road to access trapping areas on a Monday mid-morning in November. They will park on the side of the road and set traps parallel to the road all day until dark. They will walk back along the road to their vehicle, then drive out and come back the next morning to check the traps and set additional traps at another point along the road. They will make intermittent use of the road in this way from mid-November to early March. The grandfather speaks Cree only and the granddaughter cannot read. They have no radio and are unfamiliar with radio protocols.

**RESPONSE:**

**As noted in BC Hydro's response to SFN IR 3.18.18, the TMP has not yet been developed, so it is not possible to provide detailed responses to the specific examples provided. However, once a draft TMP is ready to share, the examples provided will be a useful lens to analyze the effectiveness of the TMP in discussions with SFN. Also, further to BC Hydro's response to SFN IR 3.18.17, BC Hydro is prepared to consider providing a pilot car with adequate notice**

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- 19.0 Reference: HARVESTING MEDICINAL PLANTS**  
**Exhibit B-1, Appendix F, p. 35; Exhibit B-14, Appendix C-1, p. ; Exhibit C5-10, SFN Knowledge and Use Study, pp. 34, 46; Exhibit B-14, Appendix A, #20**  
**Medicinal plants & roadside vegetation**

BC Hydro states in response #20 in the response table on mitigations that 23 plants were identified in the FNITR as being of potential medicinal use, but that since none are rare, protection measures as suggested in the FNITR would not be adopted.

On page 35 of Appendix F to Exhibit B-1, BC Hydro states that during the September 25, 2015 site visit with SFN members, no concerns were raised by SFN participants.

However, SFN members indicated their traditional use values along the FSRs during the site visit. On page 45 of Exhibit C5-10, a SFN member who attended the BC Hydro site visit in the fall explains that SFN members stopped the cars to harvest mushrooms and morels on the roadside.

On page 46, SFN members interviewed for the Knowledge and Use Study reported that plants and fungi used for medicines can be hard to find, and can be harvested in close vicinity to the Project, for e.g., along the Utah FSR and Table FSR.

The Knowledge and Use Study describes SFN members' concerns about physical damage to culturally significant plants and access to those plants from road widening, culvert placement, construction, dust and traffic.

- 3.19.1 How does BC Hydro's EMP address SFN concerns and traditional knowledge about the availability of medicinal plants, SFN harvesting preferences, and the usability of medicinal resources within the Project area?

**RESPONSE:**

**The EMP includes general provisions for vegetation and invasive plant management (section 4.19 of the EMP). The EMP directs that the Contractors EPP must address the following requirements:**

- 1. Limit the stripping of vegetation and soils to the areas required for Project activities; and**
- 2. Vehicles and machinery entering construction sites must be clean and free of soil materials that could contain seeds of invasive plants.**

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The Knowledge and Use Study describes SFN members' concerns about physical damage to culturally significant plants and access to those plants from road widening, culvert placement, construction, dust and traffic.

3.19.2 Why did BC Hydro's account of the site visit omit the fact that SFN members exercised traditional use values on the Project roads during the site visit?

**RESPONSE:**

**BC Hydro anticipated that the information gathered by First Nations during the site visit would be used to inform a TUS being discussed with SFN at the time or alternatively inform feedback from land staff to BC Hydro regarding interests or concerns relating to the Project.**

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The Knowledge and Use Study describes SFN members' concerns about physical damage to culturally significant plants and access to those plants from road widening, culvert placement, construction, dust and traffic.

- 3.19.3 Regarding SFN concerns for physical damage to vegetation, will BC Hydro need to widen Spur road or to construct pull outs on Table or Utah Roads?

**RESPONSE:**

**There might be small sections of the Spur Road that need pullouts or widening for safety purposes.**

**In its Application, BC Hydro considered that pull outs would also be required for safety purposes on Table and Utah roads approximately every 500 meters. More detailed information will be available after the Contractor conducts its road survey assessment. Once the Contractor has detailed survey results, the location of pull outs will be planned based on existing road widths.**

**All road widening and pull-outs will be constructed within previously approved road allowances.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION**  
**Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157**  
**SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,**  
**33**

SFN has raised concerns and interests with respect to quarry and other reclamation activities, and in particular with respect to the use of native plants for revegetation activities.

SFN has requested that BC Hydro work with Twin Sisters Native Plant Nursery (jointly owned by SFN and West Moberly First Nations) to select plants for reclamation activities and to facilitate the collection of seeds from plants at the quarry site prior to construction for use in later quarry reclamation activities.

In response to SFN's concerns and interests, BC Hydro stated: "BC Hydro will not be collecting seeds for reclamation in advance of construction as we do not believe this is necessary. The plant species in the Project footprint are the same as the surrounding area and can be obtained at any time." (see Exhibit B-14, Appendix C-1, p. 678)

BC Hydro further stated that: "As to First Nation's request that Twin Sisters be involved in the reclamation work, BC Hydro will work with First Nations to select plants for reclamation. However, BC Hydro cannot commit to working with a particular contractor until the open book procurement process is complete. ...". (see Exhibit B- 14, Appendix C-1, p. 678)

BC Hydro's Contractor circulated the Quarry Reclamation Subcontract Bid Package to bid for work regarding re-vegetation of the SFQ.

The Bid Package does not appear to require subcontractors to consider traditional use as a category for seed selection.

BC Hydro's contractor recently sent an email requesting that companies interested in bidding on quarry reclamation work submit pricing for the following seed mix:

Central North East – General Mix

- Smooth Bromegrass – 40%
- Creeping Red Fescue – 20%
- Timothy – 15%
- Alfalfa – 15%
- Alsike Clover – 10%

The BCUC asked BC Hydro "to explain how there can be no residual effects from blasting and removing material from a quarry site, even if the site is reclaimed according to the Mines Act. Is that quarry site not forever different than it was before the quarrying and the reclamation?" In its response, BC Hydro stated that

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.1 Please confirm whether any of the species listed above in the description of “Central North East – General Mix” are native to the quarry site and ecosystems in the Project area.

**RESPONSE:**

**For clarity, the above referenced seed mix is not the BC Hydro approved seed mix for the Project. BC Hydro has not yet approved a seed mix for the Project. All grass seed mixes and vegetation used in vegetation plans will be local area native plant species. The seed mix will not be determined until there is further consultation with First Nations on the vegetation plan. BC Hydro will seek input from SFN about traditional use and culturally significant vegetation that could be incorporated into vegetation plans.**

**In the absence of a BC Hydro approved seed mix, the Contractor has provided, as part of its pricing package, a generic seed mix that all First Nations subcontractors were asked to use in providing unit pricing. Use of a generic seed mix by all bids will ensure that the bids are comparable. This is a procurement approach to enable sub-contractor selection before project plans are complete.**

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.2 Please confirm that the species listed above in the description of “Central North East – General Mix” can accurately be described as “invasive species” if planted at the quarry site and within the ecosystems in the Project area.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION**  
**Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157**  
**SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,**  
**33**

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SFN has requested that BC Hydro work with Twin Sisters Native Plant Nursery (jointly owned by SFN and West Moberly First Nations) to select plants for reclamation activities and to facilitate the collection of seeds from plants at the quarry site prior to construction for use in later quarry reclamation activities.

In response to SFN's concerns and interests, BC Hydro stated: "BC Hydro will not be collecting seeds for reclamation in advance of construction as we do not believe this is necessary. The plant species in the Project footprint are the same as the surrounding area and can be obtained at any time." (see Exhibit B-14, Appendix C-1, p. 678)

BC Hydro further stated that: "As to First Nation's request that Twin Sisters be involved in the reclamation work, BC Hydro will work with First Nations to select plants for reclamation. However, BC Hydro cannot commit to working with a particular contractor until the open book procurement process is complete. ...". (see Exhibit B- 14, Appendix C-1, p. 678)

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- Smooth Bromegrass – 40%
- Creeping Red Fescue – 20%
- Timothy – 15%
- Alfalfa – 15%
- Alsike Clover – 10%

The BCUC asked BC Hydro "to explain how there can be no residual effects from blasting and removing material from a quarry site, even if the site is reclaimed according to the Mines Act. Is that quarry site not forever different than it was before the quarrying and the reclamation?" In its response, BC Hydro stated that

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.3 Please confirm whether BC Hydro has conducted any analysis on the potential negative ecological impacts of the introduction of the species listed above, including impacts on small herbivores, ungulates, and predators.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.20.4</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION**  
**Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157**  
**SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,**  
**33**

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SFN has requested that BC Hydro work with Twin Sisters Native Plant Nursery (jointly owned by SFN and West Moberly First Nations) to select plants for reclamation activities and to facilitate the collection of seeds from plants at the quarry site prior to construction for use in later quarry reclamation activities.

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.4 Please explain how each of the agronomic species listed above can be removed after becoming established in reclaimed areas.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.20.5</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION  
Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157  
SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,  
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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.5 Please confirm whether BC Hydro intends to select re-vegetation species based on traditional use and cultural significance. If the answer is affirmative, then please explain when and how BC Hydro intends to undertake this selection.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION  
Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157  
SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,  
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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.6 Please explain what other ways are available to prevent erosion of soil stockpiles besides seeding with agronomic species. For example, can soil stockpiles be covered with tarps? Are there other ways to prevent erosion of soil stockpiles?

**RESPONSE:**

**There are many mitigation measures that can be used to prevent erosion of stockpiles. Please refer to Exhibit B-14 Appendix A, Item #4 for other sediment and erosion control measures recommended in the FNITR. BC Hydro agrees these are practical components of a sediment and erosion control plan if applicable per the requirements of the Certified Sediment and Erosion Control Specialist.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION  
Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157  
SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,  
33**

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.7 Please explain the efforts BC Hydro will make to re-vegetate the quarry site (and other sites requiring reclamation) using only native species.

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.20.8</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION  
Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157  
SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,  
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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.8 Please provide the date on which BCH first informed its contractor of SFN's request that the quarry be re-vegetated using native plants and that the collection of seed from the quarry site be facilitated.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION**  
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3.20.9 Please provide copies of all correspondence, and meeting notes for meetings, between BCH and its contractor concerning SFN's requests with respect to re-vegetation with native plants.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

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3.20.10 Please provide an estimate of the incremental increase in project costs that would be caused by facilitating the collection of native seed from the quarry site prior to construction. Please provide the estimate of increased costs, along with your assumptions and calculations.

**RESPONSE:**

**BC Hydro will not be collecting seeds for reclamation in advance of construction as it is not necessary and could impact Project schedule, not because of costs. The plant species in the Project footprint are the same as the surrounding area and can be obtained later.**

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.11 Why were SFN’s requests that re-vegetation incorporate plants used for traditional and medicinal purposes not included in the Bid Package?

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.20.1.**

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**20.0 Reference: QUARRY RECLAMATION AND REVEGETATION  
Exhibit B-14, Appendix C-1, p. 678 Exhibit B-3, p. 157  
SFN IR No. 3, Appendix D; SFN IR No. 3, Appendix A, #19, 21,  
33**

SFN has raised concerns and interests with respect to quarry and other reclamation activities, and in particular with respect to the use of native plants for revegetation activities.

SFN has requested that BC Hydro work with Twin Sisters Native Plant Nursery (jointly owned by SFN and West Moberly First Nations) to select plants for reclamation activities and to facilitate the collection of seeds from plants at the quarry site prior to construction for use in later quarry reclamation activities.

In response to SFN's concerns and interests, BC Hydro stated: "BC Hydro will not be collecting seeds for reclamation in advance of construction as we do not believe this is necessary. The plant species in the Project footprint are the same as the surrounding area and can be obtained at any time." (see Exhibit B-14, Appendix C-1, p. 678)

BC Hydro further stated that: "As to First Nation's request that Twin Sisters be involved in the reclamation work, BC Hydro will work with First Nations to select plants for reclamation. However, BC Hydro cannot commit to working with a particular contractor until the open book procurement process is complete. ...". (see Exhibit B- 14, Appendix C-1, p. 678)

BC Hydro's Contractor circulated the Quarry Reclamation Subcontract Bid Package to bid for work regarding re-vegetation of the SFQ.

The Bid Package does not appear to require subcontractors to consider traditional use as a category for seed selection.

BC Hydro's contractor recently sent an email requesting that companies interested in bidding on quarry reclamation work submit pricing for the following seed mix:

Central North East – General Mix

- Smooth Bromegrass – 40%
- Creeping Red Fescue – 20%
- Timothy – 15%
- Alfalfa – 15%
- Alsike Clover – 10%

The BCUC asked BC Hydro "to explain how there can be no residual effects from blasting and removing material from a quarry site, even if the site is reclaimed according to the Mines Act. Is that quarry site not forever different than it was before the quarrying and the reclamation?" In its response, BC Hydro stated that

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“[d]espite the potential for changes to the land, no residual effects are expected as all potential effects to the Value Components (i.e., vegetation and wildlife) were determined to be mitigable.” (see Exhibit B-3, p. 157)

3.20.12           What would be the additional cost of including traditional use as a criteria for re-vegetation and reclamation seed selection?

**RESPONSE:**

**BC Hydro is not able to provide a cost estimate for including traditional use as a criteria for re-vegetation and reclamation seed at this time. Once BC Hydro has consulted with First Nations on its vegetation plans, the selected sub-contractor will provide costs.**

**Please also refer to BC Hydro’s response to SFN IR 3.20.1.**

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- 21.0 Reference: FNITR WORKPLANS, EMPs and EPPs**  
**Transcript dated April 21, 2016, pp. 72-79, Appendix I; Exhibit B-3, pp. 144, 158, 167, 168, 169, 171; Exhibit B-14, Appendix C-1, pp. 326-372, 432-433, 697; Exhibit C5-10, p.12**  
**Incorporating First Nations concerns**

SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)

BC Hydro previously stated: “Based on the ITR findings, BC Hydro will further refine the existing mitigation plans and/or develop new mitigation options as required, in consultation with the First Nations, to minimize or avoid potential impacts from the Project. ...” (see Exhibit B-3, p. 144)

BC Hydro previously stated, with reference to the EA conducted by Ecofor, that: “The project Environmental Assessment (EA) process involved selecting Valued Components (VC) based on literature searches, field assessments and discussions with FLNRO, First Nations, stakeholders and BC Hydro’s experience in the Project area. ...” (see Exhibit B-3, p. 158)

The FNITR identified VCs that are not included in the EA. In particular, the EA omits: soils and terrain; water quantity; aquatic resources; riparian habitat; and reclamation.

BC Hydro previously made the following statements regarding EMPs and EPPs:

- “Ecofor prepared the EMP for, and in consultation with, BC Hydro.” (see Exhibit B-3, p. 168)
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- “During Project implementation, the EMP and EPPs will be part of daily tailboard meetings. BC Hydro and the Contractor will each have an environmental monitor to review and audit compliance with the EPPs. BC Hydro can stop the work in cases of non-compliance.” (see Exhibit B-3, p. 171)

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The EMP is dated August 2015. It does not appear to have been revised since then. (see Exhibit B-14, Appendix C-1, pp. 326-380)

On page 9 of Exhibit B-14, BC Hydro states:

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On page 697 to Exhibit B-14, BC Hydro's April 21, 2016 meeting minutes state:

BC Hydro's intention was to take the concerns and proposed mitigations to the contractor to incorporate them into the projects [sic] plans.

On pages 33, 47 and 48 of the transcript of the April 21 meeting, Appendix I to SFN's IR No. 3, BC Hydro explains that the Contractor participated in drafting BC Hydro's response tables:

KK: After [BC Hydro received the FNITR and TUS], the whole team, including the environmental. And we also involved the contractor, and that sort of table we have sent to you on Tuesday.

... JT: Can TUS information be included in that assessment?

... KK: For your information, we are -- as soon as we -- on Friday, they were immediately passed on to the contractor.

... KK: The mitigation table which you have prepared, they participated in preparing those responses. So we are doing our duty.

... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.1 Please explain and provide evidence in support of the claim that Ecofor selected VCs based on discussions with First Nations.

**RESPONSE:**

**Please refer to BC Hydro's response to BCUC IR 3.30.1.**

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SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)

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... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.2 Did Ecofor discuss VCs with SFN before conducting the EA? Please provide details of those discussions and supporting documents.

**RESPONSE:**

**Ecofor did not discuss VCs with SFN before conducting the EA. However BC Hydro provided Ecofor with input from First Nations. Please refer to BC Hydro's response to BCUC IR 3.30.1.**

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**Incorporating First Nations concerns**

SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)

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... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.3 Why does the EA identify fewer VCs than the FNITR? How did BC Hydro decide which of the VCs identified by First Nations to eliminate?

**RESPONSE:**

**BC Hydro did not eliminate VC's identified by First Nations. The VCs identified in the TUSs post-date the EA. Please refer to BC Hydro's response to BCUC IR 3.30.1.**

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- “During Project implementation, the EMP and EPPs will be part of daily tailboard meetings. BC Hydro and the Contractor will each have an environmental monitor to review and audit compliance with the EPPs. BC Hydro can stop the work in cases of non-compliance.” (see Exhibit B-3, p. 171)

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3.21.4 Please provide more information on BC Hydro’s possible commitment to conduct noise modelling. Is there a reference to this noise modelling requirement in the EMP?

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**RESPONSE:**

**BC Hydro has not committed to noise modelling. There is no reference to noise modelling in the EMP dated August 2015.**

**In its letter of March 10, 2016 to SFN BC Hydro provided the following comments regarding noise modelling:**

**“we believe that noise modelling will not identify specific impacts of the Project, or mitigation measures we can usefully act upon. We can, however, determine specific noise issues and impacts through environmental monitoring. We can also discuss the involvement of First Nations environmental monitors in respect of noise mitigation.”**

**Please refer to Exhibit B-14, Appendix A Item #17 for our detailed response to the FNITR on the issue of noise modelling and mitigation.**

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... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.5            How has BC Hydro amended the EMP to accommodate SFN concerns and interests? Please identify and provide information on all amendments.

<b>Saulteau First Nations</b> Information Request No. <b>3.21.5</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 3 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit: B-18</b>

**RESPONSE:**

**BC Hydro is in the process of updating its EMP to address the following recommendations from the FNITR:**

- **The information from the FNITR regarding Caribou critical habitat is being used to inform revisions to the Caribou Mitigation and Monitoring Plan, which is part of the EMP. Please refer to Exhibit B-14, page 17.**
- **BC Hydro will update its EMP to account for operational wildlife protection and monitoring and this will also form part of the EPP. First Nations will have an opportunity to provide comment on the EPP. Please refer to Exhibit B-14, Appendix A, Item #22.**

<b>Saulteau First Nations</b> Information Request No. <b>3.21.6</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**21.0 Reference: FNITR WORKPLANS, EMPs and EPPs  
Transcript dated April 21, 2016, pp. 72-79, Appendix I;  
Exhibit B-3, pp. 144, 158, 167, 168, 169, 171;  
Exhibit B-14, Appendix C-1, pp. 326-372, 432-433, 697;  
Exhibit C5-10, p.12  
Incorporating First Nations concerns**

SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)

BC Hydro previously stated: “Based on the ITR findings, BC Hydro will further refine the existing mitigation plans and/or develop new mitigation options as required, in consultation with the First Nations, to minimize or avoid potential impacts from the Project. ...” (see Exhibit B-3, p. 144)

BC Hydro previously stated, with reference to the EA conducted by Ecofor, that: “The project Environmental Assessment (EA) process involved selecting Valued Components (VC) based on literature searches, field assessments and discussions with FLNRO, First Nations, stakeholders and BC Hydro’s experience in the Project area. ...” (see Exhibit B-3, p. 158)

The FNITR identified VCs that are not included in the EA. In particular, the EA omits: soils and terrain; water quantity; aquatic resources; riparian habitat; and reclamation.

BC Hydro previously made the following statements regarding EMPs and EPPs:

- “Ecofor prepared the EMP for, and in consultation with, BC Hydro.” (see Exhibit B-3, p. 168)
- “The Environmental Management Plan (EMP) is a BC Hydro document, prepared by Ecofor in consultation with BC Hydro, which provides information and guidance to the Contractor.” (see Exhibit B-3, p. 167)
- “The Contractor’s EPPs must be approved by BC Hydro before mobilization.” (see Exhibit B-3, p. 167)
- “During the procurement process, BC Hydro will discuss the requirements of the EPPs with the Contractor. The Contractor will prepare the Project EPPs and submit them to BC Hydro for review and acceptance.” (see Exhibit B-3, p. 169)
- “BC Hydro is responsible for and will ensure that the EPPs are designed to adhere to the EMP.” (see Exhibit B-3, p. 171)
- “Before the EPPs are accepted by BC Hydro, Ecofor will review them on behalf of BC Hydro and provide comments and recommendations on the adequacy of the EPPs in satisfying EMP and permit requirements.” (see Exhibit B-3, p. 168)

<b>Saulteau First Nations</b> Information Request No. <b>3.21.6</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

- “During Project implementation, the EMP and EPPs will be part of daily tailboard meetings. BC Hydro and the Contractor will each have an environmental monitor to review and audit compliance with the EPPs. BC Hydro can stop the work in cases of non-compliance.” (see Exhibit B-3, p. 171)

The EMP is dated August 2015. It does not appear to have been revised since then. (see Exhibit B-14, Appendix C-1, pp. 326-380)

On page 9 of Exhibit B-14, BC Hydro states:

BC Hydro’s response was provided in draft as it is a work in progress as consultation continues and mitigations continue to be developed... In the meantime, BC Hydro has provided the FNITR and the table referred to above to the Project Contractor...

On page 697 to Exhibit B-14, BC Hydro’s April 21, 2016 meeting minutes state:

BC Hydro’s intention was to take the concerns and proposed mitigations to the contractor to incorporate them into the projects [sic] plans.

On pages 33, 47 and 48 of the transcript of the April 21 meeting, Appendix I to SFN’s IR No. 3, BC Hydro explains that the Contractor participated in drafting BC Hydro’s response tables:

KK: After [BC Hydro received the FNITR and TUS], the whole team, including the environmental. And we also involved the contractor, and that sort of table we have sent to you on Tuesday.

... JT: Can TUS information be included in that assessment?

... KK: For your information, we are -- as soon as we – on Friday, they were immediately passed on to the contractor.

... KK: The mitigation table which you have prepared, they participated in preparing those responses. So we are doing our duty.

... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.6            What date did BCH provide the tables to the contractor?

<b>Saulteau First Nations</b> Information Request No. <b>3.21.6</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 3 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.17.6.**

<b>Saulteau First Nations</b> Information Request No. <b>3.21.7</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**21.0 Reference: FNITR WORKPLANS, EMPs and EPPs  
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Exhibit B-3, pp. 144, 158, 167, 168, 169, 171;  
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Exhibit C5-10, p.12  
Incorporating First Nations concerns**

SFN has advised BC Hydro that other industrial proponents have resolved issues of concern to First Nations by entering into commitment letters providing for the implementation of workplans developed through FNITR processes. (see Transcript, pp. 72-79)

BC Hydro previously stated: “Based on the ITR findings, BC Hydro will further refine the existing mitigation plans and/or develop new mitigation options as required, in consultation with the First Nations, to minimize or avoid potential impacts from the Project. ...” (see Exhibit B-3, p. 144)

BC Hydro previously stated, with reference to the EA conducted by Ecofor, that: “The project Environmental Assessment (EA) process involved selecting Valued Components (VC) based on literature searches, field assessments and discussions with FLNRO, First Nations, stakeholders and BC Hydro’s experience in the Project area. ...” (see Exhibit B-3, p. 158)

The FNITR identified VCs that are not included in the EA. In particular, the EA omits: soils and terrain; water quantity; aquatic resources; riparian habitat; and reclamation.

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- “The Environmental Management Plan (EMP) is a BC Hydro document, prepared by Ecofor in consultation with BC Hydro, which provides information and guidance to the Contractor.” (see Exhibit B-3, p. 167)
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<b>Saulteau First Nations</b> Information Request No. <b>3.21.7</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

- “During Project implementation, the EMP and EPPs will be part of daily tailboard meetings. BC Hydro and the Contractor will each have an environmental monitor to review and audit compliance with the EPPs. BC Hydro can stop the work in cases of non-compliance.” (see Exhibit B-3, p. 171)

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On page 9 of Exhibit B-14, BC Hydro states:

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... KK: The mitigation table which you have prepared, they participated in preparing those responses. So we are doing our duty.

... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.7 Did BC Hydro request the Contractor to integrate SFN mitigation measures into EPPs?

<b>Saulteau First Nations</b> Information Request No. <b>3.21.7</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 3 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

**RESPONSE:**

**Please refer to BC Hydro response to SFN IR 3.9.3 and BCOAPO IR 3.14.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.21.8</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**21.0 Reference: FNITR WORKPLANS, EMPs and EPPs  
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<b>Saulteau First Nations</b> Information Request No. <b>3.21.8</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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... CM: So what we're asking for is that -- not to just throw a copy at them, but to actually integrate land use values, like dust loading and noise disturbance, into their assessment. That's our clear ask here today.

3.21.8 For each of the FNITR workplans listed below, please explain whether and how the workplan has been integrated into the EMP and EPPs:

- Work Plan S1: Sediment and Erosion Control Plan
- Work Plan WQ1: Water Quality Monitoring Plan

<b>Saulteau First Nations</b> Information Request No. <b>3.21.8</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 3 of 3
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

- Work Plan AQ1: Dust Management and Monitoring Work Plan
- Work Plan R1: Riparian Habitat Protection
- Work Plan V1: Pre-disturbance Baseline Vegetation Analysis
- Work Plan V2: Vegetation Monitoring and Protection Plan
- Work Plan V3: Revegetation Plan
- Work Plan W1: Operational Wildlife Protection and Monitoring Plan
- Work Plan W2: Moose Habitat Suitability Models
- Work Plan W3: Pre-Construction Nest Surveys
- Work Plan W4: Pre-Construction Wildlife Habitat Feature Surveys
- Work Plan W5: Pre-Construction Amphibian Surveys
- Work Plan SAR1: Caribou Mitigation and Monitoring Program
- Work Plan SAR2: Olive-sided Flycatcher Mitigation and Monitoring Program
- Work Plan SAR3: Western Toad Mitigation and Monitoring Program
- Work Plan HR1: Chance Find Procedures
- Work Plan TLRU1: Trapper Compensation

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.21.5 and BCOAPO IR 3.14.1. BC Hydro's response to the recommendations in the FNITR are set out in Exhibit B-14, Appendix A.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
**SFN IR No. 3, Appendices E, F, G, H Consultation record**  
**discrepancies**

Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around April 14, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix F)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around February 15, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix H)

Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)

On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No. 3 as Appendix H.

On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.1 Please describe in detail BC Hydro's practice with regard to the creation and keeping of notes on meetings and teleconferences with First Nations.

**RESPONSE:**

**Records management is an essential practice in supporting BC Hydro's legal and regulatory obligations. Employees and consultants within BC Hydro's Aboriginal Relations department are required to log all correspondence that occurs between**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit: B-18</b>

**a BC Hydro employee, contractor, and/or consultant who engages in discussions with a First Nation in relation to a BC Hydro project. This can include telephone calls and meetings. Correspondence is logged in electronic format.**

**BC Hydro's best practices for summarizing communications direct that:**

- **Meeting notes should be drafted during the meeting and used to create polished meeting notes after the meeting; and**
- **Summaries of telephone calls should be drafted during, or as soon as practical following the call when memories of what was said are still fresh.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.2</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.2 Do BC Hydro representatives or consultants create handwritten notes during or after meetings with First Nations, and subsequently transcribe all or some of those meeting notes in electronic format?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.22.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.3</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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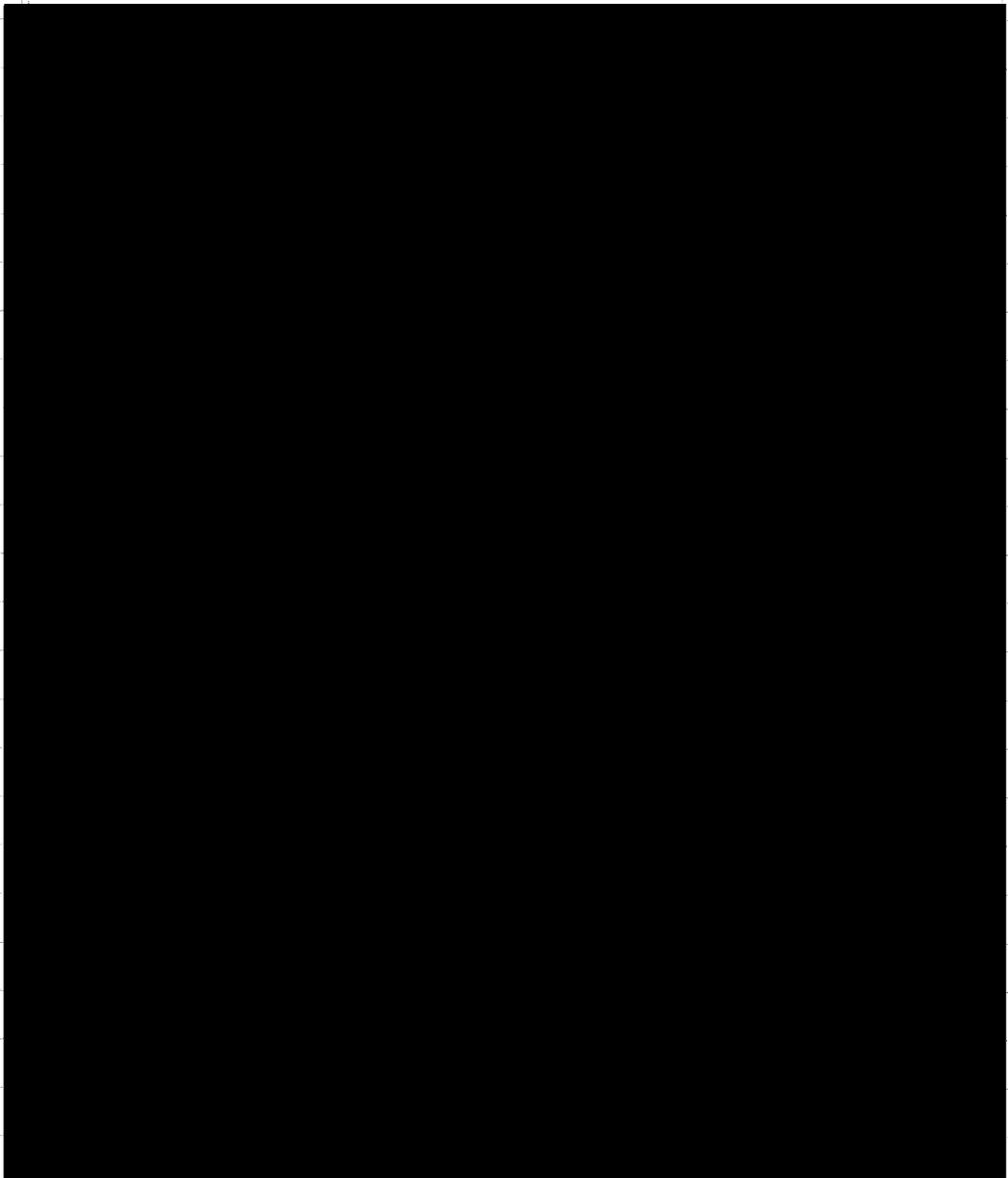
BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.3 Please provide copies of any handwritten notes created by BC Hydro representatives or consultants during or after meetings or telephone calls with SFN.

**RESPONSE:**

**BC Hydro's records management retains electronic notes created by Aboriginal Relations leads, not hand written notes. The current Aboriginal Relations lead for the Project has retained most of their hand written notes for meetings and telephone calls with SFN, which are attached. In addition, BC Hydro has located some hand written notes retained by the previous Aboriginal Relations lead, which we have determined involved meetings with SFN on the Project. These are also attached.**

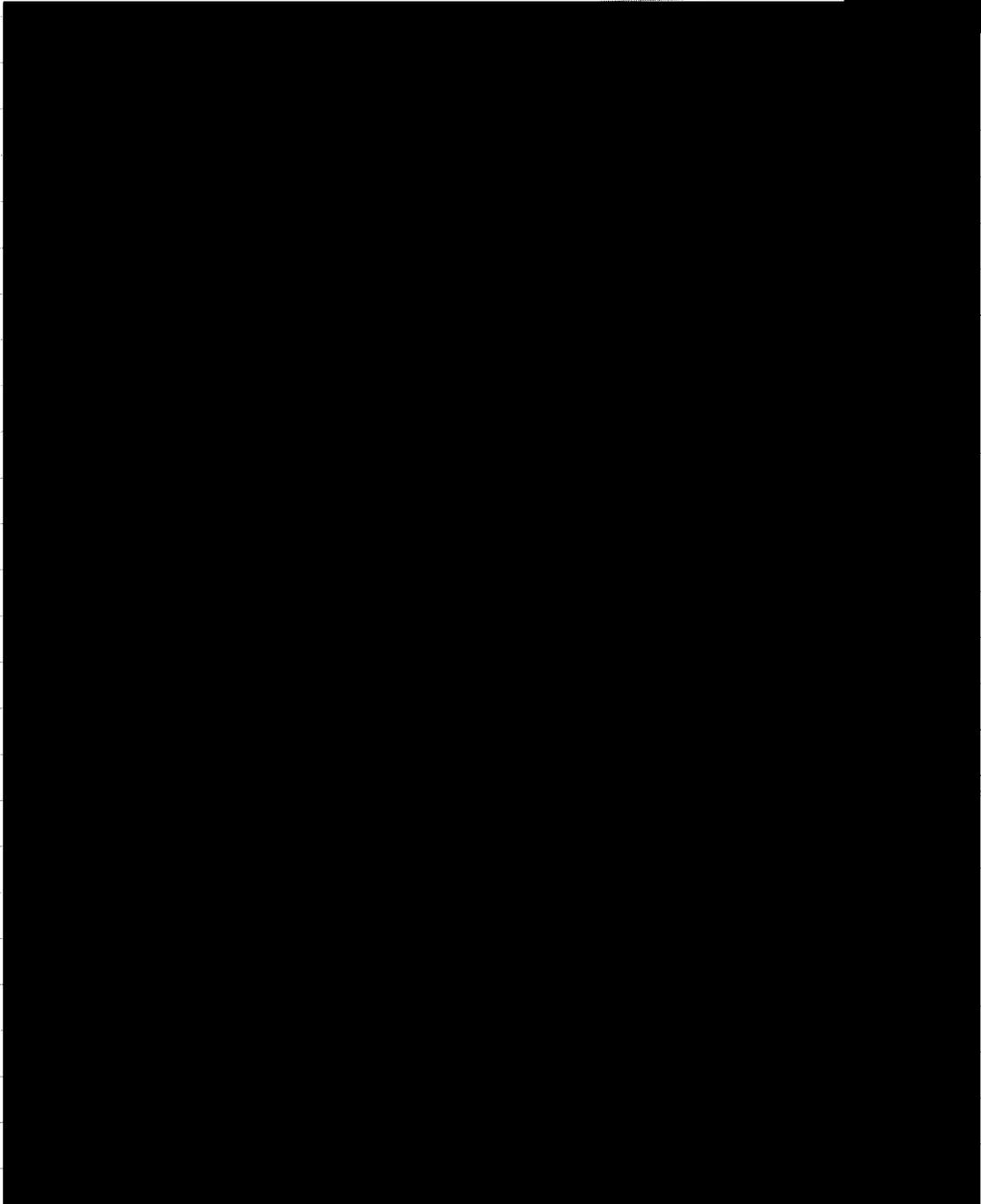
Date *Jan. 21*



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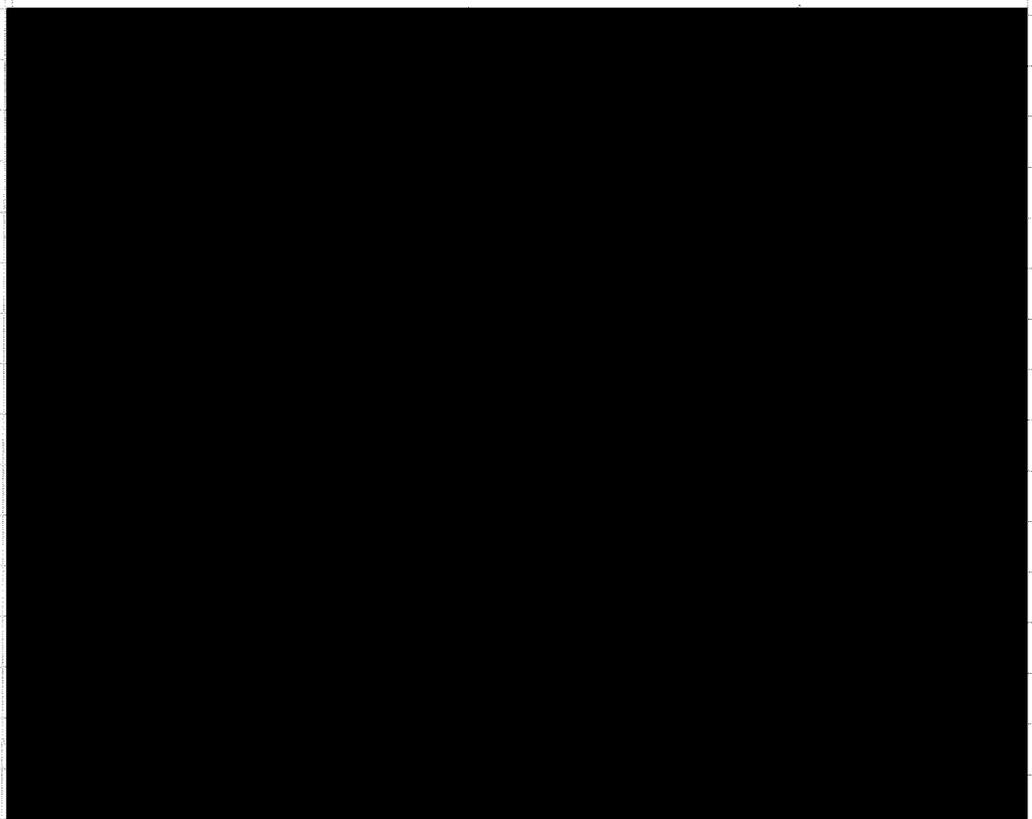


Date



Page

Date



GMB Riprap - can the technical reviewer bill direct to company?

- If not, how to allocate payments and how to provide funding.

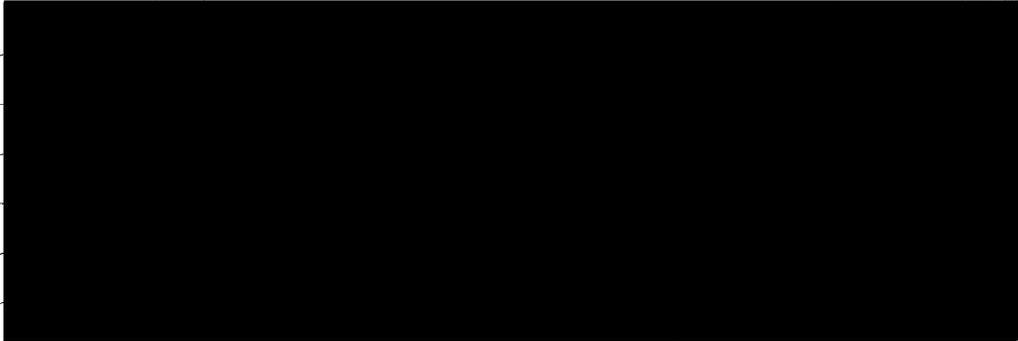
- Technical Review will require Bill



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Sun Heav

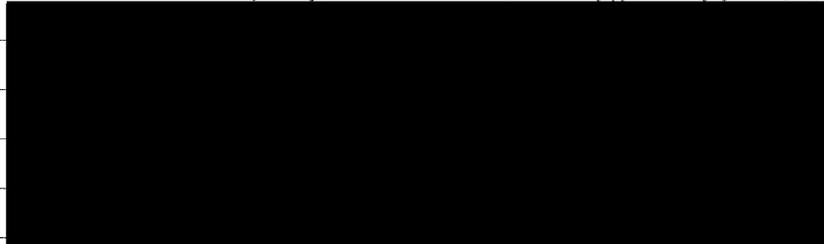
March 25/14

Donovan, Bud May, Carina, Red Melinda,  
Cheryl from health care

Things to update:



- GMS Riprap (capacity funding)



Riprap

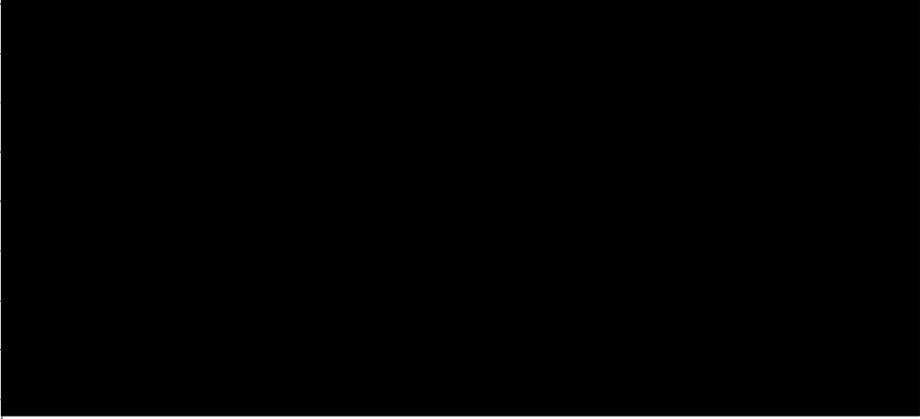
in the Utah Creek & Carbon Creek, there are  
medicines there & netting

• there is a bee study

Page |

Date

Thought FW CP is they are key  
pollenators for huckle berry.



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Meeting on GMS Riprap

Date May 14/15

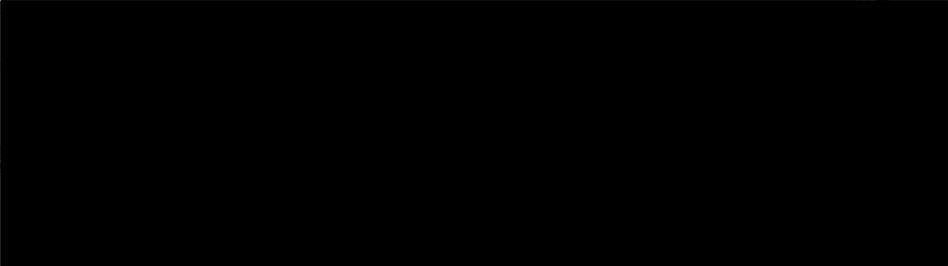
Lisa MacArthur (West Moberly)  
 Carmen Marshall (Saulteau)  
 Clayton Davies (MLIB)  
 Mark D'entraint (LGL)  
 Meghan (FLNRD)

- Socio-Economic Study from West Moberly
- TLUs requested from MLIB, Saulteau + West Moberly
- Questions on Independent Technical Review
- Request for winter transport:
- \* Get a cost difference percentage between winter + summer transport as a framework for discussing accommodation measures.
- \* determine if we can delay submission to BEUC!



Date May 19/15

Carman Marshall, Naomi <sup>Doreen Carson</sup> O. Smith  
Charles + Charlie + Al. + Rod. BKH

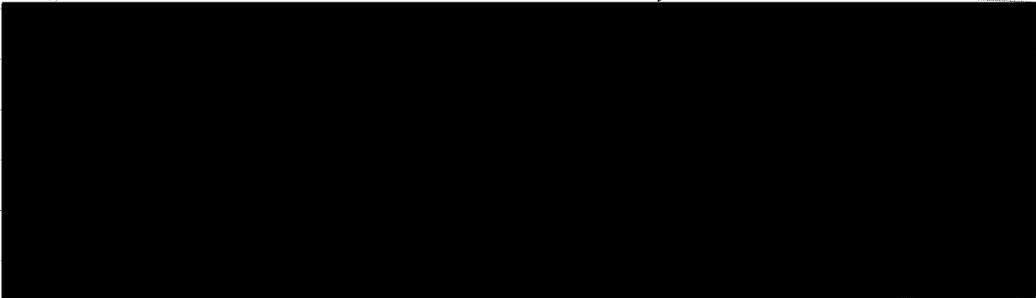


WBS/RSR

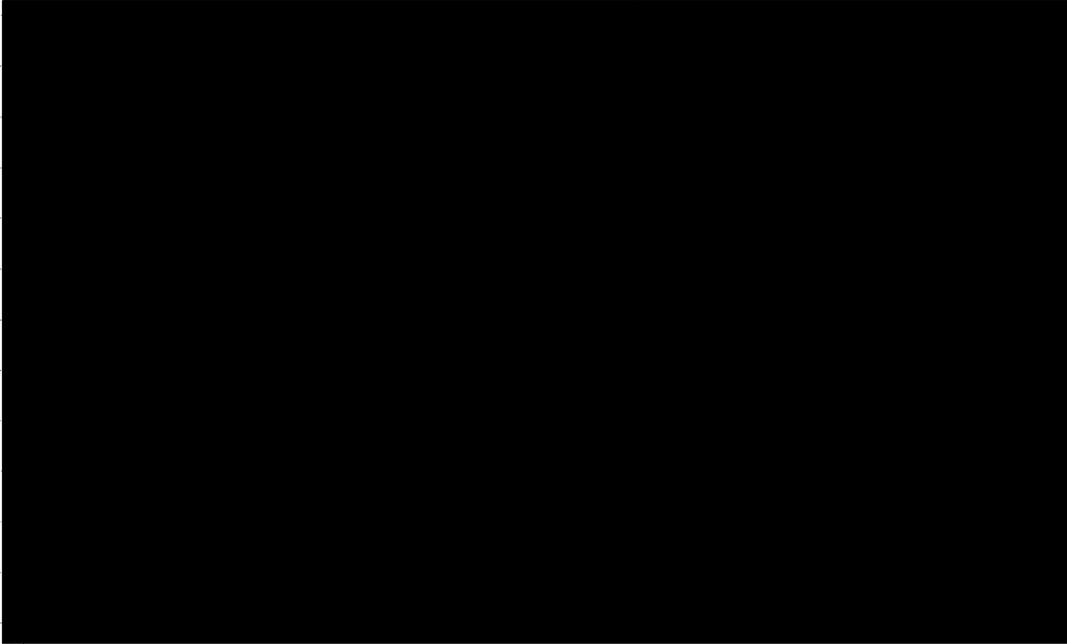
~~Red~~  
We need a fact sheet on summer road vs winter road vs barge.

clearing.

→ mid. July to mid-August data collection for TLUS.  
- Generate a report for mid-September.



Date



Page

Date



Nov. 6 / 15

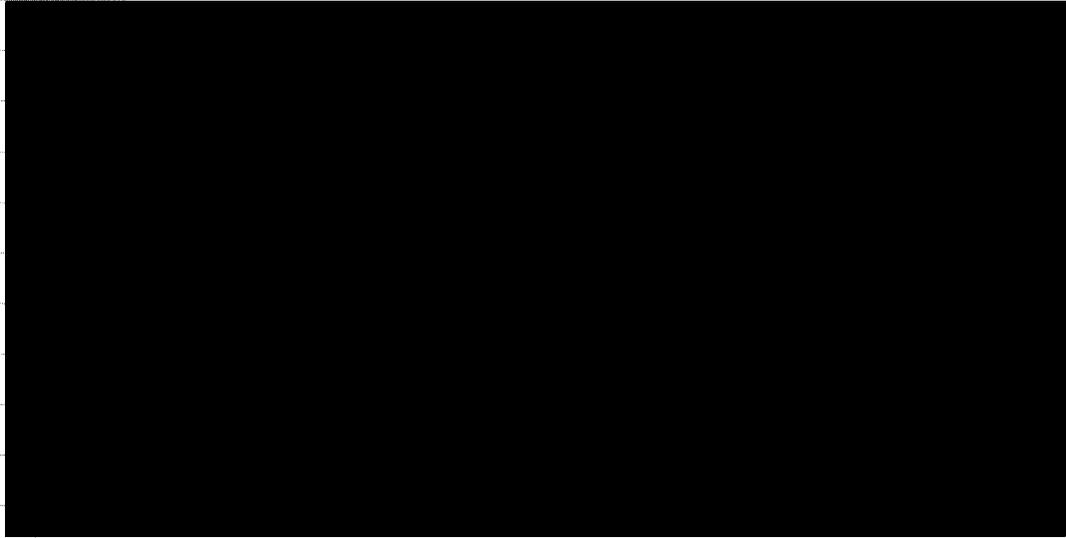
Quarterly Meeting in NEBC

DCH- Rod Hill, Cordyn Stuck, Michelle Macdonald

MLIB- Clayton Davis

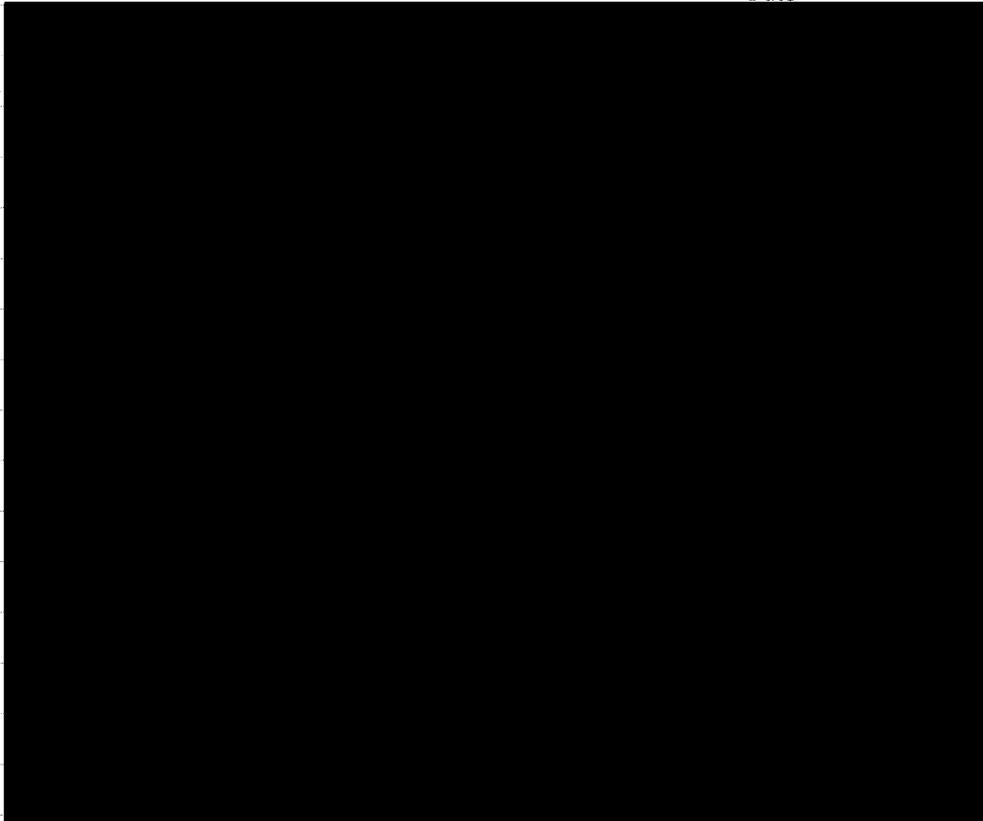
Saulteau- Carmen Marshall, Naomi Owens

WMPN- Caleb Behn, George Desjardis



Page

Date

GMS Riprap

Red noted that the application was to be filed on Nov. 13

- Caleb had significant issues with the south side access, and is strongly looking at a Marine load out area.

- Caleb will be looking at improving Canada's license

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Date

to restrict their ability to operate. They will start this week.

Caleb wants a full record of documentation published in short order. I gave him a copy of my binder to provide him with the technical information.

\* Caleb wants out template for Capacity Funding.

\* Caleb wants a full record of interruptions

\* We provided Caleb with a copy of the Aug letters.

I provided the understanding that the dam is only 1 storm away from needing to undertake the emergency repairs. It is something like a once per decade storm.

~~I asked~~ In the event that we have these a storm scenario - we could just start work right away based on our current permits.

Carmen asked about the CCFA process. I clarified that the ITR CCFA was sent September - the scope of the TUS was approved Oct. 5, and CCFA set out of Oct.

include in the report future map.

REP dates

Status - Project phase will do

Page

Date

- I asked that should they ~~just~~ choose to challenge the road that I got letters of support for a <sup>more</sup> option, there was some support that stated that he does not want to pass <sup>gives</sup> on this project because that is used against them.

[Redacted]

[Redacted]

NOTE E NOTE

TB Quarterly - GMSRR

Date Feb 15/16

FNTR

comfort letter

- On track for April 15?
- Status of draft - can we get now/soon?
- if not: any red flags?
- recos for further study?
  - dust
  - noise
- West Mo / Saulteau signatures?

Osprey Nest

- will be applying for Wildlife Act permit to move osprey nest near quarry.
- want osprey plan? FLNRO will refer.
- Will also require LOO amendment for Spur Road

✓ Saulteau TUS

interim report

phone call. LM to propose dates

- ~~early version~~ or check-in mtg mid-March?
- April 19 & 20 mtg dates to discuss

NE Cumulative effects workshop in PG.

21<sup>st</sup> April

Interested in setting up mtg dates w/ preferred proponents end of Feb.

TC to Carmen Marshall

Date Feb 24/16

14 - after 11:00am - MST.  
- phone

TUS check-in

- April 21<sup>st</sup> - TUS study mtg.
- April 5 - community verification
- currently doing interviews - done by March 4.
- are some red flags for the road: habitat, wetlands, widening of roads, lots of concern around this
- timing of construction suggested as a mitigation.
- water withdrawal.
- report due in advance of April 21 (April 15).

- Going thru commitment Hr.

- No invoice for first CCFA - we're processing invoice.

→ Need to invoice for TUS? 20%

TC to Saul team

Date March 14/16

- Pat, Robert, Ryan, ~~Atta~~ Bruce, Leah, Carmen

- cm ◦ want to touch base on schedule & our TUS

- Read Hr

- One week extension Hr to BCUC. Not the same as our understanding.

Today can't share specific things in studies b/c it hasn't gone through community verification process

- Send draft TUS to April 15, then meet on April 21.

- Haven't shared any data from land use study yet, so Hr is inaccurate.

- Will take more time than this.

- Are asking that we fully mitigate

- Share mtg minutes?

LM ◦ Yes

cm ◦ Concerned w/content of Hr.

cm ◦ Will check on our side.

cm ◦ Concerned Hr indicates we're working thru data now.

- March 10 Hr.

- Contractors don't have obligation to consult & accommodate.

- Also, timing concern. Worried not

Page |

Date

enough time.

- Not what we would

LM: Understand that it's BCH's duty to consult & we will work with contractor to meet <sup>this</sup> duty

CM: More interested in language that says we will avoid & mitigate impacts.

- Looking for actions & pre-planning. <sup>Monitoring not enough</sup>

LM: Tough b/c we don't have the EPP & associated plan yet

CM: W/ Teck Coal, had a concrete work plan - action plan for dealing w/dust @ certain level.

LM: What does a good work plan look like to you?

CM: Action plan for if dust reaches certain levels.

LM: Will this be in EPP?

BM: For some issues, yes. Eg. turbidity.

CM: Overall, Htr didn't include all issue.

Could build a workplan with you.

LM: Are committed to a workplan.

CM: Don't have a lot of time. Were hoping commitment Htr would separately commit

CM: Can I have word doc to provide specific comments.

LM: Yes

Page

Date

- Want to see our commitment ltr committed to.
  - Ltr doesn't contain hard commitments to avoid & mitigate.  
Could we
    - For example, haven't said no to withdrawing water from creeks, so how do we work around.
  - Can provide specific comments on ltr.
  - cm◦ Want a specific action around noise modelling.
  - Bm◦ Need reasonable scope for receptors (moose, birds, etc.)
  - cm◦ So want a commitment to do a model.
  - Bm◦ Don't quite have all the info need on levels of noise & specific receptors, which we need to model.
- ~~Land use study~~
- Can we include language around avoiding, mitigating, accomodating & not just listening. (eg. 2<sup>nd</sup> to last para.)  
lacks ref to accomodation.
- L
- cm◦ Workplan is btwn FN & BCH. Like an EPP btwn. us.
  - Bm◦ Contractors EPP would be basis for workplan

Page |

Date

## TUS Update.

- Started interviews 2 wks ago, now compiling results & drafting report.
- Buffer sensitive areas. Community members info must remain confidential
- April 5 - will verify data w/ community members.
- Will get a map of site values, plus some non-site specific values. (eg. elk herds).
- These values really need to be protected.
- After we provide report, want to talk thru solutions. May require ground-truthing.
- So may be a subsequent proposal for fieldwork.
- Want a commitment to work on solutions.
- UM ◦ Yes, absolutely.
- FNITR timing?
- cm ◦ Have draft report, waiting for study results
- UM ◦ How long will this take?
- EM ◦ Will ask Marc.

Page

TC to Saulteau - Carmen

Date April 12/16

- Generally w/commitment hrs, we post one & work on together
- Have proposed a tracking table
- Maybe have something simpler in mind just a mutual letter. Table could be attached.
- Okay - just need to find time
- On April 21.
- Fort St. John - 9:00am - 3:00pm.  
Leah to book
  - Carmen, Marc D'Entremont. Will get back to you on this.
- Truck traffic at dusk
  - active in hunting when sun goes down. Wildlife is out, & people are out. Animals & people avoid area.
  - 3-4 hour window.
  - KK: any particular time of year?
  - CM: will look at TUS to see. Probably hunting in summer.
- Acquatic resources
  - <sup>CM:</sup> more detailed recommendations?
  - <sup>CM:</sup> yes: will have more detailed recommendations
  - BM: will specific locations be provided
  - CM: yes, info is in interim report Page 1

Date

- Wetland - will specific wetland be identified in FNIR
  - CM: will look into this.
  - BM: located near Utah & Table road intersection.
  - CM: will look at map & seek to understand concern.
  
- Dust concern - what's driving it?
  - CM: is in TUS:
    - one example - medicinal & gathering plants will be impacted by dust. Impacts quality - lose use of area, this is an impact to our treaty rights
    - animals may also avoid areas if it's overly dusty.
  
- Trappers - would provide info on trappers
  - CM: don't think just providing info is sufficient. Want to mitigate impacts first.
  - Treaty 8 members have treaty right to trap. Would be hard to inform since we don't always know who's trapping. List is fluid
  - Would like to see preventative measures first.

Page |

Date

- Noise: BM - is concern around noise similar to dust concern? Affect wildlife?
- CM: Not experts on noise impacts. Don't have a quick answer, though we notice trends
- Have noticed it affects animals & human enjoyment.
- May get more info from TUS. Looking for a visual model of noise impacts.
- ~~BM~~ Are attempting to understand impacts this way.

ZM:

- Water quality - haven't used SQCI, but have used ministry guidelines.
- CM - could see if there are data gaps btwn. two indices.
- could see if anything important is missing.

RF:

- TUS - will this provide more info around locations of concerns, cultural sites, etc.
- CM: Yes. Interim report has site info.
- BM: hard to interpret ~~the~~. More specific locations help us create better mitigation plan
- CM: should deal w/in commitment Hr.
- Cultural sites can be fluid, and this project is long term. Ppl and animals move.

Page

NOTE

Date

• KK - how does Carbon Lake relate to TUS?  
 -<sup>CM</sup>Ppl access Carbon Lake from Utah Road

• FNITR - any additional recommendations?  
 CM: Will have some additional concerns from West Mo & MUB.

• KK: What does cultural continuity mean?  
 CM: It's in report. Example is that we can continue practicing our way of life, ~~even~~

~~Compared to~~ This area already has 69% disturbance.

KK: Impacts are temporary

CM: This can still be a big deal, can still displace people on & rights

• CM: Do want to see movement on commitment ltr - want to work on that.

Page

<b>Saulteau First Nations</b> Information Request No. <b>3.22.4</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
**SFN IR No. 3, Appendices E, F, G, H Consultation record**  
**discrepancies**

Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around April 14, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix F)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around February 15, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix H)

Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)

On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No. 3 as Appendix H.

On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.4 Before meeting with First Nations, does BC Hydro advise First Nations that it will be creating and filing electronic notes on its meetings and teleconferences with those First Nations for future use in regulatory processes?

**RESPONSE:**

**BC Hydro leaves the determination of whether or not to advise First Nations of its note-taking practices to the individual Aboriginal Relations Leads based on their judgment in a specific consultation and based on any discussions with a First Nation during the consultation process.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.5</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:</b> <b>B-18</b>

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On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.5 Does BC Hydro routinely share with First Nations its notes on meetings and teleconferences with those First Nations? For example, does BC Hydro present and review meeting minutes with First Nations at the next subsequent meeting? If the answer is yes, please explain when those notes are shared with First Nations.

**RESPONSE:**

**BC Hydro leaves the determination of whether or not to provide our meeting notes to First Nations to the individual Aboriginal Relations Leads based on their judgment in a specific consultation and based on any discussions with a First Nation about this during the consultation process. Typically, meeting notes are not meant to the meeting minutes. In this case, SFN requested BC Hydro's meeting notes from Project meetings with SFN and BC Hydro provided them.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.6</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
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On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.6 Please provide your comments on the minutes not previously included in BC Hydro's evidentiary update.

**RESPONSE:**

**February 15, 2016 Meeting Notes**

**This meeting was a quarterly meeting held between BC Hydro, McLeod Lake Indian Band, West Moberly First Nations, and SFN to discuss a range of BC Hydro activities in Treaty 8 territory. The quarterly meeting is attended by multiple**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.6</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

BC Hydro representatives, including Aboriginal Relations Project Leads from multiple projects. The Aboriginal Relations Lead for this Project attended this meeting and took notes on the discussions on the Project. In addition, BC Hydro's Public Affairs Officer also took notes of the entire discussion during the meeting, which included other projects and activities. Following SFNs March 7, 2016 request for meeting notes, the Aboriginal Relations Lead on the Project were provided on March 7, 2016. The notes from the full meeting were provided to SFN on March 10, 2016.

#### **April 4, 2016 Meeting Notes**

BC Hydro believes that the above reference to the April 14, 2016 meeting was a typographical error. The notes attached to this IR are from a meeting with BC Hydro on April 4, 2016. The meeting was with McLeod Lake Indian Band, West Moberly First Nations and SFN. Its purpose was to discuss BC Hydro's vegetation management and not the GMS Riprap Project. Therefore, no member of the Project team attended. During the meeting, SFN raised concerns about the Project. At the request of SFN's counsel at the second Procedural Conference, BC Hydro located these notes and provided an un-redacted version of the notes and agreed to SFN counsel including redacted versions in SFN's IRs.

#### **April 21, 2016 Meeting Notes**

BC Hydro notes that the Commission now has before it BC Hydro's meeting notes from this meeting, and a transcript of the meeting recorded by SFN. As set out in BC Hydro's meeting notes, the meeting began with a presentation by SFNs consultants. BC Hydro notes that the transcript omits the presentation attached in Exhibit C5-12, and a portion of the discussion relating to the TUS.

#### **Saulteau First Nations Hand Written Notes (Exhibit C5-12)**

This is the first time BC Hydro has seen these notes.

<b>Saulteau First Nations</b> Information Request No. <b>3.22.7</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

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On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.7 Did Leah Manson ever respond to Carmen Marshall's concern and request that BC Hydro's minutes be edited at the next meeting?

**RESPONSE:**

**Yes. Please refer to the attached email from Leah Manson to Carmen Marshall on the same day the request was received. Leah Manson proposed to discuss the matter at the meeting on April 21, 2016 but there was not time to do so that day. SFN has not communicated to BC Hydro the specific concerns it has with the content of BC Hydro's notes.**

---

**From:** Manson, Leah  
**Sent:** 2016, April 20 2:21 PM  
**To:** Carmen Marshall  
**Subject:** RE: Attendees for tomorrow?

Sure Carmen. Given that I suspect we have lots to discuss on the FNITR/TUS mitigations side, I suggest we deal with those items first and then the meeting minutes. I can always make time to discuss them offline with you as well.

Leah

---

**Leah Manson** | Aboriginal Relations

**BC Hydro**  
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**E** [leah.manson@bchydro.com](mailto:leah.manson@bchydro.com)

[bchydro.com](http://bchydro.com)

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**From:** Carmen Marshall [<mailto:CMarshall@saulteau.com>]  
**Sent:** 2016, April 20 1:39 PM  
**To:** Manson, Leah  
**Subject:** Re: Attendees for tomorrow?

Hi Leah,  
I would like to edit these minutes in tomorrows meeting.  
Regards,  
Carmen

---

**From:** Manson, Leah <[Leah.Manson@bchydro.com](mailto:Leah.Manson@bchydro.com)>  
**Sent:** April 20, 2016 2:33 PM  
**To:** Carmen Marshall  
**Subject:** RE: Attendees for tomorrow?

Thanks Carmen. We'll definitely ensure we get meeting minutes recorded. That reminds me – I intended to provide you with minutes from our April 12 call. They are below. If you have any changes to suggest, please let me know.

<b>Date (D/M/Y) &amp; Time</b>	April 12, 2016, 11:30am
<b>Location / Phone</b>	Teleconference
<b>Communication Type Or Communication Method</b>	<i>Teleconference</i>
<b>BC Hydro Participants</b>	Leah Manson, Robert Fornasier, Pat Craig, Bruce Mattock, Kunwarjit

	Khandpur
<b>First Nation Participants</b>	Carmen Marshall
<b>Other Participants</b>	Ryan Dodds (Ecofor)
<b>Summary / minutes recorded by</b>	Leah Manson
<b>Minutes sent to</b>	
<b>Documents exchanged</b>	

<b>Project Name / Topics / Issue</b>	<b>Key Discussion</b>	<b>Action Items</b>
GMS Rip Rap	<p>On April 12, 2016, BC Hydro (LM, BM, KK, RF, PC), Ecofor (RD) and Saulteau First Nations (CM) held a conference call to discuss Saulteau’s preliminary list of mitigation measures, and BC Hydro’s responses.</p> <p>CM noted that Saulteau’s general approach with commitment letters was to work on them together with project proponents. LM suggested that perhaps a tracking table showing Saulteau’s concerns and BC Hydro’s proposed mitigation could be used for this purpose. CM indicated she had something simpler such as a mutual letter in mind, though a tracking table could be attached to the letter. CM suggested that the parties could work through such a letter during their April 21, 2016 meeting. The parties then discussed the logistics for the April 21 meeting and agreed to meet from 9:00am to 3:00pm in Fort St. John. LM said she would send out meeting location information. CM agreed to confirm who would attend the meeting from Saulteau.</p> <p>The parties then worked through some BC Hydro questions about Saulteau’s preliminary list of mitigation measures.</p> <p><u>Truck traffic at dusk</u></p> <p>CM advised that the dusk window was approximately 3-4 hours. CM indicated that wildlife was often active at dusk, as were community members who hunted. In response to a question from KK around whether this concern was more relevant at particular times of year, CM said she would look at the traditional use study (TUS) for further information, but that the hunting season in summer was an important one.</p> <p><u>Aquatic resources</u></p> <p>In response to a question from LM, CM advised that more detailed recommendations around mitigations for aquatic resources would be contained in the final TUS.</p>	<ul style="list-style-type: none"> <li>• LM to send out meeting location information for April 21 meeting.</li> <li>• CM to confirm who will attend the April 21 meeting from Saulteau.</li> </ul>

Wetlands

LM noted that Saulteau had previously identified a concern with a wetland outside of the 70 metre road buffer BC Hydro had used in its environmental overview assessment, and asked whether a specific wetland would be identified. CM said she would look into this question. BM indicated that he believed the wetland in question was located near the intersection of the Utah and Table Roads.

Dust

LM asked what concerns were driving Saulteau’s requests around dust mitigation. CM indicated that further detail could be found in the TUS, and gave an example that medicinal and gathering plants could be negatively affected by dust. CM further noted that animals might avoid overly dusty areas.

Trappers

LM noted that BC Hydro only had information about one registered trap line in the project area, and asked whether Saulteau could provide information on other trappers so that BC Hydro could provide its road and construction schedule to them. CM replied that providing schedule information to trappers was not a sufficient mitigation measure, noting that Treaty 8 members had the treaty right to trap in the area and so the list of trappers in the area was fluid, making it hard to inform trappers. CM said she would prefer to see preventative measures taken first.

Noise

BM asked if the concerns underlying Saulteau’s overall noise concern were similar to those underlying the dust concern. CM said Saulteau had noticed trends around noise affecting animals and peoples’ quiet enjoyment of the land. CM noted that more information might be available in the final TUS. She advised that Saulteau was looking for a visual model of noise impacts in order to better understand project impacts.

Water quality

LM noted that BC Hydro had not used the SQCI measure indicated in Saulteau’s February 16 letter, but that they nevertheless had baseline water quality information, which BM advised was collected in accordance with Ministry standards and indices. CM suggested that the SQCI and Ministry indices could be compared to see if there were any data gaps between the two.

Traditional Use Study

RF asked if the TUS could provide more specific location information around Saulteau’s concerns and cultural sites. CM indicated that the interim

	<p>TUS contained site information. BM said that BC Hydro was unsure how to interpret this information, noting that more specific site information allowed BC Hydro to create better mitigation plans. CM indicated that cultural sites were fluid, particularly where the project was a long term project like the GMS rip rap project.</p> <p><u>Carbon Lake</u></p> <p>KK asked how Carbon Lake, identified in the TUS, related to the project. CM replied that people accessed Carbon Lake from the Utah Road. KK and CM acknowledge that there was another way to access Carbon Lake.</p> <p><u>FNITR</u></p> <p>LM asked whether additional recommendations other than those in Sauteau’s February 16 letter would be contained in the final FNITR. CM indicated this was likely, and that West Moberly and McLeod Lake would likely provide additional comments.</p> <p><u>Cultural continuity</u></p> <p>KK asked what the term ‘cultural continuity’ from the TUS meant. CM pointed to the explanation of the term available in the interim TUS, and described it as the ability for Sauteau members to continuously practice their way of life. KK noted that the project impacts would be temporary, though CM pointed out that temporary impacts could still displace people and the practice of treaty rights.</p> <p>CM advised that she wished to see movement on the commitment letter between BC Hydro and Sauteau. The parties concluded the call.</p>	
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**Leah Manson** | Aboriginal Relations

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 6911 Southpoint Drive, 10th floor  
 Burnaby, BC V3N 4X8

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**M** 778 879 2331  
**E** [leah.manson@bchydro.com](mailto:leah.manson@bchydro.com)

[bchydro.com](http://bchydro.com)

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---

**From:** Carmen Marshall [<mailto:CMarshall@saulteau.com>]

**Sent:** 2016, April 20 1:12 PM

**To:** Manson, Leah

**Subject:** Re: Attendees for tomorrow?

Hi Leah,

Myself, Marc and Rachel Olson (firelight) will be joining the mtg tomorrow in person, with no know dietary constrictions. Also we would like to record the meeting for meeting minute purposes.

Regards,

Carmen

---

**From:** Manson, Leah <[Leah.Manson@bchydro.com](mailto:Leah.Manson@bchydro.com)>

**Sent:** April 20, 2016 1:37 PM

**To:** Carmen Marshall

**Subject:** Attendees for tomorrow?

Hi Carmen,

I wanted to follow up on my previous note on meeting attendance for tomorrow, so I have the right #s and any dietary restrictions. Right now I am expecting you and Marc D'Entremont. Is anyone from Firelight attending? Will James Hickling be in attendance? Any special dietary needs I should know about? Thanks,

Leah

---

**Leah Manson** | Aboriginal Relations

**BC Hydro**

6911 Southpoint Drive, 10th floor  
Burnaby, BC V3N 4X8

**P** 604 528 3165

**M** 778 879 2331

**E** [leah.manson@bchydro.com](mailto:leah.manson@bchydro.com)

[bchydro.com](http://bchydro.com)

**Smart about power in all we do.**

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<b>Saulteau First Nations</b> Information Request No. <b>3.22.8</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
**SFN IR No. 3, Appendices E, F, G, H Consultation record**  
**discrepancies**

Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around April 14, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix F)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around February 15, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix H)

Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)

On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No. 3 as Appendix H.

On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.8 Why did BC Hydro omit SFN's concern about the Project schedule and SFN's request for mitigation commitments from BC Hydro, in light of the nearing construction start date?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.22.6.**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.9</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
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**discrepancies**

Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)

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Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)

On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No. 3 as Appendix H.

On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.9 Did BCH follow-up on SFN's request about bonding?

**RESPONSE:**

**No. However, BC Hydro notes that SFN was provided with the information regarding bonding requirements. The MEM permit Q-9-043 provided in Appendix H of Exhibit B-1, page 11 provides that "reclamation security for this approval is waived. The Permittee remains responsible for reclamation of the mine site to the satisfaction of the Chief Inspector of Mines".**

<b>Saulteau First Nations</b> Information Request No. <b>3.22.10</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**22.0 Reference: MEETING NOTES**  
**Application, Appendix F, p 31**  
**SFN IR No. 3, Appendices E, F, G, H Consultation record**  
**discrepancies**

Attached to this Information Request are copies of handwritten meeting notes prepared by Carmen Marshall (SFN) and Marc D'Entremont (LGL), and handwritten and type written notes prepared by Jordan Tam, during meetings with BC Hydro. (see Appendix E)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around April 14, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix F)

Attached to this Information Request are copies of BC Hydro notes on a meeting held on or around February 15, 2016 that are not included in BC Hydro's recent evidentiary update. (see Appendix H)

Attached to this Information Request is an email string not included in BC Hydro's recent evidentiary update. On April 20, 2016, Carmen Marshall advised Leah Manson that Carmen wanted to edit the minutes produced by BC Hydro at the next meeting. (see Appendix G)

On page 24 of Appendix C-3, Exhibit B-4, BC Hydro's Treaty 8 Quarterly Meeting minutes for "GMS Rip Rap" on February 15, 2016 contain less detail on the Project consultation than the full Treaty 8 Quarterly Meeting minutes, attached to SFN IR No. 3 as Appendix H.

On page 22 of Appendix H, SFN explains that the Project is 3 months away and requests specific commitments regarding requested mitigation measures outlined in SFN's letter to BC Hydro dated February 16, 2016.

BCH summary of Feb 20 meeting in Application does not include the following statement from the minutes: "Saulteau ... want to see what bonding requirements by MEM to make meaningful comment".

3.22.10 Did BC Hydro follow up with SFN regarding SFN's problems with BC Hydro's account of the April 12 meeting before BC Hydro filed the minutes as evidence of consultation with the Commission?

**RESPONSE:**

**Yes. Please refer to BC Hydro's response to SFN IR 3.22.7.**

<b>Saulteau First Nations</b> Information Request No. <b>3.23.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**23.0 Reference: REGULATORY MATTERS**  
**Exhibit B-3, pp. 126-127, 129-130**

BC Hydro previously made the following statements:

- "... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...". (see Exhibit B-3, pp. 129-130)
- "Should the Commission's decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. ...". (see Exhibit B-3, pp. 129- 130)
- "As an administrative tribunal, the Commission is "confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application..." (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 ("Rio Tinto"), para. 62)." (see Exhibit B-3, pp. 126-127)

3.23.1 Does BC Hydro maintain the view that it is not required to seek acceptance from the Commission under section 44.2(1)(b) of the Act? Yes or No?

**RESPONSE:**

**BC Hydro does not intend to begin construction of the Project until it receives Commission acceptance of the expenditures. BC Hydro is seeking Commission acceptance of the capital expenditures for this Project based on commitments made in its Capital Project Filing Guidelines that states: Expenditure schedule acceptance pursuant to subsection 44.2(1)(b) of the UCA for capital projects that are not extensions and that are above the expenditure thresholds (\$100 million for large generation projects), these capital project filings will be supported by CPCN-like evidence; BC Hydro will follow the content requirements of the BCUC's CPCN Application Guidelines and the 2010 First Nations Information Filing Guidelines, to the extent applicable. A copy of BC Hydro's Capital Project Filing Guidelines was included in response to BCUC IR 1.7.1 (Exhibit B-3).**

**Generally, BC Hydro is not required to seek acceptance from the Commission under section 44.2(1)(b) of the Act prior to implementing a Project. Section 44.2(1)(b) provides that a public utility such as BC Hydro "may" file an expenditure schedule with the Commission. Section 44.2(b) refers to an expenditure schedule containing a "statement of capital expenditures the public utility has made or anticipates making" [Emphasis added]. The *Interpretation Act*<sup>1</sup> states that in an enactment, "may is construed as permissive and empowering".**

<sup>1</sup> R.S.B.C. 1996, chapter 238.

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**The language used in this section permits, but does not require a utility to file a section 44.2 application. Further, the words “has made” expressly contemplate construction of a project prior to a Commission decision in regard to a proposed expenditure schedule.**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**23.0 Reference: REGULATORY MATTERS  
Exhibit B-3, pp. 126-127, 129-130**

BC Hydro previously made the following statements:

- "... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...". (see Exhibit B-3, pp. 129-130)
- "Should the Commission's decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. . ." (see Exhibit B-3, pp. 129- 130)
- "As an administrative tribunal, the Commission is "confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application..." (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 ("Rio Tinto"), para. 62)." (see Exhibit B-3, pp. 126-127)

3.23.2 Does BC Hydro maintain the view that it can commence construction before the Commission issues a decision? Yes or No?

**RESPONSE:**

**Yes, however as stated in response to SFN IR 3.23.1, BC Hydro intends to wait for the Commission's decision accepting the expenditures. The provincial permits and authorizations to commence construction of the Project have already been issued by the appropriate regulatory authorities including the FLNRO and MEM. Those permits and authorizations are not conditional upon BC Hydro obtaining approval for the Project expenditure schedule under section 44.2 of the *Utilities Commission Act (UCA)*.**

**The purpose of a section 44.2 application is to provide a utility like BC Hydro some certainty as to the ability to recover the costs of its Project from rate-payers. BC Hydro's intent is to obtain acceptance of the expenditures prior to making a decision on implementation. The Commission's jurisdiction under a section 44.2 proceeding is set out in section 44.2(3) and (4). The Commission can accept the expenditure schedule in whole or part, if it considers the expenditures in the public interest, or it can reject it. The Commission does not have the jurisdiction to impose conditions or make recommendations as to how the Project should be undertaken including but not limited to the specific mitigation and monitoring measures that should be included in the Project. This is the role of provincial regulators that have already permitted and authorized the Project activities.**

**Please also refer to BC Hydro's response to SFN IR 3.23.1.**

<b>Saulteau First Nations</b> Information Request No. <b>3.23.3</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**23.0 Reference: REGULATORY MATTERS**  
**Exhibit B-3, pp. 126-127, 129-130**

BC Hydro previously made the following statements:

- "... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...". (see Exhibit B-3, pp. 129-130)
- "Should the Commission's decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. . ." (see Exhibit B-3, pp. 129- 130)
- "As an administrative tribunal, the Commission is "confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application..." (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 ("Rio Tinto"), para. 62)." (see Exhibit B-3, pp. 126-127)

3.23.3 Does BC Hydro maintain the view that, because acceptance by the Commission is not required, BC Hydro can commence construction if the Commission does not approve the expenditure schedule for any reason? Yes or No?

**RESPONSE:**

**Yes, provided it would otherwise be consistent with maintaining the honour of the Crown. Please refer to BC Hydro's response to SFN IR 3.23.2.**

<b>Saulteau First Nations</b> Information Request No. <b>3.23.4</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 1
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**23.0 Reference: REGULATORY MATTERS**  
**Exhibit B-3, pp. 126-127, 129-130**

BC Hydro previously made the following statements:

- “... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...”. (see Exhibit B-3, pp. 129-130)
- “Should the Commission’s decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. . . .” (see Exhibit B-3, pp. 129- 130)
- “As an administrative tribunal, the Commission is “confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application...” (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 (“Rio Tinto”), para. 62).” (see Exhibit B-3, pp. 126-127)

3.23.4 Does BC Hydro agree that the Commission must, in making its decision on the Application, determine whether consultation and accommodation have been meaningful and adequate in this case?  
Yes or No?

**RESPONSE:**

**Yes. Please refer to BC Hydro’s response to BCUC IR 1.15.4 (Exhibit B-3).**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**23.0 Reference: REGULATORY MATTERS**  
**Exhibit B-3, pp. 126-127, 129-130**

BC Hydro previously made the following statements:

- "... BC Hydro is not required to seek acceptance of its expenditure schedule from the Commission under section 44.2(1)(b) of the Utilities Commission Act to implement the Project. ...". (see Exhibit B-3, pp. 129-130)
- "Should the Commission's decision not be issued within the Project timelines, BC Hydro would determine at that time whether it would commence construction without a Commission decision. . ." (see Exhibit B-3, pp. 129- 130)
- "As an administrative tribunal, the Commission is "confined to the power conferred on [it] by the legislature, and must confine [its] analysis and order to the ambit of the questions before [it] on a particular application..." (Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43 ("Rio Tinto"), para. 62)." (see Exhibit B-3, pp. 126-127)

3.23.5 Does BC Hydro agree that its decision on whether to proceed with the Project is also subject to the duty to consult and accommodate SFN? Yes or No?

**RESPONSE:**

**Yes. As set out in BC Hydro's response to BCUC IR 1.15.4 (Exhibit B-3), BC Hydro will assess the adequacy of consultation with First Nations as part of its overall decision on whether to implement the Project.**

<b>Saulteau First Nations</b> Information Request No. <b>3.24.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 1 of 2
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**24.0 Reference: REVIEWABLE PROJECT REGULATION  
Exhibit B-1, ss. 3.8.1, 3.9.2, pp. 3-27, 3-29; Exhibit B-1,  
Appendix D-1, p. 55, Appendix F, p. 49; Exhibit B-14,  
Appendix C-1, p. 335  
BC Environmental Assessment Office**

On December 5, 2011, BC Hydro stated in a letter to First Nations:

The GMS Riprap Upgrade Project as currently planned does not trigger any environmental assessment under the either the Provincial British Columbia Environmental Assessment Act. (Appendix F, p. 49).

On August 14, 2015 BCH wrote to First Nations as follows:

As previously communicated, we will maintain a restriction on the amount of rip rap that can be exported annually from the quarry. In accordance with the Mine Act, we will not export more than 250 000 metric tonnes of material from the quarry during a calendar year.

On page 3-27 of the Application, BC Hydro states:

The Project does not trigger an environmental assessment...

On page 3-29 of the Application, BC Hydro states that it:

Met with BC Environmental Assessment Office (BCEAO) to discuss the Project scope and the BCEAO later confirmed that the Project does not trigger a BC Environmental Act Environmental Assessment;

On page 55 of the Preliminary Design Report, the Expert Engineering Panel states:

This Project will not trigger a BCEAA environmental assessment as rock removed from the quarry will not exceed 250,000 tonnes per year.

BC Hydro's Environmental Management Plan explains:

#### 2.4 BC Environmental Assessment Act

This project has not triggered the BC Environmental Assessment Act. It is important to note that one trigger is based on quantity of material removed from the quarry in any given year. The contractor must ensure that no more than 250,000 tonnes is removed from the quarry in any year to remain in compliance with the fact that a BCEAA process is not triggered.

Under the Reviewable Project Regulation under the BC Environmental Assessment Act an environmental assessment is required if a new project at a

<b>Saulteau First Nations</b> Information Request No. <b>3.24.1</b> Dated: <b>May 2, 2016</b> British Columbia Hydro & Power Authority Response issued <b>May 6, 2016</b>	Page 2 of 2
British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:          B-18</b>

quarry facility will have a production capacity of more than 250 000 tonnes/year of quarried product.

3.24.1 Is BC Hydro's position that the BCEAA is not triggered based on the above statements in the Expert Engineering Report and in BC Hydro's EMP?

**RESPONSE:**

**BC Hydro's position that the Project does not require an EA under the BCEAA is based on the provisions in the BCEAA itself. There are two ways the Project could trigger the application of BCEAA:**

- 1. The Project is automatically reviewable because it meets the thresholds set out in Table 6 (Mine Projects) of the B.C. Reviewable Projects Regulation, B.C. Reg. 370/2002; and**
- 2. The B.C. Minister of Environment designated the Project as reviewable pursuant to subsection 6(1) of the BCEAA regardless of it not exceeding the reviewable thresholds set out in the Reviewable Projects Regulation.**

**Table 6 of the Reviewable Projects Regulation provides that Construction Stone and Industrial Mineral Quarries trigger an EA if the quarry involves the removal of construction stone or industrial minerals or both, is regulated as a mine under the Mines Act, and during operations will have a production capacity of > 250,000 tonnes/year of quarried product.**

**Early Project definition projected production capacity at Sand Flat Quarry might exceed 250,000 tonnes/year. In December 2015, when Project design was furthered, BC Hydro estimated operation of SFQ would be 266, 875 m<sup>3</sup> over the course of the Project, averaging 88,985 m<sup>3</sup> per year, the equivalent to 177,917 tonnes per year. Accordingly, the Project is not a reviewable project under the B.C. Reviewable Projects Regulation as it is below the applicable regulatory threshold. By email dated January 12, 2015, the BCEAO agreed that the Project does not meet the criteria under the Reviewable Projects Regulation based on that information.**

**By letter to SFN dated August 14, 2015, BC Hydro informed SFN that it further reduced its estimate for the total volume of material required from SFQ over the course of the Project to 150,000 m<sup>3</sup> (refer to the letter at Exhibit B-1, Appendix F). This averages to 50,000 m<sup>3</sup> per year (equivalent to 100,000 tonnes per year) for three years, or 75,000 m<sup>3</sup> (equivalent to 150,000 tonnes per year) for two years, under currently contemplated Project schedules. The B.C. Minister of Environment has not designated the Project as a reviewable project. Accordingly, the Project does not require an EA under the BCEAA.**

**From:** Mattock, Bruce  
**Sent:** 2014, December 09 3:58 PM  
**To:** Hamblin, Gerry EAO:EX; Peterson, Mike EAO:EX  
**Cc:** Khandpur, Kunwarjit  
**Subject:** GMS Bennett Dam Riprap Upgrade Project  
**Attachments:** GMS Riprap Upgrade letter to BCEAO.pdf

Hello Gerry

The email and attached letter is follow-up to the BC Hydro Project meeting we had in your office on June 18, 2014. This project involves the development of a quarry site to source riprap needed to upgrade the upstream face of WAC Bennett Dam. During that meeting, BC Hydro indicated that preliminary estimates showed the Sand Flat Quarry may have a quarried quantity of slightly greater than 250,000 tonnes per year, which could potentially trigger the application of *BCEAA*. Since the project was in early definition phase, BC Hydro committed to further refining the quarried quantities required from the Sand Flat Quarry and report back to BCEA Office confirming estimated quarried quantities. The refined quarried quantities are discussed in the attached letter.

Please confirm that you received this email.

If you have comments or question do not hesitate to call me.

Thanks for your time on this matter.

---

**Bruce Mattock, R.P.Bio.**

Regulatory, Environment, Social Issues & Properties Management  
Project & Portfolio Services  
Generation Project Delivery

**BC Hydro**

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Fax: 604. 528.2547  
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[bchydro.com](http://bchydro.com)

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FOR GENERATIONS

**Gerry Hamblin**

Project Assessment Manager  
Environmental Assessment Office  
PO Box 9426, Stn Prov Govt  
Victoria, BC, V8W 9V1

December 9, 2014

**RE: WAC GMS Bennett Dam Riprap Upgrade Project**

This letter is follow up to the BC Hydro GMS Bennett Dam Riprap Upgrade Project meeting we had in your office on June 18 2014. This project involves the development of a quarry site to source riprap needed to upgrade the upstream face of WAC Bennett Dam. A quarry site (Sand Flat Quarry) adjacent to the Williston Reservoir has been selected as a viable riprap source.

The purpose of the June 18 2014 meeting was to:

1. Discuss the status of the GMS Bennett Dam Upgrade Riprap Project.
2. Confirm *BC Environmental Assessment Act* (BCEAA) trigger definitions.
3. Clarify the BCEAA Assessment Waive process.

During that meeting, BC Hydro indicated that preliminary estimates showed the Sand Flat Quarry may have a quarried quantity of slightly greater than 250,000 tonnes per year, which could potentially trigger the application of *BCEAA*. Since the project was in early definition phase, BC Hydro committed to further refining the quarried quantities required from the Sand Flat Quarry and report back to BCEA Office confirming estimated quarried quantities. The refined quarried quantities are discussed below.

The Bennett Dam bedding material and riprap rock quantities from the project Feasibility Design Report have approximately remained the same as before. The trial blasting exercise at Sand Flat Quarry indicated that there should be a 25% breakage allowance for the riprap during transportation and this has been included in the quantity estimate. A Conceptual Option Study for Access Road Upgrade and Barge Loading Facility report completed by Klohn Crippen Berger Ltd. provided material estimates for the forest service road maintenance required for rock hauling trucks. However, the road maintenance material might be sourced from outside the Sand Flat Quarry but has been included in this estimate as a conservative approach to potential quarried quantities. A summary of the estimated rock quarries quantities is shown in the table below.

Table1. Rock material volumes and weight required for the Project over three years.

Rock Material	Volume (m <sup>3</sup> )	Weight (tonnes) (2.0 tonnes/ m <sup>3</sup> )
Bedding material	91,000	182,000
Riprap	85,100	170,200
Riprap breakage allowance (25%)	21,275	42,550
Road maintenance material	69,500	139,000
<b>Total</b>	<b>266,875</b>	<b>533,750</b>

Based on the three year project schedule the average annual quarried quantity will be approximately **177,917** (533,750tonnes/3yrs) tonnes per year, well under the 250,000 tonnes per year BCEAA trigger. The first year includes road maintenance work and some stock piling of rock material at the dam. The following two years involves quarrying and transport of rock for placement on the dam face. Given the current project scope of work, the rock quantity estimates and built in contingencies to those estimates, BC Hydro is confident that the project will not exceed the 250,000 tonnes per year BCEAA trigger. In addition, to ensure the future contractor is aware of the quarried quantity trigger a statement will be included in the Request for Proposal and a yearly quarried quantity limitation to be within the BCEAA trigger threshold will be stipulated in the contract.

BC Hydro requests a letter from BCEAO confirming that the project does not trigger a BCEAA application, based on the information provided. The confirmation letter will be provided to the Ministry of Forest, Lands and Natural Resource Operations during BC Hydro's Sand Flat Quarry and marine load out area License of Occupation application process and to First Nations that request the confirmation during the project consultation process.

I trust the information provided is satisfactory. Please contact me if you have any questions.



**Bruce Mattock, R.P.Bio.**

Regulatory, Environment, Social Issues & Properties Management  
Generation Project Delivery, BC Hydro

Cc: Khandpur Kunwarjit, Project Manager

**From:** Peterson, Mike EAO:EX <Mike.Peterson@gov.bc.ca>  
**Sent:** 2015, January 12 10:36 AM  
**To:** Mattock, Bruce  
**Cc:** Khandpur, Kunwarjit; Christie, Karen L EAO:EX; Peterson, Mike EAO:EX  
**Subject:** EAO response: GMS Bennett Dam Riprap Upgrade Project

Good day Bruce,

I have reviewed the December 9<sup>th</sup> letter you sent to EAO (co Gerry Hamblin) re: WAC GMS Bennett Dam Riprap Upgrade Project which provides refined quarried quantities.

I note that the proposed quarried quantities appear to fall beneath the production capacity thresholds defined in the Reviewable Projects Regulation (Regulation) of the Environmental Assessment Act.

Based on the information you provided, the proposed project does not meet the criteria for a reviewable project under the Regulation.

If you have any questions or require further information, please contact me through this email or by phone at 250-561-5622.

Kind regards,

**P. Michael Peterson, MBA, R.P.Bio., P.Ag.,**  
Project Assessment Manager  
Environmental Assessment Office

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**From:** Mattock, Bruce [<mailto:Bruce.Mattock@bchydro.com>]  
**Sent:** Tuesday, December 9, 2014 3:58 PM  
**To:** Hamblin, Gerry MEM:EX; Peterson, Mike EAO:EX  
**Cc:** Khandpur, Kunwarjit  
**Subject:** GMS Bennett Dam Riprap Upgrade Project

Hello Gerry

The email and attached letter is follow-up to the BC Hydro Project meeting we had in your office on June 18, 2014. This project involves the development of a quarry site to source riprap needed to upgrade the upstream face of WAC Bennett Dam. During that meeting, BC Hydro indicated that preliminary estimates showed the Sand Flat Quarry may have a quarried quantity of slightly greater than 250,000 tonnes per year, which could potentially trigger the application of BCEAA. Since the project was in early definition phase, BC Hydro committed to further refining the quarried quantities required from the Sand Flat Quarry and report back to BCEA Office confirming estimated quarried quantities. The refined quarried quantities are discussed in the attached letter.

Please confirm that you received this email.

If you have comments or question do not hesitate to call me.

Thanks for your time on this matter.

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**Bruce Mattock, R.P.Bio.**

Regulatory, Environment, Social Issues & Properties Management  
Project & Portfolio Services  
Generation Project Delivery

**BC Hydro**

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British Columbia Hydro & Power Authority <b>W.A.C. Bennett Dam Riprap Upgrade Project</b>	<b>Exhibit:  B-18</b>

**24.0 Reference: REVIEWABLE PROJECT REGULATION  
Exhibit B-1, ss. 3.8.1, 3.9.2, pp. 3-27, 3-29; Exhibit B-1,  
Appendix D-1, p. 55, Appendix F, p. 49; Exhibit B-14,  
Appendix C-1, p. 335  
BC Environmental Assessment Office**

On December 5, 2011, BC Hydro stated in a letter to First Nations:

The GMS Riprap Upgrade Project as currently planned does not trigger any environmental assessment under the either the Provincial British Columbia Environmental Assessment Act. (Appendix F, p. 49).

On August 14, 2015 BCH wrote to First Nations as follows:

As previously communicated, we will maintain a restriction on the amount of rip rap that can be exported annually from the quarry. In accordance with the Mine Act, we will not export more than 250 000 metric tonnes of material from the quarry during a calendar year.

On page 3-27 of the Application, BC Hydro states:

The Project does not trigger an environmental assessment...

On page 3-29 of the Application, BC Hydro states that it:

Met with BC Environmental Assessment Office (BCEAO) to discuss the Project scope and the BCEAO later confirmed that the Project does not trigger a BC Environmental Act Environmental Assessment;

On page 55 of the Preliminary Design Report, the Expert Engineering Panel states:

This Project will not trigger a BCEAA environmental assessment as rock removed from the quarry will not exceed 250,000 tonnes per year.

BC Hydro's Environmental Management Plan explains:

**2.4 BC Environmental Assessment Act**

This project has not triggered the BC Environmental Assessment Act. It is important to note that one trigger is based on quantity of material removed from the quarry in any given year. The contractor must ensure that no more than 250,000 tonnes is removed from the quarry in any year to remain in compliance with the fact that a BCEAA process is not triggered.

Under the Reviewable Project Regulation under the BC Environmental Assessment Act an environmental assessment is required if a new project at a

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quarry facility will have a production capacity of more than 250 000 tonnes/year of quarried product.

3.24.2 What was the BCEAO's basis under the BCEAA and its regulations for the Project not requiring an EA?

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.24.1.**

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quarry facility will have a production capacity of more than 250 000 tonnes/year of quarried product.

3.24.3 How did BCEAO provide subsequent confirmation to BC Hydro that the project did not trigger the BCEAA? Please provide the confirmation provided to BC Hydro from the BCEAO.

**RESPONSE:**

**Please refer to BC Hydro's response to SFN IR 3.24.1.**

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Under the Reviewable Project Regulation under the BC Environmental Assessment Act an environmental assessment is required if a new project at a

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quarry facility will have a production capacity of more than 250 000 tonnes/year of quarried product.

3.24.4 Was the confirmation qualified, subject to any conditions or subject to BC Hydro providing the BCEAO with further project details and information on project scope?

**RESPONSE:**

**No. Please refer to BC Hydro's response to SFN IR 3.24.1**

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**25.0 Reference: REVIEWABLE PROJECT REGULATION  
Exhibit B-1, s. 3.3.3, Appendix D-1, p. 20; Exhibit B-1,  
Appendix F, p. 79  
Rip rap volume**

In section 3.3.3 of the Application, BC Hydro has explains that in determining how much limestone is needed to place 150,000 m<sup>3</sup> of riprap and bedding on the dam, rock transport and handling loss, expected to be 20%, should be taken into account.

In September 2015 BC Hydro presented to First Nations that the volume of riprap removed from the SFQ would be less than 750,000 m<sup>3</sup>.

On page 20 of Exhibit B-1, Appendix D-1, according to the Preliminary Design Study the conversion of volume of riprap in m<sup>3</sup> can be converted into metric tonnes as follows:

The density of the placed riprap as placed in the dry was estimated to be about

1.85 tonnes/m<sup>3</sup>. A bulking factor of 45% for placed riprap was determined as the in-situ rock has a density of 2.69 tonnes/m<sup>3</sup>.

During 3 years of quarry operations the Project will remove 750,000m<sup>3</sup> of limestone from the quarry to place 150,000m<sup>3</sup> of riprap and bedding on the dam face. According to the estimates provided in the Preliminary Design Study, 750,000m<sup>3</sup> of riprap and bedding would exceed one million tonnes of riprap and bedding over 3 years.

3.25.1 Will the SFQ Project operations have a production capacity of more than 250 000 tonnes per year of quarried product?

**RESPONSE:**

**No. As noted in BC Hydro's response to SFN IR 3.24.1, the total amount of material required from the SFQ over the course of the Project is estimated at 150,000 m<sup>3</sup>, well below 750,000 m<sup>3</sup>. BC Hydro expects to quarry approximately 50,000 m<sup>3</sup> per year for three years, which is equivalent to 100,000 tonnes per year for three years.**

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3.25.2 Please provide a copy of the application materials BC Hydro submitted to Ministry of Energy and Mines with respect to the Quarry.

**RESPONSE:**

**The materials submitted to the MEM were previously provided to SFN on December 19, 2014. Please refer to Exhibit B-1, Appendix F, page 63.**

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During 3 years of quarry operations the Project will remove 750,000m<sup>3</sup> of limestone from the quarry to place 150,000m<sup>3</sup> of riprap and bedding on the dam face. According to the estimates provided in the Preliminary Design Study, 750,000m<sup>3</sup> of riprap and bedding would exceed one million tonnes of riprap and bedding over 3 years.

3.25.3 How many metric tonnes of riprap and bedding will be removed per yearly quarter during quarry operations? Please complete the following tables:

2016				
Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec
Metric tonnes of quarried product:				

2017				
Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec
Metric tonnes of quarried product:				

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2018				
Quarter	Jan-Mar	Apr- Jun	Jul-Sep	Oct-Dec
Metric tonnes of quarried product:				

**RESPONSE:**

**Please refer to BC Hydro’s response to SFN IR 3.25.1. BC Hydro cannot provide a quarterly breakdown of the amount of material to be removed from SFQ each year as that will depend on several Project conditions, including the Project progressing as planned per the schedule and conditions encountered at SFQ.**