

From: "Kelly, Cassana EAO:EX" <Cassana.Kelly@gov.bc.ca>

Date: July 7, 2022 at 11:09:20 AM MST

Subject: EAO's Decision on the Site C 85th Avenue Contingency Hauling Plan amendment

Good afternoon,

This email is to notify the Technical Advisory Committee that the EAO's Deputy Chief Assessment Officer has issued their decision to grant BC Hydro's request to allow the use of haul trucks on a contingency basis to transport material from the 85th Avenue Industrial Lands to the dam site area, should the conveyor system experience a downtime of more than three consecutive days for reasons beyond BC Hydro's control.

The Amendment Order amending the Environmental Assessment (EA) Certificate is posted to the Environmental Assessment Office's Project Information and Collaboration website, which can be accessed at: <https://www.projects.eao.gov.bc.ca/p/588511a0aaecd9001b82316d/amendments>

Thank you for your participation in the review of this amendment. Your comments and feedback have been important in this amendment review process. If you have any questions, please do not hesitate to reach out to me, or Sarah Duggan (cc'd on this email).

Thank you,
Cassana

CASSANA KELLY (she/her)
Project Assessment Officer
Environmental Assessment Office
Government of British Columbia
OFFICE: 778-698-1517
 [Twitter.com/BC_EAO](https://twitter.com/BC_EAO)



The EAO respectfully acknowledges that it carries out its work on the traditional territories of Indigenous nations throughout British Columbia.

**IN THE MATTER OF THE *ENVIRONMENTAL ASSESSMENT ACT*
S.B.C. 2018, c. 51 [the Act (2018)]**

AND

**IN THE MATTER OF ENVIRONMENTAL ASSESSMENT CERTIFICATE # E14-02
HELD BY BRITISH COLUMBIA HYDRO AND POWER AUTHORITY**

**FOR THE
SITE C CLEAN ENERGY PROJECT**

**AMENDMENT # 10 (AMENDMENT)
TO CERTIFICATE # E14-02**

WHEREAS:

- A. On October 14, 2014, the Minister of Environment and Climate Change Strategy, and the Minister of Forests, Lands and Natural Resource Operations issued Environmental Assessment Certificate # E14-02 (Certificate) to British Columbia Hydro and Power Authority.
- B. The Certificate authorized British Columbia Hydro and Power Authority to construct and operate the Site C Clean Energy Project (Project) approximately seven kilometres south-west of Fort St. John, British Columbia.
- C. Six amendments have been issued under Section 19(1) of the *Environmental Assessment Act*, S.B.C. 2002, c.43:
 - i. On June 22, 2018, the Certificate was amended to modify the design of the generating station and spillway (Amendment # 1).
 - ii. On October 26, 2018, the Certificate was amended to modify the design of the Halfway River bridge (Amendment # 2).
 - iii. On November 14, 2018, the Certificate was amended to allow expanded use of material from the West Pine Quarry for construction (Amendment # 3).
 - iv. On February 12, 2019, the Certificate was amended to allow the use of machines near watercourses in clearing the reservoir area (Amendment # 4).
 - v. On December 13, 2019, the Certificate was amended to change a portion of the realignment of the Cache Creek segment of Highway 29 and the design of the Cache Creek bridge (Amendment # 5).
 - vi. On December 13, 2019, the Certificate was amended to make changes to the worker accommodation camps (Amendment # 6).
- D. Three amendments have been issued under Section 32(1) of the Act:
 - vii. On May 27, 2020, the Certificate was amended to modify the design of the Highway 29 realignment crossings of Farrell Creek, Dry Creek, and Lynx Creek (Amendment # 7).

- viii. On November 24, 2020, the Certificate was amended to develop and use the Halfway River East Borrow Source (Amendment # 8).
- ix. On May 6, 2022, Condition #40 of the Certificate was amended to relocate the Cache Creek boat launch and day use area to a location east of the Halfway River (Amendment # 9).
- E. On March 16, 2021, British Columbia Hydro and Power Authority requested an amendment under Section 32(1) of the Act to allow for the implementation of a contingency truck hauling plan.
- F. Pursuant to Section 4 of the Act, the Chief Executive Assessment Officer has delegated to the undersigned, powers and duties under the Act, including the power to consider requests for certificate amendments.

NOW THEREFORE,

I amend the Certificate as follows:

1. Add the following paragraph to Section 4.3.5.2.1 of Schedule A (Project Description):

- The Project includes a temporary haul route, the 85th Avenue Contingency Haul Route (Figure 1), to allow for the use haul trucks on a contingency basis should the conveyor experience downtime for more than three consecutive days due to circumstances beyond BC Hydro's control.

2. Add the following definitions to Schedule B of the Certificate:

85 th Avenue Contingency Haul Route	The contingency truck hauling route along Shaman Industrial Way and Old Fort Road to Gate B of the dam site area, as shown in Figure 1 of this Amendment.
Contingency Truck Hauling	The use of haul trucks on a contingency basis, as described in this Amendment, to transport till material along the 85 th Avenue Contingency Haul Route to Gate B of the dam site area.
Indigenous nations	This term has the same definition as 'Aboriginal Groups' in Schedule B of the Certificate

3. Add Conditions #81 through #86 to Schedule B of the Certificate as follows:

81. 85th Avenue Contingency Truck Hauling and Management Plan

81.1 The Holder must retain a Qualified Professional to develop the 85th Avenue Contingency Truck Hauling Management Plan (the Plan). The Plan must be developed in consultation with Northern Health, the Peace River Regional District, the Ministry of Transportation (MOTI), the Ministry of Environment and Climate Change Strategy (ENV), and Indigenous nations. The Holder must provide the Plan to the EAO prior to commencing Contingency Truck Hauling, unless otherwise authorized by the EAO.

81.2 The Plan must include, at a minimum, the means by which the following will be addressed:

- a) Road maintenance and repair for the 85th Avenue Contingency Haul Route for effects caused by Contingency Truck Hauling;
- b) Emissions management, including:
 - i. Limiting truck idling times to a maximum of five minutes; and
 - ii. Selecting machines with low emissions that meet the latest applicable standards;
- c) Traffic management, including:
 - i. The requirement of an expedited truck check-in process at Gate B;
 - ii. Traffic safety, emergency vehicle access, and prevention of wildlife-vehicle collisions;
 - iii. Identification of locations to monitor truck haul traffic counts; and
 - iv. Monitoring for haul traffic counts;
- d) Noise management;
- e) Emergency response and spill prevention including the emergency response and spill prevention mitigation measures that will be implemented if a spill, as defined by this plan, occurs;
- f) Environmental monitoring, including:
 - i. Air quality monitoring, including at 85th Avenue Industrial Lands and at Old Fort;
 - ii. Air quality monitoring via a mobile station if complaints are received regarding air quality in a specific location; and
 - iii. Species at risk, including Western Toad, along the 85th Avenue Contingency Haul Route.
- g) Fugitive dust management, developed by a Qualified Professional, that includes:
 - i. Covering haul truck loads;
 - ii. A description of where, when, and how haul truck washing stations will be used at 85th Avenue Industrial Lands and Gate B, and how the wash water is managed; and
 - iii. A description of when and where street-sweeping and water flushing will be implemented along the 85th Avenue Contingency Haul Route;
- h) The mitigation measures in Table 3 of the 85th Avenue Contingency Hauling Plan Amendment Application and how the mitigation measures will be implemented;
- i) The process for communication and data sharing that must occur when Contingency Truck Hauling is in effect;

- i. Data at a minimum, must include a summary of all air quality exceedances and associated meteorological conditions, records of the location of any traffic accidents, any complaints received from the public, and any wildlife mortality attributable to the Holder's use of the 85th Avenue Contingency Hauling Route; and
- ii. Identify contacts who will receive the data.

81.3 The Holder may implement Contingency Truck Hauling in the circumstances described in Table 1 of the Amendment Application.

81.4 Contingency Truck Hauling includes the allowance of up to a total of 48 truck trips per hour per direction (96 truck trips per hour) using highway-legal, truck/trailer, truck and pup, or truck trains.

81.5 Contingency Truck Hauling may only be implemented from 7 am to 7 pm daily, except when school buses are in operation, as described in the plan, on the 85th Avenue Contingency Haul Route.

81.6 Contingency Truck Hauling may only occur from April 1 – October 31 each year, until construction of the Project is complete.

81.7 The Holder must provide notice to the EAO:

- a) 72 hours prior to the implementation of Contingency Truck Hauling, including a rationale, and an estimate of the start and end dates of Contingency Truck Hauling;
- b) If the Holder requires an extension to the original estimated duration of Contingency Truck Hauling provided in 81.7(a), including a rationale for the extension; and
- c) Within 72 hours of cessation of Contingency Truck Hauling.

81.8 The Holder must notify the Regional Community Liaison Committee, the public, local businesses, local residences, MOTI, the Bussing Coordinator for School District #60, and the EAO, 72 hours prior to Contingency Truck Hauling. The notification must include:

- a) The rationale for Contingency Truck Hauling;
- b) The estimated duration of Contingency Truck Hauling; and
- c) The details of a public complaints process.

81.9 The Holder must notify the Regional Community Liaison Committee, the public, local businesses, local residences, MOTI, the Bussing Coordinator for School District #60, and the EAO:

- a) If an extension of Contingency Truck Hauling is required; and
- b) When Contingency Truck Hauling has ceased.

81.10 The Plan and any updates must be implemented throughout Contingency Truck Hauling, under the direction of a Qualified Professional retained by the Holder and to the satisfaction of the EAO.

82. Compliance Notification

82.1 The Holder must notify the EAO as soon as practicable, and in any event no more than 72 hours, after the Holder determines that the Holder has not, or may not have, fully complied with this Amendment.

83. Document Review

83.1 The requirements within this condition apply to all plans, programs, or other documents required under this Amendment.

83.2 The EAO may, within 60 days, or another period if a condition in this Table of Conditions provides otherwise, of receiving a document required by a condition notify the Holder that:

- a) The Holder may implement the actions in the document with or without revisions; or
- b) A revised document must be provided for approval of the EAO.

83.3 If a notification provided by the EAO to the Holder sets out revisions that are required to the document, the Holder must change the document in accordance with the notification.

83.4 If the EAO does not provide a notification to the Holder within the period referred to in subsection 83.2, the Holder may implement the document, unless a condition in this Table provides otherwise.

84. Document Updates

84.1 The requirements within this condition apply to all plans, programs, or other documents required under this Amendment.

84.2 The Holder may, or the EAO may require the Holder to, make changes to any document if the EAO determines that the implementation of the document is not:

- a) Meeting one or more objectives set out in the relevant condition of this Amendment or in the purpose and objectives set out in the document as required by paragraph 85.2(a);
- b) Having the effects, set out in the document, that are contemplated or intended; or
- c) Consistent with changes in industry best practices or technology.

85. Plan Development

85.1 The requirements within this condition apply to all plans, programs, or other documents required under this Amendment.

85.2 At a minimum, documents must include the following information:

- a) Purpose and objectives of the document;
- b) Roles and responsibilities of the Holder, project personnel and any contractors employed for the purposes of implementing the plan;

- c) Names and, if applicable, professional certifications and professional stamps, of those responsible for the preparation of the document;
- d) Schedule for implementing the actions in the document throughout the relevant project phases;
- e) How the effectiveness of any mitigation measures will be evaluated including the schedule for evaluating effectiveness;
- f) How the holder will implement adaptive management to address effects of the Project if the monitoring conducted under subsection 85.3 shows that those effects:
 - i. Are not being mitigated to the extent contemplated in the Amendment Application; or
 - ii. Are different than those predicted in the Amendment Application;
- g) Schedules and methods for the submission of reporting to specific agencies and Indigenous nations, and notification to the public, and the form and content of those reports; and
- h) Process and timing for updating the document, including any consultation with agencies and Indigenous nations that would occur in connection with such updates.

85.3 Where a document includes monitoring requirements, the document must include:

- a) Description of baseline information that will be used to support monitoring of the effectiveness of mitigation;
- b) Methods, location, frequency, timing, and duration of monitoring; and
- c) Scope, content, and frequency of reporting of the monitoring results.

86. Consultation

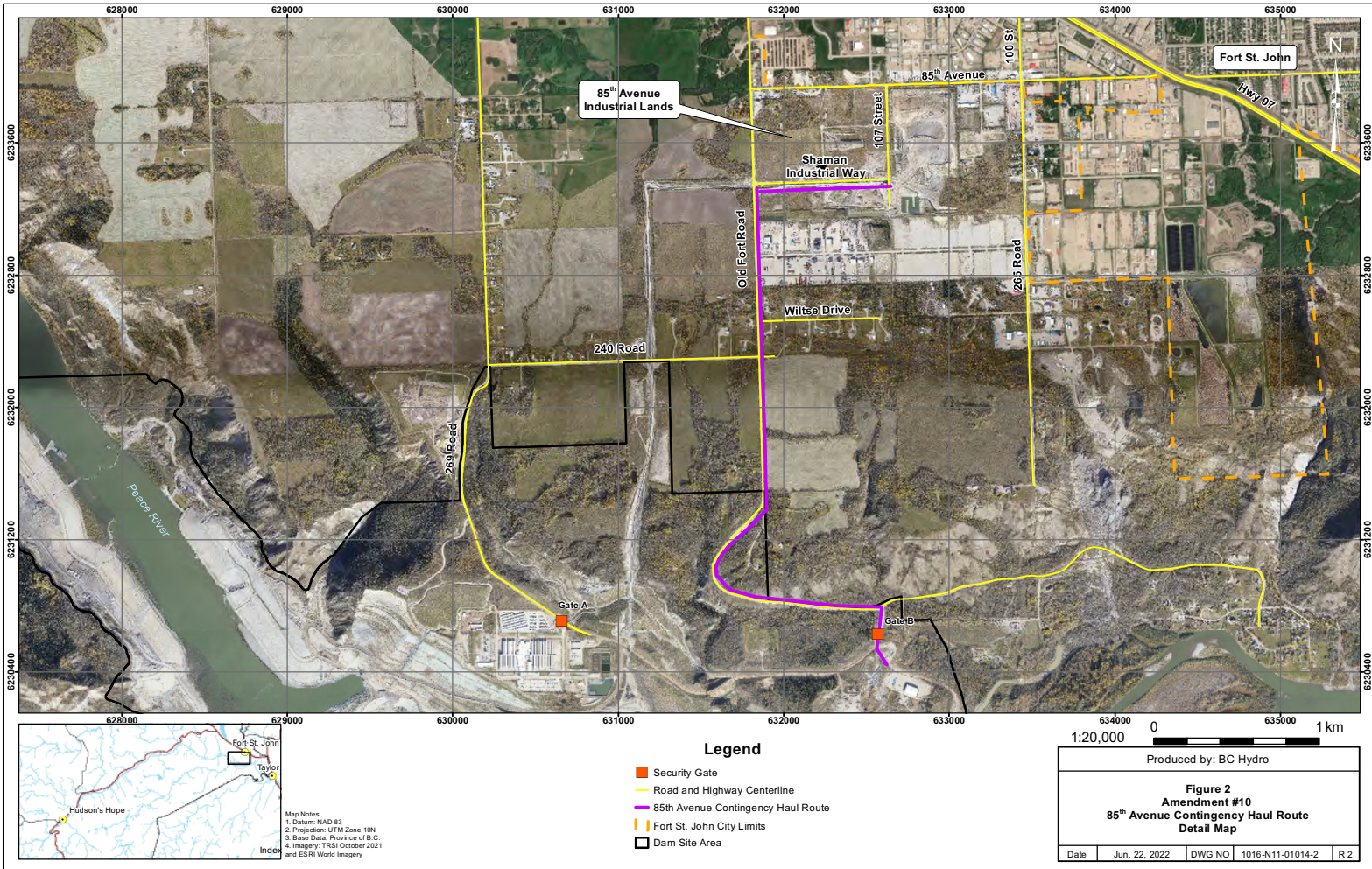
86.1 Where a condition of this Amendment requires the Holder to consult a party or parties regarding the content of a document, the Holder must, to the satisfaction of the EAO:

- a) Provide written notice to each such party that:
 - i. Includes a draft of the document;
 - ii. Invites the party to provide its views on the content of the document; and
 - iii. Indicates:
 - A) If a timeframe for providing views to the Holder is specified in the relevant condition of this Amendment, that timeframe; or
 - B) If a timeframe for providing views to the Holder is not specified in the relevant condition of this Amendment, a reasonable period during which the party may submit views to the Holder;
- b) Undertake a full and impartial consideration of the views and other information provided by a party;
- c) Provide a written explanation to each such party that provided views as to:
 - i. How the views and information provided by the party have been considered and addressed in a revised version of the document; or

- ii. Why the views and information have not been addressed in a revised version of the document;
- d) Maintain a record of consultation with each party regarding the document; and
- e) Provide a copy of the consultation record to the EAO, the relevant party, or both, upon the written request of the EAO or the party no later than 15 days after the Holder receives the request, unless otherwise authorized by the EAO.

Michael Shepard
Acting Deputy Chief Environmental Assessment Officer
Environmental Assessment Office

Issued this 30th day of June, 2022



BOTTERELL LAW CORPORATION

BARRISTERS & SOLICITORS

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rbotterell@botterell.ca
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Via email: Sarah.Duggan@gov.bc.ca

April 28th, 2021

Environmental Assessment Office
Government of British Columbia
2nd Floor 836 Yates St
PO Box 9426 Stn Prov Govt
Victoria BC V8W 9V1

Attention: Sarah Duggan
Project Assessment Director

Dear Sarah Duggan,

Re: BC Hydro Request for Amendment to Environmental Assessment Certificate (EAC) #E14-02: Schedule A (Project Description) – Hauling Material from 85th Avenue Industrial Lands to the Site C Project Dam Site Area (Site C - 85th Ave Hauling Amendment Application)

We are writing you on behalf of the Peace River Regional District (District) to provide you with feedback on the draft work plan for review of the Site C – 85th Ave Hauling Amendment Application.

Also, we raise some initial questions and technical comments in relation to the Application which will be more fully documented, supplemented and expanded as the EAO review process proceeds. We request guidance on how to ensure that comments when provided in letter form like this will be recorded on the TAC comment tracking table.

BACKGROUND

We wish to note that revision of the Amendment Application does not change or diminish the District's requests as outlined in its February 3rd, 2021 letter to Project Assessment Director Kimberly Walters. If anything, our further initial review reinforces the need to implement the requests contained in the District's February 3rd, 2021 letter.



In particular, we note:

1. Chair Brad Sperling reports that this proposal to haul till material for the dam and approach channel, even in its revised form, continues to be of very great concern to residents. This supports the need for a rigorous review process that incorporates multiple opportunities for public input, as provided for in the *Environmental Assessment Certificate and Exemption Order Amendment Policy (Version 1.0, December 15, 2020)*.
2. As noted in the District's February 3rd, 2021 letter to Kimberly Walters, proper assessment of this Amendment Application in accordance with the *Effects Assessment Policy (Version 1.0, April 2020)* and its effects requires specialized expertise, well beyond that of the layperson Technical Advisory Committee (TAC). Even to the layperson, the Amendment Application contains limited, incomplete, in some cases out of date, and not independently verified information and opinion regarding critical items such as:
 - Full range of alternatives to hauling when the conveyor is out of service,
 - Analysis of risk and frequency of conveyor failure, and
 - Transportation, traffic safety, air quality, noise, and human health impacts under both the Gate A (previously contemplated in the draft Amendment Application) and Gate B (current Amendment Application under consideration) hauling options.
3. The April 19th, 2021 BC Hydro PowerPoint only reinforces the need for rigorous review and procedural safeguards in keeping with an application at the complex end of the spectrum.

Here is a small sampling of questions based on the District's preliminary review. We fully anticipate many more questions will arise either a) as follow-up to answers received or b) as the District, District residents, independent experts, and others develop an in depth understanding of the Amendment Application.

Slide 2

- What is the earliest and latest that transport of material can start and end each year?
- What is the detailed year by year workplan for transportation of till?
- What is defined as a "significant" construction delay and what expert analysis has been made of the likelihood of delay?

Slide 3

- Will we be provided with the individual responses from those contacted beginning in January 2021?



Slide 4

- Were concerns about noise, air quality, traffic impacts and safety the only concerns raised?
- What valued components does the EAO consider this truck hauling proposal impacts and what is the rationale, justification and list of valued components that the EAO will exclude? The District understands that BC Hydro denied the interface between a number of valued components and the 85th Ave. hauling proposal in its March 16, 2021 submission, but we request the EAO's determination.
- Was a detailed expert analysis conducted of the cumulative impact of 122 truck trips per hour on issues including but not limited to noise, air quality, traffic, and safety? This cumulative impact analysis must also consider those effects which are already taking place in the vicinity of Site C dam construction in the absence of proposed hauling.
- Were alternatives considered other than stockpiling, constructing another conveyor, and constructing a road beside till haul conveyor?
- Are there other alternatives that could be considered, e.g., temporary stop to transport of till? What are the benefits to residents and costs to BC Hydro of such an option?

Slide 5

- What are the costs and benefits and technical considerations related to using an alternative till material source on a temporary basis while the conveyor is not in operation?
- What specific routes for an additional till conveyor were considered and assessed?
- What analysis was performed regarding the costs, benefits and comparative impacts of a) truck hauling vs. building an additional till conveyor, and b) hauling on service maintenance road?

Slide 6

- What detailed data has been assembled and what detailed analysis has been performed regarding the risk, duration in days, construction implications, and cost of a) regular and planned maintenance or b) conveyor breakdown?
- What detailed data has been assembled and what detailed analysis has been performed regarding the risk, duration in days and cost associated with the conveyor not being operational for each event beyond BC Hydro's control? Further, what detailed analysis has been conducted regarding the potential for a sequence of events (i.e., a series of equipment repairs one after another after another)?
- Will independent (not retained by BC Hydro) experts be provided with full access to the data and above analysis to make an independent assessment of these issues?



Slide 8

- What is the definition BC Hydro proposes for each event?
- What detailed analysis has been conducted regarding the cost and feasibility of stockpiling up to 3, 5, 10, 15, 20 or more days of till?
- How does this stockpiling cost compare to the overall construction budget for the Site C dam Project?

Slide 9

- Will BC Hydro pay all direct and indirect costs associated with truck hauling, including but not limited to District communications costs, emergency planning preparation and response and road maintenance and repair costs?
- Who will decide whether or not one of these events triggers a need to use truck hauling?
- How will the TAC and District, residents and Indigenous groups be meaningfully consulted before a decision to truck haul is made?
- How can the amount of advance notice and the ways in which it is delivered be maximized? Who is responsible for delivering the notice?
- How does the *B.C. Declaration on the Rights of Indigenous Peoples Act* apply to decisions to use truck hauling?
- More generally, how does the *United Nations Declaration on the Rights of Indigenous Peoples* apply to decisions to use truck hauling?

Slide 10

- What are the detailed design specifications for the conveyor system?
- What are the operating specifications and maintenance schedule for the conveyor system?
- What is the minimum, maximum and standard level of operation of the conveyor system in m³ per hour recommended by the manufacturer?
- What detailed information or studies are available regarding the operational performance of this conveyor system and other similar conveyor systems in use around the world?
- What are the detailed specifications for the 25 trucks that are proposed to be used for hauling of till?



AMENDMENT APPLICATION REVIEW WORKPLAN

We have now had an opportunity to make an initial review of the amendment application review workplan. This amendment application is at the complex end of the spectrum, or at least entails much more than a typical application. Accordingly, we request changes to three areas of the workplan:

1. Expand opportunities and length of time period for input of TAC and the Public

It is clear, after only an initial review, that there are numerous unanswered or insufficiently answered questions, including but not limited to, questions related to the necessity of truck hauling, as well as its scope, cost, and duration. These questions need to be rigorously and fully answered before the EAO makes a decision on this Amendment Application.

District residents remain very concerned about this application, even in its revised form. The upcoming public review period will undoubtedly re-confirm this high level of concern.

It is essential to any effort to seek consensus on the Amendment Assessment Report that the District, the Public and Indigenous Nations have all of their questions identified and fully answered to their satisfaction. The related review process must also take into account the ongoing Covid pandemic.

Accordingly, it is strongly recommended that the Workplan be revised to:

- Double the length of TAC and public review periods and be prepared to extend them further in response to reasonable requests for extensions.
- Replace the one-week turnaround time for BC Hydro responses with a more realistic and iterative timetable, that provides BC Hydro a minimum of a month to respond.
- Establish a Community Advisory Committee.
- Provide for public comment periods wherever available including at Step 2, 3 and 4 of the public engagement process. This would ensure, for example that the public have a meaningful role and opportunity for review of draft Assessment Procedures and Supplementary Materials Development, draft Supplementary Materials Submitted, and the draft Amendment Assessment Report.

2. Expert Independent Advice on Amendment Application

The Site C dam project has encountered many engineering and other challenges resulting in a current estimated budget of \$16 Billion. In the circumstances, it is not unreasonable to supplement BC Hydro's data and analysis with independent expert advice on key project issues. This Amendment Application is such an issue.



The District is sufficiently concerned with this Amendment Application that it is in the process of retaining an outside expert to identify questions that need to be addressed beyond those listed above, as well as provide an independent expert report on key issues related to this Amendment Application.

We request that the EAO consider retaining its own objective expert to support the technical aspects of the review process. As well, we seek confirmation from the EAO and BC Hydro that the District's expert will have the same level of access to data and analysis that BC Hydro experts enjoy.

3. Expanded Role of Indigenous First Nations

This Amendment Application is an important opportunity for the EAO to support substantive involvement of Indigenous Nations in the EAO review process. We are concerned given the scope, complexity and importance of Indigenous Nation Treaty Rights that the timelines are unreasonably short and the degree of First Nations involvement is unreasonably limited in light of the *United Nations Declaration on the Rights of Indigenous People* and the *B.C. Declaration on the Rights of Indigenous Peoples Act*.

CONCLUSION

The Site C - 85th Ave Hauling Amendment Application is a matter of great concern to the District and its residents. The District's preliminary review of the Amendment Application raises many questions which need to be fully answered in the course of a thorough review process that is not rushed.

We have provided a variety of suggestions to foster participation and confidence of the District, its residents, and Indigenous Nations in the review process and we look forward to your review and response to our suggestions.

If you have any questions, please do not hesitate to contact me at 250-880-9919.

Yours truly,

ROBERT H. BOTTERELL

Cc: Peace River Regional District Board and Website
Site C - 85th Ave Hauling Amendment TAC



File: 30050-25/SCCE-18

Reference: 370938

February 9, 2021

SENT VIA EMAIL

Brad Sperling
Board Chair
Peace River Regional District
Box 810, 1981 Alaska Ave
Dawson Creek, BC V1G 4H8
Prrd.dc@prrd.bc.ca

Dear Chair Sperling:

Thank you for your letter dated February 3, 2021, regarding the Environmental Assessment Certificate (EAC) #E14-02: Schedule A (Project Description) – Hauling Materials from 85th Ave Industrial Lands to the Site C Project (Site C) Dam Site Area. The Environmental Assessment Office (EAO) acknowledges the Peace River Regional District's (PRRD) concerns regarding the draft EAC Amendment Application from the BC Hydro and Power Authority (BC Hydro) regarding potential truck hauling from 85th Avenue Industrial Lands and the desire for PRRD to participate in the EAC amendment process.

This letter is to advise you that the EAO has not received a formal application for an amendment to EAC #E14-02 on this subject to date. Once an application is submitted, the EAO will review the materials to determine the type of amendment (i.e., simple, typical, complex as outlined in Table 1 of the amendment assessment guidance) and establish the amendment assessment procedures which will guide the assessment process. As you are likely aware and have reviewed, information on the EAO's amendment assessment process can be found [here](#).

With respect to your specific suggestions regarding the amendment assessment process:

- If a formal amendment application is received by the EAO from BC Hydro, as with previous amendment application processes, PRRD will be invited to

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participate on a Technical Advisory Committee (TAC) (previously referred to as an 'Advisory Working Group') to review the amendment application once it is submitted. The Site C TAC is comprised of potentially affected Indigenous nations, municipalities (including the PRRD), and relevant provincial and federal agencies.

- Upon receipt of any amendment application, the EAO will assess the request and will determine the appropriate level of community involvement, which may include a Community Advisory Committee, public comment period(s), and/or virtual engagement sessions. Given the nature of this potential amendment and the public interest to date, the EAO anticipates undertaking a public engagement process as part of the amendment assessment.

The EAO endeavours to undertake thorough, fair and transparent reviews of all amendment requests received. Amendment applications, comments from TAC members and the responses provided by certificate holders, and the EAO's decision materials are all made publicly available on our [website](#).

Thank you again for taking the time to advise the EAO of PRRD's concerns and desire to participate in an amendment assessment process. If you have any questions or require further information, I can be reached by telephone at 778-698-4761 or by email at Sarah.Duggan@gov.bc.ca.

Yours truly,

Sarah Duggan
Project Assessment Director

cc: Kimberly Walters, Executive Project Director, Environmental Assessment Office
Kimberly.Walters@gov.bc.ca

Stasia Ferbey, Project Assessment Officer, Environmental Assessment Office
Stasia.Ferbey@gov.bc.ca

Nancy Pepper, Community and Social Mitigation Manager, BC Hydro
Nancy.Pepper@bchydro.com



PEACE RIVER REGIONAL DISTRICT

February 3, 2021

Kimberly Walters
Project Assessment Director
BC Environmental Assessment Office
2nd Floor, 836 Yates St.
PO Box 9426 Stn Prov Govt
Victoria, BC V8W 9V1

Via email: Kimberly.Walters@gov.bc.ca

**Re: Environmental Assessment Certificate (EAC) #E14-02: Schedule A (Project Description) –
Hauling Material from 85th Ave. Industrial Lands to the Site C Project Dam Site Area**

On behalf of the Peace River Regional District (PRRD), thank you for meeting with our staff and consulting team on January 15th to provide us with a more thorough understanding of the process for assessing proposed amendments to Environmental Assessment Certificates. During this call it was noted that the PRRD would like to participate fully at many points in the proposed amendment process. The purpose of this letter is to provide further elaboration in that regard.

As a starting point, we acknowledge that the PRRD received the draft EAC #E14-02 amendment package on January 5th, 2021. This package invited the PRRD to comment on the draft amendment by January 29th, 2021. Given the proposed fundamental change to the Site C dam construction process – hauling of 85th Ave. glacial till construction material for some period versus continuous use of the conveyor system – along with the potential magnitude of this change and scope with respect to effects on many valued components identified through the Environmental Impact Statement, the PRRD was unable to fully respond by January 29th. We have provided some initial comments to BC Hydro in our January 28th letter to Nancy Pepper, a copy of which has been provided to you.

The PRRD believes that the proposed 85th Ave. hauling proposed amendment is of sufficient complexity to warrant the highest level of consideration set out in the 'Environmental Assessment Certificate and Exemption Order Amendment Policy'. Moreover, we wish to ensure that the process is paced to allow for meaningful input, research and analysis and full and fair consideration of all input received. Making allowance for the complex and fundamental nature of the amendment request, as well as application of the *Declaration on the Rights of Indigenous Peoples Act*, we anticipate that a determination by the BC Environmental Assessment Office on this application is at least a year away.

diverse. vast. abundant.

PLEASE REPLY TO:

☒ Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca

Our review of Table 1: Complexity Characteristics and Corresponding Information Requirements in that Policy reveals a range of characteristics of the 85th Ave. hauling proposal – material change to process, likely effects on valued components, complex engagement requirements, and potential for both public comment periods and formation of community advisory committee. These characteristics place the 85th Ave. hauling proposal squarely into the ‘Complex’ category.

With respect to process, we would also like to respectfully offer the following suggestions:

- Technical Advisory Committee – we understand that the EAO can appoint specialized expertise to this Committee. The PRRD feels that this expertise would be very beneficial in addressing various concerns which were noted in our response to BC Hydro’s draft amendment application package. These include identification of options to truck hauling in the event of conveyor service interruption, analysis of risk and duration of breakdown of the conveyor system, and review of effects of options (including truck hauling) on certain valued components (for example, transportation and human health). The PRRD also wishes to add representatives to this Committee, and will provide our nominees following their appointment by the Board. We would appreciate receiving a current list of the members of the Technical Advisory Committee.
- Community Advisory Committee – the PRRD believes that there is sufficient interest in this proposed amendment to warrant the establishment of a Community Advisory Committee. This Committee should include among its members representatives from the PRRD Board, with our nominees forthcoming. We attach copies of representative correspondence from community members already received which illustrate the depth of interest and concern regarding this forthcoming amendment.
- Public engagement process – the PRRD envisions three Environmental Assessment Office-led points of public engagement. These would include engagement efforts such as online sessions during the following steps in the overall amendment assessment process:
 - Step 2 (Assessment Procedures and Supplementary Materials Development, Fee Determination and Engagement)
 - Step 3 (Submission of Supplementary Materials and Review of Application and Supplementary Materials)
 - Step 4 (Amendment Assessment Report and Decision).

The proposed amendment to allow hauling of 85th Ave. construction material to the Site C dam construction location is an issue of high importance to the Regional District and our residents. We appreciate you taking our comments into consideration when establishing the proposed amendment assessment process.

We also look forward to working with your office as that process evolves.

Yours truly,

Brad Sperling,
PRRD Board Chair

c: BC Hydro- Nancy Pepper, Community and Social Mitigation Manager
c: PRRD Board and PRRD website

Attachments: Correspondence from PRRD Residents Regarding Proposed 85th Ave. Hauling
Amendment

Reviewed by the Board on February 25, 2021



PEACE RIVER REGIONAL DISTRICT

January 28, 2021

Nancy Pepper
Community and Social Mitigation Manager
BC Hydro – Site C Clean Energy Project

Via email: Nancy.Pepper@bchydro.com

Dear Nancy Pepper:

Re: Environmental Assessment Certificate (EAC) #E14-02: Schedule A (Project Description) – Hauling Material by Truck from 85th Avenue Industrial Lands to the Site C Project Dam Site Area

I am writing you on behalf of the Regional District to advise you that we will be fully participating in the BC Environmental Assessment Office (BCEAO) process once this application is filed. During the BCEAO process we will be providing ongoing input and a detailed and comprehensive submission respecting the application. We will also take steps to ensure all residents are fully engaged and have sufficient time to provide meaningful feedback.

This truck hauling application represents a complex and fundamental change to the project that could well have significant adverse impacts on the Regional District and its residents. Hauling materials by truck will impact numerous valued components, including but not limited to transportation, greenhouse gas emissions, human health, wildlife resources, vegetation and ecological communities, local government revenue, labour market, regional economic development, agriculture, minerals and aggregate, outdoor recreation and tourism, navigation, visual resources, population and demographics, housing, community infrastructure and services, and current use of lands and resources for traditional purposes (including the application of the *B.C. Declaration on the Rights of Indigenous Peoples Act*).

In the meantime, we wish to highlight aspects of the January 4th draft application that we believe need much more attention and supporting detail in any submission to the BCEAO.

No Analysis of Alternatives to Truck Hauling – The draft application does not include supporting verifiable expert analysis and evaluation of any other options for the transportation of glacial till from the 85th Avenue Industrial Lands to the Site C Project Dam Site Area, the provision of that till by any other means, or other alternatives. Examples of other options not considered including stockpiling of till to avoid the need for hauling in the event of conveyor service interruption, or sourcing glacial till from another location. In the absence of such analysis of options, it is difficult not to conclude that the sole focus of BC Hydro is to minimize cost.

Minimal Analysis of Risk and Duration of Breakdown of Conveyor System – The draft application includes a short table that sets out the cause, duration, frequency and probability of truck hauling. There is no supporting verifiable expert description, analysis and evaluation of:

diverse. vast. abundant.

PLEASE REPLY TO:

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- a) **The causes of conveyor belt down time** – For example, analysis of the engineering specifications of the conveyor equipment with reference to other similar applications in BC and around the world to provide a science based explanation for the scope, number and nature of tasks involved in routine maintenance and dealing with unplanned breaks.
- b) **Duration of down time** – For example, analysis of past performance of the conveyor equipment with reference to other similar applications in BC and around the world to provide a science based explanation for the duration ranges set out in the table.
- c) **Frequency of down time** – Examples in the table range from daily to per season. This is a very imprecise breakdown given the differential impacts on residents. And as noted earlier, there is no supporting analysis of alternatives - if there is going to be 4 hours of down time per day, then what are the options to stockpile glacial till so there is no need to haul by truck.
- d) **Probability** – Given the impact on the Region and residents, using terms such as certain, likely, unlikely, and very unlikely are imprecise in the extreme. There should be detailed statistical analysis to support precise probability estimates with an accompanying full discussion of descriptive statistics.

Additional Supporting Studies

As part of the EAC #E14-02 draft amendment package, the following supporting studies were included for the one option (truck hauling from 85th Ave. on public roads) considered – traffic impact assessment, human health / air quality / noise assessment, greenhouse gas assessment, indigenous groups and rights. As noted above, the Regional District requests that the effects and necessary mitigative and monitoring measures be assessed for a much broader range of valued components, and that these assessments be conducted for a full suite of options in addition to the 85th Ave. truck hauling option considered thus far.

Please contact me if you have any questions.

Yours truly,

Brad Sperling,
PRRD Board Chair

c: Kimberly.Walters@gov.bc.ca