

October 1st, 2015

DELIVERED VIA EMAIL:
(no original to follow)

Mr. Félix Camiré, E.I.T.
Town of Canmore Engineering Services
902 7th Avenue
Canmore, AB T1W 3K1

Dear Mr. Félix Camiré :

Re: Approval of Aboriginal Consultation Plan – Cougar Creek Debris Flood Retention Structure Project

The Aboriginal Consultation Office (ACO) has reviewed the revised Aboriginal Consultation Plan submitted on September 30th, 2015 for the proposed Cougar Creek Debris Flood Retention Structure Project. On the basis of our review we have concluded that the revised Aboriginal Consultation Plan is consistent with the requirements outlined in *The Government of Alberta's Guidelines on Consultation with First Nations on Land and Natural Resource Management* for projects requiring an EIA. All consultation activities with First Nations must be carried out in the manner described by the *Guidelines* and proceed according to the approved Consultation Plan. The ACO may require further consultation based on the receipt of new or additional information at any time during the regulatory approval process.

Pursuant to the Government of Alberta's First Nations Consultation *Policy* and *Guidelines*, the ACO will remain responsible for all substantive aspects of consultation and any procedural aspects not delegated to the proponent. The responsibilities of the ACO include:

- Ensuring potentially affected First Nations receive early and adequate notification regarding the project application(s),
- Reviewing and approving the Aboriginal Consultation Plan,
- Overseeing the consultation process by evaluating reports submitted by the proponent, and
- Assessing adequacy of Aboriginal Consultation and making recommendations to Alberta Environment and Parks.

From October 1st, 2015, every two months following this date, you are required to provide to the ACO (Raïla Dollevoet) with a report that outlines all of your First Nations Consultation activities for the proposed project. The ACO also requires that the bi-monthly consultation reports be shared with those First Nations identified in the Consultation Plan.

If you have any questions about the First Nations Consultation process or requirements, please contact Raïla Dollevoet at 403-845-8276 or by email at raïla.dollevoet@gov.ab.ca

Best Regards,

A handwritten signature in blue ink, appearing to read 'Raila Dollevoet', is positioned below the closing salutation.

Raila Dollevoet
Consultation Advisor, South Saskatchewan Region
Aboriginal Consultation Office
Alberta Aboriginal Relations

cc:

Meghan Jurijew, EIA coordinator, EAP

Margot trembath, EIA coordinator, EAP

Town of Canmore

Cougar Creek Debris Flood Retention Structure Project

Aboriginal Consultation Plan

September 30, 2015



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1.0 Introduction

Heavy rains in the Bow Valley in 2013 caused a debris flood on Cougar Creek that resulted in widespread damage to municipal infrastructure, flood protection works, homes, property, businesses, the Trans-Canada Highway, Highway 1a and the Canadian Pacific Railway. Immediately following this flood event, the Town of Canmore (the Town) implemented short-term mitigation measures on Cougar Creek including channel armouring and the installation of a debris net. These short-term mitigation measures were designed to reduce the amount of debris travelling from the watershed onto the alluvial fan and to reduce bank erosion in the creek channel if another flood event occurs prior to the implementation of long-term mitigation plans.

The Town conducted an extensive hazard and risk assessment to identify and analyze options for long-term hazard mitigation on Cougar Creek. Multiple location and design options were evaluated for mitigating debris-flood hazards on Cougar Creek while protecting the Bow Valley Regional Wildlife Corridor, maintaining recreational access and fitting aesthetically with the natural landscape. As a result of this assessment, the Town is proposing to construct a debris-flood retention structure.

The Director responsible for Environmental Assessment has directed that an Environmental Impact Assessment (EIA) Report be prepared for the Cougar Creek Debris Flood Retention Structure (the Project) and this Consultation Plan has been prepared to fulfill requirements for Level 3 extensive consultation for projects requiring an EIA.

2.0 Contact Information

Table 1 Proponent Contact Information	
Contact	Project Role
<p>Primary Contact Mr. Félix Camiré, E.I.T. Town of Canmore Engineering Services 902 7th Avenue Canmore, AB T1W 3K1 403.678.1512 fcamire@canmore.ca</p>	<p>Proponent representative and Project Manager.</p> <p>Primary contact for Project information and consultation activities.</p> <p>Email preferred method of communication.</p>
<p>Secondary Contact Ms. Rochelle Harding, M.Sc., P.Eng. Matrix Solutions Inc. Suite 300 150 13th Avenue SW Calgary AB T2R 0V2 403.827.5844 rochelle.harding@gmail.com</p>	<p>Consultant responsible for consultation plan development and implementation.</p> <p>Please copy on all correspondence related to consultation activities.</p> <p>Email preferred method of communication.</p>

Contact
ACO Consultation Advisor Raila Dollevoet Consultation Advisor Red Deer/South Saskatchewan Southern Region Aboriginal Relations Box 1720 2 nd Floor, Provincial Building 4919 – 51 Street Rocky Mountain House AB T4T 1B3 403.845.8276 raila.dollevoet@gov.ab.ca
Alberta Environment and Parks EIA Coordinator Ms. Meghan Jurijew Environmental Assessment Coordinator Environmental Assessment Environment and Parks Main fl Twin Atria Building 4999 - 98 Avenue Edmonton, AB T6B 2X3 780.643.6853 meghan.jurijew@gov.ab.ca

3.0 Project Overview

The proposed Project consists of a debris flood retention structure on Cougar Creek that will be approximately 30 m high and will span a bedrock confined channel. The footprint of the debris flood retention structure is approximately 1.3 ha. For a maximum probable flood scenario the footprint of the inundation area behind the structure would be approximately 6 ha. A 0.5 km maintenance road with a footprint of 0.3 ha is also required. During normal weather conditions water and sediment will flow unimpeded through the structure. During a flood event the structure will be designed to hold back up to 600,000 cubic meters of water and debris with an outlet discharge rate of 45 cubic metres per second. The structure will not permanently hold water and is designed to manage a debris flood over a variety of return period and rainfall duration scenarios. The structure includes a spillway to release water during a major event that is beyond design parameters, during which evacuation procedures would be initiated.

The proposed Project location (LSD 14-34-24-10W5) is at the site of an existing debris net on Cougar Creek, approximately two kilometres northwest of the Trans-Canada Highway. The Project is located within the Bow Valley Wildland Park.

Additional Project details are available in Appendix A – Notification Letter and Information Package. Figure 1 (Appendix A) presents the location of the Project. Figure 2 (Appendix A) presents the location of the Project in relation to Treaty 7 First Nation reserves.

Alberta Environment and Parks (AEP) is pursuing the potential re-classification of a small section of the Project area from a wildland provincial park to a provincial park (conditional on approval of the EIA). First Nations consultation with respect to the potential re-classification is not within the scope of this Consultation Plan. AEP will conduct First Nation consultation and public engagement on the re-classification of this area.

4.0 Consultation Requirements

The Project requires an EIA pursuant to the *Environmental Protection and Enhancement Act (EPEA)* and First Nations consultation is required prior to any Alberta Environment and Parks (AEP) or Natural Resources Conservation Board (NRCB) decisions regarding Project approval.

A Pre-Consultation Assessment was provided by the ACO on August 11, 2015 indicating that all Treaty 7 First Nations will be consulted:

- Bearspaw First Nation (Stoney Nakoda);
- Chiniki First Nation (Stoney Nakoda);
- Wesley First Nation (Stoney Nakoda);
- Blood Tribe (Blackfoot);
- Piikani Nation (Blackfoot);
- Siksika Nation (Blackfoot); and
- Tsuut'ina Nation (Sarcee).

5.0 Potential Project Effects on First Nations Rights

Recognizing that consultation activities have not been initiated and an EIA has not been completed, the Town of Canmore is not aware of any specific short-or long-term adverse impacts to First Nations rights and traditional uses resulting from the Project. Specifically:

- the debris-flood retention structure and flood event inundation area are located in a highly scoured steep mountain creek bed with limited potential for vegetation or wildlife habitat;
- the topography and hydrology of Cougar Creek minimize the likelihood of historical features in the debris-flood retention structure and flood event inundation area;
- the debris flood retention structure will be designed to maintain access for recreational and traditional activities in Cougar Creek;
- the debris flood retention structure will be designed to minimize potential effects on the Bow Valley Regional Wildlife Corridor and wildlife movement up and across Cougar Creek will be maintained; and
- Cougar Creek is not a fish bearing waterway and the Project is not expected to alter fish habitat.

6.0 Consultation Activities

The Town will conduct consultation activities in accordance with the Government of Alberta's First Nation Consultation Policy and Guidelines. Prior to submitting any information to First Nations the Town will determine each community's preferred method of delivery (e.g., email, registered mail, hand delivery).

Specific consultation activities included in this Consultation Plan and described below are:

- Project notification letter and information package for First Nations (Section 6.1);
- notifications related to the EIA process (Section 6.2 and 6.3), specifically:

- public notice of the proposed Terms of Reference (TOR) and opportunity to provide input; and
 - public notice of the EIA report submission, including a description of the process and deadline for submitting Statements of Concern.
- Project specific consultation meetings and follow-up with First Nation communities (Section 6.4);
 - First Nation opportunities to participate in ongoing Town of Canmore public consultation activities (Section 6.5); and
 - The Town of Canmore will provide bi-monthly reporting and Project updates to both the ACO and First Nations in accordance with the schedule determined by the ACO (Section 9).

6.1 Project Notification Letter and Information Package for First Nations

6.1.1 Content

The Town has prepared a draft notification letter and plain language information package (Appendix A) that includes all requirements outlined in the Government of Alberta's (GOA) *Guidelines on Consultation with First Nations on Land and Natural Resource Management* (July 28, 2014) and the *Proponent Guide to First Nations Consultation Procedures for Land Dispositions*¹ (February 3, 2015). The notification letter and information package includes:

- confirmation that the Town has been notified by the ACO to consult with the First Nation and indicates the level of consultation required;
- a description of the consultation process;
- a plain language description of the Project including activity, location, and potential impacts (maps and detailed sketches);
- a description of the GOA or regulatory approvals being sought;
- any information provided by the GOA about potential First Nations concerns in the area (such as known historical or cultural sites); and
- a request that the First Nation provide feedback to the Town within the prescribed time period.

6.1.2 Delivery Methods

The notification letter and information package will be delivered to the consultation contacts at each First Nation community identified in this Consultation Plan (Section 7) according to the community's preferred method of delivery (e.g., email, registered mail, hand delivery) and in accordance with ACO delivery verification requirements.

6.1.3 Process

As per ACO Level 3 extensive consultation requirements, delivery of the notification letter and information package will initiate the 20 day review period for each First Nation (20 working days beginning on the

¹ While no land dispositions pursuant to the *Public Lands Act* are required for this Project, this guide provides a clear and consistent approach for preparing and implementing Consultation Plans.

Government of Alberta working day following verified receipt of notification). The Town of Canmore will follow-up with each First Nation that has not responded within 10 days and a second follow-up will occur after 15 days from when receipt of notification was received. Subsequent consultation activities will be determined by how each First Nation responds during this 20 day review period:

- for First Nations that do not respond during the 20 day period the Town will submit a Record of Consultation (ROC) to those First Nations to review and they will have 10 working days to respond to the ROC;
- for First Nations that do provide feedback within the 20 day period, the Town of Canmore will initiate Project specific consultation meetings and follow up as described in Section 6.3; and
- for First Nations that provide a Letter of No-Concern (LNC) for the Project the Town of Canmore will document the receipt of the LNC in the ROC for that First Nation to review and they will have 10 working days to respond to the ROC.

6.2 Terms of Reference

The EIA Proposed Terms of Reference (TOR) will be delivered to the consultation contacts at each First Nation identified in this Consultation Plan (Section 7) according to the community's preferred method of delivery (e.g., email, registered mail, hand delivery) and in accordance with ACO delivery verification requirements.

Public notice for the EIA Proposed TOR (Appendix B) will also be posted in the following publications:

- Rocky Mountain Outlook – weekly distribution across the Bow Valley between Lake Louise and Kananaskis;
- Alberta Native News – monthly distribution to all First Nation and Inuit communities, Métis Settlements and Friendship Centres in Alberta, Manitoba, Saskatchewan, Northern British Columbia, Yukon, Nunavut and the Northwest Territories;
- Calgary Herald; and
- Edmonton Journal.

The Public Notice and Proposed TOR will be made available at:

- the Town of Canmore Civic Centre (902 7th Avenue Canmore Alberta T1W 3K1) and online at www.canmore.ca; and
- Alberta Environment and Parks Register of Environmental Assessment, 2nd Floor, Petroleum Plaza, South Tower, 9915 – 108 Street, Edmonton, Alberta, T5K 2G8 and online at <http://www.esrd.alberta.ca/ea>, (choose *Current Projects*).

First Nations may provide feedback on the Proposed TOR directly to AEP as indicated on the published Public Notice or to the Town of Canmore as will be indicated on the covering letter submitted to each consultation contact with the Proposed TOR.

6.3 Application Submission

The Town of Canmore will inform each First Nation community according to the community's preferred method of delivery (e.g., email, registered mail, hand delivery) and in accordance with ACO delivery verification

requirements when the Public Notice of Application is posted by AEP. This notification will include information about submission of Statements of Concern, including a deadline.

6.4 Project Specific Consultation Meetings and Follow-Up

For First Nations that express interest in the Project, the Town will schedule a meeting for elected leaders or delegated representatives that will be attended by Town leadership, the Project Manager and technical experts as required to address the concerns and areas of interest identified by the community. These meetings can be held via conference call or in-person as agreed upon with each community. Subsequent meetings will be scheduled to address outstanding issues as required.

Issues and concerns identified by each community will be documented as described in Section 9.1 and follow-up actions will be taken by the Town as required to address First Nation concerns to the extent practical. Bi-monthly consultation and Project update reports will be provided to the ACO and to each interested First Nation throughout the regulatory process.

Project specific concerns raised by any First Nation community with respect to the Project will be addressed through additional consultation efforts that may include meetings or provision of additional information. Consultation efforts made to resolve identified issues will be documented as described in Section 9.

6.5 Ongoing Public Consultation Activities

In addition to activities that are specific to First Nations consultation, the Town continues to engage the public in discussions about this Project on Cougar Creek and about other activities conducted under the broader Mountain Creek Hazard Mitigation Program aimed at mitigating risks at several mountain creeks in Canmore.

First Nations community members may be interested in attending Project open houses, receiving Project newsletters or reviewing information on the Town of Canmore website. The Town will advertise Project open houses on the Town website, in the Rocky Mountain Outlook and on 106.5 Mountain FM. The Town will also inform the community consultation contacts when a Project open house is scheduled.

7.0 Consultation Contacts

Consultation contacts (Table 2) were identified using the ACO listing dated April 28, 2015². Consultation contacts and preferred methods of communication will be confirmed prior to delivery of the notification letter and information package to First Nations.

² <http://www.aboriginal.alberta.ca/documents/Treaty7-FNContacts.pdf?0.5589619101956487>. Current as of August 11, 2015.

Table 2 Consultation Contacts		
Community	Consultation Contact	Preferred Communication Methods
Stoney (Bears paw) Band Stoney (Chiniki) Band Stoney (Wesley) Band	William (Bill) Snow Stoney Tribal Administration PO Box 120 Morely, AB T0L 1N0 Office: (403) 881-4760 Cell: (587) 580-6212 Email: bills@stoney-nation.com	None indicated – to be determined prior to delivery of proponent notification to First Nations
Blood Tribe	Mike Oka Consultation Coordinator Tribal Government and External Affairs PO Box 60 Standoff, AB T0L 1Y0 Offic: (403) 737-8236 Cell: (403) 634-6358 Email: mike.oka@bloodtribe.org	None indicated – to be determined prior to delivery of proponent notification to First Nations
Piikani Nation	Dustin Wolfe Consultation Manager PO Box 70 Brocket, AB T0K 0H0 Office: (403) 965-3940 Email: d.wolfe@piikanination.com	None indicated – to be determined prior to delivery of proponent notification to First Nations
Siksika Nation	Richard Right Hand Consultation Manager Executive Manager's Office PO Box 1100 Siksika, AB T0J 3W0 Cell: (587) 727-1957 Email: rrh.siksika@gmail.com Copy to: Scotty Many Guns Consultation Officer Cell: (587) 437-5188 Email: scottymanyguns@shaw.ca	Email and hard copy via mail
Tsuut'ina Nation	Tonya Crowchild Consultation Director Tsuu T'ina Nation 9911 Chiila Blvd Tsuu T'ina, AB T2W 6H6 Office: (403) 238-6403 Email: ttnconsultation@tsuutina.com	None indicated – to be determined prior to delivery of proponent notification to First Nations

8.0 Consultation Schedule

The following schedule (Table 3) aligns consultation activities with the Town of Canmore's desired Project schedule. Table 4 describes the consultation activities that will occur during the regulatory process. The Town of Canmore has set an aggressive schedule for this Project as its primary aim is to increase public safety; however, the Town recognizes that meaningful First Nations engagement takes time and that adjustments to this schedule may be required to meet the needs of First Nations communities.

Table 3 Preliminary Consultation Schedule																		
Major Activities and Milestones	2015					2016						2017						
	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan
ACO Pre-Consultation Assessment Received	◆																	
Consultation Plan Approved	■	■	■	◆														
Proposed Terms of Reference Provided to Each First Nation				◆														
Information Package Provided to Each First Nation (20 days)				◆														
First Follow Up (10 days)				◆														
Second Follow Up (15 days)				◆														
Project Specific Consultation Meetings and Follow Up Actions					■	■	■	■	■	■	■	■	■	■	■	■	■	■
Anticipated Submission of EIA												◆						
Bi-Monthly Reporting					■	■	■	■	■	■	■	■	■	■	■	■	■	■
Submission of ROC and Request for Consultation Adequacy																◆		
Consultation Adequacy																■	◆	
Regulatory Review and SIR Process												■	■	■	■	■	■	■
Project Approval																		■

Table 4 Consultation Activities and Timing		
Consultation Milestone	Activities	Timing
Pre-Consultation		
Consultation Plan Development and Approval	Town of Canmore working with the ACO to develop a Consultation Plan for the Project.	Q2/Q3 2015
Pre-Application Consultation		
Project Information Packages	The Town of Canmore will provide each First Nation with a plain language Project Information Package that meets ACO requirements.	October 2015
	The Town of Canmore will follow up with each First Nation to confirm community interest in the Project	October / November 2015
Proposed Terms of Reference	The Town of Canmore will provide each First Nation with a copy of the Proposed Terms of Reference (PTOR) that includes information on how the community can provide comment on the PTOR	October 2015
	First Nations will have an opportunity to provide comments on the PTOR during the 45-day public review period.	October to December 2015
	AEP will consider First Nation input into the PTOR	December to March 2015
Project Specific Consultation Meetings and Follow Up Actions	The Town of Canmore will schedule and participate in consultation meetings with interested First Nations. These meetings will include information on the effects assessment conducted by the Town of Canmore and will seek to gather First Nations input into the mitigation of potential project effects.	Ongoing after November 2015

Table 4 Consultation Activities and Timing		
Consultation Milestone	Activities	Timing
	The Town of Canmore will conduct necessary follow-up actions arising from the consultation meetings (e.g., provision of additional information).	Ongoing after November 2015
	The Town of Canmore will provide each First Nation with bi-monthly consultation reports.	Ongoing after November 2015
Post-Application Consultation (Application Review)		
Notification of Submission	The Town of Canmore will notify each First Nation when the EIA report is submitted and provide access to the EIA report in a format acceptable to each First Nation. This notification will include a description of the process and deadline for submitting Statements of Concern.	May 2016
Project Specific Consultation Meetings and Follow Up Actions	The Town of Canmore will continue to schedule and participate in consultation meetings with First Nations who have ongoing interest in the Project. These meetings will include discussions on mitigation for potential project effects and accommodation if required.	Ongoing after November 2015
Record of Consultation	The Town of Canmore will provide each First Nation with a Record of Consultation for their review at an appropriate time.	TBD

9.0 Reporting

9.1 Bi-Monthly Consultation Reports

As required by the ACO, bi-monthly consultation reports will be submitted to First Nations and to the ACO. These bi-monthly reports will be prepared in accordance with the templates provided in the Government of Alberta's *Guidelines on Consultation with First Nations on Land and Natural Resource Management* (July 28, 2014) (Tables 5 and 6) and confirmed by the ACO on August 11, 2015. Reporting will also include relevant Project updates as required.

Table 5 Bi-Monthly Reporting Template						
Date of Stakeholder Contact	Proponent Primary Lead/Contact	Individuals / Groups Contacted	Method of Contact	Summary of Issues Discussed	Outcomes	Follow-Up / Outstanding Issues

Table 6 Specific Issues and Concerns Template				
Document or Meeting Reference	Specific Concern Expressed	Project Specific Aspect of the Concern Expressed	Proponent Response on Effort to Avoid or Mitigate Concern	First Nation Response to Proponent Effort to Avoid or Mitigate Concern

9.2 Record of Consultation

The Town of Canmore will maintain a ROC for each Treaty 7 First Nation using the ACO ROC template³. Each ROC will include a detailed and accurate chronological account of all consultation activities along with supporting documentation. Both successful and unsuccessful attempts to engage First Nations will be documented. For every consultation activity the First Nations specific ROC will document:

- names of person(s) contacted and method(s) of contact (e.g., phone, fax, email, voice mail, in person, letter);
- details of contact with (or attempt to contact) the First Nation indicating dates and details of conversations or other type of response;
- details of identified concerns and how they were addressed;
- details of identified issues where agreements could not be reached and the reasons why; and
- details of the outcomes of consultation (i.e., agreements reached, accommodation strategies agreed upon, etc.); and
- supporting documentation as required.

³<http://esrd.alberta.ca/forms-maps-services/forms/lands-forms/esrd-forms/documents/FNC-RecordofConsultationLog-Feb27-2013%20B.pdf>

Appendix A Notification Letter and Information Package

[DATE]

[Consultation contact name
First Nation
Address]

Dear [First Nation contact]:

Re: Town of Canmore Cougar Creek Debris Flood Retention Structure

The Aboriginal Consultation Office has directed the Town of Canmore to notify you of our proposed Cougar Creek Debris Flood Retention Structure (the Project). The Project has been assessed as a Level 3 extensive consultation and we have prepared the attached Information Package for your review.

Heavy rains in the Bow Valley in 2013 caused a debris flood on Cougar Creek that resulted in widespread damage to municipal infrastructure, flood protection works, homes, property, businesses, the Trans-Canada Highway, Highway 1a and the Canadian Pacific Railway. Immediately following this flood event, the Town of Canmore implemented short-term mitigation measures and initiated planning for long-term hazard mitigation on Cougar Creek. Based on the results of an extensive hazard and risk assessment and options analysis, the Town is proposing to construct an approximately 30 m high debris flood retention structure designed to provide significant risk reduction to the 4,000 residents and one third of Canmore's business activity that exist on Cougar Creek alluvial fan.

The Town of Canmore is not aware of any specific short-or long-term adverse impacts to First Nations rights and traditional use resulting from the Project and is seeking input from you to identify any potential impacts to your community.

Construction on the Project is expected to begin as soon as regulatory approvals have been granted. The Town of Canmore has set an aggressive schedule for this Project as its primary aim is to increase public safety. We are working to secure key regulatory approvals in 2016 with construction complete in late 2018 to mid-2019.

Please review the enclosed information and let us know whether this Project may adversely impact your Treaty rights and traditional uses in the area within 20 business days of receiving this information. If you state that there are potential impacts, please specify the site-specific concerns and their location, in writing, that your First Nation may have.

If you wish to meet to discuss this Project further, please contact me at 403.678.1512 to arrange a meeting at your earliest convenience.

Sincerely,



Félix Camiré, E.I.T.
Town of Canmore Engineering Services
fcamire@canmore.ca
403.678.1512

**Town of Canmore
Cougar Creek Debris Flood Retention Structure
Project Information Package**

Introduction

Heavy rains in the Bow Valley in 2013 caused a debris flood on Cougar Creek that resulted in widespread damage to municipal infrastructure, flood protection works, homes, property, businesses, the Trans-Canada Highway, Highway 1a and the Canadian Pacific Railway. Immediately following this flood event, the Town of Canmore (the Town) implemented short-term mitigation measures on Cougar Creek including channel armouring and the installation of a debris net. These short-term mitigation measures are designed to reduce the amount of debris travelling from the watershed onto the alluvial fan and to reduce bank erosion in the creek channel if another flood event occurs prior to the implementation of long-term mitigation plans.

The Town conducted an extensive hazard and risk assessment and options analysis for long-term hazard mitigation on Cougar Creek. Multiple location and design options were evaluated for mitigating debris-flood hazards on Cougar Creek while protecting the Bow Valley Regional Wildlife Corridor, maintaining recreational access and fitting aesthetically with the natural landscape. This assessment resulted in the selection of a proposed debris flood retention structure (the Project) designed to provide significant risk reduction to the 4,000 residents and businesses on the Cougar Creek alluvial fan.

Completion of an Environmental Impact Assessment (EIA) Report is required for the Project so Level 3 extensive consultation is required. A Pre-Consultation Assessment provided by the Aboriginal Consultation Office on August 11, 2015 confirmed that [INSERT FIRST NATION NAME] will be consulted on the Project.

Project Location

The proposed Project location (LSD 14-34-24-10W5) is at the site of an existing debris net on Cougar Creek, approximately two kilometres northwest of the Trans-Canada Highway. The Project is located within the Bow Valley Wildland Park. Alberta Parks is pursuing the potential re-classification of a small section of the Project area to a provincial park (conditional on approval of the EIA). Alberta Parks will conduct First Nation consultation and public engagement on the re-classification of this area separately from the Town of Canmore's efforts regarding this Project.

Figure 1 presents the location of the Project and includes the Bow Valley Wildland Park boundary. Figure 2 presents the location of the Project in relation to Treaty 7 First Nation reserves.

Project Description

Design

The proposed Project consists of a debris flood retention structure on Cougar Creek that will be approximately 30 m high and will span a bedrock confined channel. The structure will be rock and earth filled with a reinforced concrete central sealing wall and will include an open outflow and debris rake. During normal weather conditions water and sediment will flow unimpeded through the structure. The structure has been designed to protect residents, business and infrastructure on the Cougar Creek alluvial fan and will be capable of holding back up to 600,000 cubic meters of water and debris with an outlet discharge rate of 45 cubic metres per second. The structure will not permanently hold water and is designed to allow water to pass through in a controlled manner.

The structure includes a spillway to release water during a major event that is beyond design parameters, during which evacuation procedures would be initiated. The Project includes considerations for ensuring that wildlife movement and human access to Cougar Creek are not impeded. The structure will be a permanent installation and will not be decommissioned. A maintenance road will be constructed to access the structure.

The Public Disclosure Summary Table that was provided to the Government of Alberta by the Town of Canmore on January 27, 2015 is attached. The Public Disclosure Summary Table contains information that has changed since the January submission and reflects project design and schedule at that time.

Project Footprint

The footprint of the debris flood retention structure is approximately 1.3 ha. For a maximum probable flood scenario the footprint of the inundation area behind the structure would be approximately 6 ha. A 0.5 km maintenance road with a footprint of 0.3 ha is also required. The Project footprint is shown on Figure 1. A preliminary upstream view of the structure is provided in Figure 3.

Construction and Maintenance

Construction on the Project is expected to begin as soon as regulatory approvals have been granted. The Town of Canmore has set an aggressive schedule for this Project as its primary aim is to increase public safety. The Town is working to secure key regulatory approvals and begin construction in 2016. Project construction will take up to two years and is expected to be complete in late 2018 to mid-2019. Construction activities will include installing a sub-surface grout curtain under the structure, installation of a concrete sealing wall and outlet structure, building up the structure with rock and soil and then re-vegetating the surface. Construction areas will be reclaimed as part of the overall reclamation and landscaping planned for Cougar Creek. A 0.5 km maintenance road will be constructed to remove debris from behind the structure as needed.

Historical Resources

There are no known archaeological or paleontological resources within the Project footprint but there are sites in the area. The Project team has reviewed historical resource impact assessments for other developments in the area (e.g., adjacent residential developments) and is working with the Historic Resources Management Branch of Alberta Culture and Tourism to determine what additional work is required to identify and mitigate any potential impacts to historical resources.

Potential Impacts to First Nations Rights and Traditional Uses

The Town of Canmore is seeking project specific concerns from each Treaty 7 First Nation regarding potential impacts to First Nations rights and traditional uses. Recognizing that consultation activities have not been initiated and an EIA has not been completed, at this time the Town of Canmore is not aware of any specific short-or long-term adverse impacts to First Nations rights and traditional uses resulting from the Project. For consideration in your assessment of potential impacts, the Town of Canmore provides the following information:

- the debris-flood retention structure and flood event inundation area are located in a highly scoured steep mountain creek bed with limited potential for vegetation or wildlife habitat;
- the topography and hydrology of Cougar Creek minimize the likelihood of historical features in the debris-flood retention structure and flood event inundation area;
- the debris flood retention structure will be designed to maintain access for recreational and traditional activities in Cougar Creek;

- the debris flood retention structure will be designed to minimize potential effects on the Bow Valley Regional Wildlife Corridor and wildlife movement up and across Cougar Creek will be maintained; and
- Cougar Creek is not a fish bearing waterway and the Project is not expected to alter fish habitat.

Regulatory Approvals Required

The Project requires an EIA under the *Environmental Protection and Enhancement Act (EPEA)*. Technical specialists at Alberta Environment and Parks (AEP) will review the EIA and the Natural Resources Conservation Board (NRCB) will make a Project decision based on that review. If Project approval is granted by the NRCB, required *Water Act* and *Provincial Parks Act* approvals and dispositions will be secured prior to construction.

Regulatory Approvals Required			
Regulatory Body	Relevant Legislation	Application / Submission	Contact
Alberta Environment and Parks and Natural Resources Conservation Board	<i>Environmental Protection and Enhancement Act</i>	Environmental Impact Assessment Report	Environmental Assessment Environment and Parks Main fl Twin Atria Building 4999 - 98 Avenue Edmonton, AB T6B 2X3 780.643.3853
Alberta Environment and Parks	<i>Water Act</i>	Dam Safety and Water Act Approval Application	Dam Safety Alberta Environment and Parks 8th fl Oxbridge Place 9820 - 106 Street Edmonton, AB T5K 2J6 780.644.7437
Alberta Culture and Tourism	<i>Historical Resources Act</i>	Archaeological and Paleontological Impact Assessment or Clearance Application	Historic Resources Management Branch Alberta Culture and Tourism Old St. Stephen's College 8820 - 112 Street NW Edmonton AB T6G 2P8 780.431.2300
Alberta Environment and Parks	<i>Provincial Parks Act</i>	Application for disposition (dependent on project approval and re-classification of project area to Provincial Park).	Parks Kananaskis Region Environment and Parks 2nd fl Provincial Building 800 Railway Avenue Canmore, AB T1W 1P1 403.678,5508

Consultation Process

As per the ACO Level 3 extensive consultation requirements, delivery of this notification letter and information package initiates the 20 day review period for [FIRST NATION NAME] (20 working days beginning on the Government of Alberta working day following verified receipt of notification). The Town of Canmore will follow-up with [FIRST NATION NAME] if a response has not been received within 10 days and a second follow-up will occur after 15 days.

[FIRST NATION NAME] is requested to provide feedback on potential Project specific impacts to Treaty rights and traditional uses within the 20 day review period. If any potential impacts are identified, site-specific concerns should be described along with their location. Feedback should be in writing and can be provided to:

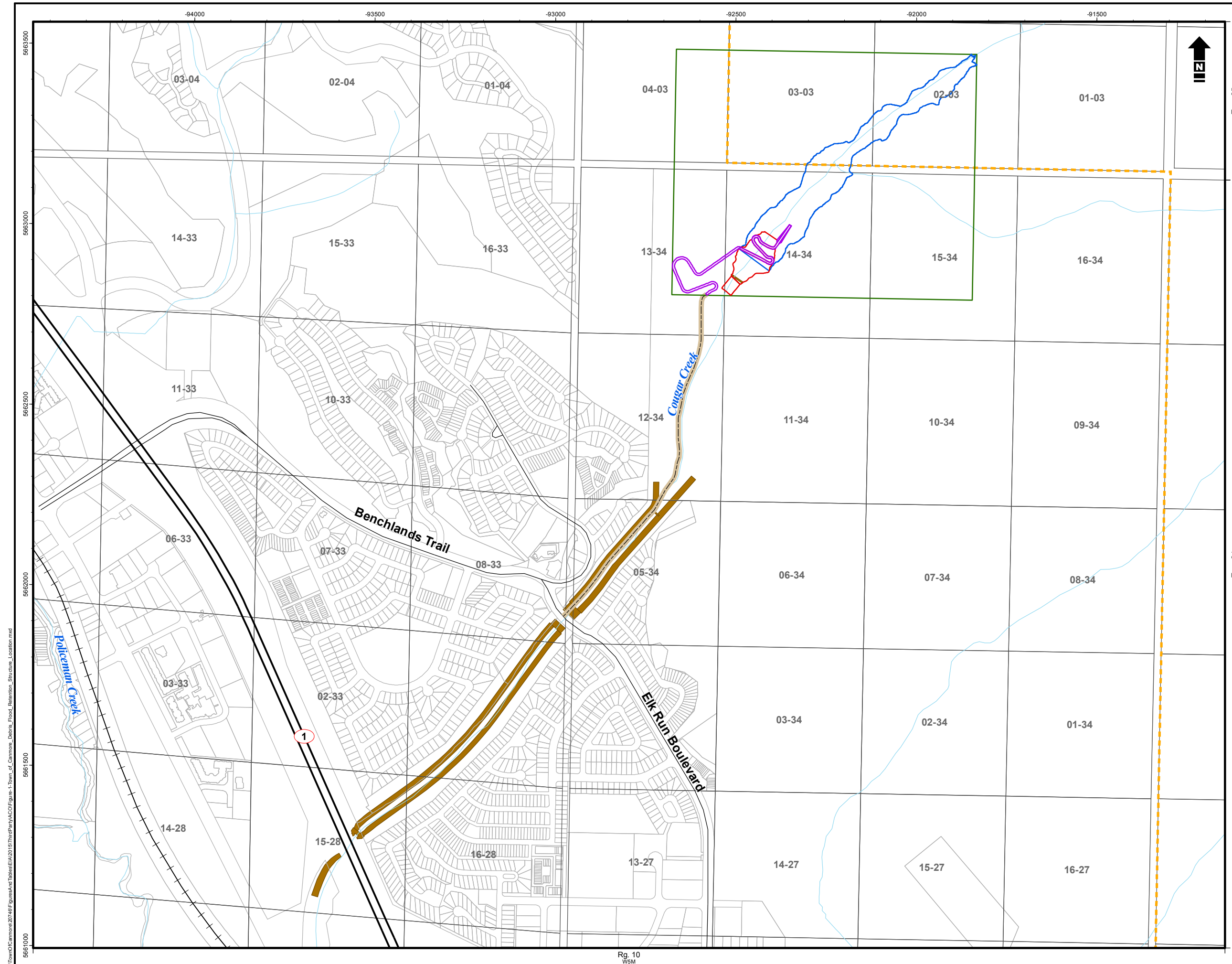
Mr. Félix Camiré, E.I.T.
 Town of Canmore Engineering Services
 902 7th Avenue
 Canmore, AB T1W 3K1
 403.678.1512
fcamire@canmore.ca

Consultation Schedule

The following tables provide a preliminary consultation schedule for the project and a description of the consultation activities that will occur during the regulatory process.

Preliminary Consultation Schedule	2015					2016												2017
	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan
Major Activities and Milestones																		
ACO Pre-Consultation Assessment Received	◆																	
Consultation Plan Approved	■	■	■	◆														
Proposed Terms of Reference Provided to Each First Nation			◆															
Information Package Provided to Each First Nation (20 days)			◆															
First Follow Up (10 days)				◆														
Second Follow Up (15 days)					◆													
Project Specific Consultation Meetings and Follow Up Actions					■	■	■	■	■	■	■	■	■	■	■	■	■	■
Anticipated Submission of EIA											◆							
Bi-Monthly Reporting					■	■	■	■	■	■	■	■	■	■	■	■	■	■
Submission of ROC and Request for Consultation Adequacy																◆		
Consultation Adequacy																■	■	■
Regulatory Review and SIR Process																		■
Project Approval																		■

Consultation Activities and Timing		
Consultation Milestone	Activities	Timing
Pre-Consultation		
Consultation Plan Development and Approval	Town of Canmore working with the ACO to develop a Consultation Plan for the Project.	Q2/Q3 2015
Pre-Application Consultation		
Project Information Packages	The Town of Canmore will provide each First Nation with a plain language Project Information Package that meets ACO requirements.	October 2015
	The Town of Canmore will follow up with each First Nation to confirm community interest in the Project	October / November 2015
Proposed Terms of Reference	The Town of Canmore will provide each First Nation with a copy of the Proposed Terms of Reference (PTOR) that includes information on how the community can provide comment on the PTOR	October 2015
	First Nations will have an opportunity to provide comments on the PTOR during the 45-day public review period.	October to December 2015
	AEP will consider First Nation input into the PTOR	December to March 2015
Project Specific Consultation Meetings and Follow Up Actions	The Town of Canmore will schedule and participate in consultation meetings with interested First Nations. These meetings will include information on the effects assessment conducted by the Town of Canmore and will seek to gather First Nations input into the mitigation of potential project effects.	Ongoing after November 2015
	The Town of Canmore will conduct necessary follow-up actions arising from the consultation meetings (e.g., provision of additional information).	Ongoing after November 2015
	The Town of Canmore will provide each First Nation with bi-monthly consultation reports.	Ongoing after November 2015
Post-Application Consultation (Application Review)		
Notification of Submission	The Town of Canmore will notify each First Nation when the EIA report is submitted and provide access to the EIA report in a format acceptable to each First Nation. This notification will include a description of the process and deadline for submitting Statements of Concern.	May 2016
Project Specific Consultation Meetings and Follow Up Actions	The Town of Canmore will continue to schedule and participate in consultation meetings with First Nations who have ongoing interest in the Project. These meetings will include discussions on mitigation for potential project effects and accommodation if required.	Ongoing after November 2015
Record of Consultation	The Town of Canmore will provide each First Nation with a Record of Consultation for their review at an appropriate time.	TBD



Twp. 25

Twp. 24

Rg. 10
WSM

- Existing Flood Mitigation Measure
- ACO Boundary
- Cadastral Fabric
- Town of Canmore Municipal Boundary
- Watercourse
- Highway
- Road
- Site Access Route (1.02 km)
- Railway

Proposed Project Footprint

- Debris Flood Retention Structure
- Road
- Inundation Area

Reference: Data obtained from Alta.LIS © Government of Alberta used under license.
GDM transportation infrastructure data provided by IHS © 2015 used under license.
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Town of CANMORE

Cougar Creek Debris Flood Retention Structure

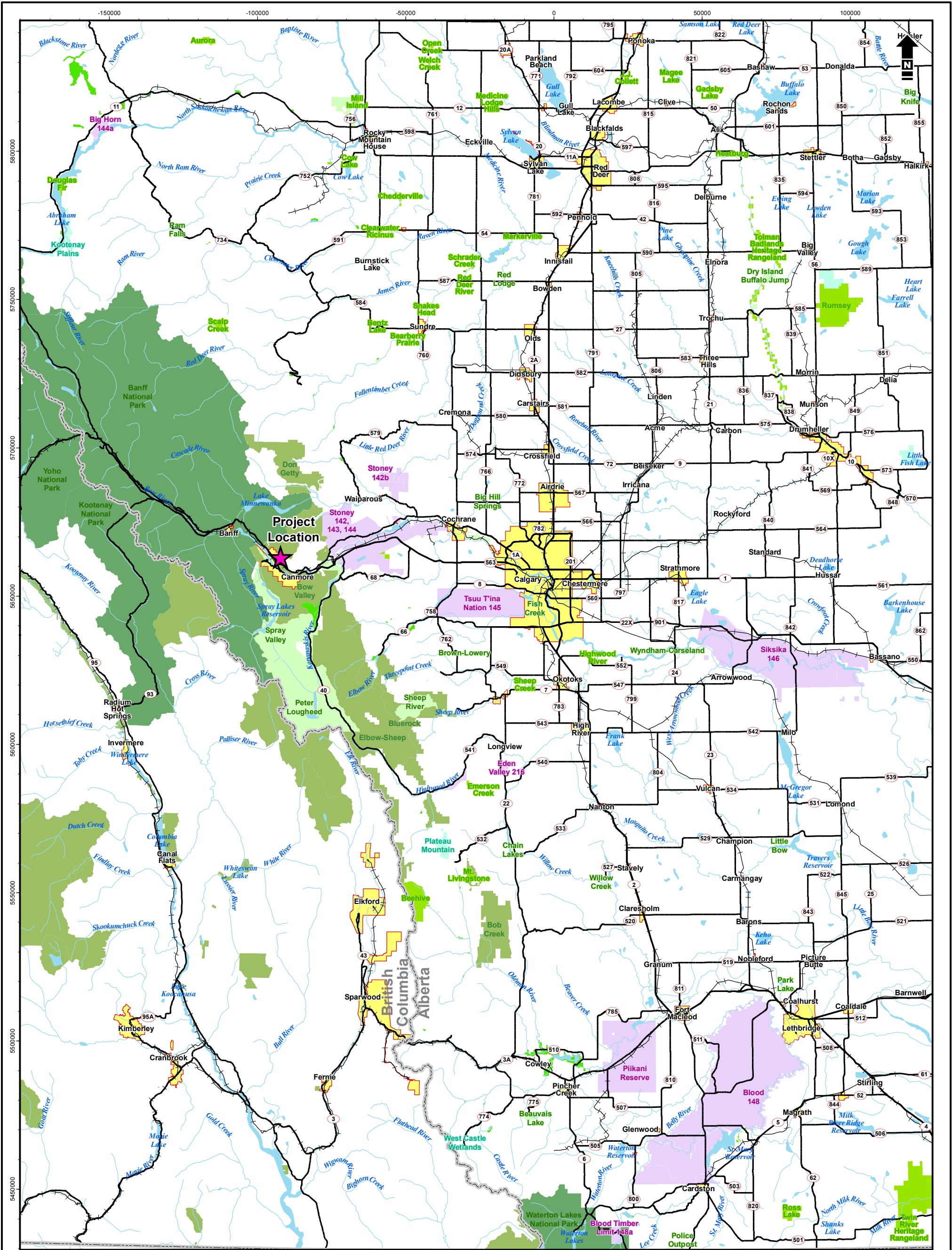
Town of Canmore Debris Flood Retention Structure Location

Date: 28 Sep 2015		Project: 20746-514	
Technical: I. Trimble	Reviewer: R. Harding	Drawn: C. Beaumont	

Disclaimer: Prepared solely for the use of the Town of Canmore as specified in the accompanying report. No representation of any kind is made to other parties with which the Town of Canmore has not entered into contract.

1

I:\Town\Canmore\2014\Figures\And Tables\EA\3015\ThePart\ACO\Figure 1-Town of Canmore Debris Flood Retention Structure Location.mxd



- Community
- Provincial Park
- Protected Area
- Provincial Recreation Area
- Natural Area
- Ecological Reserve
- National Park
- Indian Reserve
- Provincial Boundary
- Water Body
- Watercourse
- Highway
- Railway
- Project Location



Cougar Creek Debris Flood Retention Structure

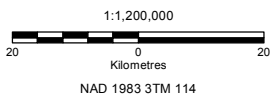
Project Location

DRAFT

Date: 20 Aug 2015 Project: 20746-514 Technical: J. Trimble Reviewer: R. Harding Drawn: C. Beaumont

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Figure 2



I:\Town\Canmore\2014\8\Figures\Map\Map\2015\Ther\Ther\ACOF\Figure-2-Project_Location.mxd

Reference: Data obtained from Atlas LIS © Government of Alberta and GeoGratis © Department of Natural Resources Canada (all rights reserved) used under license. GDM transportation infrastructure data provided by IHS © 2015 used under license.

Figure 3 Town of Canmore Debris Flood Retention Structure Rendering



Upstream View of Preliminary Design

Project Summary Table			
Proponent Name:	Town of Canmore	Date:	Original Submission: January 27, 2015 Updated: September 28, 2015
Project Name:	Cougar Creek Debris Flood Retention Structure	Company Contact Name and Information:	Felix Camire Project Engineer Town of Canmore 902-7 th Avenue Canmore, AB T1W 3K1 fcamire@canmore.ca O: 403-678-1512 F: 403-618-1534
Name of Company that will hold Approval:	Town of Canmore	Company Website:	www.canmore.ca
Type of Project (e.g., in- situ, mine, quarry, upgrader, etc.):	Structure greater than 15m for flood control and sediment retention.	New Project, Expansion, Additional Phase or Modification:	New project
Projected Construction Start (Month/Year):	02/2017	Projected Operation Start (Month/Year):	09/2019
Life of Project (# years, YYYY – YYYY):	2019-indefinite Permanent Installation	Project Location (Legal Land Description and Longitude/Latitude) and Municipality:	NW 34-24-10-5 51° 05' N, 115° 19' W Town of Canmore
Total Project Area (ha):	Approximately 7.3 ha	Private, Federal or Provincial Land:	Provincial Wildland Park (area to be re-classified to Provincial Park pending approval of the EIA)
Nearest Residence(s) (km):	Nearest residences are 1 km away, not in the impoundment zone.	Types of Activity (major project processes, components including capacity/size, if available):	Temporary water retention structure, with a capacity of impoundment of 650,000 cubic meters.
Nearest First Nation Reserve(s) and Métis Settlements (name and km):	Stoney Nation, 20km	Project Products:	N/A
Power Source (if on site power generation describe quantity (MW) and facilities):	N/A	Method of Product Transport (e.g., pipeline, rail, truck, etc.):	N/A
Average Production Capacity per Year (specify units):	N/A	Infrastructure Requirements (e.g., roads, pipelines, water intake, storage, tankage, etc.):	Access road on the west bank of channel, diversion works for construction
Location of End Market:	N/A	Expected Types of Air Emissions (e.g., SO ₂ , NO _x , CO ₂ , etc.):	Minor dust during construction, None during operation

Project By-Products:	N/A	Types of Wastes Generated:	Minor construction waste during construction, none during operation. Accumulation of debris post flooding that will need to be removed every few years.
Expected Types of Effluent Releases (note the water bodies the effluent will be released to):	None	Nearest Waterway/Waterbody (name and km):	Within Cougar Creek, flowing into the Bow River approximately 2.5km downstream.
Waste Management Facilities (i.e., Disposal Well, Salt Caverns, Landfill, or Third-Party):	None necessary, construction waste will be disposed at Francis Cook Regional Landfill, 15km east of project site	EPEA Approval Required (Y/N/Unknown):	Yes
Watercourse Crossings (type of crossing, any Class A to C waterbodies):	N/A	Water Act Licence Required (Y/N/Unknown. If yes, purpose, source and estimated volumes):	Yes
Regulatory Board(s) (ERCB/NRCB/AUC):	NRBC	Waterbodies Required (Y/N/Unknown/NA. If yes, # and ha):	None
Water Act Approval Required (Y/N/Unknown. If yes, purpose):	Yes	Will any of the components or activities associated with the project affect fish and/or fish habitat? (Y/N):	No, Cougar Creek is not fish bearing.
Identify applicable sections in the Schedule to the Federal Comprehensive Study List Regulations: (Y/N/Unknown):	No	Identify applicable federal legislative or regulatory requirements referred to in the Law List Regulations (i.e., permits, licenses, authorizations):	None
Are any works or undertakings proposed to take place in, on, over, under, through or across a navigable water? (Y/N):	No	Nearest Water Well (km) (Domestic and Commercial):	Nearest well is located 2km away from project in a westerly direction. Cougar Creek flows in a southerly direction.
Nearest Provincial Highway (# and distance):	Trans-Canada Hwy and Highway 1A (1.5km away)	Access Improvements to Provincial Highway:	None
Traffic Impact Assessment Required (Yes/No/Unknown):	No	Total Area to be Disturbed (ha):	Currently estimated at 7.3 ha
Identify Existing Land and Water Use(s), Resource Management, or Conservation Plans Within or Near the Project site:	Residential and Wildland Park uses.	Post-reclamation Land Use(s):	The infrastructure is permanent so only construction disturbance will be reclaimed as per AEP direction.

Decommissioning Start and End (YYYY-YYYY):	No Decommissioning	Reclamation Start and End (YYYY - YYYY):	2018-2019
Unique Environmental or Social Considerations (Describe or None):	Infrastructure to be built in a Provincial Wildland Park. Alberta Parks has been engaged for over a year.	Historic Resources Impact Assessment Required (Y/N/Unknown):	Yes
Estimated Construction Person-Years of Employment:	100	Estimated Operation Person-Years of Employment:	1 part-time person, continuous.
Construction or Operation Camp Required (Y/N/Unknown. If yes, on-site or off-site):	No	Method of Transport of Employees to Site (Construction and Operation):	Pick-up trucks during construction, individual vehicle during operation.
Will the project involve the manufacture and storage of explosives (Y/N):	No	Is there any federal authority that is, or may be, providing financial support to the Project (Y/N. If yes, identify the federal authority):	No
Date Stakeholder Engagement Started (Public/Aboriginal):	Stakeholder (Alberta Transportation, CPR, Alberta Environment and Parks) engagement has been ongoing since June 2014.	Aboriginal Groups Involved in Stakeholder Engagement:	Aboriginal engagement not yet started. Anticipated to begin in Q4 2015.
Public Groups involved in Stakeholder Engagement:	Public engagement started in early October 2014.		

Glossary of Terms

Alluvial Fan	A fan or triangle shaped deposit of gravel, sand or sediment that forms at the mouth of a mountain stream.
Debris Flood	A flood event that contains up to 20% solids that is triggered by excessive bank erosion, debris entrainment or landslide dam outbreak events.
Return Period	An estimate of the likelihood of an event occurrence (e.g., earthquake, flood or river discharge flow).
Spillway	A structure used for controlled release of water from a dam or retention structure to prevent damage to the structure during high water events.

Appendix B Public Notification – Proposed Terms of Reference

Public Notice
Town Of Canmore
Cougar Creek Debris Flood Retention Structure
Proposed Terms of Reference for Environmental Impact Assessment

The proposed Project consists of a debris flood retention structure on Cougar Creek that will be approximately 30 m high and will span a bedrock confined channel. During normal weather conditions water and sediment will flow unimpeded through the structure. During a flood event the structure will be designed to hold back up to 600,000 cubic meters of water and debris. The structure will not permanently hold water. The proposed Project location (LSD 14-34-24-10W5) is at the site of an existing debris net on Cougar Creek, approximately 2 km northwest of the Trans-Canada Highway.

The Director responsible for Environmental Assessment has directed that an Environmental Impact Assessment Report be prepared for the Cougar Creek Debris Flood Retention Structure. The Town of Canmore has prepared a proposed Terms of Reference for this Environmental Impact Assessment, and through this public notice, invites the public to review this document. **Your comments and personal contact information filed concerning the proposed Terms of Reference will be accessible to the public.**

The proposed Terms of Reference and associated project information can be viewed at the following locations:

- Town of Canmore Civic Centre located at 902 7th Avenue, Canmore Alberta
- Town of Canmore website at www.canmore.ca
- Alberta Environment and Parks Register of Environmental Assessment, 2nd Floor, Petroleum Plaza, South Tower, 9915 – 108 Street, Edmonton, Alberta, T5K 2G8, Attn: Melanie Daneluk;
<http://www.esrd.alberta.ca/ea>, (choose *Current Projects*)

For further information on the Cougar Creek Debris Flood Retention Structure or copies of the proposed Terms of Reference and associated project information please contact:

Félix Camiré, E.I.T.
Town of Canmore Engineering Services
902 7th Avenue, Canmore, AB T1W 3K1
403.678.1512
fcamire@canmore.ca

Individuals wishing to provide written comments on the proposed Terms of Reference must submit them by [DATE TO BE PROVIDED BY AEP] to:

Director, Environmental Assessment, Operations Division
Alberta Environment and Parks
2nd Floor, Petroleum Plaza, South Tower, 9915 – 108 Street, Edmonton, Alberta T5K 2G8
Fax: 780-427-9102, E-mail: environmental.assessment@gov.ab.ca