

OCTOBER 23, 2019

Natural Resources Conservation Board (NRCB) finds the revised Cougar Creek debris flood retention structure in the public interest

The revised application

- On November 15, 2018, the NRCB issued Board Decision NR 2018-01, determining the Town of Canmore's (the Town) proposal to construct and operate a debris flood retention structure on Cougar Creek was in the public interest.
- However, prior to authorization from the Lieutenant Governor in Council to issue the NRCB's approval, the NRCB was advised by the Town that it was revising the project's design to shorten the construction schedule and reduce costs.
- The NRCB suspended its decision on February 28, 2019 and requested that the Town file a revised application to address specified outstanding documents and materials.
- The Town filed its revised application with the NRCB on September 6, 2019, identifying design changes to the dam structure, the spillway, and the access road. The Town also assessed impacts to social, economic, and environmental indicators resulting from the revised Project design.

The project

- The 33 metre high debris flood retention structure and associated access road will be located on Cougar Creek, about two kilometres northeast of the Trans-Canada Highway at the site of the existing debris net that was built on Cougar Creek after the 2013 flood event.
- During high rainfall events the structure will create an inundation area that temporarily holds up to 760,000 cubic metres of water and large woody and rock debris. During normal weather conditions, water and smaller sized woody material and sediment will flow unimpeded through the structure's diversion tunnel.
- The project description is set out in more detail in the 2016 environmental impact assessment and September 2019 revised application submitted by the Town, and in Board Decision 2018-01 and Board Decision Addendum 2018-01. These documents are available on the NRCB website (www.nrcb.ca).
- The provincial and federal governments provided \$44.87 million for the project (\$29 million from Alberta Environment and Parks, \$1.37 million from Alberta Transportation, and a Government of Canada grant of \$14.5 million under the National and Regional Project of the New Building Canada Fund). Some of the funds were used for various project activities including preparation of the environmental impact assessment and project design, and the majority of funds will be used for project construction. The Town has contributed \$4 million toward development of the project.

Key findings

- The Natural Resources Conservation Board (NRCB) has found the Town of Canmore's revised Cougar Creek debris flood retention structure application to be in the public interest. The NRCB concluded that the structure will protect public safety, property, and infrastructure and has no unacceptable environmental impacts.
- The NRCB, for the purpose of its decision, concluded that adequate consultation and accommodation by the Town have occurred (including through mitigation strategies).
- The project effects on the environment are expected to be low to negligible, except with respect to hydrology and wildlife connectivity, where the environmental effect is assessed as moderate. Water quality and quantity will be monitored during the construction and operation of the project. Revegetation of No Man's Land (the area located just downstream of the structure) will enhance

wildlife connectivity, and the Town has committed to land reclamation and revegetation in accordance with First Nations' preference for using native plant species.

- The Town has committed to appropriate management of construction-related issues such as noise, dust, and short-term environmental impacts, and to maintain recreational back country access throughout the construction and operation of the structure.

NRCB conditions for approval

The approval requires the Town to implement the commitments made in its project proposal, as well as conditions imposed by the Board that are mandatory to the NRCB approval. For example, the Town will be required to:

- allow First Nations to hold a pre-construction ceremony, and to harvest traditional plants;
- conduct water quality and water quantity monitoring and reporting during construction and operation of the project;
- use seed mixes and material for revegetation that are representative of surrounding vegetation communities;
- finalize and implement the Emergency Preparedness Plan and Emergency Response Plan for the project;
- implement the proposed dust control management plan for construction and post-flood maintenance activities; and
- finalize the Operation, Maintenance, and Surveillance Manual by including a surveillance data monitoring and reporting plan for the structure.

Other required approvals

- The NRCB approval requires an authorization by the Lieutenant Governor via an Order in Council. The Town must also obtain a *Water Act* approval from Alberta Environment and Parks for the project.
- The Alberta government reserves the right to make its own determination on the adequacy of Crown consultation with Aboriginal peoples and First Nations.

NRCB mandate

- The Board of the NRCB is responsible under the *Natural Resources Conservation Board Act* (NRCBA) for determining whether major natural resource projects are in the public interest. Reviewable projects under the NRCBA include forest industry, recreational or tourism, metallic or industrial mineral, water management, and any other type of project prescribed in the regulations or by the Lieutenant Governor in Council.
- The Board determines the public interest of reviewable projects by considering their potential social, economic, and environmental effects. The Board submits its form of approval to Cabinet for authorization by Order in Council.

Media inquiries:

Janet Harvey, Senior Communications Specialist, NRCB
780-720-2317 (cell)