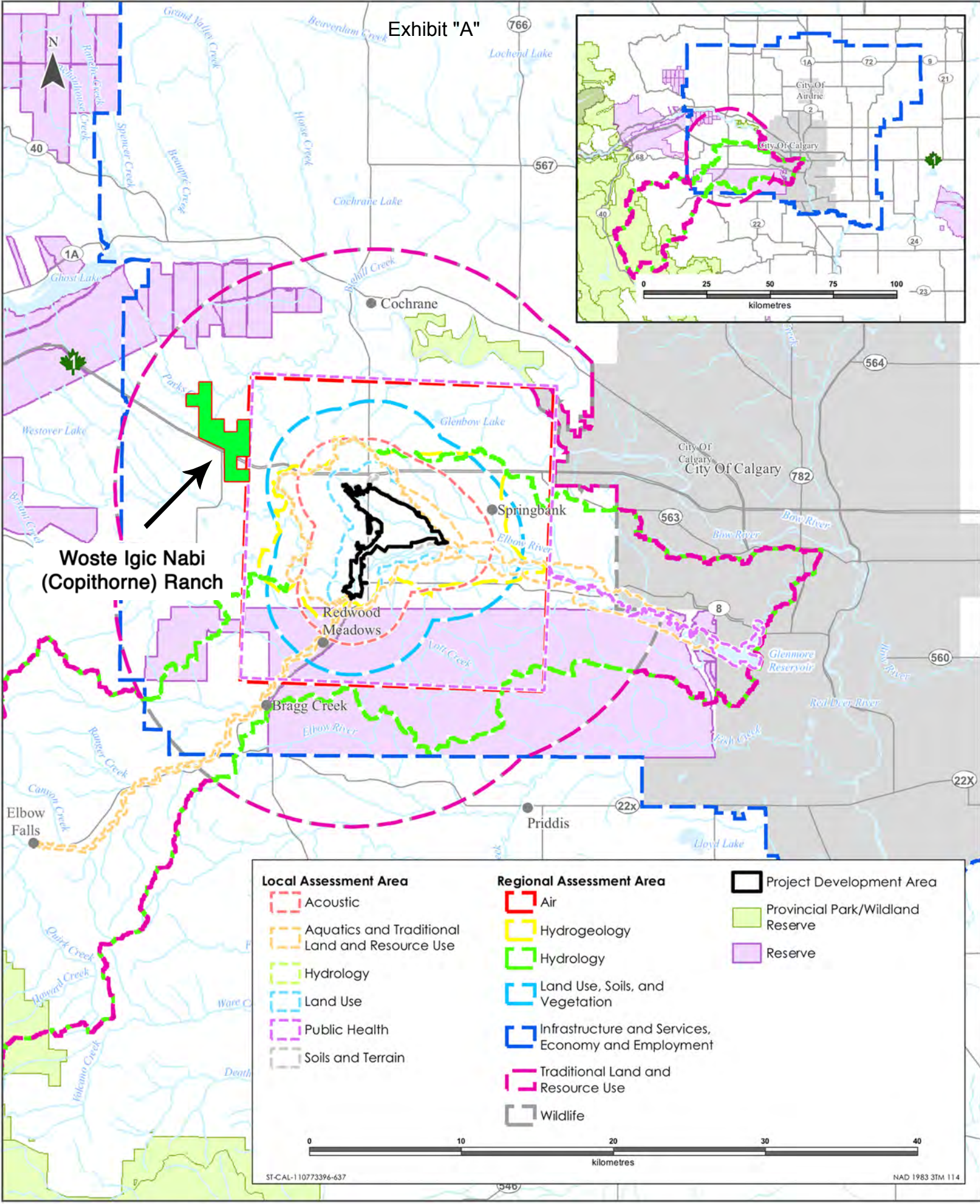


Index of exhibits for the Stoney Nakoda Nations

| Exhibit | Document | Date |
|----------|---|------------|
| A | Project Map showing lands owned by Woste Igic Nabi Ltd. | |
| B | Letter from the Stoney Nakoda Nations to CEAA and Alberta | 2016-06-08 |
| C | Letter from Rae and Company to CEAA | 2016-07-25 |
| D | Letter from Rae and Company to CEAA | 2018-01-15 |
| E | State of Local Emergency Notice - Stoney Nakoda Nations | 2021-01-11 |
| F | Letter from Rae and Company to NRCB | 2021-01-20 |
| G | Letter from Rae and Company to IAAC | 2021-01-20 |
| H | Chart – Active COVID-19 Cases at Morley | 2021-01-31 |

Exhibit "A"



Wiste Igc Nabi
(Copithorne) Ranch

- | | | |
|--|---|----------------------------------|
| Local Assessment Area | Regional Assessment Area | Project Development Area |
| Acoustic | Air | Provincial Park/Wildland Reserve |
| Aquatics and Traditional Land and Resource Use | Hydrogeology | Reserve |
| Hydrology | Hydrology | |
| Land Use | Land Use, Soils, and Vegetation | |
| Public Health | Infrastructure and Services, Economy and Employment | |
| Soils and Terrain | Traditional Land and Resource Use | |
| | Wildlife | |



ST-CAL-110773396-637

NAD 1983 3TM 114

Sources: Base Data - ESRI, Natural Earth, Government of Alberta, Government of Canada
Thematic Data - ERBC, Government of Alberta, Stanlec Ltd

Exhibit "B"



June 8, 2016

Springbank Off-Stream Reservoir Project
Canadian Environmental Assessment Agency
Canada Place
9700 Jasper Avenue, Suite 1145
Edmonton, AB T5J 4C3
Via email: CEAA.PNR-RPN.ACEE@ceaa-acee.gc.ca

Stoney Consultation Office
Box 120
Morley, Alberta
T0L 1N0
Office: (403) 881 – 4276
Fax: (403) 881 – 4250

Government of Alberta
3rd Floor Twin Atria Building
4999—98 Avenue
Edmonton, AB T6B 2X3
Via email: mark.svenson@gov.ab.ca

Dear Sirs:

**Re: Springbank Off-Stream Reservoir Project (the "Project")
Letter of Comment of the Stoney Nakoda Nations (the "SNN")**

The SNN, are comprised of the Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation, that are mainly situated on the Eden Valley Indian Reserve #216; the Stoney Indian Reserve 142, 143, 144; the Rabbit Lake Indian Reserve 142B; and the Bighorn Indian Reserve 144 A. The Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation were signatories to Treaty 7 at Blackfoot Crossing, in 1877.

The Government of Alberta acknowledges that the SNN are an Aboriginal group affected or interested in the Project since the SNN are closely situated to the proposed Project area. Although the Project is not within the reserve lands of the SNN, it is within the traditional lands to which the SNN claim Aboriginal title and rights in *Wesley First Nation (Stoney Nakoda First Nation) v Alberta*, Court of Queen's Bench of Alberta, Action 0301-19586.

The proposed Springbank Off-Stream Reservoir Project poses many environmental effects for Stoney Nakoda.

These are environmental effects include the areas of health and the current use of lands and resources. The waters flowing through the traditional lands of the SNN have sustained the SNN people since time immemorial. When Treaty 7 was signed, the SNN neither surrendered their Aboriginal title to water within their traditional territory nor surrendered any other interests pursuant to an associated Aboriginal right. The SNN continue to hold these rights. Therefore, the SNN are concerned that the project will impact these rights and traditional use of lands in the Project area.



Another environmental effect for the current use of lands and resources for traditional purposes is the environmental effect on water and wetlands for wildlife, fish, birds and vegetation, which will in turn impact the Stoney Nakoda cultural practices (hunting, fishing, trapping, camping, gathering), in the proposed project area.

Another environmental effect is socio-economic. The environmental effect of the proposed project will impact the Stoney Nakoda in exercising their treaty rights and cultural practices (fishing, trapping and hunting). The proposed project will drive away or minimize the availability of bird, fish and wildlife. The impact of this will be that Stoney Nakoda members will have to travel farther to fish, trap and hunt.

Another environmental effect for the current use of lands and resources for traditional purposes, is that the proposed project will act as a barrier to the migration of wildlife and fish. This barrier will not facilitate the movement and access of wildlife and fish species, which will in turn, impact the availability of wildlife and fish for the exercise of treaty rights and cultural practices, in the proposed project area.

Another environmental effect for the current use of lands and resources, as discussed with DEMA Land on March 4th, is the lack of wildlife crossings associated with the project. Similarly, there are no wildlife crossings associated with Highway 22 and Highway 8 in the general area. The inaccessibility of wildlife and fish, will impact the availability of wildlife and fish for the exercise of treaty rights and cultural practices, in the proposed project area.

Stoney Nakoda believes that a cultural use study of the proposed project area is required to understand extent and impact of the project on cultural resources and potential gravesite(s). A cultural assessment is needed to understand if there are historic structures and / or sites within the proposed project area. The cultural assessment must be done by Stoney Nakoda Nation, as the assessment would require an understanding of Stoney Nakoda language, history and culture.

As part of the proposed project, a Environmental Impact Study is underway and will be completed in 11 months. In addition to the cultural use study, Stoney Nakoda is also requesting compensation for a hydrology report and a report on a wildlife impacts study.

In order to address the above noted environmental effects, Stoney Nakoda believes that a federal environmental assessment of the proposed project is needed.

Nothing in this letter shall be interpreted in a manner that extinguishes, abrogates or diminishes the SNN's Aboriginal or Treaty rights, including Aboriginal Title (Wesley Action No. 0301-19586), which are protected under section 35 of the *Constitution Act, 1982*.

Sincerely,

William Snow
Consultation Manager



C.C: Chief Darcy Dixon, Bearspaw First Nation
Chief Aaron Young, Chiniki First Nation
Chief Ernest Wesley, Wesley First Nation
Ken Christensen, Tribal Administrator
Marie Kootenay, Project Coordinator
Lenny Wesley, Bearspaw Consultation Officer
Chris Clarke, Chiniki Consultation Officer
Chris Goodstoney, Wesley Consultation Officer

**File No.: 4337
VIA EMAIL**

July 25, 2016

Canadian Environmental Assessment Agency
Prairie and Northern Region
Canada Place
Suite 1145, 9700 Jasper Avenue
Edmonton, AB T5J 4C3

ATTENTION: SHAUNA SIGURDSON, REGIONAL DIRECTOR

Dear Ms. Sigurdson:

**Re: Proposed Springbank Off-Stream Reservoir Project;
 Comments on the draft Environmental Impact Statement Guidelines**

We are writing on behalf of our client, the Stoney Nakoda Nations (the "SNN"), to provide their comments with respect to the draft Environmental Impact Statement Guidelines (the "EIS Guidelines").

The SNN are comprised of the Bearspaw First Nation, the Chiniki First Nation, and the Wesley First Nation and whose reserve lands are, namely: Morley Indian Reserves 142, 143, 144, undivided; Rabbit Lake Indian Reserve 142B; Bighorn Indian Reserve 144A; and Eden Valley Indian Reserve 216. The SNN, as represented by the Bearspaw, Chiniki and Wesley First Nations, were signatories to Treaty No. 7 in 1877.

The Stoney Nakoda Nations are collectively a Band under the *Indian Act*. Each of the Bearspaw, Chiniki and Wesley First Nations elects its own Chief and Council who collectively comprise the Chiefs and Council of the SNN.

The SNN wish to firstly submit that the Environmental Impact Statement (the "EIS") for the Proposed Springbank Off-Stream Reservoir Project (the "Project") cannot be looked at in isolation from other flood control measures designed to protect the City of Calgary. There is no point in seeking to protect Calgary from a flooding Elbow River unless there are equivalent measures to protect Calgary from a flooding Bow River. Flood control

measures on the Bow River must therefore be part of the terms of reference of the EIS for the Project.

The purpose or benefit of the proposed Project is to provide flood protection to the City of Calgary. However, there will be no benefits from the Project unless similar flood protection is not also provided on the Bow River. The scope of the EIS for the Project should therefore be expanded to include the proponent's flood protection measures on the Bow River, in addition to those on the Elbow River.

The stated purpose of the Project is not attainable. Reducing flood risk on the Elbow River will do nothing for downstream communities, *viz.* the City of Calgary, if equivalent flood mitigation measures are not also implemented on the Bow River upstream of the City of Calgary.

Since the purpose of the Project is to mitigate flood impacts on the City of Calgary, the spatial and temporal boundaries of the EIS should include the entire Bow River watershed upstream from the City of Calgary. Additionally, the SNN assert that both the upper Elbow River watershed and the upper Bow River watershed fall within Stoney Nakoda traditional territory.

The EIS must disclose areas under federal jurisdiction that may be adversely affected by the Project. The EIS must therefore expressly acknowledge that hydro dams in the upper Bow River and their role in flood control are federally licensed. The federal jurisdiction in this regard is referenced in the *Constitution Act, 1930*.

Pursuant to section 20 of the *Canadian Environmental Assessment Act, 2012*, the SNN request that information on flood control capabilities of federally licensed hydro dams on the Bow River, including the rationale for the maximum reservoir levels for those dams, be released by the Director General, Water Science and Technology, Environment and Climate Change Canada. The SNN also request that they receive hydrological studies for water flows into the Bow River from Banff National Park.

Secondly, the SNN have to date received no indication from the Province of Alberta as to how Alberta is prepared to integrate Aboriginal traditional knowledge into the assessment of the environmental effects of the Project, nor as to how Alberta plans to mitigate and accommodate SNN interests. Alberta's response in this regard will undoubtedly be before the Alberta Court of Queen's Bench in the legal proceeding described as *Wesley v Alberta and Canada*, Action No. 0301-19586 (the "Nakoda Title Claim").

The Nakoda Title Claim seeks compensation from the Alberta and federal governments arising from breaches of the SNN's Aboriginal title and rights over lands located within Alberta. Specifically, Aboriginal rights and title are asserted over off-reserve surface and subsurface lands and natural resources, including water. It is because of the Nakoda Title Claim that engagement with the SNN must be separate and apart from the general public consultation.

In their letter of comment dated June 8, 2016 (copy attached), the SNN laid out their specific concerns with respect to potential environmental impacts of the Project:

1. The waters flowing through the traditional lands of the SNN have sustained the Stoney Nakoda people since time immemorial. When Treaty 7 was signed, the SNN neither surrendered their Aboriginal title to water within their traditional territory nor surrendered any other interests pursuant to an associated Aboriginal right. The SNN continue to hold these rights. Therefore the SNN are concerned that the Project will impact these rights and their traditional use of lands in the Project area.
2. Another potential impact is the environmental effects on water and wetlands for wildlife, fish, birds and vegetation. These changes will, in turn, impact the Stoney Nakoda cultural practices (hunting, fishing, trapping, camping, gathering) in the Project area.
3. These environmental effects will result in socio-economic impacts on Stoney Nakoda members who currently exercise their treaty rights and cultural practices (fishing, trapping and hunting) in the Project area. The Project will drive away or minimize the availability of birds, fish and wildlife. The impact of this will be that Stoney Nakoda members will have to travel farther to fish, trap and hunt.
4. The Project will act as a barrier to the migration of wildlife and fish. The availability of wildlife and fish for the exercise of treaty rights and cultural practices beyond the Project area will also be diminished.
5. Relating to the current use of lands and resources, as discussed with DEMA Land Services on March 4, 2016, is the lack of highway wildlife crossings associated with the Project. Since there are no wildlife crossings of Highway 22 and Highway 8, the barrier resulting from the Project will make migration and travel for animals increasingly difficult. Again, the loss of migration and travel routes for animals in the area will adversely impact the exercise of Stoney Nakoda treaty rights and cultural practices.

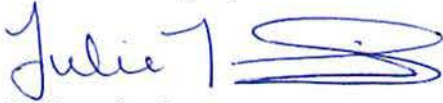
The SNN believe that a cultural use study of the proposed Project area is required to understand extent and impact of the project on cultural resources. A cultural assessment is needed to understand if there are any structures or sites of historical relevance to the SNN that lie within the Project area. The cultural assessment must be done by the SNN, since the assessment would require an understanding of Stoney Nakoda language, history and culture.

In addition to the cultural use study, the SNN also require funding in order that experts be retained to perform a hydrology report and a wildlife impacts study to properly determine the impacts of the Project on their traditional lands. The SNN are conducting their own Environmental Impact Study related to the Project which is slated for completion within

11 months. The hydrology report and the wildlife impacts study would be part of the SNN's own Environmental Impact Study.

Yours truly,

Rae and Company



L. Douglas Rae

LDR/ble

For

- cc. Anna Kessler, Canadian Environmental Assessment Agency (via email)
Margot Trembath, Alberta Environment and Parks (via email)
Tanya Holden, Alberta Aboriginal Consultation Office (via email)
Pamela Romanchuk, Alberta Aboriginal Consultation Office (via email)
Mark Svenson, Alberta Transportation (via email)
Grand Chief Charles Weaselhead, Treaty 7 Management Corporation (via email)
Bill Snow, Stoney Consultation Office (via email)
Chief Darcy Dixon, Bearspaw First Nation (via email)
Chief Aaron Young, Chiniki First Nation (via email)
Chief Ernest Wesley, Wesley First Nation (via email)

File No.: 4337

VIA EMAIL

CEAA.Springbank.ACEE@ceaa-acee.gc.ca

January 15, 2018

Springbank Off-Stream Reservoir Project
Canadian Environmental Assessment Agency
Canada Place
9700 Jasper Avenue, Suite 1145
Edmonton, AB T5J 4C3

ATTENTION: SHELLY BOSS, PROJECT MANAGER

Dear Ms. Boss:

**Re: Springbank Off-Stream Reservoir Project;
Environmental Impact Assessment Report**

We are writing on behalf of our client, the Stoney Nakoda Nations (the "SNN"), to provide their comments with respect to Alberta Transportation's application to construct the Springbank Off-Stream Reservoir Project (the "Project") and the corresponding Environmental Impact Assessment Report (the "EIA"). According to our records, we received no notice on behalf of our client.

The SNN wrote CEAA on June 8 and July 25, 2016. CEAA did copy our office on its reply of August 19, 2016; however, sometime after that we ceased to be copied with correspondence to our client. For example, we did not receive the Minister's Decision on Referral to Panel dated August 8, 2017. Our client therefore missed the opportunity to respond regarding their interest in participating in the technical working group as proposed by CEAA.

We believe this oversight has played a role with respect to our office not receiving notice regarding Alberta Transportation's Application and EIA on behalf of the SNN or receiving notice of CEAA's communication to Alberta Transportation dated November 16, 2017. The SNN is a stakeholder with respect to this Project and must be treated as such by both Canada and Alberta agencies.

The SNN note that Alberta Transportation has utilized inaccurate maps of Stoney Indian reserves no. 142, 143 and 144. In particular, portions of these reserves have been deleted and are incorrectly shown as Alberta Crown lands. As CEAA has also requested, we require a rationale for these exclusions.

We have the following specific comments in regard to the EIA:

1 With specific reference to Volume 3A of the EIS, Alberta Transportation states at page 13.7: "Portions of the Calgary to Morleyville Trail were noted on historic plans for Township 24, Ranges 3 and 4, W5M (Dominion Lands Office 1884a, 1884b); however, the trail is no longer visible on current air photos."

This statement directly contradicts Alberta's position that the Calgary/Morleyville trail ran on the north side of the Bow River and thus was a pre-existing trail prior to 1877. Please confirm that Alberta Transportation does NOT consider this a pre-existing trail for the purposes of interpretation of Treaty 7. If Alberta Transportation does consider it a pre-existing trail, allowance for a right-of-way through the Proposed Development Area will have to be provided for.

2 When and how will the historical and indigenous impact studies be conducted for the McLean Creek option? No explanation has been provided as to why these have not been carried out. We note that McLean Creek lies with Stoney Nakoda traditional territory and that compliance with the Stoney Nakoda consultation policy will be required (copy enclosed).

3 We note there has been some degree of consultation with the SNN. However, it is not clear that SNN rights have been accommodated. In particular, the EIA reflects the existence of at least two Stoney Nakoda traplines in the Proposed Development Area. Compensation for loss of harvesting opportunities will have to be compensated.


4 The SNN resubmit that the EIA and the Project cannot be looked at in isolation from other flood control measures, specifically those for the Bow River, designed to protect the City of Calgary.

5 We note that Canada requested that "the proponent provide the location of traditional territories (including maps where available) for each Indigenous group". We have attached a map showing asserted Stoney Nakoda traditional territories that is part of the pleadings in Alberta Court of Queen's Bench action no. 0301-19586. There is no reference to this legal proceeding in the EIA.

We look forward to these concerns being specifically addressed in an updated EIA.

Yours truly,

Rae and Company



L. Douglas Rae
LDR/ble

- cc. Anna Kessler, Canadian Environmental Assessment Agency (via email)
- Mark Svenson, Alberta Transportation (via email)
- Margot Trembath, Alberta Environment and Parks (via email)
- Aldo Argento/Everett Bunnell, Norton Rose Fulbright Canada LLP (via email)
- Damon Park/Bruce Piller, Department of Justice Canada (via email)
- Bill Snow, Stoney Consultation Office (via email)
- Chief Darcy Dixon, Bearspaw First Nation (via email)
- Chief Aaron Young, Chiniki First Nation (via email)
- Chief Ernest Wesley, Wesley First Nation (via email)



Exhibit "E"

Monday, January 11, 2021

State of Local Emergency and Necessary Procedures – Stoney Nakoda Nation

An emergency exists within the First Nation of Stoney Nakoda due to the global pandemic of Novel Coronavirus (COVID-19). The Director of Emergency Management has been empowered to act on behalf of the Stoney Tribal Council

The Director of Emergency Management in consultation with other members of the Incident Command Team have determined that a state of emergency exists within the Stoney Nakoda Nations of Morley, Big Horn and Eden Valley due to the unprecedented increase in Covid-19 positive cases. The Stoney Nakoda People will be at high risk of infection causing a potential loss of life as well as taxing the available local resources.

Stoney Tribal Council has declared a State of Local Emergency effective immediately.

A BCR has been signed to implement all procedures that are considered necessary to prevent or to alleviate the effects of the health emergency, including:

- Designate the use of any land or property considered necessary to prevent, respond or alleviate the effects of an emergency. Such as the use of churches, gyms, places of gatherings (inside or outside)
- Designate the use of any land or property considered necessary to prevent, respond to or alleviate the effects of an emergency. Such as the use of churches, gyms, places of gatherings (inside or outside)
- Control or prohibit travel to or from any designated area including other Nations as deemed necessary to limit the spread of the Covid-19 virus.
- To engage enforcement authorities both internal (Nakoda Security), and external (RCMP, et al) to apply Provincial mandates and penalties regarding isolation, quarantine, and gatherings.
- Stoney Tribal Chiefs, Council, Administrators, and staff are not to attend any type of service or gathering.
- No house to house visiting or gatherings of any kind.
- Schools will remain at Scenario three until further notice.
- A curfew shall exist between the hours of 8PM until 6AM except for work, health, or emergency purposes. Nation members will stay at home during the curfew hours.
- After 11:59 PM Tuesday January 12th on-nation funerals and wakes will no longer be allowed. Virtual funeral services are encouraged, and all remains must go from the funeral home to the burial site.

File No.: 4337

VIA EMAIL

bill.kennedy@nrcb.ca

laura.friend@nrcb.ca

January 20, 2021

Natural Resources Conservation Board
19th floor, 250 – 5 Street SW
Calgary, AB T2P 0R4

**ATTENTION: BILL KENNEDY, GENERAL COUNSEL
LAURA FRIEND, MANAGER, BOARD REVIEWS**

Dear Sir and Madam:

**Re: Springbank Off-Stream Reservoir Project (the “Project”)
NRCB Application No. 1701 (the “Application”)
Bears paw First Nation, Chiniki First Nation and Wesley First Nation
requests for standing, intervenor status, advance funding, and extension**

We are writing on behalf of our clients, the Bears paw First Nation, Chiniki First Nation, and Wesley First Nation, collectively the Stoney Nakoda Nations (the “Stoney Nakoda”). The Stoney Nakoda submit this letter pursuant to the Notice of Hearing issued on December 21, 2020 by the Natural Resources Conversation Board (the “NRCB”) for Alberta Transportation’s Application for the proposed Project.

To fully represent the Stoney Nakoda, the Bears paw First Nation, Chiniki First Nation and Wesley First Nation intend to participate in the public hearing for the Project, set to begin on March 22, 2021 (the “Hearing”), and we submit this letter on their behalf to request the following:

- That they each be granted standing in the Hearing and be permitted to make representations, furnish evidence, cross-examine other parties and provide argument;

-
- That they each be deemed eligible intervenors pursuant to section 11 of the *Natural Resources Conservation Board Act*, RSA 2000, c N-3 (the “*Act*”); and
 - That each Nation’s request for advance funding be granted pursuant to sections 28 and 37 of the *Rules of Practice of the Natural Resources Conservation Board Regulation* (the “*Rules*”), and as set out in the enclosed Application Forms for Intervener Funding Advance Award of Costs.

The Stoney Nakoda are directly affected parties

The Stoney Nakoda are comprised of the Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation. The Stoney Nakoda reserve lands are, namely: Morley Indian Reserves 142, 143, 144, undivided; Rabbit Lake Indian Reserve 142B; Bighorn Indian Reserve 144A; and Eden Valley Indian Reserve 216. The Stoney Nakoda were signatories to Treaty 7 in 1877, and therefore hold Aboriginal and Treaty rights recognized by Treaty 7 and the *Natural Resources Transfer Act, 1930* and further affirmed under Section 35 of the *Constitution Act, 1982*. The Stoney Nakoda also assert Aboriginal title and rights as being claimed in the Court of Queen’s Bench of Alberta, Action No. 0301-19586 (the “Title Claim”). The Title Claim asserts Aboriginal title and rights over off-reserve surface and subsurface lands and natural resources, including water, and seeks compensation from Alberta and Canada arising from breaches of Stoney Nakoda Aboriginal title and rights over lands located in Alberta.

The Notice of Hearing for the Project states that “The panel is required to give standing to persons who may be directly affected by a reviewable project.”

Approval of the Project would have significant impacts on the rights and interests of the Stoney Nakoda. Alberta Transportation has been engaging the Stoney Nakoda on the proposed Project since 2014 because of the potential for the Project to directly and adversely affect the Stoney Nakoda’s Aboriginal and Treaty Rights. The proposed Project is located within Stoney Nakoda traditional territory in an area that is used by Stoney Nakoda members for hunting and trapping and for other traditional use activities. The location of the proposed Project is also subject to the Stoney Nakoda’s claim of Aboriginal title and rights as set out in the Title Claim.

Due to the limited amount of available Crown lands that remain within Treaty 7 and Stoney Nakoda traditional territory, Stoney Nakoda members have been forced to increasingly rely on private lands including within the Project area for the exercise of Aboriginal and Treaty rights. Environmental effects on water and wetlands for wildlife, fish, birds and vegetation will impact the Stoney Nakoda’s exercise of rights and cultural practices within the Project area, and will in turn result in socio-economic impacts on Stoney Nakoda members who currently exercise their rights and traditional practices in this area.

The Stoney Nakoda’s Morley Indian Reserves 142, 143 and 144, undivided, are located in close proximity to the proposed flood area. Stoney Nakoda’s wholly-owned corporation,

Woste Igic Nabe Ltd., also owns over 2,400 acres of private land (known as the Copithorne Ranch property) that is also located in close proximity to the proposed Project.

The *sui generis* nature of Stoney Nakoda's Aboriginal and Treaty rights makes the interests of Stoney Nakoda unique from potential effects of the Project on the general public. Given the location of the proposed Project in Stoney Nakoda's Treaty and traditional territory and its close proximity to the Morley Indian Reserves 142, 143 and 144, undivided, and the Copithorne Ranch property, as well as the substantial adverse effects that the Project poses to the Stoney Nakoda's exercise of Aboriginal and Treaty rights and traditional uses, the Stoney Nakoda are directly affected parties and should be granted standing to participate in the Hearing for the Project. Further, the Stoney Nakoda should be considered eligible intervenors pursuant to section 11 of the *Act* and sections 28 and 37 of the *Rules*.

Request for advance funding

Pursuant to sections 28 and 37 of the *Rules*, Bearspaw First Nation, Chiniki First Nation and Wesley First Nation each request an advance of funds in respect of costs that are anticipated to be incurred as a result of their participation in the Hearing. We have enclosed completed Application Forms for Intervener Funding Advance Award of Costs.

Request for extension

Further to the Notice of Hearing, the Stoney Nakoda request the NRCB consider an extension of the deadlines and dates therein.

As you are aware, there are ongoing challenges as a result of the COVID-19 pandemic. While the Stoney Nakoda continue working to overcome administrative and productivity interruptions as a result of provincial health restrictions, they are facing additional issues on reserve. On January 11, 2021, Stoney Tribal Council declared a second state of local emergency due to a sharp increase in COVID-19 cases within the community and have since imposed safety measures stricter than that of the province.

As a result of these latest measures on reserve, most of Stoney Nakoda's offices are closed and various key personnel have been reassigned to prioritize community support; and therefore, the Stoney Nakoda will have limited resources to properly review, analyze and comment on the specific issues set out in the Pre-Hearing Conference Report by February 26, 2021.


The Stoney Nakoda request an extension of the deadline by a minimum of three months because emergency restrictions arising from the pandemic will continue until many more Albertans, including Stoney members, are vaccinated.

A similar extension request has been put before the Impact Assessment Agency of Canada for comment on the draft Environmental Assessment Report.

We appreciate your consideration of the requests in this letter.

Yours truly,

Rae and Company


for L. Douglas Rae
LDR/ble

Enc.

- cc. Matthew Hebert, Executive Director, Transportation Services Division, Alberta
Transportation (via email)
Dean Cherkas, Director, Stoney Consultation (via email)
Bill Snow, Manager, Stoney Consultation (via email)
Gavin Ear, Bearspaw First Nation Consultation Officer (via email)
Conal Labelle, Chiniki First Nation Consultation Officer (via email)
Chris Goodstoney, Wesley First Nation Consultation Officer (via email)
Ryan Robb, CEO, Stoney Tribal Administration (via email)

File No.: 4337

VIA EMAIL

IAAC.Springbank.AEIC@canada.ca

jennifer.howe@canada.ca

January 20, 2021

Springbank Off-Stream Reservoir Project
Impact Assessment Agency of Canada
Canada Place
9700 Jasper Avenue, Suite 1145
Edmonton, AB T5J 4C3

ATTENTION: JENNIFER HOWE, PROJECT MANAGER

Dear Ms. Howe:

**Re: Springbank Off-Stream Reservoir Project;
Draft Environmental Assessment Report – January 2021**

We are writing on behalf of our clients, the Bears paw, Chiniki and Wesley First Nations (collectively, the Stoney Nakoda Nations), to request an extension of the February 3, 2021 deadline to provide comments on the draft Environmental Assessment Report.

As you are aware, there are ongoing challenges as a result of the COVID-19 pandemic. While the Stoney Nakoda Nations continue working to overcome administrative and productivity interruptions as a result of provincial health restrictions, they are facing additional issues on reserve. On January 11, 2021, Stoney Tribal Council declared a second state of local emergency due to a sharp increase in COVID-19 cases within the community and have since imposed safety measures stricter than that of the province.

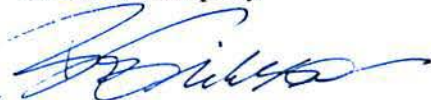
As a result of these latest measures on reserve, most of Stoney Nakoda Nations' offices are closed and various key personnel have been reassigned to prioritize community support; and therefore, the Stoney Nakoda Nations will have limited resources to properly review, analyze and comment on the draft Environmental Assessment Report in the coming weeks prior to February 3.

The Stoney Nakoda Nations request an extension of the deadline by a minimum of three months because emergency restrictions arising from the pandemic will continue until many more Albertans, including Stoney members, are vaccinated.

We thank you for considering the Stoney Nakoda Nations' request for an extension and await your response. A similar extension request will be put before the Natural Resources Conservation Board regarding its hearing deadlines.

Yours truly,

Rae and Company


for L. Douglas Rae
LDR/ble

- cc. Chief Darcy Dixon, Bearspaw First Nation (via email)
- Chief Aaron Young, Chiniki First Nation (via email)
- Chief Clifford Poucette, Wesley First Nation (via email)
- Dean Cherkas, Director, Stoney Consultation (via email)
- Bill Snow, Manager, Stoney Consultation (via email)
- Ryan Robb, CEO, Stoney Tribal Administration (via email)

Exhibit "H"

