

From: [REDACTED]
To: [Howe, Jennifer \(IAAC/AEIC\)](#)
Cc: [Springbank Community Association](#); Reeve@rockyview.ca; [Laura Friend](#)
Subject: Comments on IAAC/CEAA Report and Conditions
Date: Wednesday, February 3, 2021 1:18:37 PM
Attachments: [Impact Assessment Agency of Canada response January 2021.docx](#)

Hello Ms. Howe:

Attached please find a Word version of comments that were recently submitted online to the IAAC/CEAA with respect to the Agency Report and Conditions regarding the SR1 Project proposed by Alberta Transportation. Given the length of the comments, and out of an abundance of caution, I am sending this document to the Agency. I am copying the Springbank Community Association and the Reeve of Rocky View County as they will also bear the brunt of the negative environmental and social consequences of the SR1 Project. I am also copying the NRCB as the comments contained in the document are relevant to the Provincial regulatory review as well.

The opportunity to comment on the Report and Conditions is very much appreciated and hopefully the comments will be seriously considered by the Agency.

Sincerely,

Lee Drewry

Sent from [Mail](#) for Windows 10

Impact Assessment Agency of Canada (IAAC) CC: NRCB of Alberta

Re: Springbank Reservoir Project (SR1)

Thank you for the opportunity to comment. The following comments are provided with respect to the IAAC Draft Summary Report and Potential Conditions under the Canadian Environmental Assessment Act, 2012.

Draft Summary Report

Our comments will follow the document from start to finish, and will be referenced by page numbers.

In the Introduction section,

page iii) reference is made as follows:

1) *"The diversion channel is designed to convey a peak diversion flow of approximately 600 metres cubed per second during extreme flood events towards a natural floodplain that will act as a storage reservoir."*

We would point out that the storage reservoir is not located in a "natural floodplain". The reservoir is located on productive ranch land and native grasslands, including a couple of small wetlands. There is no scenario in the natural world that would cause the Elbow River to flood the Project area. We would also point out that there are homes in the area that will be lost to this Project. Ranchers, unlike their urban neighbours, do not build their homes in "natural floodplains".

2) *"The Project is subject to CEAA 2012 because it would involve activities described in the schedule to the Regulations Designating Physical Activities as follows:*

- *item 6: The construction, operation, decommissioning and abandonment of a new structure for the diversion of 10 000 000 m3 per year or more of water from a natural water body into another natural water body."*

We would point out that the diversion in the SR1 project is not to "another natural water body", it is diverted to flood thousands of acres of productive ranch land including native grassland and homes. There are many other areas of CEAA 2012 that would cause a federal review to be appropriate.

On page iv)

3) Reference to the impacts of the project include *"effects on the health of Indigenous peoples"*. We would point out that most of the First Nations referenced in the Summary report are tens, if not hundreds, of kilometres distanced from the project. Health effects will be felt by the people of Springbank, who are proximate to the Project, which apparently are of no concern to the IAAC. This is a glaring omission in the Report, and indeed, in the mandate of the Agency.

On Page 11 of the report, reference is made to

4)" *As proposed, the Springbank Off-Stream Reservoir Project (the Project) will be located in a floodplain drainage area of the Elbow River and its tributaries to divert floodwater during extreme flood events from the Elbow River to a temporary reservoir constructed in an adjacent wetland.*"

The temporary reservoir is now being described as covering an "adjacent wetland". While there are a couple of small areas of wetland within the Project area, as previously mentioned, the area is not a floodplain and it is not a wetland. These statements by the IAAC, or the Proponent, are misleading and erroneous. The area should be described as an area of productive agricultural land, including native grasslands. The area has sustained 5 generations of ranching families, so to describe it as "floodplain" or "wetlands" is not only erroneous, but insulting to the generations of ranching families.

Also on Page 11

5)" *... would store up to 77,771,000 cubic metres of diverted water at maximum capacity, which constitutes 25 percent more capacity than the 2013 design flood.*"

The map that follows on page 16, indicates that the project is designed for the 2013 flood level and does not include reference to 25% more volume. Will the project be able to safely handle 25% more volume than 2013 and does the map on page 16 accurately reflect the area impacted by this additional volume?

On Page 18, in discussion of Migratory Birds

6) The Table on this page, indicates that the RAA was chosen based on the expected range of grizzly bears. What is the connection between Migratory Birds and Grizzly Bears?

On Page 28, reference is made to

7) *"The project-specific Environmental Construction Operations Plan and Wildlife Mitigation and Monitoring Plan will include wildlife features and mitigation measures and will be developed prior to start of construction."*

How can IAAC assess features and plans that have not yet been developed? The Proponent has had 7 years to develop features and plans. IAAC assessment of "best intentions" seems incomplete and premature.

On Page 32, with respect the MC1 alternative,

8) IAAC concludes *"Also, the McLean Creek option would have cost more and taken longer to construct than the other option."*

Did the IAAC confirm the costs the Proponent presented for the SR1 project? For example, did the Proponent's estimate of costs include:

- The costs of the berming at Bragg Creek and Redwood Meadows which would not be required if the MC1 project was chosen. These costs were originally included in the cost estimate for SR1, but were mysteriously deleted when the costs of the berms escalated to \$40+M. These costs are clearly attributable to the SR1 project.

- The \$32M paid to Tsuut'ina to drop their opposition to the project. And any other consideration paid to Tsuut'ina. Again, these costs are clearly attributable to the SR1 project.
- The \$10M and any other consideration paid to Rocky View County to drop their opposition to the project.
- All of the cost associated with the modifications required for the numerous pipelines in the area. The costs of the modifications appear to be significantly underestimated and should be confirmed by expert opinion. The Proponent is underestimating these costs.

9) The Agency notes *“the Proponent concluded that the option (MC1) may result in positive, substantive, residual effects on non-traditional land and resource use and on Indigenous health and safety and emergency response, positive non-substantive residual effects on socio-economic conditions and services, and generally adverse changes in residual effects. There were no recorded historical values or notable architectural values present in the McLean Creek option area.”*

This appears to be a positive assessment of the MC1 option. Particularly, it is of interest that there are no historical or architectural values present in the MC1 area. We find it curious that the IAAC would endorse the SR1 project that has numerous historical and architectural values, when the MC1 has none.

On Page 35,

10) IAAC comments – *“A new bridge would be constructed on the existing Highway 22 alignment where Highway 22 crosses the diversion channel. The Proponent has not completed the detailed design for the planned diversion structure and the Highway 22 bridge, but stated that the bridge will be constructed above the highwater mark.”*

Seven plus years after the 2013 flood event the Proponent has still not completed the detailed design for a diversion structure and a bridge? What complications and environmental concerns would lead to such a delay? This is another example of the Proponent asking for approval based on “good intentions”. How does IAAC assess such intentions?

11) In the discussion on modifications of public roads, there is a glaring omission of reference to improvements required to Range Road 40, Township Road 250, as well as the intersection of Township Road 250 and Highway 22. Range Road 40 is not designed to handle the volume of traffic currently experienced on Springbank Road. The intersection of Township Road 250 and Highway 22 is a significant safety concern. The plans to mitigate the volume and safety concerns on these roads are missing in the IAAC Report. Mitigation, and the associated costs, should be included in the Project for these road modifications.

On Page 38

12) IAAC notes *“On April 1, 2020, Tsuut'ina Nation withdrew all objections to the Project and its participation in the EA process. The Agency will continue to inform Tsuut'ina Nation about opportunities to participate in the process. The Agency incorporated concerns and input from Tsuut'ina Nation in this report but acknowledges that these concerns may have been addressed through additional means outside the EA process.”*

It should be noted in the IAAC Report that the withdrawal of the objections of Tsuut'ina was accompanied by a cash payment of \$32M and other undisclosed considerations. These considerations should be noted and disclosed and added to the cost of the Project.

On Pages 38-39

13) It should be noted that of the First Nations listed in this section, most are located tens, if not hundreds, of kilometres from the project. With due respect to Treaty Rights, it should be noted that the negative environmental and social consequences of the Project will be felt by those who are proximate to the Project. IAAC, and the Proponent, have given little attention to the concerns of the local residents who will bear the brunt of the environmental consequences. While non-Indigenous peoples may not be IAAC's focus, the fact that there is such a large population proximate to the Project should raise the bar for environmental issues.

On Pages 39-40

14) It is noted that IAAC provided funding of almost \$900K to First Nations and only \$37K split among 3 members of the public who were directly impacted residents of Springbank. Could the agency comment on how many First Nation requests were approved/rejected and how many requests from directly impacted residents or land owners were approved/rejected? It seems odd that so few dollars were approved for the public who will suffer the negative consequences of the Project.

On Page 40

15) Regarding Public Participation, the list of concerns from the public seems short compared to the list of concerns from First Nations. This is especially odd given the high volume of letters of concerns raised from the public in previous opportunities for public comment.

16) IAAC notes that "over 40" meetings were held with stakeholder groups. Could the Agency please provide details of how many meetings were held with each stakeholder? There is a general sense in the Springbank community that the meetings held by the Proponent were heavily skewed to meetings with groups supporting the Project.

On Page 42

17) With regard to the Biophysical Environment, we note that there is no mention of the native grassland impacted by the Project. There is a significant amount of native grassland within the Project area that will be impacted. Native grassland has been identified in other studies and reports as being worthy of mention and preservation. Why is there no mention of it in the IAAC Report? Please identify what portion of the project area is covered by native grassland.

On Page 45

18) With respect to the Human Environment, there is only passing reference made to the ranchers whose livelihoods depend on this land. These ranchers' families were the original non-Indigenous settlers of the land and have stewarded the land for over a hundred years, including the preservation of areas of native grassland. This should be worthy of more than a passing reference.

On Page 46

19) The Proponent notes, and IAAC apparently does not challenge, that the Project would not result in a decrease in carbon sequestration. This seems impossible given that after a flood event much of the vegetation in the Project area will be killed or at least damaged, as indicated by the required mitigation activities. Even one season of lost carbon sequestration would be impactful, and it is likely that the impact to vegetation post flood would endure for more than one season.

On Page 50

20) IAAC notes, only passively, the public's concerns regarding air quality. This is a key area of concern for local residents and those who are downwind from the Project. Public concern in this area deserves more than a passing reference. Mitigation attempts are unlikely to alleviate the concerns of the public in this area.

On Page 53

21) IAAC notes *"Groundwater quality is not anticipated to exceed the Guidelines for Canadian Drinking Water Quality for a consecutive period exceeding 30 days for parameters that do not already exceed the guidelines under existing conditions."*

30 days is a long time for local residents to be without potable water. It is also a long time for ranchers to be without drinkable water for their livestock. The comment implies that less than 30 days is not a big deal, but that is not reality. Water is life and to be without it is a very big deal.

On Page 54

22) IAAC notes *"Prior to construction, the Proponent will finalize a Groundwater Monitoring Plan in consultation with appropriate regulators."*

After 7 years of study and preparation, a monitoring plan for groundwater should have been prepared. This seems like a critical piece of information required to be able to assert that the Project should proceed.

23) It is also noted that in this section there is no mention of actions to help locals impacted by potentially contaminated groundwater. There is much discussion of how it will be studied and how root causes may be determined, but no mention of the mitigation actions to ensure local residents and ranchers have safe water.

On Page 61

24) It is asserted that the water in the reservoir would be cooler than water in the river. *"water levels in the reservoir are sufficiently deep that reservoir water temperatures would not increase at the same rate as in the Elbow River, thus once water is released it will have a slight cooling effect on the river."*

How is this possible given that only a small portion of the reservoir would be deep. The reservoir would cover thousands of acres, much of which would be very shallow. It seems illogical that this reservoir would be cooler than a flowing mountain fed river. What air temperatures would lead to the conclusion that a stagnant, shallow pool of water would remain cooler than a mountain fed river?

On Page 62

25) IAAC notes *“Sediment laden dewatering discharge will be pumped into a vegetated area or settling basin to allow sediment to settle out before returning it to the water body.”*

This seems environmentally irresponsible. Why would sediment be dumped onto otherwise unimpacted vegetation? Seems like a recipe to maximize environmental impact, not minimize it.

On Page 63

26) IAAC notes *“Where negative effects to the usability of the Elbow River water are detected, Alberta Environment and Parks will provide information and advisories to local and downstream users, including the City of Calgary, so water use can be modified to mitigate negative consequences (e.g., avoid using water or increase treatment options).”*

A significant portion of Calgary’s drinking water is provided by the Glenmore Reservoir and hence the Elbow River. Is a project that could impact the drinking water for hundreds of thousands of Calgarians in the public interest? The costs of added treatment facilities/requirements should be added to the cost of the Project.

On Page 65

27) With respect to Rocky View County, it should be noted that their agreement to withdraw from the regulatory process was accompanied by a \$10 M payment from the Proponent. It should also be noted that, in spite of this payment, they continue to have concerns with the project, just not the fortitude to stand up and be counted. The \$10M payment and any other consideration paid to Rocky View should be added to the Project cost. Can the Agency provide a list of other publicly funded projects where opponents of the project were essentially “bought off” with cash payments?

On Page 67

28) The depth of sediment deposits does not match the dismissal of sediment as an issue resulting from this Project referenced earlier in the Report. Please ensure consistency of commentary when dealing with this important negative consequence of the Project.

On Page 68

29) Regarding use of the project area, *“Trees will be allowed to naturally re-establish and forest use will be limited to Indigenous traditional and cultural use.”*

The Project requires the creation of new Crown land through the purchase of privately held land through the use of public funds (ie. Taxpayers). How can the use of this Crown land created with public funds be withheld from the public? This seems very unfair to the people who are paying for the purchase of this new Crown land.

On Page 70

30) Views expressed by the public regarding Terrestrial Landscape seems to be marginalized and minimized. Surely, more detailed concerns were expressed by members of the public in the previous Agency public comment opportunities.

On Page 77

31) Again, comments from the public are marginalized and minimized.

32) The Agency acknowledges fish mortality, although it has never been estimated or quantified what that mortality might be. 5%, 10%, 25%, 50% of the population – where are the estimates? Then the Agency concludes *“the Agency is of the view that the Project is not likely to cause significant adverse effects on fish and fish habitat or fish population.”* How can it be concluded that unknown and un-estimated fish mortality will not impact the fish population?

On Pages 85, 95

33) Again, as per a troubling pattern, public comments are marginalized and minimized.

On Page 112

34) With respect to the economic benefits of the project *“the distribution of these benefits with respect to Indigenous peoples are not discussed.”*

From the consultation summaries of the Proponent with various First Nations, there are numerous references to having First Nations participate in the construction of the Project. This is not consistent with the assertion that benefits have not been discussed. Any deals, formal or informal, with First Nations to participate in the Project should be disclosed.

On Page 120

35) The discussion regarding pipeline safety and risk is insufficient. As landowners who would face the consequences of damage caused by abandonment and/or relocation of these pipelines, we find the discussion to be dismissive of the very real possibility of significant damage. Also, with regards to pipelines, it should be noted that the Proponent’s estimates of the cost of pipeline moves and modifications are so low as to be laughable. The actual costs will likely be a multiple of the costs included in the Project budget. The Agency should have a qualified estimator review the Proponent’s budget in this area.

On Page 127

36) With respect to agricultural land use, the Agency asserts *“Agricultural activities, such as ranching or farming, have been occurring in the area west of Calgary for over 120 years and will continue.”*

This is a misleading statement as it relates to the Project. The Proponent has declared that grazing leases would not be considered, and that grazing permits “may” be considered. Grazing permits would put the continuation of agricultural land use at the whim of the Government compounded by the influence of the “Indigenous Land Use Advisory Committee”. Further, the Proponent and IAAC have asserted that Indigenous peoples would get priority access to the Project lands. Given these assertions and conditions, a more appropriate statement would be that “As described by the Proponent,

agricultural activities will not occur with the Project Area, and impacted ranchers and farmers will be forced to discontinue their operations in the area and, if possible, move their operations elsewhere". That would be a more accurate statement. If the Agency believes, or advocates, that ranching should occur in the Project area, then perhaps a condition should be added to that effect.

On Page 128

37) With respect to other land use activities, it is asserted that *"Flood protection programs have been implemented for Bragg Creek and Redwood Meadows"*.

It should be noted that these flood protection programs are inferior to that which is being offered to Calgary by the SR1 Project, and that flood protection for Bragg Creek and Redwood Meadows would fail in an event similar to 2013. The unfairness of this protection should be at least acknowledged, or better yet, highlighted. It is troubling that a Provincial Proponent would offer such different levels of flood protection to neighbouring communities.

38) It should be noted that costs for infrastructure changes (roads, bridges, interchanges, pipeline and other infrastructure modifications) are grossly underestimated in the Project budget. Also, that the risks inherent in all these changes have been marginalized.

On Page 139

39) With respect to Elk habitat, it should be noted that in early public consultation open houses, the Proponent/Stantec asserted that the Project area was poor elk habitat. This was either gross incompetence or a deliberate attempt to mislead the public. The Elk herd that frequents the Project area is well known to anyone who has studied or observed the area. Elk are common in the Project area and their calving season would coincide with flood season. They calve within the area of the reservoir that would be flooded, which is a risk not commented on in the Report.

On Page 145

40) The Agency asserts *"The Agency recognizes that there are potential residual adverse effects to fish and fish habitat; migratory birds; Indigenous peoples' current use of lands and resources for traditional purposes; physical and cultural heritage and any structure, site or thing that is of historical, archaeological, paleontological or architectural significance to Indigenous peoples; and Indigenous peoples' health and socioeconomic conditions."*

No mention, in this long list of adverse effects, is made to the adverse effects to the Springbank community, to the loss of historic ranches, and to those in close proximity to the Project.

On Page 152

41) With regard to Project Benefit / Cost the Agency asserts *"Based on Indigenous and public concerns, the Agency requested an updated benefit/cost analysis comparing the Project and the McLean Creek option to ensure updated costs and benefits were considered in determining the preferred option."*

We would respectfully request that the Agency reconsider this statement and review the costs of the SR1 project in light of significant missing monies in the budget for SR1, including but not limited to

- The \$40+M cost of berming for Bragg Creek and Redwood Meadows. These costs were originally in the budget for SR1 but were removed when they became too large. These costs would not be required if MC1 had been chosen, and should be included in the cost of SR1.
- The \$32M payment and any other quantifiable consideration that was paid to Tsuut'ina First Nation to withdraw their opposition to the Project. This is clearly a cost of the project.
- The \$10M payment and any other quantifiable consideration that was paid to Rocky View County to drop their opposition to the Project. Again, this is a clear cost of the Project.
- The estimated costs of pipeline and other infrastructure modifications required for the Project. These are grossly underestimated and could be easily reviewed by a qualified estimator. The pipeline number in particular is a fraction of the costs of the required modifications.
- The added costs of the conditions proposed by the Agency.

General Comments on the Report

- There is no mention in the Report of the experimental nature of this project. The Proponent acknowledged in a public forum that this Project is unique in the world. The added risk and scrutiny that should be required in such a project is lacking in the Agency's report.
- There is no mention of the successful stewardship of these lands by the ranching families who settled in the area and have tended to the land for the last 100+ years. The land is healthy and productive because of the care of the land that these families have provided.
- The references by the Agency to the Project area as 1) a natural floodplain or 2) wetlands or 3) another body of water seems to indicate a fundamental lack of understanding and familiarity with the Project area.

In summary, given the incomplete nature of the Environmental Study completed by the Proponent, the potential for severe impact to fish, wildlife, and species at risk, the lack of detailed mitigation plans, and the outdated and potentially misleading cost budget for the Project, we request that the Minister not approve the project. Should the Minister approve the Project, we request that the conditions articulated by the Agency, and new ones to further protect the Environment and the surrounding community be approved to hold the Proponent to account for the environmental and social impacts of the Project.

Thank you for the opportunity to comment on the Agency's Report.

Following are comments on the “Potential Conditions under the Canadian Environmental Assessment Act, 2012” document

General comments

- 1) Near the end of the document there is reference to “potentially affected parties”. However, this term is not outlined in the Definitions. “Potentially affected parties” should be defined.
- 2) While IAAC mandates are focussed on the environment and Indigenous matters, the complete lack of regard for the Community surrounding the Project is troubling. It is this Community and these residents that will bear the brunt of the all the negative environmental and social consequences of the Project. It should be noted that the Proponent, in an information session with the Springbank community, acknowledged that there were no positive consequences of the Project to the Springbank community, only negative ones.
- 3) The conditions will add cost to the Project. The Proponent should provide estimates of the additional costs of the conditions and add them to the cost of the Project. The Benefit/Cost relationship should then be re-visited in light of the additional costs (and the current costs that have been excluded as per our previous comments).
- 4) Generally, the conditions seem to be an attempt to hold the Proponent to account on all the unfinished science and commitments made in their Environmental Report. This is appropriate given the many unanswered environmental questions and numerous future commitments made by the Proponent. The Proponent should be held to account and hence, the conditions seem appropriate.

The following comments relate to various sections of the Conditions document:

Section 2 – General Conditions

2.1 While the notion of considering community knowledge is nice, it should be noted that the Proponent has given very little consideration to the knowledge of the landowners and the communities of Springbank, Redwood Meadows, and Bragg Creek. The only community the Proponent has given any influence to is Calgary. It should be noted that all communities deserve a say and the Agency should strongly reinforce this with their conditions.

Section 2 – Consultation

2.4.1,2,3,4 While a requirement to “undertake an impartial consideration of all views and information presented” sounds good, the Proponent has been myopic on its views of the project and it is unlikely that it can change. The Proponent landed on the Project prior to completing any science and since then, has massaged the science to fit the decision they made. Further, the Proponent has never provided feedback to stakeholders as to why their views were not considered (2.4.4). How would the Agency measure this to ensure it occurs?

Section 2 – Follow-up and adaptive management / Annual Reporting

2.6 through 2.12 These conditions are appropriate and will add significant cost to the Project. Such costs should be estimated and reported to the Agency and publicly disclosed. **The Agency should have updating the Project costs as a condition.**

Section 2 – Information Sharing

2.13 Making information publicly available is a good condition.

2.14 Continued oversight by the Agency is a good condition.

Section 2 – Change to the Designated Project

2.16/17 The condition outlines what the Proponent must do if there are changes to the Designated Project, but is silent on the consequences of greater environmental damage resulting from the changes. Will the Agency re-consider its position if there are significant adverse consequences of changes?

Section 3 – Fish and Fish Habitat

3.1 Holding the Proponent accountable on impacts to Fish is appropriate. The measures outlined will add cost to the Project that should be accounted for.

3.7 The notion of holding water in the reservoir longer would seem to maximize fish mortality. Additional conditions relating to fish mortality should be included.

3.13 These v-weirs will add cost to the project and should be accounted for.

3.15 While re-grading the reservoir may help with fish mortality, it should also be noted that the re-grading will add to the environmental concerns of the local communities. Local communities are concerned that the project area will be under constant excavation.

3.16-20 The follow-up programs described are necessary to ensure the Proponent meets their commitments. They will add significant cost to the project that should be accounted for.

Section 4 – Migratory Birds

The conditions in this section seem appropriate. The question begging to be asked is – why were the majority of the matters dealt with in these conditions not outlined in the Proponent’s Environmental Report? It seems like the Proponent’s Report was not complete.

Section 5 – Species at Risk

Again, the conditions in this section seem appropriate. Given the “at risk” concern with the species referred to, the conditions should be strengthened to ensure that mortality of any of these species is avoided.

Section 6 – Atmospheric Environment

The conditions in this section seem appropriate. There may be a need for more than one monitoring station in the Springbank community. Four would be a logical number given the 4 directions that wind

could transport poor quality air. The areas of potential sources of borrow for construction will contribute significantly to the poor quality of air during construction. There will be significant areas of major excavation during project construction. Any conditions that will monitor and hopefully minimize the degradation of the air in the community will be welcome.

Section 7 – Human Health

The conditions in this section seem appropriate. An additional condition regarding drinking water quality should be that all residents within a specified area should be guaranteed to have drinkable water at the Proponent's expense. While conditions to determine the quality and causes of contamination are required, there should be no scenario where local residents are left without drinking water. The Proponent needs to ensure this happens.

Section 8 – Current Use of Lands and Resources for Traditional Purposes

Many of the conditions seem appropriate. It is unclear why some of the work described has not already been done by the Proponent and the added costs of the conditions should be accounted for. Given that the Project is to be built on land that will have to be acquired from private land owners (ie, not currently Crown land) with funds from Provincial and Federal tax payers, the condition regarding preferential or exclusive use of the newly created Crown land for Indigenous groups needs further explanation. The stated purpose of the Project is flood mitigation, primarily for the City of Calgary. No where in the publicly disclosed purpose of the Project is furthering Indigenous relations or reconciliation. Further, the local communities adjacent to the Project seem to have no say in the land use for, and limited or no access to, this new Crown land on their doorstep. The Project should attempt to balance the needs of the First Nations, the public, and the ranching community. The Project area is large enough to accommodate all of these stakeholders.

Section 9 – Physical and Cultural Heritage and Structures.....

The conditions in this section seem appropriate. As our family was one of the original non-Indigenous settler families in the area, the lack of concern from the Proponent and from the Agency on this aspect of Alberta's history is troubling. Where possible, the Project should be structured to preserve this part of the history of the Province.

Section 10 – Accidents and Malfunctions

The conditions in this section seem appropriate. Missing is an evacuation plan for those downstream of the Project should the Earthen Dam structure fail. Should this occur there will be a tsunami of water heading downstream. Residents and businesses in harm's way should have, in partnership with the Proponent, evacuation plans and safety protocols to ensure a timely response to such a tragic possibility. As an untried and untested Project, it is critical that ALL those potentially in harm's way have detailed safety and evacuation protocols.

It is also interesting, and disappointing, that section 10.6 is the first reference to consultation with "potentially affected parties". Depending of who the Agency is referring to with this phrase, the Agency should re-visit where else "potentially affected parties" should be consulted. Surely, "potentially affected parties" would have valuable input in other areas, not just to a communication plan for accidents and malfunctions.

No comments on Section 11 and 12.

Again, we would like to thank the Agency for the opportunity to comment and for the conditions that hold the Proponent to account. We believe that the conditions are appropriate and should be expanded to protect the community from the adverse environmental and social impacts of the Project.

Lee Drewry

on behalf of

Diana and Lee Drewry

Brian and Susan Copithorne

Marsha and Scott Wagner

Note: Diana, Brian and Marsha are direct descendants of the original settlers of the Project area. Their family have been ranchers and stewards of the land in the Project area since the late 1800s.