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PLEASE REPLY TO EDMONTON OFFICE

March 30, 2021

SENT BY EMAIL

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

Attention: Laura Friend, Manager, Board Reviews

Dear Ms. Friend:

**Re: Alberta Transportation - Springbank Off-stream Reservoir Project
(SR1) - NRCB Application No. 1701**

Further to the above captioned matter, please find enclosed the responses of Alberta Transportation to Undertakings #10, 12, 13, 15, and 19 given by Mr. Hebert on March 24, 2021 (see Vol 3; pg. 792; ln 9; Vol 3; pg. 794; ln 5, Vol 3; pg. 795; ln 6, Vol 3; pg. 801; ln 23, Vol 3; pg. 808; ln 1, Exhibit #365) and the responses of Alberta Transportation to Undertakings #21, 22 and 23 given by Mr. Hebert on March 26, 2021 (see Vol 5; pg. 1203; ln 14; Vol 5; pg. 1208; ln 5 and Vol 5; pg. 1217; ln 7, Exhibit #373).

Thank you.

Yours truly,

RONALD M. KRHLAK

MOC/rs
Enclosures

cc William Kennedy, General Counsel, Natural Resources Conservation Board
Gavin. S. Fitch, Q.C., McLennan Ross LLP
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Springbank Off-stream Reservoir Project (SR1) – NRCB Application No. 1701

UNDERTAKING #10 RESPONSE OF ALBERTA TRANSPORTATION	
Reference	Volume 3; March 24 2021, Exhibit 365 Pg. 792 / ln. 9
Undertaking	Would Alberta Transportation accept as a condition of approval that Alberta Transportation construct a pathway around the Project Development Area subject to appropriate setbacks and agreements with the landowners
Response	<p>The primary and overarching future use of the land within the Project footprint is for flood mitigation. No activities may limit or otherwise hinder the ability of the reservoir to fill to full supply level for the purpose of flood mitigation within the watershed and, safety is paramount in any decisions that allow for access onto the Project lands.</p> <p>SR1 is not being designed as a park, but will be accessible by the public for light, non-motorized recreational activities (e.g. hiking, biking, cross country skiing) as a secondary use. As currently designed, the SR1 Project Land Use Area (LUA) does not have a pathway around the entire perimeter of the Project development area. If SR1 is approved, Alberta Environment and Parks (AEP) will be responsible for consulting with stakeholders to develop the final Land Use Plan. Preferred recreational activities can be raised and discussed during the land use planning process. The final Land Use Plan will be guided by the commitments in the Draft Guiding Principles document (Exhibit 216).</p> <p>Should the project be approved, Alberta Transportation will share this request with AEP</p>

UNDERTAKING #12 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24, 2021, Exhibit 365 Pg. 794 / ln. 5
Undertaking	To advise if Alberta Transportation would accept as a condition of an approval to move landowners' driveways such that they are unaffected by SR1.
Response	Alberta Transportation accepts and confirms that it is obligated to engage with any landowners whose residential access (driveway) will be adversely affected by the Project. Alberta Transportation notes that moving, maintaining or replacing access to residences will depend on the specifics of the case. Discussions about moving driveways take place in the context of ongoing negotiations with SR1 landowners whose lands are required for the Project. Alberta Transportation notes that Mr. Brian Copithorne acknowledged, during his testimony (Ex. 365: Transcript, Vol. 3, page 602, lines 5 to 12), that Alberta Transportation has committed to replace or maintain his access.

UNDERTAKING #13 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24, 2021, Exhibit 365 Pg. 795 / ln. 6
Undertaking	To advise if Alberta Transportation would consider installing a boat launch for the fire department and the public on the Elbow River in the Springbank Community.
Response	<p>A boat launch is not required by SR1 during construction or during operation. If in the future a boat launch is required for emergency management and preparedness, Alberta Environment and Parks (AEP) will discuss this directly with Rocky View County.</p> <p>If SR1 is approved, AEP will be responsible for consulting with stakeholders to develop the final Land Use Plan. Considerations regarding access to the Elbow River for recreational purposes can be raised and discussed during the land use planning process. The final Land Use Plan will be guided by the commitments in the draft Guiding Principles document (Exhibit 216).</p> <p>Should the project be approved, Alberta Transportation will share this request with AEP.</p>

UNDERTAKING #15 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24 2021, Exhibit 365 Pg. 801 / ln. 23
Undertaking	To advise if Alberta Transportation would accept as a condition of an approval that farmers be allowed to move cattle into the Project Development Area after the flood season has passed.
Response	Alberta Transportation has stated that grazing permits will be issued for pasture land within designated zones, and at certain times after the flood period, where determined by Alberta Environment and Parks and in discussion with input from the First Nation Land Use Advisory Committee (Exhibit 216). Grazing is intended to be used as a tool to manage and maintain the grassland landscape in the Land Use Area. Alberta Transportation and Alberta Environment and Parks would welcome discussions about the grazing permit concept with farmers adjacent to the Project area.

UNDERTAKING #19 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24 2021, Exhibit 365 Pg. 811 / ln. 21
Undertaking	To advise if Alberta Transportation would accept as a condition of approval that it will set up and pay for a series of facilitated workshops with the Springbank Community to review land use opportunities and public amenities and that those workshops be set up and conducted within 12 months of receiving approval on the Project
Response	<p>Alberta Transportation is open to continuing to discuss potential land uses of the SR1 Project Development Area with all interested stakeholders. If SR1 is approved and the land is acquired by the Crown, Alberta Environment and Parks (AEP) will lead an engagement process to develop a final land use plan for the PDA, consistent with the commitments made in the <i>Updated Draft Guiding Principles and Direction For Future Land Use</i> (Exhibit 216). It is the intention that the final Land Use Plan will be developed with meaningful consideration of input received from stakeholders. It is anticipated that this engagement will provide opportunities to discuss recreational activities and associated infrastructure. However, Alberta Transportation is not committing AEP to the method of engagement, which they will undertake.</p> <p>Should the project be approved, Alberta Transportation will share this request with AEP for their consideration</p>

UNDERTAKING #21 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 5; March 26, 2021, Exhibit 373 Pg. 1203 / ln. 14
Undertaking	To provide a more accurate cost of the road upgrades that Alberta Transportation has now committed to implement (as per response to Undertaking 11, Exhibit 369).
Response	Undertaking #11 (Exhibit 369) outlined the detour alternatives that were considered for when Springbank Road is flooded. A detour north on Range Road 40 and west on Township Road 250 was the preferred option (Option 2). A planning level cost opinion for Option 2 was estimated at \$400,000 for the intersection improvement at Highway 22 and Township Road 250 and \$2.4 million for the Range Road 40 improvements. This has an accuracy of +/- 25%. As the engineering on this option was not progressed any further a more detailed cost estimate is currently unavailable. As per the commitment in Undertaking #11 (Exhibit 369), additional engineering design for these road improvements will be completed as the project development continues to advance. The costs of this commitment will be included in the overall SR1 Project costs once they are known.

UNDERTAKING #22 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 5; March 26, 2021, Exhibit 373 Pg. 1208 / ln. 5
Undertaking	If approved, would Alberta Transportation provide a commitment to apply to have SR1 classified as critical infrastructure to adequately address risk of terrorism, etc.
Response	The Project meets the definition of “essential infrastructure” pursuant to the <i>Critical Infrastructure Defence Act</i> , SA 2020, c C-32.7 and therefore, would be afforded the protections under that Act. Specifically, section 1(a)(xv) of the Act defines essential infrastructure to include a dam as defined in the <i>Water (Ministerial) Regulation</i> , AR 205/98. Section 1(1)(h) of the <i>Water (Ministerial) Regulation</i> defines “dam” to mean “a barrier that is designed and is or is to be constructed for the purpose of retaining, storing or diverting water, including water containing another substance, fluid waste or flowable tailings within the meaning of section 26(1)(e), and includes all other works associated with such a barrier.”

UNDERTAKING #23 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 5; March 26, 2021, Exhibit 373 Pg. 1217 / ln. 7
Undertaking	Should the NRCB approve the Project, would Alberta Transportation engage with local fire departments to change their policy to enable off-road firefighting in the area.
Response	The Government of Alberta is committed to ensuring its facilities are maintained and monitored regularly to ensure safety of operations and performance. In addition, Alberta Environment and Parks (AEP) commits to entering into discussions with the local fire hall(s) to develop a relationship and gain a common understanding of their emergency response practices when responding to a fire in the area.