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Our File Reference: 162612

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PLEASE REPLY TO CALGARY OFFICE

April 1, 2021

**SENT BY EMAIL**

Natural Resources Conservation Board  
19<sup>th</sup> Floor, 250 5<sup>th</sup> 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 #14, 16, 17 and 18 given by Mr. Hebert on March 24, 2021 (see Vol 3; pg. 797; ln 20; Vol 3; pg. 803; ln 8; Vol 3; pg. 806; ln 14 and pg. 807; ln 6 and Vol 3; pg. 807, ln. 24, Exhibit #365), the responses of Alberta Transportation to Undertakings #20, 24, 25 and 26 given by Mr. Hebert on March 26, 2021 (see Vol 5; pg. 1197; ln 12; Vol 5; pg. 1220; ln 10; Vol 5; pg. 1226; ln 24; Vol 5; pg. 1251; ln 5, Exhibit #373), the response of Alberta Transportation to Undertaking #27, given by Mr. Hebert on March 29, 2021 (see Vol 6; pg. 1447; ln 19, Exhibit #379), the responses of Alberta Transportation to Undertaking #32, 33, 35, 36, 37, 38, 39, 40, and 41 given by Mr. Hebert on March 30, 2021 (see Vol 7; pg. 1691; ln 21; Vol 7; pg. 1692; ln 21; Vol 7; pg. 1695; ln 25; Vol 7; pg. 1696; ln 22; Vol 7; pg. 1697; ln 15; Vol 7; pg. 1698; ln 19; Vol 7; pg. 1700; ln 2; Vol 7; pg. 1700; ln 19; Vol 7; pg. 1701; ln 12, Exhibit #385) and the response of Alberta Transportation to Undertaking #43, given by Mr. Hebert on March 31, 2021 (see Vol 8; pg. 2088; ln 9, Exhibit #395).

Thank you.

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Yours truly,

A handwritten signature in blue ink, appearing to read 'G. Fitch', with a long horizontal flourish extending to the right.

GAVIN S. FITCH, Q.C.

MOC/rs  
Enclosures

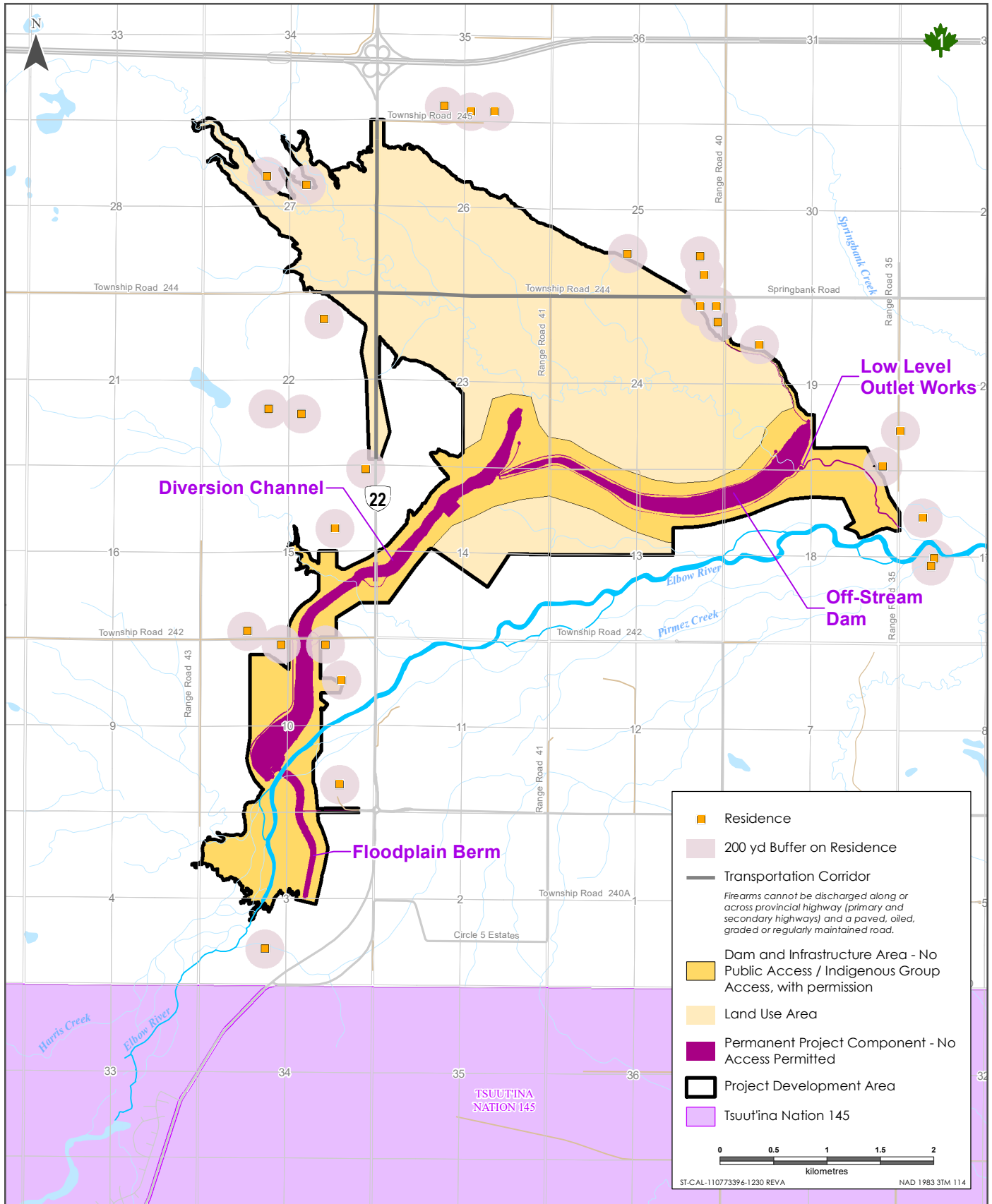
cc William Kennedy, General Counsel, Natural Resources Conservation Board  
Doug Rae, Rae and Company  
Sara Loudon, Rae and Company  
Richard Secord, Ackroyd LLP  
Ronald M. Kruhlak, Q.C., McLennan Ross LLP  
Michael Barbero, McLennan Ross LLP

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## UNDERTAKING #14 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24, 2021, Exhibit 265 Pg. 797 / ln. 20
Undertaking	To advise if Alberta Transportation would accept as a condition of approval that it provide Springbank community with a map setting out where the proposed firearm areas are within the Project Development Area, which include appropriate setbacks from public roads and private properties.
Response	<p>The primary and overarching future use of the Crown land within the Project footprint is for flood mitigation and, safety is paramount in any decisions that allow for access onto the Project lands. Restrictions on some or all land uses will be issued during specified periods of the year, as required, for safety reasons.</p> <p>Information related to First Nations hunting in Alberta can be found in the Government of Alberta document titled “Hunting by Treaty Indians in Alberta Rights &amp; Responsibilities” available at: <a href="https://open.alberta.ca/publications/hunting-by-treaty-indians-in-alberta-rights-responsibilities">https://open.alberta.ca/publications/hunting-by-treaty-indians-in-alberta-rights-responsibilities</a>. As stated in the <i>Updated Draft Guiding Principles and Direction for Future Land Use</i> document (Exhibit 216), use of the lands by First Nations will be a priority outside of flood and post-flood recovery periods in order to support First Nations’ exercise of Treaty rights such as hunting, as well as First Nation’s traditional activities. The Government of Alberta will create a First Nations Land Use Advisory Committee which will meet on a regular basis to guide and facilitate implementation of the principles of the Land Use Plan and make recommendations to support the exercise of Treaty rights and traditional uses in the Land Use Area (LUA).</p> <p>The <i>Alberta Hunting Regulations</i> (available at: <a href="#">2020-Alberta-Hunting-Regulations.pdf (albertaregulations.ca)</a>) as well as section 52 of the <i>Wildlife Act</i>, RSA 2000, c. W-10, specify, that a firearm cannot be discharged within or have a projectile from a weapon pass within 183m (200 yards) from an occupied building and that a firearm cannot be discharged along or across provincial highway (primary and secondary highways) and a paved, oiled, graded or regularly maintained road.</p>

Attached is a figure that illustrates a 183m (200 yard) setback from residents adjacent to the SR1 Project Development Area. These setbacks, as well as other laws around hunting safety apply to all hunters, including First Nations and any First Nations' hunting in the PDA will comply with provincial regulations regarding the discharge of firearms (see <https://open.alberta.ca/publications/hunting-by-treaty-indians-in-alberta-rights-responsibilities>). Further, there will be no access permitted on or across the Project infrastructure at any time or for any purpose (see attached Figure, dark pink areas). Project infrastructure includes the diversion structure on the Elbow River, diversion channel, off-stream dam, emergency spillway and outlet channel to the Elbow River.



Sources: Base Data - Government of Canada, Government of Alberta. Thematic Data - Government of Alberta

4/1/2021

### Draft Land Use Area within the PDA and Firearm Setback Areas



<b>UNDERTAKING #16 RESPONSE OF ALBERTA TRANSPORTATION</b>	
Reference	<p>Volume 3; March 24, 2021, Exhibit 365</p> <p>Pg. 803 / ln. 8</p>
Undertaking	<p>To advise if AT would accept the following condition with respect to fire suppression and control – following construction, the Project Development Area will be cleaned and managed according to fire smart principle and trespassing controlled through surveillance to reduce the risks of brush fires.</p> <ul style="list-style-type: none"> <li>• And would that involve hiring security to reduce fire risks, and that would be over the life of the Project.</li> </ul>
Response	<p>Following construction, the Prime contractor will leave the site in accordance with <a href="#"><u>Alberta Transportation’s Civil Works Master Specifications – Section 01742 Final Clean-up</u></a></p> <p>Trees and shrubs growing on Project infrastructure (dam embankment, portions of the diversion channel) could pose both a structural integrity risk as well as a fire risk. Therefore, trees and shrubs will not be allowed to grow on Project infrastructure. This will help to reduce fire risk by removing potential fuel.</p> <p>During dry-operations the grassland landscape, particularly in the reservoir area, but potentially in other areas of the Project as required, may be maintained and managed through the issuing of grazing permits (see Alberta Transportation response to Undertaking #15, Exhibit 386). Further, vegetation including grass on the Project infrastructure will be mowed at least once a year, or at a frequency required to allow for effective inspections and to manage fire risk.</p> <p>In addition, the substantial wildlife, environmental, surface water and groundwater monitoring plans and related activities and requirements will mean that Government of Alberta staff and or Government of Alberta contractors will be on site regularly.</p> <ul style="list-style-type: none"> <li>• Fire risk management and suppression activities for the Project area will follow standard Crown land management practices and regulations including the <i>Forest and Prairie Protection Act</i>, RSA 2000, c. F-19, and related regulations.</li> </ul>

- Specific Project areas may be treated using fire smart principles if it is determined that the fire risk is unacceptable to the Project infrastructure. Fire smart principles include, but are not limited to:
  - thinning and pruning;
  - removing volatile trees such as spruce and planting fire-resistant species such as aspen;
  - the construction of fuel breaks; and
  - general cleanup in and around the property.see: <https://wildfire.alberta.ca/prevention/wildfire-prevention-engineering.aspx>

Subject to the finalized Land Use Plan, the Project area will be open and available to First Nations (to support the exercise of Treaty rights and traditional activities) and the public for non-motorized recreational activities. Campfires will not be permitted inside the Project development area.

The SR1 Project area will not be controlled through surveillance or security, however fencing will be used to define the Project area and to provide access control (see response to Undertaking #9, Exhibit 377). Issues can be raised with the Community Liaison who, during operations, will be a representative from Alberta Environment and Parks. Any issues relating to trespassing on the Project Development Area which the Community Liaison is unable to resolve, or requires immediate attention should be directed to the appropriate law enforcement agency (i.e. RCMP, Bylaw Enforcement, etc.).

Operations buildings and other critical infrastructure will include monitoring and alarms for unauthorized access. Although not explicitly stated in the Preliminary Design Report, monitoring for security alarms is in the Project design and is the assumed standard for the control buildings.

Detailed infrastructure, canal and reservoir area inspections will occur twice annually for the life of the Project: once in spring before flood season to ensure infrastructure readiness for flood operations, and once in the fall to ensure that the infrastructure is in good operating condition, and allow for scheduling of any required maintenance prior to next operating season. The final operations and maintenance procedures (to be completed during construction, prior to operation) will include additional inspections of the Project area and infrastructure on an approximately monthly frequency. The

	<p>frequency of inspections will be adjusted as required to meet operational and desired land management outcomes, which include reduction of fire risk.</p>
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## UNDERTAKING #17 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3; March 24 2021, Exhibit 365 Pg. 806 / ln. 14 and Pg. 807 / ln. 6
Undertaking	To advise if Alberta Transportation would agree to a condition that it provide public parking lots in addition to First Nations' parking lots with washrooms <ul style="list-style-type: none"><li>• If yes, will Alberta Transportation commit to providing a map of where the parking lots would be located.</li></ul>
Response	<p>The primary and overarching use of the Crown 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, as a secondary use, by the public for light, non-motorized recreational activities (e.g. hiking, biking, cross country skiing). As currently designed, the SR1 Project Land Use Area (LUA) does not have a public parking lot or public washrooms. There will be public entry/access point(s) but the location(s) have not yet been identified. If SR1 is approved, Alberta Environment and Parks (AEP), will be responsible for consulting with stakeholders to develop the final Land Use Plan. The infrastructure proposed in the undertaking would be discussed during the land use planning process. The final Land Use Plan will be guided by the commitments in the draft Guiding Principles document.</p> <p>Should the Project be approved, Alberta Transportation will share this request with AEP.</p>

## UNDERTAKING #18 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 3 ; March 24, 2021, Exhibit 365 Pg. 807 / ln. 24
Undertaking	<p>To advise if Alberta Transportation would commit to performing a historical analysis of the Project Development Area lands so that the history of the lands can be preserved once it is taken?</p> <ul style="list-style-type: none"><li>• Would Alberta Transportation work with the Springbank Historical Society to document the history of the lands in the Project Development Area?</li></ul>
Response	<p>Alberta Transportation is prepared to work with the Springbank Historical Society to document the history of the lands in the Project development area (PDA), with the objective of developing appropriate plaques or signage to commemorate the Indigenous and settler history in the area.</p> <p>Any program to investigate or document physical heritage (i.e. archaeological sites or historic structures) will have to be conducted in compliance with the Alberta <a href="#">Historical Resources Act, RSA 2000, c. H-9</a>. An Archaeological Research Permit must be issued by Alberta Culture, Multiculturalism and Status of Women prior to the initiation of any archaeological field investigations.</p> <p>All archaeological resources within Alberta are vested in the Crown in Right of Alberta. All artifacts recovered under an Archaeological Research Permit must be catalogued and submitted to the Royal Alberta Museum for conservation.</p>

<b>UNDERTAKING #20 RESPONSE OF ALBERTA TRANSPORTATION</b>	
Reference	<p>Volume 5; March 26, 2021, Exhibit 373</p> <p>Pg. 1197 / ln. 12</p>
Undertaking	<p>If approved, would Alberta Transportation provide a commitment to engage with community in a thorough way to create an early warning system if there was a malfunction with SR1.</p>
Response	<p>Yes, if approved, Alberta Transportation will commit to engaging with the community in the creation of the Emergency Management Plan (the “EMP”), which will identify the warning or notification process should a flood related malfunction or emergency situation at SR1.</p> <p>The EMP identifies all the key stakeholders, potential emergency situations related to the safety of the dam, procedures that will be used to manage emergency situations in the event of dam failure, and the key personnel (and their responsibilities) who will have a role during an emergency situation.</p> <p>The EMP is governed by the Director of Dam Safety pursuant to Part 6 of the <i>Water Act</i>, RSA 2000, c. W-3. The EMP will be prepared in accordance with the <i>Dam and Canal Safety Directive</i>. It will be developed by Alberta Environment and Parks (AEP) in coordination with Alberta Transportation (as the designer) and other stakeholders including the City of Calgary, Rocky View County and others as deemed necessary and appropriate. Pursuant to regulatory requirement, the EMP must be in place prior to any diversion of water by the Project. As such, the process of developing the EMP will begin immediately following project approval.</p> <p>SR1 is listed as an extreme consequence dam and in accordance with the <i>Dam and Canal Safety Directive</i>, the EMP will contain the following three plans, which are discussed in further detail below:</p> <ul style="list-style-type: none"> <li>• Emergency Preparedness Plan (EPP);</li> <li>• Emergency Response Plan (ERP); and</li> <li>• Flood Action Plan (FAP).</li> </ul> <p><b>Emergency Preparedness Plan:</b> The EPP is a public document that will be distributed to key internal and external stakeholders and responders. The EPP provides these stakeholders with the information needed for them to refine their own internal emergency response</p>

plans for flood events and are revisited annually and revised as required. Alberta Environment and Parks coordinates annual “pre-season” working sessions with all key stakeholders downstream of extreme and very high consequence projects, which would include SR1. It is important to note that local authorities are generally responsible for leading the public response within their jurisdiction, not the Government of Alberta.

**Emergency Response Plan:** The ERP is an internal document used by dam operators to direct their activities at the site when dealing with a potentially emergent situation. These activities would include, but not limited to, securing the site, instrumentation response, controls, internal (personal information) contacts, identifying the hazard, mobilizing resources, remedial measures as required. The ERP is revisited annually, or as required, to ensure all information is current. Much of the ERP focuses initially on the internal Government of Alberta mobilization (and decision-making process), and may not lead to a broader emergency response; but the ERP does outline to staff the process should the situation escalate. Staff receive extensive training for identifying and responding to emergency situations at AEP’s facilities.

**Flood Action Plan:** The FAP is an internal document to assist operators when responding to a flood event. The flood action plan clearly outlines operational procedures and the effects of inundation as a result of operational decisions such as gate adjustments.

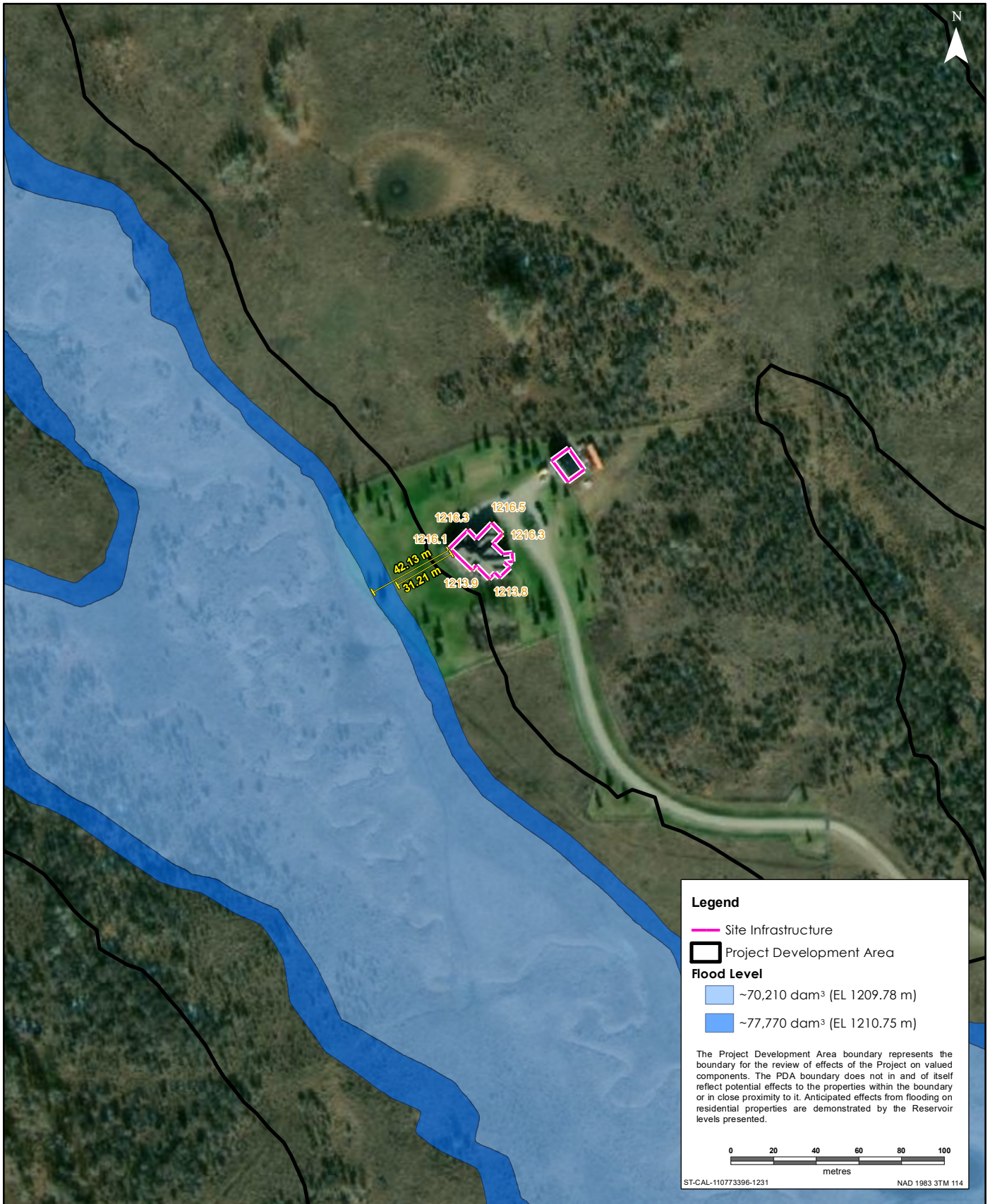
The on-going management of SR1 will rely heavily on partnerships between the Government of Alberta, the City of Calgary, Rocky View County, First Nations and other key stakeholders downstream of SR1. These partnerships will be critical during all phases of Project development and will include operations, water quality and quantity, land management, and emergency management. AEP will establish a SR1 Implementation Team (comprised of AEP staff) to implement commitments made during the regulatory process regarding land and infrastructure management and operations. Subject matter specific working groups will also be established to provide advice and recommendations to AEP.

**UNDERTAKING #24 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 5 ; March 26, 2021, Exhibit 373 Pg. 1220 / ln. 10
Undertaking	Should the NRCB approve the Project, would Alberta Transportation consider options for removing (i.e. mowing, not digging out) the damaged forestry after a flood event.
Response	<p>To assist in providing clarity to Mr. Wagner, Alberta Transportation is able to share the following information.</p> <p>Following a flood on Elbow River where Project operation retains water in the Project Development Area (PDA) west of Highway 22, Alberta Environment and Parks (AEP) will insure all approved mitigation and monitoring plans for PDA are implemented, post flood, as required.</p> <p>Fire risk management and suppression activities for the Project area will follow standard Crown land management practices and regulations including the <i>Forest and Prairie Protection Act</i>, RSA 2000, c. F-19, and related regulations (see response to Undertaking #16).</p> <p>Alberta Transportation is open to discussing this approach with Mr. Wagner.</p>

## UNDERTAKING #25 RESPONSE OF ALBERTA TRANSPORTATION

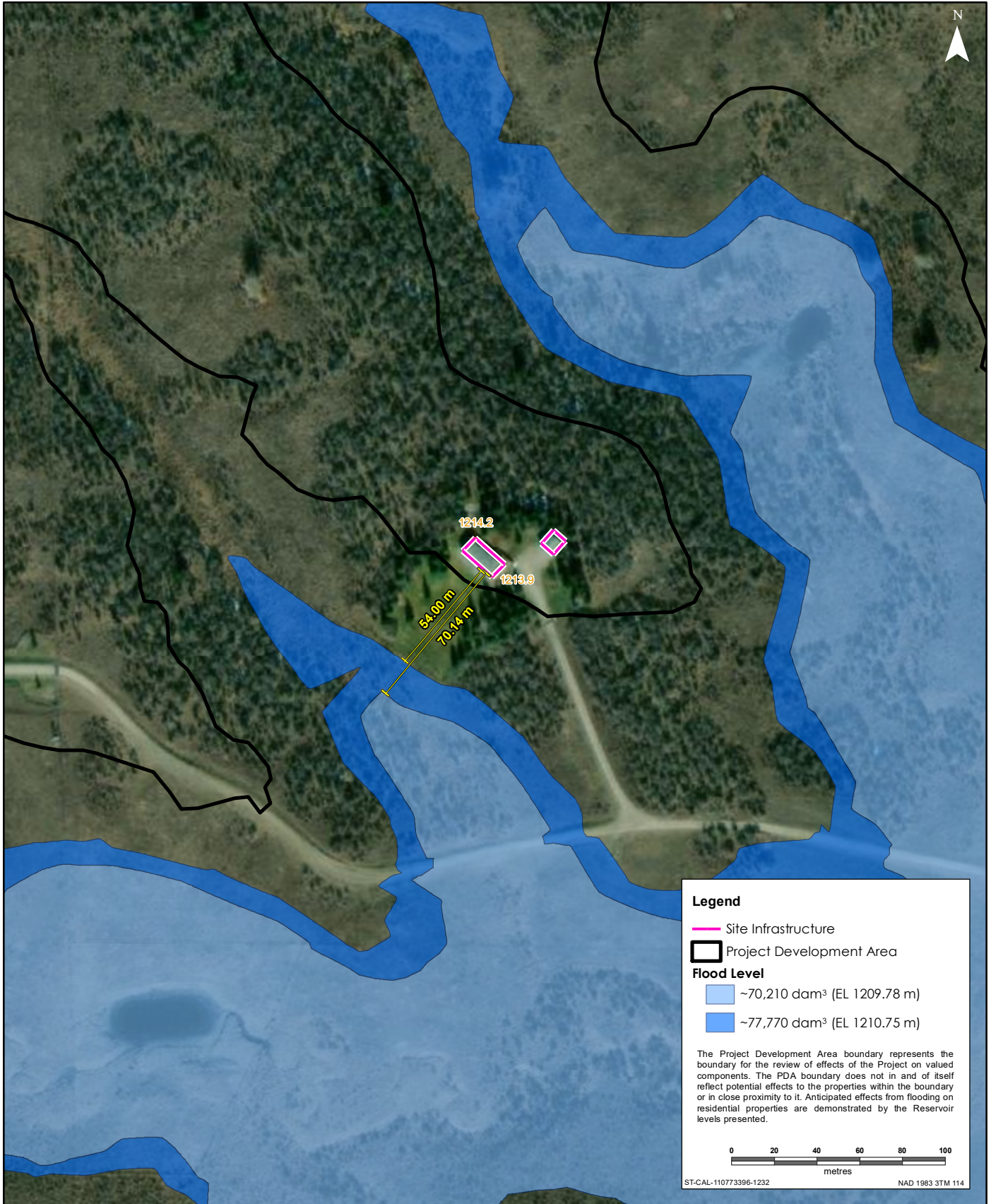
Reference	Volume 5 ; March 26, 2021, Exhibit 373 Pg. 1226 / ln. 24
Undertaking	To advise how much higher the water is going to be in the Wagner yard from 70,000 dam cubes to 77,000 dam cubes which appears to be the level.
Response	<p>Alberta Transportation has produced 2 figures in response to this request:</p> <ol style="list-style-type: none"><li>1) Aerial view of the Primary residence</li><li>2) Aerial view of the Secondary residence</li></ol> <p>These figure show the extent of the 70,210 dam<sup>3</sup> and 77,770 dam<sup>3</sup> in relation to the Project development area (PDA, top of Dam Elevation) and the two residences.</p> <p>The 70,210 dam<sup>3</sup> is equivalent to filling the reservoir to level of the Design flood (2013 flood) and the 77,770 dam<sup>3</sup> is equivalent to filling the reservoir to the full service level (2013 flood + 10%).</p>



Sources: Base Data - Government of Canada. Thematic Data - Government of Alberta. Imager: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## 27-24-04W5 Proximity of Primary Residence to Design Flood





Sources: Base Data - Government of Canada. Thematic Data - Government of Alberta. Imager: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## 27-24-04W5 Proximity of Second Residence to Design Flood





## UNDERTAKING #26 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 5; March 26, 2021, Exhibit 373 Pg. 1251 / ln. 5
Undertaking	To make inquiries and advise whether the provincial government's cell phone emergency alert system could be made available to the dam safety members who are in the emergency response plan for the purposes of evacuation if there is a dam failure or for any reason the public would need to be notified with respect to the Project.
Response	<p>Yes, if the Project is approved, the public will be notified in the event of an emergency. The details of emergency situations that would warrant public notification, and the procedures to follow in the event of an emergency will include whether Alberta Emergency Alert is used and, will be detailed in the Emergency Response Plan (ERP). Further description of the ERP, and the process for development of this document, can be found in Undertaking #20.</p> <p>The SR1 Project is designed only to be operated during flood events. It is important to note the difference between normal flood operations, and an emergency. An emergency is a situation where there is a significant and imminent risk to public safety (dam malfunction/imminent dam failure etc.), or due to a broad flood event. Normal flood operations would not be considered an emergency in this context. The Flood Action Plan (FAP) will detail operational procedures, including direct communications with relevant stakeholders. The Alberta Emergency Alert system is not available for normal flood operations under the FAP. As per the FAP key individuals identified in the plan would be contacted directly as required when the Project is operated.</p> <p>Alberta Environment and Parks dam operators have very detailed operating plans and training enabling them to recognize situations and take necessary action in the event of an emergency. The operator on duty for the facility has full control of the site and makes initial decisions in the event of an emergency.</p> <p>Emergency communications and procedures will be outlined in the ERP. When necessary, as defined in the ERP, the Provincial Operations Centre (<a href="https://www.alberta.ca/provincial-operations-centre.aspx">https://www.alberta.ca/provincial-operations-centre.aspx</a>) would be notified. The POC is Alberta's communication and response coordination centre. It is staffed 24</p>

hours a day, 7 days a week and serves as a central point for the collection, evaluation, and dissemination of information concerning single or multiple incidents across the province. If a current or impending hazard that requires people to take immediate action for life safety the POC would issue an Alberta Emergency Alert <https://emergencyalert.alberta.ca/content/about/index.html> .

In addition, the Alberta Environment and Parks River Forecast Centre (RFC) provides high flow warnings and warnings of adverse river conditions. The RFC has three major steps in its information flow – maintaining situational awareness, anticipating flood events, and communicating river conditions including issuing advisories. The RFC uses conventional methods such as direct telephone calls, conference calls, and emails; however, its main communication tools are the Alberta River Basins website and the AB Rivers mobile app. Up-to-date river condition information is available via the website (<https://rivers.alberta.ca/>) and the AB Rivers app. When appropriate the RFC can send push notifications to all users that have the AB Rivers mobile app installed on their mobile phones, including the public. Including SR1's operations on this app is taken under consideration.

**UNDERTAKING #27 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 6; March 29, 2021, Exhibit 379 Pg. 1447 / ln. 19
Undertaking	Would Alberta Transportation undertake to add a condition of approval mandating that the Stoney Nakoda Nations be part of the Alberta Environment and Parks meetings for the management of the SR1 Project on the Elbow River, were it to be constructed
Response	<p>The on-going management of SR1 will rely on partnerships between the Government of Alberta, the City of Calgary, Rocky View County, First Nations and other key stakeholders downstream of SR1 through all phases of project development. Alberta Environment and Parks (AEP) will establish an SR1 Implementation Team (comprised of AEP staff) that will be informed by a number of key sub-committees.</p> <p>The Implementation Team will oversee and implement commitments made during the regulatory process regarding land and infrastructure management, operations, water quality and quantity, and emergency management. Subject matter experts will be invited to participate on sub-committees and will provide advice and recommendations to AEP on the commitments.</p> <p>AEP would welcome the Stoney Nakoda Nations to participate in sub-committee work as appropriate.</p>

**UNDERTAKING #32 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 7 ; March 30, 2021, Exhibit 385 Pg. 1691 / ln. 21
Undertaking	Would AT agree to establish an independent body or agency to oversee the rights of residents in the greater west rocky view area with regard to SR1. The agency will serve as a point of contact for the community and shall be responsible for the entire process of dispute resolution, with the power to recommend mitigations, reporting requirements, monitoring capabilities that would be implemented. The agency would serve as a formal mechanism for raising concerns, having these concerns addressed in a timely manner, and to represent community interest regarding drinking water, groundwater impacts, air quality, reservoir safety, emergency response, land use and transportation-related concerns that would be in place for the life of the Project.
Response	<p>Being able to communicate accurate information in a timely manner with residents and landowners surrounding the PDA, Rocky View County and Indigenous groups during every phase of the Project (i.e. construction, dry-operations, flood and post-flood operations) is very important for the Government of Alberta.</p> <p>Alberta Transportation during construction and Alberta Environment and Parks (AEP) during operation will appoint a Community Liaison who will serve as point of contact with those affected by the project (Exhibit 216). The Community Liaison will be responsible for addressing complaints, concerns, and questions received during construction and operation of the project.</p> <p>The Community Liaison will be supported by subject matter experts who will participate in investigations, discussions, and/or written responses. The Community Liaison will provide a consistent approach to addressing questions and concerns of all stakeholders.</p> <p>Further, a Communication Plan will be developed prior to Project construction. The Communication Plan will outline the means and procedures for communicating Project information during the different phases of the Project. Additional information can be found in Alberta Transportation's Response to CEAA Information Request Package 3, August 31, 2018, IR3-46 (no Exhibit #). See also Exhibit 216.</p>

<b>UNDERTAKING #33 RESPONSE OF ALBERTA TRANSPORTATION</b>	
Reference	Volume 7; March 30, 2021, Exhibit 385  Pg. 1692 / ln. 21
Undertaking	To advise if Alberta Transportation will establish a contingent liability fund to be administered by the independent agency to address community concerns for air quality, water quality, et cetera, to ensure there is sufficient funding set aside to address potential complications and unexpected outcomes of the Project. This liability fund would allow the residents to access funding for independent assessments, legal aid related to SR1 claims, and provide a mechanism to address issues and avoid delays.
Response	<p>The Community Liaison discussed in response to Undertaking #32 will be responsible for receiving complaints, concerns, and questions from the community, including surrounding stakeholders and Indigenous groups during construction and operation of the Project.</p> <p>It is the intention of Alberta Transportation during construction and Alberta Environment and Parks during operations that concerns are addressed in a professional and timely fashion. However, Alberta Transportation is not prepared to establish a contingent liability fund as requested in this Undertaking at this time.</p>

**UNDERTAKING #35 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 7; March 30, 2021, Exhibit 385 Pg. 1695 / ln. 25
Undertaking	To advise whether, when the reservoir is in use, the operator shall be responsible for any adverse health or safety outcomes from the use of the reservoir by trespassers and accidents within the Project Development Area.
Response	<p>The operator of the reservoir shall be responsible for any outcomes relating to its use in accordance with applicable laws.</p> <p>As part of the Project design, chain-link fencing will be installed around certain facilities (e.g., control building) for public safety and security and signed accordingly. The Project development area will also be fenced with wildlife friendly fencing, and have designated access points.</p>

## UNDERTAKING #36 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 7; March 30, 2021, Exhibit 385 Pg. 1696 / ln. 22
Undertaking	To advise whether Alberta Transportation shall provide, as a condition of approval, resolutions with landowners downstream of SR1 who are not adequately protected by the Project. This may include land purchases, flood mitigation projects, or compensation agreements as a result of the inferior flood mitigation outcomes of SR1 for downstream residents.
Response	<p>Alberta Transportation is not prepared to accept this undertaking as a condition of approval, given the operation of the Project will reduce flows downstream of the Project and therefore reduce flood potential and impacts.</p> <p>The concerns identified in this Undertaking are best dealt with through the disaster recovery programs administered by the Government of Alberta, if applicable. These disaster recovery programs provide financial assistance for uninsurable loss and damage caused by emergencies and disasters through a conditional grant program. These programs assist residents and business owners restore their damaged property and municipalities recover costs for infrastructure damage, evacuation and emergency response.</p> <p>Disaster financial assistance may be accessed after the affected municipality applies for, and is approved for, a Disaster Recovery Program on behalf of their residents. Once a program is created, residents and other applicants may then apply for financial assistance.</p> <p>A state of local emergency does not have to be declared in order to receive financial assistance under a Disaster Recovery Program. More information about the Government of Alberta Disaster Recovery Program can be found here: <a href="https://www.alberta.ca/disaster-assistance-and-recovery-support.aspx">https://www.alberta.ca/disaster-assistance-and-recovery-support.aspx</a>. Information about insurable disasters and uninsurable loss can be found on the Government of Alberta's website here: <a href="https://www.alberta.ca/insurable-disasters.aspx">https://www.alberta.ca/insurable-disasters.aspx</a></p>

**UNDERTAKING #37 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 7; March 30, 2021, Exhibit 385 pg. 1697 / ln. 15
Undertaking	To advise whether the independent agency or body shall ensure that project reporting is made available to the public in a format acceptable to the public and the Springbank community.
Response	<p>Alberta Transportation has stated in the draft mitigation and monitoring plans, including the Draft Vegetation and Wetland Mitigation, Monitoring and Revegetation Plan (Exhibit 124, Section 8.2, pdf pg. 39), the Draft Wildlife Mitigation and Monitoring Plan (Exhibit 125, Section 7.1.1.6, pdf pg. 31), and the Draft Surface Water Monitoring Plan (Exhibit 117), that reports detailing the monitoring results will be provided to the appropriate regulators by December 31 of the monitoring year. As previously committed by Alberta Transportation, monitoring reports will also be made available, upon request, to interested Indigenous groups and public stakeholders.</p> <p>Alberta Transportation recognizes the importance of monitoring and reporting for a project of this nature, and will commit to providing these reports on the Project website following submission to regulators.</p>



## UNDERTAKING #38 RESPONSE OF ALBERTA TRANSPORTATION

Reference	Volume 7; March 30, 2021, Exhibit 385 Pg. 1698 / ln. 19
Undertaking	To advise if Alberta Transportation shall commit to remediate all roads, driveways, access roads that are impacted by SR1, including construction traffic and roads flooded downstream of the SR1 outlet, and that these should be project costs and should not be borne by Rocky View County taxpayers.
Response	<p>During construction, the selected contractor will be required by Alberta Transportation's <a href="#">Civil Works Master Specification ("CWMS") Section 01552</a> to prepare a Traffic Accommodation Strategy (TAS) based on the <a href="#">Traffic Accommodation in Work Zones Manual</a>.</p> <p>Pursuant to section 1.3 of the CWMS the contractor is required to:</p> <ul style="list-style-type: none"><li>• Comply with all requirements of the road authority having jurisdiction over public roads used by the Contractor in the execution of the Work.</li><li>• Determine the condition and availability of public highways and roads, clearances, restrictions, bridge load limits, bond requirements, and other limitations that may affect ingress to and egress from the Site.</li><li>• Comply with applicable load regulations during hauling of materials and equipment over public highways, roads, or bridges. Minimize interference with local traffic.</li><li>• Before commencing the Work, conduct a detailed video survey, in the presence of the Minister, of the following facilities that are to be used. This survey establishes the restoration standard for such facilities.<ul style="list-style-type: none"><li>○ Public highways, roads and bridges</li><li>○ Existing access roads including local roads and canal bank roads upstream and downstream of the Site.</li></ul></li></ul> <p>Once in operation, the Project will reduce flows downstream of the Project and therefore reduce flood potential and impacts. Alberta Transportation has previously committed to engage with any</p>

	<p>landowners whose residential access (driveway) will be adversely affected by the Project (see response to Undertaking 12, Exhibit 386). Further, Alberta Transportation has previously committed to repairing Springbank Road should it be impacted by the operation of the Project.</p>
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## UNDERTAKING #39 RESPONSE OF ALBERTA TRANSPORTATION

Reference	<p>Volume 7; March 30, 2021, Exhibit 385</p> <p>Pg. 1700 / ln. 2</p>
Undertaking	<p>To advise whether Alberta Transportation shall establish a detailed plan and process steps for school bus rerouting during flood events (see transcript for further conditions).</p>
Response	<p>As part of Undertaking 11 (Exhibit 369) Alberta Transportation has committed to providing a detour when Springbank Road is flooded. This includes improving Range Road 40 to a county collector standard, as well as improving the intersection of Township Road 250 and Highway 22. The proposed improvements will improve the safety of the public traveling along the detour. The net detour length is 6.4 km.</p> <p>As part of the Emergency Management Program for SR1, Rocky View County would be notified regarding operation of the facility. It is the responsibility of Rocky View County, as the local authority, to monitor the condition of Springbank Road, determine road closure requirements, and provide notification of road closures.</p> <p>The Rocky View School Division No. 41 or Rocky View Schools are responsible for their student transportation providers, including determining routing for student transportation.</p> <p>Alberta Transportation is committed to working with Rocky View County and Rocky View Schools in regard to plans on this item.</p>

**UNDERTAKING #40 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 7; March 30, 2021, Exhibit 385 Pg. 1700 / ln. 19
Undertaking	To advise, if evacuations are recommended or mandated, whether the Alberta Transportation will evacuate residents within the evacuation zone will be evacuated in a timely fashion and housed at the expense of Alberta Transportation until they can safely go home and all Springbank community members that will have to be evacuated will be notified of this consequence to their property as a condition of approval and before construction takes place.
Response	<p>Evacuation as a result of SR1 would be due to an emergency as outlined in the Emergency Management Program documents for the facility. The Emergency Response Plan (see response to Undertaking 20) outlines emergency communications and protocols. Transportation or AEP would have a duty to inform all downstream local authorities of an incident or potential incident that would/could require them to initiate evacuations.</p> <p>All affected downstream local authorities are responsible for the care and control of their citizens during an emergency, including evacuations if required. As a result, Rocky View County is responsible for effecting an evacuation. This responsibility is delegated pursuant to sections 7.1 and 24 of the <a href="#">Emergency Management Act, RSA 2000, c E-6.8</a>, and the <a href="#">Local Authority Emergency Management Regulation, AR 203/2018</a>.</p>

**UNDERTAKING #41 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 7; March 30, 2021, Exhibit 385 Pg. 1701 / ln. 12
Undertaking	To advise whether the proponent will agree to not name the subject structure the "Springbank Off-stream Reservoir".
Response	Alberta Transportation will take the suggestion to rename the Springbank Off-stream Reservoir into consideration. Changes to the name of the reservoir will be based on feedback from stakeholders and regulators throughout the remainder of the regulatory review process.

**UNDERTAKING #43 RESPONSE OF ALBERTA TRANSPORTATION**

Reference	Volume 8; March 31, 2021, Exhibit 395 Pg. 2088 / ln. 9
Undertaking	To advise if Alberta Transportation will commit to sourcing and using only weed-free construction materials at the site.
Response	<p>The majority of the earthen embankment material will be sourced from within the Project Development Area (PDA) and therefore will not introduce any foreign vegetation. Material not sourced from within the PDA will be subject to Alberta Transportation's Civil Works Master Specifications for Construction of Provincial Water Management Projects, Section 02330 – Earthwork Material (CWMS 02330).</p> <p>During construction and operations, Alberta Transportation and Alberta Environment and Parks will conduct periodic inspections of the PDA. Weeds will be controlled as required and issues addressed, such as low vegetation cover, that could support weed establishment. Weed control during construction will follow Alberta Transportation's Civil Works Master Specifications for Construction of Provincial Water Management Projects, Section 01391 – Environmental Protection.</p>