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PLEASE REPLY TO EDMONTON OFFICE

May 5, 2021

VIA EMAIL

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

Attention: William Kennedy, General Counsel

Dear Sir:

**Re: Natural Resource Conservation Board – Application 1701
Springbank Off-Stream Reservoir**

Further to your letter of April 23, 2021, Alberta Transportation encloses a list of key commitments made on the public record in this Proceeding. Alberta Transportation, during construction, and Alberta Environment and Parks, as operator, will work to ensure all commitments made during the regulatory and engagement process are met. Please let us know if you have any questions.

Yours truly,

RONALD M. KRUHLAK

MCB/maf

cc: *Matthew Herbert - Executive Director Alberta Transportation*
Jennifer Howe – Impact Assessment Agency of Canada
Gavin Fitch, Q.C. - McLennan Ross LLP

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Row	Reference	Key Commitments on the Public Record
Communication & Consultation with Stakeholders & Indigenous groups		
1	Exhibit 65, EIA, Volume 4, Appendix C, Table C-1	Alberta Transportation will consult with adjacent landowners and disposition holders in the LAA and notify them of Project construction activities and schedule. Adequate warning will be provided to landowners to allow for management of livestock and other farming operations.
2	Exhibit 365 pg 771 In 19 to 24	Alberta Transportation is committed to working with landowners whose access points are impacted by the project to either find alternative routes or to otherwise mitigate the impact of the project's impact on individual landowner's access.
3	Exhibit 373, pg 1124 In 17 to 21, 24 to 25; pg 1125 In 1 to 5	Alberta Transportation is committed to regular and transparent communications with landowners of the Springbank community during construction project start-up. We are committed to providing regular updates through the ongoing regulatory process. Transportation is committed to continue to provide updates about the parallel or subsequent regulatory steps through the construction project start-up stages. Transportation commits, at a minimum, should the project be approved for yearly open houses for the community to share updates on construction and plans for upcoming activities.
4	Exhibit 216, Round 2 IAAC, Package 4 IR4-05 Exhibit 407, UT 51, PDF pg 14	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.
5	Exhibit 216, Round 2 IAAC, Package 4 IR4-05	Alberta Transportation will appoint a Community Liaison (a representative from Alberta Transportation during construction and from AEP during operations) who will serve as point of contact with stakeholders; they will primarily communicate through the local representation for Indigenous groups, community associations, local businesses, government administration and local government officials. The Community Liaison would work with Indigenous groups in identifying preferred means of communication for each Indigenous group (e.g., phone call, emails, letters) for receiving information. Information from the First Nations Land Use Advisory Committee will be provided to the Community Liaison.
6	Exhibit 404, UT 20, PDF pg 12 Exhibit 404, UT 27, PDF pg 19	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.

Row	Reference	Key Commitments on the Public Record
7	<p>Exhibit 90, NRCB Round 1 IR52</p> <p>Exhibit 93, AEP Round 1 IR212</p> <p>Exhibit 117, Round 1 AEP Appendix IR302-1, Draft Surface Water Quality Monitoring Plan – Section 4.2.3;</p> <p>Exhibit 124, Round 1 AEP Appendix IR407-1: Draft Vegetation, Wetland and Revegetation Plan - Section 4.2.2;</p> <p>Exhibit 125, Round 1 AEP Appendix IR425-1: Draft Wildlife Mitigation and Monitoring Plan – Section 4.2.3</p>	<p>AEP Operations will be in communication with the City of Calgary in advance of and during the flood season each year, so each party will maintain an understanding of the system's status. The need for flood operations will be identified through this advanced communication and will be informed by forecasted and measured flows on Elbow River at the diversion structure and upstream.</p>
8	<p>Exhibit 117, Appendix IR302-1: Draft Surface Water Quality Monitoring Plan – Section 9.5.8.1</p>	<p>Off-stream reservoir water release management activities and Elbow River flow rate (i.e., discharge from the low-level outlet combined with Elbow River discharge) will be documented and reported to the City of Calgary and Glenmore Reservoir operator to assist in downstream reservoir management.</p>
9	<p>CEAA Conformity IR2-01 (Exhibit N/A)</p>	<p>Alberta Transportation is committed to working with interested Indigenous groups to try to seek mutually acceptable solutions to the issues, concerns or recommendations identified and those that remain unresolved will be tracked through Alberta Transportation's ongoing engagement.</p>
10	<p>Exhibit 353, remark #10 part b</p> <p>Exhibit 365, pg. 691, ln. 12-15; and pg. 694; ln. 25 to pg. 695, ln. 3 to pg. 696; ln. 11</p>	<p>SNN Commitments</p> <ul style="list-style-type: none"> • Alberta Transportation welcomes future opportunities to engage with the Stoney Nakoda elders in completion of their traditional land use assessment and addressing issues identified in interim traditional land use assessment. • Alberta Transportation would facilitate additional site visits to the Stoney Nakoda Nations before construction to review habitations of the camping areas in ceremonial and sacred areas identified in the Stoney Nakoda Nations' interim traditional land use assessment report with representatives from Alberta Culture, Multiculturalism and Status of Women to confirm whether the areas identified by the Stoney Nakoda Nations are reportable under the <i>Historical Resources Act</i> and to review potential mitigation measures. • Alberta Transportation would endeavour to assist the Stoney Nakoda Nations in completing and finalizing the Stoney Nakoda Nations' traditional land use assessment, and AT invites them to submit their final traditional land use assessment report. Alberta Transportation will provide a written response to the final report and would be pleased to meet with the Stoney Nakoda Nations to review its response and discuss the proposed mitigation measures. • Alberta Transportation would assist and encourage the Stoney Nakoda Nations to participate in the project's First Nations Land Use Advisory Committee (developed to support FN's practice of Treaty rights and traditional uses). • Alberta Transportation welcomes engaging the Stoney Nakoda Nations with respect to undertaking cultural monitoring during construction and participation in the development of a mitigation plan. • Alberta Transportation would seek to provide the Stoney Nakoda Nations with updates with respect to the implementation of the wildlife mitigation and monitoring plan.

Row	Reference	Key Commitments on the Public Record
11	Exhibit 365, pg 728, ln 17 to 19 Exhibit 65 (EIA Volume 4 Appendix C, Table C-1) CEAA Conformity IR2-10 (Exhibit N/A)	At the request of Indigenous groups, Alberta Transportation will participate in ceremonies (if invited) prior to the start of construction, including making offerings.
12	CEAA Conformity IR2-01 (Exhibit N/A); Exhibit 216, Round 2 IAAC, Package 4 IR4-05	Alberta Transportation has committed to providing opportunities for plant harvesting or relocating medicinal and ceremonial plants prior to construction.
13	Exhibit 365, pg 693 ln 17 to 22, pg 694 ln 7 to 12	<p>Alberta Transportation is committed to Indigenous participation in the SR1 project, including through training, employment, and contracting opportunities. To support this commitment, Transportation developed a draft Indigenous participation plan and shared it with Indigenous groups in November 2019.</p> <p>The work will be ongoing until the Prime Contractor tendering process. Alberta Transportation intends to continue to inform Indigenous groups about the potential opportunities for the SR1 Project, and to engage in further one-on-one discussions regarding their participation on the Project.</p>
14	Exhibit 365, pg 756 ln 9-12 and ln 18-21	Alberta Transportation is committed to continuing discussions with Kamp Kiwanis regarding impacts of the project on their property and infrastructure.
15	Exhibit 404, UT 18	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.
16	CEAA Round 1 IR2-10 (Exhibit N/A)	As part of the <i>Historical Resources Act</i> approval process, Alberta Culture Multiculturalism and Status of Women has issued requirements for additional assessment including a deep backhoe testing program and additional assessment for areas where landowner approval of access was not obtained at the time of the initial fieldwork. Any sites discovered during this additional assessment or shared with Alberta Transportation through the Indigenous engagement program for the Project will also require the application of standard mitigation measures prior to Project approval by Alberta Culture Multiculturalism and Status of Women.
17	CEAA Conformity IR2-02 (Exhibit N/A)	Alberta Transportation will participate in discussions with Alberta Culture Multiculturalism and Status of Women and Indigenous groups regarding further investigation of identified [cultural and traditional] sites located within the designated construction site boundary.
18	Exhibit 65, EIA Volume 4 Appendix C, Table C-1; CEAA Conformity IR2-02 (Exhibit N/A)	Alberta Transportation will work with Indigenous groups to minimize disturbance to cultural and spiritual sites, and develop a protocol for recovery, collection, reporting on, and possible repatriation of artifacts. Actions could include flagging, fencing, or providing signage of sites to prevent disturbance during construction.
Land Use		
19	Exhibit 99, Round 1 NRCB Appendix IR2-1 Exhibit 216, Round 2 IAAC, Package 4 IR4-05	When the Project is not in use, Alberta Transportation has committed to allowing access to the land use area (<i>equivalent to the Project development area</i>) for First Nations' traditional activities, including the exercise of treaty rights such as hunting and in some areas of the LUA for non-motorized recreational activities (e.g. hiking, biking or cross-country skiing).

Row	Reference	Key Commitments on the Public Record
20	Exhibit 99, Round 1 NRCB Appendix IR2-1 Exhibit 216, Round 2 IAAC, Package 4 IR4-05	The future uses of the LUA will be determined after engagement with First Nations and stakeholders regarding such future uses, in accordance with any applicable Government of Alberta policies and procedures at the time of the future engagement. Land use planning principles will be implemented using the land-management tools available to the Government of Alberta, in accordance with legislation applicable at the relevant time. It is the intention that the final Land Use Plan (LUP) will be developed with meaningful consideration of input received from First Nations and other users.
21	Exhibit 386, UT 10 Exhibit 369, UT11	If SR1 is approved, Alberta Environment and Parks (AEP) will be responsible for consulting with stakeholders to develop the final Land Use Plan (LUP). 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.
22	Exhibit 216, Round 2 IAAC, Package 4 IR4-05	The Government of Alberta will work with First Nations to identify a portion of land near the LUA that can be used by First Nations as a staging area (e.g., parking, setting up temporary campsites) or for activities, such as cultural ceremonies, transmittal of traditional knowledge to the youth, traditional activities. The staging area would be accessible to all First Nations engaged on the Project throughout the year except during the flood season when access to the area may be prohibited for safety reasons.
23	Exhibit 216, Round 2 IAAC, Package 4 IR4-05	Alberta Transportation has committed to the development of a First Nation Land Use Advisory Committee to guide and facilitate the implementation of the principles of the Land Use Plan and support the exercise of Treaty rights and traditional uses in the Land Use Area.
24	Exhibit 386, UT 15	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 AEP and in discussion with input from the First Nation Land Use Advisory Committee.
Mitigation, Monitoring & Management Plans		
25	Exhibit 395, pg 2176, ln 1 to 12 Exhibit 94, Round 1 AEP IR425 Exhibit 125, Draft Wildlife Mitigation and Monitoring Plan	Alberta Transportation has committed to the development of a Wildlife Mitigation and Monitoring Plan. The finalization of that plan is subject to engagement with Indigenous groups and interested stakeholders. Alberta Transportation is open to discuss that plan through the life of the project as appropriate.
26	Exhibit 407, UT47; Exhibit 125, Appendix IR425-1: Draft Wildlife Mitigation and Monitoring Plan CEAA Conformity IR2-16 (Exhibit N/A)	In the draft Wildlife Mitigation and Monitoring Plan (WWMP), Alberta Transportation has committed to completing pre-construction wildlife surveys to identify wildlife features (i.e., nests, dens) and appropriate site-specific mitigation will be developed following those surveys. Wildlife features identified with appropriate signage and/or fencing as established by a qualified wildlife biologist will be avoided during construction activities. As part of the draft WWMP, Alberta Transportation has proposed a remote camera monitoring program. The final number and location of remote cameras will be confirmed following discussion with regulators and Indigenous groups.
27	Exhibit 395, pg. 2164 to 2165	Alberta Transportation is committed to the development of a Migratory Bird and Amphibian Species at Risk Salvage Plan to appropriately mitigate potential effects to migratory birds and amphibian species at risk. The plan has been drafted and will need to be progressed further in consultation with both Environment Canada and Alberta Environment and Parks.

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28	Exhibit 377, UT 4 Round 1 CEAA Package 2, IR2-15 (Exhibit N/A)	Alberta Transportation has committed to removing existing barbed wire fencing, and the fence to be installed around the perimeter of the Project will be wildlife friendly fencing.
29	Exhibit 138, Round 2 AEP IR99	Alberta Transportation has prepared a Draft Vegetation and Wetland Mitigation, Monitoring, and Revegetation Plan. This plan will be revised and updated prior to construction and will include input received through ongoing discussion with regulators, including AEP, and Indigenous groups.
30	Exhibit 395 pg 2047 to 2050,	Alberta Transportation is committed to post-flood sediment management, and has identified goals for sediment management and revegetation: First, safety and operations; second, erosion control; third, weed control; and finally, revegetation. During the Topic 5 opening statement Alberta Transportation described the 4 goals in detail, including timing, which described the sediment management approach.
31	Exhibit 138, Round 2 AEP IR108	Alberta Transportation will work with Indigenous groups and regulators to determine appropriate final seed mixes.
32	Exhibit 407, UT 46	Alberta Transportation has committed to a comprehensive weed management program to minimize a weed development and spread.
33	Exhibit 407, UT 49 Exhibit 407, UT 55	<p>Alberta Transportation has committed to mitigate, monitor and manage potential effects of the Project on air quality. Specifically, Alberta Transportation has drafted a comprehensive draft Air Quality Management Plan (AQMP) (Exhibit 218) that describes Project mitigation, ambient air quality and meteorological monitoring plans, and an adaptive management-based approach to minimize potential effects on air quality. Since the AQMP was drafted, Alberta Transportation has made two additional commitments</p> <ul style="list-style-type: none"> • (1) Continuous PM2.5 construction monitoring at Calaway Park, when open to the public, with Alberta Transportation agreeing to share with Calalta all air quality monitoring results from that station; and • (2) Continuous TSP and PM 2.5 post-flood monitoring at one location near the east Project Development Area boundary for 16 months after a flood event to facilitate the timely application of additional mitigation measures for fugitive dust. As committed in the hearing, Alberta Transportation is prepared to consider an additional location if justified by technical and/or scientific analysis.
34	Exhibit 377, UT 9 Exhibit 405, UT 45	<p>Alberta Transportation is open to considering requests from landowners who will continue to live in residences directly adjacent to the PDA regarding the planting of trees or a shelter belt. Ongoing care and maintenance of any shelter belts or trees planted on properties adjacent to the PDA will be responsibility of the landowners.</p> <p>Alberta Transportation is also willing to consider the planting of trees or a shelter belt along the perimeter of the PDA, if requested and feasible.</p>
35	Exhibit 374, para 7 Exhibit 379, pg. 1433 ln. 13-15	Alberta Transportation has committed to water quality monitoring in the form of a Draft Surface Water Monitoring Plan and Ground Water Monitoring Plan. Plans will be finalized with additional engagement with Indigenous groups, regulators, landowners and other stakeholders.

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36	Exhibit 406, UT 34	Alberta Transportation is committed to the monitoring of domestic water wells as part of the SR1 Project. Landowners within the Project Development Area (PDA) were previously invited to participate in the domestic water well testing program as part of the environmental impact assessment (EIA) process. In addition to the landowner's domestic water wells that have already been monitored, and those already being considered as part of the groundwater monitoring plan noted above, Alberta Transportation is open to considering requests from landowners who are directly adjacent to the PDA and within the LAA (north of Elbow River), regarding collection of water level measurement and groundwater samples from their wells on a one time basis during the baseline phase of the Project (pre-construction).
37	Exhibit 349; pg. 52 In 25 to pg 53 In 1-5	Alberta Transportation is prepared to monitor and investigate any concerns that Calalta Waterworks may have with respect to identifiable impacts to its water intake system as a direct result of release of waters from the reservoir once the Project is constructed and operating.
38	Exhibit 374, para 22 Exhibit 379, pg. 1440; In. 8 - 13	Alberta Transportation is committed to offsetting residual effects to bull trout and its critical habitat that cannot be mitigated and is consulting with Fisheries and Oceans Canada to develop an offset plan that meets the conditions of both the <i>Species At Risk Act</i> and the <i>Fisheries Act</i> .
39	Exhibit 374; para 33 part iii, pg. 9. Exhibit 379, pg 1433 In 21 to 23	Alberta Transportation has developed a Draft Fish Rescue and Fish Health Monitoring and Mitigation Program and is committed to these measures for the entirety of the Project's operational lifespan.
40	Exhibit 65, EIA Volume 4 Appendix C, Table C-1	Alberta Transportation is committed to the development of a Noise Management Plan and a Soil Monitoring Plan prior to the start of construction.
41	Exhibit 404, UT 20 Exhibit 373, pg. 1197; In 4 to 8	Alberta Transportation will commit to engaging with the community in the development 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. Alberta Transportation will ensure that local landowners are kept up to date of the development, and implications to them from a public safety perspective.
42	Exhibit 404, UT 37PDF 24	As previously committed by Alberta Transportation, monitoring reports will also be made available, upon request, to interested Indigenous groups and public stakeholders. 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 regulator.
Design Updates		
43	Exhibit 138, Introduction: Project Update, PDF pg 7	The design of the diversion channel includes the installation of riprap along the bottom of the diversion channel. To facilitate wildlife movement through the PDA, the riprap in portions of the diversion channel will be infilled with smaller diameter material, covered with topsoil, and seeded with grasses.
44	Exhibit 138, Introduction: Project Update, PDF pg 6	Alberta Transportation, as a result of feedback from regulators, Indigenous groups and stakeholders, has revised the design to include measures to reduce erosion along the full length of the unnamed creek and to further mitigate sediment mobilization in the unnamed creek and reduce sediment input into Elbow River.
45	Exhibit 138, Introduction: Project Update, PDF pg 7	In consultation with stakeholders, Alberta Transportation has elected to add five large boulders and three boulder clusters within the spaces between the fish passage structures downstream of the service spillway along Elbow River.

Row	Reference	Key Commitments on the Public Record
46	Exhibit 80, Debris Barrier Addendum	<p>In response to Indigenous group and stakeholder concerns raised following the submission of the EIA on debris management and following the review the Project for component protection and public safety, Alberta Transportation revised the Project design to include a debris deflector along the west side of Elbow River, at the opening of the diversion channel.</p> <p>If the Project is approved, Alberta Transportation will install this debris deflector as presented in the May 2018 Debris Barrier Addendum.</p>
Other		
47	Exhibit 404, UT 39	<p>Alberta Transportation has committed to 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>
48	<p>Exhibit 65, EIA Volume 4 Appendix C, Table C-1</p> <p>Exhibit 385, PDF pg 1698, ln 7 to 9</p>	<p>Alberta Transportation has committed to repairing flood damage to Springbank Road.</p> <p>Alberta Transportation would be responsible for the cost of repairs of Springbank Road in the event of Project operations.</p>
49	Exhibit 65, EIA Volume 4 Appendix C, Table C-1	<p>Alberta Transportation is committed to the development of a Traffic Accommodation Strategy prior to construction.</p>