

Meeting #4 Summary - Technical Advisory Group for the Springbank Off-Stream Reservoir Project

Meeting Information

Date: February 24 and 25, 2020

Host: Impact Assessment Agency of Canada (the Agency)

Location: Acclaim Hotel Calgary Airport, Calgary, Alberta

Participants

Alberta Transportation, including Stantec, Golder, and McLennan Ross LLP
Blood Tribe / Kainai First Nation
City of Calgary
Environment and Climate Change Canada
Ermineskin Cree Nation
Fisheries and Oceans Canada
Health Canada
Indigenous Services Canada
JFK Law (representing Ermineskin Cree Nation and Blood Tribe / Kainai First Nation)
Metis Nation of Alberta Region 3
Montana First Nation
Natural Resources Canada
Rocky View County
Samson Cree Nation
Siksika Nation
Transport Canada
Tsuut'ina Nation

Meeting Context and Objectives

This document summarizes the topics and discussion points of the fourth Technical Advisory Group (TAG) meeting for the Springbank Off-Stream Reservoir Project (the Project). The objectives of the two-day session include:

- Discussion around the outstanding issues and concerns that were brought forth in the second round of the technical review on Alberta Transportation's Environmental Impact Statement (EIS) and responses to information requests;
- Start of discussion on key mitigation measures and potential conditions.
- Discussion with Alberta Transportation regarding outstanding information needs.

Discussion Summary

Discussion points, including concerns and recommendations, are summarized below and organized by topic. These views do not represent the views of the Agency or consensus by the Technical Advisory Group.

Overarching Discussion

- Project effects to hydrology and water quality in the area and surrounding lands.
- Considerations for impacts to rights.
- Importance of meaningful consultation and accommodation.
- Discussion around provincial and federal regulatory environmental processes and decisions.
- Concerned with the overall lack of specific commitments in the proponent's EIS, leading to a gap in the monitoring and follow-up.
- Mitigation measures and monitoring to include Indigenous knowledge and participation.

Surface water and Groundwater

- Effects to various parameters due to the timing of the release of water from the reservoir. Concerns were raised regarding holding the water in the reservoir until flooding subsides and the associated effects to fish and water quality.
- Effects to surface and ground water quality and subsequent changes to drinking water.
- Effects to the Elbow River from contamination from household and agricultural wastes, contaminants of potential concern (COPCs), etc.
- Effects to Tsuut'ina Nation's reserve land drinking water and groundwater quality including downstream water quality monitoring, aquifer penetration, and ground/surface water interactions.
- Additional information about any studies upstream (e.g. agriculture, feedlots, fertilizers, etc.) regarding hydrogeological setbacks.
- Effects from debris and water storage on water quantity and quality.

Fish and Fish Habitat

- Effects to the aquatic environment including to the Elbow River morphology, fish and fish habitat, and benthic environments due to the potential changes in temperature, sediment, quality, and fish diversion into the reservoir. Particular concern regarding effects to newly listed Species at Risk Bull Trout and consideration of thermal tolerances.
- Effects to surface and ground water quality and subsequent changes to fish and fish habitat and use of fish by Indigenous People.
- Concerns with the analysis of effects to fish and fish habitat. The group discussed information requirements regarding an updated draw down plan that releases the stored water as soon as possible.
- Importance of fish rescue post-flood.
- Discussion around how a *Fisheries Act* authorization will be required for this Project, which will include an offsetting plan.

Migratory Birds and Species at Risk (SAR)

- Information is required for the avoidance of incidental take of birds and nests and amphibian habitat as relates to flooding of the reservoir.

- The importance of culturally important species in terms of wildlife modelling and habitat connectivity.
- Concerns about the sensory disturbance on wildlife and species at risk in the project area.
- Concerns regarding the wildlife surveys during construction seasons. A draft Wildlife Mitigation and Monitoring Plan (WMMP) was developed in December 2019 submission to the Agency.
- Further discussions are required on potential mitigation options for incidental take of migratory birds, nests, and eggs, and amphibian SAR.

Health

- Concern regarding a lack of information on air quality (NO₂ and PM_{2.5}) monitoring and mitigation. Identified the need for a draft Air Quality Management Plan.
- Discussion around how the Canadian Ambient Air Quality Standards (CAAQS) are not to be used as a pollute up to level. The Project should use the CAAQS and consider all economically viable mitigation.
- Discussed that a complaint protocol will be setup (responses, mitigation) prior to construction for health related effects.
- Concerns with the health of the ecosystem as a whole.
- Concerns and recommendations regarding water treatment prior to release.
- Identified linkages between water well quality and human health.
- Importance of mitigation and monitoring of water wells.

Effects of Changes to the Environment on Indigenous Peoples, including land use, physical and cultural heritage, and species of cultural importance

- Effects of flood sedimentation on land use and impact to rights (e.g. fish and fish habitat, wildlife habitat, revegetation, etc.).
- Discussed how Indigenous groups should not be all viewed as one group with other public users when considering land use access.
- Concerns regarding the change in elk migration and a potential decrease in the number of elk in the Project area.
- Review and sharing of the traffic accommodation plan for changes to the roads and highways due to the Project.
- Concern regarding the level of detail in Alberta Transportation's Indigenous Engagement Plan.
- Discussed consideration of positive impacts of the project on Indigenous Peoples.
- Chance finds protocol would include a notification system for finds of physical or cultural significance during construction.
- Discussed the possibility of a specific cultural awareness training program be presented to all participants in the Project. The training program was recommended to be about the teachings of histories and defined boundaries (not just cultures).
- Discussed recommendation that, prior to construction, ceremonies and an orientation be held with all Indigenous groups and workers.

Impacts to Rights

- Concerns regarding the lack of description of potential impacts to rights of Indigenous peoples to date.
- Discussed Mikisew Cree First Nation's Methodology for Assessing Potential Impacts on the exercise of Aboriginal and Treaty Rights of the Proposed Frontier Oil Sands Mine Project and its applicability to the Project.