

September 29, 2023

Compliance Promotion and Enforcement Unit
Impact Assessment Agency of Canada
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Reference: Springbank Off-Stream Reservoir Project – IAAC Approval Conditions

On May 3, 2023, Alberta Transportation and Economic Corridors (“TEC”) submitted a letter to the Impact Assessment Agency of Canada (“IAAC”) requesting revisions to five (5) approval conditions. Following a meeting with IAAC on June 14, 2023, TEC decided to retract the request to revise the language in approval conditions 3.19 and 9.3. Subsequently, IAAC requested additional information to assist their assessment of requested fencing changes relating to approval condition 8.5. On July 11, 2023, TEC provided that information, as well as a revised proposal for the changes to approval condition 8.5. On July 19, 2023, IAAC requested additional information for the changes to approval condition 8.5. This response provides the requested information needed to make the necessary determination.

TEC provides the following responses to the questions posed by IAAC in its July 19, 2023 correspondence:

1. How will TEC maintain access to lands by Indigenous groups as a result of the proposed changes to fencing?

The Government of Alberta is still engaged and working with required Indigenous groups in the First Nations Land Use Plan Advisory Committee (as per Condition 8.11 of the Decision Statement) on the land use plan for the Springbank Off-stream Reservoir. This includes identifying the lands accessible to Indigenous groups and the public. The lands in question remain privately-owned, as such TEC has no jurisdiction to allow access by Indigenous groups to these lands. Access will be as it was before the project: individuals (Indigenous or otherwise) will need to seek permission from the landowner to access their lands.

2. Similarly, how will the proposed changes to fencing impact the extent to which potential effects to current use of lands and resources, as indicated in the Environmental Assessment Report of the Project, are adverse?

As indicated in the assessment of potential effects on wildlife movement set out in the memorandum dated April 20, 2023, attached to TEC’s submission to IAAC on May 3, 2023, wildlife friendly fencing is designed to facilitate wildlife movement. Specifically, wildlife friendly fencing has a low enough top wire low to allow ungulates to jump over and a bottom wire high enough for ungulates or other wildlife to crawl under. In order to reduce any potential injury, the top and bottom wires of these fences will be smooth and not barbed. Although the additional wildlife friendly fencing might require animals to jump over or crawl under the fences, this is not expected to create an incremental barrier to wildlife movement. As concluded in the referred to memorandum, the additional wildlife friendly fencing will not

Reference: Springbank Off-Stream Reservoir Project – IAAC Approval Conditions 1.32, 2.13, 3.19, 8.5 and 9.3

change the Project residual effects or the conclusions in the Environmental Assessment Report of the Project as it relates to wildlife movement or the use of lands and resources.

In summary, the changes to fencing will not have any impact on the current use of lands and resources. Access will be as it was before the Project, individuals (Indigenous or otherwise) will need to seek permission from the landowner to access their lands.

3. What kind of livestock are kept on the parcels of private land and how long are they on the land?

Many adjacent landowners are cattle ranchers and may (depending on the final Land Use Plan for the Project area) intermittently graze cattle or other livestock.

4. What wildlife or bird species cross the fence in this area and how may they be impacted?

This information can be found in the Section 11: Wildlife and Biodiversity in Volumes 3A and 3B of the Springbank Off-stream Reservoir Project Environmental Impact Assessment (document #21 on IAAC's registry). As noted in our submission to IAAC, the overall impact to wildlife movement is decreased from the base case (without the project) as many fences are being removed as part of project construction.

5. When and how frequently does wildlife move through the area?

This information can be found in the Section 11: Wildlife and Biodiversity in Volumes 3A and 3B of the Springbank Off-stream Reservoir Project Environmental Impact Assessment (document #21 on IAAC's registry).

TEC understands that IAAC had initially requested the above information by August 8, 2023. However, in a series of email correspondence between IAAC and TEC on August 9, 2023, IAAC was made aware that Mark Svenson had been away at the time the July 19, 2023 information request was made. Mr. Svenson advised IAAC that he would review and provide a response as soon as possible to which IAAC replied that TEC could "Take the time needed. We will look forward to your response once ready." TEC understood that to mean IAAC had not and would not take any further action on the requested amendments to the approval conditions until it received that additional information from TEC and the proposed changes were considered finalized from TEC's perspective.

However, following that exchange of emails, TEC was made aware that IAAC had already reached out to the Indigenous groups engaged on the Project with respect to the proposed changes to the Project Conditions on July 24, 2023. In doing so, IAAC requested these Indigenous groups provide feedback and comments on the proposed changes, some of which TEC was no longer pursuing or remained subject to change. As a result, both TEC and these Indigenous groups have been engaged in communication over the proposed changes. Unfortunately, both TEC and the indigenous groups have expended time and effort reviewing and discussing issues, where the changes were not yet finalized.

Finally, as previously discussed, TEC is anticipating some additional changes to the wildlife friendly fencing figure, which are being discussed at an executive level. Once these changes have been identified, TEC will update and provide the figure to IAAC. It should be noted that the additional changes being contemplated will reduce the overall length of fencing to be installed. As such, this change in fencing will not change the Project

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residual effects or the conclusions in the Environmental Assessment Report of the Project as it relates to wildlife movement or the use of lands and resources.

We hope this letter provides the necessary detail regarding requested changes to approval condition 8.5. If there are any questions, please do not hesitate to contact me.

Respectfully,

Alberta Transportation and Economic Corridors

<original signed by>

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