BC HYDRO SITE C CLEAN ENERGY PROJECT PROPERTY OWNER LIAISON

HUDSON'S HOPE

Property Owner Meeting

Tuesday April 5, 2011

Notes from a meeting held with property owners and representatives of the Site C Project Team on Tuesday April 5, 2011 at the Hudson's Hope Community Hall, 10310 Kyllo Street, Hudson's Hope.

PRESENTERS: Dave Conway, BC Hydro, **Facilitator**

Siobhan Jackson, BC Hydro Judith Reynier, BC Hydro Andrew Watson, BC Hydro

Andrea Travers, BC Hydro, Recorder

Paul Higgins, BC Hydro Don Wharf, BC Hydro Alex Izett, BC Hydro

Mike Porter, BGC Engineering Martin Devonald, BGC Engineering Lauren Simpson, Keystone Wildlife

Matt Begg, AMEC

PROPERTY OWNERS:

Wally Harwood Lenore Harwood Brian Wilson Noreen Wilson Mike Carter Markus Zwygart Nedra Forrester Ed Forrester Ed Sykes June Sykes Fay E. Lavallee Robert Bach Mary Brereton Caroline Beam Maurice Palfy

Dick van Nostrand

Debbie Palfy

Opal and Wally Gentles

Patricia Enderlin

Juanita Poirier

Mark Hodgkinson

Roy Kennedy

Ray Hebert

Patty Hebert

Debbie Fisher

Betty Nilson

Lynette Hiscock

Rick Burker

Frank Burkitt

Kathi Birosh

Brian Birosh

Alan Stebbing

Wayne Hammack

Gwen Johansson

Susan Worrall

E. Morrissey

Derrick Silk

Sam Kosolowsky

Troy Godsman

Karen Anderson

Amelia Edgar

Allan Edgar

Bev Bach

Kim Stacey

Bleu Rowe

Renee Ardill

Darcy Summer

Leigh Summer

Gary Bashforth

Valerie Bashforth

Glenn McTaggart

Kim McTaggart

Arlene Boon

Clara London

Format: The record notes that the Property Owner Meeting commenced at 5:00 p.m. At 5:15 p.m. participants were seated for a presentation and for a question and answer session. The presentation and question and answer session ended at approximately 6:40 p.m. Participants were encouraged to view the display boards and use the opportunity to have one-on-one discussions with BC Hydro personnel.

KEY THEMES:

- Participants requested that BC Hydro provide capacity funding for property owners to hire a land agent/negotiator to review access agreements.
- Participants asked questions about reservoir clearing, how far up the slopes the clearing would occur, about clearing the islands and what clearing work would be done this year.
- Participants expressed concerns about the process for getting materials about the field study access agreements to the property owners earlier, suggesting that property owners may have benefited from being able to review materials prior to the meeting.

The meeting was called to order at 5:15 p.m. There were approximately 50 property owners present.

The following abbreviations will be used: Q: Question, A: Answer, and C: Comment.

1. Welcome and Introduction of the BC Hydro Project Team

Round table self-introductions were made. The Facilitator noted that a record of the meeting was being made. The record will not be verbatim, but rather detailed notes which will form part of the consultation record and will be available on the project website. Every attempt has been made to secure the correct spelling of participant names. BC Hydro apologizes for any misspellings.

2. Presentation

The BC Hydro team provided a presentation outlining the status of the proposed Site C project, field study activities that will be taking place this year, and access agreements and permissions.

Slide 1 & 2: Introductions / Meeting Purpose / Environmental Assessment / Stage 3 Consultation / Other Stage 3 Work

There were no questions received.

Slide 3 & 4: 2011 Field Studies Update

There were no questions received.

Slide 5: Field Studies Underway – Climate Monitoring, Air Quality, Wildlife

There were no questions received.

Slide 6: Dam Site Investigations

There were no questions received.

Slide 7: Shoreline Geotechnical Investigations

- Q: Clara London: Opening up of roads in the valley creates a very big problem for us as we already have problems with 4-wheeler and if you open up the roads and create more access we are going to have more problems.
- A: Siobhan Jackson: Where we are on Crown land we are doing those programs under land use permit and the comments received from the Ministry of Environment and First Nations during the permitting process echoed yours. As much as possible we are using routes that are already in place. In many cases we are also using different methods such as boat or helicopter for access. We are also making plans for decommissioning the routes. We've got the engineering team here to talk today and answer your questions.

Slide 8: Heritage Study Program

- Q: Sam Kosolowsky: When you are doing your tests this spring, are you going to be doing anything away from the bank?
- A: Siohbhan Jackson: The geotechnical program looks at the slopes, the Heritage program looks at the reservoir area and the erosion areas.

 The archaeology program, for example, is largely confined to the areas that the project will affect. The geotechnical program will be looking at the area beyond the reservoir line to build understanding of the potential effects of erosion over time.
- C: Andrew Watson: For the geotechnical study, most of the sections of interest are right along the shoreline where there is a slope and you can see the materials. The drill holes will be setback from that so they can explore subsurface. For work on Highway 29 later in the summer, they will be conducting investigations looking at the options for realignment and some of that work is further back from the reservoir.
- Q: Sam Kosolowsky: So I guess what you are saying is that you are just along the top of the slope?
- A: Andrew Watson: Yes, primarily.
- Q: Sam Kosolowsky: I guess what you are saying is that the rest of the town site doesn't matter.
- A: Andrew Watson: We want to inspect the entire shoreline along private and Crown land.
- C: Siobhan Jackson: When we are thinking about wildlife for example, we put into a regional context how wildlife will be affected by the project.
- C: Sam Kosolowsky: So in other words wildlife is more important than people.
- C: Siobhan Jackson: No.

Slide 9: Agricultural Assessment Study

There were no comments received.

Slide 10: Reservoir Clearing Plan Investigations

- Q: Sam Kosolowsky: When you are going to do clearing on the islands, if some of them are possibly under water, how clean are you going to leave them? When you get the timber off are you going to clean up all the junk so that it is not floating around?
- A: Siobhan Jackson: As part of the clearing plan we look at what makes sense in terms of taking material all off in advance and the additional impacts it may cause by pulling out all the smaller materials, versus taking it off once the reservoir is filled. We are also going to be looking at sediment control once the islands are cleared and sedimentation risks at that time. We are going to be thinking about that and how to manage it. We will also be thinking about depths and what does it mean for cutting a tree to six feet? Or to the ground level? Or removing from the ground? In different locations all of those things would be applied. For example, where you expect boat traffic or at the shoreline for public safety, those are some of the criteria will we be looking at in terms of developing.
- Q: Sam Kosolowsky: I guess what I am thinking about is the islands. They are not all going to be under water. The view that people have is that it is going to be horrible if you don't do it right. The same with the side of the river, will it be cleared out properly so that stumps won't be sticking out, etc?
- C: Siobhan Jackson: Yes, we will be doing that looking at the height. We will be looking at the depth of the reservoir to help determine that.
- Q: June Sykes: You are going to clear to the 1515' mark, that's correct?
- A: Siobhan Jackson: One of the options that we are looking at is what level we will clear to. Is it the maximum height of the reservoir, which in meters is 461.8? We will be looking at how much should we clear, to what extent, how far should we do it, and what is the rationale for clearing to that level. Or is there a rationale for clearing anything beyond that.
- Q: *Darcy Summer*: All the studies are available to the public, right? All the results of these studies?
- A: Siobhan Jackson: All of the reports from studies that we concluded in Stage 2 are on our website. The work that we are conducting now will feed into our Environmental Assessment and be available as part of our application.
- *Q:* Darcy Summer: Are we able to see the results of the third party doing the assessment? Or only the results after BC Hydro makes their interpretation and we get to see them? Can we see the results directly from the people who do those studies?

- A: Siobhan Jackson: Yes, our contractors do their reports and when you go online they are all available. For example, you can see the Keystone Wildlife Report when you go online.
- Q: Darcy Summer: Do we get to see it all before it goes to you guys and you review it?
- A: Siobhan Jackson: No. BC Hydro receives draft reports of studies as a normal part of our practice for all work done in BC Hydro. We review them to ensure they are understandable, that the information on the project is correct but the results of the work done by contractors is published and that is what is in those reports. We don't change results.
- Q: Darcy Summer: You don't change it but you review it and don't alter any numbers? Or any of the results? Or do you decide what can be published or not published? Where I am going with this is that I asked to see the results and I was told no that BC Hydro looks at them first and then the results will be published. I am questioning why you have people out doing these field studies and some of them are required to sign confidentiality agreements and are not allowed to tell what they find. Why would that be implemented?
- A: Siobhan Jackson: All of the reports that have been completed so far in the environmental program are available on our website.
- Q: *Darcy Summer:* You don't have any of your third party contractors sign confidentiality agreements?
- A: Siobhan Jackson: Yes, we do.
- Q: Darcy Summer: Why?
- A: Dave Conway: We do that out of general practice. The work that they are doing is not finalized work. It is not work that has been submitted to us. All of us sign that. We are not supposed to carry information or talk about work that we are not subject matter experts in.
- Q: Darcy Summer: So once reports are published people are released of their confidentiality? And can say that we found X species that can only be found in the Peace River Valley area, and they are allowed to talk about that? Or how long is the confidentiality agreement in place for?
- A: Siobhan Jackson: Any information that is published and publically available our contractors are allowed to talk about. The confidentiality terms are part of BC Hydro's standard contract provisions. This isn't particular to Site C.

Slide 11: Spring Start – Garter Snakes, Fish & Aquatics, Noise Monitoring & Sediment Transport

There were no comments received.

Slide 12: Upcoming Field Studies

Slide 13: Q&A

- Q: *Bob Bach:* A quick question on the clearing slide you had the start as spring 2011, what exactly is being done?
- A: Siobhan Jackson: Fieldwork is being done to help inform a clearing plan and to develop a preliminary plan. Forestry professionals will be walking on sites and confirming whether the access routes that have been identified on a map are feasible. While they are there they will start drafting information reports and an inventory to inform assumptions around the volume and description of timber. The clearing plan in simple terms needs to identify what tress there are and where do they go.
- Q: *Ed Sykes:* In regards to the clearing and the 1515 foot line, what about the bank on the other side? Will you be clearing right to the top of the bank on the other side.
- A: Siobhan Jackson: We don't know yet. We are going to take a look at options.
- C: *Ed Sykes:* For me, if you clear the bank on the other side, that is a total waste because then we are looking at a clear cut over there. I hate that.
- C: Siobhan Jackson: Ok, that's good feedback.
- Q: Arlene Boon: A comment on your Heritage Studies. If you are digging in someone's hay field, I would really like you to put a tarp down, put dirt on the tarp, and put the dirt back in the holes. Now we have a hay field with holes.
- A: Siobhan Jackson: We heard that suggestion from yourself and a couple of other people last year. And we have asked that to be part of the work plan this year.
- C: *Arlene Boon*: I wanted to let the public know that it should be suggested as part of your work.
- Q: *Darcy Summer:* How is the archaeological study different than with Williston? Or if you find dinosaur tracks do you say fine they are here and you build the dam anyway? Is there anything different? A different process?
- A: Siobhan Jackson: We follow the legislation of the Heritage Conservation Act, which I think has been revised since the mid-1960s. The legislation ensures a structured approach to first understanding the resources there, looking for them, and then depending on what you find, options range from doing nothing further to full excavating, removing and researching the find. There are other techniques that can be used too. On highways, for example, finds get capped so they can stay there without being damaged. So there are a variety of tools that can be used. Matt is at the end of your row there and you can ask him about some of the things that typically get done in northeast B.C. Just as an interest point, Williston right now has an extensive archaeology program, so we didn't do anything in advance but for the last two years, BC Hydro is leading and implementing an extensive archaeological program as some of the beaching and erosion is happening.

- Q: Patricia Enderlin: I don't understand what you discussed on classifying agricultural land, isn't agricultural land already classed?
- A: Siobhan Jackson: Yes it is, by the Canada Land Inventory. The Canada Land Inventory basically mapped pretty much all of Canada and classed it. But because it was for all of Canada, it was done to a scale that was very coarse if you like and at a very high scale. The work was done in the early 70s and 80s. BC Hydro working with the Ministry of Agriculture and the Agricultural Land Commission did field work for a more refined classification and that is the process that we will be continuing to do to get more and more specific. When you map something at a very coarse scale you don't see the gullies or steep slopes, for example. That work will be done with the involvement and review of the Agricultural Land Commission and the Ministry of Agriculture.
- Q: Patricia Enderlin: Will that work override the previous classification?
- A: Siobhan Jackson: It will update that classification. There was a consensus study done in the mid-1980s and with their involvement that was updated. But the map wasn't moved into the official database. So we will be doing that work with them now to check and update. This work isn't just for the project, they do periodic updates to the original set of mapping from the 60s.
- Q: Arlene Boom: The graves that are in the valley, who are you working with to identify where these graves are and how to avoid them, or what are you doing with them?
- A: Siobhan Jackson: We are working with First Nations in the area on Traditional Land Use Studies and what information they are willing to provide. I have had someone in this room highlight for me on a map where they know some graves are. We would like to have you identify, in a way that you are comfortable with, if you are aware of some, so the mitigation and appropriate management plans could be developed for potential grave sites.
- Q: Arlene Boon: Would like to suggest that the Fort St. John museum has grave seekers that are working on graves. And they have identified white graves as well in the valley. I would like to suggest that you contact them.
- A: Siobhan Jackson: That is a great suggestion.

Slide 14 & 15: Access Agreements / Property Owner Group Meetings / Access permissions and agreements

- Q: Sam Kosolowsky: With regards to these geotechnical studies, will there be a certified and legal copy available to that landowner? If you are going to do this stuff the landowner should have a copy of this for down the road.
- A: Andrew Watson: Yes, we can provide the drill hole logs and information.
- Q: Sam Kosolowsky: A certified, legal copy?

- A: Andrew Watson: Yes.
- Q: Darcy Summer: For the fisher study started in December, many of us here had you on our doorstop requesting information. For many of us, it was the first time we had heard of the study. This information would have been really nice to have prior to signing the document. So they went around to everyone and told us it was a fisher study, and then they said it was an all encompassing study of plants and animals. But when we asked how many plants, what types of animals, they didn't know, but asked us to please sign a two-year contract and that we would know later. It would have been nice to have this prior to going around individually to the landowners and asking permission. Why did you wait this long to do this information session?
- A: *Judy Reynier*: The studies that are starting this season, many of them involve getting permits and hiring contractors to be able to do the work. That has been going on for the last six months or so to be able to do this program. After contractors come on board, we need the information from them to present to you regarding the details of the study. So that is what we have been doing to build up to this meeting. I think what you are saying, and I am with you on it, is that we want more property owner meetings and to do this more often.
- Q: *Darcy Summer*: Not necessarily, but let us know this prior to going round individually so we know what to expect. And then when I questioned the contract, they said well we don't actually need your land for this study. I am wondering how does that fit in to a complete environmental study? When there are those landowners with large portions of land that actually say no to giving permission to BC Hydro?
- A: *Judy Reynier*: With a permission to enter on your land, we are asking for your access to your land, we are not forcing ourselves and it is up to you, you are able to say no. What we would like to do is go on as many properties as we can, for complete information. So it is better if we can go on your land for the sake of completeness.
- Q: *Darcy Summer*: If you are denied enough, how can you say we have done a complete environmental study if there are such large portions missed?
- A: Siobhan Jackson: Each program is different. For example with the agricultural program, we are looking at an area with a fairly constant soil or type, so we have some flexibility with soil sampling and it will be representative of the area. But in some other programs we need to be more specific, for example, we may want to identify a potential grave site and be geographically precise. As I mentioned in my presentation, our studies cover Crown, private and BC Hydro owned-land. All in, a lot of these programs will be covering land that is not on public property. We like to get as much data and information as we can, and we are seeking your permission as we have identified that our study would probably be better if we could access your property, but there is no one property that is going to make or break it. And in some cases we can be flexible. For example, with ungulates or

- fisher programs, it would be easier if we knew where the animals would be, but we don't so we tend to cast a fairly wide net to try and target the animals in the general area that represents their habitat type or an estimate on where they will be.
- Q: Patricia Enderlin: This is just my own opinion. I have been around the block with BC Hydro. I also have experience with the oil patch and they had no problem paying for our time. As a landowner, I know you have gotten this request from many of us. What is your process and payment for our time? And I do thank you for supporting the legal fees. One other question, this \$200 contract that you gave us recently, it was not based on the amount of property that an owner has. I think the contract should be based on a fair evaluation of how much land each land owners holds.
- A: *Judy Reynier*: We had heard from many of you about paying for time. Now that we are in Stage 3 we are starting to pay for property owner's time starting with this field season and you will see that in the compensation schedule. In regards to compensating based on property size, when it comes to the programs where we are using the land more intensively, there is a factor in there for people who have larger parcels or more parcels will receive more money. I think the \$200 in your case Pat was for surface inspections. All this involves is two to three engineers walking around your property for about two hours and then leaving, so very minimal impact.
- Q: *Patricia Enderlin*: I have been advised not to sign it, I am not saying I won't, but because it leaves the contract too open as to what you are going to do.
- A: Judy Reynier: Sure, let's talk about that after the meeting.
- Q: *Darcy Summer*: You did get clearance for compensating on time? When did this start?
- A: Judy Reynier: In March
- Q: Bob Bach: Just to clarify. The packages that you have here today are just doing a better job of doing what was attempted a month ago? I am trying to understand what is different from the letter we received. Is this the same, just more information?
- A: *Judy Reynier*: The only reason the surface agreement letters were not included in these packages is that we need access to those properties starting on Monday. So we needed to seek permissions for those properties first, otherwise they would have been part of the packages.
- Q: Renee Ardill: What do we do if someone is walking around the property falls and hurts themselves?
- A: *Judy Reynier*: Hopefully that won't happen but there is an indemnity clause in there.

- C: Gwen Johansson: Not in the surface agreement letter, there was no mention of indemnification that I saw.
- A: *Judy Reynier*: I will check my facts because I thought we had put that in. We will follow-up with you.

3. QUESTION/ANSWER/COMMENT PERIOD – Facilitator

- Q: Bob Bach: So the people that signed that initial surface agreement letter, how does this effect them? The letter was very open ended and vague. What does this package mean for them? How does it affect those individuals?
- A: *Judy Reynier*: If there is anybody in the room that would like to have the indemnity clause in there I can arrange for that.
- Q: *Bob Bach*: And what about the compensation or other factors? I don't know what is in there so I am talking blindly.
- A: *Judy Reynier*: For owners that just require surface inspections, the letters that are in the packages tonight are the same. It is only if we are doing something more intensive like the Heritage Program where we are doing shovel tests where we get into a larger document.
- Q: *June Sykes*: Do you come to us or do we go to you after the walkabout to learn about what you want to do on our property?
- A: *Judy Reynier*: Tonight we are giving packages specific to you and the studies on your property. If further work is required beyond what is in the package, we would contact you to seek your permissions.
- A: Andrew Watson: In the packages right now we have laid out where we believe we need to drill but that is subject to the walkovers. We think it will be really close, but there may be some small changes needed as a result. I would like to introduce Martin Devonald and Mike Porter from BGC Engineering who will be completing the shoreline inspections starting next week. They are here to answer any questions for you. I also want to introduce Don Wharf and Alex Izett, who are leading the Highway 29 part of the project. They are here to answer any questions that you may have.
- Q: Gwen Johansson: Some people have indicated that they don't want to negotiate. They want an agent to do the negotiations for them. My understanding is that after certification you may provide for that. I would like to know what exactly that looks like.
- A: *Judy Reynier*: With the permissions to enter it isn't a negotiation because if you say no, then we don't enter. We have been in discussions with you Gwen to discuss the possibility of providing capacity funding for reimbursement of fees that would benefit the general group. We are very open to that and think it is a

- good idea. For paying one-on-one for property owners, we are not agreeable to that apart from the legal fees to look over documents.
- Q: Bob Bach: It seems more logical that you should have handed the packages out before the meeting, then you would have got some more meaningful questions. I am wondering why is it done this way? You have put a lot of effort in and so have we attending these meetings.
- A: Dave Conway: For us when we look at these things it is a blend of providing a group meeting, general information and then providing individual information meetings afterward to answer any specific questions. But we hear what you are saying about getting information out as soon as possible and we do strive to do it and I think Judy talked about a couple of the sorts of things we need to get in place before we can do that.
- A: *Judy Reynier*: The other thing I would say is that I am here tonight with Property Representatives to set up appointments and go through the packages with you.
- C: Bob Bach: But the initial visit was to get us to sign the letter and then when there was hesitation, the comment was that if we don't get access we can err on the conservative side and put the safeline further back on your property. I don't know why BC Hydro would start like that again with discussions this spring. And I don't understand Hydro's reluctance if you allow legal counsel why you won't pay for us to have an agent look at those same contracts. It would seem to me that when BC Hydro has a bank of lawyers and as landowners we are expected to represent ourselves. This is a big thing to the people affected by this.
- A: *Judy Reynier*: Do remember that you do have the option of saying no at this point. Let us give you the packages and we can review the material and follow-up to answer questions.
- C: Renee Ardill: I agree with Bob. When you come up with the program ensure that you talk to the people who know what is going on. For example, with the fisher program, it was halfway through the season before the trappers knew what was happening and they are the ones that are most impacted. By the time you got the martin traps to them and they got them out there, the season was damn near done and that is not fair. The people being affected need to know what is going on.
- C: *Clara London*: I am really unhappy that this summer is not going to be peaceful in the valley. If you have 'cats' in the valley making roads it is going to piss me off. Our valley is really peaceful and we might as well consider that screwed from now until whenever.
- A: Andrew Watson: I guess I just want to reinforce what Siobhan said we are minimizing access requirements at the dam site itself with use of existing roads, as well as on the south bank.

- C: *Clara London*: You can minimize it all you want but if you have a 'cat' in the valley building roads we are going to hear it. It is going to be a big disruption. You are going to be disturbing the wildlife and everything else.
- A: Andrew Watson: I understand.
- C: Arlene Boon: To reiterate what Bob said, BC Hydro has lawyers and professionals coming out of the ying yang and we have to deal with it personally and we don't have anything. I feel BC Hydro should pay to have someone professional represent us because I won't deal with any of you guys. This is putting pressure on landowners.
- C: *Patricia Enderlin*: To support Bob again, I find that the people that you send out are very nice but they have high pressure they call at very inconvenient times, a lot, and after 25 years of doing this I really think BC Hydro should pay to represent me that is on the same playing field as your professionals.
- C: Darcy Summer: My comment is similar about having someone professional to represent or negotiate for us as we don't have the level of expertise that your people have. I am wondering when that comes in to play when we start dealing with flood lines? Road alignments? At what point will you allow us to have funds to have someone negotiate for us?
- A: Siobhan Jackson: Within the next month or two we are planning on filing a project description report that kicks off the Environmental Assessment Process. If you try to map out the timelines it could be in mid-to-late 2013 that a decision could be made about an Environment Assessment certificate.
- Q: *Darcy Summer*: So it is after that?
- C: *Judy Reynier*: Yes, but after everything I have heard tonight Gwen, I need to keep discussing capacity funding and get it to the next level.
- C: Gwen Johansson: We need to have a different approach to this because the way I understand the process is once you get the certificate it will be rush, rush, rush and there won't be time for an agent. So right now you are saying it is too soon, all of a sudden it will be too late. The question has never been asked do we need this project? Do we want this project? I really think the whole process here needs work.
- C: *Bob Bach*: I would just like to say that I hope the BC Hydro representatives do not take this personally. We are dealing with a corporation and not individuals. You are being paid to be here tonight and we are not. We are dealing with a corporation and hope you do not take it personally.
- C: Dave Conway: Thanks for your comments. We are acutely aware of the impact we are having on you. We are trying to be as sensitive to that as possible. We

understand that you are not being personal. We are here to gather your comments and reflect them back to the corporation. We hear what you are saying and try to understand it takes time out of your life and has an impact on your life.

- Q: *Gwen Johansson*: Can you clarify before you go, are these surface access letters that you put out in early-March outdated by this package?
- A: *Judy Reynier*: No. They would have been part of the package but the access was required for next week so they do not negate, but they are another element of what we are seeking permission for. For some people the surface inspections are the only access that we will require.
- C: Andrew Watson: The reason we went out there early with the surface inspections was so that we could get out on all the properties to get the best definition of where we will be drilling. We want to walk the entire shoreline, see the ground and provide confirmation of the drill hole. The shoreline program is one that we have a real push on this year because we know it is really important to the property owners and we want to get it wrapped up this year.
- C: Gwen Johansson: There has been a landowner group that has formed, about 40 people. We are having a session over at the library tonight if you want to join us tonight we are meeting at 7:00 p.m.

4. CLOSURE – Facilitator

Property owners were encouraged to pick-up their packages and discuss with the BC Hydro Property Representatives. The property owner meeting closed at 6:40 p.m.