

Site C Review - Responses to questions raised by Deloitte
August 15th, 2017

CONFIDENTIAL

No.																																				
21	Date/Source of Question: BCUC Site Tour - and Interviews on Aug 10/11																																			
	Response provided by [REDACTED]																																			
	Functional Approver: [REDACTED]																																			
	Question: Can we get an understanding of the Leave to Commence Construction, Leave to Construct and permits so we can determine if we suspended or terminated the project then what would be the impacts?																																			
	Response:																																			
	<p>A list of provincial and federal permits, including Leave to Commence Construction and Leave to Construct under the Water Licence, has been provided in response to Question 36. The list includes permits/approvals which have been issued, those which are pending (applications have been submitted, but a decision is pending), and those which are planned for future construction. To date, 346 authorizations (including Leave to Commence Construction and Leave to Construct) have been identified as being required for construction of the Project. As of mid-August 2017, a total of 202 (or 3/5) of these permits have been obtained. 21 permit applications are currently undergoing review with regulatory agencies, and 123 permit applications are planned for the remainder of construction. A summary table of the status of permits is provided below and included in the response to Question 36.</p>																																			
	<p>SUMMARY TABLE UPDATED ON AUGUST 11, 2017</p>																																			
	<table border="1"> <thead> <tr> <th data-bbox="207 1205 607 1346">Approvals required for Construction</th> <th data-bbox="607 1205 737 1346">Provincial Permits</th> <th data-bbox="737 1205 867 1346">Federal Permits</th> <th data-bbox="867 1205 997 1346">Water Licences</th> <th data-bbox="997 1205 1143 1346">Water Licence Leave to Commence Construction</th> <th data-bbox="1143 1205 1398 1346">Water Licence Component Authorizations/Leave to Construct</th> <th data-bbox="1398 1205 1468 1346">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="207 1346 607 1383">Approvals received to date</td> <td data-bbox="607 1346 737 1383">126</td> <td data-bbox="737 1346 867 1383">35</td> <td data-bbox="867 1346 997 1383">2</td> <td data-bbox="997 1346 1143 1383">8</td> <td data-bbox="1143 1346 1398 1383">31</td> <td data-bbox="1398 1346 1468 1383">202</td> </tr> <tr> <td data-bbox="207 1383 607 1442">Approvals pending (applications submitted, but not issued)</td> <td data-bbox="607 1383 737 1442">17</td> <td data-bbox="737 1383 867 1442">3</td> <td data-bbox="867 1383 997 1442">1</td> <td data-bbox="997 1383 1143 1442">0</td> <td data-bbox="1143 1383 1398 1442">0</td> <td data-bbox="1398 1383 1468 1442">21</td> </tr> <tr> <td data-bbox="207 1442 607 1501">Future approvals (applications not yet submitted)</td> <td data-bbox="607 1442 737 1501">58</td> <td data-bbox="737 1442 867 1501">7</td> <td data-bbox="867 1442 997 1501">0</td> <td data-bbox="997 1442 1143 1501">16</td> <td data-bbox="1143 1442 1398 1501">42</td> <td data-bbox="1398 1442 1468 1501">123</td> </tr> <tr> <td data-bbox="207 1501 607 1528">Totals</td> <td data-bbox="607 1501 737 1528">201</td> <td data-bbox="737 1501 867 1528">45</td> <td data-bbox="867 1501 997 1528">3</td> <td data-bbox="997 1501 1143 1528">24</td> <td data-bbox="1143 1501 1398 1528">73</td> <td data-bbox="1398 1501 1468 1528">346</td> </tr> </tbody> </table>	Approvals required for Construction	Provincial Permits	Federal Permits	Water Licences	Water Licence Leave to Commence Construction	Water Licence Component Authorizations/Leave to Construct	Total	Approvals received to date	126	35	2	8	31	202	Approvals pending (applications submitted, but not issued)	17	3	1	0	0	21	Future approvals (applications not yet submitted)	58	7	0	16	42	123	Totals	201	45	3	24	73	346
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	<p><u>Water Licence Approvals</u></p>																																			
	<p>In January 2008, BC Hydro submitted an application for <i>Water Act</i> Licences for diversion and storage of water for the Site C reservoir. This application was updated in November 2011 and May 2013 to reflect design changes to the Project. The Water Licences for diversion and storage were issued by the Comptroller of Water Rights on February 26, 2016.</p>																																			
	<p>In addition, the Water Comptroller has requested a separate water licence for fish passage. BC Hydro submitted this application in April 2015; it is currently under review by the Comptroller of Water Rights.</p>																																			

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Leaves to Commence Construction / Leaves to Construct

Approval to commence construction on project components covered under the Water Licences require a two-step process; 1) Leave to Commence Construction which is issued by the Comptroller of Water Rights at the recommendation of the Independent Engineer and the Independent Environmental Monitor (for environmental aspects); and 2) Leaves to Construct which is approved by the Independent Engineer and the Independent Environmental Monitor (for environmental aspects).

To date, 8 Leave to Commence Construction have been issued for the Project. These Leave to Constructs have authorized works related to dam site preparation (e.g., initial access roads, Moberly River Construction Bridge), and construction of relocated surplus excavated materials sites, right bank Stage 1 cofferdam, excavations and drainage tunnel works; left bank stage 1 cofferdams and diversion works; Roller-Compacted Concrete foundation preparation and Roller-Compacted Concrete placement; eastern reservoir clearing; geotechnical investigations at Hudson's Hope Berm and Halfway River debris boom; and earthfill dam excavation, foundation preparation, fill placement and approach channel foundation preparation and placement. Thirty one Leave to Constructs have been issued to date under the Leave to Commence Construction.

The conditional Water Licences require that BC Hydro beneficially use the water approved by the licences by December 31, 2025. The Water Licences include a provision putting in place a process to amend this date. The regulatory process for this extension/decision is not specified.

The Deputy Comptroller of Water Rights has also advised that suspending construction would require the works already constructed to be stabilized against failure under construction recommences and that BC Hydro would be required to submit applications for Leaves to Commence Construction (and related Leaves to Construct) to undertake these stabilization works. The Deputy Comptroller also advised that Leaves to Commence Construction would also be required for recommissioning of the Project.

Federal Authorizations

A total of 45 federal authorizations/approvals are required for the Project. The following key authorizations have been issued: *Fisheries Act* authorization for Site Preparation Works, the *Fisheries Act* authorization for Main Civil Works and Facility Operations, and the *Navigation Protection Act* approval for Main Civil Works. Pending and future *Navigation Protection Act* approvals are required for Highway 29 bridge crossings, boat launches on the reservoir, and crossings related to reservoir clearing.

The *Fisheries Act* Authorization for the Project's Main Civil Works and Facility Operations requires that project construction be completed by December 31, 2026. Facility operations are approved from January 1, 2022 to December 31, 2064. The *Fisheries Act* Authorization includes a provision for notifying Fisheries and Oceans Canada (DFO) if construction works cannot be completed by the required date. The *Navigation Protection Act* approval does not specify an end construction date.

No provisions are identified in the *Fisheries Act Authorization* or *Navigation Protection Act* approval regarding potential suspension of the Project.

Other Provincial Permits (in addition to the Water Licences)

To date, 126 provincial permits have been issued under the *Land Act*, *Water Sustainability Act*, *Wildlife*

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Act, Forest Act, Heritage Conservation Act, and Mines Act. These permits have approved site preparation and construction works within the dam site area, clearing and geotechnical investigation works along the Highway 29 realignment, and site preparation works along the transmission line. They have also authorized project wide mitigation measures related to fish salvage, amphibian salvage, beaver den removal and eagle nest removal.

Almost all regional permits issued to date by the Ministry of Forests, Lands and Natural Resource Operations or Ministry of Energy and Mines would expire during a Project suspension (the permit expiry dates are set out in the table provided in response to Question 36). In order to commence work following a period of suspension, BC Hydro would need to reapply for those permits that expired or apply to amend the permits to extend timelines, where appropriate and possible. New permits would also be required for works undertaken to stabilize the site in the event of a Project suspension.