



Transport Canada Transports Canada

Navigation Protection Program
Suite 610, 800 Burrard Street
Vancouver B.C. V6Z 2J8

Our file
2015-500042

August 11, 2016

BC Hydro
Suite 600 - Four Bentall Ctr, 1055 Dunsmuir St.
PO Box 49260
Vancouver, BC V7X 1V5

Attention: Karen von Muehldorfer

RE: Notice to the Minister under the *Navigation Protection Act* for review of the Intake, located on the Peace River, lying within the Theoretical Unsurveyed Portions between the Fractional South West 1/4 Section 14 Township 83 Range 19 and the Remainder of the Theoretical South 1/2 of Unsurveyed Crown land of Section 14 Township 83 Range 19 West of the 6th Meridian Peace River District, in the Province of British Columbia

Our assessment of your work has determined that it is not likely to substantially interfere with navigation.

Therefore your work is permitted under section 9(1) – Amendment, of the *Navigation Protection Act* (NPA) and you may proceed per the attached plans (2) in accordance with the following terms and conditions:

1. The works are to be constructed or installed in accordance with the reviewed plans.
2. During the construction period, the owner shall:
 - a) Post the NPA authorization and its Terms and Conditions at an easily accessible place at the worksite.
 - b) Provide a copy of the NPA authorization and Terms and Conditions to all contractors working on the Main Civil Works components that are on or near the Peace River prior to construction commencing.
3. In the event that the operation of the above works is terminated prior to completion, it will be the proponent's responsibility to remove the works and associated equipment in its entirety including any anchors and pilings. The banks and bed of the waterway disturbed by the works are to be contoured to match the local conditions if required.
4. The owner shall inspect their works weekly to monitor debris. The owner shall remove debris build-up on the intake.

5. While public vessel traffic on the Peace River is capable of transiting through or accessing portions of the construction site the owner shall:
 - a) The owner shall mark the outermost upstream and downstream corners of the work with high visibility orange markers no less than 0.4 metres in diameter and yellow retroreflective tape.
 - b) The owner shall operate, inspect and maintain a flashing yellow light at the outermost end of the work. The light is to be in operation in darkness or limited visibility.

Pursuant to Sec. 34 of the Navigation Protection Act, the owner shall provide unimpeded access to the Minister or their representatives for inspection purposes.

Pursuant to Sec. 5 of the Navigable Waters Works Regulations, all temporary works including piles, false works, silt curtains, construction material or debris, are to be completely removed from the waterway.

Please also note that the NPA, amongst other obligations, requires the owner to immediately notify the Minister if your work causes or is likely to cause serious or imminent danger to navigation and take reasonable measures to remediate the danger to navigation (section 12 of the NPA).

This permission relates only to the effect of your work on navigation under the NPA and does not grant any rights related to the ownership of the bed of the waterway. It is the owner's responsibility to comply with any other applicable laws and regulations.

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Should you have any questions, please do not hesitate to contact our office in Vancouver by phone at (604) 775-8867 or by e-mail at NPPAC-PPNPAC@tc.gc.ca.

Respectfully,



Colin Parkinson
Officer
Navigation Protection Program
Programs Group
Transport Canada
Pacific Region

cc DFO
 MFLNRO