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March 4, 2021

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File No. 1184-009

Attention: Jennifer Howe, Project Manager, Prairie and Northern Region

Re: Comments on draft EA Report and potential conditions

Our firm is legal counsel to Ermineskin Cree Nation (“**Ermineskin**”) for the proposed Springbank Off-Stream Reservoir Project (the “**Project**”). We write to provide comments on the draft Environmental Assessment Report (the “**draft EA Report**”) and potential conditions published by the Impact Assessment Agency of Canada (the “**Agency**”) on January 4, 2021. Ermineskin appreciates the Agency extending the timeline to provide these comments.

Prior to engaging directly with the draft EA Report and potential conditions, Ermineskin wishes to reiterate what has been said throughout the regulatory process: the Project will directly and adversely affect the exercise of Aboriginal and Treaty rights by Ermineskin members and without appropriate Crown conditions, this Project will have adverse effects on Ermineskin’s Treaty 6 rights. We provide these submissions in the hope that the draft conditions in the report be made more responsive to the needs of Ermineskin and its members. Ermineskin and the Crown have a mutual interest in ensuring that development of

land and resources is done in a way that enhances Ermineskin's way of life and promotes reconciliation.

The submission is organized into four sections:

1. Executive Summary
2. Summary of Project impacts to Ermineskin rights
3. General concerns with draft EA Report and potential conditions
4. Recommended changes to draft potential conditions

We look forward to discussing these concerns in greater detail through future engagement sessions with the Agency.

1. Executive Summary

The Project is located on Ermineskin's traditional territory. Ermineskin has a special relationship and connection with the Project area and currently access the area for hunting, fishing, harvesting plants, and for ceremonial purposes. As a result, there are significant impacts to Ermineskin's Aboriginal and Treaty rights through the loss of land for traditional uses.

Although the mitigation measures and the draft conditions mitigate some impacts to Ermineskin's Aboriginal and Treaty rights, some impacts remain and some are unavoidable for a Project that has the potential to flood a vast area.

The submission below provides a review of the Project's impact on Ermineskin, identifies areas where language and conditions could be improved, and notes the relationship between this Project and the cumulative loss of areas for Ermineskin to practice their rights throughout Alberta.

In short, Ermineskin requests that the Agency:

- bind the Proponent to provide meaningful and comprehensive consultation on areas of key importance to Ermineskin;

- provide greater clarity on what is required to implement the Land Use Advisory Committee and Land Use Plan in a meaningful way; and
- make adjustments to the conditions as recommended.

2. Summary of Project impacts to Ermineskin rights

Ermineskin has a special relationship and connection with the Project area

Ermineskin's core traditional territory extends throughout western Canada, from Banff north past the Saskatchewan River to Jasper, west through the mountain passes, and east into the plains.¹ The Project rests within this traditional territory of Ermineskin and within the core area that community members have visited for generations and continue to visit today.²

For example, when interviewed for the Traditional Knowledge and Use Study: Springbank Off-Stream Reservoir Project ("**TKU Report**"), most of the interviewees had historical and/or current family connections to the area. One elder even recalled his parents travelling to the areas around Jumping Pound on a wagon cart.³

Ermineskin members maintain a deep connection to the land where the Project is proposed and the area is significant for the practice of Aboriginal and Treaty rights.

As development continues to spread throughout Alberta, the area where Ermineskin can practice their Aboriginal and Treaty rights has eroded and eroded. The encroachment of development – whether it be through increased residential development, recreation areas, or industrial development - threatens Ermineskin's ability to continue their way of life.

¹ Willow Springs, "Ermineskin Cree Nation Traditional Knowledge and Use Study: Springbank Off-Stream Reservoir Project" (2018), p 3, PDF p 8 [TKU Report].

² TKU Report, p 4, PDF p 9.

³ TKU Report, p 4, PDF p 9.

For example, one harvester interviewed for the TKU Report remarked on the declining availability of big game, with the exception of mule deer:

It's like the Elk. They're just little pockets of small herds [on Crown lands]. Whereas back in the day there was large groups of elk, now there's maybe seven or eight in one herd. You'll be lucky if you see seven or eight in one herd. And the pockets are scattered.⁴

For a detailed look at the impact of development on Ermineskin traditional territory please see Figure 1 of the TKU Report, which identifies the significant taking up of lands that has occurred throughout the area.⁵

It is not simply the loss of land that poses issues for Ermineskin but the reduction in quantity and quality of wildlife in the area that impacts Ermineskin's rights. As such, projects that will reduce land available to Ermineskin members should be considered cautiously and with mind to the cumulative impacts felt by Ermineskin members.

Ermineskin currently accesses the area for traditional uses

As referenced at various points throughout the regulatory process, Ermineskin currently accesses the area for traditional land uses.

This is largely facilitated today through relationships with landowners. Ermineskin entered into a memorandum of understanding (the "**MOU**"), effective September 1, 2015, with landowners who occupy heritage ranch lands west of Calgary. The ranch lands include ideal habitat for moose, elk, deer, and other animals, fish, and plant resources that are the subject of Treaty harvesting rights. The MOU

⁴ TKU Report, p 5, PDF p 10.

⁵ TKU Report, PDF p 11.

formalized what had been an informal process to allow access for Treaty harvesting to ranch lands over the past several decades.

The TKU Report for this Project identified five areas of concentrated use in the Project Description Area (the “**PDA**”).

1. PDA and northeast of a portion of the Traditional Land and Resource Use”) study area;
 - Ermineskin members use this area for hunting (incl. elk, moose, deer, waterfowl, turkeys) and fishing (primarily trout);
2. West of PDA and south of Jumping Pound;
 - Frequented by Ermineskin members for hunting big game and harvesting medicinal plants;
3. South of Redwood Meadows and east of Bragg Creek;
 - Area used by Ermineskin members for hunting, fishing, and harvesting medicinal plants and wood for powwows and sun dances;
4. West of Redwood Meadows and northwest of Bragg Creek;
 - Ermineskin members use the area for harvesting medicinal plants and fishing as well as camping in the Bragg Creek recreation area; and
5. Elbow River recreation area;
 - Ermineskin members fish in the Elbow River and camp in the recreation area.

These areas see considerable use by Ermineskin members and it is where the connection to the land is made manifest. For greater detail on these figures please see Figure 2⁶ and Figure 4⁷ of the TKU Report.

In addition to areas currently used for subsistence harvesting and other traditional uses, the Project area contains multiple historical, spiritual, and occupancy sites. These sites include:

⁶ TKU Report, PDF p 24.

⁷ TKU Report, PDF p 29.

- The area near the Elbow River to the southwest of the intersection of Highway 22 and Highway 8 was a traditional camping ground where Ermineskin has identified teepee rings at the edge of a wooded trail.
- In the southeast corner of the PDA near the Elbow River, landowners reported the presence of a burial ground that was later washed away in the 2013 Flood.
- The Tsuu T'ina powwow ground have hosted powwows that Ermineskin members have attended for many years.

For greater detail on these sites please see Figure 5 of the TKU Report.⁸

The Project will impact Ermineskin's Aboriginal and Treaty rights

The above information highlights the considerable use in the area by Ermineskin members for the practice of Aboriginal and Treaty rights.

The Agency concluded that the "Project is likely to cause changes to the exercise of rights" including "low severity of impacts on the right to hunt, trap, and fish, and low to moderate in severity on the right to cultural practice".⁹

Without strictly enforced mitigation measures that preserve access for Ermineskin members to the Project area and reduce adverse effects on wildlife, fish, and plant and their respective habitats, Ermineskin concludes the Project will have an adverse impact on their Aboriginal and Treaty rights.

3. General concerns with draft EA Report and potential conditions

Throughout the environmental assessment for the Project, Ermineskin has raised concerns related to Impacts to Rights; Indigenous Peoples' Current Use of Lands, Cultural Heritage, and Sites of Significance; and Cumulative Effects. The

⁸ TKU Report, PDF p 34.

⁹ Draft EA Report, p 144.

comments below reflect Ermineskin's outstanding concerns with regard to the draft EA Report and potential conditions.

Impacts to Rights

The Agency concluded that the "Project is likely to cause changes to the exercise of rights" including "low severity of impacts on the right to hunt, trap, and fish, and low to moderate in severity on the right to cultural practice".¹⁰ However, the Agency concluded that "taking into account mitigation and follow-up program measures to be included as conditions of approval ... the potential impacts of the Project on Aboriginal or Treaty rights would be appropriately mitigated".¹¹

Ermineskin does not agree with this conclusion. In particular, Ermineskin does not agree that the impacts to Aboriginal and Treaty rights are effectively mitigated by the mitigation measures.

The Agency acknowledges that "the Project would compound existing cumulative impacts to land rights"¹² and that the Project will have an impact on cultural practice (albeit at a low to moderate level).¹³ However, the Agency references the Land Use Plan and the Indigenous Land Use Advisory Committee ("**Land Use Advisory Committee**") as a key mitigation measure that would help resolve these issues. As noted in various communications with both the Agency and the Proponent, Ermineskin seeks more clarity on the operation of the Land Use Advisory Committee and the implementation of the Land Use Plan.

The mitigation measures and related conditions do not sufficiently alleviate Ermineskin's concerns about residual effects on Ermineskin's Aboriginal and Treaty rights. Recommendations for how to remedy this issue are included in the below section titled Need for clarity on Land Use Advisory Committee.

¹⁰ Draft EA Report, p 144.

¹¹ Draft EA Report, p 144.

¹² Draft EA Report, p 143.

¹³ Draft EA Report, p 143.

Indigenous Peoples' Current Use of Lands, Cultural Heritage, and Sites of Significance

Access for current use

The Agency found that during construction and dry operations, the “Project’s residual effects on access for current use is low in magnitude and localised within the PDA after taking into account the implementation of a Land Use Plan and other key mitigation and follow-up measures ...”.¹⁴ The Agency also found that during flood and post-flood recovery periods, “residual effects on access for current use in the PDA would be localised, high in magnitude, and long-term until access in the Land Use Area can safely resume.”¹⁵ The Agency also noted that “residual effects would be infrequent given that the likelihood of a 1:100 year and design flood event is low.”¹⁶ The Agency goes on to discuss the “critical” role of the Land Use Advisory Committee, and incorporating mechanisms to ensure that the Land Use Advisory Committee is being appropriately used and the Land Use Plan is being carried out as intended.

Ermineskin raises the concern that the mitigation measures proposed for access are entirely reliant on a Land Use Plan that has yet to be finalized, of which the current Proponent has not provided sufficient detail as to how it will operate, and a Land Use Advisory Committee, whose role is not clear. Access is an integral component to mitigating the impacts of the Project on Ermineskin rights.

Ermineskin is concerned about the Proponent’s ability to facilitate a meaningful access regime regardless of the Agency including a condition that mandates the development of the Land Use Advisory Committee and finalization of the Land Use Plan.

The section below, titled Need for clarity on Land Use Advisory Committee, provides recommendations on how this may be resolved.

¹⁴ Draft EA Report, p 97.

¹⁵ Draft EA Report, p 97.

¹⁶ Draft EA Report, p 97.

Availability and quality of resources for current use

The draft EA Report confirms Ermineskin's fears of significant adverse effects on the availability and quality of resources for current use.

Effects during construction and dry operations are predicted to be low in magnitude, extend to the regional assessment area, and be long-term, and irreversible "in areas of restricted access."¹⁷ Effects during flood and post-flood would be "moderate to high", across the region, long-term, and only reversible when "vegetation types and wildlife habitat sufficiently recovers for cultural practices to resume". The draft EA Report also recognizes that these effects would be infrequent, owing to the low probability of a 1:100 year or design flood.¹⁸

The mitigation proposed for this impact on Ermineskin rights again refers back to the Land Use Plan. Although the Land Use Plan affords priority to Indigenous users, it is not sufficiently detailed to alleviate Ermineskin's concerns about the continued viability of this area for Aboriginal rights practice.

Quality of experience

The Agency concludes that residual effects to quality of experience during construction and dry operations, including "[n]uisance disturbances, interactions with land users, changes to aesthetics from project infrastructure, and access restrictions" will be long term but localized. During flood and post-flood operations, residual effects will be high in magnitude "due to drastic changes in aesthetics, potential for increased mortality risk of culturally important species, and changes in the cultural and spiritual connection with the land from the loss or alteration of sites of importance".¹⁹ The Agency concludes that these residual effects would be infrequent due to the low probability of a 1:100 year or design flood.²⁰

¹⁷ Draft EA Report, p 102.

¹⁸ Draft EA Report, p 102.

¹⁹ Draft EA Report, p 104.

²⁰ Draft EA Report, p 104.

Ermineskin notes that the “Agency believes that additional key mitigation measures would be necessary to ensure cultural practices persist and the quality of experience is maintained in the PDA and surrounding area”.²¹ Despite contemplating and suggesting additional measures -- including: avoiding key traditional harvesting periods and conducting cultural awareness training – the residual effects on the quality of experience for Ermineskin land users remain.

Cumulative Environmental Effects

The Agency concluded that “the Project, in combination with past, present and reasonably foreseeable projects, is not likely to cause significant adverse cumulative environmental effects and that no additional mitigation measures or follow-up measures are required”.²²

The Agency has recognized the concerns raised by Ermineskin, stating:

Indigenous nations noted that the privatization and development of lands throughout their traditional territory has already significantly affected their ability to use lands and resources for traditional purposes, which has had subsequent effects on culture and both individual and community well-being.²³

The analysis of cumulative environmental effects on Indigenous Peoples’ Current Use of Lands and Resources for Traditional Purposes does not sufficiently account for the threat posed by continued encroachment of development on Ermineskin traditional territory. Ermineskin’s ability to practice Aboriginal and Treaty rights and continue their cultural practices and ways of life is limited to an ever shrinking area – this Project exacerbates this effect.

²¹ Draft EA Report, p 104.

²² Draft EA Report, p 127.

²³ Draft EA Report, p 131.

Need for Meaningful Consultation

Throughout the draft potential conditions document, the Agency calls for mandatory “consultation with Indigenous groups”. The draft potential conditions document refers to consultation with Indigenous groups in each of the following conditions:

- Fish and Fish Habitat: 3.9; 3.10; 3.11; 3.16; 3.17; 3.18; 3.19; 3.20;
- Migratory Birds: 4.8; 4.10;
- Species at risk: 5.1; 5.2; 5.3; 5.4; 5.5;
- Atmospheric environment: 6.3;
- Human health: 7.3; 7.4; 7.8; 7.9;
- Current use of lands and resources for traditional purposes: 8.1; 8.3; 8.7; 8.8; 8.9; 8.11; 8.12; 8.13;
- Physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance: 9.1; 9.2; 9.3; 9.4; 9.5; 9.9; and
- Accidents and Malfunctions: 10.2; 10.3; 10.6.

Although there is reference to consultation in the general conditions, consultation remains a broad concept that varies across the spectrum in interpretation and scope.

Ermineskin recommends that the Agency mandate the Proponent develop an approach to meaningful consultation between the Proponent and Ermineskin, which lays out the appropriate level of consultation for each condition.

Ermineskin recommends the following:

- extend the time period for affected parties to prepare their views and information (from 15 days) to 30 days for consultation related to Current use of lands and resources for traditional purposes; Physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance; and Species at risk;

- add language that requires the Proponent to consider any extension request by an Indigenous group for consultation timelines and not unreasonably deny the extension request; and
- add language that requires the Proponent to meaningfully incorporate all views and information presented by Indigenous groups being consulted on the subject matter of the consultation.

Need for clarity on Land Use Advisory Committee

Ermineskin is hopeful that the Land Use Advisory Committee will allow for meaningful engagement with Ermineskin regarding the use of the Project area, but remains concerned about the lack of detail provided in the plan and the assurances from the Proponent that issues will be dealt with further down in the process.

The conditions commit the Proponent to developing, in consultation with Indigenous groups, a terms of reference for the committee. A necessary step but one that does not establish the specific details of how the committee will operate. Ermineskin seeks this level of detail from the Proponent.

To achieve this objective, Ermineskin recommends:

- In developing the terms of reference and the structure of the Land Use Advisory Committee, the Proponent be required to give priority to representatives of Indigenous nations affected by the Project to hold leadership positions on the Committee.
- The Land Use Advisory Committee be responsible for approving the final Land Use Plan.
- The Proponent be required to provide reports to the Land Use Advisory Committee on their compliance with mitigation measures and the binding conditions. This will ensure that the Land Use Advisory Committee is sufficiently informed on the circumstances that impact land use in the Project area.

- The Proponent be required to give meaningful consideration to any recommendations that come from the Land Use Advisory Committee and, where the Proponent does not incorporate the recommendations, the Proponent must provide written reasons to the Land Use Advisory Committee as to why the recommendations could not be incorporated.

Need for an Indigenous Participation Plan

Alberta Transportation has taken a piece meal approach to providing economic opportunities to local Indigenous groups, including Ermineskin. Recognizing, the Agency's reasonable hesitation to include a binding condition related to an Indigenous Participation Plan, Ermineskin adds support to the Agency's encouragement of the "Proponent to work toward finalizing an Indigenous Participation Plan for each affected Indigenous nation".²⁴ Ermineskin recommends that an Indigenous Participation Plan require the Proponent take substantial actions to provide construction employment, jobs, and training for members of local Indigenous groups.

To reflect the need for greater accountability for the Proponent to include Ermineskin members and businesses in their resourcing plans, Ermineskin recommends the Agency include a condition such as:

- A. The Proponent must file with the Agency, at least 6 months prior to commencing construction, an Indigenous, local, and regional skills and business capacity inventory for the Project. The skills and capacity inventory must include:
 - i. a description of the information and data sources;
 - ii. a summary of Indigenous, local, and regional skills and business capacity;
 - iii. an analysis of the Indigenous, local and regional capacity for employment and business opportunities for the Project;
 - iv. plans for communicating employment and business opportunities to Indigenous, local, and regional communities;

²⁴ Draft EA Report, p 144.

- v. description of identified or potential skills and business capacity gaps, and any proposed measures to address them or to support or increase skills or capacity; and
 - vi. plans for communicating identified gaps regarding skills and business capacity with Indigenous, local, and regional communities and businesses, and any proposed measures to support or increase skills or capacity.
- B. The Proponent must file with the Agency, at least 3 months prior to commencing construction, any updates to the elements of the inventory described in A) i) through vi).

Need to accurately capture Ermineskin-specific concerns

Ermineskin requests that where specific concerns, effects, or impacts are directly connected to Ermineskin that the Agency correctly reference this to Ermineskin. As noted throughout consultation with the Agency and the Proponent, Ermineskin does not wish to be viewed as part of a pan Indigenous understanding of the Peoples in the area but rather a part of a distinct and unique Cree culture.

4. Recommended adjustments to draft potential conditions

For additional changes and additions to the draft potential conditions, please see the table below. Note that recommended language is included in red and underlined>.

Change of Proponent
<p>Condition 2.15</p> <p><i>The Proponent shall notify the Agency and Indigenous groups in writing no later than 30 days after the day on which there is any transfer of ownership, care, control or management of the Designated Project in whole or in part.</i></p> <p>Concern: Ermineskin requests advance notice of any transfer of ownership including when the Project is transferred to the care and control of Alberta</p>

Environment and Parks. Please advise ahead of time when the Project will be taken over by AEP.

Recommend change:

The Proponent shall notify the Agency and Indigenous groups in writing no later than 60 days prior to the day on which there is any transfer of ownership, care, control or management of the Designated Project in whole or in part.

Migratory Birds

Condition 4.6

The Proponent shall remove sediment and debris in the off-stream reservoir within seven days after the draining of the reservoir. If it is not technically feasible for the Proponent to remove sediment and debris within seven days after the draining of the reservoir, the Proponent shall develop and implement additional mitigation measures, in consultation with relevant authorities, to avoid harm to migratory birds and their nests or eggs. The Proponent shall submit these measures to the Agency prior to implementing them.

Concern:

The Proponent is not required to consult, or even notify, Ermineskin (or other Indigenous groups) on the delay in removing sediment and debris from the reservoir. As Ermineskin has expressed concerns about the impact to the environment, wildlife, and the resulting impact to the practice of Aboriginal and Treaty rights, Ermineskin requests that they be notified of the Proponent's failure to meet the seven day requirement to permit conversations about additional consultation and accommodation that may be required.

Recommended change:

The Proponent shall remove sediment and debris in the off-stream reservoir within seven days after the draining of the reservoir. If it is not technically feasible for the

Proponent to remove sediment and debris within seven days after the draining of the reservoir, the Proponent shall develop and implement additional mitigation measures, in consultation with relevant authorities and Indigenous groups, to avoid harm to migratory birds and their nests or eggs. The Proponent shall submit these measures to the Agency prior to implementing them. The Proponent shall submit written reasons to Indigenous groups and stakeholders as to why it was not technically feasible for the Proponent to remove sediment and debris within the seven day timeline.

Condition 4.9

The Proponent shall conduct inventories of potential migratory bird habitat, including the collection of information on breeding bird densities and the presence of ground nesting birds, as well as mapping of important habitat features, shrublands, wetlands and grassland within the reservoir footprint every five years starting the first year of operation, and update the migratory bird protocol referred to in condition 4.8 based on the results of the inventories.

Concern:

These inventories do not account for Indigenous knowledge.

Recommended Change:

Add: The Proponent shall incorporate Indigenous knowledge of the area when conducting these inventories. The Proponent shall make funds available to provide funding to Indigenous groups that choose to provide Indigenous knowledge.

Current use of lands and resources for traditional purposes

Condition 8.7

The Proponent shall provide the Agency and Indigenous groups with the final project design within seven days of its finalization and shall notify Indigenous groups at least 30 days in advance of construction to allow Indigenous groups to

catalogue, harvest and transplant traditional and medicinal plants present within the project development area. The Proponent shall identify and implement, in consultation with Indigenous groups, time periods during which maintenance activities shall not occur within the project development area to accommodate Indigenous harvesting activities, unless if maintenance activities are necessary for safety reasons.

Concern:

Insufficient time to catalogue, harvest and transplant traditional and medicinal plants.

Recommended change:

The Proponent shall provide the Agency and Indigenous groups with the final project design within seven days of its finalization and shall notify Indigenous groups at least 60 days in advance of construction to allow Indigenous groups to catalogue, harvest and transplant traditional and medicinal plants present within the project development area. ...

Condition 8.9

The Proponent shall establish, in consultation with Indigenous groups, a staging area for Indigenous traditional use activities in close proximity to the land use areas identified in condition 8.8. The Proponent shall provide maps to the Agency and Indigenous groups of the staging area prior to construction.

Concern:

Does not include reference to any characteristics of the staging area.

Recommended change:

Add: The Proponent shall build or permit the building of semi-permanent structures in the staging area to accommodate camping and hunting.

The Proponent, if requested by the Land Use Advisory Committee, shall review the size of the staging area and consider amendments that would increase the size of the staging area. The Proponent shall consider the effectiveness of the staging area in the preceding 5 years in accommodating adverse effects on Aboriginal and Treaty rights in making a determination to increase the size of the staging area.

Condition 8.11

The Proponent shall establish, prior to construction and in consultation with Indigenous groups, and maintain, throughout construction and operation, a Land Use Advisory Committee (the committee) to support the development and implementation of the Land Use Plan identified in condition 8.8. The Proponent shall invite Indigenous groups to participate in all committee activities. As part of the establishment of the committee, the Proponent shall co-develop Terms of Reference for the committee with Indigenous groups. The Proponent shall submit the completed Terms of Reference to the Agency prior to construction. The Terms of Reference shall include:

8.11.1 the means by which the Proponent and Indigenous groups shall jointly identify issues to be discussed by the committee, including issues related to the shared use of the project development area by the public for recreational and agricultural purposes and by Indigenous groups;

8.11.2 the frequency, timing and location of committee meetings during each phase of the Designated Project;

8.11.3 the means by which the Proponent shall share information related to the implementation of the Designated Project with the committee, including when and how information will be shared;

8.11.4 the means by which the Proponent shall document the activities of the committee including all views and information received through the

committee; and how the Proponent has considered all views and information received through the committee;

8.11.5 the means by which the Proponent shall document any issue for which committee members are unable to find resolution, including a rationale for the lack of resolution, and any solutions for finding a resolution proposed by the committee;

8.11.6 the means by which the Proponent shall share a yearly report documenting the information pursuant to conditions 8.11.4 and 8.11.5 with committee members and with the Agency, including when and how this information shall be shared; and

8.11.7 the means by which the Proponent shall evaluate and revise as necessary, in consultation with Indigenous groups, the Terms of Reference throughout construction and operation.

Concern:

See comments made in section 3 under the Need for clarity on Land Use Advisory Committee heading. In addition, the change below provides clarity on the role of the Land Use Advisory Committee in ensuring compliance with Proponent commitments.

Recommended change:

ADD: The committee shall be responsible for ensuring the Proponent complies with all conditions that relate to the future development of plans, follow-up programs, and protocols.

Yours truly,

JFK Law Corporation

Per: For: <original signed by>

Jeff Langlois

JLL/blf

cc: Carol Wildcat, Ermineskin Cree Nation (<email address removed>)
Tyler Makinaw, Ermineskin Cree Nation (<email address removed>)
Blair Feltmate, JFK Law Corporation (<email address removed>)

Encl.