

ECOLOGICAL STEWARDSHIP

RESOURCE CONSULTATION



CULTURAL CONTINUITY

TRADITIONAL LAND USE

December 12, 2019

Jennifer Howe
Prairie and Northern Region
Canada Place
Suite 1145, 9700 Jasper Avenue
Edmonton, Alberta T5J 4C3
Email: Jennifer.Howe@canada.ca

**RE: Horse Lake First Nation IRC's comments in relation to the Initial Project
Description for the proposed Prairie Lights Power Project**

Dear Ms. Howe,

Thank you for providing Horse Lake First Nation ("HLFN") Industry Relations Corporation ("IRC") with the opportunity to comment on the Initial Project Description in relation to the proposed Prairie Lights Power Project.

Prairie Lights Power GP Inc. ("PLPGP") is proposing to permit, construct and operate a 360-Megawatt Power Project known as the Prairie Lights Power Project ("PLPP"). The proposed PLPP is located 35 km south of Grande Prairie within MD Greenview #16 (northeast of the Canfor 200 Road off of Highway 40). The proposed PLPP includes a six (6) inch natural gas steel pipeline and a transmission line. The area required for the PLPP is 20.6 hectares.

HLFN currently exercises our constitutionally protected Treaty and Aboriginal rights and other interests within the proposed Project area. Moreover, HLFN is very concerned about the potential combined effects of the many different resource sectors operating within our territory. We believe that the combined or cumulative effects of industrial development may be long lasting, significant and adverse and that the overall effects may be more severe than the sum of the individual projects' effects.

The area being proposed for the PLPP contains a significant amount of industrial development including, but not limited to: oil and gas leases, plant sites, pipelines and associated infrastructure, forestry, hydroelectric and access roads.

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HLFN has reviewed the Initial Project Description for the proposed Prairie Lights Power Project and provides the following initial comments:

Section 1 (Page 6) speaks to the Project Description Summary being prepared in accordance with the Canadian Environmental Assessment Act, 2012. Given the New Impact Assessment Act, will project documents be revised to conform to the new Impact Assessment Act?

Section 1.1.2 mentions Alternatives to the Project. Were other alternatives such as wind energy and hydroelectric explored? In terms of Project locations, existing land use does not include First Nation use, correct?

Section 2.3.1.3 speaks to Water Supply and section 2.4.3.1 discusses Storm Water Management. How much water will be required for the Project? In addition, how much waste water will there be? Finally, will the waste water be trucked to the water treatment facility in Dawson Creek?

Section 2.4.1.1 discusses Operational Fugitive Emissions. Should a leak be detected, what is the plan to alert Horse Lake First Nation, so that Horse Lake First Nation members whom are exercising their inherent Treaty and Aboriginal rights in the area are aware and are not harmed?

Section 2.4.1.2 mentions construction and reclamation and fugitive emissions being limited to tailpipe emissions and dust associated with equipment. What is PLPGP plans for dust control?

Section 2.4.1.3 speaks to GHG emissions from gas combustion and that the project as proposed would account for an increase in 1.1 megatonnes, or 0.42% of Alberta's 2016 total GHGs. How does this compare with other Project alternatives? Furthermore, given the amount of oil and gas leases, plant sites, pipelines and associated infrastructure, forestry, hydroelectric and access roads, what is the cumulative GHGs within a 25 km radius of the proposed Project area?

Section 3.2 discusses Land and Water Use. Horse Lake First Nation will require that a Traditional Land Use and Ecological Knowledge (TLUEKS) is undertaken for the proposed Project, prior to Project approval. Furthermore, all mitigation and/or accommodation must be complete prior to Project approval. PLPGP states, "The PLPP area does not appear to have resources currently used for traditional purposes by Indigenous Peoples". This statement needs to be removed, as to-date, Horse Lake First Nation IRC has not been engaged in relation to the Project.

Section 3.3.1 mentions Socio-Economic Conditions Interactions and Effects. There is no mention of emergency services (i.e. police, ambulance, fire) and if there is enough capacity in Grande Prairie and Grande Cache to provide emergency services should a potential disaster take place at the site. Furthermore, how will a potential increase in crime be addressed?

Section 5.1 speaks to the Physical and Biological Setting. It states, "Two field assessments were conducted within and around the PLPP lands". When did these field assessments occur? Horse Lake First Nation would deem this to be inadequate, as at minimum, year-round information should be collected to determine species of concern occurrences in the PLPP area.

Section 5.1.7 discusses Wildlife including wildlife habitat and ungulates. Horse Lake First Nation would not consider the habitat to be poor due to clearcutting, as opening up the stand may increase wildlife browse. In addition, some rare medicinal plants may occur in the area post-harvest. The ungulates and carnivores listed are all important species that require habitat protection. Horse Lake First Nation Elders and Environmental Monitors have also documented recent sightings of Elk, Mink and Wolverine in the area. Wildlife cameras should be in place, as soon as possible, to capture an accurate representation of wildlife using the area.

Section 5.2.1 speaks to Fish and Fish Habitat and the withdrawing of water from the Smoky River. Will the water withdraw be monitored on a daily basis? Horse Lake First Nation IRC requests that the monitoring reports be sent to our office on a weekly basis. The Smoky River is a culturally significant River to Horse Lake First Nation.

Section 5.4 discusses the changes that may be caused by the project to indigenous peoples resulting from changes to the environment. PLPGP states, "the expected impacts to Indigenous peoples are expected to be minimal". Horse Lake First Nation would not consider Fencing 20.6 hectares of land and removing this from the land base where Horse Lake First Nation can exercise their constitutionally protected Section 35 rights to be a "minimal" impact. This will have a profound effect on Horse Lake First Nation and this must be accommodated.

Section 5.4.1 speaks to Traditional Use of Lands including hunting, trapping, plant gathering and fishing. Please provide Horse Lake First Nation with the consultation record where our members have stated that there is limited to no use of the area. This is a grossly inadequate. Under Treaty #8, our members can hunt, fish, gather, trap and practice our traditional mode of life throughout Treaty 8 territory. We do not require to have a RFMA in the area to trap, as the Treaty right to trap trumps the Alberta's 1930s RFMA process.

Section 5.4.2 mentions Historical Resources. If any historical resources are identified within the proposed Project area, then the Horse Lake First Nation IRC office should be contacted immediately.

Missing from the Project Description is any mention of how cumulative impacts will be addressed. The scope of the Cumulative Effects Assessment should focus on the potential cumulative impacts of the Project on Indigenous Nations exercise of Treaty and Aboriginal rights and traditional mode of life

Please accept these as the Horse Lake First Nation IRC's initial comments on the Initial Project Description for the proposed Prairie Lights Power Project.

We ask that Canada seriously consider our comments and suggested changes that we have proposed and respond back to us via letter or email.

Please feel free to email me: consultation@hlfnirc.ca with respect to any questions that you may have.

Sincerely,

<Original signed by>

Erin Peters
Horse Lake First Nation IRC

cc Casey Horseman, Industry Relations Coordinator, Horse Lake First Nation IRC
Kieran Broderick, Advisor, Horse Lake First Nation IRC