

BC HYDRO SITE C CLEAN ENERGY PROJECT PROPERTY OWNER LIAISON

FORT ST. JOHN **Property Owner Meeting** Wednesday April 6 2011

Notes from a meeting held with property owners and representatives of the Site C Project Team on Wednesday, April 6 2011 at the Pomeroy Hotel, 11308 Alaska Road, Fort St. John.

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
Al Forbes, BC Hydro
Mike Porter, BGC Engineering
Martin Devonald, BGC Engineering
Lauren Simpson, Keystone Wildlife
Matt Begg, AMEC

PROPERTY OWNERS:
Robert Doetzel
Bev Forster
Cliff Forster
Mike Giles
Joy Howe
Deidre Anderson
Garry Anderson
Poul Pedersen
Esther Pedersen
Wayne Kelly
Kari Williamson
Bill Tompkins
Gwen Johansson
Blane Meek
K. Bentley
L. Bentley
Kelly Ziebart
Darryl Kroeker
Sam Mahood
Judy Mahood

Luisa Quarenghi
Ken Boon
Arlene Boon
Carla Salmond
Pete Kyllö
Bruce Mackay
Wanda Forster
Linda Sewell

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 6:35 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 expressed concerns with the archaeological assessment: the timing, the size of the program and the access requirements.
- Participants asked questions about aspects of the contracts for access to properties.
- Participants expressed concerns about the process for getting materials to the property owners about the field study access agreements, 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 30 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

No questions received.

Slide 3 & 4: 2011 Field Studies Update / Agenda

No questions received.

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

No questions received.

Slide 6: Dam Site Investigations

No questions received.

Slide 7: Shoreline Geotechnical Investigations

No questions received.

Slide 8: Heritage Study Program

No questions received.

Slide 9: Agricultural Assessment Study

No questions received.

Slide 10: Reservoir Clearing Plan Investigations

No questions received.

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

Q: *Sam Mahood:* For your archaeological assessment on private land are you doing it on all the new highway alignments? Where exactly are you going?

A: *Siobhan Jackson:* The areas to be assessed will be all areas where the project may affect the land. Where we actually do the shovel test is determined by the archaeological potential model. For the highway alignment we are only planning to do the preferred alignment once we receive that from the Engineers. We will be able to use the archaeological potential model to determine where we need to test. For now, we are only planning to do the assessments primarily in areas where we are planning to put the project.

- Q: *Sam Mahood:* If we have crops in the field and there is hay in the field and you keep expanding and expanding that does us no good. You either do your two options and we go from there, or what? You have to dot your Is and cross your Ts. If you want access to the entire farm it is not what you will find but how many. Some of the artifacts on the farm have been documented by UBC. So we would prefer that you stay to the two accesses and don't go all over the place.
- A: *Siobhan Jackson:* Matt Begg is here from AMEC, an archaeologist. And he can maybe help me explain it. They test in the areas where the project is planned to go. If they find something the Archaeology Branch needs them to test the whole extent of the site. They do need to continue to search for how big the site is and they can't identify that in advance.
- Q: *Sam Mahood:* If you find a site do you remove it? What are you going to do?
- A: *Siobhan Jackson:* The purpose of inventory is to do enough sampling to understand and evaluate the site. Depending on what the site is, as part of the project's mitigation plan, there may be further work proposed as a mitigation project to fully excavate or move something. This would be done later if project certification is received.
- Q: *Sam Mahood:* For the highway realignments – one will be selected, so will we be looking at one option and not huge areas outside it?
- A: *Siobhan Jackson:* We do have the archaeological potential model that guides the likelihood that sites will be present and basic features. An archaeology overview assessment will be done at early stages and won't necessarily leave holes in the ground. Depending on the results of the assessment, or the model that we have, these will trigger the need to do shovel testing in the area. It is typically a two to three step process and the archaeologist with their knowledge, and their eye, and with the resources they have can do the work to support the selection. We try not to do more than we have to on your land.
- Q: *Ken Boon:* It is optional that the landowners not let you on private property to do this?
- A: *Siobhan Jackson:* Yes.
- Q: *Ken Boon:* You mentioned a preferred option on the road alignment? Do you have that?
- A: *Andrew Watson:* No. One of the team's present priorities is to take the work that has been done on identifying options and move it forward. Some of the investigations that will come later will support that work.
- Q: *Ken Boon:* When are they going to pick the preferred option?
- A: *Andrew Watson:* Our plan is that it will be completed by later this fall. The office work is being done and supplementary field investigations will be needed later this summer.
- Q: *Ken Forest:* If you find an Indian grave will the project come to a halt?
- A: *Siobhan Jackson:* If burials are found the Archaeology Branch has a protocol in place and we have a protocol that's been reviewed by Treaty 8 for what we would do if we found any ancient remains, and if they are recent we call the RCMP. We

will to try and identify the community or family that would be associated with the burial and then we work with the community and family through options such as keeping the burial site in its location and protecting it or some prefer to move the site.

C: *Clara London:* I think you should mention that there are graves in the valley and not if you find them. They are there.

Q: *Blane Meek:* I am just curious, if they are white bones discovered will you bulldoze over them? We are important too.

A: *Siobhan Jackson:* With any burial we will work to identify the community and/or family associated with the grave. I have been told of 3 graves, that are white graves if you like, in the Hudson's Hope area and we would work with the people around who may know those sites. That is the normal practice around British Columbia.

Q: *Peter Kylo:* Question about the letter requesting access to properties. Whenever I do work with forest service and the little work that I have done with Hydro, there is about three pages of contract that absolves of any damages, liabilities, or injuries. How come that is not included in the letter?

A: *Judy Reynier:* That came up last night, and I am not sure if you were there, but I will be sending out a letter this week to all the people who have signed the letter with an indemnity clause.

Slide 12: Upcoming Field Studies

Q: *Arlene Boon:* On the construction material, at the start of the project you were looking at a 10 kilometre radius. This is no longer the distance in the package. You say you are looking as far as Chetwynd and Taylor, am I correct?

A: *Andrew Watson:* The 10 km was specific to the materials for the impervious core for the dam which was thought to be within 10 kilometres of the dam but that had to be proven out because the historic assumption was that we would use the left (north) bank surplus materials for construction of the dam. We worked on that during Stage 2 and options for sources of this material were identified on the north bank within 10 kms. Further work is needed on a preferred option for that, but that material is confirmed to be there. The other components of the project, rip rap is closer to Chetwynd, Pine Pass. Investigations will be kicking off for materials for Highway 29 and small supplementary materials.

Q: *Arlene Boon:* Will you be looking for aggregate materials on private land at the same time as doing other studies?

A: *Andrew Watson:* We will be very clear if we are looking for aggregate materials on private land. None of the information in the packages right now is specific to materials.

Q: *Arlene Boon:* Is it something you will be looking at down the road?

A: *Andrew Watson:* Yes, for Highway 29, the berm, the causeway for construction, once the preferred structure is identified.

Slide 13: Q&A

Q: *Clara London:* You mentioned last night in Hudson's Hope that you will be building access roads this summer in the valley for your drilling. Did you forget to mention that this evening?

A: *Andrew Watson:* I did mention that there will be some access roads at the dam site built off existing road, like spur trails. On the south bank there will be two sites – opposite Bear Flats and opposite Attachie that will be accessed by helicopter and two sites will be accessed by industrial trails and seismic roads. So there will be some access trails built there. As far as the known investigations, other than what is at the dam site, shoreline investigations, we are looking at technical information and the nearest areas to get a rig in without having an impact so we are trying to optimize our investigation and not have to construct any access for that.

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

Q: *Arlene Boon:* Last night you said you needed agreements from 150 people.

A: *Judy Reynier:* I had to correct myself. 150 properties total and 50 of those already have surface inspection agreements in place. The packages tonight are for the 100 remaining properties that we require permissions for the 2011 field season.

Q: *Sam Mahood:* You still have not placed a landowner comment page in your contracts. We put forward one request and it is not noted. Those contracts should have a landowner comments page so that our comments are part of the contract.

A: *Judy Reynier:* Ok, good.

3. QUESTION/ANSWER/COMMENT PERIOD – Facilitator

It was the intent of this session to allow participants time to question or comment on the project.

Q: *Gwen Johansson:* The people who were at Hudson's Hope last night have something of an advantage over the people that weren't there because we have had a chance to look at the documents. The thing that strikes me is the lack of negotiations. The surface letter comes and you can sign it or not sign it. And then last night we get this package of material that is plunked down with no discussion or negotiations. I haven't really had time to look at it but in glancing at it, I see that you want a drill site in a certain location, there is no mention of how you plan to get there - so the access doesn't get mentioned. And we know there is a flaw in the surface letter with no indemnity. Usually when someone wants something

from someone else they go and talk to them and see how it would work. I don't see here any opportunity for negotiation.

- A: *Judy Reynier:* We wanted to have a property owner meeting so that we could introduce the concept of what we are wanting with everyone at one time. So it may seem a bit abrupt and that we are not coming to you for feedback, but we are. Following this meeting, we want to meet with you one-on-one and discuss the specifics of what we are asking. For example, the location of the drill holes, it does explain in the package that we will discuss with you and we will not drill until we have a mutually agreeable drill site. What you are talking about is what is going to happen now.
- Q: *Gwen Johansson:* A question that someone gave me today, is to what extent are the contracts negotiable?
- A: *Judy Reynier:* We have been flexible with people in working with property owners. We have had property owners cross out whole sections of the agreement so we do try to find something that works with you and your specific property.
- C: *Arlene Boon:* One thing that I think should be covered in these contracts are if someone has a well. If someone could compromise their source of water, there is nothing in these contracts to cover this.
- A: *Judy Reynier:* We will compensate for damages. And in the situation of a well, we will have that discussion with you and ensure we are aware of it.
- C: *Arlene Boon:* And would you be able to come out and test the water?
- A: *Siobhan Jackson:* Yes we can. It is part of the Properties Questionnaire that we would like to, and would be beneficial to us.
- C: *Arlene Boon:* It's not covered off in contract.
- A: *Siobhan Jackson:* We can make that happen, we have a contractor in place and we would like to do it.
- C: *Arlene Boon:* Lots of things are missed, people won't think about it until it is too late. Hopefully there will be compensation.
- A: *Andrew Watson:* For the drilling there is flexibility with the sites. We will do this with permission. The location is tentative based on what we can determine before we go on land. It is subject to getting agreement to do the site reconnaissance. And if you are willing to give permission to drill it will be absolutely based on whatever works for you. And there is coverage for any damage that is done, which does cover contamination as well.
- Q: *Arlene Boon:* The other thing in the package is that it says you will be removing soils and fill with other materials from somewhere else – can you imagine the invasive weeds problems?
- A: *Andrew Watson:* The holes are backfilled according to groundwater requirements in B.C. We have an environmental management team that looks at site specific issues. We will make sure we take whatever precautions are necessary to ensure that weeds are not spread.
- C: *Arlene Boon:* It is already an issue if you look down at your dam site, and I can see how well it works already, not very.

- Q: *Gwen Johansson*: Just looking at it now, your contract allows access to the entire property not the small spot that you needed to access.
- A: *Judy Reynier*: It should refer to the plan and a dotted line that shows access route.
- Q: *Gwen Johansson*: It appears to be blanket.
- C: *Linda Sewell*: Last fall I was presented with a package to sign. I wanted access to the total property excluded, I was willing to provide access only to the area required for the work but I didn't want to give blanket access to my entire property. This was presented to Engineering department and it wasn't possible. I was told it was all or nothing.
- A: *Siobhan Jackson*: In field studies overview there are various types of studies and we can consider full or partial access on a study by study basis. With some programs the lack of flexibility won't work on our end, but with others it will work just fine.
- C: *Arlene Boon*: I want to reiterate what was said last night, because Property Owners haven't seen the packages yet, they are probably sitting here wondering what is in the packages. They would probably have several more questions if they were given the packages at the beginning of the meeting.
- C: *Judy Reynier*: I want to make a couple points. First, one of the purposes of this meeting is to pick up the packages and meet with you. We want you to learn about the studies, review the package and then set-up a meeting with a BC Hydro Property Representative to discuss. Second thing, in the cover letter, BC Hydro will reimburse you for costs of actual reasonable legal fees in reviewing the agreements, and that is in the letter.
- C: *Dave Conway*: Did you want to address the comment in regards to meeting as a group first as opposed to providing packages first?
- C: *Judy Reynier*: I look to the property owners for feedback on that. We did think about which way to do it and we thought it may seem worse to send the packages in the mail and for you to receive them without an explanation. So rightly or wrongly we thought we would have all the people in the room to provide the information and then follow-up.
- C: *Arlene Boon*: It makes for better feedback to review and discuss. They can go through their packages and let the questions bounce around.
- C: *Dave Conway*: We have heard what you say and we understand that. We were certainly trying to provide through the presentation an understanding of the engineering and field study work, provide some basic information first, and then the input we get from you will be incorporated in the future.
- Q: *Ken Boon*: You mentioned that BC Hydro will pay for a lawyer to review the agreement. If he advises us not to sign the contract, will you still pay for the legal fees?
- A: *Judy Reynier*: Yes.

- C: *Cliff Forster:* About the archaeology program, I was going to say it took my wife 30 years to find an arrowhead in her flowerbed. It is a joke looking in such an area. I don't think the seriousness is actually there.
- Q: *Siobhan Jackson:* Is that a question or a comment?
- C: *Cliff Forster:* A comment mostly. I just don't know how 1000 people could find enough artifacts or burial grounds in the valley to make any sense.
- C: *Arlene Boon:* My mom and I have both found arrowheads in our garden. It depends on the location.
- C: *Cliff Forster:* I don't know, it took my wife 30 years to find one in her flowerbed.
- C: *Siobhan Jackson:* I can give a little context. There are two methods being used. They are planning to do a shovel test every 10 metres or so in areas that can be identified through experience, through knowing where sites are. In addition, they will also be doing surface inspections, walking fields after they have been plowed to see what materials have been turned up. As well as doing surface walks again using their judgement to determine if they should be placing more shovel tests. But you are right, not every shovel test can find something. Matt does this for a living in north east B.C. and I hope he has found more than one.
- Q: *Cliff Forster:* What I was meaning is what sense does it make? A guy across from where we lived found 100 arrowheads in a small field over 15 to 20 years. But what does it gain?
- A: *Matt Begg:* Every time we find an artifact it demonstrates where somebody has done something to result in material remains. Something specific like projectile points – arrowheads or spearheads, we can date them by comparing them with projectile points that have been excavated at other sites nearby. So something like a projectile point is very good for judging how old a site is. Other sites throughout the valley, and there are quite a few archaeological sites recorded in the valley, suggest that there has been significant presence in that valley over several thousand years. So when we find an archaeological site we can learn a lot from it or we may just learn something about the regional archaeology of the area based on the location we found it. We can make some kind of assessment of what was likely being done at the location, or we can add it to our regional database. The sites tend to be small, diffused, low density. You said you know someone who found over 100?
- Q: *Cliff Forster:* Yes, he found over 100. Every time the field was worked he would go out and walk the field. But what did it gain him?
- A: *Matt Begg:* We can learn a lot from them, pre-history of the area, use of the area, timeframe it was used, quite a bit.
- Q: *Clara London:* How much are four wheelers going to be used? A lot of sites are not close to Highway 29. They are quite a ways off the highway. It creates problems because as soon as they use a trail everyone else hops on the trail and then we have problems.
- A: *Siobhan Jackson:* To the extent possible, most of our programs involve walking on to site. Some areas require road access to specific locations.

- C: *Clara London:* Nobody is coming on my property because you are leading everyone down a very bad trail.
- Q: *Peter Kylo:* A couple questions for you? How many landowner meetings do you plan to have in the future? What frequency?
- A: *Judy Reynier:* Maybe three to four a year. I am looking for feedback from you on how valuable these meetings are. On one hand I don't want to take up too much time but on the other hand I know you want to give us your ideas. So I am looking for suggestions from you.
- C: *Peter Kylo:* Well for me to go to Hudson's Hope was 250 kms from where I live and with fuel going up it can get very expensive. But it is nice to hear what people are saying. It is just something to think about.
- A: *Judy Reynier:* Right. Well if anyone has any suggestions for me it would be great to hear them.
- Q: *Blane Meek:* How long have you been working on the documents that you are handing out?
- A: *Judy Reynier:* They were finished this weekend. So to get to this point we needed to apply for permits to do the studies, hire the contractors to do the studies, listen to their needs, create field studies notes and then we were in a position to put together the agreements. So all that started in January. The whole process took about three months.
- Q: *Blane Meek:* To come up to that how long did it take? Have you working on that for a year?
- A: *Andrew Watson:* It really depends on the study. The shoreline investigations for instance, work started late last fall crafting out the work to understand it in general terms and get Crown land permits into government. For Hwy 29 it has really been focused on procurement of engineering resources. For access road investigations we are still in procurement right now and the other studies are in between right now.
- A: *Siobhan Jackson:* For programs like the Heritage program we have been working on it since last fall, on field testing the model, data analysis and permit amendments and from that point we were ready to start to work with properties in January. A typical field season cycle is summer field work, results in the fall, look at it over the winter and plan for the work the following year.
- Q: *Blane Meek:* So this has been ongoing for a year now?
- A: *Siobhan Jackson:* Different studies have different programs. I have just brought an agriculture contractor on in the last month and we are just starting. Every program has their own timeline.
- Q: *Blane Meek:* I am just asking because if you have been working on it for a year and a half, it is going to take me three years to study up your studies and get back to you.
- C: *Judy Reynier:* I just want to say that as part of my job, the first step when Andrew or Siobhan comes to us with a study, the first thing we do is ask what properties

do you want to go on, and then ask are you sure you need to. It is a priority for us to look at the impact on you and your properties.

C: *Arlene Boon:* I just want it noted that on our map in my package you have outlined land that is not ours and not outlined land that is ours. So you have errors.

C: *Dave Conway:* I don't understand that after all the input we have had from Stage 2. We will have it fixed.

Q: *Ken Boon:* Why is the archaeology program necessary until you actually have a project and are going to build a dam?

A: *Siobhan Jackson:* The *Heritage Conservation Act*, the legislation in British Columbia, requires us to do an inventory and evaluation of archaeological resources as part of the Environmental Assessment application. If there is further work requiring mitigation or excavation, this work would be completed if the project receives certification.

Q: *Ken Boon:* What is the goal or gain if project goes ahead?

A: *Siobhan Jackson:* We don't know that yet, we will propose a mitigation plan that is relevant to what is found. We don't know what they are yet because we haven't completed the inventory, but that is the normal course.

Q: *Gwen Johansson:* Regarding negotiations, if there are to be any, and some people don't wish to negotiate with BC Hydro, what you explained last night is that we can get a lawyer to look at contracts. My understanding is that after project certification BC Hydro will pay for someone to negotiate on landowners behalf, but pre-project certification this won't be possible. I just wanted to double check this for the landowners.

A: *Judy Reynier:* Sure, what I said last night is that BC Hydro will reimburse for actual reasonable legal fees for advice to the group and we have provided some funding for that and will continue to do so. If the project is approved we will reimburse for negotiation fees, but right now we are only looking for permission to access and negotiation is not required.

C: *Gwen Johansson:* I want to put it on the record that I don't agree with that and many landowners don't agree with that.

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 6:35.