



File: 9000342

November 27, 2019

British Columbia Hydro And Power Authority
12th Floor - 333 Dunsmuir Street
Vancouver, BC
V6B 5R3

Dear Sir or Madam,

Re: Order Associated with Section 11 Change Approval Application – 9000342 – Lynx Creek and the Peace River

An Order under Section 26 (1) (b) of the *Water Sustainability Act* has been issued to amend clause 3 in the original Approval 9000342 that was issued April 10, 2018.

The permit holder is required to adhere to all other applicable Provincial and Federal Regulations; including, but not limited to, the *Water Sustainability Act* and the *Water Sustainability Regulation*.

The *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. You may file an appeal within 30 days of the date indicated on this letter. Information on filing an appeal can be found on the Environmental Appeal Board website at <http://www.eab.gov.bc.ca/>.

Dave Francis
Water Manager

Province of British Columbia

Water Sustainability Act

ORDER

SECTION 26(1)(b)

In the matter of Section 11 Change Approval, file No. 9000342 on Lynx Creek and the Peace River by British Columbia Hydro and Power Authority.

I hereby amend clause 3 to read as follows:

3) The instream works authorized shall be completed by November 30, 2020.

The permit holder is required to adhere to all other terms and conditions in Approval file No. 9000342 and applicable Provincial and Federal Regulations.

Dated at the City of Prince George, British Columbia, this 27th day of November 2019.



Dave Francis
Water Manager



File: 9000342

April 10, 2018

British Columbia Hydro and Power Authority
Suite 600, Four Bentall Centre
1055 Dunsmuir Street
PO BOX 49260
VANCOUVER BC
V7X 1V5

Dear Karen von Muehldorfer | Regulatory Manager:

Re: Change Approval Application – 9000342 (Lynx Creek and Peace River)

Approval for the above has been granted and a Section 11 Change Approval document verifying this is attached.

The Approval holder is required to adhere to all other applicable Provincial and Federal regulations.

An environmental monitor shall be present during instream work.

We wish to inform you that the Peace River serves as a spawning and rearing area for fish. The protective requirement of the federal *Fisheries Act* must be met. Accordingly, it will be necessary for you to screen your water intake to protect against entry of small fish as per Freshwater Intake End-of-Pipe Fish Screen Guidelines (Department of Fisheries and Oceans, 1995). Please refer to the Fisheries and Oceans Canada Web-site (www.dfo-mpo.gc.ca/Library/223669.pdf) for this publication.

Section 105 of the *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. You may file an appeal within 30 days of the date indicated on this letter. Information on filing an appeal can be found on the Environmental Appeal Board WEB site at <http://www.eab.gov.bc.ca/>.

If you have any questions or concerns regarding the document issued, please contact Robert M Piccini in the Prince George office at (250) 551-3444.

Yours truly,

Dave Francis
Water Manager

Enc.

e.c. Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Resource Stewardship Division, Water Management Branch, Gypsy Fisher, P.Geo.
T.E. Little Consulting Inc., Tim Little [REDACTED]
EDI Environmental Dynamics Inc., Jason Yarmish, Prince George BC



Province of British Columbia

Water Sustainability Act

Section 11 (1)(b)(2)(a)

Change Approval

British Columbia Hydro and Power Authority, Suite 600, Four Bentall Centre, 1055 Dunsmuir Street, PO Box 49260, Vancouver, BC V7X 1V5 is hereby authorized to make changes in and about a stream as follows:

- 1) The name of the stream is Lynx Creek and the Peace River.
- 2) The changes to be made in and about the stream are:
 - Geotechnical investigation works within the high water mark of Lynx Creek for the realignment of Highway 29 for the Site C Clean Energy Project.
 - Geotechnical investigation for potential gravel extraction within the high water mark along three locations of the Peace River to support the construction of the realignment of Highway 29 for the Site C Clean Energy Project.
 - All work will be as described in BC Hydro submitted document titled, “Site C Clean Energy Project – Water Sustainability Act Section 11 - Geotechnical Investigations – Highway 29 at Lynx Creek – Description of Activities and Works” dated January 5, 2018.
 - Work that is to occur below the natural boundary of Lynx Creek and the Peace River includes but not limited to: drilling rotary boreholes with and without testing instrumentation, digging test pits, the use of a barge, clearing of minor vegetation (for access), site restoration and stabilization of temporary disturbances.
 - The centre point locations for the various geotechnical investigations are as follows:

| | | |
|-----------------|-------------------|-------------------|
| Lynx Creek | 56° 05' 39.00" N, | 121° 50' 38.63" W |
| Peace River (1) | 56° 04' 55.32" N, | 121° 49' 16.08" W |
| Peace River (2) | 56° 06' 36.80" N, | 121° 47' 25.25" W |
| Peace River (3) | 56° 06' 44.81" N, | 121° 45' 06.01" W |
- 3) The works authorized shall be completed by November 30th, 2019.
- 4) All work shall be done in accordance with the “Standards and Best Practices for Instream Works” (MOE 2004).
- 5) Care shall be exercised during all phases of construction to minimize siltation.
- 6) All instream works will be constructed under the supervision of an Environmental Monitor.
- 7) Instream activities must be conducted in the dry and the worksite must be isolated from water flowing in the stream channel.

- 8) Equipment operating near the stream shall be free of external grease, oil or fluid leaks and an emergency spill response kit shall be kept on-site.
- 9) Refueling of machinery shall be conducted to ensure that deleterious substances shall not enter the watercourse.
- 10) All excavated material and debris shall be placed in a stable area above the high water mark of the stream and protected from erosion by planting grass and/or vegetation.
- 11) All disturbed areas of the banks and the stream channel must be restored and provided with long-term protection from erosion.
- 12) On completion of the project, the stream bed shall be left in as smooth a condition as possible, with no depressions that could trap fish or initiate erosion of the stream bed.
- 13) The holder of this Approval shall take reasonable care to avoid damaging any land, works, trees or other property, and shall make full compensation to the owners for any damage or loss resulting from the exercise of the rights granted with this Approval.
- 14) This document does not supersede the requirements of the *Water Sustainability Act* and regulations, *Federal Fisheries Act* or any other related legislation. The proponent is obligated to comply with all federal or provincial or municipal legislation.
- 15) The Construction Environmental Management Plan and Contractor's Environmental Protection Plan shall be submitted to the Water Manager for review and comment prior to the commencement of any work within the high water mark of Lynx Creek and the Peace River.
- 16) The Water Manager must be notified if the work plan changes significantly from those outlined in the documents identified in clause (2).
- 17) The changes shall be completed to the satisfaction of the Water Manager under the *Water Sustainability Act*.
- 18) This Approval, or a copy of it, must be kept or posted on the work site so that it may be shown to a Ministry official upon request.



Dave Francis
Water Manager