

Navigation Protection Program (NPP) 820-800 Burrard Street Vancouver BC V6Z 2J8

June 11, 2021

BC Hydro and Power Authority 9th Floor 1111 Georgia St W Vancouver BC V6E 4M3 Canada

Attention: Sarah Kerr

RE:

Approval under the Canadian Navigable Waters Act (CNWA), for the construction of the following work(s) below located across Peace River, approximately at 56° 9' 45.9" N, 121° 34' 26.4" W, located on unsurveyed Crown land covered by water being part of the bed of Peace River, fronting Section 4 Township 83 Range 23 West of the 6th Meridian, Peace River District, Hudson's Hope, in the Province of British Columbia.

Approved work(s):

• Bridge

Please find enclosed an approval for the above-noted work issued by the Minister of Transport under subsection 7(6) of the CNWA. This approval replaces any previous approvals that have been issued in relation to this work (if any) and will be the sole approval for this work until such time as a new approval is issued for any future changes.

In order to issue this approval, the Minister has considered each of the factors listed in subsection 7(7) of the Act, additional information provided by you (if applicable) and any adverse effects that the decision to approve the work may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the *Constitution Act, 1982*.

The owner is responsible to ensure the works are designed and maintained to withstand local weather conditions and the wash of vessels transiting the area.

Pursuant to Sec. 34 of the *Canadian Navigable Waters 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*, no person shall permit any tools, equipment, vehicles, temporary structures or parts thereof used or maintained for the purpose of building or placing a work in a navigable water to remain in such water after the completion of the project.

Pursuant to Sec. 6 of the *Navigable Waters Works Regulations*, where a work or a portion of a work that is being constructed or maintained in a navigable water causes debris or other material to accumulate on the bed or the surface of such water, the owner of that work or portion of that work shall cause the debris or other material to be removed to the satisfaction of the minister.



Any materials or equipment used in construction are to be marked in accordance with the "Collision Regulations" of the "Canada Shipping Act" when located on or in the waterway.

Please note that the CNWA, amongst other obligations, requires the owner to immediately notify the Minister if the work causes or is likely to cause serious and imminent danger to navigation, to take reasonable measures to mitigate potential dangers and to remedy any adverse effects that result from that danger to navigation.

This approval relates only to the interference of your work with navigation under the CNWA and does not grant any rights related to the ownership of the bed of the navigable water.

Please note that it is the owner's responsibility to comply with any other applicable laws and regulations.

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

Respectfully,

Leung,

Digitally signed by Leung, Eric
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Leung, Eric
Reason: I am the author of this
document
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Foxtl PDF Editor Version: 11.0.0

Eric Leung NPP Officer Programs Group Transport Canada Pacific Region

Attachment(s): 7(6) Approval Document, Reviewed Drawings

cc: Canadian Hydrographic Services, DFO.PACCHS-SHCPAC.MPO@dfo-

mpo.gc.ca

Karen von Muehldorfer, BC Hydro - Karen.vonMuehldorfer@bchydro.com

Sarah Kerr, **BC Hydro** – Sarah.Kerr@bchydro.com

Tanya Martin, Transport Canada – <u>Tanya.Martin@tc.gc.ca</u>

Dave Heikkila, Government of BC - <u>Dave.Heikkila@gov.bc.ca</u>

James Chircoski, **DFO** – <u>James.Chircoski@dfo-mpo.gc.ca</u>

Jane Calvert, Blueberry River First Nation – <u>jcalvert@blueberryfn.ca</u>

Ranish Shakya, Blueberry River First Nation – rshakya@blueberryfn.ca

Fred Didzena, **Dene Tha' First Nation** – fred.didzena@denetha.ca

Cec Heron, Doig River First Nation - cheron@doigriverfn.com

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C Brinkworth, **Doig River First Nation** – cbrinkworth@doigriverfn.com

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lands.tech1@duncansfirstnation.ca

Roslyn Notseta, Halfway River First Nation - rnotseta@hrfn.ca

Catherine Piedt, Halfway River First Nation - Catherine.piedt@ecora.ca



Chief Ramona Horseman, Horse Lake First Nation – Ramona.Horseman@horselakefn.ca

Cameron Horseman, Horse Lake First Nation - horselakefn18@gmail.com

Nathan Horseman, Horse Lake First Nation - nathanhorseman83@gmail.com

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Mark Petroski, Horse Lake First Nation – markus.petro@hotmail.com

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Eran Spence, McLeod Lake Indian Band - espence@mlib.ca

Stephanie Rocheleau, McLeod Lake Indian Band – landstewardship@mlib.ca

Gary Biggar, Metis Nation of British Columbia – gbiggar@mnbc.ca

Lisa Clement, Metis Nation of British Columbia - Iclement@mnbc.ca

Chris Gall, Metis Nation of British Columbia – cgall@mnbc.ca

Derek Robitaille, Metis Nation of British Columbia – drobitaille@mnbc.ca

Chief Lyzette Tsakoza, **Prophet River First Nation** – chief.ltsakoza@prophetriverfn.ca

Beverly Stager, Prophet River First Nation – council.bstager@prophetriverfn.ca

Jacqueline Reno – Jackie.reno@prophetriverfn.ca

Melissa Knight - Melissa.Knight@prophetriverfn.ca

Tamara Dokkie, West Moberly First Nation - tamara.dokkie@westmo.org

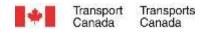
Chief Roland Willson, West Moberly First Nation - rwillson@westmo.org

Teena Demeulemeester, **Saulteau First Nation** – <u>Tdemeulemeester@saulteau.com</u>

Naomi Owens, Saulteau First Nation – nowens@saulteau.com

Jason Ermineskin, Saulteau First Nation – <u>Jermineskin@saulteau.com</u>





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APPROVAL

OWNER: BC Hydro and Power Authority

9th Floor

1111 Georgia St W Vancouver BC V6E 4M3

Canada

WORK(S): Bridge

SITE LOCATION: Located across Peace River, approximately at 56° 9' 45.9" N, 121° 34' 26.4" W,

located on all that unsurveyed Crown land covered by water being part of the bed of Peace River, fronting Section 4 Township 83 Range 23 West of the 6th Meridian, Peace River District, Hudson's Hope, in the Province of British

Columbia.

As per the application (detailed above) to the Minister of Transport, submitted pursuant to the *Canadian Navigable Waters Act*, for an approval of the work per the attached six (6) plans, the Minister hereby approves the work pursuant to subsection 7(6) for the construction of the above mentioned work, in accordance with the following terms and conditions:

- 1. The CNWA Approval and its Terms and Conditions shall be posted at an easily accessible place at the worksite.
- 2. In the event that the operation of the above works is terminated, it will be the proponent's responsibility to remove the works and associated equipment in its entirety including any anchors and pilings.
- 3. Install and maintain warning signs at the northeast and southwest ends of the island, advising of the work in progress. Signs shall be a minimum of 72"x 48", a white background with black lettering, with text as outlined below. Sign to be emplaced prior to and for the duration of construction.

WARNING CONSTRUCTION HAZARDS AHEAD

4. During construction the outermost extent of the work above the surface shall be marked with orange Hi-visibility markers on the upstream and downstream corners.





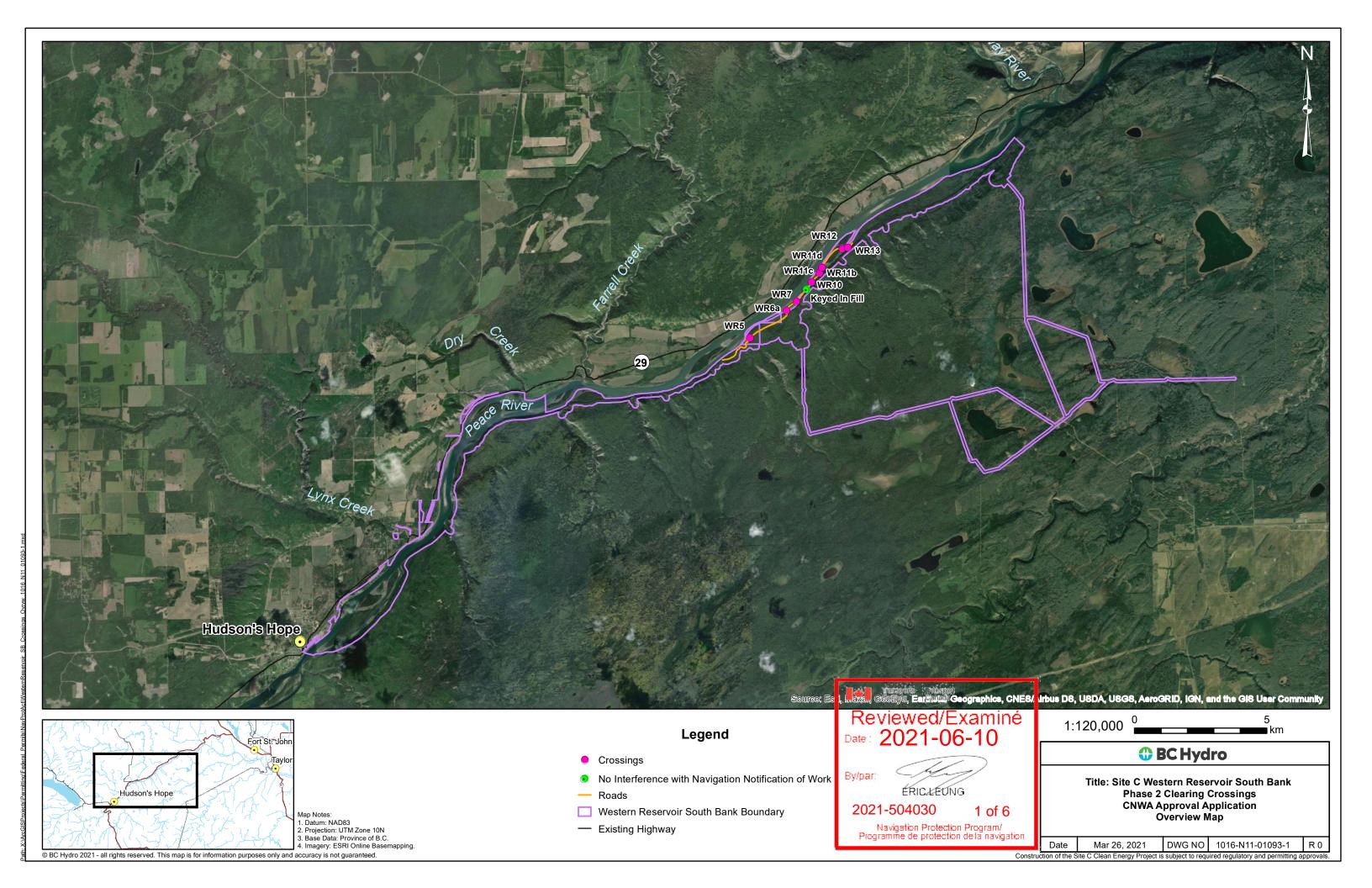
5. During construction the outermost extent of the work above the surface shall be marked with a flashing yellow light on the upstream and downstream sides. The lights are to be in operation in darkness or limited visibility.

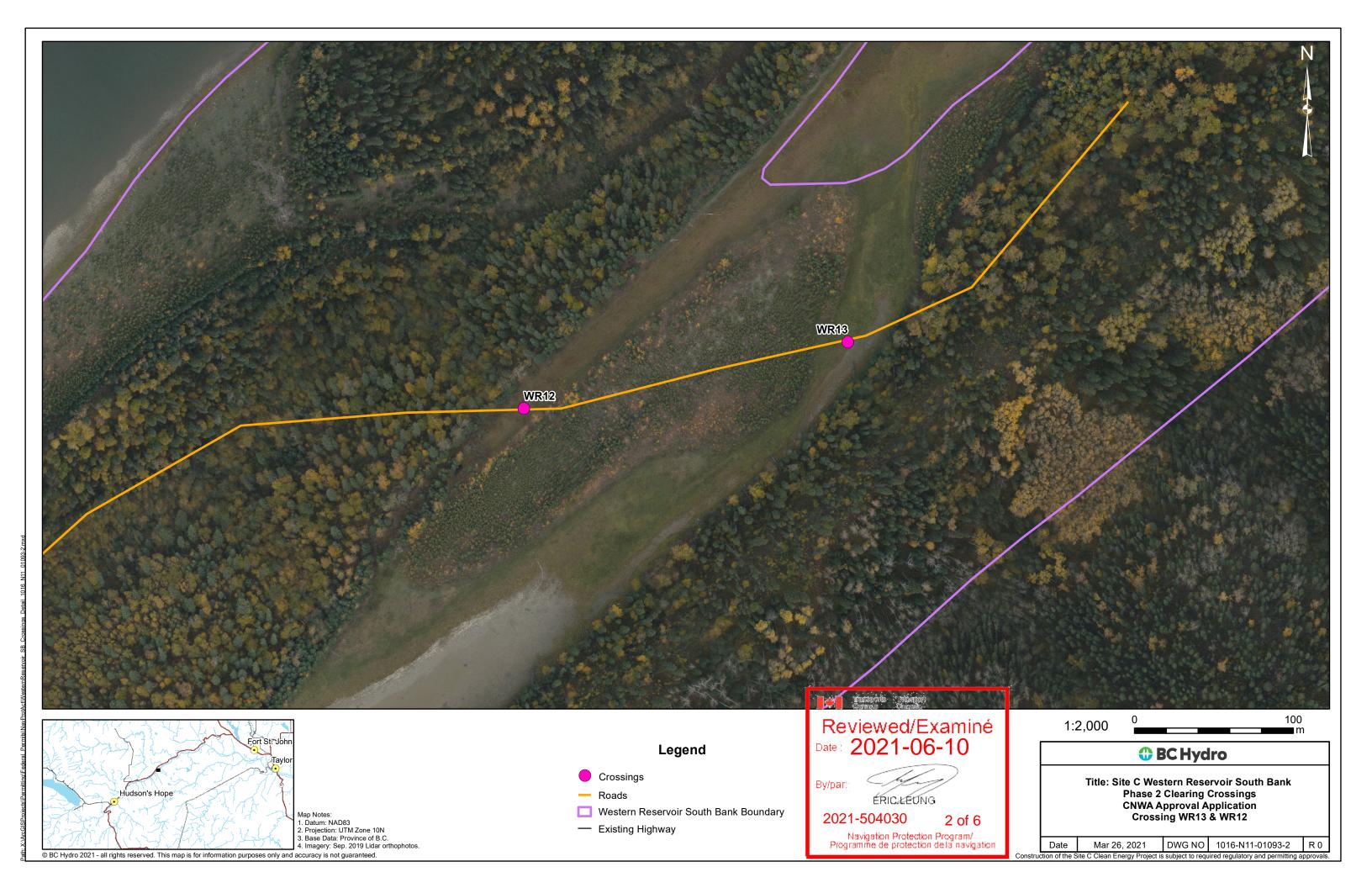
- 6. Construction machinery left in the water during darkness or limited visibility shall be marked with a flashing yellow light, visible to upstream and downstream traffic.
- 7. Any construction equipment anchored or left in or on the waterway shall be marked with a yellow flashing light placed on the outermost extremity if left overnight.
- 8. During open water season the bridge span shall be marked using a flashing yellow light facing upstream and downstream and operating during times of darkness and limited visibility.
- 9. Upon completion of the associated vegetation clearing project, the bridge deck and associated equipment shall be completely removed without delay.
- 10. The upstream and downstream edges of the causeways shall be marked with orange Hi-visibility markers, evenly spaced every 20m on both the upstream and downstream sides, until the causeways are submerged due to inundation.
- 11. The owner shall conduct an airborne LIDAR survey of the area post construction and clearing, but prior to the filling of the reservoir

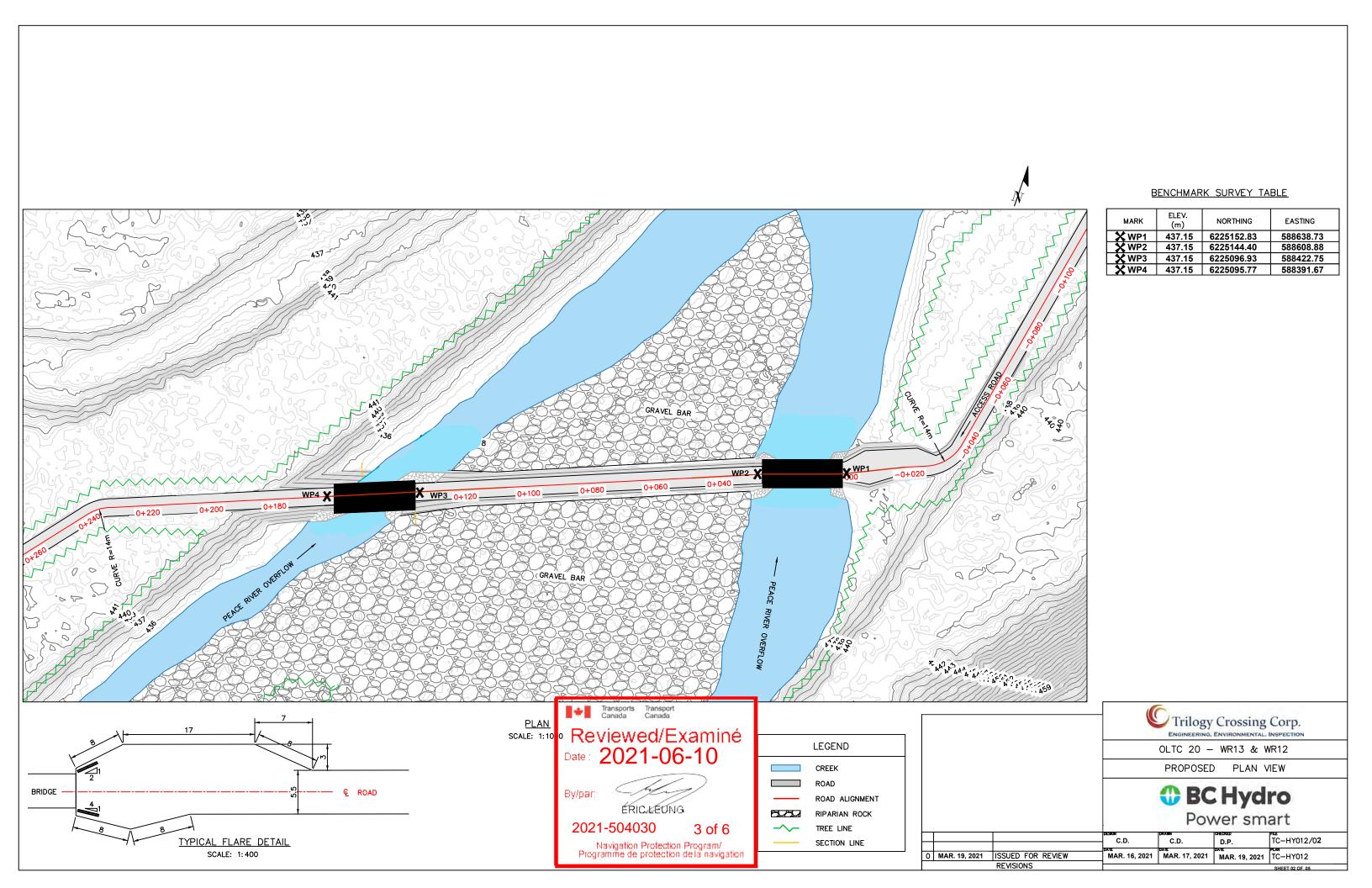
SIGNED ON JULY 13, 2021 at the NPP regional office of Pacific

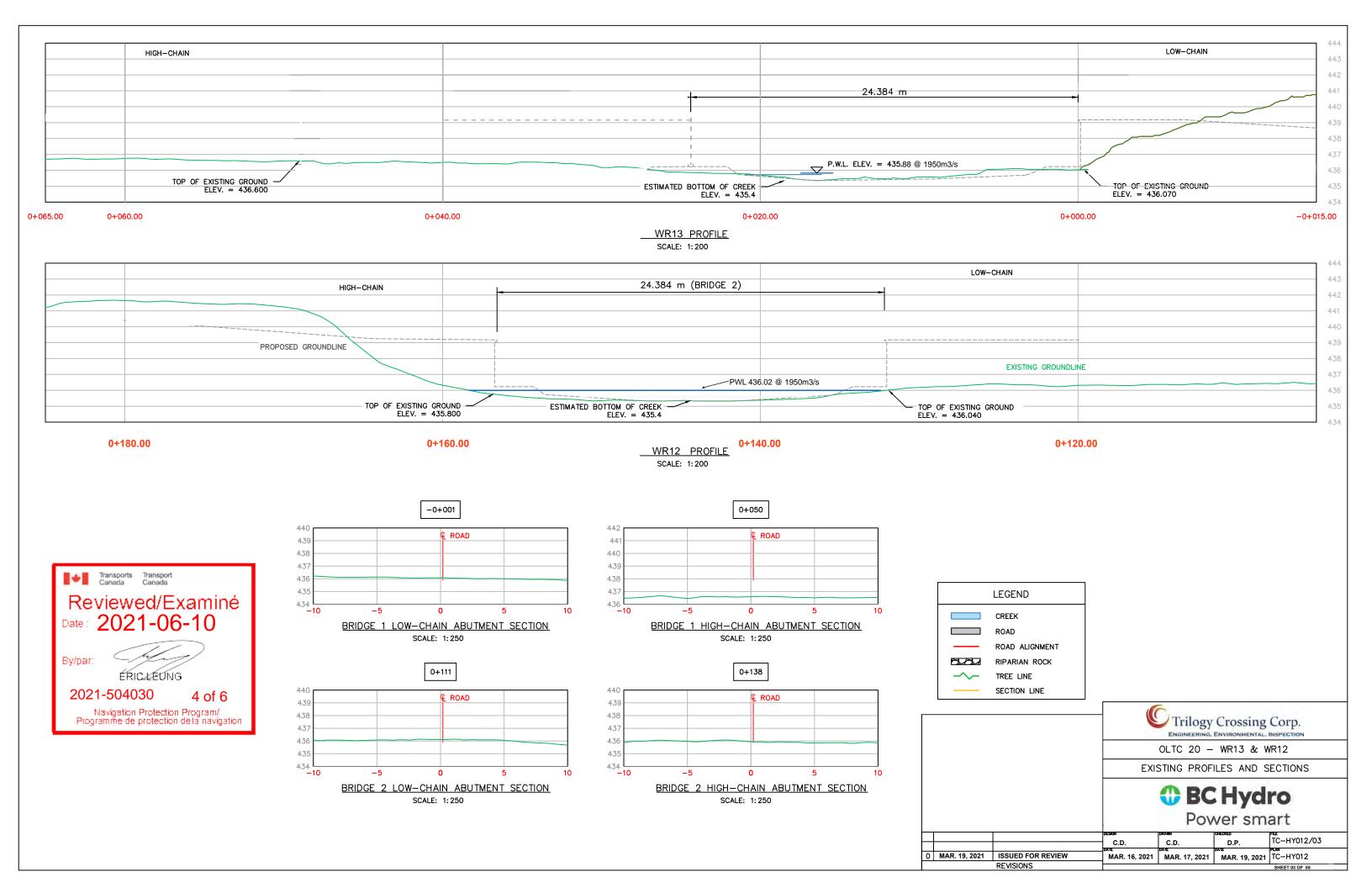
Eric Leung
NPP Officer
Programs Group
Transport Canada
Pacific Region
For the Minister of Transport

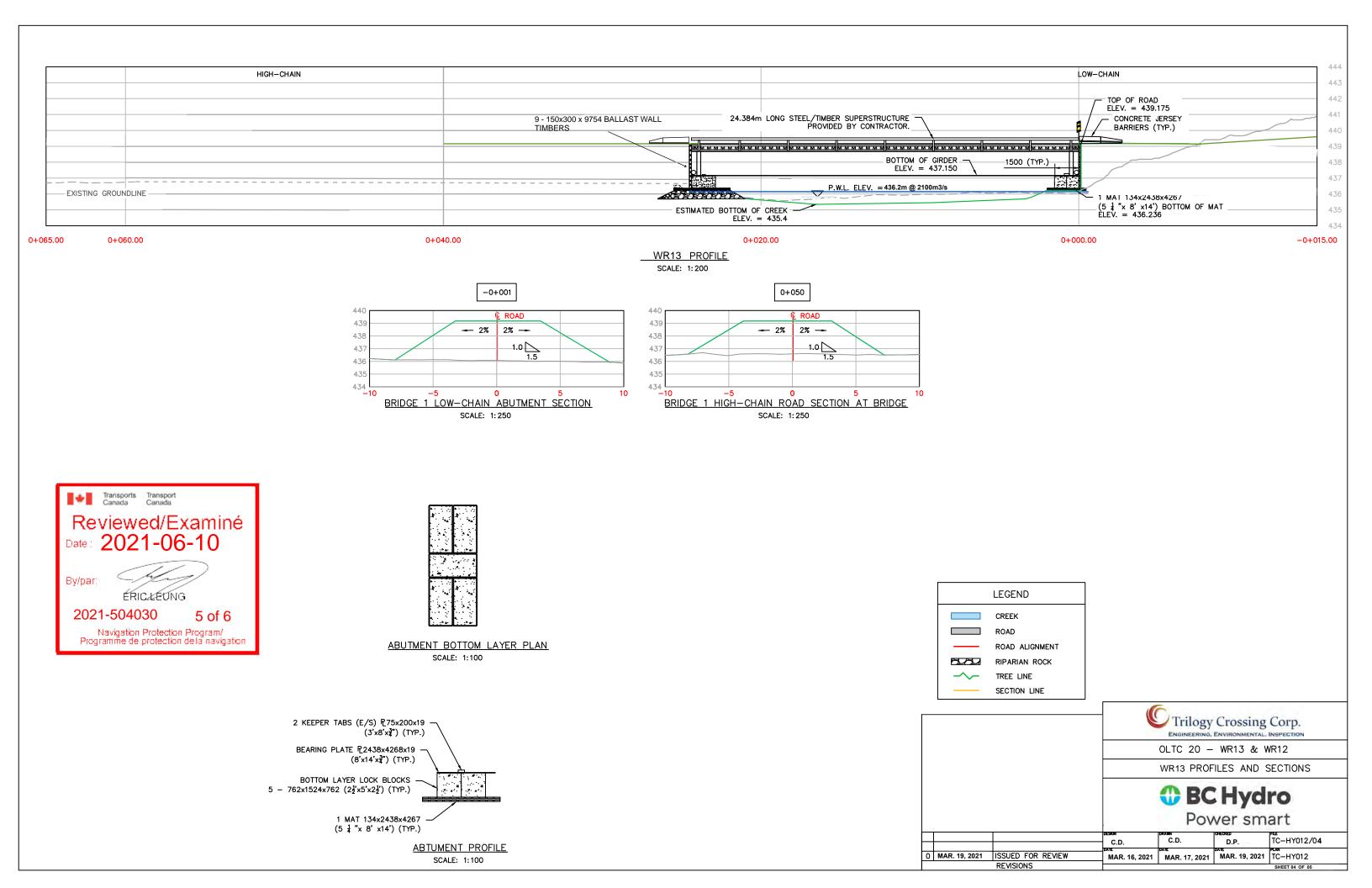


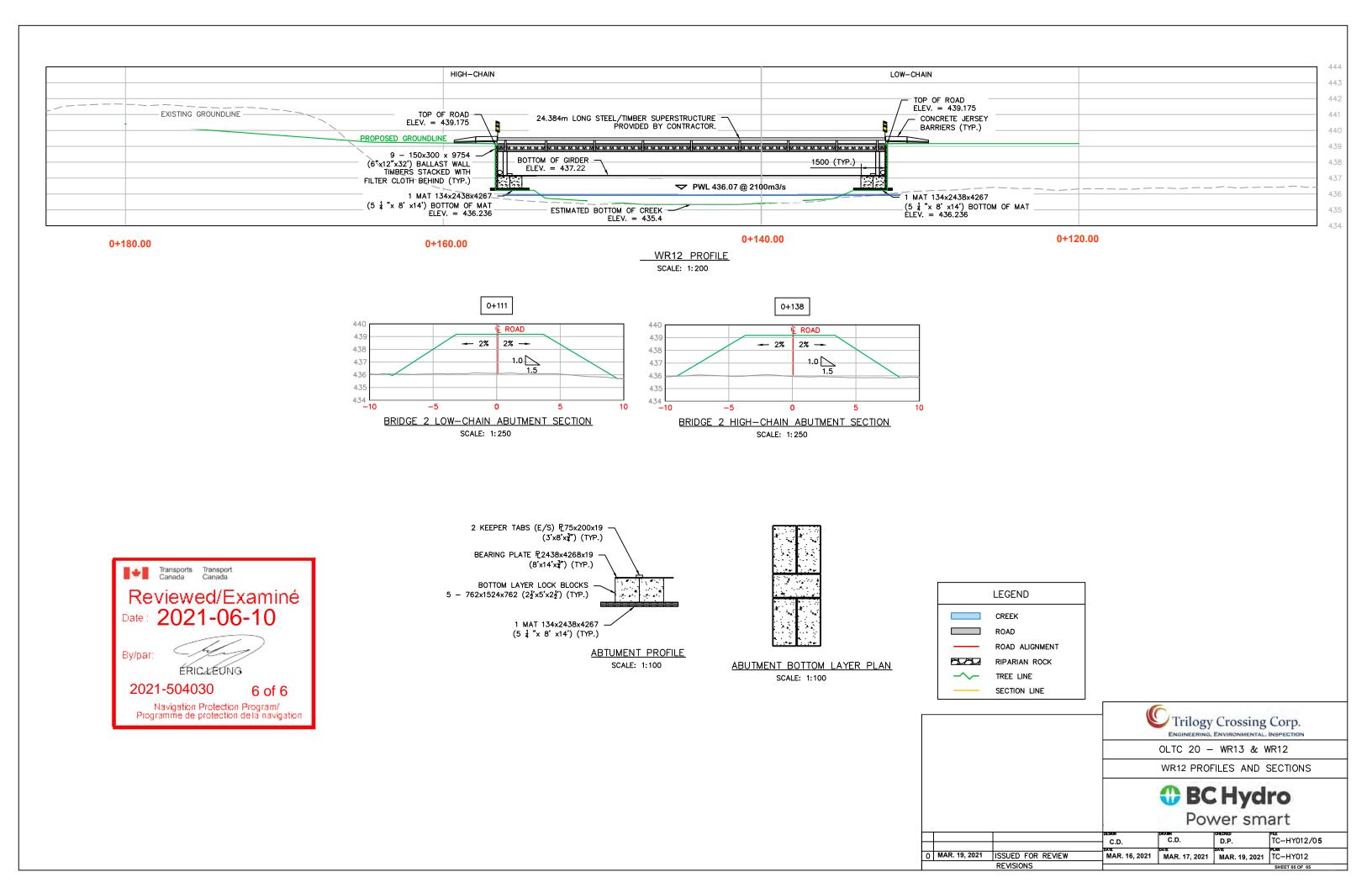


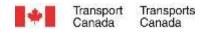












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- 11. A LIDAR survey is to be conducted within six (6) months of the completion of the reservoir filling in 2024 and reported back to Transport Canada.

SIGNED ON June 16, 2021 at the NPP regional office of Pacific



Eric Leung
NPP Officer
Programs Group
Transport Canada
Pacific Region
For the Minister of Transport



