



Transport Canada Transports Canada

Navigation Protection Program
Suite 620 – 800 Burrard Street
Vancouver, BC V6Z 2J8

Our file Notre référence
2014-500332

September 28, 2015

BC Hydro
Suite 600 - Four Bentall Ctr, 1055 Dunsmuir St.
PO Box 49260
Vancouver, BC V7X 1V5

Attention: Bettina Sander

RE: Notice to the Minister under the *Navigation Protection Act* for review of a Safety Boom, located on the Peace River, Site C Dam, on unsurveyed foreshore or land covered by water being part of the bed of Peace River, Site C, lying within Sec 18 and fronting Sec. 13, Twp 83, Rge 19, West of the 6th Meridian Peace River District, City of Fort St. John, in the Province of British Columbia

Enclosed please find the Approval for the above-noted work issued by the Minister of Transport in accordance with subsection 6 (1) Placement, of the *Navigation Protection Act* (NPA).

Pursuant to Sec. 34 of the Navigation Protection Act, the owner shall provide unimpeded access to the Minister and their representative for inspection purposes.

Pursuant to Sec. 5 of the Navigable Waters Works Regulations, all temporary piles, false works, silt curtains, construction material or debris, etc. are to be completely removed from the waterway.

Concerns about the portage system function or improper usage shall be directed to Transport Canada's Navigation Protection Program Office (TC NPP).

Proponent is reminded that the boom only warns boaters of the potential hazards, but does not impose a restriction on the use of the waterway under the *Navigation Protection Act*.

Please note that the attached document relates only to the effect of your work on navigation under the NPA. 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 Vancouver by phone at (604) 775-8867 or by e-mail at NPPPAC-PPNPAC@tc.gc.ca.

Respectfully,

Ryan Greville
Navigation Protection Program
Programs Group
Transport Canada
Pacific Region

CP/co

cc DFO- Brain Naito
CEAA – Steve Chapman
MPMO – Timothy Archer



NAVIGATION PROTECTION ACT
Section 6 (1)

2014-500332

Approval

APPLICANT: BC Hydro
Suite 600 - Four Bentall Ctr, 1055 Dunsmuir St.
PO Box 49260
Vancouver, BC V7X 1V5

WORK: Safety Boom

SITE LOCATION: Located at Approximately 56° 11' 15.91" N x 120° 50' 57.45" W, Peace River, Site C Dam, on unsurveyed foreshore or land covered by water being part of the bed of Peace River, Site C, lying within Sec 18 and fronting Sec. 13, Twp 83, Rge 19, West of the 6th Meridian Peace River District, City of Fort St. John, in the Province of British Columbia.

Regarding the application (detailed above) to the Minister of Transport, submitted pursuant to the *Navigation Protection Act*, for an approval of the work per the attached plans (4), the Minister hereby approves the work pursuant to subsection 6(1) Placement in accordance with the following terms and conditions:

1. The NPA Approval and its Terms and Conditions shall be posted at an easily accessible place at the worksite.

Safety buoys

2. During construction of the dam, Safety buoys and/or patrol boats notifying vessels to stay clear of the dam site shall only be in place if construction affecting the Peace River is ongoing or unless otherwise authorized by TC.
3. If construction works affecting the Peace River are halted. Then the buoys may remain in the river if the wording on the buoys is altered to advise vessel operators to exercise caution while transiting the dam site construction zone.
4. The proponent shall commence with the Boater Communication Protocol and required communications 30 days prior to informing traffic to stay clear of worksite with buoys and/or using an escort/safety boat.
5. The proponent shall inspect the buoys bi-weekly or after significant weather events to ensure that they are in position and are not collecting debris. The proponent shall conduct any required maintenance in an expedient manner.
6. The proponent shall install and maintain yellow flashing warning lights on both banks of the safety buoy location and shall install and maintain yellow flashing warning lights on buoys spaced at intervals so the lights are no more than 100m apart.

Buoy wording

7. If there is no applicable *Vessel Operating Restriction Regulation* under the *Canadian Shipping Act 2001* or a direction from a Law Enforcement Officer placed on the dam site section of the Peace River, the wording shall consist of the following either in whole or in part:
 - a) Danger
 - b) Hazard Area
 - c) Keep clear

The proponent may also use the following terms:

- a) Warning hazards ahead for 6.3km
- b) Proceed with Caution



8. If there is a applicable *Vessel Operating Restriction Regulation* under the *Canadian Shipping Act 2001* or a direction from a Law Enforcement Officer placed on the dam site section of the Peace River, the signage may consist of the following either in whole or in part:
 - a) River closed ahead for 6.3km
 - b) Keep out
 - c) No boating
9. Signage on the riverbank indicating river usage cannot conflict with buoy signage.
10. 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. The banks and bed of the waterway disturbed by the works should be contoured to match the local conditions if required.

Portage System

11. The proponent shall provide a portage system operating in both directions from downstream of the safety buoys to upstream of the safety buoys. The system shall be able to transport the common watercraft on the river including canoes and up to large jet boats. The purpose of this portage system is to service vessels intending on transiting along the river.
12. Portage system is only required to operate during daylight hours.
13. Operating the portage system is not required if either the Peace Island Park or the Halfway River boat launch is blocked by ice. The proponent is required to post notice of the reason for the suspension of service.
14. Should a portage be required, notification by the boater must be given to the proponent at least 24 hours in advance. The proponent shall provide adequate information about the portage system and notification requirements using the Boater Communication Protocol, which includes posting the following:
 - For the initial start of construction, publication in regional newspapers bi-weekly for the first month, weekly for the next 2 months. (can be combined with river closure information)
 - For subsequent years of construction, weekly for the months of April and May
 - Permanent posted notice at the Peace Island Park, boat launch
 - Permanent posted notice at the Halfway river, boat launch
 - Permanent posted notice at the Lynx Creek, boat launch
 - On the proponent website, on a page related to the project
15. The proponent is only required to portage vessels that are already waterborne and have met the notification requirements.
16. The proponent can require in advance that boaters provide the number of passengers, with the allowable amount based on the certified capacity of the portaged vessel.

SIGNED in two copies on Sept 28/15 in, Vancouver BC

Ryan Greville
Manager
Navigation Protection Program
Programs Group
Transport Canada
Pacific Region
for the Minister of Transport