



Your File #: 4404678/79/80
eDAS File #: 2011-00797
Date: Apr/26/2011

Selkirk Power Company;
c/o Front Counter BC
1902 Theatre Road
Cranbrook, British Columbia V1C 7G1

Attention: Jo-Ann Donald

**Re: Proposed Crown Land Referral Approval Application for: Beaver River
Hydroelectric Project along the Trans Canada Highway between Heather
Mountain Lodge and Golden**

Thank you for the opportunity to comment on the Crown Land Referral for the proposed Beaver River Hydroelectric Project.

The Ministry of Transportation and Infrastructure (MoTI) has reviewed your application and does not approve of the location for the 69 kV collector transmission line within the Trans Canada Highway (TCH) Right-of-Way from Heather Mountain Lodge to the Donald Bridge. The TCH between Glacier National Park and Golden has been established as a Parkway Reserve for the use of recreation, enjoyment of the public and to preserve aesthetic values.

Selkirk Power Company (SPC) has identified an alternate route with approximately 4.5km along the Trans Canada Highway corridor from Heather Mountain Lodge to the Donald Bridge. Prior to the Ministry making any decisions, SPC should submit preliminary engineered drawings to MoTI outlining the alternate route, specifically as it relates to portions of the TCH Right-of-Way. Additionally, the SPC should submit preliminary engineered drawings regarding the route within the TCH Right-of-Way from the Donald Bridge to the Town of Golden.

The preliminary engineered drawings are to include the boundaries of the TCH Right-of-Way, the proposed location (offsets) of the works within the Right-of-Way boundaries and details of any structures and appurtenances needed. The applicant's engineer can refer to the Ministry's *Utility Policy Manual* for information regarding utility installation and the Ministry's *Manual of Aesthetic Design Practice* which sets out principles and practices to be followed when designing utility installations.

Local District Address


Rocky Mountain District

129 10th Avenue S
Cranbrook, BC V1C 2N1
Canada

Phone: (250) 426-1500 Fax: (250) 426-1523

If you have any questions please feel free to call Allison Bates at (250) 837-8406.


Yours truly,

A handwritten signature in cursive script, appearing to read "Allison Bates".

Allison Bates
District Development Technician

Referral Request

APPLICANT'S NAME Selkirk Power Company Limited		MNRO CONTACT: Jo-Ann Donald, NRO Joann.donald@gov.bc.ca	CONTACT PHONE NO: 250-426-1775
APPLICATION ACCEPTANCE DATE September 24, 2007	REF MAP No. 82N.043 and .053	MNRO FILE NO: See Below	DATE SENT: February 9, 2011


 You are invited to comment on the following application, details are provided. Referral responses must be received by the MNRO contact person by **March 9, 2011**. If no response is received by the deadline MNRO will move ahead with the adjudication process.

LOCATION OF CROWN LAND Vicinity of Ventego, Alder and Cupola Creeks		PARCEL SIZE See below
LEGAL DESCRIPTION Unsurveyed Crown land in the vicinity of Ventego, Alder and Cupola Creeks, Kootenay District		
INTENDED LAND USE License of Occupations, Statutory Right of Way, Leases and Water Licenses		
PROPOSED TENURE TYPE Water Power	PROPOSED TERM	PURPOSE Water Power

ADDITIONAL INFORMATION RELATED TO THE FOLLOWING IS AVAILABLE ON REQUEST

See attached information.

4404678/4005353 – Ventego Creek (lands – 107.09 hectares/water – 5.25 m3/second)

4404679/4005352 – Alder Creek (lands - 37.07 hectares/water – 2.5 m3/second)

4404680/4005351 – Cupola Creek (lands – 82.30 hectares/water – 3.5 m3/second)

FYI – Majority of the transmission line lies within the Highway Right-of-Way. A small portion of the transmission line lies on Crown land near Golden (14.77 hectares more or less).

RESPONSE COMMENTS:

1. Does this application impact your agency's legislated responsibilities? Yes/No. If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section).

Yes, the proposal potentially triggers the Federal Species at Risk Act (SARA) safety net provisions, Sections 32-36. The following species occur on federal park lands and interact with greater populations and have been identified in the proposed development area:

Whitebark pine (endangered)
 Mountain caribou (threatened)
 Olive-sided flycatcher (threatened)
 Westslope cutthroat trout (special concern)
 Bull trout (awaiting assessment)
 Wolverine (awaiting reassessment)
 Grizzly bears (awaiting reassessment)

Overarching concerns are that this project will increase human access adjacent to park boundaries, increase displacement of mountain caribou, olive-sided flycatcher, westslope cutthroat trout, wolverine and grizzly bears, and may increase linear corridor access by predators to caribou populations. The operation could affect Parks Canada's ability to meet Species at Risk regulations on managing identified species at both the individual and population level. We note that Fisheries and Oceans Canada (DFO) has been consulted on fish species at risk; it is Parks Canada's responsibility to notify Environment Canada of the potential impacts on terrestrial species. While section 4.8 of the Selkirk Power report indicates that federal factors were considered when identifying valued ecosystem components (VECs), Parks Canada was not consulted.

Of specific concern, is a comment on pg 159:

"Effects will be further reduced by avoiding removals of whitebark pine whenever and wherever possible. Any whitebark pine tree removal will be confined to individual isolated cases and will have no effect at a population level."

Whitebark pine is a federally listed endangered species that by SARA law must be managed on an individual basis, not at a population level. Under safety net provisions, the proposed Selkirk Power project may be subject to the federal SARA in the absence of provincial species at risk legislation. We suggest the project proponent address federal species at risk in Glacier National Park by reviewing publicly available data through the Parks Canada biotics website: http://www.pc.gc.ca/apps/bos/BOSMain_e.asp.

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The project may also affect Glacier National Park's ability and responsibility to maintain wildlife movement corridors (mountain caribou, wolverine, grizzly bears, wide-ranging mammals), and denning (wolverine, grizzly bears) and to protect critical life-cycle requirements (olive-sided flycatcher, wolverine). These species are wide-ranging and disturbance outside the park boundaries could affect greater park populations, impacting Parks Canada's ability to maintain and preserve ecological integrity (EI) as per the National Parks Act, Sections 8 and 11.

The proposed project could affect the following desired future outcomes. Desired future outcomes are conditions which are integral to ensuring healthy ecosystems within Glacier National Park, as per Section 8 of the 2010 Park Management Plan (PMP):

- Ensure a full complement of native species characteristics of the Columbia Mountains Natural Region.
- Sustain ecological connectivity.
- Maintain viable wildlife and fish populations and the habitat that sustains them.
- Ensure human-caused mortality of priority species is reduced and reproductive success is not diminished.
- Ensure no reduction in old-growth forest due to park practices and decision-making, except if restoring natural processes.
- Maintain terrestrial habitat connectivity and, where feasible, restored.
- Maintain natural flow regimes, water quality and aquatic connectivity and, where feasible, restored.
- Restore long-term patterns of wildlife, including mountain caribou, wolverine and grizzly bear behaviour, distribution and abundance.
- Ensure predator-prey dynamics reflect natural levels.

Regional land management practices (such as forestry and backcountry motorized recreation) have cumulatively altered the natural range of ecosystem variability around the park, and continue to act as stressors, both directly and indirectly adjacent to park boundaries. Additional activities which create new disturbance are of concern and may impact park ecosystem integrity by impacting wildlife populations and wildlife connectivity across jurisdictional boundaries. The Ventego Creek hydroelectric project increases access and road/right of way density in previously undisturbed habitat and has the potential to displace wildlife and wildlife habitat (wolverine denning and grizzly feeding habitat).

There is also concern that the project may increase the need for Parks Canada law enforcement actions against illegal activities in the northern portion of Glacier National Park due to increased access from the project. Additionally, there is no mention of a fire plan; how will the potential for increased forest fire risks resulting from construction operations be addressed?

2(a). If the proposal impacts your responsibilities, what mitigative measures will be required to address these impacts?

Parks Canada requests information on how potential impacts to the identified Federal Species at Risk will be addressed and how desired future outcomes and concerns regarding increased access and forest fires will be met.

Notes/Recommendations

We recommend that until caribou recovery strategies can be ratified for the Southern and Northern Mountain Caribou populations, that any increase of human activity in caribou habitat, including over-flights be postponed.

Pg 161, Figure 4 should be updated with recent 2010 BC provincial Government Action Regulation (GAR) orders. The vicinity adjacent to the proposed projects, and north of Glacier National Park, requires mountain caribou habitat mapping. Glacier National Park has recently completed a predictive ecosystem map, and will be mapping mountain caribou habitat over the summer of 2011; these products will be available for distribution upon request.

Note - it is unclear over what time period stream-gauging occurred, and what percentage of the streams is diverted in any given month. Clearer language/presentation would assist Parks Canada in determining if there will be hydrological and fisheries impacts in the park.

2 (b) If the proposal proceeds, will the proponent require approval or a permit from your agency?

No, unless Species at Risk authorizations are required as per Fisheries and Oceans Canada and Environment Canada Species at Risk acts and regulations.

However, as a regional stakeholder and as stated in the PMP Strategic Environmental Assessment, in order to ensure healthy ecosystems Glacier National Park will work with others to find innovative ways to restore and reconnect ecosystems (e.g. through zones of cooperation). If the project is approved, we would like to remain engaged with Selkirk Power, and would like to retain the ability to monitor the project to ensure that EI issues with the potential to affect the park are being addressed.

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When available, could we please obtain copies of the:

- Cumulative Effects Report
- Fisheries and Oceans Canada – Harmful Alteration, Disruption or Destruction (HADD) Report
- Environmental Management Plan
- Access Management Plan
- Fish Translocation Effects Plan
- Archaeology Report (AOA)

In addition, we also request:

- The opportunity for a representative of Selkirk Power to present the project to the Mount Revelstoke and Glacier Park Management Committee and Resource Conservation staff at a mutually beneficial time.
- That avalanche control activities and proposed helicopter flight paths are made available for review in the event of overlap with Glacier National Park avalanche control activities, in addition to any fire management plans.

3. Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? Yes/No. If yes, explain what will be required.

Yes, potentially from Parks Canada Law Enforcement, to ensure that illegal activities do not occur within Parks Canada boundaries; the Access Management Plan will assist us to ascertain this issue.

4. Will this application affect public use of this area? Explain.

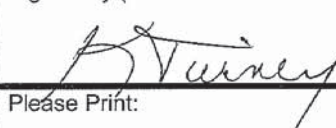
Increased right of ways and road development, regardless of access control, could lead to an increase of public use in the northern end of the park, which is considered wilderness area. An increase in motorized access and illegal hunting/trapping in the area would be a concern.

Parks Canada is concerned about indirect impacts to the park ecosystem. We wish to remain apprised so that we can identify potential regional and cumulative impacts and try to address them with Selkirk Power, if necessary, as the project develops.

For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? If no, what is the current zoning?

What is the estimated time required for a decision on an application to re-zone the area should the applicant wish to pursue this option?

Signed By (if non-electronic version of form used):



Please Print:

Karen Tierney

Title:

Superintendent – Mount Revelstoke and Glacier National Parks and Rogers Pass National Historic Site

Phone Number:

250-837-7510