



January 9, 2017

File #: CEEA Registry - 63919

Mr. Greg Scarborough  
Manager  
Site C Environmental Compliance, Mitigation and Monitoring  
BC Hydro  
1055 Dunsmuir Street  
Vancouver, BC V7X 1V5

*Sent via email: Greg.Scarborough@bchydro.com*

**RE: Review of BC Hydro response to Notice of Intent to Issue an Order**

Dear Mr. Scarborough:

As BC Hydro is aware, on December 19, 2016, the Canadian Environmental Assessment Agency (the Agency) issued a Notice of Intent to Issue an Order (the Notice) to BC Hydro pursuant to section 94 under the *Canadian Environmental Assessment Act, 2012* to take any measure that is necessary to comply with condition 8.7 of the Decision Statement that was issued to BC Hydro for the Site C Clean Energy Project. The issues identified in the Notice related to the absence of erosion and sediment control contingency supplies at specific construction laydown areas. These erosion and sediment control contingency supplies are requirements of Environmental Protection Plans (EPPs), specifically for the;

- i. Moberly Bridge Construction Bridge;
- ii. Right Bank Drainage Tunnel; and,
- iii. Right Bank Cofferdam.

BC Hydro was given 10 business days following the issuance of the Notice to provide comments.

On January 5, 2017, BC Hydro wrote a letter to the Agency stating that the corrective actions were implemented and that the required contingency supplies are now onsite at the Right Bank Drainage Tunnel, Right Bank Cofferdam, and Moberly River Construction Bridge areas as required in their EPPs. Following the Agency's review of the photographs included in the letter, the Agency is satisfied that BC Hydro has stocked the erosion and sediment control contingency supplies as required in the respective EPPs. As such, the Agency has decided to not issue the Order.

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Please note that this letter and the letter BC Hydro provided on January 5, 2017 will be made public on the Agency's website.

Sincerely,

<Original signed by>

Nicolas Courville  
Senior Enforcement Officer  
Compliance promotion and Enforcement Unit  
Canadian Environmental Assessment Agency