

**IN THE MATTER OF  
THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2002, c.43 (THE ACT)**

**AND**

**IN THE MATTER OF  
ENVIRONMENTAL ASSESSMENT CERTIFICATE E03-01  
ISSUED TO COAST MOUNTAIN HYDRO CORP (THE PROPONENT) FOR THE  
FORREST KERR HYDROELECTRIC PROJECT (THE PROJECT)**

**AMENDMENT #5 (AMENDMENT)  
TO THE CERTIFICATE**

**WHEREAS:**

- A. The former Minister of Sustainable Resource Management (the "Minister"), the former Minister of Water, Land and Air Protection, and the former Minister of Energy and Mines (collectively referred to as the "Ministers") issued an Environmental Assessment Certificate (the "Certificate") on March 13, 2003;
- B. The Certificate authorized the Proponent to construct a 100 MW hydroelectric generating power plant on the Iskut River near the confluence with Forrest Kerr Creek and to construct a 188 km power transmission line from the generating plant site to Meziadin Junction, BC;
- C. Condition 1 of the Certificate requires that the Proponent cause the Project to be designed, located and constructed in accordance with the conditions of the Certificate to the reasonable satisfaction of the Minister;
- D. Since March 2003, the Environmental Assessment Office (EAO) has approved four amendments. The first amendment, in August 2003, allowed a change in the rated capacity for the powerplant (from 100 MW to 112 MW). The second amendment, in July 2004, allowed for an overhead transmission line (rather than a buried line) from the project site to the junction of the Eskay Creek Mine Road and Highway 37. The third amendment issued in August 2006 allowed the Proponent to shift sections of the transmission line beyond the Highway 37 right-of-way to address safety, slope stability, visual and environmental concerns. The fourth amendment, in July 2009, rescinded the third amendment;
- E. On December 4, 2008, the Executive Director issued an extension to the Certificate, ordering that the Project must be substantially started by March 13, 2013;
- F. On October 14, 2009, the Proponent applied to amend the Certificate to:
  - increase the generation capacity from 112 MW to 195MW;
  - eliminate a 150.7 km portion of the transmission line between the British Columbia Transmission Corporation (BCTC) planned Bob Quinn substation and Meziadin Junction, BC; and

- increase the voltage of the remaining 37.3 km transmission line (from Forrest Kerr generation site to the BCTC planned Bob Quinn substation) from 138kV to 287 kV.
- G. The BCTC is proposing to construct a 287 kV - 335 km transmission line from Terrace to Bob Quinn, BC, as part of the proposed Northwest Transmission Line Project which is currently proceeding through the EA process;
  - H. The Project, as amended, including the generation site infrastructure and the 37.3 km transmission line, is located solely within the asserted traditional territory of the Tahltan Nation;
  - I. Notice of the application to amend the Certificate was provided to the public as well as to representatives of federal, provincial and local governments, and the Tahltan Nation;
  - J. Federal, provincial and local government agencies and Tahltan Nation provided comments on the amendment application;
  - K. The Gitanyow Hereditary Chiefs Office, *wilp* Skii km Lax Ha of the Gitxsan, and the Nisga'a Lisims Government were notified about the Amendment because these First Nations had been involved in the previous amendments when the section of the transmission line was located within their asserted territories;
  - L. Gitanyow Hereditary Chiefs Office and *wilp* Skii km Lax Ha of the Gitxsan did not comment;
  - M. On December 29, 2009, the Nisga'a Lisims Government ("NLG") wrote to EAO, stating that if the Project, as amended, does not include the construction of a transmission line from Bob Quinn to Meziadin Junction, then the amended Project would not likely have any implications for the Nisga'a Final Agreement, and NLG will not need to participate further in the consideration of the Application;
  - N. EAO is satisfied that the comments received by the public, government agencies and First Nations have been addressed;
  - O. The Executive Director has considered the Amendment application.

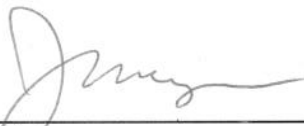
**NOW THEREFORE,**

Pursuant to section 19 (3)(a) of the Act, the Certificate is amended as follows:

1. By deleting a 150.7 km portion of the 188 km transmission line, from the BCTC planned Bob Quinn substation to Meziadin Junction, BC, with an increased voltage to 287 kV for the remaining 37.3 km from the Forrest Kerr generation site to the BCTC planned Bob Quinn substation;
2. By increasing the generation capacity from 112 MW to 195MW.

3. Schedule A is amended by adding the following:

20. October 14, 2009 letter from Doug Brown (AltaGas Renewable Energy Inc. for Coast Mountain Hydro Corp.) to Robin Junger (Environmental Assessment Office) regarding the Application for Fifth Amendment on Environmental Assessment Certificate #E03-01 dated March 13, 2003 for the Forrest Kerr Hydroelectric Project.
21. "All references, maps, figures and tables related to revise the design of the Project in the following document: Forrest Kerr Hydroelectric Project Environmental Assessment Amendment 195MW October 2009 from Doug Brown (AltaGas Renewable Energy Inc. for Coast Mountain Hydro Corp.) to Robin Junger (Environmental Assessment Office) regarding the Forrest Kerr Hydroelectric Project Certificate #E03-01."
22. "All references, maps, figures and tables related to revise the design of the Project in the following document: Forrest Kerr Hydroelectric Project - Potential Effects of Ramping on Overwintering Bull Trout in the Diversion Reach, January 25, 2010."
23. "All references, maps, figures and tables related to revise the design of the Project in the following document: Forrest Kerr Hydroelectric Project 195MW Environmental Assessment Amendment Application Work Plan – Effects Assessment of Ramping Downstream of the Tailrace Associated with a Major Unscheduled Outage, February 17, 2010."
24. "Table 1 – Coast Mountain Hydro Corporation (CMHC) – Summary of Commitments for the Forrest Kerr Hydroelectric Project Amendment #5."



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John Mazure  
Executive Director  
Environmental Assessment Office

Issued this 10<sup>th</sup> day of March 2010.