

# Appendix H

## Guide for Waterpower Projects

### Scope of Information and Reports by the Environmental Monitor

#### A. Preamble

[Name] (the "Licensee") is proceeding with the construction of the [Name] Waterpower Project (the "Project"). The Project, located on [name of stream], is authorized by Conditional Water Licence [Number] (the "Licence"), which forms part of this document. The works of the Project are described under clause (h) of the licence.

The Licensee is required under clause (i) 3) of the Licence to prepare an environmental management plan (the "EMP") for the management and mitigation of construction impacts, which plan is to be to the satisfaction of the Engineer under the *Water Act* (the "Engineer").

The Licensee is required under clause (i) 2) of the Licence to retain a person with professional qualifications (the "Environmental Monitor") who will monitor environmental impacts from the construction of works. The monitor will also provide information and reports under the direction of the Engineer on compliance of the construction with the EMP. The Licensee is also required to retain an Independent Engineer as set out in the Licence.

The EMP are the provisions that meet the collective requirements of **(list the provincial and federal agencies that contributed to the development of the EMP)** and the Engineer under the *Water Act* ( the "Engineer") to mitigate the effects of the construction activities.

The information and reports by the Environmental Monitor will be provided to **(list the provincial and federal agencies that contributed to the development of the EMP)** and the Engineer. Each agency will take action on the information and reports provided by the Environmental Monitor in accordance with the jurisdiction of the agency.

#### B. Regulation of the Construction of Works

The Engineer has the power to regulate the construction of works, which regulation may consider the construction activities that may adversely affect the public, the environment and the interests of licensees, riparian owners and owners of land adjacent to the works.

If the Engineer has determined that the construction activities may be hazardous to the interests of licensees, riparian owners and owners of land adjacent to the works and the environment, the Engineer may issue an order that directs the Licensee to change the manner in which the works are constructed to remove the hazardous condition.

#### C. Information and Reports

The Environmental Monitor is responsible for observing the methods of construction and preparing information and reports on the compliance of the construction activities with the EMP.

The information and the reports to be provided by the Environmental Monitor to **(list the provincial and federal agencies that contributed to the development of the EMP)** and the Engineer and must include the following:

1. Review the EMP and develop a work plan that sets out the following:
  - The frequency of inspecting the construction activities.
  - The manner in which notice is to be given to the parties for a construction activity that is not in compliance with the EMP.
  - A process for escalating enforcement of compliance of construction activities with the EMP.
  - The format and frequency for the preparation of reports on the compliance of the construction activities with the EMP.
2. Reports on meetings with the Licensee and the Construction Engineer to develop a strategy to communicate to the workers on the construction site the following:
  - the requirements of the EMP,
  - the potential environmental impacts, and
  - the authority of the Environmental Monitor.
3. Reports on matters that arise during the construction and testing of the works that are not described in the EMP. If cannot be resolved by discussion with the licensee and the Construction Engineer, obtain direction from the Engineer and (**list the provincial and federal agencies that contributed to the development of the EMP**) for the mitigation of these matters.
4. Provide any other information or advice required by the Engineer and (**list the provincial and federal agencies that contributed to the development of the EMP**) that is required to ensure that the construction and commissioning of the works is in accordance with the EMP.

#### **D. Independent Engineer**

The Licensee is required under clause (i) 1) of the Licence to retain an Independent Engineer who will provide information and reports under the direction of the Engineer regarding the design and construction of the works.

The Independent Engineer and the Environmental Monitor will communicate with each other during the construction of the works to coordinate their activities to provide information to the Engineer for proper regulation of the construction of the works.

#### **E. Delegation of Duties of Environmental Monitor**

When the Environmental Monitor is unable to personally observe and report on the construction activities, the persons who have the same authority as the Environmental Monitor to observe and report on construction activities are:

1. Name 1
2. Name 2

#### **F. Testing the Operation**

When the Licensee submits a schedule for testing the operation of the works, the Environmental Monitor will inspect the site and report to (**list the provincial and federal agencies that contributed to the development of the EMP**) and the Engineer on any matters that would make the works a hazard to the public and the environment.

The Environmental Monitor will observe the testing of the operation of the works to determine if the operation poses a hazard to the public and the environment, and submit to the Engineer a report on the outcome of the monitoring.

**G. Authority to Stop Construction Activities**

The plan prepared by the Environmental Monitor for escalating the enforcement of compliance of construction activities with the EMP includes a provision that the Environmental Monitor may direct the Construction Engineer to stop a construction activity.

The authority of the Environmental Monitor to stop a construction activity pertains only to those matters under the jurisdiction of **(list the provincial and federal agencies that contributed to the development of the EMP)**.

An order to stop a construction activity that affects the interests of licensees, riparian owners and owners of land adjacent to the works may only be given by the Engineer.

**H. Acceptance**

The information and reports to be provided by the Environmental Monitor to the Engineer as set out above is acceptable to:

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Environmental Monitor

AND

The Licensee agrees to retain the Environmental Monitor to provide the information and reports to the Engineer set out above.

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Licensee

## **Appendix A - Contact List**

### **Engineer under the *Water Act***

Name:

Position Title:

Office Phone Number:

Mobile or Alternate Phone Number:

Mailing Address:

### **Independent Engineer**

Name:

Position Title:

Company:

Office Phone Number:

Mobile or Alternate Phone Number:

Mailing Address:

### **Licensee Representative**

Name:

Position Title:

Company:

Office Phone Number:

Mobile or Alternate Phone Number:

Mailing Address:

### **Design Engineer**

Name:

Position Title:

Company:

Office Phone Number:

Mobile or Alternate Phone Number:

Mailing Address:

### **Construction Engineer**

Name:

Position Title:

Company:

Office Phone Number:

Mobile or Alternate Phone Number:

Mailing Address: