

A. ISSUE

A decision is required by the Executive Director of the Environmental Assessment Office (EAO) on an application by the Proponent to amend Environmental Assessment Certificate #E11-02 (Certificate) for the Project under section 19(3) of the Act.

B. BACKGROUND

1. Proponent and Project Description

- The Project is a run-of-river hydroelectric Project with a rated nameplate capacity of 45 megawatt (MW) on the Kokish River approximately 15 kilometre (km) east of Port McNeill, British Columbia.
- Certificate #E11-02 was issued to Kwagis Power Limited Partnership for the Project on November 24, 2011. The limited partnership consists of Brookfield Renewable Power Inc. and the 'Namgis First Nation.
- The scope of the Project includes of the following on-site and off-site components and activities:
 - construction and operation of a diversion weir;
 - intake and fish ladder;
 - buried penstock;
 - powerhouse;
 - switchyard;
 - tailrace; and
 - approximately 0.5 km of 138 kilovolt (kV) transmission line connecting to the existing British Columbia Hydro (BC Hydro) power grid.
- The Project has been substantially started with the construction of the intake structure, penstock, and powerhouse facility. Completion of Project construction is expected in spring 2014.
- The Project has an estimated capital cost of \$200 million and would create approximately 75 construction jobs and two part-time operational jobs.
- The Project is within the overlapping traditional territories of the 'Namgis First Nation and the Tlowitsis First Nation.
- On February 25, 2013, the Proponent submitted a Certificate amendment application to increase the maximum diversion flow rate of the Project from 23.3 cubic metres per second (m³/s) to 25.0 m³/s during October 16 through June 15.

2. British Columbia Environmental Assessment Process

The Proponent submitted the application for an Environmental Assessment Certificate (Certificate Application) on July 19, 2010, which was evaluated by a Working Group, led by the EAO, and comprised of representatives from Ministry of Forests, Lands and Natural Resource Operations (FLNR), Ministry of Environment (MOE), Canadian Environmental Assessment Agency (Agency), Health Canada, Transport Canada (TC), Fisheries and Oceans Canada (DFO), Environment Canada (EC), Mount Waddington