

**First Nations Consultation Plan for the
Proposed Silverberry PAC Amendment WD02-01**

**Submitted to the Environmental Assessment Office
By Tervita Corporation**

October, 2015



1.0 INTRODUCTION

Tervita Corporation (Tervita) is a leading environmental solutions provider. Tervita's integrated earth, water, waste and resource solutions deliver safe and efficient results through all phases of a project by minimizing impact and maximizing returns. More than 2,000 dedicated employees are trusted sustainability partners to oil and gas, construction, mining, government and communities. Safety is our highest priority: it influences our actions and shapes our culture.

Tervita is implementing a Treaty 8 First Nations Consultation Plan (the Plan) in order to communicate our plans for engaging with Treaty 8 First Nations regarding the proposed Silverberry Project Certificate Amendment (PAC) WD02-01 (the Amendment).

The Plan is required under British Columbia's (BC) *Environmental Assessment Act* and Regulations and was developed to meet the consultation requirements as set out in the letters received by Tervita on November 6, 2014 and August 6, 2015, from BC's Environmental Assessment Office (EAO). The August 6, 2015 letter indicated that the following details must be included in Tervita's consultation plan for First Nations:

- Consultation principles;
- Consultation activities conducted to date and the proposed consultation activities for the Amendment;
- Information delivery methods to provide notices and information to the First Nations;
- Timelines for consultation;
- Procedures for tracking and reporting of consultation; and
- List of First Nations.

2.0 PROJECT OVERVIEW

Tervita owns and operates the Silverberry Landfill approximately 50km north of Fort St John, BC. Tervita is proposing to replace the depleted capacity of the Silverberry Landfill through the Amendment. The application for PAC WD02-01 was originally submitted to the BC EAO in March 2002 and approved in July 2002. It is Tervita's intention to submit the Amendment in Q1, 2016.

Tervita's Silverberry Landfill was constructed in 2003 and currently consists of six secure landfill cells as defined under the Hazardous Waste Regulation. The current and future landfill layout is illustrated in the Detailed Site Map. The cells are constructed in a staged manner dependent on fill rate and typically only one cell is operated at a time. Within the current approved landfill footprint, two more landfill cells (7 and 8) will be constructed, with cell 7 currently under construction. Associated infrastructure and facilities located on the same property include access roads, drainage ditches, groundwater monitoring wells, an office and weigh scales. Infrastructure and associated facilities are in operation for the existing landfill and will continue to be used for the landfill capacity replacement area. Stormwater, leachate management, and monitoring systems are in place at the facility, and will be expanded or upgraded, where appropriate, to account for stormwater retention and the leachate generation associated with the proposed landfill capacity replacement.

As shown in the Overview Map, the landfill capacity replacement is proposed on privately owned land located immediately east of the current landfill footprint at 8-88-20 W6M and is approximately the same size as the existing landfill footprint (roughly 25 hectares). Similar to the existing landfill footprint, the proposed project will be developed as a series of cells. The future landfill development area has been conceptually designed to accommodate six cells of varying sizes. As additional cells are developed, the liner and leachate collection systems will be tied together to provide a continuous liner system under the entire project area. This will allow final development of the area as one contiguous fill mass rather than six individual pockets. This is standard landfill operating and construction practice and how the currently approved landfill is maintained. The location of the capacity replacement area provides for a 50m wide secure buffer zone on the property owned by Tervita, surrounding the active area of the secure landfill, as required by the Hazardous Waste Regulation, Section 25 (10).

Based on current knowledge of the types and volumes of oilfield waste in the northeast BC area, Tervita estimates that the facility will handle approximately 600,000 tonnes per year of solid waste. There is potential for variability in annual solid waste quantities accepted by the facility.



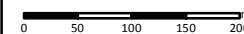
October 2015

DETAILED SITE PLAN
TERVITA SILVERBERRY
SECURE LANDFILL
CAPACITY REPLACEMENT

661198

- Access/Resource Road
- Proposed Capacity Replacement
- Proposed Cell Block
- Existing Cell Block
- Soil Stockpile

SCALE: 1:7,000



(All Locations Approximate)

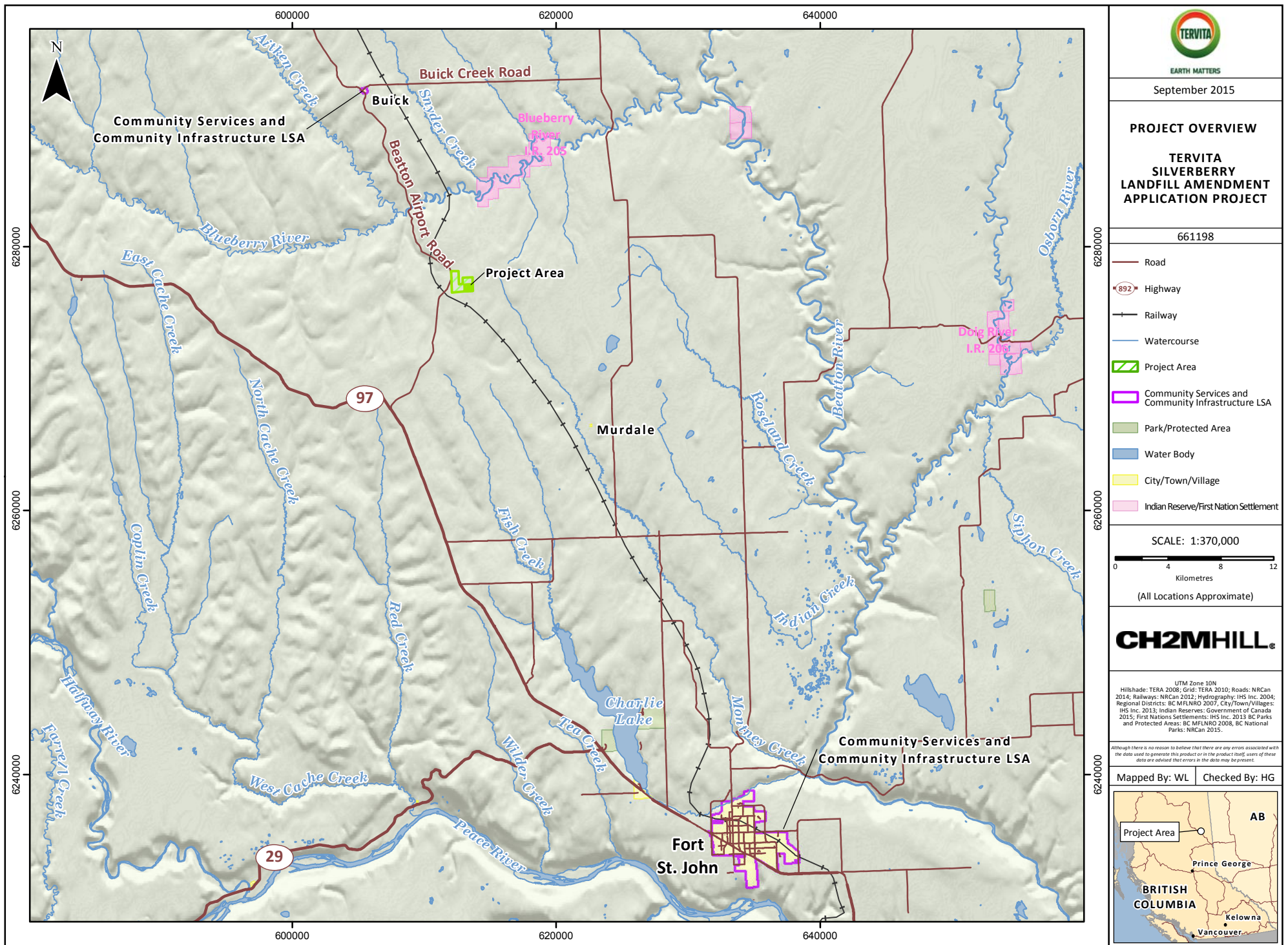
CH2MHILL.

UTM Zone 10N
 Imagery: Esri, DigitalGlobe, GeoEye, i-cubed, USDA,
 USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo,
 and the GIS User Community, Roads: IHS Inc. 2015.

Although there is no reason to believe that there are any errors associated with the data used to generate this product or in the product itself, users of these data are advised that errors in the data may be present.

Mapped By: WL Checked By: HC





3.0 IDENTIFIED FIRST NATIONS

The EAO's August 6, 2015 letter directed Tervita to consult with the Blueberry River First Nations (BRFN) and the Doig River First Nation (DRFN) for consultation in relation to the Amendment. In addition, Tervita has included the following First Nations in its consultation program:

- Halfway River First Nation (HRFN);
- West Moberly First Nation (WMFN);
- Saulteau First Nation (SFN)
- Prophet River First Nations (PRFN);
- McLeod Lake Indian Band (MLIB); and
- Fort Nelson First Nation (FNFN).

4.0 CONSULTATION PRINCIPLES

Tervita recognizes that meaningful consultation with potentially impacted First Nations is an important part of project development and operations. Tervita's consultation program is guided by our Aboriginal Relations Guiding Principles.

4.1 *Aboriginal Relations Guiding Principles*

- Tervita is committed to building positive relationships with Aboriginal communities based on respect, trust and open communication;
- Tervita supports local community initiatives that reflect our commitment to sustainability and the quality of life where we live and work;
- Tervita's relationships with Aboriginal communities are based on the development of new projects and existing operations, as well as community interests;
- Tervita is an equal-opportunity organization and encourages Aboriginal people to seek employment and business opportunities with our company; and
- Tervita partners with regional and national organizations that foster increased participation of Aboriginal community members in our industry.

4.2 *Objectives of Consultation*

Tervita's objective is to work with potentially affected First Nations to identify adverse effects related to Tervita's activities. Tervita's objectives include:

- Commencing consultation early in the Amendment planning process;
- Identifying how the First Nations wish to be consulted and allowing flexibility in the manner and form of notification and consultation (e.g, in person meetings, working groups, brochures, letters, phone calls, emails, mail and/or websites);
- Ensuring community members of First Nations identified by the EAO will have an accurate understanding of the Amendment and are given an opportunity to provide their feedback;

- Communicating in plain language;
- Identifying that First Nations are allowed to exercise their Treaty No. 8 rights;
- Allowing sufficient time to review Amendment materials;
- Adequately responding to concerns raised; and
- Seeking to avoid, address, mitigate or otherwise manage impacts identified through the consultation process in a timely manner.

5.0 CONSULTATION ACTIVITIES CONDUCTED TO DATE

On July 14, 2014, Tervita attended at a Chiefs Gathering at the Treaty 8 Tribal Association Office to informally notify the Chiefs of Tervita's desire to expand the facility. Tervita invited all of the First Nations for an informal site visit to learn more about our operations. Since that time, Tervita has met with most of the First Nations and advised them as early in the process as possible of our intent to expand our secure landfill.

As outlined below, Tervita has conducted tours of the facility with SFN and DRFN. Tervita is currently working with the other First Nations and will facilitate additional tours of the facility for interested First Nations.

Blueberry River First Nations

Tervita has met with BRFN and discussed the proposed Amendment.

On April 14, 2015, Tervita met with BRFN Chief and Council for an initial meet and greet and discussion about Silverberry cell 7 construction.

On April 30, 2015, Tervita attempted to meet Chief and Council with Tervita's CEO.

On May 4, 2015, Tervita's CEO and BRFN sat down for a meeting.

On May 20, 2015, Tervita met with Blueberry River Enterprises to discuss opportunities to work together through our cell 7 construction and possible future expansion.

On June 30, 2015, Tervita notified BRFN about the Amendment in an in person meeting with BRFN Council.

On August 27, 2015 Tervita circulated the draft Consultation Plan and no feedback has been received to date.

Tervita committed to work with BRFN to mitigate concerns, assist with community initiatives, provide capacity development and enhance awareness about Tervita operations.

Doig River First Nations

Tervita has met with DRFN and discussed the proposed Amendment.

On October 2, 2014, DRFN Elders, land staff and youth toured the facility.

On April 16, 2015, Tervita met with DRFN Chief and Council for preliminary discussions.

On June 3, 2015, Tervita notified DRFN of the Amendment in an in person meeting with DRFN Chief and Council.

On July 5, 2015, Tervita spent the day with DRFN at the Calgary Stampede (no formal project discussions took place).

On August 27, 2015 Tervita circulated the draft Consultation Plan and no feedback has been received to date.

Tervita committed to continue working with DRFN to mitigate concerns, assist with community initiatives, provide capacity development and enhance awareness about Tervita operations.

Halfway River First Nation

Tervita has met with HRFN and discussed the proposed Amendment.

On June 2, 2015, Tervita met with HRFN land representatives to notify HRFN of the Amendment. No concerns were expressed.

HRFN requested to be included throughout the Amendment process by phone, mail and email notification.

West Moberly First Nations

Tervita had scheduled a meeting with WMFN on June 2, 2015 that WMFN requested to cancel.

On June 4, 2015, Tervita sent an Amendment information package to WMFN by mail and followed up with a telephone call. No concerns have been identified by WMFN to date.

Unless otherwise requested, Tervita will update WMFN regarding the Amendment by registered mail or courier.

Saulteau First Nations

Tervita has met with SFN and discussed the proposed Amendment.

On October 7, 2014, SFN Elders, lands staff and youth toured the facility.

On June 2, 2015, Tervita met with SFN Land representatives to notify SFN of the Amendment. No concerns were expressed.

SFN requested to be included throughout the Amendment process by phone, mail and email notification.

Prophet River First Nation

Tervita has met with PRFN and discussed the proposed Amendment.

On June 1, 2015, Tervita met with the PRFN Chief and Lands representatives to notify PRFN of the project. No concerns were expressed.

PRFN requested to be included throughout the Amendment process by phone, mail and email notification.

McLeod Lake Indian Band

On June 4, 2015 Tervita sent an Amendment information package to MLIB by mail and followed up with a telephone call. No concerns have been identified by MLIB to date.

Unless otherwise requested, Tervita will update MLIB regarding the Amendment by registered mail or courier.

Fort Nelson First Nation

On June 4, 2015, Tervita sent an Amendment information package to FNFN by mail and followed up with a phone call. No concerns have been identified by FNFN to date.

Unless otherwise requested, Tervita will update FNFN regarding the Amendment by registered mail or courier.

6.0 PROPOSED CONSULTATION ACTIVITIES

Tervita will invite representatives from the BRFN and DRFN to engage in additional in-person meetings with the objective of identifying Treaty rights that may be affected by the proposed Amendment and to develop measures to avoid, reduce, address, mitigate or otherwise manage potential adverse effects.

The meetings will take place with representatives selected by the First Nation and may include Chief and Council or other First Nation representatives or community members (as authorized by Chief and Council).

In advance of such meetings, Tervita will provide copies of Amendment materials for BRFN and DRFN to consider. Unless BRFN or DRFN request otherwise, Tervita will offer to meet at least quarterly with BRFN and DRFN in the community. Tervita will meet more frequently, if it is requested. Tervita will offer to conduct community open houses and information sharing sessions with DRFN and BRFN.

All identified First Nations will receive regular updates of the Amendment application and, if they request consultation, Tervita will consult with them in the form and manner of their preference. Other types of consultation activities may include:

- Meetings to review documents and technical information;
- Attending community meetings and public open houses;
- Participation in an environmental assessment working group; and
- Responding to written submissions, including comments or information requests pertaining to the Amendment application.

This Plan is a framework for Tervita's engagement with the identified First Nations regarding the proposed Amendment. Tervita will maintain flexibility in the Plan to reflect the needs of the identified First Nations. Feedback from the First Nations communities has been and will continue to be incorporated into the Plan.

7.0 CONSULTATION METHODS

7.1 *Methods of Sharing Information*

The following methods will be used to share Amendment information:

- Status report newsletters – Tervita will provide regular updates throughout the project as we reach milestones and before the EAO process comment periods. All reports will be shared with BRFN and DRFN and other First Nation stakeholders as requested, posted with their lands departments and delivered to Chiefs and Councils for review.
- Delivery of documents – time sensitive documents will be hand delivered or emailed (marked urgent) and followed up by telephone communication. All other correspondence will be sent by courier or registered mail.

Tervita will be available for in-person meetings with Chief and Council and community meetings as requested by the First Nations. The purpose of these meetings will be to share development, drawings and correspondence relating to the project and identify and address concerns, issues and/or environmental mitigation measures.

7.2 *Tracking and Reporting Consultation*

Tervita maintains an up to-date record of communications with identified First Nation communities to recognize issues that have been raised throughout the consultation process. All contact with First Nation communities is recorded in an electronic database that identifies who was consulted, when the consultation took place, the nature of the conversation, and any follow-up items. Tervita will provide First Nations with notice of any records of communications or consultation summaries provided to the EAO.

Consultation reports will be provided to the Project Assessment Manager every second month (or as otherwise required). Consultation reports will include the following information:

- Date of communication;
- Form of contact;
- Persons present or involved in communication;
- Content of communication/comments;

- General information and topics;
- Specific issues or concerns and status (outstanding or resolved);
- Actions required; and
- Follow up completed, as required.

8.0 TIMELINES FOR CONSULTATION

Tervita has developed Table 1 to illustrate the schedule and associated activities regarding consultation and notification.

Table 1: Consultation and Notification Schedule

PHASE	ACTIVITIES	TASKS
1) Initial Consultation July 1, 2014 – June 30, 2015	<ul style="list-style-type: none">• Informal community visits• Involve First Nations early• Introduce the Amendment• Share conceptual drawings and Amendment materials• Request First Nations feedback• Facility tours• Identify potential adverse effects and develop measures to avoid, reduce, mitigate or otherwise manage such effects	<ul style="list-style-type: none">• Sharing draft First Nation Consultation Plan• Sharing draft Valued Components document• Sharing draft Application Information Requirements document• Sharing draft application Amendment• Capturing initial feedback from key documents and documenting responsiveness

Table 1: Consultation and Notification Schedule (continued)

PHASE	ACTIVITIES	TASKS
<p>2) Consultation during Amendment process</p> <p>August 6, 2015 – July 31, 2016</p>	<ul style="list-style-type: none"> • On-going information sharing and Amendment updates for all First Nations • Discuss consultation protocols with BRFN and DRFN • Community open houses with BRFN and DRFN • Community and Chief and Council meetings with BRFN and DRFN • Identify potential adverse effects and develop measures to avoid, reduce, mitigate or otherwise manage such effects 	<ul style="list-style-type: none"> • Sharing First Nation Consultation Plan • Sharing Valued Components document • Sharing Application Information Requirements document • Sharing application Amendment • Capturing feedback from key documents and documenting responsiveness
<p>3) Post-Amendment Consultation</p> <p>July 31, 2016</p>	<ul style="list-style-type: none"> • Assess and evaluate mitigation strategies • Continued communication and community engagement • Identify potential adverse effects and develop measures to avoid, reduce, mitigate or otherwise manage such effects 	<ul style="list-style-type: none"> • Capturing ongoing feedback and document responsiveness