

# Terms of Reference

## Environmental Impact Statement (EIS) for the Smith Creek ASP in Three Sisters Mountain Village

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### 1.0 Introduction

#### 1.1 Planning Context

The Smith Creek area is the area known as Sites 7, 8 and 9 of the Three Sisters lands. An ASP has not been previously approved for these lands.

The Smith Creek ASP is being prepared pursuant to a collaborative ASP process between the Town and Three Sisters Mountain Village Properties Ltd (TSMVPL) which began in 2015. The Working Together Guidelines outline the collaborative ASP process, and the ASP Terms of Reference outline the contents of the ASP document.

#### 1.2 Requirement for EIS

The Town of Canmore's Municipal Development Plan (2016) requires that an Environmental Impact Statement (EIS) be prepared for an application to amend an ASP and that an independent third party review of the EIS be conducted by the Town. The preparation of an EIS is outlined in the Town's Environmental Impact Statement Policy. Prior to preparing the EIS, the Town must prepare a Terms of Reference and obtain input from a qualified third party reviewer.

Based on its December 6, 2016 motion, a third party review of the Smith Creek ASP is being required by Council for the ASP submission. This EIS Terms of Reference was prepared and reviewed by the Town's third party reviewer.

#### 1.3 Approval Authority

Under the *NRCB Act*, Three Sister's Golf Resorts Inc. applied for approval to develop a recreational and tourism project within the town of Canmore. An Environmental Impact Assessment (EIA) was prepared and submitted to the NRCB, and in 1992 the NRCB released a Decision Report #9103. The approval permitted Three Sisters Golf Resorts to develop golf courses, residential neighbourhoods and supporting commercial infrastructure. The approval was subject to the owner of the Three Sisters lands incorporating provision for wildlife movement corridors into its detailed design. Condition #14 of the Decision requires Three Sisters to "incorporate into its detailed design, provision for wildlife movement corridors in as undeveloped state as possible, and prepare a wildlife aversion conditioning plan, both satisfactory to Alberta Forestry, Lands and Wildlife". Since 1992, development has proceeded in stages and the Three Sisters Golf Resorts property has changed ownership several times.

As outlined in Condition #4 of the NRCB Decision, the Town of Canmore has planning authority regarding the “detailed timing and the specific land uses and population densities” of the Three Sisters lands. While the wildlife corridor designation is under the jurisdiction of the Province, development adjacent to the corridors is within the scope of approval by the Town of Canmore.

## **2.0 Purpose of the EIS**

The purpose of the EIS is to provide sufficient information to Council in order to make an informed decision on the application to adopt the Smith Creek ASP. The EIS will outline existing conditions, identify significant natural and ecological features, determine the nature and scale of the potential impacts generated by the proposal, provide recommendations for how to best avoid or mitigate those impacts, identify residual impacts and their significance, and recommend further studies or monitoring to be undertaken through the course of implementation.

## **3.0 Scope**

Extensive bodies of literature and studies exist for the Three Sisters Lands, some of which are as a result of previous approvals or proposals. The applicability of these reports will be evaluated during the preparation of the EIS. Biophysical information was originally compiled in support of the NRCB Decision Report Application #9103 for the property. Since that time, a number of studies and monitoring programs have been conducted, including those by Chinook Co., Golder Associates Ltd. (Golder), university researchers, and Alberta Environment and Sustainable Resource Development (ESRD) and its predecessors. The accumulated data along with most recent scientific thought will form the basis of the EIS. In addition to existing information, additional site-specific data will be gathered during a reconnaissance level survey to ground truth existing information.

The EIS will be based on an understanding of available information on environmental resources from the ASP area, surrounding environments and identified linkages to the proposed development.

The EIS for the application to adopt the Smith Creek ASP will contain, at a minimum:

- 1) Proposal Overview
  - a. A description of the proposal.
  - b. Mapping of the proposal (regional and site-specific within the project boundary).
  - c. Overview of the municipal planning policy context.
  - d. Identification of Federal or Provincial legislative requirements/approvals.
  
- 2) Existing Site Conditions
  - a. Identification of previous relevant literature/studies.
  - b. A description and mapping of existing environmental conditions, including:
    - i. Soils, landforms and surficial geology,
    - ii. Hydrological or hydrogeological resources, including wetlands,
    - iii. A biophysical inventory and analysis of terrestrial and aquatic communities and the relationship to the local and regional ecosystem, and

- iv. A summary of the natural features and components, and the proposed criteria to be applied for evaluation of their significance.
- c. Examination of similar proposals in similar site conditions, and environmental impact studies undertaken and mitigations therein.

3) Valued Environmental Components

- a. Science-based analysis of the impacts of the proposal on the following Valued Environmental Components:
  - i. Fish and associated aquatic habitat,
  - ii. Wildlife and associated terrestrial habitat,
  - iii. Terrestrial and aquatic vegetation,
  - iv. Soils and terrain,
  - v. Groundwater,
  - vi. Surface water,
  - vii. Air quality,
  - viii. Historical resources, and
  - ix. Visual resources.

4) Impact Criteria

- a. Impact criteria to be considered for each Valued Environmental Component.
  - i. Nature,
  - ii. Duration,
  - iii. Magnitude,
  - iv. Direction,
  - v. Spatial extent,
  - vi. Reversibility, and
  - vii. Likelihood.

5) Specific Analyses to be Considered

- a. Human-use impacts on wildlife populations and habitat.
- b. Alternatives and modifications to the proposal to limit or remove impacts.
- c. An evaluation of whether the form of the development/proposal can be accommodated given any identified ecological sensitivities or constraints, including land use type and intensity of the proposed development.
- d. Analysis of the cumulative impacts of the proposal considering the impacts of adjacent development.
- e. Environmental impacts due to undermining, including on ground and surface water.

6) Mitigations, Recommendations & Conclusions

- a. Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts.
- b. Specific recommendations on how to mitigate long term human use impacts resulting from the proposal.
- c. Identification of residual impacts and criteria proposed to evaluate their significance.

- d. Identify monitoring requirements, and whether more extensive environmental work is required.

The scope of the EIS will generally be limited to the level of detail provided within an Area Structure Plan. The EIS must identify where further detailed work is required or anticipated at later planning stages.

The scope of the EIS will not include an assessment of the wildlife corridor dedication as this is under the authority of the Province under the direction of the NRCB decision; however, wildlife corridors are a valid municipal planning issue and the environmental review will need to consider the impact that development proposed adjacent to wildlife corridors will have on the functionality of the wildlife corridor.

#### **4.0 EIS Report**

The report will contain all information required by this Terms of Reference. The format of the report will include mapping, tables and supporting text.

#### **5.0 Review of EIS**

The EIS Policy requires that this EIS Terms of Reference and the resulting EIS are reviewed by an independent qualified third party that reports directly to the Town. The EIS Policy also requires that the third party reviewer be involved from the beginning of the process, however, the Town acknowledges that the Smith Creek collaborative ASP process was underway when the new EIS policy was adopted. Therefore, the Town and its third party reviewer will work with the applicant's consultant to update and revise the EIS as may be necessary through the review process. As questions arise or incremental work is produced by the Town or its consultant, it will be provided to the applicant and their consultant for consideration. Where significant changes are proposed to the EIS, the project or recommended mitigation strategies through the EIS review process, the applicant's consultant will produce an updated EIS that reflects these changes.

The EIS must be submitted and reviewed by the Town's third party reviewer prior to First Reading of the ASP by Council.

The Town may also refer the EIS to other agencies or committees for comment, including but not limited to the Province of Alberta and Canmore's Environmental Advisory Review Committee (EARC).