



January 19, 2016

Prince Rupert Gas Transmission Ltd.  
450- 1<sup>st</sup> Street SW  
Calgary, Alberta  
T2P 5H1

Attention: Keri-Lynn Bruce

**RE: Road Permit**

**Date of Issuance: January 19, 2016**  
**Transition of Non-Status Roads to OGAA Road Permit under the implementation of OGRR.**  
**Commission No.: 9643028**  
**Road Permit No.: 03452**  
**Road Name: Tschentsut Mt. Road**

#### PERMISSIONS

1. The BC Oil and Gas Commission ("the Commission"), under section 25 (1) of the *Oil and Gas Activities Act* hereby permits the holder to construct and maintain an oil and gas road, subject to the following conditions:
  - a. The authorization granted under this permit is limited to the area described in ePASS 10053551 as submitted to the Commission in the transition application dated September 21, 2015.
  - b. Permission to construct is limited to required modifications within the operating area except as otherwise restricted by this permit.
  - c. Pursuant to Section 138(1) of the *Petroleum and Natural Gas Act*, the permit holder is permitted to enter, occupy and use any unoccupied Crown land located within the operating area to carry out the oil and gas activities authorized under this permit.
  - d. The permission to occupy and use Crown land expires if this permit expires, or is suspended, cancelled, surrendered or declared spent.

#### CONDITIONS

1. Within 45 days of this approval, the permit holder must submit a revised ePASS 10053551 to reflect the change in road right of way width.
2. The permit holder must submit the post-construction plan, as per section 11 of the Oil and Gas Road Regulation, as an ePASS shape file and PDF plan accurately identifying the location of the total area actually disturbed under this permit, unless there will be no change to the operating area and ePASS shape file submitted as part of the application.
3. The permit holder will immediately effect, and keep in force while occupying the site, insurance of an amount not less than \$1,000,000 protecting the Province, the Commission and the permit holder (without any rights of cross-claim or subrogation) against claims for personal injury, death, property damage, or third party liability claims arising from any accident or occurrence on the site.
4. The permission to occupy and use Crown land does not entitle the permit holder to exclusive possession of the area.

5. The rights granted by this permission are subject to all subsisting grants to or rights of any person made or acquired under the *Coal Act, Forest Act, Land Act, Mineral Tenure Act, Petroleum and Natural Gas Act, Range Act, Water Act* or *Wildlife Act*, or any extension or renewal of the same.
6. The permit holder must not assign, sublicense or transfer this permit or permit any person to use or occupy the land, other than its employees, contractors, or representatives, without the Commission's written consent.
7. The permit holder must ensure that the area is maintained in a condition so as to minimize hazards, including but not limited to hazards associated with storage of materials and equipment.
8. The permit holder must ensure that the area is free of garbage, debris and unused equipment.
9. Prior to commencement of any ground disturbing activities, the permit holder must have an archaeological overview assessment completed by a qualified professional and complete any applicable archaeological impact assessments, based on the recommendations of the qualified professional.
10. The permit must restrict all activities to the previously cleared road right of way. Where new cut is required, the permit holder must submit an amendment application to request authorization to clear new area.
11. Following initial construction, stream crossings are authorized for necessary road modification or maintenance activities on the operating area except for
  - a. construction or replacement of a bridge or major culvert on a S1, S2, S3 or S5 stream;
  - b. installation of a closed bottom structure in a fish bearing stream; or
  - c. excavation or grading of a stream bank or stream bed.
12. Stream crossings must be constructed, maintained and deactivated according to the following requirements, as applicable:
  - a. only bridges, culverts, ice bridges or snow fills may be constructed at stream crossings;
  - b. snow fills must consist of clean snow and may only be located on streams that are dry or frozen to the bottom during the period of construction, maintenance and use. Where periodic thaws are anticipated, culverts must be installed to allow meltwater to pass through. Snow fill and any installed culverts must be removed prior to spring snow melt;
  - c. ice bridges on fish bearing streams may only be constructed where sufficient water depth and stream flows prevent the bridge structure from coming in contact with the stream bottom;
  - d. water applied to construct an ice bridge on a water body must be sourced in accordance with the *Water Act* unless
    - i. the water body is a stream with a stream channel width of at least 5 metres and is not designated as a sensitive stream under the *Fish Protection Act*, or has a riparian class of W1, W3, or L1,
    - ii. the water is sourced from the same water body proximal to the location on which the ice bridge is constructed,
    - iii. the water body is not within the boundaries of a public park,
    - iv. pump intakes do not disturb beds of streams or wetlands and are screened with a maximum mesh size and approach velocity in accordance with the Fisheries and Oceans Canada Freshwater Intake End-of-Pipe Fish Screen Guideline, and
      - (i) where the water body is a stream, the flow of water in the stream at the time and location of pumping exceeds 60 litres per second and the instantaneous pumping rate does not exceed 1% of the water flowing in the water body at the time and location the pumping occurs, or
      - (ii) where the water body is a lake or pond, the cumulative volume of water withdrawn does not exceed 10 cm of lake or pond depth, calculated as the product of lake or pond surface area x 10 cm;
  - e. records of water withdrawal and corresponding streamflow measurements are maintained by the permit holder and provided to the Commission upon request;
  - f. in-stream activities within a fish bearing stream, lake or wetland must occur:
    - i. during the applicable reduced risk work windows as specified in the Region 7 Omineca – Reduced Risk Timing Windows for Fish and Wildlife,

- ii. in accordance with alternative timing and associated mitigation recommended by a qualified professional and accepted by the Commission, or
  - iii. in accordance with an authorization or letter of advice from Fisheries and Oceans Canada that is provided to the Commission;
  - g. bridge or culvert abutments, footings and scour protection must be located outside the natural stream channel and must not constrict the channel width;
  - h. equipment used for activities under this authorization must not be situated in a stream channel unless it is dry or frozen to the bottom at the time of the activity.
13. The permit holder must notify Carrier Sekani Tribal Council a minimum of five (5) days prior to commencing any construction activities under this permit.
14. The permit holder must notify Tl'azt'en Nation a minimum of five (5) days prior to commencing any construction activities under this permit.
15. The permit holder must notify Yekooche First Nation a minimum of five (5) days prior to commencing any construction activities under this permit.

#### ADVISORY GUIDANCE

- 1. The permit holder must construct, maintain and deactivate the road in accordance with the Oil and Gas Road Regulation.
- 2. The permit holder must not close or restrict the use of the road except as provided for in the Oil and Gas Road Regulation.



Johannes Bendle  
Authorized Signatory  
Commission Delegated Decision Maker

pc: Roy Northern Land Service Ltd.  
Commission File: 9643028  
First Nations: CSTC, TLAZ, YFN

