



November 29, 2017

Trans Mountain Pipeline ULC  
2700, 300 - 5th Avenue SW  
Calgary, AB T2P 5J2

Attention: Trans Mountain Pipeline ULC

**RE: Determination of Application Area Number 100102935**

**Permit Holder:** Trans Mountain Pipeline ULC  
**Date of Issuance:** November 29, 2017  
**Effective Date:** November 29, 2017  
**Application Submitted Date:** September 05, 2017  
**Application Determination Number:** 100102935  
**Approved Disturbance Footprint:** 16.988 ha

**ACTIVITIES APPROVED**

<b>NEB Ancillary Activity No:</b> 00172514	<b>Type:</b> Campsite	<b>Land Act Tenure No.:</b> 9000221 <b>Document No.:</b> 955254
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**GENERAL APPROVALS and CONDITIONS**

**APPROVALS**

**Land Act**

1. The BC Oil and Gas Commission (the "Commission") under section 39 of the *Land Act* hereby approves the Permit Holder referenced above to construct and operate the following NEB related activity(s), and the activities detailed in the Activities Approved table above, subject to the conditions contained herein, for the purposes of constructing and operating a pipeline under the *National Energy Board Act* (Canada):
  - a) To construct and maintain ancillary activities as detailed in the Activities Approved table, above.
2. The approvals granted under this permit are limited to the area identified in the spatial data submitted to the Commission in the permit application as identified and dated above; herein after referred to as the 'activity area'.
3. The Commission, pursuant to section 39 of the *Land Act*, hereby approves the occupation and use of any Crown land located within the activity area.
  - a) A licence approved under section 39 of the *Land Act* for the Crown land portion of this application will follow. The Permit Holder is subject to the conditions contained in the Licence.
  - b) The approval to occupy and use Crown land under the Licence expires two years from the date of issuance, unless the Commission has received notice of construction start, or this permit is otherwise extended, suspended, cancelled, surrendered or declared spent.

- c) The approval to occupy and use Crown land does not entitle the Permit Holder to exclusive possession of the activity area.
- d) The total disturbance within the activity area must not exceed the total approved disturbance footprint as referenced above.

### Forest Act

4. The Commission, pursuant to section 47.4 of the *Forest Act*, hereby approves the removal of Crown timber from the activity area under the cutting permits associated with the Master Licence(s) as follows:

**Master Licence to Cut No.:** M02363

**Cutting Permit No.:** 13

**Timber Mark No.:** MTC269

**Total New Cut:** 16.227

**Forest District:** (DKA) Thompson Rivers Natural Resource District

**Region:** Interior

5. The cutting permits are deemed spent upon the submission of the post-construction plan or upon either the cancellation or expiry of the activities approved under the permit.
6. Timber harvesting under the above cutting permits must not commence until the Approval Holder has submitted the relevant appraisal documents to the Ministry of Forests, Lands and Natural Resource Operations and Rural Development and received confirmation of the stumpage rate.

## CONDITIONS

### Notification

7. A notice of construction start must be submitted, as per the relevant Commission process at the time of submission, at least 48 hours prior to the commencement of activities under this permit.
8. At least 5 (five) working days prior to the commencement of construction, the Permit Holder must provide a notice of works to any First Nation(s) who may have Aboriginal Interests identified, as per the BC First Nations Consultative Areas Database, within the area in which the works are to occur.
9. Within 60 days of the completion of construction activities under this permit, the Permit Holder must submit to the Commission a post-construction plan as a shapefile and PDF plan accurately identifying the location of the total area actually disturbed under this permit. The shapefile and plan must be submitted via eSubmission.

### Environmental

10. Construction activities must not result in rutting, compaction or erosion of soils that cannot be reasonably rehabilitated to similar levels of soil productivity that existed on the activity area prior to the construction activities taking place.
11. Any temporary access must be constructed and maintained in a manner that provides for proper surface drainage, prevents pooling on the surface, and maintains slope integrity.
12. The Permit Holder must make reasonable efforts to prevent establishment of invasive plants on the activity area associated with the related activities set out in the Authorized Activities table above resulting from the carrying out of activities authorized under this permit.
13. Following completion of construction associated with the associated activities set out in the Approved Activities table above, the Permit Holder must, as soon as practicable:
- a) decompact any soils compacted by the activity;
  - b) if natural surface drainage pattern was altered by the carrying out of the activity, the Permit Holder must restore, to the extent practicable, to the drainage pattern and its condition before the alteration;

- c) re-vegetate any exposed soil on the activity area including, where necessary, using seed or vegetative propagules of an ecologically suitable species that:
    - (i) promote the restoration of the wildlife habitat that existed on the area before the oil and gas activity was begun, and
    - (ii) stabilize the soil if it is highly susceptible to erosion.
  - d) following completion of construction activities authorized herein, any retrievable surface soils removed from the activity area must be redistributed so that the soil structure is restored, to the extent practicable, to its condition before the activity was begun.
14. The Permit Holder must, as soon as practicable, restore recreation sites, recreation trails, or recreation facilities established or authorized under the *Forest and Range Practices Act* that are adversely affected by construction activities to their pre-construction condition to the Commission's satisfaction.

### **Clearing**

- 15. The Permit Holder is permitted to fell any trees, under applicable regulations, located on Crown land within 1.5 tree lengths of the activity area that are considered to be a worker safety hazard and must be felled in order to eliminate the hazard. Trees or portions of these trees that can be accessed from the activity area without causing damage to standing timber may be harvested.
- 16. The holder of the cutting permit must pay to the government, stumpage and any waste billing determined in accordance with the terms of this approval.
- 17. The approved cutting permit does not grant the Permit Holder the exclusive right to harvest Crown timber from the activity area. Authority to harvest some or all of the timber may be granted to other persons. The Permit Holder's right to harvest timber applies to any timber found on the site at the time they undertake harvesting activities.
- 18. All harvested Crown timber must be marked with the cutting permit's associated timber mark.
- 19. Stumpage for cutting permits falling within the Interior Area, as defined in the Interior Appraisal Manual (the "Manual") will be calculated in accordance with the Manual as amended from time to time. In the current version of the Manual, stumpage will be determined in accordance with Table 6-3 (volume based).

### **Archaeology**

- 20. An Archaeological Impact Assessment is required and an assessment report must be submitted to the Commission as soon as practicable.
- 21. If artifacts, features, materials or things protected under section 13(2) of the *Heritage Conservation Act* are identified the Permit Holder must, unless the Permit Holder holds a permit under section 12 of the *Heritage Conservation Act* (Site Alteration Permit) in respect of that artifact, feature, material or thing, immediately cease all work in the vicinity of the artifacts, features, materials or things.

## **ADVISORY GUIDANCE**

- 1. Construction plan, fig\_123512431\_cla\_001\_blue\_river\_camp\_5k\_site\_map.pdf, is for the Permit Holder's internal reference only and was not reviewed as a decision tool for this permit, nor does it form an integral part of this permit.
- 2. Appropriate tenure will be issued upon acceptance of the post-construction plan. Submission of the original application and submission of the post-construction plan is considered an application for all subsequent applicable *Land Act* tenures. Upon the Commission's acceptance of the post-construction plan no further applications for replacement tenure are required.

All pages included in this permit and any attached documents form an integral part of this permit.

Permit Holder: Trans Mountain Pipeline ULC  
Application Determination number: 100102935

Application Submission Date: September 05, 2017  
Date Issued: November 29, 2017



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Lori Phillips  
Authorized Signatory  
Commission Delegated Decision Maker

Copied to:

Land Agent: Stantec Consulting Ltd.  
First Nations: Adams Lake Indian Band, Neskonlith Indian Band, Simpcw First Nation  
Ministry of Forests District Office – (DKA) Thompson Rivers Natural Resource District  
OGC Compliance & Enforcement