

June 18, 2021

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

Attention: Bronwyn Pountney

RE: Statement of Terms and Conditions: Authorized Changes in and About a Stream
Notification Number AD# 100113810

Upon submission of a signed Authorized Change for works in and about a stream, the proponent has agreed to be compliant with all applicable terms and conditions detailed in this document and ensured that the project meets all requirements and will comply with Section 11 of the Water Sustainability Act and Part 3 of the Water Sustainability Regulation, and the following conditions:

CONDITIONS

Water Course Crossing and Works (WCCW) Standard

1. 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 notification.
2. This notification also applies to any streams crossings previously not identified and that may be located in and around Trans Mountain Expansion Project Beaver Dam Removal Notification Site Plans: BC-66 (W1067.4), BC-76a (W2040.1), BC-186 (W1193.4) & BC-215 (W1229.5).
3. In-stream activities within a fish bearing stream, lake or wetland must occur:
 - a. during the applicable reduced risk work windows as specified in the Reduced Risk Work Windows for the appropriate provincial region in which the activity is occurring;
 - b. in accordance with alternative timing and associated mitigation recommended by a Qualified Professional and accepted by the Commission; or
 - c. in accordance with an authorization or letter of advice from Fisheries and Oceans Canada that is provided to the Commission.
4. The permit holder must ensure any instream works related to maintenance are planned by a qualified professional. This individual must assess and determine whether the proposed works pose a risk to any of the features listed below, and is responsible for developing and implementing mitigation measures to reduce any potential impacts on these features, as required:
 - a. fish or important fisheries habitat;

- b. species identified as special concern, threatened, or endangered under the federal *Species at Risk Act*; or
- c. species identified by Order as a species at risk under the *Forest and Range Practices Act* or the *Oil and Gas Activities Act*.

This assessment must be provided to the Commission upon request.

WCCW Pipeline

- 5. Stream, lake and wetlands crossings are authorized for necessary pipeline maintenance activities on the activity area except for:
 - a. works within the boundary of a provincial park;
 - b. pipe replacement within the stream channel where the original application specified a trenchless crossing method and the planned works involve a trenched crossing method;
 - c. permanent alteration of a stream bank;
 - d. works within a Temperature Sensitive Stream established by order under s. 27 of the Environmental Protection and Management Regulation; or
 - e. works within a Fisheries Sensitive Watershed established by order under s. 28 of the Environmental Protection and Management Regulation.

- 6. Open cut crossings and works within streams, lakes or wetlands must be planned and conducted in accordance with the following requirements:
 - a. an open cut of a stream classified as S1, S2, S3 or S4 must not occur, unless the stream is frozen to its bed or is completely dry with no evidence of subsurface flow;
 - b. unless otherwise authorized by Fisheries and Oceans Canada, spawning gravels must not be disturbed when redds that contain eggs or alevins are present. The authorization must be provided to the Commission; and
 - c. channels, banks and beds of streams, including any disturbed stable natural material must be restored, to the structure and conditions that existed before the crossing construction was initiated.

WCCW Mechanical

- 7. Wetland crossings must be constructed, maintained and removed in accordance with the following:
 - a. organic cover within and adjacent to the wetland must be retained;
 - b. minimize erosion or release of sediment within the wetland;
 - c. any padding materials must be placed on the wetland surface only and must not be used for infilling;
 - d. any padding materials must be removed following construction, considering weather and ground conditions; and
 - e. the wetland, including banks and bed, must be restored, to the condition that existed before the crossing was initiated.

Permit Holder: Trans Mountain Pipeline ULC
Application Determination number: 100113810

Application Submission Date: June 17, 2021
Date Issued: June 18, 2021

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Dean Zimmer
Commission Habitat Officer