

June 25, 2024.

Enforcement File: 2022-0120

Pacific Canbriam Energy Ltd.
2105, 215 -2nd Street SW
Calgary, Alberta T2P 1M4

Attention: Zitin Lamba, Operations Manager

Re: General Order 2022-0120-01

Dear Mr. Lamba:

On December 6th, 2023, the BC Energy Regulator (Regulator) issued General Order 2022-0120-01 to Pacific Canbriam Energy Ltd. (PCE)

PCE has satisfied all the requirements of the Order.

Please be advised that pursuant to section 49(8) of the *Energy Resource Activities Act*, General Order 2022-0120-01 is hereby terminated.

If you have any questions or concerns, please do not hesitate to contact the Regulator.

Sincerely,



Dax Bourke
Executive Director, Compliance & Enforcement
BC Energy Regulator

ORDER 2022-0120-01

Section 49 *Energy Resource Activities Act*

Issued to:

Pacific Canbriam Energy Ltd.
2105, 215 -2nd Street SW
Calgary, Alberta T2P 1M4

Attention: Zitin Lamba, Operations Manager

Order:

Pursuant to section 49(1)(d) and (e)(ii) of the *Energy Resource Activities Act* (the Act), I, Bob Workman, order that Pacific Canbriam Energy Limited (PCE) must:

1. By March 31, 2024, replace the culverts on the unnamed stream at 43 km on the Kobes Road, road permit 02847, with a crossing method that allows for both the movement of fish and that is designed to accommodate the Q100 peak flow period.

Conditions:

This order shall remain in effect until:

- I. All directives identified on this order have been completed as required, or
- II. Amended or terminated by the BC Energy Regulator.

Reasons

I make this Order for the following reasons:

- i. PCE is the permit holder for road permit 02847. There is a crossing of an unnamed stream comprised of 2 culverts at 43 km of Kobes Road.
- ii. PCE replaced the two culverts in June 2022.
- iii. Inspections of the crossing in June 2022 and October 2022 by BCER staff identified that the two installed culverts do not meet the Q100 flow rate period required by 6(1)(c) of the Energy Resource Road Regulation for culverts that will remain on site for more than 3 years:

6 (1) Subject to subsections (2) to (4), a road permit holder may not construct or install a bridge or culvert on an oil and gas road unless all of the applicable following requirements are met:

(c) the bridge, if it will cross a stream or a fish stream, or the culvert, if it will be in a stream or a fish stream, is designed to pass the highest peak flow of the stream that can reasonably be expected within the return periods set out in column 2 of the following table for the period the road permit holder anticipates the bridge or culvert will remain on the site, as set out opposite in column 1 of the table:

Column 1 Anticipated period bridge or culvert will remain on site	Column 2 Peak flow period
bridge or culvert, 3 years or less	10 years
bridge other than a bridge within a community watershed, more than 3 years but less than 15 years	50 years
bridge within a community watershed, more than 3 years	100 years
bridge, 15 years or more	100 years
culvert, more than 3 years	100 years

- iv. The inspections also identified that the crossing prevented the movement of fish in non-compliance with section 11(b)(i) of the Environmental Protection and Management Regulation:

11 A person who carries out an oil and gas activity on an operating area must, for each crossing of a stream, wetland and lake, ensure all of the following:

...

(b) the crossing does not

(i) prevent the movement of fish, nor

- v. A Roy Northern Land and Environmental (RN) report done on October 3, 2022, determined that the stream is classified as an S3 stream. The report determined that the stream has the potential to be used by Rainbow Trout.
- vi. A revised RN report dated October 20, 2022, stated that the existing culverts are not suitable to allow for fish movement.
- vii. The RN report dated October 20, 2022, determined that the existing culverts will not meet the Q100 flow rate for a culvert to be used more than 3 years.
- viii. An email submitted by PCE on October 26th, 2022, states that the crossing will be upgraded in Q1 2023.
- ix. An inspection done on November 9, 2023, by BCER staff showed that no work had been done to upgrade the crossing.
- x. A plan submitted by PCE on November 16th, 2023 states that the up grades will be done in Q3/Q4 of 2024.
- xi. BCER Subject Matter Experts have identified that a delay to Q3/Q4 of 2024 could be detrimental to fish due to spawning patterns of rainbow trout.

- xii. I am of the opinion that PCE is not in compliance with section 11(b)(i) of the Environmental Protection and Management Regulation and section 6(1)(c) of the Energy Resource Road Regulation.
- xiii. I am of the opinion this order is also necessary to protect the environment.

Review or Appeal

Pacific Canbriam Energy Ltd. may request a review of this order under section 70 of the Act or appeal this order under section 72 of the Act. Both a review and an appeal of the order cannot be commenced simultaneously.

A request for review may be sent to: determinationreviews@bc-er.ca.

Alternatively, a notice of appeal may be sent to the Energy Resource Appeal Tribunal to info@bcerat.ca or mailed to:

Energy Resource Appeal Tribunal
PO Box 9425 Stn Prov Govt
Victoria, BC V8W 9V1

Information regarding the process for appeals may be found at www.bcerat.ca



R.A. Workman
Manager, Enforcement
BC Energy Regulator

DATED AT Fort St. John, in the Province of British Columbia, this 6th day of December, 2023.