

October 26, 2022

FortisBC Energy Inc.
16705 Fraser Highway
Surrey, BC V4N 0E8

Attention: FortisBC Energy Inc.

RE: Determination of Application Number 100115467

Permit Holder: FortisBC Energy Inc.

Date of Issuance: October 26, 2022

Effective Date: October 26, 2022

Application Submission Date: June 9, 2022

Application Determination Number: 100115467

Approved Disturbance Footprint: 7.156 hectares (ha)

AUTHORIZED ACTIVITIES

Road No.: 6342	Segments No.: 1, 2, 3, 10, 13, 14, 15, 16, 19, 20, 22, 23, 24, 25, 26, 28, 31
Associated Oil & Gas Activity No.: 222444-222448, 222451-222454	Type: Access
Changes In and About a Stream: 7377	

GENERAL PERMISSIONS, AUTHORIZATIONS AND CONDITIONS

PERMISSIONS

Oil and Gas Activities Act

1. The BC Oil and Gas Commission, under section 25 (1) of the *Oil and Gas Activities Act*, hereby permits the permit holder referenced above to carry out the following activities, indicated in the Authorized Activities table above, subject to the conditions contained herein, any applicable exemptions and authorizations:
 - a. To construct, maintain and operate an oil and gas road as detailed in the Activity Details tables below
2. The permissions and authorizations 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'.

Petroleum and Natural Gas Act

3. 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 activity area to carry out the oil and gas activities and related activities permitted, or authorized herein.
 - a. The permission to occupy and use Crown land does not entitle the permit holder to exclusive possession of the area.

- b. The total disturbance within the activity area must not exceed the total approved disturbance footprint as referenced above.
4. Notwithstanding the above permissions and authorizations, this permit does not authorize the following Associated Oil and Gas Activity(s): Temporary Access – 22449, 22450.

Forest Act

5. The Commission, pursuant to section 47.4 of the *Forest Act*, hereby authorizes 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.: M02441

Cutting Permit No.: 6

Timber Mark No.: MTD544

Total New Cut: 1.61 ha

Forest District: (DSQ) Sea to Sky Natural Resource District

Region: Coastal

Master Licence to Cut No.: M02442

Cutting Permit No.: 3

Timber Mark No.: MTD545

Total New Cut: 1 ha

Forest District: (DCK) Chilliwack Natural Resource District

Region: Coastal

6. The cutting permits are deemed spent upon the submission of the post-construction plan or upon either the cancellation or expiry of the activities authorized under the permit.

CONDITIONS

Notification

7. 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.
8. A notice of maintenance activities must be submitted, as per the relevant Commission process at the time of submission, at least two (2) working days prior to the commencement of any changes in or about a stream associated with maintenance activities.
9. At least ten (10) working days prior to the commencement of any changes in or about a stream associated with maintenance activities, 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.
10. The Permit Holder must notify the First Nation(s) copied on this permit/authorization at least 5 (five) working days prior to project commencement.
11. At least one week prior to the beginning of each month, the permit holder must submit a schedule to the Commission and First Nations indicating the location and timing of in-stream work planned to commence the following month.

General

12. The rights granted by this permit in relation to unoccupied Crown land 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 Sustainability Act* or *Wildlife Act*, or any extension or renewal of the same.
13. The permit holder must not assign, sublicense or permit any person other than its employees, contractors or representatives, to use or occupy any Crown land within the activity area without the Commission's written consent.

14. The permit holder must ensure that any Crown land within the activity area is maintained in a condition so as to minimize hazards, including but not limited to hazards associated with storage of materials and equipment.
15. The permit holder must ensure that any Crown land within the activity area is maintained free of garbage, debris and derelict equipment.

Environmental

16. 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.
17. 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.
18. Topsoil stripping, ditching and road bed construction are not permitted within the temporary access trails used to access water withdrawal points of diversion.
19. Following the completion of construction, the permit holder must, where practicable, utilize woody debris and cut vegetation to promote the restoration of the wildlife habitat that was existing on the area prior to the commencement of any works authorized under this permit.

Clearing/Forest Act

20. The permit holder is permitted to fell any trees located on Crown land within 1.5 tree lengths of the activity area that are considered to be a safety hazard according to Workers Compensation Act regulations 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.
21. The holder of the cutting permit must pay to the government, stumpage and any waste billing determined in accordance with the terms of this authorization.
22. The authorized 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.
23. All harvested Crown Timber must be marked with the cutting permit's associated Timber Mark.
24. Any waste assessments applied under the Master Licence to Cut are subject to the merchantability specifications and monetary waste billing requirements in the Provincial Logging Residue and Waste Manual specific to the region associated with the Cutting Permit authorization.
25. Stumpage will be calculated in accordance with the Coast Appraisal Manual (volume based).

Water Course Crossings and Works

26. Stream, lake and wetland crossings must be constructed in accordance with the methods and any mitigations, as specified in the application.
27. Construction or maintenance activities within a fish bearing stream or wetland must occur:
 - a. during the applicable reduced risk work windows as specified in the Lower Mainland-Reduced Work Windows;
 - 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;

If activities are to occur in accordance with b or c above, the documentation must be submitted to the Commission prior to commencement of activities.

28. At any time, the Commission may suspend instream works authorized under this permit. Suspensions on instream works will remain in place until such time as the Commission notifies permit holders that works

may resume. Reasons for suspension of works may include, but are not limited to, drought conditions and increased environmental or public safety risks.

29. Equipment used for construction or maintenance activities under this Permit must not be located in a stream channel, unless there is no surface water flow or the stream is frozen at the commencement of the activity.
30. The permit holder must ensure any instream works related to maintenance are planned and overseen by a qualified professional. This individual must assess and determine whether planned 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:
- fish or important fisheries habitat;
 - species identified as special concern, threatened, or endangered under the federal *Species at Risk Act*; or
 - 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.

31. Following initial construction, stream, lake and wetlands crossings are authorized for necessary pipeline maintenance activities on the activity area except for:
- works within the boundary of a provincial park;
 - stream bank or stream bed revetment works in a stream classified as S1, S2, S3, S4 or S5;
 - permanent alteration of a stream bank;
 - works within a Temperature Sensitive Stream established by order under s. 27 of the Environmental Protection and Management Regulation; or
 - works within a Fisheries Sensitive Watershed established by order under s. 28 of the Environmental Protection and Management Regulation.
32. Mechanical stream crossings must be constructed, maintained and deactivated according to the following requirements, as applicable:
- To facilitate construction of a crossing, a machine is permitted to ford the stream a maximum of one time in each direction at the crossing location.
 - Only bridges, culverts, ice bridges or snow fills may be constructed at stream crossings;
 - The permit holder must ensure that permanent bridges are designed and fabricated in compliance with:
 - the Canadian Standards Association Canadian Bridge Design Code, CAN/CSA-S6; and
 - soil property standards, as they apply to bridge piers and abutments; set out in the Canadian Foundation of Engineering Manual.
 - Except with leave of the Commission, the permit holder must ensure that
 - culverts are designed and fabricated in compliance with the applicable:
 - Canadian Standards Association CSA G401, Corrugated Steel Pipe Products; or
 - Canadian Standards Association Standard CSA B1800, Section B182.8, Plastic Non-pressure Pipe Compendium; or
 - any pipe installed in lieu of a culvert is of at least equivalent standard and strength as any culvert as specified above.
 - Except with leave of the Commission, the permit holder must ensure that bridges or culverts meet the criteria set out in i., ii. or iii. below:
 - the bridge or culvert 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 table below

for the period the permit holder anticipates the structure will remain on site, as set out in Column 1 of the table below:

Anticipated period crossing structure will remain on site	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	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

- ii. the bridge, or any component of the bridge:
 - a. is designed to pass expected flows during the period the bridge is anticipated to remain on the site;
 - b. is constructed, installed and used only in a period of low flow; and
 - c. is removed before any period of high flow begins.
- iii. the culvert;
 - a. is a temporary installation, and the permit holder does not expect to subsequently install a replacement culvert at that location;
 - b. is not installed in a stream, when the stream contains fish;
 - c. is sufficient to pass flows that occur during the period the culvert remains on the site;
 - d. is installed during a period of low flow; and
 - e. is removed before any period of high flow begins.
- f. Bridge or culvert abutments, footings and associated scour protection must be located outside the natural stream channel and must not constrict the channel width.
- g. Wetland crossings must be constructed, maintained and removed in accordance with the following:
 - i. organic cover within and adjacent to the wetland must be retained;
 - ii. minimize erosion or release of sediment within the wetland;
 - iii. any padding materials must be placed on the wetland surface only and must not be used for infilling;
 - iv. any padding materials must be removed as soon as practicable following construction, considering weather and ground conditions; and
 - v. the wetland, including banks and bed, must be restored, to the extent practicable, to the condition that existed before the crossing was initiated.

Archaeology

33. If an artifact, feature, material or thing protected under the *Heritage Conservation Act* is identified within the activity area, the permit holder must, unless the permit holder holds a permit under Section 12.4 of the *Heritage Conservation Act* issued by the BC Oil and Gas Commission in respect of that artifact, feature, material or thing:
- a. Immediately cease all work in the vicinity of the artifacts, features, materials or things;
 - b. Immediately notify the BC Oil and Gas Commission; and
 - c. Resume work in the vicinity of the artifacts, features, materials or things in accordance with direction from the BC Oil and Gas Commission.

34. Prior to the commencement of construction activities the permit holder must:

- a. Complete an archaeological assessment of the activity area in accordance with applicable requirements of the *Heritage Conservation Act*, and
- b. Complete and submit to the BC Oil and Gas Commission an acceptable report on the results of the assessment.

35. If the report required under the condition above recommends any further assessment work on an area, the permit holder must not begin construction activities on that area until the further assessment is completed.

ACTIVITY SPECIFIC DETAILS, PERMISSIONS AND CONDITIONS

ROAD

Land Area Number: 100018879

Road Number: 6342 **Road Type:** Long-Term, All weather

ACTIVITY DETAILS

Seg No.: 1	Zone: 10, From: N 5463309.465 E 514589.782 To: N 5463269.418 E 514562.976
Seg No.: 2	Zone: 10, From: N 5463301.793 E 514929.491 To: N 5463309.465 E 514589.782
Seg No.: 3	Zone: 10, From: N 5463298.227 E 514956.679 To: N 5463301.793 E 514929.491
Seg No.: 10	Zone: 10, From: N 5485045.153 E 508181.444 To: N 5485439.958 E 508060.976
Seg No.: 13	Zone: 10, From: N 5486681.773 E 506637.538 To: N 5486672.786 E 506567.679
Seg No.: 14	Zone: 10, From: N 5488375.384 E 505843.935 To: N 5488408.603 E 505788.797
Seg No.: 15	Zone: 10, From: N 5488766.007 E 505487.725 To: N 5488679.067 E 505564.405
Seg No.: 16	Zone: 10, From: N 5490624.022 E 504074.388 To: N 5490716.388 E 503954.306
Seg No.: 19	Zone: 10, From: N 5493924.773 E 502008.341 To: N 5493855.572 E 502032.702
Seg No.: 20	Zone: 10, From: N 5494002.961 E 501915.998 To: N 5493978.882 E 501904.05
Seg No.: 22	Zone: 10, From: N 5494127.598 E 501805.558 To: N 5494091.547 E 501801.901
Seg No.: 23	Zone: 10, From: N 5494267.686 E 501682.486 To: N 5494220.954 E 501695.758
Seg No.: 24	Zone: 10, From: N 5494600.460 E 501362.796 To: N 5494535.993 E 501365.322
Seg No.: 25	Zone: 10, From: N 5494824.008 E 501169.664 To: N 5494704.913 E 501203.636
Seg No.: 26	Zone: 10, From: N 5495070.361 E 501000.627 To: N 5494899.843 E 501086.771
Seg No.: 28	Zone: 10, From: N 5498591.298 E 497557.020 To: N 5498278.959 E 498028.236
Seg No.: 31	Zone: 10, From: N 5503149.495 E 494103.799 To: N 5503966.612 E 493923.741

All permissions for this activity are subject to the following conditions:

Road Conditions:

36. The permit holder will immediately effect, and keep in force 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 activity area.

ADVISORY GUIDANCE

1. Construction Plan 20210635RD_1_OGC.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. Instructions for submitting notice of construction start, as required by regulation, can be found in the Oil and Gas Activity Operations Manual on the Commission's website.

3. The permit holder should be aware that there may be First Nation's traditional, cultural, or spiritual activities occurring concurrently with maintenance activities, as well as areas of current use or cultural resources that overlap the activity area. All reasonable efforts should be made to minimize interference with those activities while carrying out the activities authorized herein.
4. Appropriate tenure may 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.
5. Temporary access is intended to be short term access to facilitate construction of an oil and gas activity. It is not intended for sustained use and is not constructed to oil and gas road standards.

REFUSALS

The BC Oil and Gas Commission ("the Commission"), under section 26 (1) (a) of the *Oil and Gas Activities Act* (OGAA), hereby refuses permissions for the following activity(s) indicated in the Refused Activities table below and submitted as part of the Application Number referenced above.

Road Number No.: 06342	Segment No.: 09
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All pages included in this permit and any attached documents form an integral part of this permit.



Justin Anderson
Authorized Signatory
Commission Delegated Decision Maker

Copied to:

First Nations – Kwikwetlem First Nation, Musqueam Indian Band, Squamish Nation, Tsleil-Waututh Nation, People Of The River Referrals Office (PRRO), Seabird Island First Nation, Shxw'owhamel First Nation
Landowners/Rights Holders
Ministry of Forests District Office - (DSQ) Sea to Sky Natural Resource District, (DCK) Chilliwack Natural Resource District