



OGC file: 9637071

October 17, 2012

KM LNG Operating Ltd.
1000, 700 9th Ave SW
Calgary, Alberta
T2P 3V4

Attention: Bob Maxwell

Re: Temporary Workspace - Section 14 over Crown Land, Peace River District.

AUTHORIZATIONS

Temporary Occupation of Crown Land Permit under section 14 of the *Land Act*

1. This permits you, under Section 14 of the *Land Act* to enter onto Crown land as per the attached plans, called 'the site' in this Permit, for a period of two years from the date of approval, under Authorization Number 939095.
 - i. The authorization granted under this permit is limited to the area described in plan number J20087-8BC1 (1 of 1), Revision 0, dated August 29, 2012 completed by McElhanney Geomatics, as submitted to the Commission in the permit application dated August 31, 2012.
 - ii. In the event a heritage site, heritage object, or any other feature, place or material that may contain historical or archaeological value as defined by the *Heritage Conservation Act* [RSBC 1996] Chapter 187 is encountered, the permit holder must cease disturbance activities and immediately notify the Oil and Gas Commission.
 - iii. The permit holder will indemnify the Province of British Columbia (the "Province") and the Commission against all losses, damages, costs, and liabilities arising out of any breach or non-performance of any condition or agreement set out in this permit, and any personal injury, death or property damage occurring on the site or happening by virtue of the permit holder's occupation of the site, and the amount of such losses, damages and costs shall be payable to the Province or the Commission immediately.
 - iv. 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 or public liability claims arising from any accident or occurrence on the site.
 - v. The authorization to occupy and use Crown land does not entitle the permit holder to exclusive possession of the area. The permit holder will not interfere with the activities of another person entering on and using the area under a prior or subsequent *Land Act* disposition.
 - vi. The rights granted by this permit are subject to all subsisting grants to or rights of any person made or acquired under the *Coal Act*, *Forest Act*, *Mineral Tenure Act*, *Petroleum and Natural Gas Act*, *Range Act*, *Water Act* or *Wildlife Act*, or any extension or renewal of the same, any prior dispositions made under the *Land Act*, and the exceptions and reservations of rights and interests under Section 50 of the *Land Act*.
 - vii. The permit holder will acknowledge and agree that any interference with rights granted under this permit by virtue of the exercise or operation of the rights or interests set out in Sections (xviii) or (xix) above shall not constitute a breach of the Province's or the Commission's obligations under this permit and the permit holder will release and discharge the Province and/or the Commission from any claim for loss or

damage arising directly or indirectly out of any such interference. The permit holder will also agree to pay all costs and expenses that arise out of the permit holder's interference with the rights or interests set out in Sections (xviii) or (xix) and that the permit holder will not commence or maintain proceedings under Section 65 of the Land Act with respect to interference with the permit holder's rights arising out of exercise or operation of the rights set out in Sections (xviii) or (xix).

- viii. The permit holder must pay, when due, the Fees to the address set out in the attached covering letter.
- ix. The permit holder must not assign, sublicense or transfer the permit without the Commission's written consent.
- x. The permit holder must notify the Commission 48 hours prior to commencing construction.
- xi. This permit expires two years from the date of issuance.
- xii. Within 60 days of the completion of the clearing phase of the activity authorized, the permit holder must submit to the Commission a Post-construction plan as an ePass shape file identifying the location of the total area cleared under this permit.

ADDITIONAL CONDITIONS

1. 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 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 Commission; and
 - c. refrain from resuming work in the vicinity of the artifacts, features, materials or things except in accordance with an appropriate mitigation plan that has been prepared in accordance the Heritage Conservation Act, endorsed by a qualified archaeologist, and approved by the Commission.
2. KM LNG Operating Ltd. must adhere to the terms and conditions for the alteration of archaeology sites FITe-33 and FITe-31 as detailed in permit 2012-9006, issued under section 12 of the Heritage Conservation Act.



Ryan Stark
Authorized Signatory
Commission Delegated Decision Maker

pc. Scott Land & Lease Ltd.

OGC File:

MoFLNRO, Katum *ym*
OGC, Haisla First Nation

COPY



17 October 2012

OGC Reference Number: 9635729 and 9637071
Section 12 Site Alteration Permit Number: 2012-9006
Archaeological Consultant's HCA Section 14 Permit: 2011-0295 and 2011-0370

Heritage Conservation Act

Section 12 Site Alteration Permit

This certifies that KM LNG Operating Ltd. is hereby authorized to construct access road upgrades within the sites described below, subject to the terms and conditions attached hereto.

Alteration to the archaeological sites assigned Borden number FITe-33 and FITe-31 may occur as the result of the construction of Bish Road Upgrades, b-6-B/103-I-2 to c-21-K/103-H-15 including temporary workspaces within Units 38, 40, and 47, Block J, Group 103-H-15.

All work is to conform to the "Application for Alteration Permit" dated 27 August 2012 and Special Terms and Conditions attached hereto.

Disposition of materials collected go to:


Kitimat Museum and Archives
239 City Centre
Kitimat Canada BC V8C 1T6

Issued: 17 October 2012

Expiry: 31 December 2013

Commissioner of the Oil and Gas Commission

Per:


Lori Phillips
Cultural Heritage Resource Officer

SPECIAL TERMS AND CONDITIONS

Section 12, Heritage Conservation Act Permit 2012-9006
For Sites FITE-33 and FITE-31

- 1) If a previously unknown CMT is identified within the FITE-33 or FITE-31 boundaries, KM LNG Operating Ltd. will provide digital photos and UTM coordinates to Haisla Nation Council and the Oil and Gas Commission prior to any site alteration.
- 2) A qualified archaeologist must monitor all construction activities in the vicinity of archaeology site FITE-31.
- 3) A report detailing the post construction observations of the final alteration level of FITE-33 and FITE-31 must be submitted by the attending archaeology company to Haisla Nation Council, the Oil and Gas Commission, and to the Archaeology Branch, Ministry of Forests, Lands and Natural Resource Operations no later than 31 December 2013.
- 4) The attending archaeology company must submit to the Oil and Gas Commission and to the Archaeology Branch, Ministry of Forests, Lands and Natural Resource Operations an updated Site Inventory Form detailing the extent to which the site has been altered.

BCGS Sketch Plan

Scale: 1:20,000

File _____, Permit _____

Proposed Temp. Workspaces

BCGS 103H . 097

M.L.S.L. File ID. : J20087-8BC1 (1 of 1)

Date : Aug. 29, 2012.

Rev. No.: 0

Drawn : DV



McElhanney

McELHANNEY GEOMATICS

Professional Land Surveying Ltd.

8808 - 72nd Street

Fort St. John, British Columbia

Phone:(250)787-0356, Fax:(250)787-0310

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