

OGC File: 9637359

February 27, 2013

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

Attention: Surface Land Administrator

Re: Approval for Changes in and About a Stream

This approves you, under Section 9 of the *Water Act* to make changes in and about a stream as follows:

- KM LNG Operating Ltd. is permitted to infill the upper section of a tributary to Bish Creek located at the UTM location N. 5976263 E. 515848 (datum 9, NAD 83) within the boundary of Storage Area A as defined in the construction plan number JOB: 2321-01197-0; DRAWING: 01197SK-SPA1, REV1, dated November 2, 2012. A copy of the construction plan has been attached to this permit.
- 2. This approval does not authorize any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat, as described within the *Federal Fisheries Act of Canada*.

Additional Conditions:

- 1. No in-stream works on fish bearing streams or works that may adversely impact fish or fish habitat are authorized.
- 2. Work within the wetted area of the tributary to Bish Creek is not authorized during seasonal high flow events.
- 3. KM LNG Operating Ltd. must ensure a qualified professional is on site for infill operations within the high water mark of the tributary to Bish Creek. This individual must have the authority to issue a stop work order if fish or important fish habitat is determined to be at risk within or downstream of the project area, and will be responsible for developing/implementing mitigation measures to ensure no impact to fish and fish habitat, as required. A post construction report must be prepared by the qualified professional detailing the construction activities that have taken place, the mitigation implemented and its effectiveness in protecting fish and fish habitat within the workspace and downstream. The report must be made available to the Oil and Gas Commission and the Haisla Nation upon request.

Telephone: 250-794-5200

Facsimile: 250-794-5390

250-794-5200

24 Hour:



OGC File: 9637359 Date: February 27, 2013

Telephone: 250-794-5200 Facsimile: 250-794-5390 24 Hour: 250-794-5200

The attached documents form an integral part of this authorization.

Ryan Stark

Natural Resource Officer

pc: Scott Land & Lease Ltd. pc: OGC File: 9637359

pc: Haisla Nation

