

OGAA Amendment Permit Template v 1.0

July 5, 2018

Pacific Trail Pipelines Management Inc. c/o Chevron Canada Limited 500 5th Avenue SW Calgary, AB T2P 0L7

Attention: Pacific Trail Pipelines Management Inc.

### RE: Amendment to Application Determination Number 100076400, OGC Legacy # 9637011

Permit Holder: Pacific Trail Pipelines Management Inc. Amendment Date of Issuance: July 5, 2018 Amendment Effective Date: July 5, 2018 Application Submission Date: May 30, 2018 Amendment Application Number: 100105312 Approved Disturbance Footprint: 0.0 ha

### AMENDMENT DETAILS

Changes In and About a Stream: 0004754	Amendment to road permit to add CIAS for wash-out repair
	and maintenance. Immediate repairs and work to open
	channels to allow flow were granted emergency works
	authorization on October 31, 2017.

# **GENERAL PERMISSIONS, AUTHORIZATIONS and CONDITIONS**

## PERMISSIONS

### **Oil and Gas Activities Act**

- 1. The BC Oil and Gas Commission (the "Commission"), under section 31(7) of the Oil and Gas Activities Act, hereby grants an amendment to the permit issued for the above referenced Application Determination Number, any associated authorizations subject to the original permit, any subsequent amendments and any additional or revised conditions as set out herein, as per the Amendment Details table above and, if required, as detailed in the Activity Details table(s) 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'.

## **AUTHORIZATIONS**

#### Water Sustainability Act

3. The Commission, pursuant to section 10 of the *Water Sustainability Act*, hereby authorizes the diversion, transportation and use of Crown water from the point(s) of diversion detailed in the Activity Details table below.

Application Determination Number: 100076400

## CONDITIONS

### Notification

- 4. 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.
- 5. 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."

### Environmental

- 6. 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.
- 7. 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.

### Clearing

8. 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.

### Water Course Crossings and Works

- 9. Stream, lake and wetland crossings must be constructed in accordance with the methods and any mitigations, as specified in the application.
- 10. 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 Region 6 Skeena Reduced Risk In-stream Work Windows and Measures
  - 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.
- 11. At any time, the Commission may suspend instream works authorized under this approval. 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
- 12. Following initial construction, stream crossings are authorized for necessary road modification or maintenance activities on the activity area except for:
  - a) construction or replacement of a bridge or major culvert on a S1, S2, S3 or S5 stream;
  - b) installation of a closed bottom structure in a fish bearing stream;
  - c) excavation or grading of a stream bank or stream bed;
  - 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 section 28 of the Environmental Protection and Management Regulation.
- 13. Stream crossings for roads must be constructed, maintained and deactivated according to the following requirements, as applicable:

Application Determination Number: 100076400

- a) Only bridges, culverts, ice bridges or snow fills may be constructed at stream crossings.
- b) Snow fills must consist of clean snow and may only be located on streams that are dry or frozen to the bottom during the period of construction, maintenance and use. Where periodic thaws are anticipated, culverts must be installed to allow meltwater to pass through. Snow fill and any installed culverts must be removed prior to spring snow melt.
- c) Ice bridges on fish bearing streams may only be constructed where sufficient water depth and stream flows prevent the bridge structure from coming in contact with the stream bottom.
- d) Water applied to construct an ice bridge on a water body must be sourced in accordance with the Water Sustainability Act unless
  - the water body is a stream with a stream channel width of at least 5 meters and is not designated as a sensitive stream under the Fish Protection Act, or has a riparian class of W1, W3, or L1,
  - (ii) the water is sourced from the same water body proximal to the location on which the ice bridge is constructed,
  - (iii) the water body is not within the boundaries of a public park,
  - (iv) pump intakes do not disturb beds of streams or wetlands except as necessary for the safe installation and operation of equipment, and are screened with a maximum mesh size and approach velocity in accordance with the Fisheries and Oceans Canada Freshwater Intake End-of-Pipe Fish Screen Guideline, and
    - (a) where the water body is a stream, the flow of water in the stream at the time and location of pumping exceeds 60 liters per second and the instantaneous pumping rate does not exceed 1% of the water flowing in the water body at the time and location the pumping occurs, or
    - (b) where the water body is a lake or pond, the cumulative volume of water withdrawn does not exceed 10 cm of lake or pond depth, calculated as the product of lake or pond surface area x 10 cm;
- e) Bridge or culvert abutments, footings and scour protection must be located outside the natural stream channel and must not constrict the channel width.
- f) Equipment used for activities under this Permit must not be situated in a stream channel unless it is dry or frozen to the bottom at the time of the activity.
- 14. 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 as soon as practicable following construction, considering weather and ground conditions; and
  - e) The wetland, including banks and bed, must be restored, to the extent practicable, to the condition that existed before the crossing was initiated.

Permit Holder: Pacific Trail Pipelines Management Inc.

Application Determination Number: 100076400

## ADVISORY GUIDANCE

1. Construction Plan HoultCreek-50-May30.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.

This amendment forms an integral part of your permit(s) and should be attached thereto.

Jacqueline Bourke Authorized Signatory Commission Delegated Decision Maker

Copied to:

First Nations - Haisla Nation Council, Kitselas First Nation (Traditional Territory)



July 2, 2013

Pacific Trail Pipelines Management Inc. Suite 2800, 421 – 7<sup>th</sup> Avenue S.W. Calgary, AB T2P 4K9

Attention: Surface Land Administrator

RE: Road Permit Transition to OGAA Road Permit Under the Implementation of OGRR Date of Issuance: July 2, 2013 OGC File – as attached

#### PERMISSIONS

- 1. The BC Oil and Gas Commission ("the Commission"), under section 25 (1) of the Oil and Gas Activities Act hereby permits the holder to construct and maintain an oil and gas road, subject to the following conditions:
  - a. The permissions granted under this Permit are limited to the areas previously authorized under the Land Act for the identified roads as per the attached schedule.
  - b. The permission to construct an oil and gas road is deemed spent upon the submission of the report describing the location of the constructed road (section 11 Oil and Gas Road Regulation (OGRR).
  - c. Any future modifications to any of the oil and gas roads noted in the attached schedule will require an amendment.
- 2. If artifacts, materials or other thing protected under section 13(2) of the *Hentage Conservation Act* are noted during any phase of ground-disturbing activities, the Permit holder must:
  - a. immediately cease all work in the vicinity of these artifacts, features, materials or things, and
  - b. as soon as practicable, contact the Commission;

unless the Permit holder holds a Permit under section 12 of the *Hentage Conservation Act* in respect of that artifact, material or thing.

#### ADVISORY GUIDANCE on Regulatory Requirements

- 1. For any road already fully constructed, the Permit holder must maintain the road in accordance with the OGRR.
- 2. For any road not yet constructed, the Permit holder must construct and maintain the road in accordance the OGRR.
- The Permit holder must install all bridges and culverts in accordance with section 6 of the OGRRs. A road
  permit holder may apply to the Commission for an exemption under section 28 of the OGRR, a variance may
  be granted.
- 4. In accordance with section 32(1&2) of the Oil and Gas Activities Act and subject to section 8 of the General Regulation, this Road Permit expires two years from the date of issuance if the Permit holder has not begun the construction of the road as permitted. Subject to section 32(2) of OGAA the Permit holder may apply for an extension of the prescribed period.

#### Road Permit

- 5. As required under section 4 of the OGRR the Permit holder must notify the Commission, affected landowners and affected rights holders of the construction of an oil and gas road not more than 30 days and not less than 72 hours before beginning construction or as soon as practicable if construction must be carried out as expeditiously to address an environmental or operational emergency. The notice requirements are described in section 4(2) of the OGRR.
- 6. As required under section 11 of the OGRR, within 60 days of completion of the construction of this oil and gas road, the Permit holder must submit to the Commission a report in in the form and manner specified by the Commission, describing the location of the constructed road.
- 7. In accordance with section 16 of the OGRR, a Permit holder may not (a) close the oil and gas road, or (b) restrict the use of the road by a Permit holder or other person, except as provided under section 20 of the OGRR or to the extent necessary to carry out maintenance on the road as required under this legislation.
- 8. In accordance with section 23 of the OGRR, a Permit holder who intends to deactivate an oil and gas road must provide written notice of the intention to users of the road known to the Permit holder, any applicable land owner and the Commission. Notice requirements and timelines are described in section 23(2&3 of the OGRR.
- 9. The Environmental Protection and Management Regulation (EPMR) has been amended to incorporate oil and gas roads and defining operating areas and thus the Permit holder must ensure that all activities associated with the construction, maintenance and deactivation of an oil and gas road must abide by the pertinent requirements as prescribed in the EPMR.

#### AGRICULTURAL LAND COMMISSION EXEMPTIONS

1. The oil and gas roads listed in the attached schedule, or portions thereof, that are located within the Agricultural Land Reserve, are considered a non-farm use that is exempt from the requirements of applying for and obtaining permission for non-farm use under the *Agricultural Land Commission Act*. In order to maintain this status, the Permit holder must ensure that the conditions for the exemption set out in the Delegation Agreement are satisfied, including the condition that when the land is no longer required for the oil and gas activity and prior to applying for a Certificate of Restoration, the owner of the oil and gas activity must reclaim the disturbed area in accordance with Schedule B of the Delegation Agreement (or any other condition as set by the Commission) and submit a Schedule B report to the Commission and the surface landowner(s) upon completion of the reclamation work.

loger Stoffan

Authorized Signatory Commission Delegated Decision Maker

pc. OGC File: 9636410, 9637011

