

August 25, 2015

Prince Rupert Gas Transmission Ltd.  
450-1<sup>st</sup> Street SW  
Calgary, Alberta T2P 5H1

Attention: Surface Land Administrator

**RE: Road Permit**

Segment 1: Road Location From NTS: d-53-C/93-M-12 To NTS: d-53-C/93-M-12  
Segment 2: Road Location From NTS: c-52-C/93-M-12 To NTS: c-52-C/93-M-12  
Segment 1: From UTM Zone 9 Northing 6156651 Easting 576941; To: UTM Zone 9 Northing 6156622 Easting 577144  
Segment 2: From UTM Zone 9 Northing 6156462 Easting 577205; To: UTM Zone 9 Northing 6156475 Easting 577267  
Date of Issuance: August 25, 2015  
Road No.: 03073  
Road Name: Ancillary Site 133 & 134 Access Road  
OGC File No: 9641409

**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 authorization granted under this Permit is limited to the area described in survey plan number; FOCUS: 130383SK05R3, revision 3, dated September 10, 2014, completed by WSP Surveys (BC) Limited Partnership, as submitted to the Commission in the Permit application dated November 18, 2014.
  - b. The Permit holder is authorized to occupy and use Crown land under Section 138(1) of the *Petroleum and Natural Gas Act* for the area as described in the above noted survey plan for the purposes of constructing and maintaining an oil and gas road and for the construction of the ancillary activities.
  - c. The Permit holder will construct and install all bridges and culverts in accordance with section 6 of the Oil and Gas Road Regulation (OGRR). An exemption may be granted, if section 6 (1)(a) cannot be adhered to.
  - d. 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 OGRR). Any future modifications to the oil and gas road will require an amendment. The permission to maintain the oil and gas road remains in good standing.

**CONDITIONS**

1. The permit holder must notify the Wilp Kliiyem Lax Haa a minimum of 48 hours prior to commencing any construction activities under this permit.
2. Prior to commencement of construction activities on the road, the permit holder must consider relevant information made available by Wilp Kliiyem Lax Haa in the development of site specific mitigation plans. Relevant information includes culturally modified trees, cache pits, house pits, grave sites, pictograph sites, smoke houses, cabins, artifacts.

The permit holder must submit, at least 10 days prior to the commencement of construction, the information, along with site-specific mitigation plans for any of the specified items identified that may be impacted by construction activities, to the satisfaction of the Commission.

3. Prior to notice of construction start, the permit holder must survey for active bear dens within 200 metres of the boundary of the operating area. If any active bear dens are identified within 200 metres, construction must not begin within 200 metres of any den(s) between December 1 and April 30.
4. The permit holder must not undertake clearing activities between April 1 and July 31, unless pre-clearing surveys are completed and, where appropriate, mitigation is implemented as per the methods outlined in the Bird Nest Mitigation and Monitoring Plan (Appendix F-2 of the Construction Environmental Management Plan).
5. When using aircraft to undertake activities associated with the permit, the permit holder must provide written instructions to the pilot specifying that flights must not, except in the event of an emergency situation directly approach, hover over, circle, or land near mountain goats, moose, elk, or caribou.
6. Upon deactivation, the permit holder must restore any identifiable trails traditionally used by Wilp Kliiyem Lax Haa that were impacted by the permitted road, if the location of the trail is made known to the permit holder by Wilp Kliiyem Lax Haa or the Commission prior to the permit holder's notice of construction start.
7. 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 issued by the 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 Commission and the Archaeology Branch of the Ministry of Forests, Lands and Natural Resource Operations; 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 with the Heritage Conservation Act and approved by the Commission.

#### ADVISORY GUIDANCE

1. This authorization does not include any authorization for multi-use sites 133 and 134.
2. 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 Road 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.
3. As required under section 4 of the Oil and Gas Road Regulation 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.
4. As required under section 11 of the OGRR, within 60 days of completion of the construction this oil and gas road, the Road Permit holder must submit to the Commission a report in the form and manner specified by the Commission, describing the location of the constructed road.
5. In accordance with section 16 of the OGRR, a Road Permit holder may not (a) close the oil and gas road, or (b) restrict the use of the road by the Permit holder or other person, except as provided under section 20 Oil and Gas Road Regulation or to the extent necessary to carry out maintenance on the road as required under this legislation.
6. In accordance with section 23 of the OGRR, a Road 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 Road Permit holder, any applicable landowner and the Commission. Notice requirements and timelines are described in section 23(2&3).
7. 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.
8. Upon the expiration of the "permitted road", if the permit holder has not begun the permitted activity within the permit expiration period all related authorizations will also be deemed to have expired.
9. If artifacts, features, materials or things protected under section 13(2) of the Heritage Conservation Act are identified by the permit holder and if the permit holder is required to cease work under condition 7(a), it is recommended the permit holder provide notice of this discovery to the Wilp Kliiyem Lax Haa.

- 10 e Wilp Kliyem Lax Haa requests that the permit holder provide an opportunity for a First Nation environmental monitor or representative to participate in permitted activities.

## RELATED AUTHORIZATIONS ASSOCIATED WITH THE PERMIT

### Cutting Permit under Master Licence to Cut under section 47.4 of the Forest Act

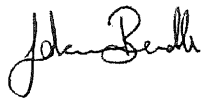
1. The Commission hereby issues the Permit holder Cutting Permit No. 24 under Master Licence to Cut number M02374, subject to the following conditions:
  - a. This Cutting Permit is subject to the terms and conditions in the Master Licence to Cut.
  - b. This Cutting Permit applies to only the Crown land portion shown on survey plan associated with this Permit (survey plan number, FOCUS: 130383SK05R3, revision 3, dated September 10, 2014).
  - c. All harvested Crown timber must be marked with Timber Mark Number: MTB 195
  - d. This Cutting Permit is deemed spent upon the submission of the "Post-Construction Plan" or upon either the cancellation or the expiry of the "permitted oil and gas activity".
  - e. This Cutting Permit does not grant the Permit Holder the exclusive right to harvest timber from the License area and the Commission reserves the right to grant rights to other persons to harvest timber from the License area.
  - f. The felling, bucking and utilization specifications as described in Appendix A of your Master License to Cut applies to this Cutting Permit.
  - g. Stumpage for this Cutting Permit will be calculated as per Section 6.7 in the Interior Appraisal Manual. Where timber felled on the cutting authority area that will not be removed from the site, volume billed will be based on an approved alternate method of scale.
  - h. Timber that is stored in decks or piles must be marked with the correct timber mark before transportation, or at the end of every shift. The marking must be applied to one end of at least 10% of the timber pieces in each deck or pile using a hammer indentation or paint. Marking must be kept concurrent with decking.
  - i. Where the Permit Holder is aware of overlapping forest tenure rights that have been granted to other persons, the Permit Holder is obligated to communicate to these persons the timing and extent of their harvest operations at least two weeks prior to commencement of harvest and take all reasonable steps to coordinate their activities with these persons.
  - j. In accordance with the Master Licence to Cut referenced above, "Within 60 days of completing operations on a Cutting Permit, the Licensee shall submit to the Commission a map showing all disturbances that have occurred pursuant to that Cutting Permit, at a scale of 1:20,000 or 1:50,000".

### Changes in and about a Stream Authorization under section 9 of the Water Act

The Oil and Gas Commission hereby authorizes the holder under section 9 of the *Water Act* to make changes in and about streams, as shown on construction plan number (FOCUS: 130383SK05R3, revision 3, dated September 10, 2014), subject to the following conditions:

1. Any substance, sediment, debris or material that could adversely impact the stream must not be allowed or permitted to enter or leach or seep into the stream from an activity, construction, worksite, machinery or from components used in the construction of any works, or must not be placed, used or stored within the stream channel.
2. Temporary material, fill, bridge, culvert, pump, pipe, conduit, ditch or other structure used in the construction of any works must be constructed and maintained only during the period of construction, and must be removed upon completion of the works.
3. Activities associated with the stream crossing are carried out in accordance with the regional and/or species-specific timing windows or the period(s) of time in the year when the change can proceed without causing serious harm to fish, wildlife or habitat;
4. The stream crossing is constructed and maintained at times and in a manner that will not cause serious harm to fish that are parts of a commercial, recreational or Aboriginal (CRA) fishery, as defined under Section 35 of the *Fisheries Act*.

5. This section 9 authorization for changes in and about a stream extends to include any necessary ongoing road maintenance activities for streams classified as S6 (less than 3 meters wide containing no fish) and non-classified drainages, and is subject to the following conditions:
- a. Any substance, sediment, debris or material that could adversely impact the stream must not be allowed or permitted to enter or leach or seep into the stream from an activity, construction, worksite, machinery or from components used in the construction of any works, or must not be placed, used or stored within the stream channel.
  - b. Temporary material, fill, bridge, culvert, pump, pipe, conduit, ditch or other structure used in the construction of any works must be constructed and maintained only during the period of construction, and must be removed upon completion of the works.
  - c. All other streams will require a separate Section 9 authorization for any maintenance activities requiring in-stream work.



Johannes Bendle  
Authorized Signatory  
Commission Delegated Decision Maker

pc. Roy Northern Land Service Ltd.  
OGC File: 9641409  
OGC First Nations (Gitksan)  
MoFLNRO, Skeena Stikine

