

Commission File: 9641875

February 26, 2016

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

Attention: Prince Rupert Gas Transmission Ltd.

## Re: Correction of Road Permit located at Seg. 1 from b-48-I, 93-M-5 to c-48-I, 93-M-5

The BC Oil and Gas Commission, under section 78(2)(b) of *Oil and Gas Activities Act*, hereby corrects the Permit and Authorizations Associated with the Permit containing 0.95 hectares, as shown on sketch plan, Document No: T9-08\_OGC\_20k, revision 0, dated January 9, 2015 by McElhanney Geomatics Professional Land Surveying Ltd., as follows:

- Replace permission 1(a) with: The authorization granted under this permit is limited to the area described in ePASS 10050823 as submitted to the Commission in the transition application dated January 28, 2015.
- The addition of the following conditions:
- 1. Within 45 days of this approval, the permit holder must submit a revised ePASS 10050823 to reflect the change in road right of way width.
- 2. The permit holder must submit the post-construction plan, as per section 11 of the Oil and Gas Road Regulation, as an ePASS shape file and PDF plan accurately identifying the location of the total area actually disturbed under this permit, unless there will be no change to the operating area and ePASS shape file submitted as part of the application.
- 3. 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 liability claims arising from any accident or occurrence on the site.
- 4. The permission to occupy and use Crown land does not entitle the permit holder to exclusive possession of the area.
- 5. The rights granted by this permission 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 Act* or *Wildlife Act*, or any extension or renewal of the same.
- 6. The permit holder must not assign, sublicense or transfer this permit or permit any person to use or occupy the land, other than its employees, contractors, or representatives, without the Commission's written consent.
- 7. A notice of construction start must be submitted to the Commission a minimum of 72 hours prior to the construction of activities under this permit. Notification must be sent to OGC.ExternalNotifications@bcogc.ca.
- 8. The permit holder must ensure that the area is maintained in a condition so as to minimize hazards, including but not limited to hazards associated with storage of materials and equipment.
- 9. The permit holder must ensure that the area is free of garbage, debris and unused equipment.
- 10. Prior to commencement of any ground disturbing activities, the permit holder must have an archaeological overview assessment completed by a qualified professional and complete any applicable archaeological impact assessments, based on the recommendations of the qualified professional.
- 11. The permit holder must restrict all activities to the previously cleared road right of way. Where new cut is required, the permit holder must submit an amendment application to request authorization to clear new area.
- 12. Following initial construction, stream crossings are authorized for necessary road modification or maintenance activities on the operating 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; or
  - c. excavation or grading of a stream bank or stream bed.
- 13. Stream crossings must be constructed, maintained and deactivated according to the following requirements, as applicable:
  - 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 Act* unless
  - i. the water body is a stream with a stream channel width of at least 5 metres 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 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
    - (i) where the water body is a stream, the flow of water in the stream at the time and location of pumping exceeds 60 litres 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
    - (ii) 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. records of water withdrawal and corresponding streamflow measurements are maintained by the permit holder and provided to the Commission upon request;
- f. in-stream activities within a fish bearing stream, lake or wetland must occur:
  - i. during the applicable reduced risk work windows as specified in the Skeena Region Reduced Risk In-stream Work Windows and Measures, May 2005,
  - ii. in accordance with alternative timing and associated mitigation recommended by a qualified professional and accepted by the Commission, or
  - iii. in accordance with an authorization or letter of advice from Fisheries and Oceans Canada that is provided to the Commission;
- g. bridge or culvert abutments, footings and scour protection must be located outside the natural stream channel and must not constrict the channel width;
- h. equipment used for activities under this authorization must not be situated in a stream channel unless it is dry or frozen to the bottom at the time of the activity.

The permit holder must comply with all conditions in the original permission and any additional conditions as noted above.

This letter forms an integral part of the Permit and should be attached thereto.

Brian Murphy Executive Director, Major Projects

Commission Delegated Decision Maker

cc: Roy Northern Land Service Ltd. OGC File: 9641875

**OGC First Nations LXDJ** 



August 24, 2015

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

Attention: Prince Rupert Gas Transmission Ltd.

**RE: Road Permit** 

Transition of Non-Status Roads to OGAA Road Permit Under the Implementation of OGRR.

Road Location: From NTS: b-48-I/93-M-5 To NTS: c-48-I/93-M-5

From: UTM Zone 9 Northing 6145775 Easting 588571; To: UTM Zone 9 Northing 6146353 Easting 588630

Date of Issuance: August 24, 2015

OGC File No. 9641875 Road Permit No.: 03182

Road Name: PRGT Babine Slide FSR Spur 3182

## **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 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 Document No.: T9-08\_OGC\_20K, revision 0, dated January 9, 2015, completed by McElhanney, as submitted to the Commission in the Permit application dated January 28, 2015.
  - b. The Permit holder is authorized to occupy and use Crown land as noted in 1.a for the purposes of maintaining and operating a road under Section 138(1) of the *Petroleum and Natural Gas Act.*
  - Any future modifications to any of the oil and gas roads noted in the plan will require an amendment.

## **ADVISORY GUIDANCE**

- 1. The Permit holder must maintain the road in accordance with the Oil and Gas Road Regulation (OGRR).
- 2. 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.
- 3. 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).
- 4. 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.

24 Hour: (250) 794-5200

Road Permit No.: 03182 Date: August 24, 2015

Justin Anderson Authorized Signatory Commission Delegated Decision Maker

pc. Roy Northern Land Service Ltd.

OGC File: 9641875

OGC, First Nations (Wilp Gutgwinuxs)

MoFLNRO, Skeena

