August 23, 2024

Prince Rupert Gas Transmission Ltd.
450 - 1st St SW
Calgary, AB T2P 5H1

Attention: Prince Rupert Gas Transmission Ltd.

**RE: Determination of Application Number 100119782**

**Permit holder:** Prince Rupert Gas Transmission Ltd.
**Date of Issuance:** August 23, 2024
**Effective Date:** August 23, 2024
**Application Submission Date:** August 21, 2024
**Application Determination Number:** 100119782
**Approved Disturbance Footprint:** 0 hectare

# Activities Approved

| |
|---|
| **Changes In and About a Stream:** 0008800 |

# General Approvals and Conditions

### Water Sustainability Act

1. The BC Energy Regulator, pursuant to section 11 of the *Water Sustainability Act,* approves the Changes In and About a Stream, as detailed in the table above, within the activity area for construction and maintenance activities, unless otherwise restricted by this approval:
    a. Instream works must be carried out in accordance with the methods and any mitigations, as specified in the application.
2. The approvals granted under this permit are limited to the area identified in the spatial data submitted to the BC Energy Regulator in the permit application as identified and dated above; herein referred to as the 'activity area'.

## Conditions

### Notification

3. A notice of construction start must be submitted, as per the relevant BC Energy Regulator process at the time of submission.

### Clearing/Forest Act

4. 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.

## Water Course Crossings and Works

5. Stream, lake and wetland crossings must be constructed in accordance with the methods and any mitigations, as specified in the application.
6. Construction or maintenance activities within a fish bearing stream or wetland must occur:
    a. during the applicable reduced risk work windows as specified in the Skeena Region - Reduced Risk Window;
    b. in accordance with alternative timing and associated mitigation recommended in a plan prepared by a qualified professional and accepted by the BC Energy Regulator; or
    c. in accordance with an authorization or letter of advice from Fisheries and Oceans Canada that is provided to the BC Energy Regulator;

    If activities are to occur in accordance with b or c above, the documentation must be submitted to the BC Energy Regulator at postpermitrequests@bc-er.ca prior to commencement of activities.
7. At any time, the BC Energy Regulator may suspend instream works authorized under this permit. Suspensions on instream works will remain in place until such time as the BC Energy Regulator 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.
8. 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.
9. The permit holder must ensure any instream works related to maintenance are planned and overseen by a qualified professional. This individual must assess and determine whether planned works pose a risk to any of the features listed below, and is responsible for developing and implementing mitigation measures to reduce any potential impacts on these features, as required:
    a. fish or important fisheries habitat;
    b. species identified as special concern, threatened, or endangered under the federal *Species at Risk Act*; or
    c. species identified by Order as a species at risk under the *Forest and Range Practices Act* or the *Energy Resource Activities Act.*

    This assessment must be provided to the BC Energy Regulator upon request.
10. Mechanical stream crossings must be constructed, maintained and deactivated according to the following requirements, as applicable:
    a. To facilitate construction of a crossing, a machine is permitted to ford the stream a maximum of one time in each direction at the crossing location.
    b. Only bridges, culverts, ice bridges or snow fills may be constructed at stream crossings;
    c. The permit holder must ensure that permanent bridges are designed and fabricated in compliance with:
        i. the Canadian Standards Association Canadian Bridge Design Code, CAN/CSA-S6; and
        ii. soil property standards, as they apply to bridge piers and abutments; set out in the Canadian Foundation of Engineering Manual.
    d. Except with leave of the BC Energy Regulator, the permit holder must ensure that
        i. culverts are designed and fabricated in compliance with the applicable:
            a) Canadian Standards Association CSA G401,Corrugated Steel Pipe Products; or
            b) Canadian Standards Association Standard CSA B1800, Section B182.8, Plastic Non-pressure Pipe Compendium; or
        ii. any pipe installed in lieu of a culvert is of at least equivalent standard and strength as any culvert as specified above.

e. Except with leave of the BC Energy Regulator, the permit holder must ensure that bridges or culverts meet the criteria set out in i., ii. or iii. below:

i. the bridge or culvert is designed to pass the highest peak flow of the stream that can reasonably be expected within the return periods set out in Column 2 of the table below for the period the permit holder anticipates the structure will remain on site, as set out in Column 1 of the table below:

| Anticipated period crossing structure will remain on site | Peak flow period |
|---|---|
| Bridge or culvert, 3 years or less | 10 years |
| Bridge other than a bridge within a community watershed, more than 3 years but less than 15 | 50 years |
| Bridge within a community watershed, more than 3 years | 100 years |
| Bridge, 15 years or more | 100 years |
| Culvert, more than 3 years | 100 years |

ii. the bridge, or any component of the bridge:

c) is designed to pass expected flows during the period the bridge is anticipated to remain on the site;

d) is constructed, installed and used only in a period of low flow; and

e) is removed before any period of high flow begins.

iii. the culvert;

f) is a temporary installation, and the permit holder does not expect to subsequently install a replacement culvert at that location;

g) is not installed in a stream, when the stream contains fish;

h) is sufficient to pass flows that occur during the period the culvert remains on the site;

i) is installed during a period of low flow; and

j) is removed before any period of high flow begins.

f. 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, the permit holder must ensure measures are in place that allows meltwater to pass through, ensure movement of fish is not impeded, and prevent pooling on the upstream side of the snow fill. Snow fill and any installed culverts must be removed prior to spring snow melt;

g. 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;

h. Water applied to construct an ice bridge on a water body must be sourced in accordance with the *Water Sustainability Act* unless

i. 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 must not disturb beds of fish bearing streams, lakes or wetlands except as necessary to ensure safe installation and operation of equipment, and must be screened with maximum mesh sizes and approach velocities in accordance with the Fisheries and Oceans Canada 'Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater', 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 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

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;

v. records of water withdrawal and corresponding streamflow measurements are maintained by the permit holder and provided to the BC Energy Regulator upon request.

i. Bridge or culvert abutments, footings and associated scour protection must be located outside the natural stream channel and must not constrict the channel width.

j. Wetland crossings must be constructed, maintained and removed in accordance with the following:

i. organic cover within and adjacent to the wetland must be retained;

ii. minimize erosion or release of sediment within the wetland;

iii. any padding materials must be placed on the wetland surface only and must not be used for infilling;

iv. any padding materials must be removed as soon as practicable following construction, considering weather and ground conditions; and

v. the wetland, including banks and bed, must be restored, to the extent practicable, to the condition that existed before the crossing was initiated.

11. Open cut crossings and works within streams, lakes or wetlands must be planned and conducted in accordance with the following requirements:

a. an open cut of a stream classified as S1, S2, S3 or S4 must not occur, unless the stream is frozen to its bed or is completely dry with no evidence of subsurface flow;

b. where the streambed or substrate consists of rocks, pebbles or coarse gravel overlaying finer material, this material must be removed and stockpiled separately above the high water mark of the stream for replacement during restoration;

c. materials referred to in b. above must be excavated and stockpiled in a manner that minimizes sediment dispersal within the stream, lake or wetland and must be replaced in a manner that minimizes disturbance to the stream, lake or wetland following construction;

d. impacted Riparian Management Areas of an open cut of a stream must be restored, to the extent practicable, by re-vegetating any exposed soil on the Riparian Management Areas using seed or vegetative propagules of an ecologically suitable species that

vi. promote the restoration of the wildlife habitat that existed on the area before the construction was initiated, and

vii. stabilize the soil if it is highly susceptible to erosion;

e. unless otherwise authorized by Fisheries and Oceans Canada, spawning gravels must not be disturbed when redds that contain eggs or alevins are present. The authorization must be provided to the BC Energy Regulator;

f. channels, banks and beds of wetlands, including any disturbed stable natural material, must be restored, to the extent practicable, to the structure and conditions that existed before the crossing construction was initiated;

g. excavated materials must be contained using appropriate techniques, so that that sediment-laden water and spoil do not re-enter the stream lake or wetland;

h. any sediment-laden trench water must be pumped onto stable surfaces in a manner that does not cause erosion of soils or release of suspended sediments to watercourses; and

i. where feasible, aquatic vegetation and organic debris removed from the construction area must be salvaged and returned following trench backfilling; and channels, banks and beds of streams, including any

disturbed stable natural material must be restored, to the extent practicable, to the structure and conditions that existed before the crossing construction was initiated.

12. Flow isolation crossings and works must be planned and conducted in accordance with the condition above regarding open cut crossings, and the following additional requirements:
    a. construction of the crossing or works, including the location and operation of any equipment, must be isolated from water flowing in the stream;
    b. water from flumes, pump-arounds, diversions, or other methods must be released to downstream areas in an manner that avoids erosion or sediment release;
    c. pump intakes must not disturb beds of fish bearing streams, lakes or wetlands except as necessary to ensure safe installation and operation of equipment, and must be screened with maximum mesh sizes and approach velocities in accordance with the Fisheries and Oceans Canada 'Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater';
    d. water flows downstream of in-stream construction sites must be maintained at volume and discharge consistent with upstream flows; and
    e. ditch plugs must be maintained at or near the banks of the crossing and left in place until the crossing has been initiated.

## Advisory Guidance

1. Instructions for submitting notice of construction start, as required by regulation, can be found in the Oil and Gas Activity Operations Manual on the BC Energy Regulator's website.
2. Unless a condition or its context suggests otherwise, terms used in this approval have the same meaning as the Environmental Protection and Management Regulation under the *Energy Resource Activities Act*.

All pages included in this permit and any attached documents form an integral part of this permit.

Norberto Pancera
Authorized Signatory
BC Energy Regulator Delegated Decision Maker

Copied to:
First Nations – Nisga'a Lisims Government (Nass/Nass Wildlife Area)
Land Agent – Roy Northern Land Service Ltd.