

September 25, 2026

Elkhart Wind GP LTD.
745 Thurlow St.
Vancouver, BC. V6E0C5 CA

Attention: Elkhart Wind GP LTD.

RE: Determination of Application Number 100123075

Permit holder: Elkhart Wind GP LTD.
Date of Issuance: September 25, 2026
Effective Date: September 25, 2026
Application Submission Date: July 21, 2026
Application Determination Number: 100123075
Approved Disturbance Footprint: 405.09 ha

Authorized Activities

Renewable Facility Identification No.: 00000017	Facility Name: sniwt i? kʷulmtn Wind Project
Road Number No.: RN#07339	Segment No.: 010
Associated Activity No.: 00272600 – 00272605, 00272608	Type: Staging Area
Associated Activity No.: 00272606	Type: Powerline
Associated Activity No.: 00272607	Type: Access
Changes In and About a Stream: 0011058	

General Permissions, Authorizations and Conditions

Permissions

Energy Resource Activities Act

1. The BC Energy Regulator, under section 25 (1) of the Energy Resource Activities Act (ERAA), hereby permits the permit holder referenced above to carry out the following activities, indicated in the Authorized Activities table above, subject to the conditions contained herein, any applicable exemptions and authorizations:
 - a. To construct, maintain and operate a Wind facility(s), and equipment and installations associated with the facility(s) as detailed in the Technical Specification Details tables below.
 - b. To construct, maintain and operate an Energy Resource road as detailed in the Activity Details tables below.
2. The permissions and authorizations 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 after referred to as the 'activity area'.

Authorizations

Land Act

3. The BC Energy Regulator, pursuant to section 39 of the *Land Act* hereby authorizes the occupation and use of Crown land to construct, operate, and maintain the related activity(s) defined in the *Energy Resource Activities Act* (ERAA) as detailed in the Authorized Activities table above, subject to the conditions herein.
4. The authorizations 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 after referred to as the 'activity area'.
 - a. A licence authorized under section 39 of the *Land Act* for the Crown land portion of this application will follow. The permit holder is subject to the conditions contained in the Licence.
 - b. The authorization to occupy and use Crown land under the Licence expires two years from the date of issuance, unless the BC Energy Regulator has received notice of construction start, or this permit is otherwise extended, suspended, cancelled, surrendered or declared spent.
 - c. The total disturbance within the activity area must not exceed the total approved disturbance footprint as referenced above.

Forest Act

5. The BC Energy Regulator, pursuant to section 47.4 of the *Forest Act*, hereby authorizes the removal of Crown timber from the activity area under the cutting permits associated with the Master Licence(s) as follows:

Master Licence to Cut No.: M02852
Cutting Permit No.: 01
Timber Mark No.: MTE36
Total New Cut: 49.28
Forest District: (DCS) Cascades Natural Resource District
Region: Interior
6. The term of the cutting permits is four years. The cutting permits are deemed spent upon submission of the post-construction plan or the cancellation or expiry of activities authorized under the permit.

Conditions

Notification

7. Within 60 days of the completion of construction activities under this permit, the permit holder must submit to the BC Energy Regulator 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.
8. The Permit Holder must notify the First Nation(s) copied on this permit/authorization at least 30 working days prior to start of construction.

General

9. The rights granted by this permit in relation to unoccupied Crown land 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 Sustainability Act* or *Wildlife Act*, or any extension or renewal of the same.
10. The permit holder must not assign, sublicense or permit any person other than its employees, contractors or representatives, to use or occupy any Crown land within the activity area without the BC Energy Regulator's written consent.
11. The permit holder must ensure that any Crown land within the activity area is maintained in a condition so as to minimize hazards, including but not limited to hazards associated with storage of materials and equipment.
12. The permit holder must ensure that any Crown land within the activity area is maintained free of garbage, debris and derelict equipment.

13. Installations must not be constructed in a location which interferes with the communications to/from the forest communication site under Forest File CS08095 unless otherwise agreed to by the Ministry of Forests.
14. The permit holder must conduct an assessment of potential communication interference impacts with the forest communication site under Forest File CS08095 and identify mitigations which will limit or prevent interference. This assessment must be provided to the BC Energy Regulator upon request.
15. Topsoil stripping, ditching and road bed construction are not permitted within the temporary access trails.
16. The permission to occupy and use Crown land excludes the area within *Land Act* Section 17 map reserve 3405304 unless a letter of compatible use has been received, or the reserve has been amended to accommodate the authorized activity.
17. The Permit Holder must use the best available Indigenous Knowledge to inform the development of the Decommissioning and Restoration Plan required under section 38 of the Renewable Energy Projects Regulation.
18. At least one week prior to the beginning of every third month during project construction, and before project operations commence, the Permit Holder must submit a schedule to the First Nations copied on this Permit identifying the proposed construction-related activities for the following three months.

Environmental

19. 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.
20. The permit holder must implement appropriate measures to minimize the obstruction of wildlife movement across the activity area during construction and operations.
21. 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.
22. The permit holder must implement and maintain an ongoing invasive plant assessment, treatment, and monitoring program, including maintaining an invasive plant compliance record. This record must be made available to the BC Energy Regulator upon request.
23. The permit holder must submit to the BC Energy Regulator an Acid Rock Drainage/Metal Leaching (ARD/ML) Assessment Report based on the results of the Detailed Sampling and Geochemical Analysis Program described in WSP Canada Inc.'s "*Work Plan for Detailed Geotechnical Investigation - Boulder-Elkhart Wind Project*" (Reference No. 2026CA626955-001-P-Rev0, dated June 25, 2026) at least ninety (90) days before the notice required by the Renewable Energy Projects Regulation Sec 42 (1) (a).
24. For locations where potential for ARD/ML is determined by a Qualified Professional, the permit holder must submit to the BC Energy Regulator an ARD/ML Management Plan at least thirty (30) days before the notice required by Renewable Energy Projects Regulation Sec 42 (1) (a). The ARD/ML Management Plan must include:
 - a. processes used to assess and delineate rock with ARD/ML potential,
 - b. protocols for ongoing verification of the results of ARD/ML assessments,
 - c. material handling steps for rock with confirmed ARD/ML potential,
 - d. mitigation measures and monitoring programs, and
 - e. technical drawings, specifications, and locations for mitigation measures.
25. The permit holder must implement any protocols, steps, mitigation measures, or monitoring recommendations outlined in the ARD/ML Management Plan.
26. The hazards, risks and potential effects of any changes made to the verification, handling, mitigation and/or monitoring measures outlined in the ARD/ML Management Plan must be assessed by a Qualified Professional, and all records of change must be retained by the permit holder and provided to the BC Energy Regulator upon request.

27. The permit holder must submit to the BC Energy Regulator a stand-alone Post-Construction ARD/ML Monitoring Plan within 30 days after giving a notice of operation start as required by Renewable Energy Projects Regulation Sec 43 (1). The Post-Construction ARD/ML Monitoring Plan must include a requirement to complete an annual or more frequent, as deemed necessary by a Qualified Professional, evaluation of the efficacy of mitigation and monitoring activities. The plan may be updated as needed if more suitable procedures or changes are required.
28. Any records of implementation of mitigation measures and associated monitoring collected pursuant to the ARD/ML Management Plan and/or Post-Construction ARD/ML Monitoring Plan must be retained by the permit holder and provided to the Regulator upon request.
29. The ARD/ML Assessment Report, ARD/ML Management Plan, and Post-Construction ARD/ML Monitoring Plan must be submitted to the BC Energy Regulator at Hydrogeology@bc-er.ca, referencing 100123075-1.
30. All documents relating to ARD/ML submitted to the BC Energy Regulator must be prepared and authenticated by a Qualified Professional.
31. A wildlife sweep must be conducted by a Qualified Professional a minimum of 24 hours and no more than 48 hours prior to clearing, cutting, brushing or blasting activities. Blasting includes the preparing, placing, and firing of a charge, handling a misfire, and destroying or disposing of explosives. The Qualified Professional is responsible for developing and implementing measures to avoid or minimize adverse impacts to Wildlife Tree Retention Areas and High Priority Wildlife and Wildlife Habitat Features that may be encountered and have the authority to issue a stop work order if such species or features are determined to be at risk. Results of the sweeps and subsequent actions will be recorded, retained and available upon request.
32. The Permit Holder must take measures, consistent with Section 19 of the Environmental Protection and Management Regulation, to restore portions of the Project Area once they are no longer required for undertaking the energy resource activity.
33. The Environmental Management Program required under Section 19 of the Renewable Energy Projects Regulation must include an ungulate monitoring program developed by a Qualified Professional that commences at the start of construction and continues for a minimum of one year following completion of construction.

Monitoring methods must be comparable to initial assessment methods, and any adaptive management actions implemented in response to an exceeded threshold must be documented, maintained, and implemented as part of the Environmental Management Program.
34. No clearing will take place within the Qualified Professional identified ungulate window of April 15th to August 31st unless an updated mitigation plan and rational has been submitted to the BC Energy Regulator for review and approval a minimum of 10 business days prior to the commencement of work.
35. The permit holder must not undertake clearing, cutting or brushing activities or remove potential wildlife or roost trees between June 1st and August 31st, unless authorized in writing by the Regulator.
36. The permit holder must not undertake blasting activities between October 1 and April 15, unless otherwise authorized in writing by the Regulator.
37. The Permit holder must undertake the following to address effects on bats and birds:
 - a. Install bird diverters on the overhead powerlines where collision risk is higher, as determined by a Qualified Professional,
 - b. Complete Key Wildlife Habitat Feature surveys prior to construction:
 - i. Along the transmission line right-of-way,
 - ii. Within at least 1.5 tree lengths around construction and operational areas wherever danger tree removal may be required, and
 - iii. Where construction activity within suitable rock-crevice habitat or mature and old forest cannot be avoided.

- c. Establish appropriate no work setbacks for Key Wildlife Habitat Features identified during the surveys, as directed by a Qualified Professional.
- d. Submit a Qualified Professional-developed mitigation plan to the Regulator for approval prior to undertaking an activity that adversely impacts a Key Wildlife Habitat Feature.
- e. Maintain record of Key Wildlife Habitat Features adversely impacted during construction to inform on-site restoration, which must be made available to the Regulator upon request.

38. The Permit Holder must:

- a. Prevent the turbine blades from turning (e.g., by braking or feathering) at wind speeds below the turbine manufacturer's recommended cut-in speed measured at the height of the nacelle from 30 minutes before sunset to 30 minutes after sunrise during the active season for bats from March 15 through October 15. Following year 1 of operations, the active season for bats can be refined by a Qualified Professional based on best available knowledge and site-specific bat activity data. Any changes to the active season definition must be documented in the Environmental Management Plan with appropriate Qualified Professional - supported rationale; and
- b. Implement precautionary curtailment during periods of high risk for bats either by:
 - i. Basic curtailment: curtailment of turbines at wind speeds at or below 6 m per second measured at the height of the nacelle between 15 July and 15 October from 30 minutes before sunset to 30 minutes after sunrise, or
 - ii. Smart curtailment: a modified curtailment regime based on local conditions, site-specific algorithms, and/or real-time activity monitoring that provides an equivalent level of protection for bats as basic curtailment, as determined by a Qualified Professional.

39. The post-construction monitoring program for bats must adhere to the following minimum monitoring durations:

- a. For projects implementing basic curtailment: three consecutive monitoring years.
- b. For projects implementing smart curtailment: a minimum of three consecutive monitoring years or until an equivalent or better level of protection for bats compared to basic curtailment is demonstrated, as determined by a Qualified Professional.

40. Species listed in Appendix A of this Permit are considered locally significant species per Section 44(b) of the Renewable Energy Projects Regulation.

41. The Environmental Management Program required by the Renewable Energy Projects Regulation Section 19 must be updated before making any material changes to the Project that a Qualified Professional determines would likely increase risk to birds and bats and their habitats.

42. Where adverse effects to birds and bats and their habitats cannot be avoided, the Environmental Management Program must:

- a. detail the strategies developed by a Qualified Professional to minimize, mitigate, and/or restore potential impacts to:
 - i. Bird and bat species identified as High Priority Wildlife and locally significant species (Appendix A),
 - ii. Key Wildlife Habitat Features and areas of seasonal concentrations identified in the Adverse Impact Report, and
 - iii. Additional species, features, or designated habitats identified by a Qualified Professional after issuance of this permit.
- b. Identify specific bird and bat action thresholds, which if reached, will trigger a predetermined adaptive management response.

43. Before the Permit Holder gives a notice of operation start, the Environmental Management Program must include a post-construction monitoring program for birds and bats, developed by a Qualified Professional, to assess the effectiveness of the mitigation strategy. The post-construction monitoring program must:
 - a. be made available to the Regulator upon request,
 - b. be overseen by a Qualified Professional, and
 - c. Include a minimum of one year of monitoring for birds.
44. A maintenance monitoring program for bats must be implemented following the conclusion of the post-construction monitoring period. The maintenance monitoring program must be a minimum of one year of monitoring in every five years while the project is operational. The Permit Holder must notify the Regulator if maintenance bat fatality monitoring results differ significantly from the three-year average post-construction bat fatality monitoring results.
45. The post-construction monitoring program must follow methods described in: Best Management Practices for Bats in British Columbia, Chapter 4: Wind Power Developments (WLRS 2025) and Inventory Methods for Bats, Standards for Components of British Columbia's Biodiversity No. 20 (RISC 2022).
46. The Permit Holder must maintain and submit records of post-construction and maintenance monitoring of birds and bats to the Regulator. At minimum the records must include:
 - a. Documentation of mitigation implemented for birds and bats including planned versus actual turbine curtailment,
 - b. Bird and bat fatality monitoring data,
 - c. Bat acoustic monitoring data,
 - d. Environmental covariate data,
 - e. Wind speed at the height of the nacelle,
 - f. Wind direction,
 - g. Temperature,
 - h. Precipitation,
 - i. Barometric pressure, and
 - j. Incidental mortality records.

Data must be provided to the Regulator and submitted to the provincial Wildlife Species Inventory database. All required records must be received by the Regulator no later than December 31 of each year for that monitoring year.

47. The Permit Holder must submit an annual report prepared by a Qualified Professional to the Regulator no later than January 31 of the following year (or as agreed by the Regulator) for each year of post-construction or maintenance monitoring. The report must include:
 - a. Description of all components of the post-construction monitoring program,
 - b. Study design and rationale for the design of all program components,
 - c. Survey methods and effort providing sufficient detail that study protocol can be replicated if necessary,
 - d. Data analysis methods including the fatality estimator used,
 - e. Summary of planned versus implemented mitigation measures,
 - f. Description of and rationale for any variances in the planned mitigation and/or monitoring program,
 - g. Survey outcomes, including at minimum,
 - h. Average fatality rates (corrected) for birds and for bats per turbine per year and per MW per year,

- i. Total fatality rates (corrected) for birds and for bats per facility per year,
 - j. Assessment of the effectiveness of mitigation strategy in achieving the desired outcomes, and
 - k. Description of adaptive management of mitigation and monitoring efforts going forward, if deemed necessary by a Qualified Professional.
48. All bird and bat fatalities associated with the project must be identified and reported to the species level. Assessment of locating fatalities must be completed per Provincial Best Management Practices. For bat fatalities, where species identity cannot be determined through morphometrics, genetic testing is required. Records submitted to the Wildlife Species Inventory database must be updated to include genetic testing results.
49. If a bat carcass is found during the white-nose syndrome (WNS) surveillance period from 1 November through 31 May, or if a bat carcass is found anytime that exhibits evidence of WNS infection, the Permit Holder must notify the provincial Wildlife Health Office immediately, handle and store the carcass as directed, and arrange submission for testing if requested.

Archaeology

50. An Archaeological Impact Assessment is required for the activity area prior to any construction activities taking place.
- If mitigation measures for archaeological resources, including the recording of an archaeological site, are a result of this assessment then the report must be submitted immediately to the BC Energy Regulator and all mitigation measures must be approved by the BC Energy Regulator's archaeology staff prior to any development activities taking place.
- If no archaeological resource is recorded during this assessment, an Archaeological Impact Assessment report is still required and must be submitted to the BC Energy Regulator as soon as practicable.
51. Archaeology site(s) DiRb-21 must be avoided by construction crews.
52. If an artifact, feature, material or thing protected under the *Heritage Conservation Act* is identified within the activity area, the permit holder must, unless the permit holder holds a permit under Section 12.4 of the *Heritage Conservation Act* issued by the BC Energy Regulator 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 BC Energy Regulator; and
 - c. Resume work in the vicinity of the artifacts, features, materials or things in accordance with direction from the BC Energy Regulator.

Clearing/Forest Act

53. 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.
54. Stumpage for cutting permits shall be determined in strict accordance with the Coast or Interior Appraisal Manuals, as amended from time to time. Permit holders are required to comply with all provisions set out in these manuals.

Water Course Crossings and Works

55. No new disturbance within a stream, wetland, lake or riparian reserve zone is permitted for construction of roads or transmission line poles/supports unless to facilitate a crossing.
56. The permit holder must ensure disturbance to any riparian management area does not result in a material adverse effect on the ability of the riparian reserve zone to conserve fish and wildlife habitat, biodiversity and the water values of the riparian reserve zone.

57. All watercourse crossings must maintain the unimpeded natural flow pattern (magnitude, duration, timing), native substrate composition and channel morphology upstream of the crossing, through the crossing and downstream of the crossing.
58. All fish-bearing watercourse crossing structures must maintain upstream and downstream fish passage conditions for all life stages of applicable species for all flows.
59. Prior to construction, the permit holder must have a Qualified Professional prepare a Water Quality Monitoring Plan for pre-construction, construction and post-construction for all watercourse crossings to identify and avoid, minimize and/or mitigate impacts to water quality. This plan must be made available to the BC Energy Regulator upon request.
60. Infrastructure including but not limited to turbine pads, meteorological tower pads, substations, collector line poles/supports, must not be constructed within a stream, wetland or lake or riparian reserve zone.
61. Operating Areas, other than to facilitate a crossing, must not be constructed within a stream, wetland or lake or riparian reserve zone.
62. Stream, lake and wetland crossings must be constructed in accordance with the methods and any mitigations, as specified in the application.
63. 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 Okanagan 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.

64. 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.
65. 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.
66. 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.

Water Course Crossings and Works

Mechanical

67. 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:
 - a. is designed to pass expected flows during the period the bridge is anticipated to remain on the site;
 - b. is constructed, installed and used only in a period of low flow; and
 - c. is removed before any period of high flow begins.
- iii. the culvert;
 - a. is a temporary installation, and the permit holder does not expect to subsequently install a replacement culvert at that location;
 - b. is not installed in a stream, when the stream contains fish;
 - c. is sufficient to pass flows that occur during the period the culvert remains on the site;
 - d. is installed during a period of low flow; and
 - e. 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.

Water Course Crossings and Works Road

68. 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.
69. Stream crossings for roads 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 Sustainability 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 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 '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.
 - e. bridge or culvert abutments, footings and scour protection must be located outside the natural stream channel and must not constrict the channel width.
70. 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.

Activity Specific Details, Permissions and Conditions

Renewable Facilities

Land Area Number: 100029553

Technical Specification Details

Facility ID: 00000017	Facility Name: sniwt i? kwulmtn Wind Project
Facility Type: Wind Facility Equipment: Other Energy Storage System	Installation Number(s): 01-16 Receptor: Paradise Lake Resort UTM (Zone 10 NAD 83) Coordinates Easting 694909 Northing 5533382

Facility Conditions

71. The wind facility must not exceed any of the following:
 - a. a maximum of 14 wind turbines, or
 - b. a maximum wind turbine total height of 235 meters.
72. The Permit Holder must not site any wind turbines or the wind facility substation within 1.5km of the receptor identified in the Technical Specification Details table, unless a detailed noise impact assessment is completed and submitted to the Regulator for review. The detailed noise impact assessment must:
 - a. Be completed in accordance with the BC Energy Regulator BC Noise Control Best Practices Guideline, as amended from time to time,
 - b. Be signed and sealed by a Qualified Professional,
 - c. Include the sound power levels of the dominant noise sources and the basis of the sound power level,
 - d. Include details of any noise mitigations applied.
 - e. Include results showing the predicted dBA and dBC comprehensive sound levels at the receptor under representative weather conditions,
 - f. Include a comparison of predicted comprehensive sound levels with the Permissible Sound Levels, and
 - g. Be submitted via email to postpermitrequests@bc-er.ca
73. The Permit Holder must not site any wind turbines within 1.5km of the receptor identified in the Technical Specification Details table, unless a shadow flicker assessment is completed and submitted to the Regulator for review. The shadow flicker assessment must:
 - a. Be prepared by a Qualified Professional ,
 - b. Include details of any assumptions or mitigations applied,
 - c. Include results showing the predicted durations of shadow flicker at the receptor throughout the year,
 - d. Include a comparison of predicted shadow flicker with the requirements of the Renewable Energy Projects Regulation, and
 - e. Be submitted via email to postpermitrequests@bc-er.ca
74. The Permit Holder must submit the notices required under section 42(1) of the Renewable Energy Projects Regulation in writing to postpermitrequests@bc-er.ca, referencing AD# 100123075
75. The Permit Holder must submit the notice required under section 43(1) of the Renewable Energy Projects Regulation in writing to postpermitrequests@bc-er.ca, referencing AD# 100123075. The notice must also include the applicable attachments required under section 43(2) of the REPR.

Road

Land Area Number: 100029552
Road Number: 07339
Road Type: Long-Term - All-Weather

Activity Details

Seg No.: 010	Zone: 10 From: N 5535901.721E 695509.957 To: N 5536956.231E 696443.242
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All permissions for this activity are subject to the following conditions:

Road Conditions

76. The permit holder will immediately effect, and keep in force insurance of an amount not less than \$1,000,000 protecting the Province, the BC Energy Regulator 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 activity area.

Associated Activities

Refer to the Authorized Activities table above

All authorizations for this activity are subject to the following conditions:

Associated Activity Conditions

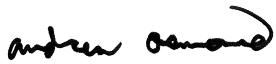
77. Topsoil stripping, ditching and road bed construction are not permitted within the temporary access trails.

Advisory Guidance

1. Construction Plan - 262721_SIK_5K Construction Plan_r1_Compress.pdf, Construction Plan - 260810_SIK_5K Construction Plan_r2.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.
2. Instructions for submitting notice of construction start, as required by regulation, can be found in the Energy Resource Activity Operations Manual on the BC Energy Regulator's website.
3. Appropriate tenure may be issued upon acceptance of the post-construction plan. Submission of the original application and submission of the post-construction plan is considered an application for all subsequent applicable *Land Act* tenures. Upon the BC Energy Regulator's acceptance of the post-construction plan no further applications for replacement tenure are required.
4. Temporary access is intended to be short term access to facilitate construction of an energy resource activity. It is not intended for sustained use and is not constructed to energy resource road standards.
5. The permit holder should be aware that there may be First Nation's traditional, cultural, or spiritual activities occurring concurrently with construction and maintenance activities, as well as areas of current use or cultural resources that overlap the project area. All reasonable efforts should be made to minimize interference with those activities while carrying out the activities authorized herein.
6. The occupation of land and industrial activities in a park or recreation area designated under the Park Act, or in recreation sites established under the Forest and Range Practices Act, are subject to additional permits/authorizations.
7. This permit does not grant Operating Areas or Associated Activities within a Ministry of Transportation and Transport (MoTT) road allowance. If Changes In and About a Stream enter or impact a MoTT road allowance, consent to carry out the approved activities must be obtained from MoTT prior to construction.
8. Cutting and clearing activities within Wildlife Tree Retention Areas are to be operationally necessary and minimized.

9. Consult the Standardized Post-Construction Monitoring Data Submission Templates for the minimum required data variables for post-construction surveys.
10. All reporting provided to the Regulator must be provided concurrently to First Nations listed on this permit.
11. Key Wildlife Habitat Features for birds and bats include Wildlife Habitat Features defined in Section 6d of the Environmental Protection and Management Guideline, nests protected year-round by the Migratory Bird Regulations (2022), long duration, permanent, or significant bat roosts as defined in the provincial bat Best Management Practices (WLRS 2025), high value wildlife trees, or other features as determined by a Qualified Professional. For bird species at risk protected by the Migratory Bird Convention Act, key wildlife habitat features also include biophysical attributes of critical habitat and residences.

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



Andrew Osmond
Authorized Signatory
BC Energy Regulator Delegated Decision Maker

Copied to:

First Nations – Ashcroft Indian Band, Coldwater Indian Band, Cook's Ferry Indian Band, Lower Nicola Indian Band, Lower Similkameen Indian Band, Nicomen Indian Band, Nlaka'pamux Nation Tribal Council, Nooaitch Indian Band, Okanagan Indian Band, Penticton Indian Band, Scw'exmx Tribal Council, Shackan Indian Band, Siska Indian Band, Spuzzum First Nation, Upper Nicola Band, Upper Similkameen Indian Band, Westbank First Nation
Ministry of Forests District Office - (DCS) Cascades Natural Resource District

Appendix A: List of Locally Significant Species

Hoary Bat, *Lasiurus cinereus*

Eastern Red Bat, *Lasiurus borealis*

Silver-haired Bat, *Lasionycteris noctivagans*