

Commission File No: 9638556

January 19, 2015

Trans Mountain Pipeline ULC
2700, 300 - 5th Avenue SW
Calgary, Alberta
T2P 5J2

Attention: Surface Land Administrator

Re: Amendment to Investigative Permit–Section 14 over Crown Land, Kamloops District, Yale Distict, within Unit 74 & 75, Block C, Group 82-M-14.

Date of Issuance: January 19, 2015
Commission File No.: 9638556
Applicant File No.: P2-010-NT7 (North Thompson 7)

The Oil and Gas Commission (Commission) hereby grants an amendment to the permit dated December 13, 2013 under Section 14 of the *Land Act* under Authorization 941753, to allow Trans Mountain Pipeline ULC, (the "permit holder") to occupy Crown land within the area indicated on the attached sketch plan, Map Number: 201403_MAP_TERA_PER_00548_REV3_NT7, Revision 3, dated September 4, 2014, as submitted to the Commission on September 30, 2014, subject to the conditions set out below:

1. The permit is amended to increase the area of new disturbance by 0.29 ha to a total area of 1.04 ha.
2. The permit is amended to increase the area of new cut by 0.29 ha to a total area of 0.38 ha.
3. If artifacts, 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 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 Archaeology Branch and Commission; 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, endorsed by a qualified archaeologist, and approved by the Archaeology Branch of the Ministry of Forestry, Lands and Natural Resource Operations.
4. The Permit holder must notify the Adams Lake Indian Band prior to commencement of activities.
5. The Permit holder must notify the Neskonlith Indian Band prior to commencement of activities.

6. The Permit holder must notify the Simpcw First Nation Band prior to commencement of activities.
7. The Permit holder to notify the Little Shuswap Indian Band prior to commencement of activities.
8. The Permit holder must provide a qualified environmental monitor on site for the duration operations completed within the Riparian Management Zone (RMZ).

The permit holder must comply with all conditions in the original permit and subsequent amendments.

The permit holder shall comply with all applicable laws, including the *Fisheries Act (Canada)*, *Water Act*, *Environmental Management Act*, *Workers Compensation Act*, *Wildlife Act* and the *Forest Act*.

This amendment forms an integral part of your permit and should be attached hereto.



Madison Schofield
Natural Resource Officer

pc: Adams Lake Indian Band
pc: Neskonlith Indian Band
pc: Simpcw First Nation Band
pc: Little Shuswap Indian Band
pc: TERA Environmental, a CH2M HILL Company
pc: OGC File No.: 9638556



OGC File: 9638556

December 13, 2013

Trans Mountain Pipeline ULC
Ste. 2700, 300 5th Ave. SW
Calgary AB T2P 5J2

Attention: Surface Land Administrator

Re: Investigative Use Permit- Section 14 over Crown Land, Unit 74 and Unit 75 of Block C, Group 82-M-14

Date of Issuance: December 13, 2013
Commission File No: 9638556
Applicant File No: 01-13283-NT7

PERMISSIONS

The Oil and Gas Commission ("Commission") hereby authorizes the holder of permit number 9638556, under section 14 of the *Land Act*, to allow Trans Mountain Pipeline ULC (the "permit holder") to occupy Crown land within the areas indicated on the attached sketch plan, BGC Engineering Inc. Project No. 0095150, Drawing Number 1 of 1, Revision 5, Dated August 21, 2013, (hereinafter referenced together as the "Site"), to conduct appraisals, inspections, analyses, inventories, surveys or other investigations under Authorization Number 941753, subject to conditions set out below.

CONDITIONS

1. The permit holder may use and occupy the Site only for the purposes of investigating the site for potential oil and gas activities and related activities as defined in the *Oil and Gas Activities Act*.
2. The total disturbance within the Site must not exceed 0.09 ha.
3. The permit holder will indemnify the Province of British Columbia (the Province) and the Oil and Gas Commission against all losses, damages, costs and liabilities arising out of any breach or non-performance of any condition or agreement set out in this Permit and any personal injury, death or property damage occurring within the Site, or happening by virtue of its occupation of the Site, and the amount of such losses, damages and costs shall be payable to the Province or the Oil and Gas Commission immediately.
4. The permit holder will immediately effect, and keep in force while this Permit is in effect, 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 or public liability claims arising from any accident or occurrence on the Site.

5. The permit holder will restore the site to the satisfaction of the Oil and Gas Commission following expiration or cancellation of this Permit.
6. The authorization to occupy and use Crown land does not entitle the permit holder to exclusive possession of the Site. The permit holder will not interfere with any person found on the Site who has a public right of access over the Site or is using the Site pursuant to a prior or subsequent *Land Act* disposition.
7. The rights granted by this permit are subject to all subsisting grants to or rights of any person made or acquired under the *Coal Act*, *Forest Act*, *Mineral Tenure Act*, *Petroleum and Natural Gas Act*, *Range Act*, *Water Act* or *Wildlife Act*, or any extension or renewal of the same, any prior dispositions made under the *Land Act*, and the exceptions and reservations of rights and interests under Section 50 of the *Land Act*.
8. The permit holder will acknowledge and agree that any interference with rights granted under this permit by virtue of the exercise or operation of the rights or interests set out in the Sections (6) or (7) above shall not constitute a breach of the Province's or the Commission's obligations under this permit and the permit holder will release and discharge the Province and/or the Commission from any claim for loss or damage arising directly or indirectly out of any such interference. The permit holder will also agree to pay all costs and expenses that arise out of the permit holder's interference with the rights or interests set out in Sections (6) or (7) and that the permit holder will not commence or maintain proceedings under Section 65 of the *Land Act* with respect to interference with the permit holder's rights arising out of exercise or operation of the rights set out in Sections (6) or (7).
9. The permit holder must pay to the Province, when due, the Fees to the address and in accordance with the instructions set out in the attached covering letter.
10. The permit holder must not assign or sub-tenure this Permit. The permit holder must not transfer this permit without the Commission's written consent, which consent may be granted or withheld at the Commission's sole discretion.
11. This permit expires two years from the date of issuance.
12. The permit holder must notify the Commission prior to commencing activities under this permit. Notification may be sent to C&E@bcogc.ca.
13. An Archaeological Impact Assessment is required for the proposed development area prior to any development activities taking place.

If an archaeological site is recorded as a result of this assessment, a report must be submitted immediately to the Archaeology Branch of FLNRO and Commission and all mitigation measures must be approved by the Archaeology Branch prior to the start of construction.

If no archaeological site is recorded during this assessment, an AIA report is still required and must be submitted to the Archaeology Branch and the OGC as soon as possible as per the Archaeology Process Guidelines.

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 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 Archaeology Branch and Commission; 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 the Heritage Conservation Act, endorsed by a qualified archaeologist, and approved by the Archaeology Branch.
14. Within 60 days of the completion of the clearing phase of the activity authorized, the permit holder must submit to the Commission a Post-construction plan as an ePASS shape file accurately identifying the locations of the overall disturbance within the Site.
15. The permit holder must abide by and comply with all applicable laws, bylaws, orders, directions, ordinances, and regulations of any government authority having jurisdiction in any way affecting its use or occupation of the Site, including, without limitation, the provisions of the *Land Act* and the provisions of this Permit.
16. This permit does not authorize works on private land.
17. The geotechnical drilling pad must not be located within that part of the investigative use permit area that overlaps OGMA ID: KAM_TKA_5567.
18. Topsoil stripping, ditching and road bed construction are not permitted within the site.
19. The permit hold must notify Simpcw First Nation, Neskonlith Indian Band, Little Shuswap Indian Band and Adams Lake Indian Band prior to commencement of any clearing or geotechnical work conducted under this permit.
20. Should any archaeological material be identified in the course of development, Simpcw First Nation, Neskonlith Indian Band, Little Shuswap Indian Band and Adams Lake Indian Band must be notified.

CUTTING PERMIT AUTHORIZATION

Pursuant to section 47.4 of the *Forest Act*, the Commission hereby issues Cutting Permit No. 4, under Master License to Cut number M02363, Headwaters Forest District, to cut and remove timber from the areas of Crown land within the area within the Site subject to the following conditions:

1. This Cutting Permit expires 2 years from the date of issuance of the Investigative Permit or the revised date should this permit be extended.
2. This Cutting Permit is subject to the terms and conditions in the Master Licence to Cut.
3. All harvested Crown timber must be marked with Timber Mark Number MTA 072.
4. The felling, bucking and utilization specifications in the Master License to Cut apply to this Cutting Permit.
5. Stumpage under this cutting permit is required to be paid to the Crown and will be determined with the Ministry of Forests Interior Appraisal Manual.
6. 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.
7. 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."
8. The utilization of merchantable timber is not mandatory for this permit.

9. Prior to harvesting, any clearing authorized by this Cutting Permit must be clearly defined on the ground by ribboning or blazing.
10. This permit authorizes a maximum total new cut area of 0.09 Ha within the Site.

The attached plan forms an integral part of this authorization.

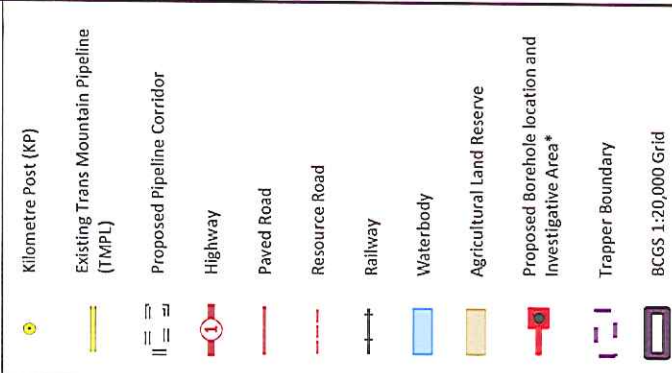


Lori Phillips
Review and Approval Resource Officer

pc: digital copy: margaret_mears@kindermorgan.com; twiegele@teraenv.com

pc: FLNRO – Kamloops

pc: Simpcw First Nation, Neskonlith Indian Band, Little Shuswap Indian Band and Adams Lake Indian Band



* Left and Right Bank relative to flow direction

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2 NUMBER	231302_MAP_TERRA_PER_00191_20000	PAGE	SHEET 1 OF 1
DATE	19 Jul 2013	ITERATE	7894
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