

December 23, 2020

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

Attention: Trans Mountain Pipeline ULC

RE: Determination of Application Number 100111498

Permit Holder: Trans Mountain Pipeline ULC
Date of Issuance: December 23, 2020
Effective Date: December 23, 2020
Application Submission Date: November 24, 2020
Application Determination Number: 100111498
Approved Disturbance Footprint: 0.0 ha

ACTIVITIES APPROVED

Changes In and About a Stream: 0006428
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GENERAL APPROVALS AND CONDITIONS

APPROVALS

Water Sustainability Act

1. The Commission, pursuant to section 11 of the *Water Sustainability Act*, approves the Changes In and About a Stream, as detailed in the Activities Approved table above, within the activity area for construction and maintenance activities, unless otherwise restricted by this authorization:
 - a. Instream works must be carried out in accordance with the methods and any mitigations, as specified in the application.

CONDITIONS

Notification

2. A notice of construction start must be submitted, as per the relevant Commission process at the time of submission, at least 48 hours prior to the commencement of activities under this permit.
3. Within 60 days of the completion of construction activities under this permit, the permit holder must submit to the Commission 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.
4. The permit holder must notify any First Nation(s) who may have Aboriginal Interests identified, as per the BC First Nations Consultative Areas Database, within the area in which the works are to occur at least five (5) working days prior to project commencement.

Clearing/Forest Act

5. 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 under applicable 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.

Water Course Crossings and Works

4. Stream, lake and wetland crossings must be constructed in accordance with the methods and any mitigations, as specified in the application.
5. In-stream activities within a fish bearing stream, lake or wetland must occur:
 - a. during the applicable reduced risk work windows as specified in the Thompson Region - Reduced Risk Work Windows;
 - b. in accordance with alternative timing and associated mitigation recommended by a Qualified Professional and accepted by the Commission; or
 - c. in accordance with an authorization or letter of advice from Fisheries and Oceans Canada that is provided to the Commission.
6. At any time, the Commission may suspend instream works approved under this permit. Suspensions on instream works will remain in place until such time as the Commission 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.
7. 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.
8. Following initial construction, stream crossings are approved 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.
9. Watercourse crossing structures and any other instream works associated with the road are functional and appropriate for the uses of the road.
10. The permit holder must ensure that each bridge or major culvert is regularly inspected by a qualified person. Records of inspections must be retained by the permit holder for at least one year after the bridge or major culvert is removed from the site or the permit holder's responsibility for the road ceases.
11. The permit holder must perform the maintenance and undertake modifications necessary to ensure that watercourse crossing structures and any other instream works associated with the road are functional and appropriate for the uses of the road.
12. The permit holder must ensure that bridges and culverts on fish streams are constructed and maintained in a manner that does not prevent or impede the movement of fish.
13. The permit holder must prepare and maintain as-built drawings of any bridges or culverts exceeding 2000 mm in diameter or height that are constructed or modified by the permit holder. These drawings must be provided to the Commission upon request.

14. The permit holder must ensure that the activities approved under this approval do not result in any deleterious materials being deposited into a stream, wetland or lake.

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 Commission'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 *Oil and Gas Activities Act*.

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



Justin Anderson
Authorized Signatory
Commission Delegated Decision Maker

Copied to:

First Nations – Neskonlith Indian Band, Penticton Indian Band (ONA), Stk'emlupsemc te Secwepemc Nation (SSN), Ashcroft Indian Band, Boston Bar First Nation, Cook's Ferry Indian Band (STC), Coldwater Indian Band (STC), Kanaka Bar Indian Band, Lower Nicola Indian Band, Lower Similkameen Indian Band (ONA), Nooaitch Indian Band (STC), Nicomen Indian Band, Nlaka'pamux Nation Tribal Council, Okanagan Indian Band (ONA), Siska Indian Band (STC), Shackan Indian Band (STC), Tk'emlúps te Secwépemc (SSN), Upper Nicola Band (STC)