

OGC File: 9639434

March 24, 2014

Westcoast Connector Gas Transmission Ltd. PO Box 11162 1100, 1055 West Georgia Street Vancouver, BC V6E 3R5

Attention: Surface Land Administrator

Re: Investigative Permit- Section 14 over Crown Land, Cassiar District and Range 5 Coast
District within Block L, Group 103-P-6; Block I, Group 103-P-5; Block J, Group 103-P-5;
Block G, Group 103-P-5; Block F, Group 103-P-5; Block C, Group 103-P-5; Block K, Group
103-P-4; Block L, Group 103-P-4; Block E, Group 103-P-4; Block D, Group 103-P-4; Block A,
Group 103-O-1; Block I, Group 103-J-16; Block J, Group 103-J-16; Block G, Group 103-J-16;
Block B,Group 103-J-16; Block E, Group 103-I-13; Block L, Group 103-I-13; Block H, Group
103-J-16; Block C, Group 103-J-16; Block D, Group 103-J-16; Block L, Group 103-J-9; Block
I, Group 103-J-10; Block H, Group 103-J-10; Block A, Group 103-J-7; Block H, Group 103-J-7; Block A, Group 103-J-7; Block D, Group 103-J-8.

Date of Issuance: March 24, 2014 Commission File No: 9639434

Applicant File No: Westcoast Connector Gas Transmisssion

PERMISSIONS

The Oil and Gas Commission (``Commisson``) hereby authorizes the holder of permit number 9639434, under section 14 of the Land Act, to allow Westcoast Connector Gas Transmission Ltd. (the "permit holder") to occupy Crown land within the areas described as cone penetration in the attached sketch plan Document No: JOB NO: 010042423, Pages 1-40 of 40, Revision 0, dated December 13, 2013 as submitted to the Commission in the permit application dated December 24, 2013 (hereinafter referenced together as the "Site"), to conduct appraisals, inspections, analyses, inventories, surveys or other investigations under Authorization Number 942997, 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.
- The total disturbance within the Site must not exceed 0.07 ha.
- 3. The permit holder will indemnify the Province of British Columbia (the Province) and the 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 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.
- The permit holder will restore the site to the satisfaction of the 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).
- 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. 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 of the Ministry of Forests, Lands and Natural Resource Operations (Archaeology Branch) and the 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

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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.

ADDITIONAL CONDITIONS

- 1. The permit holder to notify the Metlakatla Band Council prior to commencement of project.
- 2. The permit holder to notify the Lax Kw'alaams First Nation prior to commencement of project.
- 3. The permit holder to notify the Kitsumkalum First Nation prior to commencement of project.
- 4. The permit holder to notify the Kitselas First Nation prior to commencement of project.
- The permit holder to notify the Gitxaala Nation prior to commencement of project.
- 6. The permit holder to notify the Nisga'a Lisims Government prior to commencement of project.
- 7. This permit does not authorize works located within lands within the Prince Rupert Port Authority.
- 8. The permit holder must make all reasonable efforts to limit the impacts of multiple marine vessels and investigative (or other) operations occurring simultaneously within sensitive marine areas.
- 9. The permit holder must not conduct sampling operations in the Eulachon Exclusion Zone during the period where adult Eulachon may be holding off the Nass River before moving into the river to spawn between January and early March. The permit holder must conduct activities at IB-2, IB-3, KG-47, KG-49, KG-51 and KG-53, located within the Eulachon Exclusion Zone, at the end of the program in late March, according to the recommended timing windows.
- 10. In the event of spills of deleterious substances or other emergencies in which provincial authorities are notified, notification should be provided to Metlakatla Band Council. Notifications are to be forwarded to David Leask, Metlakatla Guardian Watchman, at 250-628-3201 or dleask@metlakatla.ca.
- 11. The permit holder must install a camera onto the Cone Penetration Test (CPT) rig in order to verify conditions before deployment to avoid unnecessary repositioning and reduce potential impacts.

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ADVISORY GUIDANCE

- The Nisga'a Lisims Government has requested that the permit holder forward any contaminated sediments or wash water results from the geophysical survey for review by Nisga'a Lisims Government.
- 2. Metlakatla Band Council has requested that the permit holder provide an opportunity for Metlakatla Band Council representatives and/or Environmental Monitor to participate in permitted field work.
- 3. The permit holder should be aware that there may be Metlakatla First Nations traditional activities occurring during activities, and all reasonable efforts should be made to minimize interference with those activities.

The attached plan(s) form an integral part of this authorization.

Lori Phillips

Review Approval Resource Officer

pc: Gitxaala Nation, Kitselas First Nation, Kitsumkalum First Nation

pc: Lax Kw alaams First Nation, Metlakatla Band Council, Nisga'a Lisims Government

pc: Lexterra Resources Ltd.















































































