

December 21, 2016

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

Attention: Trans Mountain Pipeline ULC

RE: Determination of Application Area Number 100084623

Permit Holder: Trans Mountain Pipeline ULC
Date of Issuance: December 21, 2016
Effective Date: December 21, 2016
Application Submitted Date: May 27, 2016
Application Determination Number: 100084623
Approved Disturbance Footprint: 0.19 ha

GENERAL AUTHORIZATIONS and CONDITIONS

Land Act

1. The BC Oil and Gas Commission (the “Commission”) pursuant to section 39 of the *Land Act* hereby authorizes the Permit Holder referenced above to construct and operate a related activity(s) as set out in the applicable Authorized Activities, and Activity Details tables below for the purposes of carrying out oil and gas activities as defined in the *Oil and Gas Activities Act* (OGAA); subject to the conditions set out herein.

AUTHORIZED ACTIVITIES

Associated Oil & Gas Activity No.: 00154885	Type: Investigative Use – General - Access Trail
Associated Oil & Gas Activity No.: 00154886	Type: Investigative Use – General - Workspace

2. The authorizations granted under this permit are limited to the area identified in the spatial data submitted to the Commission in the permit application as identified and dated above; herein after referred to as the ‘activity area’.
3. The Commission, pursuant to section 39 of the *Land Act*, hereby authorizes the occupation and use of any Crown land located within the activity area.
 - a) A licence authorized under section 39 of the *Land Act* for the Crown land portion of this application is attached. 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 Commission has received notice of construction start, or this permit is otherwise extended, suspended, cancelled, surrendered or declared spent.
 - c) The authorization to occupy and use Crown land does not entitle the Permit Holder to exclusive possession of the activity area.

- d) The total disturbance within the activity area must not exceed the total approved disturbance footprint as referenced above.

CONDITIONS

Environmental

4. 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 operating area prior to the construction activities taking place.
5. 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.
6. The Permit Holder must make reasonable efforts to prevent establishment of invasive plants on the activity area resulting from the carrying out of activities authorized under this approval.
7. Following completion of the construction activities authorized herein, the permit holder must, as soon as practicable
 - a) decompact any soils compacted by the activity;
 - b) if natural surface drainage pattern was altered by the carrying out of the activity, the permit holder must restore, to the extent practicable, to the drainage pattern and its condition before the alteration; and
 - c) re-vegetate any exposed soil on the activity area including, where necessary, using seed or vegetative propagules of an ecologically suitable species that
 - (i) promote the restoration of the wildlife habitat that existed on the area before the oil and gas activity was begun, and
 - (ii) stabilize the soil if it is highly susceptible to erosion.
 - d) Following completion of construction activities authorized herein, any retrievable surface soils removed from the activity area must be redistributed so that the soil structure is restored, to the extent practicable, to its condition before the activity was begun.
8. The permit holder must notify Lytton First Nation a minimum of five (5) days prior to commencement of activities.
9. The permit holder must notify Peters First Nation a minimum of five (5) days prior to commencement of activities.
10. The permit holder must notify Ashcroft Indian Band a minimum of five (5) days prior to commencement of activities.
11. The permit holder must notify Boston Bar First Nation a minimum of five (5) days prior to commencement of activities.
12. The permit holder must notify Cook's Ferry Indian Band a minimum of five (5) days prior to commencement of activities.
13. The permit holder must notify Coldwater Indian Band at least five (5) days prior to commencement of activities. ***ADVISORY GUIDANCE: Coldwater Indian Band requests Trans Mountain share methodology and results of the geotechnical investigation.
14. The permit holder must notify Esh-kn-am Cultural Resource Management a minimum of five (5) days prior to commencement of activities.
15. The permit holder must notify Lower Nicola Indian Band a minimum of five (5) days prior to commencement of activities.
16. The permit holder must notify Nooaitch Indian Band a minimum of five (5) days prior to commencement of activities.
17. The permit holder must notify Nlaka'pamux Nation Tribal Council a minimum of five (5) days prior to commencement of activities.
18. The permit holder must notify Nicola Tribal Association a minimum of five (5) days prior to commencement of activities.

19. The permit holder must notify Popkum First Nation a minimum of five (5) days prior to commencement of activities.
20. The permit holder must notify People of the River Referrals Office a minimum of five (5) days prior to commencement of activities.
21. The permit holder must notify Siska Indian Band a minimum of five (5) days prior to commencement of activities.
22. The permit holder must notify Seabird Island First Nations a minimum of five (5) days prior to commencement of activities.
23. The permit holder must notify Spuzzum First Nation a minimum of five (5) days prior to commencement of activities.
24. The permit holder must notify Yale First Nation a minimum of five (5) days prior to commencement of activities.
25. The permit holder must notify Oregon Jack Creek Indian Band a minimum of five (5) days prior to commencement of activities.

Clearing

26. 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.

Archaeology

27. An AIA report must be submitted to the Commission as soon as practicable

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 (Site Alteration Permit) in respect of that artifact, feature, material or thing immediately cease all work in the vicinity of the artifacts, features, materials or things.

ACTIVITY SPECIFIC CONDITIONS

ASSOCIATED ACTIVITIES

ACTIVITY DETAILS

AOGA Number: 100084623	Type: Investigative Use - General
Tenure No.: 9644367 Document No.: 952835	

ADVISORY GUIDANCE

1. Construction Plan MAP NUMBER: PER_00915_CQB_REV0_CP, Revision 0 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.

All pages included in this permit and any attached plan(s) form an integral part of this permit.

Permit Holder: Trans Mountain Pipeline ULC
Application Determination Number: 100084623

Application Submission Date: May 27, 2016
Date Issued: December 21, 2016



Maureen Plews
Authorized Signatory
Commission Delegated Decision Maker

Copied to:

Company Contact – Ashley Rieseberg
First Nations – ABFN, BBFN, CFIB, CWIB, ECRM, LFN, LNIB, NBFN, NNTC, NTA, OJCB, PFN, PKFN, PRRO,
SBFN, SIFN, SPFN, YALE