

PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION

District File Number _____

Your File Number _____

The personal information on this form is collected under the authority of the Transportation Act. The information collected will be used to process your application. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation District Development Technician.

Submit this application to the Ministry of Transportation Office or a Front Counter BC Office in your area.

I (We) hereby propose the following use or occupation requiring authorization under the *Transportation Act*, in accordance with the attached plans and specifications submitted. It is understood that this application is not complete until a covering permit has been issued.

(Please check the category below which best describes your proposal)

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> WORKS ON THE RIGHT OF WAY | <input type="checkbox"/> Mail and Newsletter Boxes | <input type="checkbox"/> Underground Cable, Telephone and Power | <input type="checkbox"/> SPECIAL EVENTS |
| <input type="checkbox"/> Bus Stops, Shelters and Benches | <input type="checkbox"/> Polelines | <input type="checkbox"/> Wireless Communications | <input type="checkbox"/> Special Events |
| <input type="checkbox"/> Cattle Guards and Gates | <input type="checkbox"/> Roadworks | <input type="checkbox"/> ACCESS | <input type="checkbox"/> Cattle Drive |
| <input type="checkbox"/> Exploratory Survey | <input type="checkbox"/> Sidewalks and Landscaping | <input type="checkbox"/> Controlled Access Highway | <input type="checkbox"/> Filming |
| <input type="checkbox"/> Fencing | <input type="checkbox"/> Signs | <input type="checkbox"/> Commercial Access | <input type="checkbox"/> Parade |
| <input type="checkbox"/> Fiber Optics | <input type="checkbox"/> Street Lights | <input type="checkbox"/> Residential and Agricultural | <input type="checkbox"/> STRUCTURES |
| <input type="checkbox"/> High Pressure Pipeline | <input type="checkbox"/> Traffic Signals | <input checked="" type="checkbox"/> Resource and Industrial Road | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Low and Intermediate Pressure Pipeline | | | <input type="checkbox"/> Setback |

Describe other use or occupation LOGGING MINISTRY BLOCK.

LOCATION (include civic address)

The proposal consists of and is described as follows:

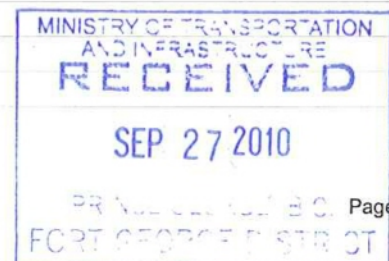
DESCRIPTION

SEC 4 TOWNSHIP 4 RANGE 4 COAST DISTRICT.

Dates (proposed): SEPT 23 / 2010

Times: From: SEPT 23 / 2010 a.m./p.m. To: JAN 2011 a.m./p.m.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED



PROVINCIAL PUBLIC HIGHWAY
PERMIT APPLICATION Cont'd.

HIGHWAY NAME(S)

N./S./E./W. side of the highway?

KENNY DAM 1.5 FROM KUSKUS JUNCTION

Between _____ and _____
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☐ Drawing Number _____

Have the necessary applications for approval been filled with the proper authorities? (i.e. RCMP, Municipality, road and bridge maintenance contractor or as documented in the notes below)

Other Authorities _____ Submitted/Approved _____

I(We) wish to have the permit issued in the name of:

NAME/ORGANIZATION (include affiliated agency where applicable)

DARRELL WEAVER. (MULTAC LOGGING CO. LTD)

Is this company registered with the Registrar of Companies of British Columbia?

yes ☐ no ☐ Certificate of Incorporation No. _____

MAILING ADDRESS

Box 2545 VANDERHOOF V2J 3A0

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

CONTACTS (if not as above)

Project/Location Manager Name

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Director Name

Telephone _____

Site Contact Person

Telephone _____ Cellular/Pager _____
Fax _____ Email Address _____

Traffic Control Company Name

Telephone _____ Cellular/Pager _____

Signature (Applicant)

Print Name

Date (yyyy/mm/dd)

2010 09/23

NOTES FOR WORKS PERMITS

The plans submitted may be blueprints, and shall consist of key-map, general plan, profile, and where necessary, detail plan on the following scales: **Key-map**, according to size of undertaking; **general plan**, 1:5000; **profile**, horizontal 1:5000, vertical 1:250; **details**, on suitable scales. For minor undertakings, such as small water-pipes or culverts, etc., under a road, sketches will be accepted and sections and details as to dimensions, depth of cover, etc.

The plans shall supply at least the following information:

- | | |
|---|--|
| <p>(a) The boundaries of highway right-of-way affected;</p> <p>(b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same;</p> <p>(c) The position of all private works (with the names of owners) within such boundaries and relative thereto. (N.B. – Where the proposed works are upon or above the ground only such private works as are upon or above the ground, or as may be interfered with under the ground, need be shown);</p> | <p>(d) The proposed position within such boundaries and relative thereto which would be occupied by the works;</p> <p>(e) The details of all tanks, manholes, lamp-poles, surface boxes, bridges, culverts, retaining-walls, or other structures to be constructed and used for the support of traffic, and details showing the method to be employed in supporting any proposed work, where any public works are affected;</p> <p>(f) Full information showing exactly in what manner and to what extent it is proposed to use any land or works under the control of the Minister of Transportation.</p> |
|---|--|

Specifications for the carrying-out of the work within the boundaries of all highway right-of-way shall also be submitted.

When application is made in respect of the following works, the requisite particulars, plans, and specifications must be submitted to the proper authorities before the approval of the application by the Minister of Transportation.

WORKS	AUTHORITY TO WHOM PARTICULARS, ETC., MUST BE SUBMITTED	
1. Electrical Undertakings (a) Telegraph and telephone lines (b) Energy generated otherwise than by water-power (c) Energy generated by water-power (d) Electrical railways	Inspector of Electrical Energy Inspector of Electrical Energy Inspector of Electrical Energy Comptroller of Water Rights Inspector of Electrical Energy Deputy Minister of Transportation	453 West 12th Ave., Vancouver BC V5Y 1V4 Parliament Bldgs., Victoria BC 453 West 12th Ave., Vancouver BC V5Y 1V4 Parliament Bldgs., Victoria BC
2. Steam – railways 3. Logging – railways	Deputy Minister of Transportation	Parliament Bldgs., Victoria BC
4. Skid – roads	Deputy Minister of Transportation and also Chief Forester	Parliament Bldgs., Victoria BC
5. Sewerage and sewerage – disposal (a) Large systems (b) Small systems	Environmental Protection Division Water, Land & Air Protection Regional Health Authority	Regional Office Regional Office
6. Water – supply for domestic purposes 7. Waterworks undertakings other than for domestic supply	Local Water Management Office or Comptroller of Water Rights	Regional Office Parliament Bldgs., Victoria BC
8. Works to be constructed within any municipality	Municipal Office	

NOTES FOR STRUCTURES PERMITS

1. Plans shall be metric, scaleable, and shall show:
 - the exact offsets of the foundation and overhand of proposed or existing structure from the right-of-way boundary and the nearest internal property line.
 - any feature or structure which limits the placement of the subject structure from being constructed at the required setback distance.
 - any other structure on the subject property within the setback requirement area.
an inset or additional plan showing the profile of the structure and terrain to the travelled road edge.
 - the nearest edge of shoulder of the physical road.
 - the road name, legal description, any property pins evident and a north arrow.Submit three copies of the plan if larger than 11" x 17".
2. In cases where setback is to legalize and/or add to an existing structure, the plans are to be prepared by a qualified licensed professional surveyor.
3. It is the responsibility of the applicant to assure that design and construction of the structure conforms to all applicable legislation, bylaws, and codes, and; that all other necessary permits are applied for.
4. A certificate of title and a letter of authorization from the registered owner(s) is to be provided where the applicant is not the owner.
5. In addition you may be required to have the property lines and extremities of the footings of the proposed structure clearly flagged on site prior to Ministry inspection.

NOTES FOR HIGHWAY ACCESS PERMITS

1. Property described must have highway frontage.
2. Insert number of accesses requested.
3. Insert specific land use proposed (for example, single-family dwelling, farm, motel and restaurant, service-station, furniture factory, etc.).
- 3a. Indicate the permitted uses for the existing zoning on the property. This can be obtained from your local government.
4. Insert figures indicating number of dwelling units, square metres of floor area of buildings, sleeping units, employees, seats in restaurant, etc.
 - (a) Insert the word "indefinitely" if required for long-term use; or
 - (b) Insert the specific number of months or years if required for temporary period
5. (a) Insert "myself" or "ourselves" if required by owner or lessee; or
 - (b) Insert name and address of person or company who will actually develop the property and construct, use and maintain the access works, if required by other party (for example, property is under option and owner proposes to sell or lease same); or
 - (c) If access required for land beyond, give name of owner(s) and legal description of parcel involved.

NOTES FOR FILMING PERMITS

1. For location, please specify the highway name, and landmarks that indicate the outer boundaries of where you are filming.
2. Your description should include:
 - the dates and times of filming
 - the nature of what you are filming
 - whether you will be using special effects or stuntsPlease give a more detailed schedule and description of any special effects and/or stunts.
3. Specify the production company name and phone number, and its Certificate of Incorporation number, if applicable.
4. Authorities you will need to notify include:
 - the police
 - the municipalityInclude here the name and phone number of the traffic control company you will be using.
5. Please give the names and phone numbers for:
 - the location manager
 - the on-site contact person
 - the producer and/or director
6. Provide appropriate Certificate of Insurance (H0111)

NOTES FOR EVENTS AND CATTLE DRIVE PERMITS

- | | |
|---|---|
| 1. For location, please specify the highway name, and specific locations on the highway between which you are holding your event. | 3. Specify the person(s) or organization legally responsible for the event. |
| 2. Under Description, provide the following information: <ul style="list-style-type: none">• dates and times of event• time of event, from starting hour to finishing hour (including set up and tear down). | 4. Check with the municipality or regional district, if applicable that you have their authority for the event. |

Provide a letter indicating the scope and nature of the event, including the type and number of participants (cyclists, pedestrians, runners, youth group, etc.)

Include a traffic management plan.

Specify any animals you propose to have involved and their experience in traffic, if relevant.

Give the number of escort vehicles and how you propose to use them.

Specify if it is a fundraising event.

Provide an appropriate Certificate of Insurance.

Specify your parking requirements, such as the number of vehicles requiring parking.



Your File #: n/a
eDAS File #: 2010-05227
Date: Oct/07/2010

Nultac Logging Co. Ltd.
Darrell Weaver
P.O. Box 2545
Vanderhoof, British Columbia V0J 3A0

Attention: Darrell Weaver

**Re: Permit Number 2010-05227 for
Sec 4, Twp 4, Rge 4, Coast Range 4
1.5 km Southwest from Kluskus /Kenny Dam Road Junction**

Enclosed is your copy of the above noted permit.

All work shall be completed to the satisfaction of the District Manager Transportation. It has been noted that the installation of your access has been completed prior to permitting. Please ensure you are in compliance with the permit conditions issued.

Please quote file number 2010-05227 when contacting this office.

If you have any questions please feel free to call Karen Andrews at (250) 565-6090.

Yours truly,

Karen Andrews
District Development Technician

Attachment

Local District Address

Fort George District
360-1011 Fourth Avenue
Prince George, BC V2L 3H9
Canada
Phone: (250) 565-4410 Fax: (250) 565-6820



PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Fort George District
360-1011 Fourth Avenue
Prince George, BC V2L 3H9
Canada

("The Minister")

AND:

Darrell Weaver Nultac Logging Co. Ltd.
P.O. Box 2545
Vanderhoof, British Columbia V0J 3A0
Canada

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The installation, operation, and maintenance of an industrial access to serve Sec 4, Twp 4, Rge 4, Coast Range located 1.5 km South west of the Kluskus and Kenny Dam Road Junction on the west side of Kenney Dam Road as described in permit application dated September 23, 2010.

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
4. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.
5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit



in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent thereto, but the Minister shall not be responsible for any damage regardless.

6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. **The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.**
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. **At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.**
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09.pdf
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. The Use shall be carried out according to the following drawings and specifications, which are attached and shall be considered to be part of this permit:
none
18. (a) The rights granted under this permit shall not be exercised before October 7, 2010.
(b) The Construction and Installations must be completed on or before October 14, 2010.
19. The layout described in the submitted application is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.
20. The rights granted under this permit and certificate are temporary and will expire on February 1, 2011.
21. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
22. **A stop sign must be erected on the industrial road at the entrance to Kenney Dam Road.**
23. If there is an existing access to a highway on property owned or controlled by the Permittee in the vicinity of the permit area, that access shall, unless the Designated Ministry Official says otherwise, be closed and the manner of closure shall be to the



reasonable satisfaction of the Designated Ministry Official.

24. **The access (or accesses) shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the highway surface.**
25. **The access (or accesses) shall be constructed with 500 mm culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the Permittee.**
26. The profile of the access (or accesses) shall not exceed 2% grade from the ditchline for a distance of at least 15 metres as measured away from the highway along the centerline of the access.
27. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
28. **Access to be constructed at 90 degrees to the highway for a distance of 20 metres from the highway shoulder.**
29. This permit does not provide licencing and insurance and/or oversize, overweight authorization for a commercial vehicle to access a provincial highway from an industrial road. Commercial vehicle operators require authority pursuant to Section 8 of the Commercial Transport Act, R.S.B.C. 1996, and should contact the Provincial Permit Centre at 1-800-559-9688 to obtain a Highway Crossing Permit.
30. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with;
 - I. public passage on the Highways;
 - II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or
 - III. the operation of the Highways;
31. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
32. **Traffic Control as and when required during access installation and decommissioning.**
33. **Tracked equipment not permitted on Kenney Dam Road.**
34. **Logs, timber or debris are not to be placed in the ditch line or in Ministry right of way.**

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Prince George, British Columbia, this 7 day of October, 2010

On Behalf of the Minister









Andrews, Karen J TRAN:EX

From: Lupton, Tom TRAN:EX
Sent: Tuesday, October 5, 2010 2:00 PM
To: Andrews, Karen J TRAN:EX
Subject: RE: Favor

Hi Karen

I'm familiar with that location. It will be no problem for sight distance, but he will need a culvert.

I will go out tomorrow and provide you with pictures for your records.

Take Care

Tom

From: Andrews, Karen J TRAN:EX
Sent: Tuesday, October 5, 2010 1:25 PM
To: Lupton, Tom TRAN:EX
Subject: Favor

Hello Tom, I have an ITC request for an access located either 1.5 meters or 1.5 Kms south of the Kluskus FSR intersection with Kenney Dam Road. Is there any chance you have time this week to run out and check the access proposal out and snap a few photos?

<< File: 20101005132134.pdf >>

Let me know.

Cheers,

Karen Andrews
District Development Technician
Fort George District
Phone (250) 565-6090
Cell (250) 961-9699
E-mail: Karen.Andrews@gov.bc.ca
Website: www.th.gov.bc.ca/Development_Approvals/home.htm

