



District File Number

Your File Number

QLCMBC-4092A_IFC

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Submit this application to the Ministry of Transportation and Infrastructure 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.

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

WORKS ON THE RIGHT OF WAY

- ☐ Bus Stops, Shelters and Benches
- ☐ Cattle Guards and Gates
- ☐ Exploratory Survey
- ☐ Fencing
- ☒ Fiber Optics
- ☐ High Pressure Pipeline
- ☐ Low and Intermediate Pressure Pipeline

- ☐ Mail and Newsletter Boxes
- ☐ Polelines
- ☐ Roadworks
- ☐ Sidewalks and Landscaping
- ☐ Signs
- ☐ Street Lights
- ☐ Traffic Signals

- ☐ Underground Cable, Telephone and Power
- ☐ Wireless Communications

ACCESS

- ☐ Controlled Access Highway
- ☐ Commercial Access
- ☐ Residential and Agricultural
- ☐ Resource and Industrial Road

SPECIAL EVENTS

- ☐ Special Events
- ☐ Cattle Drive
- ☐ Filming
- ☐ Parade

STRUCTURES

- ☐ Encroachment
- ☐ Setback

Describe other use or occupation

LOCATION (include civic address)

s.21

The proposal consists of and is described as follows:

DESCRIPTION

New Telus 2-100mm communication ducts (approx. 6m) from pole to new Telus SV/Mini manhole s.21

s.21

Dates (proposed): TBD

Times: From: TBD a.m./p.m. To: TBD a.m./p.m.

THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED

HIGHWAY NAME(S)

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

Between _____ and _____
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☒ Drawing Number FDH Permit_QLCMBC-4092A

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)

Telus Communications Inc.

Is this company registered with the Registrar of Companies of British Columbia?
yes ☐ no ☐ Certificate of Incorporation No. _____

MAILING ADDRESS

3777 Kingsway , Burnaby, BC V5H 3Z7

Telephone	_____	Cellular/Pager	<u>(604) 263-3031</u>
Fax	_____	Email Address	<u>kadtec@kadtec.ca</u>

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	_____
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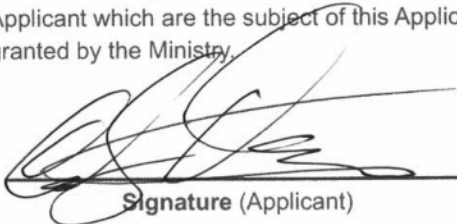
**PLEASE READ THE FOLLOWING TERMS AND CONDITIONS OF THIS PERMIT APPLICATION PRIOR TO SIGNING.
IN CONSIDERATION OF THE MINISTRY'S AGREEMENT TO EVALUATE THIS APPLICATION AND TO DELIVER A RESPONSE:**

I (WE), understand and agree that this application does not constitute a Permit and a permit may be denied or granted on terms in Ministry of Transportation and Infrastructure's absolute discretion. I UNDERSTAND AND AGREE THAT I MUST NOT PROCEED WITH MY PROPOSED WORKS OR ACTIVITIES AT THIS TIME, UNLESS AND UNTIL THE MINISTRY ISSUES A PERMIT.

I (WE), understand and agree to indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the date of this application or the issuance of a Permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by THE APPLICANT, their employees, agents or Subcontractors, in connection with the works or activities of the Applicant which are the subject of this Application or any Permit granted by the Ministry.

I (WE) also understand and agree that the Permit may be issued with additional terms and conditions determined in the Ministry of Transportation and Infrastructure's absolute discretion, and I agree that accepting and acting on the rights granted in the Permit constitutes my acceptance of its terms, including any additional terms not listed in this application. The Ministry may change the conditions on a Permit at any time, in its sole discretion. If I do not agree with any of the terms contained in the Permit, I must immediately inform the Ministry and I may not exercise any of the rights granted by the Permit.

I (WE) also understand and agree that a permit is not a property right and does not transfer with the works or activities to a new owner or operator. Any new owner of the works in highway must complete a new Permit from Ministry of Transportation and Infrastructure.



Cody Carpenter

2021/02/11

Signature (Applicant)

Print Name

Date (yyyy/mm/dd)

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:

- | | |
|---|--|
| (a) The boundaries of highway right-of-way affected; | (d) The proposed position within such boundaries and relative thereto which would be occupied by the works; |
| (b) The position of all existing public works within such boundaries and relative thereto and the name of the authority in control of same; | (e) The details of all tanks, man holes, 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; |
| (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); | (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. |

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 or 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 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.
2. Under Description, provide the following information:
 - dates and times of event
 - time of event, from starting hour to finishing hour (including set up and tear down)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.
3. 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.
Specify your parking requirements, such as the number of vehicles requiring parking.
4. Specify the person(s) or organization legally responsible for the event.
5. Check with the municipality or regional district, if applicable, that you have their authority for the event.

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s.21

B.C. Home

Ministry of Transportation and Infrastructure
eDAS ver. 5.1

- To Do List
- Apply for Approval
- Apply for Permit
- Apply for Subdivision
- Application Search
- Payment Search
- Location Search ▶
- Open Map
- Person ▶
- Admin ▶
- My Profile
(Thompson, Tammy)

Exit this e-service ▶

Permit Application

Permit Type:	Works: Underground Power and Communications Lines ?		Status:	Approved
File Number:	2021-00983	View Audit	MoT Office:	Vancouver Island District
Project Description:	two (2) 100mm Communication Ducts, Pilaster and Cabinet with Concrete Pad		Dev Tech:	Tammy L Thompson
Applicant:	Telus Communications Inc.		Approver:	Tammy L Thompson
Applicant File #:	QLCMBC-4092A_IFC	Owner:		
Location:	s.21	Road Name:	s.21	
Date Received:	Feb 12, 2021	Confirmed Local Gov't:		
Issue Date:	Feb 19, 2021	Approved Start Date:	Feb 19, 2021	
		Approved End Date:	May 19, 2021	

- Tasks
- Application Details
- Review Details
- Parties
- Locations
- Roads
- Inventory
- Fees
- Security
- Notes
- Agencies
- Conditions
- Related Files
- Documents

Confirmed Local Government:

Contract Area: Central Island

Drawing Or Sketch Number: QLCM-4092A

Installation and Maintenance

- ☐ Trenching
- ☐ Trench Backfill
- ☐ Blasting
- ☐ Trenchless Technology
- ☐ Casings
- ☐ Jacking and Boring Pits
- ☐ Risk Management
- ☐ Traffic Control
- ☐ Vegetation Management

Traffic Signals

- ☐ Traffic Engineering Checklist
- ☐ Signal Timing Sheet
- ☐ Controller Funding Secure

Wireless Communications

Number of Antennas:

Zone:

Attached To Ministry Structure?

- ☐ Security Required

Works Comments:

Standards

- ☐ Design
 - ☐ Location
 - ☐ Clear Zone
 - ☐ Exposure to RadioFrequency Fields
 - ☐ Aesthetic Considerations
 - ☐ Lines Along Highway Right-of-Way
 - ☐ At the Base of Cut Slopes
 - ☐ Crossings
 - ☐ Clearances
 - ☐ Depth of Cover
 - ☐ Structures Bridges and Other Structures
 - ☐ Attachments
 - ☐ Abutments
 - ☐ Shut-off Valves
 - ☐ Measures to Protect
 - ☐ Appurtenances
 - ☐ Master Use (Operating) Agreement Required
- ☐ Yes
 ☐ No
 ☒ Unspecified

Depth of Coverage = 1.2m
Cabinet = 3.2m from PL which is closer to PL then existing Telus Box
Cabinet will be protected by 2 bollards
No impacts to pavement
No ditch; flat grassy shoulder.

[+]
[-]

Recommendations:

[+]
[-]

Approver's Decision Comments:

[+]
[-]

Recital B:

The installation, operation and maintenance of two (2) 100mm Communication Ducts, Pilaster and Cabinet with Concrete Pad within s.21 as shown on drawing QLCM-4092A

[+]
[-]

APPLICATION FEES

[More Information On Fees](#)

Estimated Application Fee: \$0.00

Application Fee: \$0.00

FURTHER INFORMATION AND COMMENTS

Project Description:

two (2) 100mm Communication Ducts, Pilaster and Cabinet with Concrete Pad

[+]
[-]

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Thompson, Tammy TRAN:EX

From: Thompson, Tammy TRAN:EX
Sent: May 18, 2021 9:24 AM
To: 'Kadtec Systems'
Subject: RE: Civil Permit Application QLCMBC-4092A
Attachments: Permit 2021-00983 REV.1.pdf

Hello Lucia,

Please find attached a revised version of Permit 2021-00983. The Construction/Installation date has been extended until August 19, 2021. All other conditions of the permit have remained the same.
If you have any questions then please contact me.

Thanks,

Tammy Thompson

Development Services Officer
Ministry of Transportation & Infrastructure
3rd Floor – 2100 Labieux Road
Nanaimo, BC V9T 6E9
Phone: (250)-734-4801
Cell: (250)-268-1453

From: Kadtec Systems <kadtec@kadtec.ca>
Sent: May 18, 2021 7:39 AM
To: Thompson, Tammy TRAN:EX <Tammy.Thompson@gov.bc.ca>
Subject: Re: Civil Permit Application QLCMBC-4092A

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello,

On behalf of Telus, I would like to follow up on the approved permit (see attached). The construction has been delayed and the Permit expired in February. Can we please apply for an extension? Are there any required fees we need to pay? The build will be the same. Please let me know if there is anything you need from us.

Thank you so much
Lucia

Kadtec Systems
(604) 263-3031
kadtec@kadtec.ca

On Fri, Feb 19, 2021 at 4:30 PM Kadtec Systems <kadtec@kadtec.ca> wrote:

Hi Tammy,

From: Kadtec Systems <kadtec@kadtec.ca>
Sent: February 12, 2021 8:23 AM
To: Thompson, Tammy TRAN:EX <Tammy.Thompson@gov.bc.ca>
Subject: Re: Civil Permit Application QLCMBC-4092A

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Tammy,

Thank you so much for your quick response.

Please find attached the detailed design drawing as well as the signed Permit application.

Please let me know if you have any questions or concerns.

Thank you

Lucia

Kadtec Systems

(604) 263-3031

kadtec@kadtec.ca

On Thu, Feb 11, 2021 at 3:53 PM Thompson, Tammy TRAN:EX <Tammy.Thompson@gov.bc.ca> wrote:

Hi Lucia,

Yes,^{s.21} at the proposed location falls under the jurisdiction of the Ministry of Transportation and Infrastructure.

Please find attached a Poleline and Road Works Permit Application.

You may also find the following website link helpful:

<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/permits>

Please ensure to include a detailed design drawing with your application.

Please note that with a BCeID login, you may apply online at the website link above (this is preferred). You may also submitted the permit application directly to me via email.

If you have any questions then please contact me.

Thanks,

Tammy Thompson

Development Services Officer

Ministry of Transportation & Infrastructure

3rd Floor – 2100 Labieux Road

Nanaimo, BC V9T 6E9

Phone: (250)-734-4801

Cell: (250)-268-1453

From: Kadtec Systems <kadtec@kadtec.ca>

Sent: February 11, 2021 3:31 PM

To: Brown, Susan M TRAN:EX <Susan.M.Brown@gov.bc.ca>

Subject: Fwd: Civil Permit Application QLCMBC-4092A

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi There,

My name is Lucia, I just had a phone call with you. We are working on behalf of Telus and would like to get approval for proposed civil work.

We are trying to find if this roadway & shoulder belongs to the Ministry of Transportation.

The proposed location is just s.21 (please see the red circle on the image representing the location of proposed work).

I have attached the Civil design drawing for your reference.

Please let me know if you have any questions or concerns.

Thank you so much for your time.

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s.21

Kadtec Systems

(604) 263-3031

kadtec@kadtec.ca

----- Forwarded message -----

From: **Planning Email** <planning@rdn.bc.ca>

Date: Thu, Feb 11, 2021 at 2:46 PM

Subject: RE: Civil Permit Application QLCMBC-4092A

To: Kadtec Systems <kadtec@kadtec.ca>

Just wanted to let you know that it is the Ministry of Transportation and Infrastructure you should notify and there telephone number is 250-751-3246.

Regards,

Karen Hamilton

Administrative Assistant, Strategic and Community Development

Regional District of Nanaimo

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

T: (250) 390-6510 | Email: planning@rdn.bc.ca



REGIONAL
DISTRICT
OF NANAIMO



Get Involved RDN!

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From: Kadtec Systems <kadtec@kadtec.ca>
Sent: February 11, 2021 10:52 AM
To: Planning Email <planning@rdn.bc.ca>
Subject: Civil Permit Application QLCMBC-4092A

Caution: This email is from an **external source**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On behalf of Telus, we would like to submit the proposed civil drawing for your review and approval.

Please let me know if you have any questions or concerns.

Thank you

Lucia

Kadtec Systems

(604) 263-3031

kadtec@kadtec.ca



PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN THE RIGHT-OF-WAY OF 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
Vancouver Island District
Third Floor
2100 Labieux Road
Nanaimo, BC V9T 6E9

("The Minister")

AND:

Telus Communications Inc.
3777 Kingsway Street
Burnaby, British Columbia V5H 3Z7

("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 two (2) 100mm Communication Ducts, Pilaster and Cabinet with Concrete Pad within s.21 as shown on drawing QLCM-4092A

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. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Transportation.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven days before the work is begun.
3. That any person appointed by the Regional Director, Transportation, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or after February 19, 2021 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Transportation, and shall be completed on or before May 19, 2021.
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.
(b) That, unless with the consent of the Regional Director, Transportation, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
(c) All excavation work must be carried out in accordance with the BC Occupational Health and Safety Regulation. Care shall be taken to protect adjacent property.
(d) That all excavations shall be carefully back filled with suitable material, which is to be tamped into place, and that the



permittee shall restore the surface of the road and shoulders and ditches at their own expense. All surplus material is to be removed from the Provincial Crown lands or deposited where and as required by the District Official of the Ministry of Transportation and Infrastructure. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.

(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On thoroughways, freeways, and main highways no open cuts will be allowed.

(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.

All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.

The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 75 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or 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 based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Infrastructure. This permission is not to be construed as being granted for all time and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial highway pursuant to Section 45 of the Transportation Act.
10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.
11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.
12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the Transportation Act, or other Acts governing Crown lands and public works or their use by the public.
13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Transportation.
14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.
15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.
16. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.



17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.
18. That these works shall be identified with this permit number in a manner satisfactory to the District Official of the Ministry of Transportation and Infrastructure.
19. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor 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.
20. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in coordinating 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.
21. 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://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/technical-circulars/2009/t06-09.pdf>
22. 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.
23. **Excavations across entrances**
Excavations across entrances, whether private or commercial, must be backfilled and thoroughly compacted by the end of the current working day. The surface must be restored, whether paved or gravel, to its original condition within 48 hours.
Affected property owners must be notified at least 48 hours in advance before excavating a driveway.
24. **Protection of Survey Monuments**
The Permittee shall be responsible for the preservation during construction of all geodetic benchmarks, survey monuments and property markers on the right-of-way. The Permittee shall use, at no expense to the Ministry, a British Columbia Land Surveyor to replace any survey monuments destroyed or damaged as a result of the Permittee's negligence. At locations where construction work will cover or destroy such markers, the Permittee shall not move or remove them until written direction is received from the Ministry Representative.
25. **Protection of Roads**
The Permittee shall ensure all equipment working on or hauling material on to and from the Site does not damage or deposit material onto any part of an existing roadway. Materials spilled onto the public roadways or driveways opened to public traffic shall be cleaned up immediately. The Permittee has the full responsibility to repair any damage to existing highways, local roads and driveways caused by its construction equipment and/or operations.
26. **Accommodation of Traffic**
The Permittee shall, at their cost, supply, erect, and maintain standard traffic control devices in accordance with the Ministry of Transportation and Infrastructure Traffic Management Manual for Work on Roadways and Occupational Health and Safety Regulation.
27. **Trenching Standards**
Pavement must be cut by hand or approved mechanical means in straight lines parallel to the trench centreline.
Distance from a pavement cut to the edge of the trench must be at least 150 mm or sufficient to ensure the pavement will not be undermined by sloughing.
Except where trenching is well clear of the road shoulder, all excavated material must be removed from the site immediately.
Stockpiling of native material adjacent to the trench is not permitted.
Trenches must be backfilled or adequately covered at the end of the work day.
Trench shoring must conform to WorkSafe BC standards and is to be used where soil conditions warrant. Extreme care must be taken to avoid sloughing of the trench sides to minimize damage to the subgrade beyond the limits of excavation.
28. **Trench Backfill**
Pipe bedding must conform to industry standards.
Where sloughing of trench sides has undermined the pavement, the pavement must be marked with a painted line showing the extent of the damaged area. Pavement must be removed from this area and the voids filled and compacted in accordance with



backfill requirements.

Trenches must be backfilled with granular material that meets Ministry standards as set out in Section 202.02 (Table 202-C), 2016 Standard Specifications for Highway Construction and all subsequent interim revisions and updates, in accordance with the following minimum requirements:

(a) Sub-base material must meet or exceed specified requirements for Select Granular Sub Base aggregates.

(b) Crushed Base Course depth is to match existing depth but must not be less than 300 mm compacted thickness and consist of "25 mm minus" WGB (or IGB) crushed aggregate.

Backfill must be placed in layers not exceeding 150 mm compacted thickness and shall be compacted with approved tamping equipment to a minimum of 95 percent Proctor density to within 300 mm of the surface and 100 percent for the final 300 mm.

29. Depth of Bury

Electrical Power Cable shall in no case be less than 1.2 metres below the surface of the highway, not less than 1.0 metres below the highway Design Ditch Invert and 1.0 metres elsewhere in the right-of-way.

Fibre optics and telecommunications shall in no case be less than 1.2 metres below the surface of the highway, not less than 0.75 metres below the highway Design Ditch Invert and 0.75 metres elsewhere in the right-of-way.

30. Underground Markers

An underground marker must be installed with any fibre optic cable which does not include a metallic tracer line. The marker must make it possible to locate the line with a readily available electronic device. Metallic tape of 12-gauge copper wire may be used for this purpose.

A plastic warning tape must be spread above electric power cable, fibre optic cable or a conduit at a suitable depth below ground surface. The warning tape used by the applicant must be of a type, width, durability, and colour which is commonly used in the industry.

31. Highest Standards Apply

Where the Ministry and a regulator both set a standard or requirement in a particular area, the highest or most stringent of the two will apply to any installation on highway right-of-way.

32. The Permittee must locate all existing works in the area covered by this permit and take all necessary precautions for their safety and continued use during this work and to restore them to their original condition of usefulness upon completion.

33. The Permittee will be responsible for any damage to existing overhead or underground utilities in the area covered by this permit.

34. Clean Up

All unsuitable material and inorganic debris shall be removed from the project area. All surplus or unsuitable organic waste and debris shall be removed from the site unless its complete burning is approved by the Designated Ministry Official in compliance with the B.C. Open Burning Smoke Control regulation.

35. Revegetation Seeding

Sites are to be reseeded to standards set out in Section 757, Standard Specifications for Highway Construction.

36. The Permittee is responsible for returning the right of way to the condition that existed prior to works.

37. The field supervisor for the Permittee is to have a copy of this permit on site during field operations and be aware of all permit conditions.

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 Nanaimo, British Columbia, this 19 day of February 2021

Tammy Thompson

On Behalf of the Minister



PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN THE RIGHT-OF-WAY OF 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
Vancouver Island District
Third Floor
2100 Labieux Road
Nanaimo, BC V9T 6E9

("The Minister")

AND:

Telus Communications Inc.
3777 Kingsway Street
Burnaby, British Columbia V5H 3Z7

("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 two (2) 100mm Communication Ducts, Pilaster and Cabinet with Concrete Pad within s.21 as shown on drawing QLCM-4092A

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. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Transportation.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven days before the work is begun.
3. That any person appointed by the Regional Director, Transportation, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or after February 19, 2021 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Transportation, and shall be completed on or before August 19, 2021.
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.
(b) That, unless with the consent of the Regional Director, Transportation, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
(c) All excavation work must be carried out in accordance with the BC Occupational Health and Safety Regulation. Care shall be taken to protect adjacent property.
(d) That all excavations shall be carefully back filled with suitable material, which is to be tamped into place, and that the



permittee shall restore the surface of the road and shoulders and ditches at their own expense. All surplus material is to be removed from the Provincial Crown lands or deposited where and as required by the District Official of the Ministry of Transportation and Infrastructure. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.

(e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On thoroughways, freeways, and main highways no open cuts will be allowed.

(f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.

All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.

The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 75 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or 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 based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Infrastructure. This permission is not to be construed as being granted for all time and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial highway pursuant to Section 45 of the Transportation Act.
10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.
11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.
12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the Transportation Act, or other Acts governing Crown lands and public works or their use by the public.
13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Director, Transportation.
14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.
15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.
16. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.



17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.
18. That these works shall be identified with this permit number in a manner satisfactory to the District Official of the Ministry of Transportation and Infrastructure.
19. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor 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.
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Dated at Nanaimo, British Columbia, this 19 day of February 2021

On Behalf of the Minister