



# PROVINCIAL PUBLIC HIGHWAY PERMIT APPLICATION

District File Number

Your File Number

2221-49086-00 T2001

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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 Sanitary sewer crossing and road structure rebuild.

**LOCATION** (include civic address)

Telegraph Cove Road between Bauza Creek Road and Wastell Road.

The proposal consists of and is described as follows:

**DESCRIPTION**

Existing sanitary sewer road crossing to be redone to MOTI standards.

Dates (proposed): September 1, 2019 to October 31, 2019

Times: From: 8 a.m./p.m. To: 5 a.m./p.m.

**THE FULL LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED**

LOT 1, DISTRICT LOT 79, RUPERT DISTRICT PLAN VIP61691, EXCEPT PART IN PLAN EPP1741

PROVINCIAL PUBLIC HIGHWAY  
PERMIT APPLICATION Cont'd.

HIGHWAY NAME(S)

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

TELEGRAPH COVE ROAD

Between BAUZA CREEK ROAD and WASTELL ROAD  
(landmark) (landmark)

ATTACHED DRAWING OR SKETCH ☒ Drawing Number C-100

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 N/A Submitted/Approved

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

NAME/ORGANIZATION (include affiliated agency where applicable)

GORDON GRAHAM / TELEGRAPH COVE RESORTS LTD.

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

yes ☒ no ☐ Certificate of Incorporation No. \_\_\_\_\_

MAILING ADDRESS

1610 TELEGRAPH COVE ROAD

Telephone 250-928-3131 Cellular/Pager -  
Fax - Email Address info@telegraphcoveresort.com

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)

GORDIE GRAHAM

Print Name

2018/11/23

Date (yyyy/mm/dd)

**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.

\_\_\_\_\_  
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.

<b>WORKS</b>	<b>AUTHORITY TO WHOM PARTICULARS, ETC., MUST BE SUBMITTED</b>	
<b>1. Electrical Undertakings</b> (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
<b>2. Steam – railways</b> <b>3. Logging – railways</b>	Deputy Minister of Transportation	Parliament Bldgs., Victoria BC
<b>4. Skid – roads</b>	Deputy Minister of Transportation and also Chief Forester	Parliament Bldgs., Victoria BC
<b>5. Sewerage and sewerage – disposal</b> (a) Large systems (b) Small systems	Environmental Protection Division Water, Land & Air Protection Regional Health Authority	Regional Office Regional Office
<b>6. Water – supply for domestic purposes</b> <b>7. Waterworks undertakings other than for domestic supply</b>	Local Water Management Office or Comptroller of Water Rights	Regional Office Parliament Bldgs., Victoria BC
<b>8. Works to be constructed within any municipality</b>	Municipal Office	

**NOTES FOR STRUCTURES PERMITS**

- 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".
- 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.
- 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.
- 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.
- 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.

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**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.

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**NOTES FOR FILMING PERMITS**

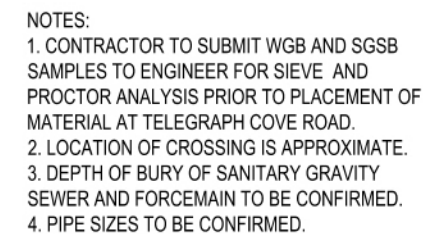
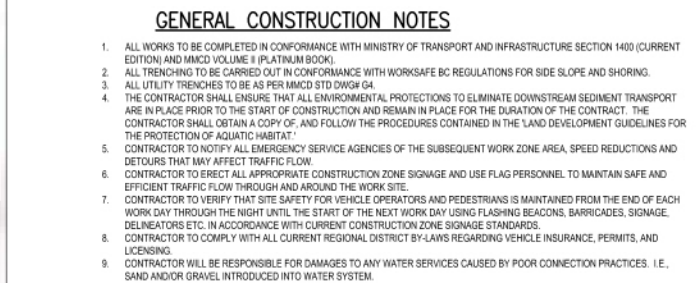
1. For location, please specify the highway name and landmarks that indicate the outer boundaries of where you are filming.
2. Your description should include:
  - the dates and times of filming
  - the nature of what you are filming
  - whether you will be using special effects or stuntsPlease give 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)

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**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.

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.
3. Specify the person(s) or organization legally responsible for the event.
4. Check with the municipality or regional district, if applicable, that you have their authority for the event.



(NOT FOR CONSTRUCTION)

INFORMATION ON EXISTING UTILITIES MAY NOT BE COMPLETE OR ACCURATE. PRIOR TO CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING UTILITIES AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.

THIS DRAWING HAS BEEN PREPARED FOR THE CLIENT IDENTIFIED, TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES. McELHANNNEY CONSULTING SERVICES LTD., ITS EMPLOYEES, SUBCONSULTANTS AND AGENTS ACCEPT NO RESPONSIBILITY TO ANY OTHER PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STAKEHOLDERS, OR THEIR EMPLOYEES OR AGENTS, FOR LOSS OR LIABILITY INCURRED AS A RESULT OF THEIR USE OF THESE DRAWINGS.



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4. THE CONTRACTOR SHALL ENSURE ALL EROSION CONTROL PROTECTIONS TO ELIMINATE DOWNSTREAM SEDIMENT TRANSPORT ARE IN PLACE PRIOR TO THE START OF CONSTRUCTION AND REMAIN IN PLACE FOR THE DURATION OF THE CONTRACT. THE CONTRACTOR SHALL OBTAIN A COPY OF, AND FOLLOW THE PROCEDURES CONTAINED IN THE LAND DEVELOPMENT GUIDELINES FOR CONSTRUCTION AND MAINTENANCE OF EROSION CONTROL MEASURES.
5. THE CONTRACTOR TO NOTIFY ALL EMERGENCY SERVICE AGENCIES OF THE SUBSEQUENT WORK ZONE AREA, SPEED REDUCTIONS AND DETOURS THAT MAY AFFECT TRAFFIC FLOW.
6. THE CONTRACTOR TO ERECT ALL 10% RATED CONSTRUCTION ZONE SIGNAGE AND USE FLAG PERSONNEL TO MAINTAIN SAFE AND EFFICIENT TRAFFIC FLOW THROUGH AND AROUND THE WORK SITE.
7. CONTRACTOR TO VERIFY THAT SITE SAFETY FOR VEHICLE OPERATORS AND PEDESTRIANS IS MAINTAINED FROM THE END OF EACH WORK DAY THROUGH THE NIGHT UNTIL THE START OF THE NEXT WORK DAY USING FLASHING BEACONS, BARRIADGES, SIGNAGE AND CONES ETC. IN ACCORDANCE WITH THE CURRENTLY APPLICABLE BC TRAFFIC CONTROL SIGNAGE MANUAL.
8. CONTRACTOR TO COMPLY WITH ALL CURRENT REGIONAL DISTRICT BY-LAWS REGARDING VEHICLE INSURANCE, PERMITS, AND LICENSING.
9. CONTRACTOR WILL BE RESPONSIBLE FOR DAMAGES TO ANY WATER SERVICES CAUSED BY POOR CONNECTION PRACTICES, I.E. SAND AND/OR GRAVEL INTRODUCED INTO WATER SYSTEM.

2. ALL TRENCHING TO BE CARRIED OUT IN CONFORMANCE WITH WORKSAFE BC REGULATIONS FOR SIDE SLOPE AND SHORING

3. ALL UTILITY TRENCHES TO BE AS PER MMCD STD DWG# G-  
4. THE CONTRACTOR SHALL ENSURE THAT ALL EMBODIMENT

4. THE CONTRACTOR SHALL ENSURE THAT ALL ENVIRONMENTAL PROTECTIONS TO ELIMINATE DOWNSTREAM SEDIMENT TRANSPORT ARE IN PLACE PRIOR TO THE START OF CONSTRUCTION AND REMAIN IN PLACE FOR THE DURATION OF THE CONTRACT. THE CONTRACTOR SHALL OBTAIN A COPY OF, AND FOLLOW THE PROCEDURES CONTAINED IN THE LAND DEVELOPMENT GUIDELINES FOR THE PROTECTION OF AQUATIC HABITAT.

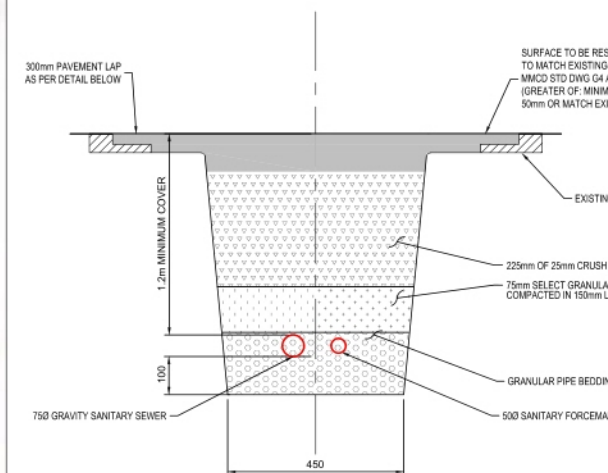
5. CONTRACTOR TO NOTIFY ALL EMERGENCY SERVICE AGENCIES OF THE SUBSEQUENT WORK ZONE AREA, SPEED REDUCTIONS AND DETOURS THAT MAY AFFECT TRAFFIC FLOW.
6. CONTRACTOR TO ERECT ALL APPROPRIATE CONSTRUCTION ZONE SIGNAGE AND USE FLAG PERSONNEL TO MAINTAIN SAFE AND EFFICIENT TRAFFIC FLOW THROUGH AND AROUND THE WORK SITE.

7. CONTRACTOR TO VERIFY THAT SITE SAFETY FOR VEHICLE OPERATORS AND PEDESTRIANS IS MAINTAINED FROM THE END OF EACH WORK DAY THROUGH THE NIGHT UNTIL THE START OF THE NEXT WORK DAY USING FLASHING BEACONS, BARRICADES, SIGNAGE, DELINEATORS ETC. IN ACCORDANCE WITH CURRENT CONSTRUCTION ZONE SIGNAGE STANDARDS.

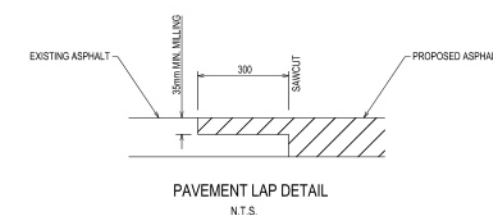
9. CONTRACTOR WILL BE RESPONSIBLE FOR DAMAGES TO ANY WATER SERVICES CAUSED BY POOR CONNECTION PRACTICES. I.E., SAND AND/OR GRAVEL INTRODUCED INTO WATER SYSTEM.

- SAND AND/OR GRAVEL INTRODUCED INTO WATER SYSTEM.

- \_\_\_\_\_ SURFACE TO BE RESTORED



TYPICAL TRENCHING DETAIL  
N.T.S.



PAVEMENT LAP DETAIL  
N.T.S.

NOTES:

1. CONTRACTOR TO SUBMIT WGB AND SGSB SAMPLES TO ENGINEER FOR SIEVE AND PROCTOR ANALYSIS PRIOR TO PLACEMENT OF MATERIAL AT TELEGRAPH COVE ROAD.
2. LOCATION OF CROSSING IS APPROXIMATE.
3. DEPTH OF BURY OF SANITARY GRAVITY SEWER AND FORCEMAIN TO BE CONFIRMED.
4. PIPE SIZES TO BE CONFIRMED.

2. LOCATION OF CROSSING IS APPROXIMATE.

3. DEPTH OF BURY OF SANITARY GRAVITY

- ### 3. DEPTH OF BURY OF SANITARY GRAVITY SEWER AND FORCEMAIN TO BE CONFIRMED.

(NOT FOR CONSTRUCTION)

INFORMATION ON EXISTING UTILITIES MAY NOT BE COMPLETE OR ACCURATE. PRIOR TO CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING UTILITIES AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.

THIS DRAWING HAS BEEN PREPARED FOR THE CLIENT IDENTIFIED, TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCY. McELHANNY CONSULTING SERVICES LTD., ITS EMPLOYEES, SUBCONSULTANTS AND AGENTS ACCEPT NO RESPONSIBILITY TO ANY OTHER PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STAKEHOLDERS, OR THEIR EMPLOYEES OR AGENTS, FOR LOSS OR LIABILITY INCURRED AS A RESULT OF THEIR USE OF THESE DRAWINGS.

TELEGRAPH COVE RESORTS

SITE PLAN  
SANITARY CROSSING

PLAN REM 1, VIP6169  
TELEGRAPH COVE. B.C.

TELEGRAPH COVE. B.C.

DWG	#
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C-100

PROJECT:

2221-49086-0

SHEET 1 OF 1

REV.



## 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

Courtenay Area Office  
550 Comox Road  
Courtenay, British Columbia V9N 3P6  
Canada

("The Minister")

**AND:**

Telegraph Cove Resorts Ltd. – Gordon Graham  
c/o McElhanney Ltd. – Michael de Hart  
1610 Telegraph Cove Road  
Telegraph Cove, British Columbia V0R 1T0  
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 Sanitary Sewer Main Restoration crossing Telegraph Cove Road, to serve Lot 1, District Lot 79, Rupert District, Plan VIP61691, except part in Plan EPP1741, as shown on drawing C-100 submitted on August 13, 2019 by McElhanney Ltd.**

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 before August 14, 2019 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Transportation, and shall be completed on or before November 14, 2019.
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 his 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 his or 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 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.
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. Existing drainage course and culverts are to be respected.
24. The Permittee is to ensure that no damage is done to any existing underground or overhead utilities.
25. The permittee shall be held responsible for any damage to the highway resulting from the permitted work.
26. The finished grade is to be consistent with the grade of the existing surface to ensure a smooth ride for the traveling public.
27. The Permittee shall be responsible for all and any liabilities that may occur during construction.
28. 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.
29. 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.
30. Accommodation of Traffic  
The Permittee shall, at his cost, supply, erect, and maintain standard traffic control devices in accordance with the Ministry of Transportation and Infrastructure Traffic Control Manual for Works on Roadways and Occupational Health and Safety Regulation.
31. 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.

32. 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), 2009 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.

33. Temporary Patching

As soon as any portion of the highway can be re-opened to traffic, a temporary asphalt patch must be applied.

34. Permanent Patching

Pavement edges must be cut, made true and straight, cleaned, and primed before installing a final patch.

Asphalt concrete must be restored to the same thickness as the existing surface or to a minimum of 75 mm thickness, whichever is greater. Asphaltic concrete must meet Ministry standards as set out in Section 502, Standard Specifications for Highway Construction.

Asphalt concrete is to be laid in two or more lifts or layers. Each lift is to be thoroughly compacted before successive lifts are applied.

The Permittee will ensure that the permanent pavement patch is to Ministry standards for one year from the date that the patch is installed.

35. 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.

36. 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.

37. Removal

The Minister may order the removal or alteration of utility installations, if necessary, for the protection of the highway or highway users.

If the utility owner does not respond to an order to remove or alter a utility installation, the Minister may carry out that work and recover costs from the utility.

38. Permittee is responsible for ensuring that all works are contained to the highway right of way. Any works located within private property must have the owner's permission.

39. A copy of the permit is to be kept by the field supervisor, in order that he is aware of all permit conditions.



BRITISH  
COLUMBIA

Ministry of Transportation  
and Infrastructure

Permit/File Number: 2019-04534

Office: Courtenay Area Office

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 Courtenay, British Columbia, this 14 day of August, 2019

Morganne Franssen  
Development Services Officer  
On Behalf of the Minister