



Agricultural Land Commission
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May 5, 2011

Reply to the attention of Gordon Bednard
ALC File: 52250

Gary Weillinger, Vice President
Spectra Energy Transmission
Suite 2600, 425 1st Street SW
Fifth Avenue Place, East Tower
Calgary, AB T2P 3L8

Dear Mr. Weillinger:

Re: Application for Non Farm Uses in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 170/2011 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Peace River Regional District and the Oil and Gas Commission.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'K. Underhill', is written over the typed name of the Executive Director.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District – Attn. Jodi MacLean
Oil and Gas Commission, #100, 10003-110th Ave. Fort St John, B.C. V1J 6M7
Attn. Dean Zimmer, Operations Manager, Project Assessment Division
Mandy Nelson, Engineer, Pipelines Division
Allison Mackay, Natural Resource Officer, South Area

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Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on May 5, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52250

(Submitted pursuant to section 17(3) of the *Agricultural Land Commission Act*)

Applicant: Westcoast Energy Inc (Spectra Energy Transmission)
Proposal: Non-Farm Use – To utilize 9.2 ha of land located in the ALR to construct the Sunset Creek Compressor Station to pressurize flow of natural gas through the pipeline.
Legal: The South West 1/4 of Section 2 Township 79 Range 19 West of the 6th Meridian Peace River District
Location: Dawson Creek
Background: The Sunset Compressor Station is a part of the T-North Expansion project which enables Westcoast to connect gas supply with the markets of British Columbia and beyond. The T-North Expansion includes an upgrade of the N4 Compressor Station, construction of approximately 44 km of pipeline, and construction of the newly proposed Sunset Creek Compressor Station.
On April 21, 2011, the National Energy Board has issued an order which approves the project.

As an entire project, a total of 19.95 hectares of the quarter section are required for the compressor station (7.0), access road (2.2) and temporary workspace (10.75):

7.0 hectares are required for the fenced compressor station site which will include room for the possible addition of a second compressor unit in the future; a portion of this area is currently covered by trees.

2.2 hectares are required for the access road; a portion of this area is currently covered by trees.

10.75 hectares are required for temporary workspace. The majority of this temporary workspace is required to store the sub-soil and top-soil removed from the compressor station site. The stored soils will be graded to enable the area to be returned to agricultural use. The remainder of the temporary workspace will be used during construction for staging, lay-down and construction trailers and following completion of construction will be remediated to approximate its existing state and returned to agricultural use. The entire 10.75 hectare temporary workspace will be unavailable for farming in 2011, but will be available for leasing to an area farmer in 2012.

At total of 5.66 hectares (3.62 + 0.50 + 1.54) of the quarter section are required for temporary work space to facilitate construction of the Stewart Lake Pipeline. These areas were not included in the ALC Application because they pertain to pipeline construction and are not



part of the compressor station build. The entire 5.66 hectares of temporary workspace will be remediated in late 2011 to return it to its current state and will thereafter be available for agricultural use.

Attachment: ALR map, Compressor Site Sketch, Schedule B

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On January 26, 2011 the Commission delegated decision-making to the CEO by Resolution #008N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 11

Non-farm use applications for compressor stations for oil and gas development that exceed 450 m²; 5th or greater stand alone well sites (including associated roads, temporary camps, sumps, borrow pits etc) and well site applications where the area exceeds 7 ha. All other oil and gas-related applications such as processing facilities, drilling and production waste handling, produced water and gas handling; commercial waste handling and disposal facilities will continue to be referred directly to the panel for decision making.

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 11 of Resolution #008N/2011 and approve the application on behalf of the Commission.

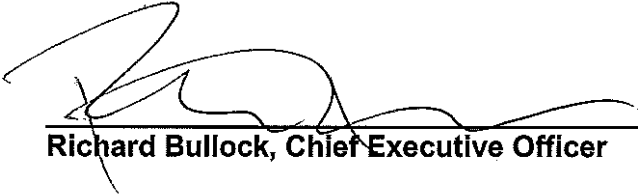
Approval is subject to the following conditions:

- That the non-farm use be confined to the areas identified on the Compressor Site Sketch submitted with the application.
- No further expansion of the Compressor Station outside of the delineated area on the attached Compressor Site Sketch, nor an additional compressor within the delineated station area may take place without approval of the Commission. No permanent structures on the proposed temporary work spaces are to occur without approval of the Commission. Submission of a proposal does not automatically guarantee that approval for further non-farm use will be granted.
- Reclamation as proposed in the application, of land used for the Compressor Station and the land used for temporary work spaces to a level equivalent to pre-oil and gas development so the land can be used for agricultural purposes. Reclamation must meet the standards set out in the Schedule B (attached) and a report based on the Schedule B must be submitted to the Commission following reclamation.
- Construction of the proposed Compressor Station must be commenced within three (3) years from the date of this decision.
- Construction of a fence to reduce agricultural-commercial conflicts. A plan showing the final fenced area must be submitted once installation of all infrastructure is completed.
- Approval of non-farm use to build the proposed infrastructure is given to the applicant only and is not transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

RESOLUTION # 170/2011

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



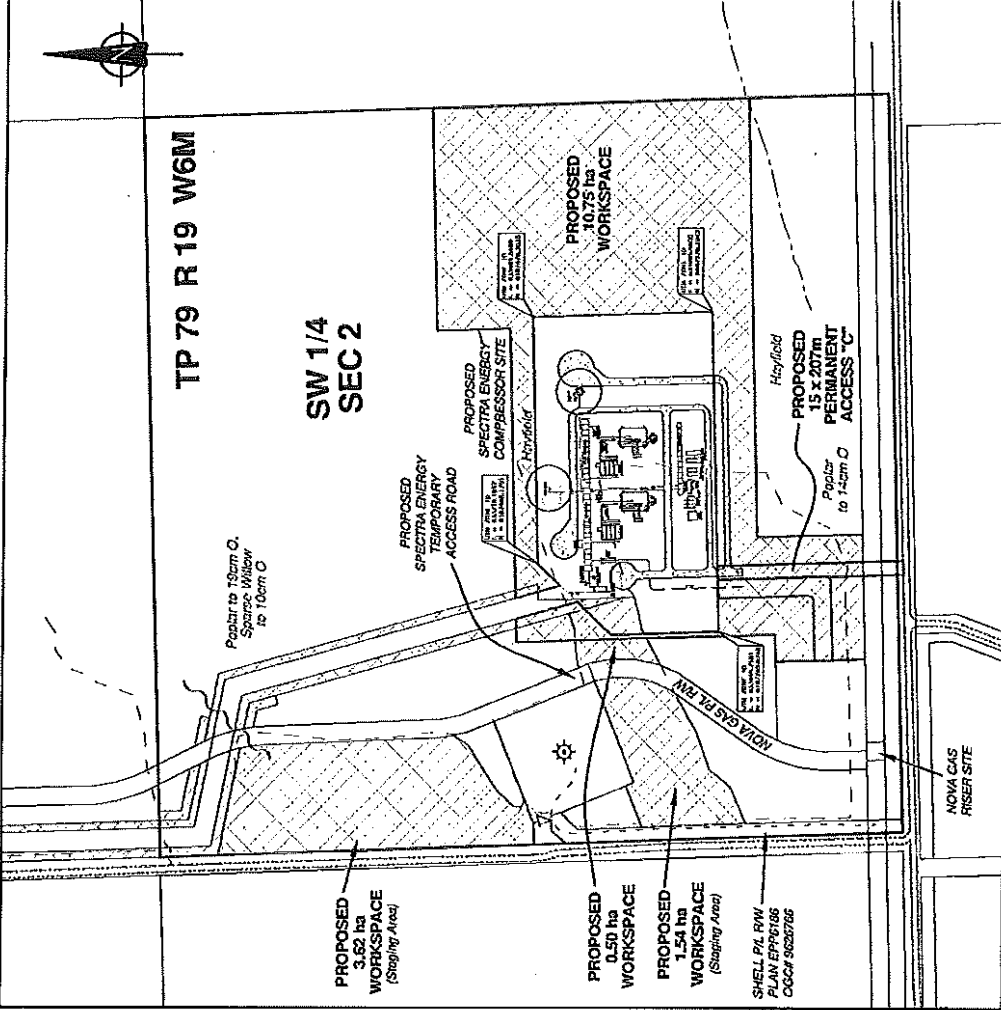
Richard Bullock, Chief Executive Officer

Attachment 3 - Site Sketch

Notes:

- i. In the event of wet soil conditions at the time of site preparation, implement the Wet Soil Contingency Plan (ESA Appendix A, Environmental Protection Plan and Alignment Sheets, Appendix F - Contingency Plans, Section 7).
- ii. Implement the Wet Soil Contingency Plan during topsoil salvage activities if any of the following are encountered: little or no topsoil; uneven boundary between topsoil and subsoil; or uneven surface on pasture; high winds.
- iii. Utilize appropriate equipment capable of accurately stripping variable depths of topsoil during different soil moisture conditions. (e.g. frozen topsoil cutter if topsoil activities are undertaken in frozen conditions).
- iv. Where practical, limit topsoil stripping and salvage to only those areas of the compressor station site where grading and/or surface graveling will be conducted and where construction activities could result in mixing of surface and subsoil or cause excessive damage to the upper soil.
- v. Refer to the topsoil depth survey (ESA Appendix C, Soil and Soil Productivity Technical Data Reports, Appendix A Alignment Sheets) during construction and salvage topsoil to the depth(s) shown. Where soils are not readily distinguishable by colour, the Environmental Inspector and/or Soil Scientist will provide direction based on an evaluation of soil texture and structure.
- vi. Stockpile topsoil for use during final reclamation of the site upon future abandonment. Store topsoil where it will avoid being contaminated, and store in low, gently sloping berm(s) along the outside perimeter of the proposed compressor station site where it will not impede existing surface drainage patterns as outlined in contract documents.
- vii. Ensure that the size, dimension and locations of the topsoil storage berm(s) are accurately surveyed. Prepare as-built site drawings and keep on file so that topsoil can be readily located and replaced upon future abandonment of the site.
- viii. Where strong prevailing winds are present, orient the berm(s) perpendicular to winds and in lower elevations on the site that afford protection. Where consistent high winds are blowing the topsoil berm(s), measures such as the application of water, mulch or ballast will be used to stabilize the topsoil until a protective layer of vegetation is established.
- ix. Gently smooth the surface of the soil pile so that it will shed water. Seed the topsoil storage berm(s) as soon as possible with an appropriate seed mix and cover crop to prevent wind or water erosion of topsoil during site construction and operation. Consider perimeter fencing of topsoil storage berm(s) if wildlife/livestock conditions warrant.
- x. Place non-woven geotextile and gravel over subsoil on disturbed areas within the boundary of the compressor station site where directed.
- xi. Replace topsoil evenly over any ungravelled areas of the compressor station site where directed and where there is no fire risk. Seed with an appropriate seed mix and cover crop where necessary.
- xii. Monitor the effectiveness of erosion control measures implemented during operations at the compressor station site. Undertake remedial work where warranted.

ALC APPLICATION # 52250
 RESOLUTION # 170/2011
 MAY 5, 2011



WESTCOAST ENERGY INC.

SUNSET CREEK COMPRESSOR STATION - TOPSOIL HANDLING PLAN

Drawing E4

April 2011



SCHEDULE B

SITE RECLAMATION REQUIREMENTS:

This report is used to assess if the development site has been appropriately reclaimed and meets the criteria that demonstrate that reclamation is complete prior to a Certificate of Restoration being obtained for a well site or other oil and gas activity and within 24 months of installation and reclamation of a pipeline.

All sites constructed since 1995 must meet the following criteria. Sites that were developed prior to 1995 must also submit a Schedule B report containing the same information but will not be as rigorously reviewed.

The purpose of the following requirements is to ensure that the soil, topography, and vegetation of surface leases and pipelines are restored to an equivalent condition and capability after wells have been decommissioned and pipelines have been installed. Surface lease means all leases, easements, and rights-of-way that may be required for a well site, access road, pipeline, camp, workspace, sump, borrow pit and/or any other area related to oil and gas production. The requirements do not address site contamination and the disposal of wastes as these matters are the responsibility of other government agencies.

These reclamation requirements are intended to provide the flexibility to respond to practical realities of differing site characteristics and soils. There is room for interpretation of the Schedule B assessment criteria based on site specific issues and the professional judgement of the specialist hired to carry out the assessment.

Schedule A reports will be used as part of this review process as a baseline for pre-development information.

A report which documents that the following minimum requirements (in **bold**) have been met must be filed with the Oil and Gas Commission and the surface landowner prior to a Certificate of Restoration or approval to abandon is issued by the Oil and Gas Commission, or within 24 months of installing a pipeline:

NOTE: site development should NOT occur when the soil is extremely wet

Site Information:

- well name/legal and well site approval number or pipeline location (well to well)
- date of construction
- petroleum company name contact information
- location and legal description of property(s)
- name and contact information of surface landowner or specify if Crown land
- date of site inspection
- name and address of person conducting the site assessment

Definition of Surface Soil:

For the purposes of Schedule B, surface soil means the soil that has been salvaged, amended, and replaced onto the surface lease.

Sampling Procedures:

a. Well Sites, camps, borrow pits

No soil sampling is required for portions of the surface lease where soil disturbance has not occurred. Disturbance includes, but is not limited to, stripping, rutting, trenching, compaction, and erosion.

The quantity and quality of the replaced surface soil on a surface lease must be sampled using a 20 metre x 20 metre sampling grid. The edges of the grid should correspond to the boundaries of the surface lease, and grid should be adjusted to evenly cover the entire lease. A soil sample must be taken from the middle of each 20 m X 20 m grid, for each grid in the surface lease.

A minimum of four control samples must be taken from adjacent undisturbed ground; one each from the center point of each side of the surface lease.

b. Access Roads and Pipelines

The quantity and quality of the replaced surface soil must be sampled at 250 metre intervals for roads and pipelines > 250 m in length, and a minimum of two sampling locations is required for roads and pipelines less than 250 m in length (one at the terminus and one at the midpoint). This is the minimum number of samples; more may be necessary based on site conditions.

Two samples are required for each sampling location. One sample must be taken from the centerline of the access road or one sample must be taken from the disturbed ground over a pipeline, and one sample must be taken from undisturbed ground 10 m outside the boundary of the surface lease.

Soil Assessment:

Each soil sample must penetrate 20 cm below the surface soil, or to a maximum depth of 50 cm. A visual analysis of each sample of the surface soil must include the following information:

Sample Number	Surface Soil Depth (cm)	Description	Admixing %	Aggregate Size

The description of each sample must include its texture class, based on the Canadian System of Soil Classification, Third Edition 1998. The extent of admixing (i.e. mixing of the B horizon into the A horizon) must be recorded. The admixing classes are: 0-10%, 10-20%, 20-30% 30-40%, 40-50% and >50%.

The aggregate size distribution for each sample of the surface soil must be recorded. The aggregate size classes are: <2 cm, 2-5 cm, and >5-10 cm. **No soil aggregates greater than 10 cm are allowed.**

The surface soil from five representative samples from a wellsite, camp, borrow pit, etc. must be combined and thoroughly mixed. A portion of this combined sample must be sent to a laboratory for an analysis of its organic content, pH, and texture. A laboratory analysis for pipelines is not required.

A visual analysis of each sample from undisturbed ground must include the following information:

Sample Number	A Horizon Depth (cm)	Description	B Horizon Depth (cm)	Description

The description of each sample must include its texture class, based on the Canadian System of Soil Classification, Third Edition 1998.

Soil Reclamation Requirements:

The following minimum reclamation standards must be met:

a. Depth of Surface Soil

- the required replacement depth (RRD) of surface soil is 80% of the depth of the average A horizon on the adjacent undisturbed ground.
- the average replacement depth (ARD) is the average depth of all the surface soil samples. The ARD must be equivalent to or greater than the RRD.
- the minimum replacement depth (MRD) is 80% of the RRD. **All surface soil samples must be \geq the MRD, except for surface leases which were originally covered by native trees or shrubs or where the average A horizon depth on the undisturbed ground is <10 cm,**
 - Sites which were covered by trees or shrubs may have three surface soil samples, which are not adjacent, that are \geq 40% of the RRD.
 - The MRD requirement does not apply where the average A horizon depth on the undisturbed ground is <10 cm, but the available surface soil must be replaced as evenly as possible across the entire surface lease.

b. Mixing of Soil Horizons

- **the average admixing of all the surface soil samples must not be greater than 30%.** That is, the average of the samples must be composed of less than 30% of non-surface soil (B horizon).

c. Soil Structure

- **the average aggregate class of the surface soil samples must be the same as the average aggregate class of the samples from the undisturbed ground.**
- the bulk density of the subsoil of the disturbed ground for each sampling location must not be more than 120% of the average bulk density of the subsoil of the undisturbed ground.

Topographic Requirements:

The topography of the surface lease must be restored to its original or better condition. The reclamation of the surface lease is to be assessed by comparing the reclaimed site, as a whole, with adjacent undisturbed ground. The following requirements must be met:

Criteria:	Requirement:
Drainage	<ul style="list-style-type: none"> • Surface drainage must be consistent with the original natural drainage patterns, directions, and capacity, or be compatible with the surrounding landscape. • Facilities and structures left in place must not impede natural surface drainage and water flow.
Erosion	<ul style="list-style-type: none"> • The frequency and extent of erosion features must be similar to adjacent undisturbed land.
Contour	<ul style="list-style-type: none"> • The contour of the surface lease must conform to adjacent land or be consistent with present or intended land uses.

Stability	<ul style="list-style-type: none"> • No visible evidence of slope movement, slumping, subsidence, or tension cracks are allowed.
Gravel and Rocks	<ul style="list-style-type: none"> • May not be piled, windrowed, or concentrated in one area unless it improves the agricultural capability of the surface lease.
Debris	<ul style="list-style-type: none"> • No industrial or domestic debris is allowed. • No large wood debris that could be removed with a brush rake is allowed, unless permitted in writing by the landowner.

Vegetation Requirements:

Reclamation of a surface lease includes restoring vegetation by either replanting native vegetation or applying a suitable seed mixture. Preventing soil erosion, and preventing an increase in the distribution of weeds, should be the main criteria when choosing a seed mixture.

The reclamation of the surface lease is to be assessed by visually comparing the reclaimed site, as a whole, with adjacent undisturbed ground. The following requirements must be met within 24 months of applying the seed mixture or introducing vegetation:

Criteria:	Requirement:
Species	<ul style="list-style-type: none"> • Seed mixtures must not increase the frequency or distribution of any weed species on the surface lease or on adjacent undisturbed ground. • Seed mixtures must include species that are adapted to the climate and soil conditions of the Peace River region of British Columbia. (contact your local Ministry of Agriculture office if you require information or assistance) • Native species must be similar to vegetation which would occur naturally on the undisturbed ground.
Density	<ul style="list-style-type: none"> • $\geq 80\%$ of the density on adjacent undisturbed ground.
Height	<ul style="list-style-type: none"> • $\geq 80\%$ of height on adjacent undisturbed ground.
Health	<ul style="list-style-type: none"> • Plants should be healthy based on a visual inspection of their vigour, height, and colour.
Cover	<ul style="list-style-type: none"> • the vegetation must cover $\geq 80\%$ of the soil surface if the species on the reclaimed site are similar to the vegetation on the adjacent undisturbed ground. • where the species composition on the reclaimed site is different from the vegetation on the undisturbed ground, or the undisturbed ground has been cultivated, vegetation on the reclaimed site must cover $\geq 80\%$ of the soil surface. • vegetation on the reclaimed site must be evenly distributed, or be similar to the distribution on the undisturbed ground.

Photographs:

Photographs must be taken which show the condition of the surface lease, associated developments and pipelines after reclamation. Each photograph should have noted with it the location, direction and any comments.

Overall Summary:

A short summary statement suggesting a pass or fail, comments on where criteria have not been met and if this will have a negative impact on the use of the land for agriculture and/or what should be done to remedy the problem areas. Any landowner/occupant comments or requests should be noted.

Report author sign off/signature and date.