



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

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT

BETWEEN:

The Minister of Transportation and Infrastructure

Squamish Area Office
101-42000 Loggers Lane
Squamish, British Columbia V8B 0H3
Canada

("The Minister")

AND:

Malamute Holdings
[REDACTED]

("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
- 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 industrial access from the Sea to Sky Highway 99, Pemberton
- C. The Minister is prepared to issue a permit on certain terms and conditions;

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

- 1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
- 2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
- 3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and Infrastructure, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
- 4. The Permittee shall take reasonable care to avoid any damage or interference with any use authorized by this permit in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent thereto, but the Minister shall not be responsible for any damage regardless.
- 5. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.



- 6. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the construction. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
- 7. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be carried out as soon as it is noticed.
- 8. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
- 9. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
- 10. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the 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 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.
- 11. 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.
- 12. 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.
- 13. The Use shall be carried out according to the following drawings and specifications, which are attached and shall be considered to be part of this permit:
ISL Engineering – DL 4096 Hwy 99 Access and Location Plan, Malamute Access Drawing 31319-01, rev 2, Dec 2, 14
- 14. (a) The rights granted under this permit shall not be exercised before the 3rd of December, 2015.
(b) The Construction and Installations must be completed on or before the 31st of March, 2016.
- 15. A. LOCATION
- 16. The layout shown on the attached drawings is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.
- 17. B. CONSTRUCTION AND INSTALLATIONS:
- 18. The rights granted under this permit and certificate is for an indefinite period.
- 19. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official
- 20. 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.
All signing and traffic control procedures shall comply with the current edition of the Ministry of Transportation "Traffic Control Manual for Work on Roadways". The attached Lane Closure/ Work Notification form is to be submitted to Jesse Morwood, Area Manager (ph 604 898-5786, fx 604 898-4376), at least five (5) working days prior to the work being scheduled to commence. The form is required even if no lane closures are expected.
Please Note: A Traffic Management Plan may be required to address how the contractor will manage work zone and traffic control to ensure safety and convenience to the travelling public.
- 21. The access shall be constructed with a 600mm diameter culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the Permittee.
- 22. The profile of the access (or accesses) shall not exceed ____0____% grade from the ditch line for a distance of at least ____7____ metres as measured away from the highway along the centerline of the access. This is to prevent surface water from entering onto the highway.



23. C. AUTHORIZED ACTIVITIES

24. The access shall be restricted to the following movements only, 'Full Movement' and the Permittee shall construct and erect all signs, and other traffic-control devices at their cost. Any change to the use of this property that might generate an increase in traffic volumes may require additional improvements accordingly. All cost associated with these improvements will be the responsibility of the property owner.
25. Storm drainage from this property must be controlled to prevent adding any additional volumes to the Ministry systems and to prevent any flooding or damage to the highway infrastructure.
26. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with;
- I. public passage on the Highways;
 - II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or
 - III. the operation of the Highways;
27. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
28. 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.
29. The permittee is responsible for notifying all utility companies whose works may be close to or affected by the works described in this permit. BC Hydro Transmission Line permit: WorkSafe BC's 30M33 form

30. Signs

http://www.th.gov.bc.ca/publications/eng_publications/geometsigns.htm
http://www.th.gov.bc.ca/publications/eng_publications/electrical/MoST_PM.pdf

All signage must meet Ministry of Transportation & Infrastructure standards. Sign support systems must be consistent with procedures and materials used on the Sea to Sky Highway (see exhibit 'A', Sea to Sky sign structure design drawing no. 41DD-DB00-0370), in reference to sign base, sign post and all associated hardware. Please note on drawing LP-1 reference "all new signs are manufactured with High Intensity Reflectivity". A review of existing signs posted in the area will be undertaken by the Ministry at which time will determine if any associated sign work will be required by the Permittee. This may also involve adjusting existing signs. All associated signs, related works and costs will be the responsibility of the Permittee.

31. Environment

The Permittee is responsible for all related environmental issues including fishery concerns, for items such as siltation control, bird nesting, etc., related to these works. Any such issues must be identified in advance and resolved prior to construction. It will also be the responsibility of the Permittee to minimize the impact to existing vegetation. All related unsuitable overburden will be the responsibility of the permittee for off-site disposal. Permittee is responsible to prevent erosion by re-seeding all exposed surfaces, consistent with grasses used for the Sea to Sky Highway Improvement project. Clover or any animal attractant plants will not be acceptable.

32. Pavement

The hot mix, machine laid paving products and procedures will be conducted as per Ministry's standards. The total pavement thickness will be consistent with existing being 120mm. The pavement joint at the access will be prepared by a saw cut edge cut at the fog line of the south bound lane with a tack coat primer applied prior to paving. Top lift of asphalt will be keyed in by milling 50mm depth for a minimum of 300mm width. It is necessary to ensure that the new pavement does not join an area that is weak or damaged. Additional preparation and paving may be required should this be the case. Due to the timing of the issuing of this permit, the paving requirement should be postponed until favorable condition in the spring of 2016. A site inspection by the Ministry will be required prior to the paving, to establish conditions and limits. Until the paving is complete, monitoring the access condition will be necessary by the Permittee to ensure that there is no damage to the highway infrastructure and avoiding the tracking of loose materials onto the highway.

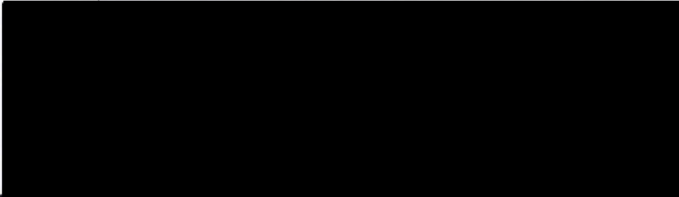
33. The Permittee assumes all responsibility for any damage to the Highway infrastructure, including, but not limited to, the pavement or the gravel surface, shoulders, ditches and back slopes caused by the permitted works. Any damage and/or necessary design revisions will be rectified, in a timely fashion, to the satisfaction of the Ministry representative. The cost of any repairs/revisions will be the sole responsibility of the Permittee.



- 34. The Permittee is responsible for 100 percent of the cost relating to the works described in this permit.
- 35. A copy of the permit must be on site at all times during construction.
- 36. Only rubber tire equipment will be used on the existing pavement – No Steel Track Equipment allowed on Pavement.
- 37. The permittee is responsible to ensure that they are in compliance with all local government by-laws.
- 38. The access culvert pipe is the responsibility of the Permittee for supply, install and maintain. Periodic inspections and cleaning will be required.
- 39. Access related sight distance brushing is the responsibility of the Permittee and must meet Ministry standards based on the speed limit of the highway.
- 40. The existing temporary access issued under permit no 2013-01394 must be removed and highway restored once the new access is constructed and in use.
- 41. The Permittee will contact the Ministry in advance of the proposed project start up, to schedule an onsite project walk through. The Ministry recommends the Permittee conduct a detailed observation of existing conditions including photographic records to ensure that there are no disputes after the fact.

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 Squamish, British Columbia, this 2 day of December, 2015



Area Development/Operations Technician
On Behalf of the Minister

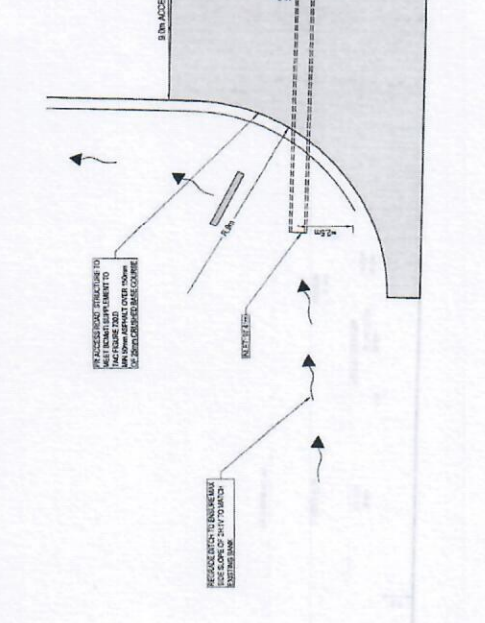
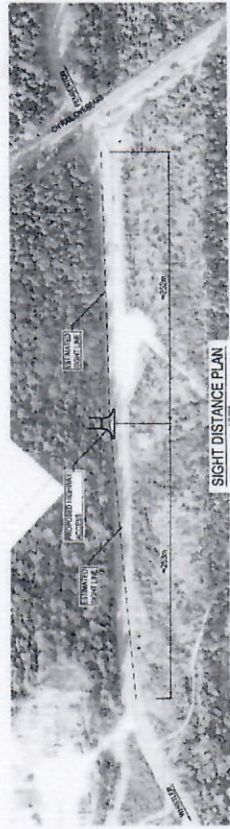
Attachments:

- Project Design Drawings
- Exhibit A – Sign Support System Drawing
- Works Notification/Lane Closure Request Form

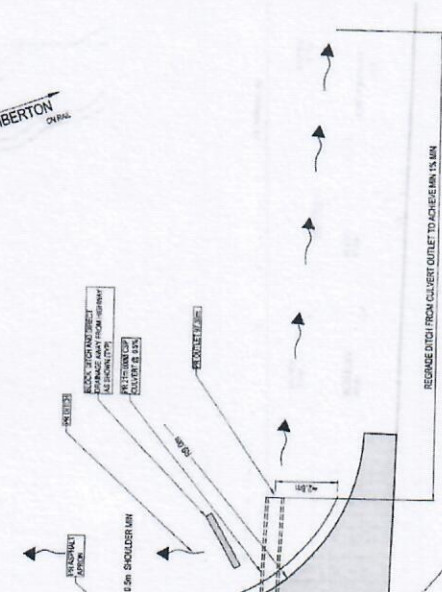
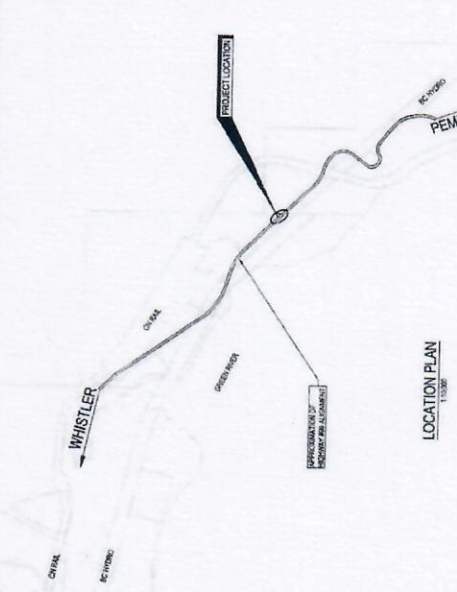
Reference:

- Ministry of Transportation and Infrastructure's Traffic Control for Works on Roadways:
http://www.th.gov.bc.ca/publications/eng_publications/TCM/Traffic_Control_Manual.htm
- Signs and Pavement Markings:
http://www.th.gov.bc.ca/publications/eng_publications/geomel/geometsigns.htm

HIGHWAY #99 DL 4096 ACCESS



ROAD ACCESS DETAIL
1:100



ROAD ACCESS DETAIL
1:100

No.	DATE	BY	REVISION
1	2012.03.20	AE	PERMITS/REVISIONS
2	2012.03.20	AE	PERMITS/REVISIONS

ITEM NO.	DATE	BY	REVISION
1	2012.03.20	AE	PERMITS/REVISIONS
2	2012.03.20	AE	PERMITS/REVISIONS

31319

DATE: 2012.03.20

DESIGNER: AE

CHECKER: AE

DATE: 2012.03.20

DRAWN: AE

DATE: 2012.03.20

SCALE: 1:500 AS SHOWN UNLESS NOTED

PROJECT: DL 4096 HWY 99 ACCESS AND LOCATION PLAN

CORPORATE SITE

ISL Engineering

PROJECT LOCATION: MAJANUTE ACCESS HWY 99 8 KM SOUTH OF PEMBERTON B.C.

PROJECT NO: 31319-01

NO.	DATE	BY	REVISION
1	2012.03.20	AE	PERMITS/REVISIONS
2	2012.03.20	AE	PERMITS/REVISIONS