



March 30, 2009

Integrated Land Management Bureau
Ministry of Agriculture and Lands
Floor 3 – 145 – 3rd Avenue
Kamloops, BC
V2C 3M1

Dear Sir/Madam:

**Re: Application for Temporary Licence of Occupation
Miledge Creek – Unsurveyed Crown Land KDYD**

The Trans Mountain Pipeline crossing of Miledge Creek (approximately 22 km north of Blue River adjacent to Highway #5) was constructed some 50 years ago and since that time the crossing has been subjected to bank erosion, scour and degradation processes that, to a significant degree, have reduced the cover over the pipeline.

The present condition of the creek results in a risk for the maintenance of pipeline integrity in respect of the potential for pipeline exposure and possible damages or failure. Miledge creek is a “high energy” creek crossing with the likelihood of debris and boulder impact during pipeline exposure. The removal of a single boulder over the pipeline during a major flood event could effectively expose the pipeline.

As a result we are endeavouring to construct a 1.7 meter thick riprap layer through the crossing reach. It will extend 7 meters upstream and 10 meters downstream of the pipeline. The pipeline itself will be protected with the installation of concrete river weights, the weights will be cable tied and anchored into the riprap layer. The avulsion channel (left side) will be protected with a 3 meter wide x 1.5 meter deep rock trench downstream of the pipeline. The rock trench will serve to hold the existing channel slope from further degradation. Armour material in the main channel will consist of 800mm quarried rock and the avulsion channel will consist of 500mm quarried rock. In addition boulder clusters and root wad revetments will be constructed as part of the environmental remediation plan.

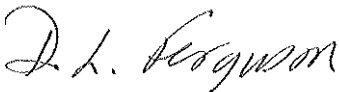
We therefore require temporary working space off our right-of-way for equipment and materials and the laydown/stockpile of riprap for the period September 14, 2009 to October 14, 2009 (in order to work within the required fisheries window of September 28 – October 5). Given that a Section 16 Map Reserve now surrounds our pipeline right-of-way, it makes it very difficult for us to obtain temporary working space to complete this important project. Consequently it appears that the closest area outside of the Map

Reserve that we could utilize for work on the south side of the creek would be located just south of the creek and just south of the Section 16 Map Reserve boundary (see map attached – Area A). This area would be of the highest importance given that it is the main channel and the basic approach will be to divert stream flow through the north side overflow channel in order to carry out construction activities. The other area would be Area B (see attached map) which is under a LOC with Canadian Hydro Developers and would provide us with additional working space if required, and be valuable for works on upstream side (north) of the creek. Ideally we would like approximately 300m² each for temporary working space Areas A and B. Once the snow has gone, we hope to be able to assess these areas with respect to the removal of trees and/or shrubs.

Accordingly, we enclose our completed Application together with our cheque in the amount of \$525.00.

We look forward to hearing from you in due course and would appreciate any assistance you can provide with regard to expediting this application as quickly as possible. If there is anything further we can provide or assist with, please do not hesitate to let us know.

Yours very truly,



Donna L. Ferguson
Land & Right-of-Way Representative

/dlf

Encls.

E:\DEPT\Land&ROW\BBY\Land - Correspondence\miledge\lmb.doc