HV1-C Gundy Complex Plan

June 14, 2024

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1.0 Introduction

1.1 Plan Context

On June 29, 2021, the BC Supreme Court decided *Yahey v. British Columbia*, 2021 BCSC 1287. The Court confirmed that Treaty 8 and section 35 of the *Constitution Act, 1982* promise Blueberry River First Nations (BRFN) the right to continue a way of life based on hunting, fishing and trapping, and that this way of life will not be forcibly interfered with. The Court confirmed that inherent in this promise is the promise that the Crown will not significantly affect or destroy the basic elements or features needed for that way of life to continue.

The Court also confirmed that the necessary elements of the protected BRFN way of life include the existence of healthy mature forests, wildlife habitats, fresh clean water and access to these places, as well as healthy populations of moose and other wildlife within the areas traditionally relied upon by BRFN.

The Court declared that:

1. In causing and/or permitting the cumulative impacts of industrial development on BRFN's Treaty Rights, the Province of British Columbia (the Province) has breached its obligation to BRFN under Treaty 8, including its honourable and fiduciary obligations. The Province's mechanisms for assessing and considering cumulative effects are lacking and have contributed to the breach of its obligations under Treaty 8.

2. The Province has taken up lands to such an extent that there are not sufficient and appropriate lands in the Claim Area to allow for BRFN's meaningful exercise of their Treaty Rights. The Province has therefore unjustifiably infringed BRFN's Treaty Rights in permitting the cumulative impacts of industrial development to meaningfully diminish BRFN's exercise of its Treaty Rights in the Claim Area.

3. The Province may not continue to authorize activities that breach the promises included in Treaty 8, including the Province's honourable and fiduciary obligations associated with Treaty 8 or that unjustifiably infringe BRFN's exercise of its Treaty Rights; and

4. The Parties must act with diligence to consult and negotiate for the purpose of establishing timely enforceable mechanisms to assess and manage the cumulative impact of industrial development on BRFN's Treaty Rights, and to ensure these constitutional rights are respected.

To bring effect to these declarations, BRFN and BC entered into the Blueberry River First Nations Implementation Agreement (BRFN IA) in January 2023.

The BRFN IA establishes several measures to address the cumulative effects of past and future resource disturbances on BRFN's exercise of Treaty Rights including the development and implementation of a Cumulative Effects Management Regime.

A series of hierarchical Plans (Land Use Plans, Watershed Management Basin (WMB) Plans, and High Value Plans (HV1)) are being collaboratively developed by BRFN and the Province to manage the cumulative impact of industrial development on BRFN's Treaty Rights and to ensure those impacts do not infringe Treaty Rights and that Treaty Rights are respected by decision makers.

1.2 First Nations Context

1.2.1 Blueberry River First Nations

BRFN is a Dane-zaa (Beaver) and Cree community located in northeastern British Columbia (BC), with over 500 members belonging to five family groups. Their territory has been subject to extensive industrial development.

1.2.2 Halfway River First Nation

Halfway River First Nation (HRFN) is a Dane-zaa community with over 300 members, currently located approximately 100km northwest of Fort St John, BC. HRFN has identified a strong cultural interest in the Plan Area. Guided by Dane-zaa stewardship laws, HRFN has identified their vision for their territory, which is to maintain their traditional way of life and their identity as a distinctive Aboriginal people, which depends on the ability to meaningfully exercise their spiritual, religious, cultural and traditional practices and pass this knowledge on to future generations to practice their way of life.

1.2.3 Other T8 Nations

Both Doig River First Nation and West Moberley First Nations have identified consultation areas that overlap with the Plan Area. BC and BRFN understand that the Plan Area falls outside of the core planning interest areas of these Nations. As such, consultation was undertaken, and draft plans shared for awareness and input.

Doig River First Nation sought to understand the socio-economic impacts associated with the Plan and a potential adverse ripple effect in their territory.

No specific suggestions regarding the Plan were received from West Moberly First Nation.

In addition, Treaty 8 First Nations based outside of BC that have asserted interests over the Plan Area, Dene Tha' First Nation and Horse Lake First Nation, were invited to consult on draft versions of the Plan. Neither chose to engage with BC in respect of this Plan.

1.3 Regional Planning Context

A series of strategic and operational planning exercises will be undertaken with BRFN and other Treaty 8 Nations throughout the northeast. The intent is for these plans to be collaboratively

developed, reconcile overlapping interests and nest within each other to form the future state cumulative effects management framework that will ultimately direct how, where and under what circumstances industrial development may be considered.

1.3.1 Land Use Plans (Strategic Scale):

The North Peace Plan will be co-developed by the Province and interested Treaty 8 First Nations. It will set objectives for natural resource stewardship and management across all sectors and will replace the current Fort St. John Land and Resource Management Plan (LRMP).

1.3.2 Watershed Management Basin (WMB) Plans (Tactical Scale):

WMB plans are watershed-level land use plans that set indicators and thresholds consistent with the BRFN IA and objectives established in higher level plans (i.e. North Peace Plan). The scale of the Priority WMBs allows for the planning and meaningful recovery of natural processes from local to landscape scale, intact and fully functional ecosystems, and the practice of Treaty Rights. WMB Plans will seek to protect Treaty Rights and guide development through enforceable mechanisms reflecting Ecosystem Based Management[1] (EBM) standards and thresholds for reducing ecological risk. The goal of applying the EBM Framework within the Priority WMBs[2] is to ultimately protect and restore the landscape to natural conditions (like those created by natural disturbance regimes).

The outcomes of WMB Plans will include provisions for the protections and measures outlined in the EBM Framework including:

- New land use zones that prioritize protection through special management objectives and strategies.
- Protection for important wildlife habitat and cultural features.
- Objectives and strategies for managing species at risk.
- Objectives and strategies for range activities.
- Access management objectives and strategies that minimize new linear features and/or access to specific areas.
- Objectives and strategies for restoration activities.
- Strategies to mitigate the impacts of climate change; and
- Other objectives and strategies that BRFN and the Province agree to.

The BRFN IA identified the Priority WMB plans which include Blueberry River, a portion of the Middle Beatton River, Upper Beatton River, and a portion of the Lower Sikanni Chief River. Priority is being given to co-develop these plans by December 31, 2025. Cameron River WMB Plan was identified as having similar priority to the Lower Sikanni Chief River WMB Plan but was not included in the Priority WMB plans.

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[1] Ecosystem Based Management: An adaptive approach to managing human activities that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities. The intent is to maintain those spatial and temporal characteristics of ecosystems such that component species and ecological processes can be sustained, and human well-being supported and improved (Coast Information Team, 2004).

[2] The EBM Framework is outlined in Schedule C of the BRFN IA.

1.3.3 HV1 Plans (Operational Scale)

High Value Plans (HV1 Plans) are operational plans being completed on a priority basis to provide direction in provincial decision-making and guide Oil and Gas Activity[3] related development and restoration activities over a relatively small area. The BRFN IA identified 37 HV1 Areas ranging in size from 792 ha to 33,445 ha across the Claim Area where there has been an identified need to adjust how these areas are managed in the short term, while WMB development work is ongoing. Figure 1 shows BRFN's Claim Area, the WMBs, and the HV1 areas that will all be eventually planned under the terms of the BRFN IA (most of the HV1 areas are located within the priority WMBs).

In the absence of an existing and overarching WMB Plan providing strategic direction, the HV1 Plans' focus on making operational the commitments made within the BRFN IA while seeking to ensure consistency with the WMB planning.

The BRFN IA establishes three sub-categories of HV1 Plans designed to protect these high value areas (each requiring a different amount of protection from New Disturbance):

1. HV1A: no New Disturbance
2. HV1B: minimum 80% protection from New Disturbance
3. HV1C: minimum 60% protection from New Disturbance

BRFN sought 100% protection of all high value, or critical cultural, areas. However, as the HV1B and HV1C plan areas overlap with existing petroleum and natural gas (PNG) activity that provides ongoing economic and employment benefit for the region, both parties agreed to minimum protection requirements of 80% and 60% respectively for HV1B and HV1C areas. This solution is seen to balance Treaty Rights and the healing of the environment with a sustainable regional economy, in alignment with S.2.1(b) of the BRFN IA.

The BRFN IA identified five HV1C areas which have been prioritized to be managed by three HV1C Plans:

1. "HV1 Plan #1 Gundy Complex"
2. "HV1 Plan #2 Grizzly Creek"
3. "HV1 Plan #3 Upper Halfway"

[3] Oil and Gas Activity means those activities related to conventional and unconventional oil and gas exploration and development (including coal bed gas, hydrogen development, developments aimed at capturing carbon and other forms of exploration and development that may evolve over time related to the presence of subsurface PNG deposits) on Crown land within the Claim Area for which the approval of a Provincial decision maker is required, and includes, but is not limited to, seismic operations and operations on or at well sites, access roads, pipelines and processing facilities (BRFN IA).

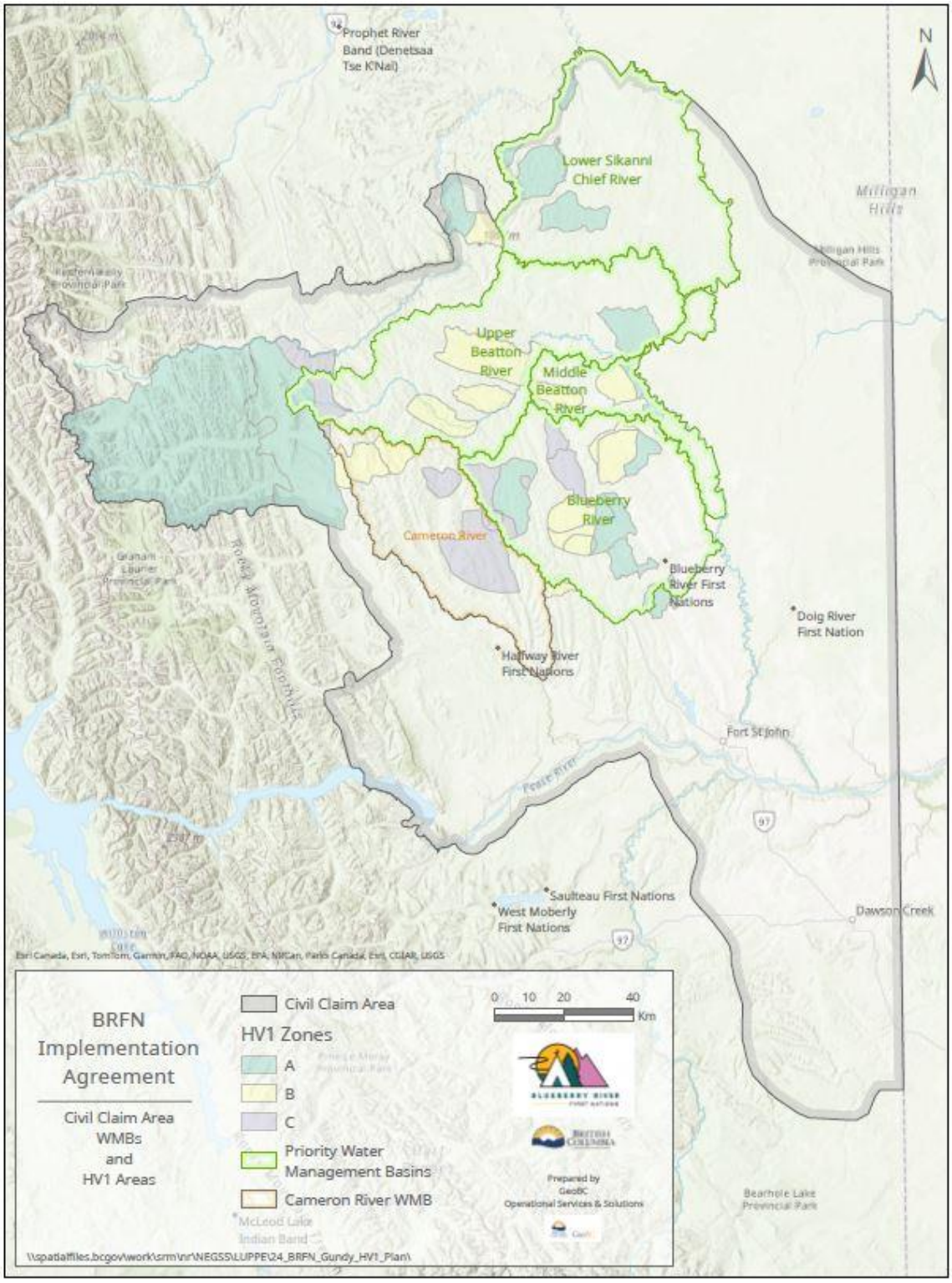


Figure 1: Map of the Blueberry River First Nations Implementation Agreement Claim Area, Water Management Basins and HV1 Areas

1.4 Gundy Complex HV1C Plan Purpose

The purpose of the HV1C - Gundy Complex Plan (the Plan) is to establish and implement actions that support the restoration and recovery of Treaty Rights and necessary elements of the protected Treaty 8 way of life, while enabling limited PNG development. As described in the BRFN IA, the Plan will improve management of the land through a collaborative, long term, evolving relationship and approach to land, resource and economic development-related shared decision-making between the Province and BRFN through the establishment of areas that are protected from New Disturbance,[4] identification of areas where development may occur, subject to the conditions for development articulated herein, and identification and prioritization of restoration activities in the Plan Area. It is the Parties' intent, that by agreeing to this Plan, we will support effective and efficient processes to balance the interests of Nations, BC and industry, recognizing the importance of the environment and cultural values as well as a vibrant local economy as being essential for individual and community well-being.

The Plan operationalizes discrete commitments under the BRFN IA, but in no way alters that agreement.

The total Plan area is 52,873 ha, spans two Watershed Management Basins (Cameron River WMB and Blueberry River WMB) and is comprised of three discrete HV1C areas (the Gundy and Townsend Creek areas are located within the Cameron River WMB, and the Dancing Ground area is located within the western portion of the Blueberry River WMB):

1. Townsend Creek (6,705 ha).
2. Gundy (33,445 ha); and
3. Western block of the Dancing Ground (12,724 ha).

The Plan is expected to coordinate restoration and development activities and achieve the objective of protecting contiguous areas constituting a minimum of sixty percent of each HV1C area from New Disturbance.

More specifically, the purposes of HV1 Plans, as directed by the BRFN IA, are to:

- Protect a minimum of 60% of each HV1C area from New Disturbance.
- Identify and protect larger contiguous undeveloped areas from New Disturbance.
- Identify areas which concentrate areas of development and reduce fragmentation where New Disturbance may occur and the conditions for development in those areas.
- Identify the total amount of required restoration as well as the priorities and schedules for this restoration and share this information with the BRFN Restoration Society.

[4] "New Disturbance" has the same meaning as in the BRFN IA and means, subject to any and all limitations and exclusions provided for in this definition, all (and only) Oil and Gas Activity-related disturbance on Crown land outside of any permitted and existing PNG footprint as identified in the SLU Data Layer, including restored wells with a certificate of restoration but excluding: (i) restoration activities; (ii) Health and Safety Activities; (iii) Environmental Protection Activities; (iv) electricity transmission and distribution line rights-of-way outside of Area 1 or inside Area 1 with the consent of BRFN; (v) new operational activities within existing oil and gas related disturbances or other permanent road structures (including, without limitation, new wells on existing pads and pipelines within established rights of way); and (vi) conversion of non-status roads to oil and gas roads, so long as such conversion does not include any new construction or road modification (BRFN IA).

- Minimize the amount, duration and impact of Oil and Gas Activities within the Plan area by coordinating restoration and development activities, coordinate proposed development activities by Third Party operators and implement measures to minimize cumulative effects where possible.
- Identify key common infrastructure and utility corridors.
- Minimize impacts to areas identified as having the highest cultural value to BRFN.
- As much as possible, protect and balance Treaty Rights and the healing of the environment within a sustainable regional economy.

1.5 Planning Approach

A coordinated and inclusive approach supported development of the Plan and involved expertise from various disciplines and engagement with impacted stakeholders.

Indigenous knowledge of the Plan areas was critical to the planning process, with protection and recovery of Treaty Rights being the goal of the Plan. The BRFN IA was written to be compatible with community and cultural processes and protocols as much as possible; as such, this plan's development has aligned with these processes and protocols. Community guidance and engagement was integral to identifying planning values and objectives and identifying high value and sensitive areas for spatial planning.

A bilateral process with Halfway River First Nation (HRFN) was undertaken by BC following initial drafting. The purpose of this process was to ensure that in areas of cultural significance to both Nations, their collective interests and ideals were considered, reconciled, and articulated in a way that was supported by both Nations and BC.

The Parties engaged with the PNG industry through directly impacted tenure holders and infrastructure owners, and through industry associations, as well as with other First Nations with consultation areas that overlap the Plan Area. The Parties also undertook targeted engagement with proponents that indicated an interest in development in this area over the five-year planning horizon. In addition to inviting these companies to share information regarding their proposed development plans, information was solicited regarding how these operations would consider the values important to the Parties. This engagement supported BRFN and the Province in considering proposed developments and mitigation measures being implemented by these companies in the development of the Plan and establishment of Protection and Development Zones.

2.0 Vision & Guiding Principles for the Plan Area

"My great grandchildren, what are they going to have?" – BRFN Elder

The vision for the Gundy Area is to heal ecosystems and recover traditional foods such that Treaty Rights can be meaningfully exercised. This requires intact and connected ecosystems free of disruptions, disturbances, impaired views, contamination, and noise, including healthy mature forests, wildlife habitats, fresh clean water, and access to these places for spiritual and cultural uses, as well as healthy populations of moose and other wildlife in the areas traditionally relied upon by Treaty 8 Nations.

Additionally, it is envisioned that the Gundy Complex Plan area will continue to provide opportunities that support a sustainable regional economy, through responsible PNG activities that align with community values and priorities. To achieve this vision, the Plan seeks to identify contiguous areas constituting a minimum of 60% of each HV1C area within the Gundy Complex for protection from New Disturbance. The remaining land base (no greater than 40%) is available for responsible PNG development, as guided by this Plan.

This Protection Zone is intended to enable ecosystem recovery to support traditional uses including, but not limited to:

- Hunting, fishing, and gathering activities.
- Trapping for sustenance and cultural practices.
- Cultural burning practices to improve ecosystem values and wildlife habitat.
- Cabins for supporting trapping activities; and
- Cultural sites and sacred areas with spiritual and medicinal significance.

The Development Zone is intended to enable responsible Oil and Gas Activity development that supports the local, regional and provincial economy in consideration of potential cumulative effects and impacts to Treaty 8 rights, by:

- Focusing future Oil and Gas Activity within designated development zone(s).
- Consolidating future development within areas of existing disturbance and/or common infrastructure and utility corridors.

2.1 Guiding Principles

To advance the vision for the Gundy Complex, this Plan is guided by a suite of principles, aimed to: (1) protect areas that are still intact within the Gundy, (2) restore areas that build out protection for habitat and water values, and (3) focus and guide future PNG development in a designated Development Zone.

These principles include:

- Ensure there is connectivity across the Gundy Complex, and with the adjacent areas outside the Gundy Complex.
- Maximize protection in areas that best support values associated with Treaty Rights.

- Prioritize protecting locations of high cultural value within the Gundy Complex; and
- Balance environmental, cultural, and economic considerations to protect Treaty Rights and healing the land while also advancing economic benefits for the area.

This approach should yield future conditions in the Gundy Complex that include:

- Significant, contiguous stands of healthy old forests and recruitment forests.
- Healthy, abundant, and clean water resources, aquatic habitats, and fish populations.
- High value and healthy wildlife habitat and populations (especially moose and furbearers).
- Habitat connectivity with surrounding high value areas; and
- Responsible Oil and Gas Activity, where suitable.

New Disturbance associated with Oil and Gas Activities will be prohibited within designated areas of the Gundy Complex to prevent additional fragmentation and further loss of Values within this Protection Zone. Over time, conditions in this zone will increase the opportunity for forests, wetlands, streams, and other habitats to recover naturally, or be actively restored, into fully functional ecosystems.

Oil and Gas Activities can continue to occur where already existing and may be further developed in specified areas (including Surface Land Use (SLU) co-located with the Protection Zone and as New Disturbance within the Development Zone) of the Plan area, subject to them being carefully planned and permitted according to the Plan's conditions for development (section 7) to ensure impacts to the Plan's values (section 3) are minimized and ecosystems are restored wherever possible. In accordance with the BRFN IA, commercial forestry is not permitted within the Plan Area except as otherwise indicated in Section 8.

3.0 Planning Values

In this plan, the planning values are critical to cultural and ecological interests identified and have been used to identify a set of key elements, referenced as Values herein, to consider in planning and authorizing future PNG development within the Plan Area. Ultimately, the Plan seeks to protect and restore areas to support the exercise of treaty rights while maintaining opportunities to develop the PNG resources that were previously tenured within this area.

BRFN, utilizing information identified through community guidance and engagement, identified a set of values and objectives to guide the development of the Plan with a focus on achieving the Vision described above.

The key values described in this section were developed in consideration of the BRFN IA requirements, engagement from industry and with input from BRFN members, including Chief and Council and through dedicated community engagement sessions with all five BRFN family groups. These collective values were used to guide the planning team in the identification of area-based zones (Protection Zone and Development Zone) and the development of operational requirements to support the recovery of Treaty Rights while maintaining the ability to practice responsible economic development.

BRFN identified the following ecological and cultural values:

- Ecosystems and wildlife
    - Old forests >140 years
    - Functional habitat
    - Moose habitat
    - Moose licks
    - Fisher habitat
- Water
    - Wetlands
    - Streams and rivers
    - Lakes
    - Riparian habitat
- Spiritual and cultural use values, including:
    - Burial sites
    - Cabins
    - Campsites
    - Trails
    - Traplines
    - Peaceful enjoyment

In the absence of an existing and overarching WMB Plan at the time of this Plan development, this Plan prioritizes healthy ecosystems and wildlife, fresh clean water, spiritual and cultural use and sustainable economies and resilient communities, including through consideration of the values articulated in this section. Restoration and development in the Plan Area must be planned and carried out with consideration for the following:

- Old Forest & contiguous diverse ecosystems

- Moose & moose habitat
- Water, aquatic ecosystems & riparian areas
- Habitat for grizzly & other fur-bearers
- Peaceful enjoyment of land and culturally important areas

The goals and priority measures for each of the identified values are described in Table 1 below. The plan considers these values, goals, and priority measures in the establishment of areas of protection and development, in coordination of development and restoration activities, in guidance/support of responsible Oil and Gas Activity development and to limit cumulative effects to allow ecosystems to heal.

Table 1: Goals and Priority Measures for Planning Values within the HV1-C Gundy Complex

OLD FOREST & CONTIGUOUS DIVERSE ECOSYSTEMS	
GOAL	
Maintain and foster functional recovery of contiguous Old Forest, Interior Forest and Interior Habitat Conditions within the Gundy HV1C Complex	*1.* Protect Old Forest[5] and Recruitment Forest (older than 120 years).
	2. Retain remnant patches of Forest Ecosystems and Interior Forest.
	3. Promote contiguity of Forest Ecosystems and Natural Habitat Mosaics (avoid fragmentation through any disturbance footprint).
	4. Restore the landscape such that conditions resemble, or move towards, those created by the natural disturbance regimes at multiple scales, including Old Forest targets established through WMB planning and the EBM Framework.[6]
	5. Incorporate deliberate learning to improve knowledge of forest conditions in the Gundy Complex.
	6. Establish timely and effective restoration practices for Oil and Gas Activities in the Plan area.
	7. Develop restoration strategies that work to alleviate cumulative impacts from Oil and Gas Activities.
	8. Implement best-in-class strategies to reduce the introduction and spread of invasive and non-native species.
	9. Control and reduce existing invasive and non-native species outbreaks.
MOOSE & MOOSE HABITAT	

[5] Old Forest is defined as stands that are greater than / equal to 140 years old, per the EBM Frameworks in the Implementation Agreement.

[6] The EBM Framework is set out in Schedule C of the Implementation Agreement.

GOAL	
Support the recovery of moose habitat and moose populations within the Gundy Complex	1. Maintain the quality, quantity, and connectivity of high value moose habitat for: winter forage and shelter, summer forage habitat, and mineral licks.
	2. Conduct all Oil and Gas Activities in a way that does not harm or stress individuals nor interfere with moose life requisites.
	3. Incorporate deliberate learning to improve knowledge of moose habitat in the Gundy Complex.
WATER, AQUATIC ECOSYSTEMS & RIPARIAN AREAS	
GOAL	**PRIORITY MEASURES**
Protection and recovery of water, aquatic ecosystems, and riparian systems.	1. Safeguard water, including surface water and groundwater quality and quantity.
	2. Protect and recover watercourses, wetlands, muskeg, lacustrine, spring headwaters.
	3. Protect and recover riparian ecosystems.
	4. Incorporate deliberate learning to improve knowledge of aquatic habitat in the Gundy Complex.
HABITAT FOR GRIZZLY & OTHER FUR-BEARERS	
GOAL	**PRIORITY MEASURES**
Support the recovery of grizzly bear and other fur bearer habitat and populations within the Gundy Complex	1. Protect and do not disturb high value grizzly bear habitat, including denning sites.
	2. Minimize impact to fur-bearer species' habitat and movement, particularly denning habitat for fisher and marten.
PEACEFUL ENJOYMENT OF LAND AND CULTURALLY IMPORTANT AREAS	
GOAL	**PRIORITY MEASURES**
Provide the social, environmental, and cultural conditions essential for safe exercise of land uses by BRFN Members, contributing to individual and community well-being.	1. Protect areas important to BRFN.
	2. Allow and create access for BRFN members to travel within the Gundy Complex to access important sites.
	3. Minimize sensory disturbance near culturally important BRFN sites.
	4. Ensure that human health is protected from Oil and Gas Activities.

3.1 Objectives

The Plan will aim to protect and recover the above values and advance the goals and priority measures for each value using the following four objectives (see section 5 for descriptions of the zones):

1. Objective for Protection Zone

   The Protection Zone within the Gundy Complex, representing ≥ 60% of each HV1C area (being the Gundy, Dancing Grounds and Townsend areas), is protected from New Disturbance from Oil and Gas Activities, providing for long term protection of identified values to restore Treaty Rights and the exercise of traditional uses.

2. Objective for Development Zone

   New Oil and Gas Activities within the Gundy Complex occur within the Development Zone, which comprises a maximum of 40% of each HV1 area and establishes operational considerations and measures that support responsible Oil and Gas development and protect ecological and cultural values, subject to an efficient and predictable review and assessment process.

3. Objective for Restoration

   Disturbed areas within the Gundy Complex are identified, restored, and recovered with a priority on restoration activities within the Protection Zone, HRFN's identified Enhanced Management Corridors and Current Industry Maintenance Zone that maximize recovery potential for identified Values.

4. Objective for Treaty Rights & BRFN Land Users

   The cumulative effects of past and future Oil and Gas Activities within the Gundy Complex are addressed and managed to improve the experience and opportunities for BRFN land users to exercise their Treaty Rights.

4.0 Current Conditions

4.1 Description of the HV1C Gundy Complex

The Plan area is comprised of the Gundy, Townsend Creek, and western portion of the Dancing Ground polygons and is total of 52,873 ha (of which 4,324 ha (8.2%) is private (fee simple) land).

The Plan area sits overtop of the Montney Play, a key area of interest for PNG exploration and extraction that extends across northeastern BC and northwestern Alberta. Situated within the boreal white and black spruce (BWBS) bio-geoclimatic zone, the Plan area includes several significant watercourses within the Blueberry River WMB and Cameron River WMB, along with several small lakes and extensive wetland areas. The Dancing Ground HV1C area also contains the headwaters of the Blueberry River, a particularly important place for the BRFN community. The Plan area is important moose hunting area for BRFN and is adjacent to one of BRFN's most culturally valued areas, the Dancing Grounds, part of which is fully protected under the BRFN IA as an HV1A area. Historically, the boreal habitat of mixed spruce, aspen and pine stands across the Plan area held excellent moose and furbearer habitat, values of deep importance to BRFN for the practice of their Treaty rights. As a result of these, and other, Values, the Gundy Complex is a critical cultural area for BRFN.

4.2 History of Development in the Plan area

Ecological conditions with the Plan area have been impacted by uncoordinated resource development and are currently degraded from their historic state. Since the early 2010s, the area in and around the Gundy Complex, which was already heavily impacted by forestry and agriculture, has been subject to intensive PNG exploration and development. Much of the area has been heavily impacted by land conversion (4,324 ha of the Gundy Complex has been converted from Crown to private farmlands), industrial development (including oil and gas as well as forestry), and wildfire. Protecting remaining intact forested areas and restoring key high value areas is of critical importance for restoring BRFN's Treaty rights in this area.

The Montney Play (Figure 2), one of the largest unconventional gas resources (~130,000km^2) in the world, is the source of the PNG activity in the Plan area. Although conventional development of the Montney began in the 1960's, Montney siltstones remained undeveloped until 2005 when technological advances in horizontal drilling and multi-stage hydraulic fracturing made it economically possible to develop the unconventional portion of the Montney profile[7].

[7] https://www.cer-rec.gc.ca/en/data-analysis/energy-commodities/natural-gas/report/archive/ultimate-potential-montney-formation/the-ultimate-potential-unconventional-petroleum-from-montney-formation-british-columbia-alberta-energy-briefing-note.html

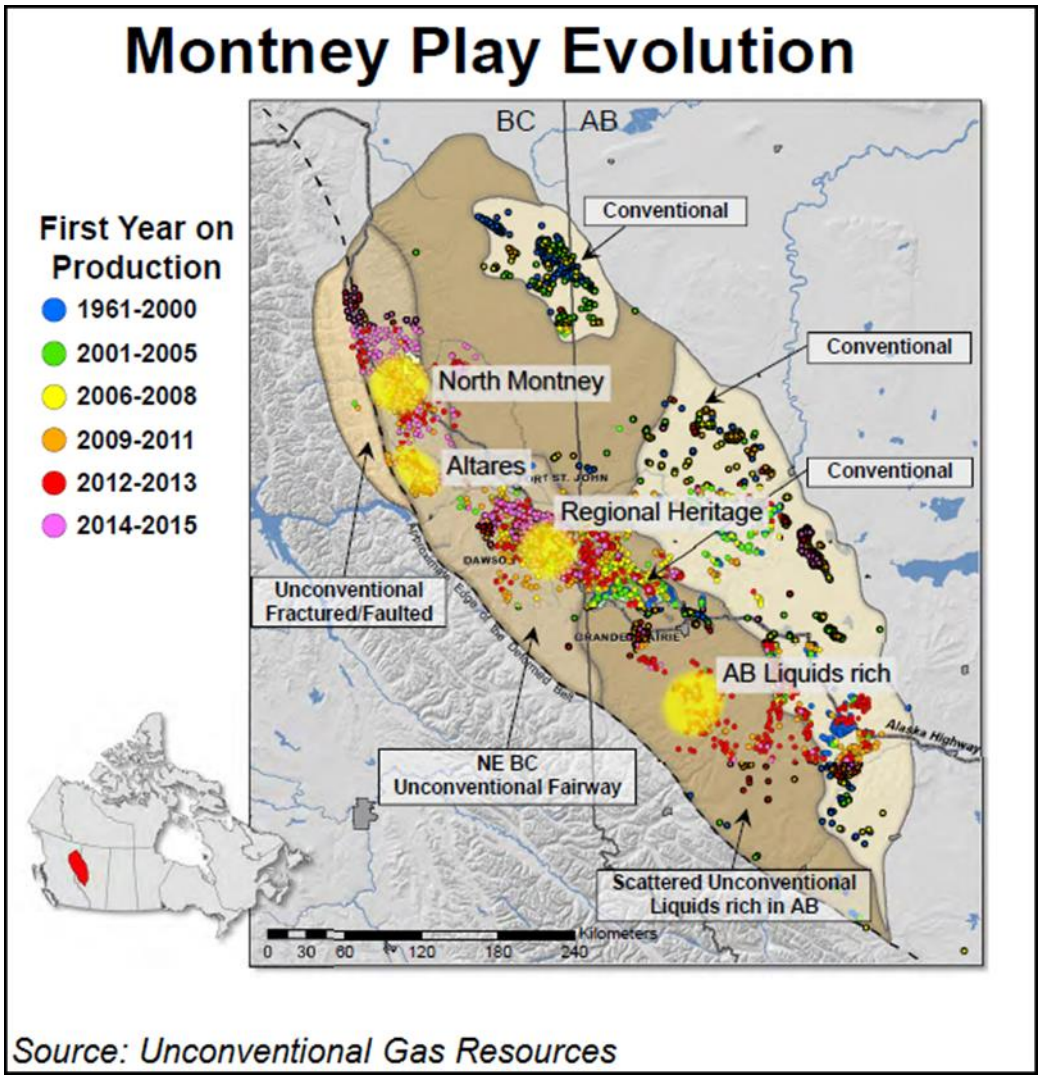


Figure 2: Map showing the history of Development within the Montney Play

As of September 2023, subsurface tenures in the Plan area are held by 17 tenure holders (Appendix 1).

Oil and Gas Activity within the Plan area has consisted of large geophysical and road development programs, followed by wellsite establishment, pipeline construction and ancillary facility construction. Total PNG-related disturbance in the Plan area was almost 3,500 ha by 2016 (when reporting of these were formalized through annual updates to the SLU[8] and has increased to almost 4,400 ha in 2022 (See Figure 3). This quantifies the PNG physical footprint alone.

[8] The BCER is responsible for the tracking and reporting of Oil and Gas Activity disturbances annually by activity type via the Surface Land Use (SLU).

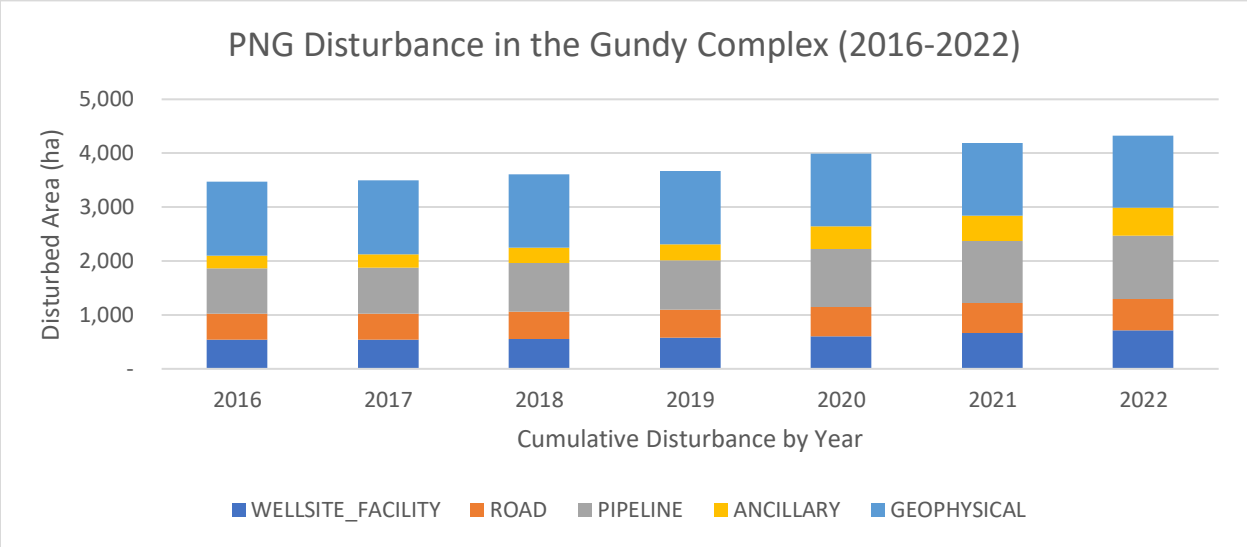


Figure 3: Graph showing the cumulative PNG disturbance (by type) from 2016[9] to 2022 within the Gundy Complex Area[10]

4.3 Existing PNG Footprint

The BRFN IA (s. 7.8 (a)) requires the Plan to contain an estimate of the existing PNG footprint. This will provide a baseline for BRFN and the Province to assess and measure progress toward reducing the PNG footprint over time through increased restoration and lower impact Oil and Gas Activities.

The SLU Data Layer available from the British Columbia Energy Regulator (BCER) represents surface disturbances as polygons associated with oil and gas exploration and production activities permitted by the BCER for which post construction submissions have been received by BCER (i.e. the SLU layer includes only constructed oil and gas infrastructure). It is the basis on which New Disturbance is defined in the BRFN IA. SLU data are classified as one of five categories including Well/Facility, Roads, Pipelines, Associated and Ancillary (Other Related) Activities, and Geophysical (Seismic). The SLU Data Layer was first created in 2016 and is now updated once yearly. Schedule I in the BRFN IA lists "Existing Priority Applications" for PNG activities or works that BRFN agreed to proceed to BCER for determination. For the purpose of establishing the Existing PNG Footprint these are being considered as "Existing" and included in the existing PNG footprint dataset. Finally, spatial data associated with the BCER dataset "Well and Facility Areas (Permitted)" was also included; this dataset contains spatial data collected on or after October 30, 2006, and includes approved and post-construction land areas associated with well or facility activities. All three of these data sets were merged to establish the existing PNG footprint spatial dataset. The total disturbance footprint by activity type is reflected in Table 2.

[9] Disturbances occurring prior to 2016 were reported in 2016.
[10] Information received from BCER on Aug 15, 2023. Summarized information by SLU types (well/facility pads, oil and gas roads, pipelines, ancillary and associated activities and geophysical) from 2016 to 2022.

Table 2: Total existing disturbed area by oil and gas activity type within the Plan Area.

PNG Activity Type	Total Existing Disturbed Area
Wellsite/Facility	715.8 hectares
Pipeline	1,173.3 hectares
Road	583.5 hectares
Geophysical	1,342.0 hectares
Related Activities	515.7 hectares

5.0 Protection and Development Zones

This section of the Plan summarizes the methodology used to develop the protection and development areas and identifies those zones within the Gundy Complex Plan Area. The Plan's vision, values and objectives identified above were prioritized in identifying these methods.

Since the WMB plans that contain the Gundy Complex have not yet been prepared, the methods did not have the benefit of this forthcoming higher order direction. To seek alignment with the future WMBs, the methods considered (a) the directions and values contained in the EBM Framework wherever relevant for a HV1 plan, (b) a larger area than the Gundy Complex as context for the spatial planning, (c) BRFN community values and concerns within the general watersheds overlapping the Gundy Complex, input from other Treaty 8 Nations and industry, and (d) the ecological and cultural datasets that would be used for WMB planning. As a result, it is expected that this HV1 plan will nest appropriately and effectively within the future WMB plans with a focus on the same general values and a spatial planning methodology that can be applied at a WMB level.

5.1 Methods

A coordinated and collaborative approach utilized extensive input from BRFN, and other Treaty 8 First Nations, as well as feedback from industry and relevant stakeholders, and expertise from various technical disciplines was used to develop the Plan. BRFN provided initial proposals for Plan content and protection areas; collaboration between the Parties and subsequent engagement with affected stakeholders informed the final outcome for both.

BRFN local knowledge of the Plan area and input into the identification and selection of ecological and culturally significant areas was critical in the development of the Plan and the establishment of protection and development areas. Community guidance and engagement was undertaken by BRFN and was integral to identifying planning values and objectives and identifying high value and sensitive areas for protection.

Considerable data comprised of ecological spatial datasets and cultural data gathered through extensive community guidance and engagement was compiled and analyzed to identify planning values, objectives and, high value and sensitive areas for protection. Using a systematic conservation planning software (decision support tool) called Marxan with Zones (Watts et al.

2009), the Parties were able to identify areas within the Gundy Complex that were of highest importance from an ecological and cultural perspective based on the planning values described in Section 3.0, and target these high value areas for protection, while other areas of lesser importance were identified as candidate areas for Oil and Gas Activity development (see Appendix 2 for a detailed description of the methodology that was used).

HRFN's Enhanced Management Corridors data set, which identifies HRFN cultural areas was also considered in the establishment of the Protection and Development Zones. Where these corridors overlap with public land, they were largely incorporated into protection areas.

PNG industry tenure holders and other relevant stakeholders were engaged to gather information about their proposed development plans as well as how their operations would consider the values important to BRFN and the Province. This initial sharing of information allowed for the consideration of proposed future developments and mitigation measures being considered and utilized by these companies in the development of the Plan components and establishment of Protection and Development Zones.

Utilizing the information described above, an extensive data-based approach was used to identify areas for protection and development within HV1C Gundy Complex. Where locations of cultural features were known or shared by BRFN members through this process, these features and their associated setbacks were incorporated into the Protection Zone.

A desktop analysis was utilized, informed by various sources of spatial data, including but not limited to:

- BRFN modeling of areas of high ecological and cultural value based on ecological and cultural data, including field verification with BRFN members.
- Vegetation Resources Inventory
- Regional Strategic Environmental Assessment (RSEA) data, including data on those specific Plan values identified in Section 3.
- Information pertaining to the potential type/location of near-term proposed Oil and Gas developments.

As part of the initial evaluation of these spatial outputs, the Parties sought to confirm alignment between areas of proposed protection, the development proposed to provide access to tenured subsurface resources, and those areas indicated to have the highest concentrations of intact identified values (i.e... Old Forests, critical habitat etc.) and/or where these proposed protection areas overlapped with existing non-PNG disturbances.

In doing so, the Parties identified, delineated, and removed areas from within the proposed Protection Zones where there is existing PNG infrastructure that is currently known to be at earlier stages in the development lifecycle (i.e. currently understood to be not appropriate to "wind down"). Further verification will also be undertaken, through implementation of this Plan and in consultation with the oil and gas operators responsible for infrastructure within the Current Industry Maintenance Zone (CIMZ), to determine the current lifecycle stage of said infrastructure, project end of life and restoration timelines, and to better understand any additional spatial requirements for ongoing maintenance of existing infrastructure.

Protection and Development Zones

To meet the requirements of the BRFN IA, two core distinctions are identified within each of the three HV1C areas forming the Gundy Complex:

- The Protection Zone; and
- The Development Zone**,** which consists of the areas set aside to contain future industrial footprint, including New Disturbance resulting from Oil and Gas Activities.

HV1C Conditions for Development (detailed in Section 7) apply to all future Oil and Gas Activities proposed within the Gundy Complex, as do the requirements described in Article 14 of the BRFN IA and established in regulation.

The thresholds, criteria and rules described within the HV1C Conditions for Development are not intended to duplicate existing regulatory requirements, but rather supplement (and in some cases replace) existing rules and regulations, and do not derogate from existing laws and regulations governing Oil and Gas Activities, including the BRFN IA Regulation to the extent it may be amended to implement this Plan.

5.2 Protection Zone

The Protection Zone as shown in Figure 4, is designed to meet the 60% protection target within each of the three HV1C areas, which make up the Gundy Complex, and are areas where no New Disturbance is permitted, and are intended to recover the ecological and cultural Values identified in Section 3.

Activities allowed within the Protection Zone include activities associated with the practice of Treaty Rights, restoration activities and the continuation of existing Oil and Gas Activities. It is anticipated that restoration activities in the Gundy Complex will focus primarily on the recovery of the Protection Zone.

New Disturbance that allows the use of existing Non-PNG Disturbances may be permitted within the Protection Zone, in accordance with the Conditions for Development outlined herein.

5.2.1 Current Industry Maintenance Zone

To protect larger contiguous areas, it was necessary in some places to include the Existing PNG Footprint (Section 4) within the broader Protection Zone. Where possible the planning team endeavored to include only existing PNG activities that are unlikely to be permanent and disturbance that can be more easily restored, including seismic lines and roads to cut blocks that have reached free-to-grow status. However, more permanent roads and pipelines were encompassed by the Protection Zone in some cases. Where active Oil and Gas Activities are co-located within the Protection Zone, these are categorized as being with the CIMZ, where existing activities can continue to be operated and be maintained.

The intention of the CIMZ is to recognize that there are existing industry operations occurring within areas that have been identified as having high ecological and cultural values and that these operations will likely be wound down and incorporated into the Protection Zone over time

as they reach the end of their useful life. Existing infrastructure and wells may continue to operate and produce until they are depleted, and expansions of existing infrastructure may be considered where this is proposed as an alternative to development outside the Protection Zone that would result in less optimal cumulative effects management outcomes (such as the activities outlined in s.7.3 of the BRFN IA).

During the plan implementation, BRFN and BC will undertake an evaluation of this existing infrastructure, in consultation with permit holders as applicable, to identify areas in the CIMZ in which restoration activities can be advanced with the intent to reach a restoration status that supports infrastructure removal from the CIMZ to be protected from future development. This work will be completed with these considerations:

1. Restricting future PNG activities on existing CIMZ seismic disturbances that have sufficient shrub or tree cover establishment and updating the Existing PNG Footprint dataset to acknowledge areas that have been assessed as being Ecologically Recovered or on a trajectory to ecological recovery and will be included in the Protection Zone. Upon the effective date of the Plan, any seismic line within the CIMZ that has not been put to an alternate PNG use will be restricted from future PNG development activities. As assessment is undertaken, BRFN and BC may agree to utilization of seismic lines that are not on a trajectory to recovery in support of future development activities.
2. For more permanent infrastructure, BRFN and BC will engage with the permit holders during plan implementation to assess what the operational timeline for given infrastructure is anticipated to be, including a discussion of opportunities to wind down infrastructure that is in the later stages of the operational lifecycle and the identification of areas that are Ecologically recovered within the CIMZ (and could be converted to the Protection Zone). During the development of the plan a number of candidates for review and potential advancement of restoration were identified and are identified for future reference in Appendix 3.

5.3 Development Zone

The Development Zone is the identified area (Figure 4) where New Disturbance may occur subject to the Conditions for Development in Section 7.

The Development Zone generally prioritizes the inclusion of areas of existing permanent infrastructure, including key common infrastructure and utility corridors.

Figure 4: HV1-C Gundy Complex Protection and Development Zones

6.0 Restoration

Restoration activities are intended to improve the condition of impacted ecosystems within the Plan Area and are an important tool in the recovery of ecological and cultural values to improve ecosystem health, human well-being, and livelihoods of First Nations land users. While this plan focusses on coordinating PNG development and restoration, cumulative effects to Treaty Rights include other activities and industries that impact the landscape. In general, the goal of restoration within the Plan Area is to heal the land and people by taking steps to restore the full mosaic of ecologically important habitats and culturally significant places and resources.

The BRFN IA (s. 7.8 b-g) is focused on prescribing restoration to support resetting the balance between the ability to meaningfully practice Treaty Rights and the development of oil and gas resources. The BRFN Restoration Society (BRRS) is responsible for implementing BRFN-led restoration efforts in the Plan area and the broader Claim Area. This Plan will support the overarching work of the BRRS, which is empowered to coordinate the development of restoration plans and implement restoration decisions throughout the Claim Area and informs other types of restoration activities. Strategic restoration planning will occur through the planning processes established by the BRRS with BRFN, which will take place over a larger area and consider all the HV1s, traplines and WMBs in a way that maximizes the cumulative benefit of restoration activities. This Plan identifies priorities and objectives for this important restoration work and shares this information with the BRRS. This strategic planning work may take several years and in the interim, there are restoration opportunities in the Plan area which may be advanced.

Independently from the above, HRFN may also identify and undertake restoration activities within the Plan Area.

6.1 Restoration Areas

Within the Plan area, pockets of somewhat undisturbed natural habitat areas remain, however, the combined direct and indirect impacts of fragmentation are pervasive. The priorities for restoration opportunities and planning will focus on reversing existing cumulative effects. This may include prioritizing restoration efforts on areas that contribute to poor water quality and create edge effects and restoration that reduces linear disturbance.

The direct and indirect effects of industrial development may have impacted over 41,500ha or ~78.5% of the Plan area[11]. A desktop analysis has supported this disturbance quantification and includes areas of direct and indirect effects from all types of potential disturbance within the Plan area. Field verification is needed to confirm current conditions of these areas, develop site

[11] In the 52,873 ha Gundy complex, 78.5% of the total area is impacted by disturbance, including both physical footprint and areas that may have experienced indirect impacts, resulting in 41,535.1 ha that may require active restoration activities, pending future disturbance condition assessments. Supporting data have been provided to the BRRS.

specific restoration prescriptions, as needed, and support future restoration projects to be carried out by the BRRS, HRFN, PNG industry, and others.

The restoration desktop analysis used available data from the BCER, BC government, Agricultural Land Commission, Open Canada, and BRFN Land Department as well as the RSEA disturbance layer. The analysis included available disturbance information from all industries and uses in conjunction with ecologically relevant information to identify both where direct disturbance has occurred and the direct and indirect effects to ecological and cultural values from that disturbance. This included applying buffers from to disturbance areas to account for indirect or offsite effects to values that may also need to be restored or mitigated. Future analysis of restoration needs and disturbance in the Gundy Plan area will rely on data obtained through field visits and the restoration/development reporting through the implementation of this plan.

Linear features are associated with adverse ecological impacts and the goal for the Gundy is to reduce these features on the land, recognizing that the Plan only applies to Oil and Gas Activity. Field analysis and restoration work are intended to reduce the existing linear density and the conditions for development are intended to reduce new linear disturbance.

There are different types of restoration opportunities and activities that may occur within the Plan area. The Plan focusses on non-regulated restoration of areas of highest value to BRFN and HRFN as well as required restoration related to Oil and Gas Activities.

6.1.1 Non-Regulated Restoration

Legacy oil and gas sites are areas that have been disturbed by historic oil and gas activities but have no current legal obligation for restoration. These sites differ from Dormant and Orphan Sites, described below, in that there is no entity responsible for completing restoration. Legacy Sites may include historic seismic lines, ancillary sites, or other types of oil and gas disturbance. More information on legacy sites is available on the BCER website[12].

To ensure that values are fully restored, effects from industries other than oil and gas (e.g. forestry, agriculture, etc.) which are acting cumulatively to impact a value may be identified and addressed through the restoration that will be directed and led by BRFN and the BRRS, HRFN or another Treaty 8 Nation. BC and BRFN will coordinate and cooperate with other Treaty 8 Nations in an effort to establish similar restoration standards.

6.1.2 Oil and Gas Activities Restoration

The Dormancy and Shutdown Regulation (DSR) sets timelines by which restoration at all dormant and former oil and gas sites must occur. The DSR also sets notification and follow-up obligations to ensure companies (permit holders) communicate regularly with interested persons (as defined by the DSR) about the specified work they have planned to decommission, assess, or restore their dormant and former sites.

In the Plan area there are 175 dormant oil and gas well sites, estimated to make up approximately 252 ha of the restoration opportunity. Each of these well sites require restoration

[12] https://www.bc-er.ca/

in accordance with the DSR and any other relevant agreements and plans. Of these 175 dormant sites, 127 have had some form of closure work completed, in-progress, or planned since the DSR was enacted in 2019. There are currently no designated Orphan Sites within the Plan area. Dormant Sites located within the Plan area are currently under review for potential Priority Site designation. These discussions are ongoing with BRFN and BCER and form part of the recommendation to accelerate site restoration within HV1 as we work to balance decisions on restoration timelines with community goals for standards and participation.

Existing well sites for which a Certificate of Restoration (COR) has been issued by the BCER were restored to the regulatory standard relevant at the time of issuance. Restoration standards are constantly evolving and improving and as such, some older sites that have been restored may require further intervention to ensure a high standard of restoration and minimization of potential impacts. These sites have been shared with the Nations and BRRS for consideration of additional restoration activities in restoration prioritization and planning. These obligations will not be conveyed to the original permit holder but may provide an opportunity in the context of identifying offsetting opportunities.

In addition to the Dormant Sites, some PNG companies have identified associated infrastructure that could be prioritized for field review and restoration planning.

6.2 Restoration Objectives

The goal of restoration activities, regardless of who is undertaking them, is to enhance the ability for the meaningful practice of Treaty Rights and to restore ecological values. The specific methods, goals, and objectives of a restoration project will differ based on where the restoration is occurring, who is leading the work, and what is the preferred end-state for the land. Restoration in the Plan Area should be undertaken in a culturally appropriate way in accordance with applicable laws and regulations. Restoration methods and outcomes ideally deliver both cultural and ecological benefits and considers Indigenous Knowledge[13], where available, as well as best available science and community knowledge.

There are different types of restoration that will be undertaken in the Plan area. Regulated restoration led by industry focusses on returning a discrete area disturbed by a specific activity to an ecologically improved future state. The DSR guides the timeline requirements for sites based on their classification as either an "A", "B", "C", or Priority Sites.[14] In some cases there may be opportunities for permit holders to undertake interim or expedited restoration to support the objectives of this Plan and those of the BRRS.

The Nations are best placed to identify the relevant values at a site when planning for restoration. Any restoration projects undertaken in the Plan Area must ensure that BRFN and HRFN are provided with an opportunity to provide their knowledge and information at all stages of the project from planning through implementation and monitoring. Permit holders and others undertaking restoration in the Plan Area should ensure they identify and consider the

[13] Indigenous Knowledge may only be accessed and used with the permission of the Knowledge Holder and in accordance with any restrictions they may identify.
[14] See s. 16, 17, and 18 of the DSR for specific timelines.

most up to date guidance available from BRRS, BRFN,[15] HRFN and the BCER. This includes consideration of the forthcoming Restoration Framework from BRFN which will outline their approach to achieve five-star restoration and provides an evaluation wheel which considers ecological, cultural, and social values.

The Plan defers restoration prescriptions for BRFN-directed restoration activities to the BRRS, to be undertaken as part of restoration planning throughout the Claim Area and HRFN-directed restoration activities to HRFN as part of restoration planning throughout their territory.

6.2.1 BRFN Identified Restoration Objectives

Holistic and reciprocal restoration led by the BRRS on behalf of BRFN focusses on addressing the multiple stressors and impacts to a value and often includes many different activities and their effects. The goal of this plan is to ensure that the restoration efforts of multiple parties at different scales all contribute to the broader vision for the Plan area. Some of the values of most importance when planning restoration activities are:

- Freshwater quality and quantity including lakes, rivers, streams, springs, groundwater, wetlands (muskegs), ephemeral drainages, agricultural waterways, and riparian areas.
- Moose licks and calving areas.
- Wetted areas that provide important berry and plant harvesting
- Habitat quality, including reducing edge effects, connectivity, and healthy ecosystems.
- Peaceful enjoyment for the practice of Treaty Rights.
- Cultural sites including cabins, trails, traplines, harvesting areas and others as shared by BRFN.

6.3 Restoration Priorities and Schedules

The technical and cultural analyses that supported the identification of Protection Zones has also identified areas where values have been impacted and restoration activities could improve those values. Generally, restoration activities should prioritize work to restore freshwater biomes and habitat connectivity in the Protection Zones over those in the Development Zones.

The scheduling of BRFN-led restoration activities within the Plan area is the responsibility of the BRRS in the context of implementing restoration planning throughout the Claim Area. Priorities and schedules identified in this section are recommended for consideration by the BRRS in the broader planning, which may prioritize restoration in HV1A and HV1B areas first.

The scheduling of HRFN-led restoration activities within the Plan Area is the responsibility of HRFN. When considering offsets and other restoration opportunities, locations within HRFN's identified Enhanced Management Corridors should be prioritized.

Regulated Oil and Gas Activity restoration will adhere to the timelines identified in the DSR, including priority site designations where applicable. In some cases, the PNG industry may identify opportunities for expedited restoration of a site. Where an active, Dormant, or Orphan

[15] https://blueberryfn.com/departments-services/restoration/

Site is located within the CIMZ or in proximity to an important cultural or ecological site, it may also be identified for potential expedited or interim restoration.

Regardless of priority, it is expected that assessments will be carried out by the BRRS and HRFN to determine if there is disturbance within the CIMZ and Protection Zone that is naturally recovering and where further restoration efforts are required. BRRS and HRFN will consider these recommendations to identify the appropriate timing in consideration of other restoration priorities.

Stream crossings typically require intervention, as many extant bridges and culverts do not promote dynamic stream morphology such as meanders and riffle-pool sequences. Where undersized or perched culverts are present, replacement can be a tremendous return on restoration investment. It will be important for those undertaking restoration planning to identify which transportation infrastructure may be a regulatory liability for another entity (including other PNG operators, forest companies, a government or other), and to coordinate planned activities as appropriate. Enhancement to existing transportation corridors for the protection of aquatic ecosystems can include bioswales, infiltration galleries, and bank stabilization with bioengineering; to reduce sedimentation, eutrophication, and contamination of streams, roadside restoration is imperative.

There are many different opportunities for restoration in the Plan area. Plan implementation will include monitoring to confirm if restoration activities are effectively reducing the amount of required restoration over time. Parties who are undertaking restoration in the Plan Area should also look for opportunities to work cooperatively with other restoration projects being undertaken in the area to increase the cumulative value of restoration at the landscape scale and to create more efficient and cost-effective restoration processes.

6.4 Monitoring and Reporting

The results of field verification and other restoration and restoration supporting activities undertaken by BRRS, HRFN, industry, and any other restoration activities permitted or undertaken by BC or BCER will be included in annual reporting of restoration activities to BC and BRFN to support agreement implementation and may be incorporated into broader restoration tracking for the region. This information may also be provided to other parties in accordance with any relevant information sharing commitments. Further details on specific metrics to be provided are available in Section 10 Performance Measures.

7.0 Conditions for Development of Oil & Gas Activities

The following describes the conditions under which any Oil and Gas Activity may be carried out within the Plan Area. These conditions are specific to the Plan Area and are additive to existing requirements. The Province will provide legally effective direction to the BCER, to implement these conditions for development.

These thresholds, criteria and rules described below are intended to supplement (and in some cases replace) existing rules and regulations, and do not derogate from existing laws and regulations governing Oil and Gas Activities, including the BRFN IA.

7.1 Values, Goals & Priority Measures to be Considered in the Assessment of New Oil & Gas Activities

The Values established for the Gundy Complex to support the practice of Treaty Rights are listed in Section 3 of this plan, including the goals and priority measures for each identified Value. It is expected that new Oil and Gas Activities within the Gundy Complex will be planned and carried out with consideration of these Values, particularly in the design and development of new Oil and Gas Activities, including associated assessments, and applications.

7.2 Overview of Approach

Proponents seeking to develop PNG resources within the Plan Area must demonstrate the operational measures they will implement to avoid, minimize, and mitigate the effects of Oil and Gas Activities on the Values and land users that may be exercising Treaty Rights in this area.

7.2.1 Professional Reliance and Results-based Approach

The conditions for development outlined herein align with BC's professional reliance model, by which government relies on qualified professionals to provide sound and impartial advice and recommendations for the purpose of informing decisions in relation to resource management and environmental protection in BC[16].

Qualified Professionals (QPs) and Qualified Environmental Professionals (QEPs) are responsible, within their scope of practice, for ensuring that activities proceed in a manner that will not undermine identified Values. To provide proponents and their QP/QEPs with clear expectations while maintaining space for proponent creativity and QP/QEP autonomy, the conditions for development describe the elements that must be addressed or the outcomes that must be achieved without prescribing how. Appendix 5 provides guidance for proponents and QP/QEPs operationalizing these conditions for specific activities, including guidance and the type of prescriptions that would satisfy condition requirements and expected depth of assessment.

[16] Professional Accountability Policy - Province of British Columbia (gov.bc.ca)

7.2.2 Environmental Management Plan

In advance of preparing or submitting applications within the Plan Area, proponents must prepare and provide the BCER and First Nations with an Environmental Management Plan (EMP). The EMP will describe the best management practices that a proponent will implement, how the proponent will consider the impact of their development activities on the Values and sets out, as a matter of standard practice, how those impacts will be avoided, minimised, and mitigated. The EMP will describe how proponents will achieve the requirements for all Oil and Gas Activities described in 7.5, and operational rules described in Section 7.8.

The EMP, once filed, will be reviewed for compliance with these conditions for development, and subsequently accepted by BCER and First Nations once fully in compliance. The accepted EMP may then be applied in respect of applications within the Plan Area that satisfy all conditions for development, subject to site-specific assessment and mitigation measures that may be required according to specifications laid out below.

The circumstances where site-specific considerations are triggered to supplement a Plan Area EMP to address impacts to Values are listed in 7.6. In these cases, a supplemental site-specific mitigation strategy will be expected to identify any additional considerations and project-specific mitigation measures to address any potential impacts. The Development Categories for proposed new Oil and Gas Activities (Section 7.3) and associated trigger criteria for a site-specific mitigation strategy delineate the cases where an EMP is expected to be sufficient versus when a supplemental site-specific mitigation strategy is required, and possible offsetting proposals. Where a supplemental site-specific mitigation strategy is prepared, it is expected to work together alongside the EMP during construction. The EMP and any site-specific mitigation strategy form an integral part of the cumulative effects management regime specific to an individual company's operations. The operational commitments within these documents must be available, understood and implemented at the field level by construction and operational personnel and contractors.

Proponents will be expected to have QEP/QPs, as applicable, confirm that the measures being implemented, via the Plan Area EMP and/or supplemental mitigation strategy are sufficient for Value protection.

7.3 Development Categories

There are three categories for proposed new Oil and Gas Activities, based on the type of disturbance and the potential for the activity to negatively impact one or more of the Values identified in Section 3.1. They are defined below and illustrated in Figure 5. The intent of these development categories is to set common expectations for industry, BCER and BRFN in the scope of assessment and guide the depth of detailed review and consultation for individual applications. They are:

- Category 1 Developments where no site-specific mitigation triggers (or offsets) apply.
- Category 2 Developments where site-specific mitigations are required to address impacts to Values but no offsets apply; and,

- Category 3 Developments where impacts requiring offsetting cannot be avoided and therefore require both site-specific mitigations and offsetting to manage impacts.

Category 1 Developments:

- Oil and Gas Activities that **may or may not** propose New Disturbance, **and**
- Where a QP/QEP confirms that no site-specific mitigation triggers apply (per 7.5), and therefore no offsetting (per list in 7.6), **and** that the General EMP is sufficient to protect Values.

Category 2 Developments:

- Oil and Gas Activities that **may or may not** propose New Disturbance, **and**
- Where a QP/QEP confirms that one or more site-specific mitigation triggers apply (per 7.5) and site-specific mitigation measures will implemented to address impacts to Values, **and**
- Where a QP/QEP confirms that impacts requiring offsetting (per list in 7.6) will be avoided.

Category 3 Developments:

- Oil and Gas Activities that **do** propose New Disturbance, **and**
- Where impacts requiring offsetting (per list in 7.6) cannot be avoided, thus requiring an offsetting plan along with site-specific mitigation measures in the EMP.

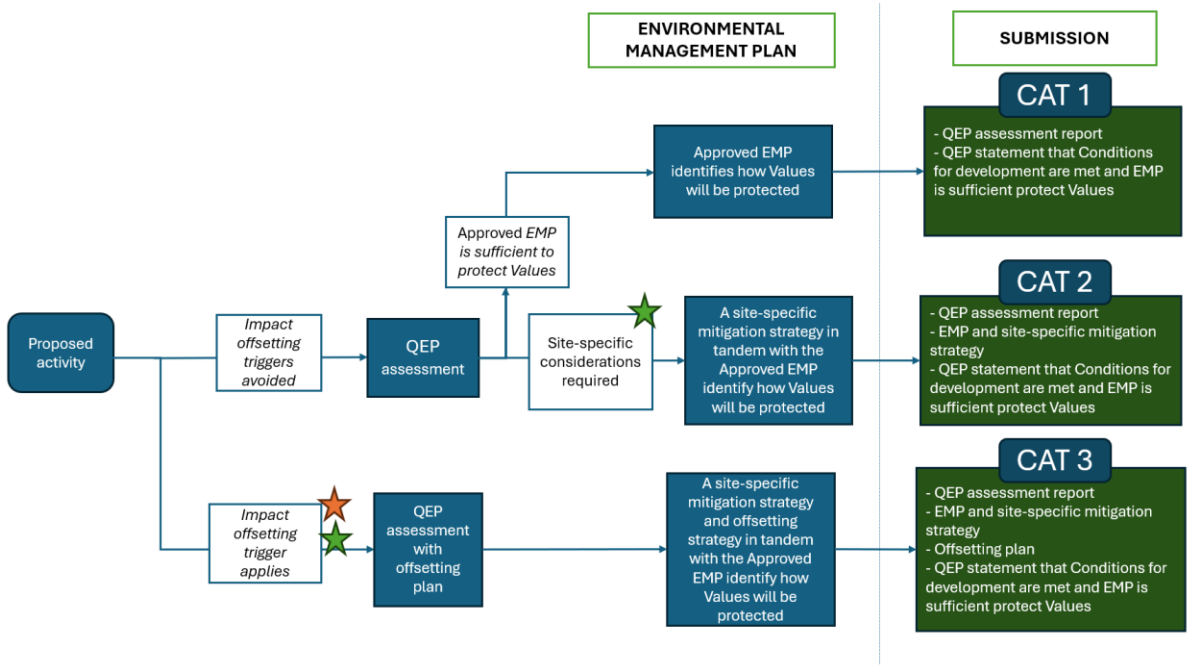


Figure 5: Pathway for category 1 (CAT 1), category 2 (CAT 2), and category 3 (CAT 3) applications in the Gundy Complex. The green star indicates the application pathway where site-specific mitigation measures must be determined (per 7.6) and the orange star indicates the application pathway where offsetting is required (per 7.7).

7.4 General Application Information Requirements

To support robust and efficient consideration of new Oil and Gas Activities within the Plan area during early pre-engagement and in application materials, proponents will be expected to provide the following information as early as possible in discussions, to the extent that it is known or can be estimated:

a. An explanation of the necessity of the proposed activity, and the proponent's self-assessment of development category under s. 7.3.

b. An estimate of expected temporary and permanent changes to the landscape and Values as a result of proposed activities. To comply with this condition, the EMP should include a high-level summary of:

   i. All the activities proposed, including temporary and permanent activities;

   ii. Proposed construction start date(s) and duration, with consideration of how the proposed timing has been influence by, and overlaps with, environmental timing windows;

   iii. A high-level overview of the equipment and personnel that will be mobilized.

c. The proximity of the proposed development to known Values including known occurrences of valued components and cultural, ecological and wildlife habitat features.

d. For activities that will involve New Disturbance, a summary of temporary and long-term changes to the landscape and surroundings including, but not limited to any infrastructure that will be installed, vegetation removal, water use, soil disturbance, changes to viewsheds or soundscapes, and any anticipated changes to access to the local area by land users.

e. Identification, rationale, and status of ecological recovery (if applicable) for the Zone of Influence associated with the proposed activity.

f. Additional information that proponents will need to support pre-engagement discussions as well as application preparation are:

- Any proximate occurrences of identified or known Values.
- Any proximate known occurrences of species or ecosystems at risk.
- Any proximate known ecological, wildlife habitat or cultural features.
- Photographs, as applicable and particularly where physical site conditions differ from expected.

g. Names and scope of practice relevant to the proposal of any QEP/QP (i.e. which QEP/QPs assessed or are expected to assess which elements of the development proposal).

h. Timing and considerations for restoration of temporary disturbances at end of use.

7.5 Environmental Management Plan and Value-Specific Requirements

Through the EMP, and supplemental site-specific mitigation strategies as required, proponents must demonstrate how they will address or achieve the following for Oil and Gas Activities in the Plan Area. Appendix 5 provides guidance to QEP/QPs to meet the expectations articulated; however, proponents are invited to develop creative and innovative measures, provided they achieve the outcomes.

1) **Demonstrate how development activities will be designed to minimize or avoid impacts to Values**. This includes:

a) Process and best management practices used for project siting, including:

i) A description of the considerations that will influence how and where activities are situated.

ii) A description of the process followed, and any QEP/QP guidance considered, in evaluating the feasibility of using existing SLU or consolidating with any other existing disturbance;

iii) Where Oil and Gas activities are proposed in a CIMZ, considerations for minimizing timing, duration and impact of activities and supporting eventual wind down, as applicable.

iv) When it is not possible to use existing SLU or consolidate with any other existing disturbance, describing what process proponents will undertake to confirm with QP/QEP guidance why it is not possible.

b) An overview of how a proponent will consider and determine the Zone of Influence for Oil and Gas Activities.

2) **Commitment to avoid, reduce, and mitigate impacts to Values.** Proponents must outline how the following will be addressed in the planning and carrying out of Oil and Gas Activities. This includes any planning considerations to avoid impacts to these Values and commitments that will mitigate any anticipated and unavoidable impacts:

a) **Old forest and contiguous diverse ecosystems:** demonstrate how activities will avoid intact patches of forest, promote connectivity, and minimize further fragmentation. This includes identifying measures for:

i) Avoiding impacts to Old Forest, recruitment forest, and contiguous diverse ecosystems;

ii) Retaining and improving connectivity between contiguous ecosystems surrounding the project site

b) **Moose and moose habitat:** demonstrate how impacts to moose and moose habitat will be avoided. This includes identifying measures for:

i) Avoiding incursions into high and moderate suitability and capability moose habitat;

ii) Retaining or improving moose connectivity during and following construction, to enable moose to move throughout and between habitats;

iii) Avoiding or minimizing stress and disruptions to moose, including moose-vehicle conflicts.

iv) Maintaining safe access for wildlife along wildlife trails.

c) **Water, aquatic, and riparian habitat:** demonstrate how the health and integrity of aquatic and riparian habitat will be preserved. This includes identifying measures for:

i) Avoiding and mitigating impacts to aquatic and riparian habitat;

ii) Avoiding impacts to water quality and quantity, including the release of deleterious substances into aquatic or riparian habitats.

iii) Selection of crossing methods and the best management practices that will be implemented to ensure protection of aquatic and riparian values.

iv) Any applicable progressive restoration, including timelines, to be implemented at crossings to promote streambank stability and establishment of suitable riparian vegetation.

v) Avoiding and mitigating impacts to surface and groundwater quality during well drilling and operations.

d) **Habitat for grizzly and other fur-bearers:** demonstrate how impacts to grizzly bears and fur-bearers will be avoided. This includes identifying measures for:

i) Avoiding impacts to high suitability or high capability habitat for grizzly bears, fisher, or marten;

ii) Preserving the safe passage of grizzly bear, fisher, and marten;

iii) Best management practices for locating and assessing grizzly bear den sites.

e) **Peaceful Enjoyment of Land and Culturally Important Areas:** demonstrate how impacts to the peaceful enjoyment of land and culturally important areas will be avoided, including identifying measures for:

i) Protecting culturally important sites and maintaining setbacks (the majority of known sites and their associated setbacks have been situated in the Protection Zones and would only be relevant to activities in the CIMZ or in the event that a previously unknown cultural site is identified within Development Zones);

ii) Avoiding visual, noise, and air quality impacts using the mitigation measures identified under item 3 below;

iii) Preserving safe access for Treaty 8 members to culturally important areas and the Protection Zones.

3) **Other mitigation measures** the measures a proponent will implement during construction and operational activities to avoid, minimize or mitigate impacts to wildlife and land users within respect to the following:

a) Light impacts.

b) Noise impacts.

c) Air quality, including odours and dust.

d) Traffic management.

e) Waste management: onsite and offsite management of wastes including measures to prevent materials that may pose a risk to human health from entering the food chain.

f) Prevention or migration of deleterious materials to wetlands: specifically, how will proponents monitor and prevent interaction between hydrocarbons and other materials within shallow subsurface well bores and groundwater.

g) Metal Leaching (ML) and Acid Rock Drainage (ARD) management: a description of how hazards and risks of potential metal leaching or acid rock drainage at well sites, road networks and other activities that are built with, disturb, or occur proximal to acid-generating rocks will be assessed and mitigated.

h) Any other important values that may be identified within the subject area, along with any other standard operating procedures that may be applicable and explanatory.

4) **Restoration:** the measures that a proponent will implement in support of restoration objectives, including:

a) Progressive restoration techniques and typical associated timelines, including but not limited to addressing ecological succession processes and soil health.

b) Commitments and means for consideration and incorporation of Indigenous knowledge in restoration activities.

c) Phases of restoration, including deactivation, decommissioning, investigation, remediation, and reclamation at end of life of pipelines, well sites and facilities; and

d) Management of invasive plants including revegetation practices and seed mixes, strategies to control and reduce the spread of invasive and non-native vegetation.

e) Monitoring and adaptive management

5) **Monitoring and Reporting:** details of how and when the proponent will monitor and self-report with respect to the following:

a) Water quality.

b) Effectiveness of ARD mitigations in areas or for activities with metal leaching or acid rock drainage potential.

c) Unintentional release of wastes.

d) Air emissions and depositions.

e) Wildlife interactions.

f) Condition compliance.

g) Specific results of implementing EMP commitments. Improvements or adjustments to the EMP over time in the context of overall environmental performance.

6) **Safety**: measures the proponent will implement with respect to the safety of land users that may be exercising treaty rights in the HV1 area, including:

a) Check-in procedures.

b) Road safety; and

c) Communication or notification protocols in the event of an emergency.

Unless indicated otherwise, the expectation is that Oil and Gas Activities will be planned, constructed, operated, maintained and restored in accordance with the EMP on file and this will be enforced through the application of relevant permit conditions and compliance/enforcement processes.

7.6 Site-Specific Mitigation Triggers

Site-specific assessment and mitigation measures are required for proposed Oil and Gas Activities where a General EMP is not expected to sufficiently avoid or mitigate impacts to key Values. A site-specific supplemental mitigation strategy, prepared with applicable QP/QEP oversight will be required to articulate additional considerations and/or mitigation measures that will be implemented to address the following:

- Impact Old Forest and/or Recruitment Forest. Proponents must demonstrate how impacts to Old Forest (140+) and Recruitment Forest (120+) have been minimized,

considering the characteristics of the Old Forest/Recruitment Forest that will be impacted.

- Impact critical habitat for federally listed Species at Risk, or habitat that has a reasonable likelihood of supporting provincially-listed Species at Risk and/or Endangered/threatened ecosystems, as identified in the BC Conservation Data Centre. Proponents must identify the species and/or ecosystems at risk and explain how impacts will be avoided or mitigated.
- Impact aquatic habitat (e.g., watercourses and wetlands) as allowable by these conditions, except to facilitate a low risk crossing as defined in Section 7.6.1. The site-specific mitigation measures will demonstrate how impacts to the aquatic feature will be minimized and to characterize the aquatic habitat that will be impacted.
- Impact a Riparian Management Area (as defined in Figure 6), except to facilitate a low risk crossing as defined in Section 7.6.1. Proponents must demonstrate how the riparian and aquatic values will be maintained, and impacts minimized.
- Establish a new wellpad within a Riparian Management Area. The site-specific mitigation measures will include measures to protect aquatic and riparian habitat from inadvertent returns, including both solid and liquid material.
- Impact high suitability/capability moose habitat and/or fisher habitat. Proponents must identify measures to minimize impacts to the moose or fisher habitat.
- Carrying out Oil and Gas activities in high or moderate value moose habitat that may disrupt moose during the caution or critical moose timing window. Proponents must identify measures to avoid, minimize and mitigate impacts to moose during this period.

7.6.1 Low-Risk Crossings

Low-risk crossings where a site-specific mitigation strategy is not required, unless other triggers require a site-specific mitigation strategy, include:

Dry streambed ford:

- A one-time crossing (over and back) in a seasonally dry streambed.
- Where compaction/rutting can be avoided.

Winter crossings:

- Snow fills that are constructed of clean snow and will not restrict water flow at any time.
- Will not result in sedimentation or compaction/rutting.
- Where the aquatic feature is frozen completely or where there is sufficient stream flow and water depth to prevent the ice/snow bridge from coming into contact with the stream bed or restricting the water movement beneath the ice.
- Does not require placing any other materials into the aquatic feature (e.g., rocks, logs, gravel).

Clear-span bridges:

- Where work does not require:

- Realignment of the watercourse
- Placement of fill/structures, including scaffolding, abutments, footings, and rock, below the 1 in 5-year high water mark.
- Installing a culvert (temporary or permanent)
- Pile driving.

AND where:

- a QEP/QP confirms the EMP is sufficient to protect aquatic and riparian habitat, and,
- tree removal (greater than 20 cm diameter breast height (DBH)) can be avoided.

7.7 Impact Offsetting Triggers

Environmental offsetting will be required, in addition to site-specific mitigation measures, to address any of the following impacts:

- New Disturbance within Riparian Reserve Zones (as defined in Table 3) and/or aquatic habitat as may be allowable by these conditions; and/or
- Impacts to Old Forest.

In these cases, offsetting in association with individual applications for Oil and Gas Activities will require an offsetting plan. Details on the offsetting plan requirements are provided in Section 7.9.

7.8 Operational Rules: Setbacks, Timing Constraints, Limits and Activity-Specific Conditions

In addition to the requirements described above, proponents will need to comply with the following operational rules for all activities in the Gundy Complex. These operational rules are additive to existing regulation, policy, and guidance under the Environmental Protection and Management Regulation and BRFN IA Regulation.

7.8.1 Riparian Setbacks

In addition to the Riparian Reserve Zones (RRZ), Riparian Management Zones (RMZ) and Riparian Management Areas (RMA) prescribed in regulation and policy under the Environmental Protection and Management Regulation (EPMR) and the BRFN IA Regulation, the setbacks outlined in Table 3 apply in relation to Oil and Gas Activities carried out within the Plan area. With respect to Table 3:

- "aquatic features" includes S1-S6 streams, non-classified drainages, wetlands (as defined in the *Water Sustainability Act*), and bogs.
- The RMA, RRZ, and RMZ are measured from the greater of the top of bank, 1 in 5-year high water mark, or where there is a distinct shift from aquatic vegetation to upland vegetation.
- As part of the RMZ consideration of material adverse effect, New Disturbance in the RMZ will only be considered when it can be demonstrated that proposed works:

- Cannot be relocated out of the RMZ due to operational or technical constraints as confirmed by a QEP/QP.
- Can proceed without interfering with the integrity of the RRZ or aquatic habitat. *Site-specific mitigation measures are required for New Disturbance that is not a low-risk crossing (as defined in 7.6.1) proposed in the RMZ.*

- New Disturbance is not permitted within the RRZ except to facilitate crossings or in accordance with the activity specific practices detailed in s. 7.8.6 (Geophysical Activities).

For any permanent infrastructure (e.g. well or facility and pipelines that propose trenched construction methods) proposed within a wetland, proponents must demonstrate how the natural flow of water within the wetland will be maintained over the life of the development.

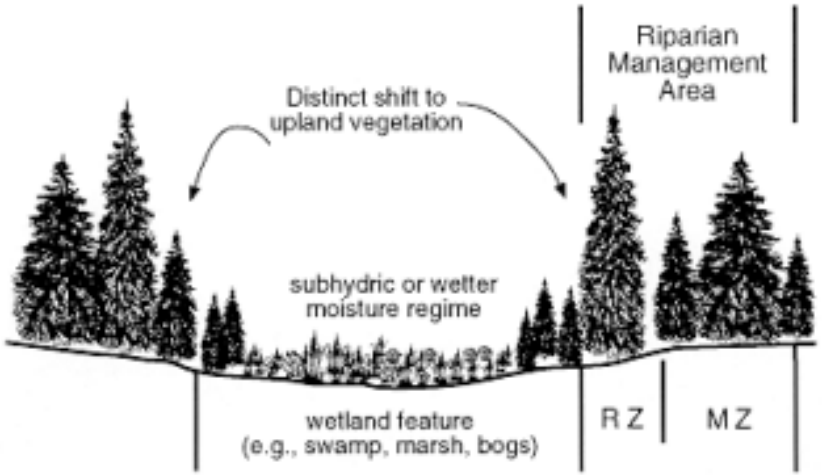


Figure 6: Aquatic Riparian Management Area, Riparian Reserve Zones, and Riparian Management Zones. Figure obtained from the Environmental Protection Management Guideline

Table 3: Minimum expected widths for RMZ, RRZ, and RMA

Feature	Riparian Reserve Zone	Riparian Management Zone	Riparian Management Area
S1-A Stream	100 metres	100 metres	200 metres
S1-B Stream	100 metres	40 metres	140 metres
S2 Stream	100 metres	30 metres	130 metres
S3 Stream	40 metres	40 metres	80 metres
S4 Stream	30 metres	30 metres	60 metres
S5 Stream	30 metres	30 metres	60 metres
S6 Stream and non-classified drainages (that are hydraulically	20 metres	20 metres	40 metres

Feature	Riparian Reserve Zone	Riparian Management Zone	Riparian Management Area
connected to fish bearing streams)			
Non-classified drainages (that are not hydraulically connected to fish bearing streams)	0 metres	20 metres	20 metres
W1 Wetland	50 metres	50 metres	100 metres
W2 Wetland	30 metres	30 metres	60 metres
W3 Wetland	30 metres	30 metres	60 metres

7.8.2 Cultural Setbacks

The following cultural setbacks will apply in the Gundy Complex:

- 1 km setback from First Nations' cabins as established in regulation.
- 500m setback from First Nations' campsites, spiritual and medicinal plant sites as established in regulation.
- 250m setback from mineral licks or wallows and established cultural trails as established in regulation; and
- 1 km setback from First Nations burial sites for all activities including trenchless construction methods.

These setbacks apply where these locations have been communicated directly by a First Nation to the proponent or mapped and provided to the Province in accordance with s. 14.4(c) of the BRFN IA.

7.8.3 New Disturbance within 250 metres of a Protection Zone

For activities proposed within 250 metres of a Protection Zone, proponents must take measures to evaluate and address the following risks to ensure that the Protection Zone is not impacted, following QP advice:

- Windthrow hazard.
- Risk of deleterious materials (dust, sediments, airborne contaminants, etc.) or invasive species introduction.
- Impacts to viewscapes and soundscapes.
- Impacts to hydrological flows to and within the Protection Zone; and
- Erosion and slope instability.

7.8.4 Timing Considerations

In general, construction and maintenance activities should be planned to be carried out at times and during seasons where they will have the least risk of adverse impacts to identified Values. For example, instream activities should be carried out during least-risk windows for fish, per the Environmental Protection and Management Guideline. The priority for most timing considerations in the Plan Area relate to peaceful enjoyment and moose.

Peaceful Enjoyment: In consultation with Nations, proponents should determine, at a site-specific scale, when proposed activities would be the least impactful to land users. For example, the Nations may prefer that construction activities be avoided in late summer where they are proposed near berry picking areas.

Moose: Commencement of construction activities within high or moderate suitability or capability moose habitat should be avoided between May 15 and July 15. Activities that have begun before this period may continue and activities that cannot be avoided may commence, provided applicable mitigations to minimize stress on moose are implemented in accordance with the proponent's EMP or a supplemental mitigation strategy.

Wherever possible, activities with the potential to increase stress on moose within high or moderate suitability or capability moose habitat, should be planned to occur during the low-risk period, between July 16 – November 15.

7.8.5 Limits (New Disturbance Caps)

Subject to confirmation at the Annual Meeting, and upon legal implementation of the Plan, the Plan Area is not subject to the New Disturbance Caps. An annual review of implementation of caps under the BRFN Implementation Agreement must take place at the Annual Meeting under s.7.15 of the Implementation Agreement.

Should any additional development activities be proposed beyond what was considered in developing the Gundy Plan and to which BRFN opposes on the basis of additional New Disturbance, BRFN may trigger a review of the proposed additional activities in relation to the Plan. Those activities will not be permitted under the Gundy Plan until a review is carried out with BRFN, and a determination is made regarding whether the HV1 areas may or may not support the additional development.

7.8.6 Activity-specific practices

For activities that have unique impacts and/or risks to Values, some activity specific practices are required.

7.8.6.1 Pipelines:

1) Incorporate the best available line-of-sight mitigations along linear developments at least every 200 m (or more frequently if the case specific circumstances warrant) and where linear disturbances intersect roads, seismic lines, and electrical transmission lines. Line-of-sight mitigations may include, but are not limited to, tree bending, boulder placement and dog legs.

2) Demonstrate Best Efforts[17] to reduce the width of existing corridors for the full linear length where proposed activities overlap existing rights-of-way.
3) Adopt water and wildlife movement-friendly designs, including, but not limited to avoiding hardscaping (e.g., concrete, asphalt, pavement) when permeable materials suffice (e.g., nature-based solutions), integrate small mammal and amphibian crossing structures into right of way post-construction remediation, integrate beaver deceivers, and ensure ditches and barrows will not entrap wildlife.
4) Above-ground appurtenances must not be located within an RMZ. Riser sites and pigging facilities must not be located within wetlands.

7.8.6.2 Geophysical Activities:

1) Where the program has demonstrated need, new geophysical activities must be planned and carried out in accordance with the following:
    a. Line of sight and access mitigations, including meandering avoidance, tree bending, boulder placement, dog legs and other mitigations as appropriate, must be implemented at minimum at:
        - Intersection points of seismic lines and roads.
        - Intersection points of seismic lines and pipelines.
        - Intersection points of seismic lines and electrical transmission lines; and
        - At regular intervals along the seismic lines.
    b. Industry standard best practices for low impact seismic techniques.
    c. Vegetation should be hand trimmed and compressed under equipment to support regeneration after completion of works and mulch should not exceed 4 centimetres in depth.
    d. Avoid intersections with access routes wherever possible.
    e. Source lines must avoid the RMA established for all streams, lakes, wetlands where operationally feasible. Where source lines are proposed within RMZ they must be appropriately justified (demonstrated need) and require a site-specific mitigation strategy to identify and address impacts to riparian values. Source lines within the RMZ must avoid trees to the extent feasible and use a meandering path to avoid creating lines of sight. Source lines must avoid the RRZ.
    f. Receiver lines within the RMA (RMZ and RRZ) must have demonstrated need, be hand cut, avoid trees (>20 cm dbh), and use a meandering path to avoid creating lines of sight.
    g. Implement a QEP/QP developed restoration plan within one growing season of seismic activities. In addition to the restoration requirements within 7.5(4) the restoration plan for seismic lines must achieve:
        - Recovery of exposed soils within one growing season,

[17] Best Efforts means all reasonable and good faith efforts to achieve the objective.

- Vegetation re-growth to the lesser of: the height of the surrounding vegetation (e.g., in shrub habitat) or moose height (2 m) within five years. If this is not achievable given the vegetation present pre-disturbance, the QEP/QP will provide an alternative performance indicator suitable for the location,

h. Implement a QEP/QP developed success monitoring and maintenance plan to monitor the effectiveness of seismic line restoration works over five growing seasons to determine restoration efficacy. This includes but is not limited to:
   - Noting areas of potential impact, including where vegetation is not regenerating or where predator/recreational access may be of concern.
   - Evaluating restoration work against the following success criteria:
     - Measurable improvement in the ecological condition of the restored,
     - Indication that the restored ecosystem is self-sustaining, and
     - Indication that no further harm is inflicted in the restored area.

i. Where the restoration monitoring effectiveness identifies deficiencies, adaptive management including additional restoration strategies (riparian areas, or areas of concern identified through monitoring) must commence within one growing season of final activities or the identification of need, whichever is sooner. Restoration success and challenges must be documented.

7.8.6.3 Borrow Pits: the following requirements apply to borrow pits within the Plan Area:

- Construction of borrow pits that do not hold water is encouraged. Where pits do contain water, restoration activities with a priority of naturalizing the borrow pit must begin within one growing season of the last use of the pit for fill material.
- Borrow pits must not be located such that there is hydrological connectivity with streams, lakes or wetlands and must be constructed to ensure no compromise to or interference with slope stability or drainage patterns.
- As soon as practicable following the use of the borrow pit to support operations, steps must be taken to recontour the borrow pit and, where feasible, refill with appropriate soil materials.

7.8.6.4 Linear Disturbances in High Value Moose Habitat

Projects that will result in new linear infrastructure (e.g., pipelines, roads) on portions of the CIMZ overlapping or bisecting high and moderate suitability and capability moose habitat will apply measures to maintain or enhance habitat connectivity across the areas of disturbance. In these circumstances, proponents must implement measures to facilitate unimpeded wildlife movement across the linear development at least every 500 m along it.

Opportunities to improve landscape permeability to moose with respect to pipelines and other ROWs include:

a) burying infrastructure and revegetating with a native plant assemblage that provides visual shelter.

b) Installing a wildlife overpass structure where above-ground pipelines or other infrastructure may impede moose passage across the right of way for more than 250 metres.

c) Elevate above-ground pipelines at least 180 cm from the ground to allow for moose passage underneath.

Measures to reduce the potential for moose-vehicle collisions on roads must also be implemented. These may include:

a) Monitoring to produce hot spot mapping for moose crossings and enhancing safe passage conditions at these locations.
b) Establishing forage on roadsides with less palatable species and altering dates and times of ditch cutting.
c) Reducing any roadside mineral licks that attract moose to roadsides – moving them or creating mineral licks off road.
d) Motion detection wildlife crossing signs.
e) Reduced speed limits.

7.9 Offset Considerations

Anticipated development within the Plan Area has been considered in the context of the protection, restoration and conditions for development outlined in this section and in the BRFN IA. As a result, residual offset requirements are not anticipated to be needed where proposed development avoids New Disturbance within RRZs and/or Old Forest (per 7.5).

If careful siting, design of the project activities and application of mitigation measures are not expected to alleviate the risk of impacting RRZs and/or Old Forest, then these proposed developments must propose a compensatory restoration and/or enhancement plan to offset the proposed impact (Category 3).

Offsetting provides proponents with an avenue for moving forward on proposed activities that require incursions into important areas or unavoidable impacts on Values that are not otherwise addressed in these Conditions for Development. Offsetting is a tool available to proponents after all options to avoid, reduce and mitigate have been duly and carefully considered.

The Offset Plan that includes proposed compensatory restoration, and/or enhancement measures, must demonstrate a net benefit contribution to impacted ecological values and be commensurate to the magnitude of impact. Offsets may include conventional restoration-style projects, such as compensating for an incursion into a riparian buffer by restoring off-site riparian habitat at a ratio that accounts for time lags and restoration effectiveness. Creative options for offsetting are also acceptable, such as soil restoration efforts in the Plan Area.

Proponents seeking to carry out development that would fall in Development Category 3 are encouraged to discuss offset opportunities including candidate restoration areas and proposed ideas through early pre-engagement with Nations. The suite of activities that may be considered as potential offsets includes but is not limited to:

a) Restoration activities on legacy disturbances (e.g. restoration of disturbances that do not have a regulatory restoration obligation, such as historic seismic lines; improvement of stream crossings on permitted roads; non-status roads).
b) Ecological restoration projects in partnership with one or more Nation.

A compensatory habitat offsetting ratio must be identified by a QEP/QP based on site-specific conditions. A ratio of 4:1 or equivalent (by area or impact) is recommended as the base level that may result in a neutral level of offset, but determination of the appropriate offset will be subject to the recommendations of the QEP.

The following considerations apply to determination of potential suitable offset opportunities:

a) Offset proximity to potential impact: consideration should be given to maximizing the benefit of the offset relative to the impact and, depending on the specific circumstances, may be more appropriate either closer or further from the location of the development footprint being considered.
b) Offset projects may not need to be "in kind" with the potential impact: if opportunities to positively impact the ecosystem exist that support other values or overall ecosystem health, these could also be evaluated and considered.

8.0 Forestry

This Plan only applies to Oil and Gas Activity. Commercial forest harvesting is not permitted within the HV1 areas that comprise the Plan Area, per the BRFN IA. Timber harvesting activities may continue in woodlot W2102 without additional conditions. Guidance and direction for Forestry activities is otherwise addressed in Article 6 of the BRFN IA.

9.0 Water

BRFN has long expressed to the Province concern with several water quantity and water quality issues, including water over-extraction, with streams and surface water bodies being pumped to low levels, impacting the health of the aquatic environment, including fish and wildlife resources, and impairing the ability of BRFN to utilize the streams and surface water in their traditional territory in a manner promised in Treaty 8.

In response to BRFN's concerns and treaty rights, BRFN and the Province are jointly and cooperatively piloting a quantitative Environmental Flow Needs (EFN) approach that is to be applied to water use authorizations issued by the Province under the *Water Sustainability Act* (WSA) within the 'pilot' area consisting of the Blueberry River, Upper Beatton River, and the Lower Sikanni Chief River WMBs. This new approach, outlined in Schedule P of the BRFN IA, is intended to provide a standard defensible, quantitative framework through which BRFN can have confidence that surface waters are not being over-extracted, the health of the aquatic environment is protected, and BRFN can utilize streams and surface water in their traditional territory in a manner promised in Treaty 8. BRFN endorsed this new EFN approach in November 2023. Upon implementation, the pilot phase of this new EFN Framework will remain in effect

until made permanent or replaced following its collaborative review, which is to be completed before December 31, 2024.

The Dancing Ground portion of the Gundy Complex falls within the Blueberry River WMB, and thus Schedule P's pilot area. However, all proposed water use projects are strongly encouraged to be consistent with the new EFN Framework throughout the entire Plan area.

10.0 Performance Management and Reporting

10.1 Approach

BRFN and the Province will evaluate the level of progress of the Plan in achieving the objectives identified in Section 3 and will review the Plan as contemplated under s. 7.12 of the BRFN IA every five years.

The overall focus of the performance management approach is to answer the following:

1. Is the Plan being implemented as efficiently and effectively as possible?
2. Are adjustments to the Plan required to improve the effectiveness of the measures in meeting the outlined objectives?

The following section outlines guiding principles for tracking both implementation measures and effectiveness measures of the Plan:

- Implementation Monitoring measures the status of plan implementation. This includes considerations such as:
    - Have the measures and actions described in the Plan been implemented?
    - What is the status of implementation, relative to the target implementation timeline?
    - Have the milestones and deliverables identified through the planning process been met?
    - Have the funds and resources allocated to plan implementation been assigned, leveraged, and applied as anticipated?
- Effectiveness Monitoring provides for an assessment of how well the measures and objectives identified in the plan are achieving their intended results and advancing the plan vision. As an example, effectiveness monitoring includes considerations such as:
    - Are the measures, objectives, and actions in the plan providing for recovery of the plan area in a manner that improves the ability to exercise Treaty Rights?
    - Are the measures, objectives, and actions identified in the plan resulting in recovery of identified ecological values?
    - How well is the Plan aligned with and supporting progress towards achieving Old Forests as identified in the EBM Framework, and other targets identified in the

Blueberry River and Cameron River WMB Plans (note: these WMB plans are not yet developed)

- How effective are the "Conditions for Development" in guiding applications to avoid or mitigate impacts on the environment and ability to practice Treaty Rights?

Due to the extensive and pervasive nature of past disturbances, a significant timeframe is expected before appreciable progress towards objectives is likely to be observable. Should implementation or effectiveness monitoring detect issues of concern, a scope of deeper inquiry will be discussed and implemented by BRFN and the Province.

10.2 Constraints and Limitations for Performance Monitoring

It should be noted that data limitations for the current baseline conditions and the capacity to periodically update these data must be considered in identifying how performance will be evaluated over the lifecycle of the Plan. Significant resources will be needed to accurately detect and confirm changes in the condition of the Values that this Plan seeks to address, and it is unclear if these resources will be available.

The WMB planning is more comprehensive and will provide direction for all sectors. WMBs are long-term plans covering a large geographic area and will manage Values over a longer temporal scale. It is anticipated that these attributes of WMBs will allow for a more fulsome linkage between objectives and indicators that can assess trends in improving identified Values. The development of objectives and indicators for the WMBs can consider expanded effectiveness monitoring of the plan with respect to the Values included in HV1 Plans (including this Plan).

10.3 Plan Evaluation and Reporting on Key Indicators

Monitoring and reporting will be undertaken to track progress towards achieving the objectives identified in this Plan and to inform the mandatory three-year review of the Oil and Gas Activity provisions under the BRFN IA under section 7.16 of the Implementation Agreement, with specific reference to 7.16(e), which requires an assessment of progress and effectiveness of any agreed-upon HV1 Plans. In addition, approved HV1 Plans shall be reviewed every five years by BRFN and BC under s. 7.12 of the BRFN IA.

Tracking and monitoring of key performance indicators is critical for ensuring that the plan is achieving its stated objectives and is in alignment with broader environmental, cultural, economic, and regulatory considerations in the region. It provides a systematic and data-driven approach to assessing both progress and effectiveness of plan implementation, for the benefit of current and future generations.

Indicators have been chosen with consideration of achieving future alignment with relevant WMB Plans, such that HV1 Plan indicators may complement those that may likely be used to track progress of WMB Plans.

The tables below provide a suite of indicators that will be used to monitor both the Implementation progress of plan, as well as the effectiveness of the plan in achieving plan objectives.

Protection Zones			
INDICATOR – PLAN OBJECTIVE 1	**Target**		
1. > 60% of each HV1C area is protected from New Disturbance from Oil and Gas Activities	Year 1	Year 3	Year 5
	> 60%	> 60%	> 60%
2. Amount of New Disturbance permitted within Protection Zone.	Year 1	Year 3	Year 5
	0	0	0

Restoration			
INDICATOR – PLAN OBJECTIVE 3	**Target**		
Area (ha) of existing disturbance within the Plan Area assessed and determined whether restoration is required	Year 1	Year 3	Year 5
	500 ha	1000 ha	1500 ha
The distribution and density of linear features (transmission lines, roads, pipelines, and seismic lines) for the Protection Zone (inclusive of CIMZ) and for the Development Zone for each HV1 area.	Year 1	Year 3	Year 5
	Same	Consolidation is evident	Increased consolidation from Year 3
Net change of linear disturbance (km) in each HV1 area	Year 1	Year 3	Year 5
	Same	Same or lower	Lower
Area (ha) with active restoration initiated (by any party). Targets to be informed by BRRS work planning	Year 1	Year 3	Year 5
	TBD by BRRS Workplan		

Development Zones			
INDICATOR – PLAN OBJECTIVE 2	**Target**		
% of new Oil and Gas development applications that demonstrate measures to reduce footprints and consolidate proposed activities with existing disturbance.	Year 1	Year 3	Year 5
	100%	100%	100%
% of compliance verifications showing satisfactory implementation of permits / conditions during construction, operations, and/or de-commissioning.	Year 1	Year 3	Year 5
	>90%	>95%	>97%

Socio-economic Factors			
INDICATOR – PLAN OBJECTIVE 2	**Target**		
The proportion of existing subsurface petroleum tenures within the Plan Area reported inaccessible by the tenure holders.	Year 1	Year 3	Year 5
	0%	0%	0%
Ratio of applications for Category 1 & 2 to Category 3 developments submitted.	Year 1	Year 3	Year 5
	80/20	80/20	80/20

Additional indicators may be identified by BRFN and BC at the time of any assessment process.

The methods required to collect the relevant data to assess progress against the identified indicators above may include field investigations, community engagement, desktop analysis of available information, and additional data collection, as necessary.

Should the monitoring and evaluation process identify critical items to address, BRFN and the Province shall establish a scope of work to conduct a deeper inquiry, including possible additional data collection as needed.

11.0 Implementation

11.1 Roles and Responsibilities

To facilitate the implementation of the Plan, clear roles and responsibilities will be defined for each party involved. An overview of these roles is outlined in this section; however, there may be additional responsibilities that emerge through plan implementation that will be assigned as applicable. The effective date of the Plan will be the date that it is given legal effect through regulation. BC will discuss implementation steps, consider roles and responsibilities for implementation actions and timelines for completion in consultation and collaboration with First Nations.

11.1.1 Government of BC

The Province, as a signatory to the BRFN IA and this Plan, has certain responsibilities in its implementation. These include but are not limited to:

- Giving legal effect to the Plan, including establishing legal protection for the Protection Zone, and directing the BCER to implement plan elements in adjudication of statutory decisions.
- Providing support, resources, and expertise, as applicable, to assist in the implementation of the Plan. Leading joint implementation forum, as applicable.
- Jointly with BRFN, providing recommendations to the BRRS regarding restoration opportunities and priorities in the context of the Plan.
- Jointly with BRFN, monitoring and evaluating the effectiveness of the Plan's implementation and considering consequential adjustments as required. This may include collection and analysis of information to support performance management and monitoring under this Plan.
- Jointly with BRFN, consider how consultation on other natural resource applications within the Plan area may be informed by the Plan in advance of completion of applicable WMB Plans.

11.1.2 BRFN

BRFN will play a significant role in the implementation of the Plan as a key component of the Cumulative Effects Management Regime set out in the BRFN IA. Their responsibilities include (but are not limited to):

- Jointly with BC, developing tools to support application submission, application review and consultation processes for PNG applications within the Plan area.
- Participation in provincial statutory decision-making processes, through consultation on applications, related to Crown authorizations within the Plan area.
- Participation in BRFN-BCER Consultation Process for all proposed Oil and Gas Activities, in a manner consistent with obligations under the BRFN IA and other processes agreed to by BRFN and BCER. BRFN and BCER will consider amendments to current approach to the agreed upon consultation process to support the acknowledgement in s. 7.14 of the BRFN IA in support of expeditious consideration of Oil and Gas Activity applications that are consistent with the Plan.
- Jointly with BC, providing recommendations to the BRRS regarding restoration opportunities and priorities in the context of the Plan.
- Jointly with BC, monitoring and evaluating the effectiveness of the Plan's implementation and considering consequential adjustments as required.
- Jointly with BC, consider how consultation on other natural resource applications within the Plan area may be informed by the Plan in advance of completion of applicable Watershed Basin Management Plans.

11.1.3 BC Energy Regulator

The BCER, as the regulator for Oil and Gas Activities in BC, will have a significant role in implementing the elements of Cumulative Effects Management Regime established under this Plan. This includes:

- Implementing the operational component of the Plan with First Nations in a manner consistent with obligations under the BRFN IA, other agreements with First Nations, direction from Government, and other processes agreed to by First Nations and BCER.
- Review of all submitted Oil and Gas Activity applications within the Plan Area to ensure compliance with the Plan, including its restrictions on New Disturbance within the Protection Zone, goals to wind down and protect activities within the CIMZ and new rules and conditions for development that apply to all new for Oil and Gas Activity development applications, prior to referral to First Nations.
- Jointly with First Nations, develop tools to support application submission, application review and consultation processes for PNG applications within the Plan area to ensure appropriate implementation of the Plan.
- Ensure compliance for with relevant laws, regulations, and policies for new and existing PNG activities as well as other regulated elements of Plan implementation.
- Providing support, resources, and expertise, as applicable, to assist in the implementation of the Plan.

11.1.4 PNG Industry

PNG industry proponents are required to comply with this Plan. Specifically, proponents will be expected to:

- Ensure proposed activities are planned and proposed in accordance with any restrictions and the conditions for development outlined herein.
- Pre-engage with First Nations regarding proposed development activities within the Plan Area.
- Tenure holders and infrastructure owners in the Plan area must make best efforts to meet (at least once per year) with BRFN to discuss annual permitting and construction priorities.
- Submit to BCER and First Nations an EMP, per Section 7, that pertains to their planned development within the Plan Area.
- Collect and provide information as requested to support performance management and monitoring under this Plan.

11.2 Shared Decision-Making

BC and BRFN have acknowledged and agreed on a commitment to advancing new approaches to shared decision-making through the collaborative development and approval of HV1 Plans. This plan represents the shared decision between BC and BRFN regarding future PNG development and restoration activities within the Gundy, Townsend Creek and Dancing Grounds HV1-C Areas. Any new Oil and Gas Activity applications that are consistent with this Plan shall proceed through the BCER-BRFN consultation process.

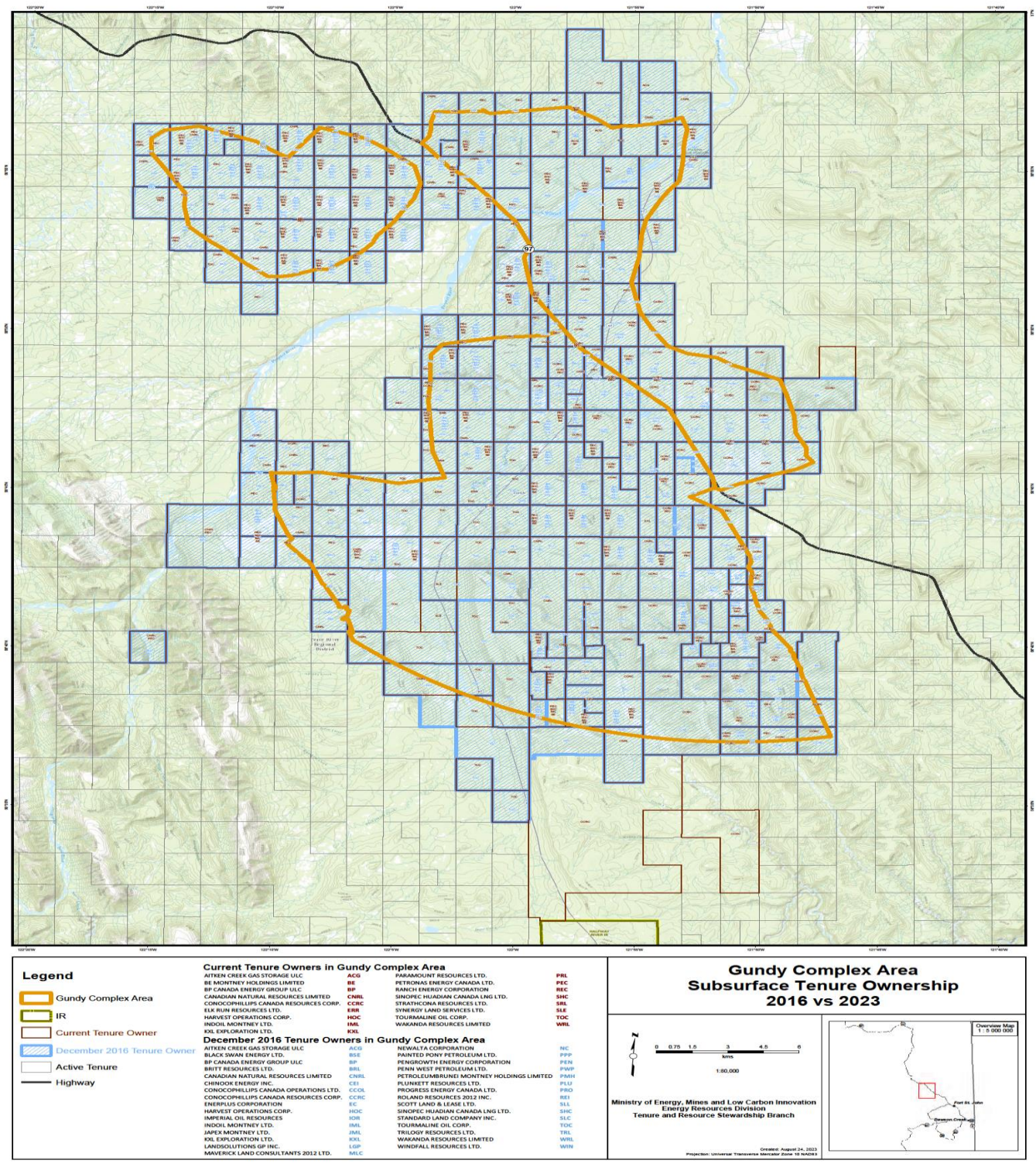
Plan elements may be considered for application to other natural resource sector activities through BRFN/BC consultation on individual proposed activities and through Watershed Basin Management planning to be undertaken for the Cameron River and Blueberry River WMBs.

11.3 Revisions or Amendments to the Plan

This Plan shall be reviewed every five (5) years, or as may otherwise be agreed to by BRFN and the Province, and upon any such review may be revised by mutual agreement between the BRFN and the Province as provided for under s. 7.12.

12.0 Appendices

Appendix 1 Oil and Gas Tenure Holder Map



Appendix 2 BRFN Technical Modelling of High Value Areas

The High Value Areas identified through technical modelling were based on ecological and cultural data analysis as well as consideration of PNG interests. This data provided integral information in the development of the Protection and Development Zones presented within the Plan. This appendix summarizes that work.

Data Layers

As this is the first HV1 plan, there was considerable upfront effort and time to access, compile and review datasets so they could be used to undertake the spatial analysis.

The BRFN planning team considered 29 spatial data layers using Marxan software (see description below), covering five broad categories:

- Land jurisdiction and ownership information, including information about existing PNG tenures.
- Ecosystem information, including base layers for ecosystem information and derived ecosystem value layers.
- Cultural values.
- Wildlife values; and
- Disturbance data inputs, including the existing infrastructure footprint.

Primary data sources used to build the spatial dataset for the Gundy HV1C Plan include the vegetation resources inventory (VRI) from 2021; two key datasets from the Northeast RSEA , including the disturbance dataset and the moose habitat model; the SLU Data Layer plus Schedule I approvals from BCER; a fisher habitat model developed by the government of British Columbia; a digital elevation model; and BRFN's internal cultural use database.

Consideration of the existing infrastructure footprint, including PNG Tenures, existing PNG infrastructure and associated roads used by oil and gas operators, was a key dataset considered by the planning team and incorporated into the Gundy Complex Plan. The planning team conducted an analysis to establish the existing disturbance footprint (Existing Infrastructure Footprint (EIF)) associated with PNG activities within the Plan area. The purpose of developing this disturbance layer was to inform the modeling and analysis work needed to identify the Protection and Development zones in the Plan by identifying areas with relatively lower and higher levels of disturbance. The goal was to accurately classify the EIF associated with all surface disturbance within the Gundy Complex, including oil and gas exploration and production and temporary roads associated with forestry activities (where these were also used for PNG activities). The planning team used multiple data layers to create a single EIF dataset, which was then attributed using a series of other datasets.[1] This process is summarized below.

The EIF dataset was analyzed to distinguish between different classes of existing PNG infrastructure, with the objective of distinguishing high-impact, permanent infrastructure, most appropriately located within the Development Zone, and infrastructure that can either be restored (i.e. seismic lines, road to cutblocks with free-to-grow status) or may not be permanent.

Table 1 *Disturbance Classification Types*

Class	Description
1a	High impact, permanent infrastructure (i.e., larger, midstream pipelines that gather product from numerous locations, roads that are larger than 20 m wide, camps; both within and outside / directly adjacent to Gundy HV1C complex)
1b	Permanent infrastructure with a lower relative impact (i.e., smaller industrial roads)
1c	Newly approved development (treat as per Class 1 but with caveat that it has not yet happened / may be adaptable to meet new plan standards and conditions)
2	Infrastructure that may not be permanent. Infrastructure in this category is not well characterized in the dataset and may be recovering or restorable. Infrastructure in this class could be reclassified through field verification or remote sensing (e.g., LiDAR), in combination with an improved status dataset.
3	Infrastructure that can be restored, primarily seismic lines, roads to cutblocks that have reached free-to-grow status.

Initial Community Guidance and Engagement

BRFN knowledge of the planning areas has been a critical component of the planning process, as protection and recovery of Treaty Rights is an ultimate goal of the Plan. The BRFN IA was written to be compatible with community and cultural processes and protocols to the greatest extent possible; as such, the development of this plan has aligned with these processes and protocols. Community guidance and engagement was integral to setting an overarching approach to the plan, including by identifying values and objectives and high value and sensitive areas for spatial planning. BRFN values are fundamental to the development of the plans associated with the BRFN IA, and community engagement seeks to ensure that the content of these Plans is shaped by BRFN Indigenous knowledge of the planning area.

BRFN undertook extensive community engagement with all five BRFN family groups in both summer and fall of 2023 over multiple weeks.

The initial community engagement session in July-August 2023 included on-territory mapping and field verification of specific sites identified in family-based mapping sessions. During summer engagement, participants confirmed that the values and weightings for the Marxan model were appropriate and that the team should focus on protecting these areas, emphasizing the importance of rivers and streams, riparian areas, wetlands, moose licks, berry patches, medicinal plants, and old forest, particularly mixed wood and white spruce-leading stands. Participants emphasized the importance of protecting the values that support the exercise of Treaty rights for all Treaty 8 Nations.

Extensive materials were prepared to facilitate engagement sessions and record information shared by BRFN.

Data collected during field verification sessions also confirmed spatial classifications used in the VRI_2021_ reflected forests on the ground and aligned well with habitat suitability models for moose and fisher. Data layers were updated to incorporate data shared by BRFN knowledge holders.

Marxan with Zones Modelling

Given the complexities of planning for protection within a heavily impacted landscape and the many overlapping values to be considered within the plan, a systematic conservation planning software called Marxan with Zones (Watts et al. 2009) was used to identify the best areas for protection. Marxan is a decision support tool that can be used to help identify the best areas for protection based on the values captured within these areas, the proximity of areas to development, and the requirement to meet certain spatial targets within each zone. This structured planning software allows for a holistic consideration of the many values required to support Treaty Rights, and to identify the best areas for protection of ecological, cultural and connectivity values in consideration of existing industrial infrastructure, including areas which concentrate development and reduce fragmentation. By weighting different factors appropriately within the Marxan planning tool, the planning team has been able to integrate ecological and cultural values to ensure that the final Protection Zone reflects a strong path forward for the recovery of Treaty Rights and their associated values within this area of Treaty 8 territory.

The planning team employed two approaches to Marxan: (1) a values-driven approach aimed at protecting the highest value ecological and cultural areas while ensuring landscape connectivity; and (2) combining the values-driven approach with industrial interests which pushed Marxan to protect areas further from the EIF while also creating industry corridors with emphasis on the locations of Class 1 disturbance types, particularly concentrations thereof, described in the table above.

Through these approaches, a draft protection areas map was developed, with some principled adjustments made to systematically review and remove the smallest isolated polygons from protection with the goal of creating more contiguous protection zones.

The result was a draft protection/development map identifying candidate areas for protection to be verified with BRFN leadership, community, and knowledge holders.

Community Engagement and Protection Areas Verification

The second community engagement session occurred in early October 2023, which was delayed due to wildfires in the region. This week-long engagement session focused on verification of revisions to the candidate areas for protection resulting from the two Marxan approaches. Community engagement included: meetings with BRFN family groups, community open houses and field- and helicopter-based data verification, including verification of proposed protection and development zones. Extensive materials were again prepared by the Firelight Group to facilitate engagement sessions and record information shared by BRFN knowledge holders.

The specific guidance provided by BRFN families confirmed the importance of protecting high value ecological areas including moose habitat, old forests, water, streams, wetlands and beaver dams in addition to cultural zones of importance. Concern was expressed that any industrial

activity would be allowed to continue or occur within the Protection Zones, with cultural access and restoration seen as the only two permissible activities within protected areas.

For all three of the areas, community members emphasized the importance of ensuring that specific areas of high cultural use and spiritual value (i.e., cabin sites and surrounding areas within 1 km, trails, burial sites), as well as moose licks and moose hunting areas, were included in the Protection Zone. The guidance below is in addition to the general principles and values applied when creating the final zones:

- **Dancing Ground HV1C**:
    - Community members emphasized protecting the areas closest to the Dancing Ground HV1A area.
    - Community members identified specific linear features that occur too close to the Dancing Ground HV1A area, and that should be shut down. Specifically, participants want one of the roads to be closed to industry and for community access only.
    - One pipeline was identified in proximity to the Dancing Ground HV1A area, but community members suggested maintaining this line as opposed to moving it and creating a new disturbance elsewhere.
    - Community members identified that the culturally and ecologically important Blueberry River headwaters are located in this area, and that these headwaters need to be protected.
- **Townsend HV1C:**
    - Community members want to protect as much of this area as possible, including restoring areas that currently have pipelines, to support and recover Treaty Rights practices.
    - The riparian corridor through the west side of this area is especially important as this is relatively intact. Participants identified that the pipelines that cross this expanse of land should be turned off.
    - Likewise, the pipelines that cross the large riparian corridor through the centre of the block should also be turned off, primarily to reduce access to this area and decrease fragmentation between the two ridges and the valley between them, as this area is an important moose hunting area.
- **Gundy HV1C:**
    - Community members want to protect the remaining good habitat in the area and reduce the number of parallel corridors. When possible, participants want the corridors that are most disturbed from PNG or forestry activities located in the Development Zone.

Finalizing the Protection and Development Zones

The draft protection/development areas developed by the BRFN planning team were shared with BRFN community in October and were revised by the BRFN planning team to incorporate the input received. This included changing the maps to ensure consistency with community

input and on-territory data collection and protection of key cultural and ecological values including BRFN cabin locations, values maps, streams and associated riparian areas, forest values, wetlands, mineral licks and connectivity corridors.

PNG operators with tenure in the Gundy Complex were given an opportunity to provide information, including detailed future plans, for consideration by BRFN and BC. This included specific information from Tourmaline, Enbridge, Petronas and ConocoPhillips. In addition, First Nations, including HRFN were provided with the opportunity to identify areas for protection.

Based on collaborative discussions between BRFN and BC, and engagement with industry, additional changes were made to proposed Protection and Development Zones. These included removing particularly small, isolated areas of protection and small isolated areas of development enveloped by protection areas that would otherwise be inaccessible to PNG operators. Detailed engagement was undertaken with individual operators to reconcile cases where development interests were identified to overlap with the proposed protection zones. These locations were evaluated on a case-by-case basis and removed where appropriate based on the specific circumstances. This included consideration of ecological, cultural and PNG interests.

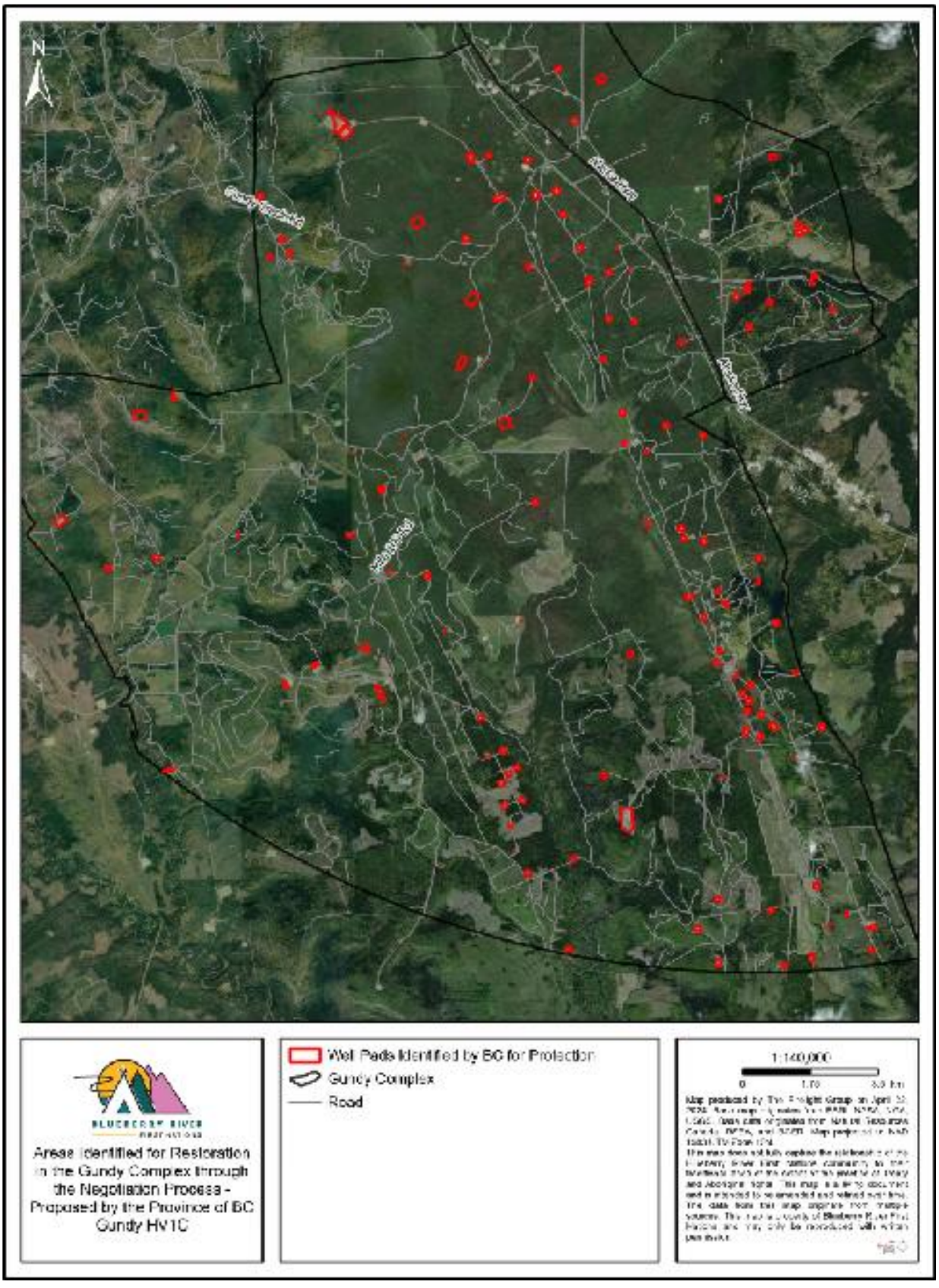
Hexagonal boundaries of the zones were smoothed to further minimize the potential for edge effects resulting from activities that may be proposed near protection boundaries. Best efforts were made to smooth edges based on on-the-ground realities (i.e. following roads or existing disturbances, forest stands, culturally important areas etc.).

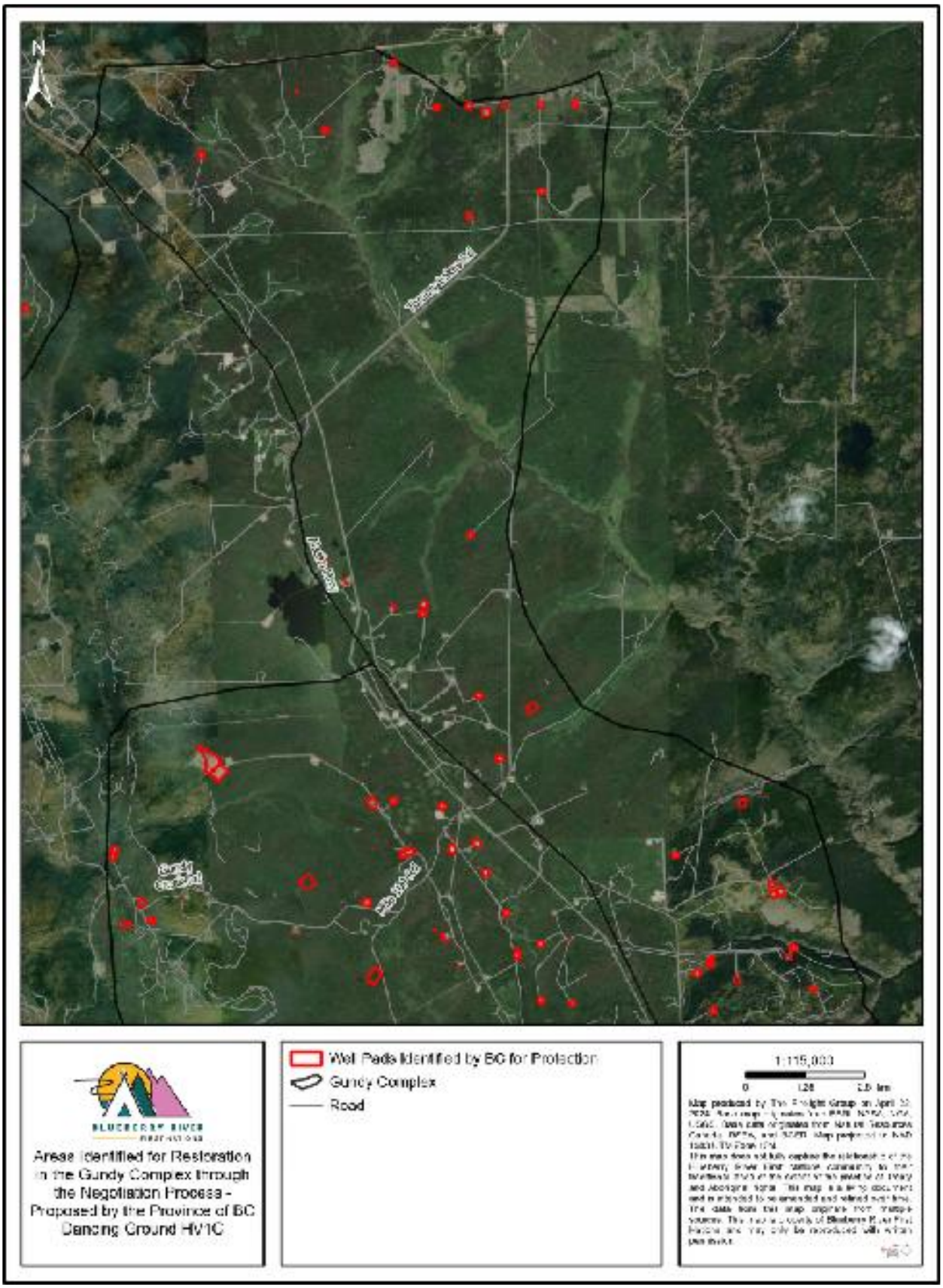
A systematic and principled approach was taken to finalize the Protection and Development Zones.

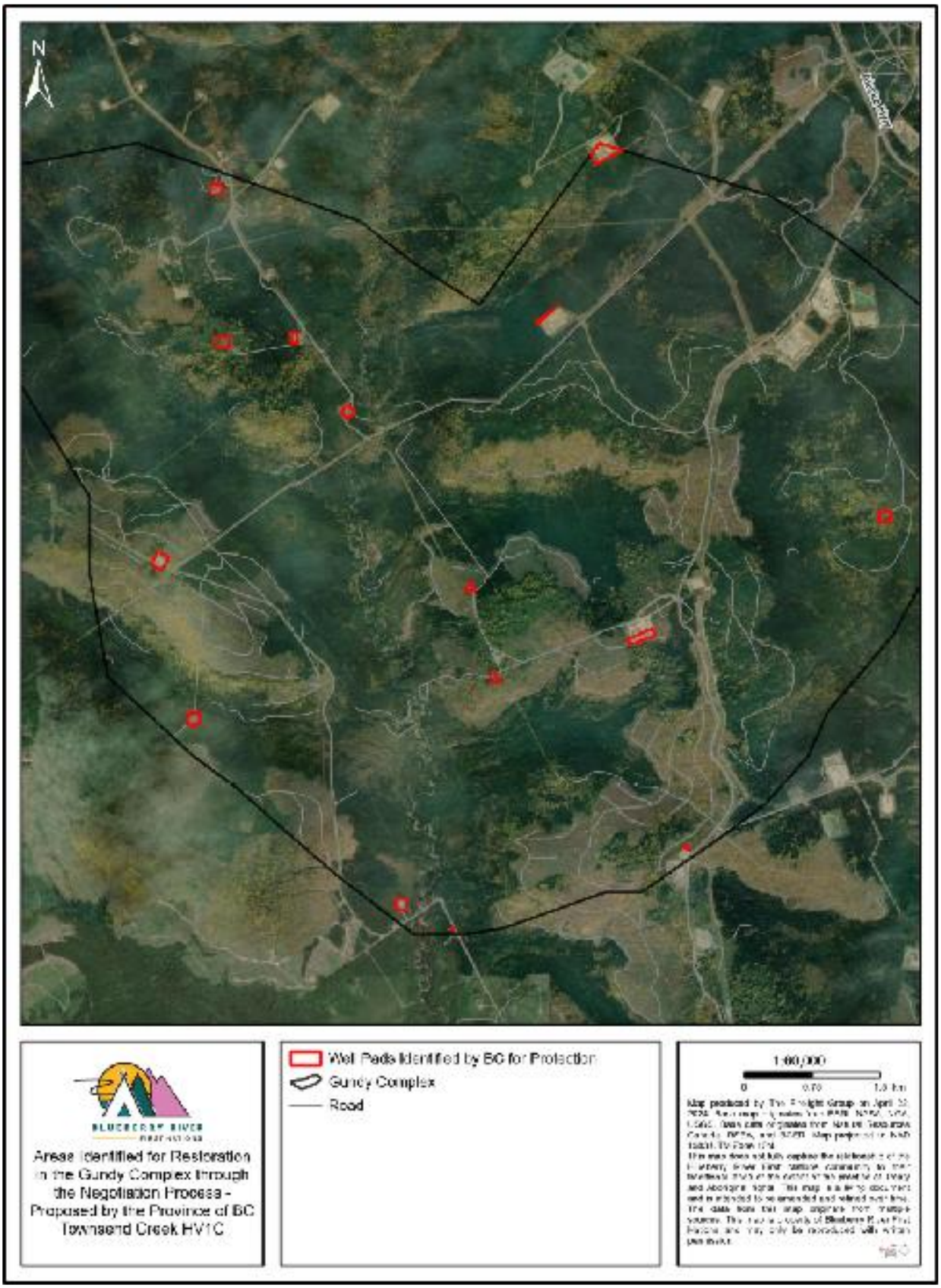
Appendix 3 PNG Disturbances Identified for Potential Priority Regulatory Restoration Activities

During the development of the plan several candidates for review and potential advancement of restoration were identified and are presented in the following maps for future reference.

BRFN and BC will engage with the permit holders during plan implementation to assess what the operational timeline for given infrastructure is anticipated to be, including a discussion of opportunities to wind down infrastructure that is in the later stages of the operational lifecycle and the identification of areas that are Ecologically recovered within the CIMZ (and could be converted to the Protection Zone).


N
Areas Identified for Restoration in the Gundy Complex through the Negotiation Process - Proposed by the Province of BC Gundy HV1C
Well Pads Identified by BC for Protection
Gundy Complex
Road
1:140,000
0
1.75
3.5 km


N
Well Pads Identified by BC for Protection
Gundy Complex
Road
1:115,000
0
1.25
2.5 km
BLUEBERRY RIVER
Areas Identified for Restoration in the Gundy Complex through the Negotiation Process - Proposed by the Province of BC Dancing Ground HV1C


N
Areas Identified for Restoration in the Gundy Complex through the Negotiation Process - Proposed by the Province of BC Townsend Creek HV1C
Well Pads Identified by BC for Protection
Gundy Complex
Road
1:80,000
0
0.70
1.3 km

Appendix 4 HVC-1 Gundy Complex - QEP Guidance for Oil and Gas Activities in the Gundy Complex

These guidelines are intended to supplement the Conditions for Development. They describe information and assessments that proponents should include in a project application to support BRFN in evaluating the potential impacts of a development proposal on Treaty Rights and other cultural interests and put forward strong mitigation and avoidance measures.

1.0 EMP Value-Specific Requirements

The EMP must describe how Oil and Gas Activities should address and be consistent with the following value-specific requirements:

1.1 Old Forests & Contiguous Diverse Ecosystems

To demonstrate how activities will avoid impacts to Old Forest, recruitment forest, contiguous diverse ecosystems, and ecological connectivity the QEP/QP should consider and report on:

a. the extent of these ecosystems relative to the proposed project footprint and zone of influence. This should include:

i. Relevant maps and spatial files (.kmz or shapefiles)

ii. A written description supported by photographs that characterizes the current condition of the Old Forest and Contiguous Diverse Ecosystems. For example: stand age, disturbance history, presence of invasive species, suitability, forest health concerns/signs of ecological stress, and opportunities for restoration.

iii. How the proposed project footprint has been situated to avoid Old Forest and Contiguous Diverse Ecosystems to the extent feasible.

iv. Mitigation measures to reduce secondary impacts to Old Forests and Contiguous Diverse Ecosystems, including but not limited to the spread of invasive plants and land/water contamination.

b. Should an incursion into an Old Forest or recruitment forest be demonstrated as unavoidable, the proponent should provide the following as part of their application for a proposed Oil and Gas Activity:

i. Detailed rationale for the proposed incursion, including a description of what alternative design options were considered to avoid incursions and why these alternatives were not considered feasible.

ii. Strategies to avoid and mitigate impacts through minimizing the extent, impact, and duration of the incursion. This includes but is not limited to impacts from clearing, grubbing, and root compression.

**A site-specific mitigation strategy is required for activities that impact old forest and/or recruitment forest (Section 7.6). Offsetting is required for activities that will impact Old Forest (Section 7.7).*

1.2 Moose and Moose Habitat

To demonstrate how activities will avoid impacts to moose and moose habitat, the QEP/QP should consider and report on:

a. the locations, types, ratings, and condition of moose habitat in relation to the project's Zone of Influence, including:

i. Winter forage and shelter habitat,

ii. Summer forage habitat (including browse intensity),

iii. Mineral licks and wallows (inclusive of a 250m buffer), and

iv. Wildlife trails.

b. Should proposed activities overlap high or moderate suitability or capability moose habitat or otherwise have the potential to adversely impact this habitat, the QEP/QP should consider:

i. Alternative design options to avoid incursions and impacts into these habitats,

ii. Strategies to minimize the extent, impact, and duration of the incursion, and

iii. Demonstrate how relevant provincial guidelines for moose will be incorporated into construction and operations, with particular attention to sensitive timing windows.

***work occurring in high suitability/capability moose habitat requires a site-specific mitigation strategy.*

To demonstrate how activities will retain or improve moose habitat connectivity during and following construction, the QEP/QP should consider:

a. The importance of the location for facilitating moose habitat connectivity relative to the movement barriers proposed by works to identify appropriate mitigation measures. General guidelines that QEP/QPs may consider to reduce movement barriers for moose include:

i. Conduct works during low-risk timing windows for moose (see above),

ii. Avoid temporary workspaces in moose habitat,

iii. Effective line-of-sight management and use of visual barriers at a minimum of every 200 m along a ROW, and where linear corridors intersect,

iv. Restoration of temporary worksites as soon as possible after activities have been completed.

b. Opportunities to improve connectivity for linear disturbances as described in Section 7.8.6.

To demonstrate how stress and disruptions to moose will be avoided or minimized, including due to moose-vehicle conflicts, the QEP/QP should consider:

a. How activities will adhere to current provincial guidance and best practices, including:

i. Development and adherence to an Access Management Plan that satisfies access management guidelines for moose, pursuant to the provincial guidelines[19] for moose and ungulates during industrial development.

ii. Measures to reduce the likelihood of moose-vehicle collisions, including but not limited to signage, speed restrictions, and access control measures during high conflict periods.

1.3 Water, Aquatic and Riparian Habitat

To demonstrate how impacts to aquatic and riparian habitat will be avoided and mitigated during activities, the QEP/QP should consider and report on:

a. Efforts made to locate activities outside of the Riparian Management Area(s) listed in Section 7.8.1.

b. If aquatic features (streams, lakes, or wetlands) and/or Riparian Management Areas overlap the Zone of Influence of the project or activity, then a QEP/QP should provide the following as part of the General Application Requirements in the form an Assessment Report:

i. A map(s) showing the locations and types of aquatic features, Riparian Management Area (Riparian Reserve Zone and Riparian Management Zone) in relation to the project's Zone of Influence,

ii. A written description supported by photographs that characterizes the current condition of the aquatic feature and/or Riparian Management Area.

iii. Mitigation and avoidance measures to ensure that the integrity of the Riparian Reserve Zone and aquatic habitat is maintained.

Subject to the terms in Section.7.6 of the Plan, work occurring within a Riparian Management Area requires site-specific mitigation measures to demonstrate how Water, Aquatic, and Riparian Habitat values will be maintained and impacts will be minimized

c. If a crossing is proposed in a Riparian Reserve Zone and/or aquatic habitat, the QEP/QP should consider and report on:

i. rationale for why the crossing cannot be moved to avoid the Riparian Reserve Zone and/or aquatic habitat

ii. the condition of the aquatic habitat and Riparian Reserve Zone,

iii. The extent of proposed impacts

d. measures to avoid, reduce, and mitigate impacts to aquatic and riparian habitat. This includes:

i. opportunities to use low impact crossing techniques (Section 7.6.1)

ii. how interference with channel morphology and fish access will be avoided,

iii. measures to avoid use of riprap, downcutting, incising, and other hard armouring techniques in aquatic areas.

** New Disturbance is not permitted within the Riparian Reserve Zone except to facilitate crossings or in accordance with the activity specific practices detailed in Section 7.8.6. *New Disturbance within Riparian Reserve Zones and/or aquatic habitat will require offsetting (Section 7.7).*

To demonstrate how impacts to water quality and quantity, including the release of deleterious materials that may migrate to aquatic or riparian habitat, will be avoided, the QEP/QP should consider and report on:

a. If a proposed Oil and Gas Activity has the potential to interact with surface or groundwater the proponent must include a water quality monitoring program as part of the EMP that:

i. Describes the indicators that will be used to assess water quality. In addition to typical water quality indicators (e.g., turbidity, contaminants of potential concern, etc.), the proponents shall request BRFN input into any indicators based on traditional knowledge BRFN wishes to include.

ii. Includes a Trigger Action Response Plan with thresholds/trigger-points that, if crossed, require operations to take precautionary actions, including cessation of activities until conditions recover to acceptable levels.

iii. Identifies the frequency of sampling and reporting, and

iv. Includes a commitment to report the findings of the monitoring program to BRFN/BCER upon request.

1.4 Habitat for Grizzly and Other Fur-Bearers

To demonstrate how impacts to grizzly bears and fur-bearers will be avoided, the QEP/QP should consider and report on:

a. For New Disturbance, conduct a stand-level grizzly bear habitat survey using methods identified in the provincial guidelines (FLNRO 2014)[20]. The results of the grizzly bear habitat survey will be provided in a report that:

i. Describes the survey findings,

ii. Identifies potential impacts of proposed activities on grizzly bear and grizzly bear habitat, and

iii. Describes a robust avoidance and mitigation program as part of the avoidance and mitigation program.

b. A QEP/QP shall assess if high suitability or high capability fur-bearer habitat overlaps the Zone of Influence, including habitat for fisher and marten.

c. If high suitability or high capability fur-bearer habitat overlaps the Zone of Influence, the QEP/QP shall conduct a habitat survey to determine the quality and distribution of habitat for fur-bearers, including denning habitat for fisher and marten. Where impacts are identified, the proponent will include a mitigation and avoidance strategy as part of the EMP that demonstrates how impacts to high value habitat will be avoided.

d. Demonstrates how relevant provincial guidelines for grizzly bear and furbearers will be incorporated into construction and operations.

1.5 Peaceful Enjoyment of Land and Culturally Important Areas

To demonstrate how culturally important sites and their buffers will be protected, QEP/QPs should consider and report on:

a. If the effect(s) of a proposed activity overlaps with cultural use areas or their setbacks, as determined by BRFN during pre-engagement and to the extent allowable in the Conditions for Development:

i. Characterize the area to be disturbed directly and indirectly by the Oil and Gas Activities, including the timing of disturbances (including indirect disturbances such as visual, sound, and odours).

ii. Description of how (where and when) the disturbances may impact the peaceful enjoyment of the land, by land users.

iii. Identify measures to avoid, mitigate or minimize the impacts, including alternative means to provide safe access for land users.

If the proposed development has the potential to interact with groundwater or otherwise introduce contaminants into the food chain, the proponent shall conduct a human health risk assessment. Measures to avoid and mitigate impacts to the health of land uses, as determined in the risk assessment, must be incorporated into the EMP.

To demonstrate how impacts to viewsheds, noise levels, and air quality will be avoided, QEP/QPs should consider and report on:

a. Best Efforts to avoid and reduce sensory disturbances near known BRFN sites, including but not limited to traffic and other noise.

b. Protect viewsheds surrounding cultural use areas by expanding buffers as needed to ensure that unobstructed views from cultural use areas are preserved.

To demonstrate how impacts to Treaty 8 members safe access to culturally important areas and the Protection Zones will be avoided, QEP/QPs should consider and report on:

a. Measures the proponent will implement with respect to the safety of land users that may be exercising in the HV1C area,

b. Measures within a Road and Access Management Plan that mitigate impacts of roads and traffic on identified values, including (but not limited to):

i. Measures to reduce road usage within the Protection Zone

ii. Check in procedures,

iii. Road safety, and

iv. Communication or notification protocols in the event of an emergency.

v.

1.6 Restoration

In consideration of the magnitude of past and ongoing cumulative effects in the Plan area, restoration is expected as part of all new Oil and Gas Activities.

a. Proponents are expected to use evidence-based restoration strategies that support ecological recovery. Where disturbances are prolonged or staged, Interim Restoration strategies should be contemplated.

b. The restoration strategy will contemplate plant assemblages that are:

i. Native species, desirable to BRFN and support exercising Treaty Rights,

ii. Adaptive to future climate change realities,

iii. Fire adapted species that support natural disturbance regimes,

iv. Plant assemblages and planting strategies that foster resilience.

1.7 Invasive Plant Control and Prevention

The strategy to address the spread and control of invasive species that includes, but is not limited to the following:

a. Confirmation that non-native plants are not used for any purpose in the Plan area, including but not limited to an erosion and sediment control measure and in restoration areas.

b. Strategies for reducing the spread of invasive and non-native species within the Plan area. The QEP/QP is responsible for identifying site-specific mitigation measures to prevent the introduction and spread of invasive and non-native plants.

c. Confirmation that herbicide treatments are not be used in the Plan area.

d. Description how any existing outbreaks will be manually removed and restored with native plants. If the outbreaks cannot be removed in a short timeframe (i.e., within one growing season), mapping the distribution and a removal strategy that details the schedule of activities to complete the removal will be included.

2.0 Monitoring and Adaptive Management

The monitoring program shall:

a. Define the role for a QEP/QP, their monitoring activities and schedule for detecting changes to site conditions and impacts to Values throughout the proposed Oil and Gas activities.

b. Describe performance criteria and trigger points that will guide project changes to avoid or mitigate impacts to Values.

The adaptive management program shall outline:

a. The types of effects or trends that adaptive management will be able to detect and respond to, and a schedule for when these effects/trends will be evaluated for possible adaptation.

b. Areas with a high *consequence* for deleterious environmental outcomes, or uncertainty around the effectiveness of the proposed mitigation measures. High risk or high uncertainty components of an application require definition of feasible alternatives to support an adaptive management program in advance of works.

c. A strategy to monitor the effectiveness of the adaptive management program. Industry is responsible for maintaining records of the adaptive monitoring program and its findings.

Appendix 5 Glossary of Terms

Applicable Law: Means all statutes, laws, rules, orders, directives and regulations in effect from time to time and made by governments or their agencies with jurisdiction over the Claim Area;

BCER: The British Columbia BC Energy Regulator.

BRFN: Means the Blueberry River First Nation Implementation Agreement.

Certificate of Restoration: A document issued by the BCER, certifying that an abandoned wellsite has been restored to meet regulatory requirements.

Conditions for Development: Conditions that must be considered by PNG industry for any proposed Oil and Gas Activity within the Gundy HVC1 Plan area. These conditions apply in addition to provisions of the BRFN IA and any other requirements applying to new Oil and Gas Activity applications.

Contiguous Diverse Ecosystem: A contiguous group of ecosystems (forest, non-forest, riparian, lakes) that are sufficiently buffered from anthropogenic edge such that they are sheltered from anthropogenic edge effects.

Cumulative Effects Management Regime: Means timely and enforceable regulatory and legislative mechanisms and processes (including, without limitation, restoration, resource management commitments, as identified in ARTICLE 14 of the BRFN Implementation Agreement, that are and will be developed to assess the cumulative impact of industrial development on BRFN's Treaty Rights.

Current Industry Maintenance Zone: Areas overlapping the SLU Data Layer co-located in a Protection Zone, as defined in Section 5.0 of the Gundy HV1C Plan.

Development Zone: Area(s) located outside the Protection Zone and is the area within which New Disturbance can occur subject to the Conditions for Development.

Dormant Site: A well site that does not meet a threshold of activity for five consecutive years or does not produce for at least 720 hours a year.

Ecological Recovery: The long-term re-establishment of ecological structure, function, and stability to conditions that support BRFN Values and the practice of Treaty Rights.

Ecosystems at Risk: An extirpated, endangered or threatened ecosystem or an ecosystem of special concern (formerly called vulnerable). And/or ecological communities identified by the BC Conservation Data Center as blue listed (special concern) or red listed (at risk of being lost – extirpated, endangered, or threatened).

Ecosystem Based Management (EBM): Means that adaptive approach to managing human activities described in Schedule "C", which seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities and the intent of which is to maintain those spatial and temporal characteristics of ecosystems such that component species and ecological processes can be sustained, and human well-being supported and improved.

Ecological Recovery: A formerly disturbed area presents signs of natural regeneration and is expected to continue ecological recovery in the absence of additional disturbance. Evidence of ecological recovery includes the presence of native vegetation. The presence of non-native

vegetation does not preclude an area from exhibiting evidence of ecological recovery. The QEP shall assume evidence of ecological recovery is present unless it can be demonstrated otherwise.

Edge Effects: refers to changes in a population or community along the boundary of a habitat.

Environmental Protection Activities: means activities related to site remediation, erosion control and/or prevention of or response to product release as it pertains to potential environmental impacts.

EPMR: means the Environmental Protection and Management Regulation, B.C. Reg 200/2010.

Forest Ecosystem: Inclusive of Old Forest (defined as 140+ year old stands), recruitment forest (defined as 120+ year old stands), young forest, and shrub habitat (e.g., willow stands) that may transition to forested ecosystems if given sufficient time to recover.

Health and Safety Activities: Means bridge replacement, road realignment or intersection upgrades specific to improving safe travel or use of roads and/or prevention of or response to product release as it relates to risk to people or communities, road resurfacing, sealing or coatings, culvert replacement and beaver dam removal, where flooding or road use impacts are anticipated, replacement of existing livestock fencing, nuisance wildlife measures, landslide repairs, scientific fish collection and amphibian salvage for road and access related purposes.

HV1: Means the high value areas with the boundaries identified on Schedule "B".

HV1 Plan: Means a restoration and development plan in respect of HV1 and made pursuant to this Agreement.

Interim Restoration: Means restoration plans and/or activities established for the time being, pending a permanent arrangement.

Interior Forest: A contiguous forested area that is sufficiently buffered from a naturally occurring or anthropogenic forest edge such that it is sheltered from edge effects. Edge effects include, but are not limited to, habitat fragmentation, invasive species dispersal, and changes to soundscapes or viewscapes.

Legacy Sites: Areas that have historically been disturbed and for which there are no responsibilities for restoration.

Linear Disturbance: Means, subject to any and all limitations and exclusions provided for in this definition, any seismic line, road or pipeline on Crown land within the Claim Area which is regulated by a Provincial decision maker under the Energy Resource Activities Act, S.B.C. 2008, c. 36 and/or for which the approval of a Provincial statutory decision maker under the Energy Resource Activities Act is required for installation and/or operation.

Member: Means any person who is a "member of the band" (as that phrase is defined in the Indian Act, R.S.C. 1985) of BRFN.

Natural Habitat Mosaic: A contiguous group of ecosystems (forest, non-forest, riparian, lakes) that are sufficiently buffered from anthropogenic edge such that they are sheltered from anthropogenic edge effects.

New Disturbance: Means, subject to any and all limitations and exclusions provided for in this definition, all (and only) Oil and Gas Activity-related disturbance on Crown land outside of any permitted and existing PNG footprint as identified in the SLU Data Layer, including restored wells with a certificate of restoration but excluding: (i) restoration activities; (ii) Health and Safety Activities; (iii) Environmental Protection Activities; (iv) electricity transmission and distribution line rights-of-way outside of Area 1 (as described in Schedule M of the BRFN IA) or inside Area 1 with the consent of BRFN; (v) new operational activities within existing oil and gas related disturbances or other permanent road structures (including, without limitation, new wells on existing pads and pipelines within established rights of way); and (vi) conversion of non-status roads to oil and gas roads, so long as such conversion does not include any new construction or road modification.

New Linear Disturbance: Means any Linear Disturbance permitted after the Effective Date in respect of Oil and Gas Activities which is not over, under or immediately adjacent to an existing Linear Disturbance or permanent road infrastructure.

Non-PNG Disturbance: Means an existing hard surface disturbance (for clarity, this includes roads, borrow or aggregate locations, and other semi-permanent disturbances, but does not include cutblocks) that is not reflected in the SLU Data Layer because it was permitted and constructed under a statute other than the ERAA.

Non-Status Road: Means an existing road, or portion of an existing road, that is currently being used for oil and gas purposes and that: (i) will be maintained to facilitate the carrying out of Oil and Gas Activities; and (ii) is not already required to be maintained under the Energy Resource Activities Act S.B.C. 2008, c. 36 or other Applicable Law.

Oil and Gas Activity: Means those activities related to conventional and unconventional oil and gas exploration and development (including coal bed gas, hydrogen development, developments aimed at capturing carbon and other forms of exploration and development that may evolve over time related to the presence of subsurface PNG deposits) on Crown land within the Claim Area for which the approval of a Provincial decision maker is required, and includes, but is not limited to, seismic operations and operations on or at well sites, access roads, pipelines and processing facilities.

Old Forest: Pursuant to RSEA1, Old Forest includes stands greater than 140 years old.

Orphan Site: Means wells, facilities, pipelines and associated areas where an oil and gas companies are declared bankrupt or cannot be located.

Treaty 8 First Nations: Means the Doig River First Nation, Fort Nelson First Nation, Halfway River First Nation, Prophet River First Nation, Saulteau First Nations, West Moberly First Nations and McLeod Lake Indian Band or any of them.

Party: Means the Province or BRFN, as the context requires.

PNG: Means petroleum and/or natural gas.

Priority Site: Means a dormant site or former site identified under section 5 of the Energy Resource Activities Act Dormancy and Shutdown Regulation, S.B.C. 2008, c. 36, ss. 106, 111.1 and 112.

Protection Zone: The zone within the Gundy HV1C Plan outside of the SLU Data Layer where no New Disturbance is permitted. This area constitutes over 60% of each HV1C area.

Qualified Environmental Professional (QEP): As defined in Section 3.1 of this document.

Qualified Professional: As defined in Section 3.1 of this document.

Reciprocal Restoration: Mutually reinforcing restoration of land and culture such that repair of ecosystems contributes to cultural revitalization and renewal of culture that promotes restoration of ecological integrity.

Restoration: Means the intention and/or actions taken to improve the condition of impacted ecosystems within the Plan Area and are an important tool in the recovery of ecological and cultural values to improve ecosystem health, human well-being, and livelihoods of BRFN community members.

Restoration Prescriptions: A set of conditions under which restoration activities are to occur to meet the Plan's restoration objectives.

RSEA: The Regional Strategic Environmental Assessment (RSEA), undertaken through the Environmental Stewardship Initiative (ESI) and which is currently leading various cumulative effects projects in the Northeast region. RSEA is a collaboration between seven Treaty 8 Nations and the Province of BC.

SLU Data Layer: The surface land disturbance data layer prepared as of the Effective Date by the BCER, and which may be subsequently updated pursuant to Section 14.7(c) of the Implementation Agreement.

Soundscape: The sounds experienced by people and wildlife on a landscape, including the volume, frequency, and duration of sound disturbances.

Species at Risk: An extirpated, endangered or threatened species or a species of special concern (formerly called vulnerable) and/or species identified as red- or blue-listed by the BC Conservation Data Center, or designated as a species at risk (extirpated, endangered, threatened, or special concern) under the Federal Species at Risk registry.

Third Party: Means any individual or entity other than the Province and BRFN, including without limitation the Other Treaty 8 First Nations, any other First Nation, partnership, corporation, trust, unincorporated organization, union, government and any department and agency thereof and any heir, executor, administrator or other legal representative of an individual.

Trapline Areas: Means those areas being with the boundaries identified in black on Schedule "G" of the BRFN IA.

Treaty 8: Means Treaty 8 (1899) being a treaty within the meaning of Section 35 of the Constitution Act, 1982 (being Schedule B to the Canada Act 1982 (U.K.), 1982, c.11. reprinted R.S.C. 1985, App. II).

Treaty Rights: Means the asserted and established treaty rights of the subject First Nation.

Values: All aspects of the Gundy Complex that support the practice of Treaty Rights. This includes, and is not limited to, Forest Ecosystems, moose and their habitat, water, aquatic

ecosystems (including wetlands and muskeg), riparian habitat, peaceful enjoyment, fur-bearers and their habitat, and Ecosystems at Risk.

Viewscape: The visual characteristics of a landscape, as experienced by wildlife and people. This includes views unhindered by disturbance.

Zone of Influence: The area potentially affected by a proposed Oil and Gas Activity, including the direct footprint, as well as areas outside the direct footprint affected by air contaminants, noise, light, and wastes. The Zone of Influence must be justified by the QEP and cannot be less than a 250 m buffer surrounding the proposed footprint.