



Ministry of
Forests, Lands and
Natural Resource Operations

File: A703725

March 15, 2016

Bettina Sander
Regulatory Manager
BC Hydro & Power Authority
Four Bentall Centre
1100-1055 Dunsmuir Street
Vancouver, BC V7X 1V5

Dear Bettina Sander;

Re: Application: A703725 "Use Approval" Section 10- *Water Sustainability Act*

Water "Use Approval" for the above noted application has been granted and the approval document verifying this is attached.

The permit holder is required to adhere to all other applicable Provincial and Federal regulations.

We wish to inform you that the water body serves as a spawning and rearing area for fish. The protective requirement of the federal *Fisheries Act* must be met. Accordingly, it will be necessary for you to screen your water intake to protect against entry of small fish as per Freshwater Intake End-of-Pipe Fish Screen Guidelines (Department of Fisheries and Oceans, 1995). Please refer to the Fisheries and Oceans Canada Web-site (www.dfo-mpo.gc.ca/Library/223669.pdf) for this publication.

Section 105 of the *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. You may file an appeal within 30 days of the date indicated on this letter. Information on filing an appeal can be found on the Environmental Appeal Board WEB site at <http://www.eab.gov.bc.ca/>.

If you have any questions or concerns regarding the document issued, please contact Mike D'Aloia in the Fort Nelson Natural Resource District Office at (250) 774-5530.

Yours truly,

Water Manager

Enc.

p.c. Ministry of Environment, Conservation Officer Service, Fort St. John, BC
FLNRO, Compliance & Enforcement Field Office, Dawson Creek, BC

Use Approval

Section 10 Water Sustainability Act

BC Hydro and Power Authority, Four Bentall Center, 1055 Dunsmuir Street, Vancouver BC, V7X 1V5 is hereby authorized to divert and use water as follows:

- 1) The stream on which the rights are granted is identified as the 1) Peace River (also known as the Dinosaur Lake Reservoir) and 2) Williston Lake Reservoir.

The point of diversions (POD) geographic descriptions and map references are illustrated within Appendix # 1 and detailed within Appendix # 2 of Approval documents.
- 2) The Holder of the Approval must be in possession of required authorizations prior to commencement of works on Crown land.
- 3) This Approval does not authorize entry onto privately held land.
- 4) The points of diversion are located within the high watermark of the Peace River and Williston Lake Reservoir of which the details and set limits of withdrawal rates are listed below.

Map Ref. POD Site #	Stream Name	Total Water of Volume Per Year	Maximum Rate of Withdrawal m ³ /sec per site	Maximum Volume Withdrawal m ³ per Day per Site	Maximum Volume Withdrawal m ³ per Day All Sites (4)	Purpose	Sub Purpose Code
1,3, and 4	Peace River (Dinosaur Lake Reservoir) and Williston Lake Reservoir	8000 m ³	0.027 m ³ /sec	560 m ³	2240 m ³	INDUSTRIAL & COMMERCIAL	Dust Control (02108) And Fire Protection (02112)

- 5) The points of diversion are multi-site withdrawal points. The water purpose for each site is: INDUSTRIAL & COMMERCIAL – Dust Control and Fire Protection.
- 6) Maximum Volume: The maximum daily volume of water that may be diverted from all four points of diversion must not exceed 2240 m³ per day. The maximum volume of water for each individual site (point of diversion) shall not exceed 560 m³ per day.

The total maximum quantity of water which may be diverted for all three sites is 8000 m³ at the end of the term of this Approval.
- 7) Maximum Withdrawal Rate: The maximum withdrawal rate which water may be diverted cannot be exceed :
 - i) 0.081m³/sec - a total withdrawal rate set for all three POD sites.
 - ii) 0.027 m³/sec - a total withdrawal rate for each POD site, and
 during low flows, the maximum withdrawal rate shall not exceed the lesser of the “Maximum Withdrawal Rate” or 10% of the current flow at any time in the Peace River.
- 8) No water withdrawal is permitted from any point along a stream with a depth of less than 0.30 centimeters at the point of diversion.
- 9) No water will be diverted or removed from any beaver pond without the issuance of a *Wildlife Act* authorization.
- 10) The Holder of this Approval shall take reasonable care to avoid damaging any land, works, trees or other property, and shall make full compensation to the owners for any damage or loss resulting from the exercise of the rights granted with this Approval.

- 11) The works authorized are a screened intake, pump, hose, pipeline, and truck. Works must be prescribed by a qualified professional and conform to the Department of Fisheries and Oceans guidelines for fish bearing freshwater intake pipes.
- 12) This Approval authorizes the installation of a pump and laying of the water intake pipe along the streambed for water extraction purposes and does not authorize any other instream work.
- 13) The Holder of the Approval will retain an Independent Environmental Monitor (IEM) to report directly to the Water Manager on results of compliance inspections with the environmental requirements observed during operations as per Appendix # 3 - Independent Environmental Monitor Document. The frequency of compliance reporting by IEM will be weekly or as requested by the Water Manager, and submitted in a form and manner acceptable to the Ministry.
- 14) The Holder of the Approval must submit to the Ministry within 30 days prior to the start of any work authorized by this Approval:
 - a) A completed Appendix # 3 document as described in the above section 13 of this Approval ;
and
 - b) Appendix #3 document must be in a form and manner acceptable to the Water Manager prior to commencement of any work authorized by this Approval.
- 15) The Holder of the Approval must submit a completed Environmental Protection Plan (EPP) document as per CEMP requirement, including:
 - a) prescribed monthly low stream flow / environmental thresholds which when measured at the federal governments Water Survey of Canada monitoring station (# 07EF001) site would cease withdrawals operations.
 - b) submission of EPP documents and any revisions to EPP documents shall be in a form / manner and frequency acceptable to the Water Manager prior to commencement of any work authorized by this Approval.
- 16) The Holder of this Approval must make available and provide copies upon request by the Water Manager: the Environmental Monitor (EM) inspection reports and prescribed Environmental Protection Plan (EPP) and any EPP revision documents required as per reporting standards within CEMP document. The EM inspection reports and EPP documents must be submitted in a form and manner acceptable to the Water Manager.
- 17) The Holder of the Approval must ensure that: 1) any incidence of high significance of non-conformance to conditions of the Approval are reported to the Ministry and IEM within 24hrs of discovery and 2) submit a report within 5 days of occurrence, in a form and manner acceptable to the Water Manager.
- 18) As per the above section 17 of this Approval, the definition of non- conformance significance levels for reporting occurrences of non-compliance will be determined in a form and manner acceptable to the Water Manager.
- 19) The Ministry will share the concerns it received on this Approval with BC Hydro who in turn must share these concerns with the contractor developing the Environmental Protection Plan and the Independent Environmental Monitor who must review the Environmental Protection Plan as required in the CEMP.
- 20) Amendments shall be submitted in a form and manner acceptable to the Water Manager.
- 21) The Holder of this Approval must comply with all applicable Provincial and Federal Legislation and standards prescribed with the "Construction Environmental Management Plan - Site C Clean Energy Project: June 5, 2015" (CEMP) and any ministry approved versions or updates made to this documents during the term of this Approval.

- 22) The term of this Approval is from the date of issuance to December 31, 2017.
- 23) Daily records of users, time (Start and End), and total volume and rate of water withdrawn, diverted per point of diversion site shall be kept throughout the term of the Approval and report of records made available for review upon Ministry's request. A report including a complete set of daily water withdrawal records per POD site shall be submitted upon request by Water Manager. The daily withdrawal reports shall be in a form and manner acceptable to the Water Manager, as per. All records are to be submitted within 60 days of water withdrawals being completed.
- 24) A copy of this Approval must be available for inspection upon Ministries request at the project site and with the pump operator.

DATED: March 15, 2016


Water Manager