



# Province of British Columbia

## *Water Act*

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Order  
*Water Act*  
Section 39

File No. 0281532

WHEREAS British Columbia Hydro and Power Authority (BC Hydro) is the operator of the Jordan River hydroelectric system, in respect of which it holds the following 5 licences: FL117999, FL118000, FL118001, FL118004, FL118005; and

WHEREAS the licensee has submitted the Jordan River Project Water Use Plan, which recommends changes to the operations of Jordan River hydroelectric system and which are intended to provide benefits to fisheries and wildlife habitat and recreation; and

WHEREAS I have accepted the Jordan River Project Water Use Plan dated April 30, 2003; and

WHEREAS BC Hydro has proposed a monitoring programme to determine whether operating the facility in accordance with the operating parameters and procedures in the Jordan River Water Use Plan will provide the expected benefits;

I HEREBY ORDER THAT:

1. The licensee shall submit, to the Comptroller of Water Rights, design plans, prepared by a professional engineer registered in British Columbia, for the alteration of works to enable a flow release into Jordan River through Elliott Dam.
2. The licensee shall alter the works in accordance with the approved plans after leave is given in writing by the Comptroller of Water Rights.
3. Between July 1 and September 30 of any year, the minimum operating elevation of Diversion Reservoir shall be 376.0 m, measured at the dam using the Geodetic Survey of Canada (GSC) datum. Between October 1 and June 30 of any year, the minimum operating elevation of Diversion Reservoir shall be 372.0m, measured at the dam using the Geodetic Survey of Canada (GSC) datum.

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4. The licensee shall leave the low level outlet at Bear Creek Reservoir closed and shall obtain approval of the Comptroller of Water Rights in advance of any draft below 411.0 metres, the full supply level.
5. The licensee shall ensure that, on a minimum of 4 weekend days during the month of March, the combined maximum discharge rate under licences FL117999 and FL118000 shall be 30 cubic metres per second between the hours of 06:00 and 18:00. This maximum discharge rate may be exceeded in emergency situations and the Comptroller of Water Rights shall be notified at the earliest possible convenience in this event;
6. The licensee shall release a minimum flow of 0.25 cubic metres per second into Jordan River at the Elliott Dam outlet (PD31684), at all times, commencing within 2 years of the date of this order (hereinafter referred to as the "commencement date"), the works having been altered as per conditions 1 and 2 above;
7. The minimum release specified in condition 6 above takes precedence over the minimum operating elevation specified in condition 3, in the event that both conditions cannot be met. The licensee shall notify the Comptroller of Water Rights when the reservoir elevation falls below that minimum elevation as a result of this precedence.
8. The licensee shall submit a monitoring plan for acceptance by the Comptroller within three months of the date of this order outlining details of the monitoring proposed, including what is to be measured, the frequency, location and how it is to be reported.
9. The licensee shall implement monitoring in accordance with the plan as accepted under condition 8 above.
10. The licensee shall provide annual reports to the Comptroller beginning one year after the commencement of the monitoring as per the plan accepted in condition 8 above, including the following information:
  - a) size and abundance of rainbow trout in lower Jordan River below Elliott dam,
  - b) salmonid spawner surveys in Lower Jordan River,
  - c) fish stress indicators in Diversion Reservoir in comparison to the inventory measured during the preparation of the Jordan River Water Use Plan.
11. The licensee shall provide annual reports to the Comptroller beginning one year from the effective date of this Order documenting pertinent information regarding surfing conditions during the days outlined in condition 5 above.
12. The licensee may operate the works in an alternate manner in the event of an emergency, a dam safety requirement, or an extreme hydrologic event.
13. All emergency operations or other deviations from this ordered shall be reported to the Comptroller of Water Rights in a timely manner.

Dated at Victoria, B.C., this 20<sup>th</sup> day of July, 2004.



Glen Davidson, P. Eng  
Deputy Comptroller of Water Rights