



# Province of British Columbia

## *Water Act*

### CONDITIONAL WATER LICENCE

The British Columbia Hydro and Power Authority is hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Campbell River.
- b) The point of diversion on Campbell River denoted by PD30870 and the point of re-diversion on John Hart Lake denoted by PD185973 are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is March 23, 1946.
- d) The purpose for which this licence is issued is power which is to be generated at the underground John Hart Generating Station.
- e) The maximum quantity of water which may be diverted and used under this licence is 38.45 cubic meters per second.
- f) The water may be diverted and used throughout the whole year.
- g) This licence is appurtenant to the undertaking of British Columbia Hydro and Power Authority to generate and supply power from the underground John Hart Generating Station situated on District Lot 1124, Sayward District.
- h) The authorized works are John Hart Dam, intake, low level outlet and Environmental Flow Release System (EFRS), power tunnel, surge tank, underground powerhouse with flow bypass system, tailrace tunnel, tailrace outlet structure, service tunnel and main access tunnel, all located as shown on the attached plan, and ancillary works associated with the operation of the dam and powerhouse.
- i) The construction of the John Hart Dam has been completed. The construction of the remaining works authorized under clause (h) and any alterations to John Hart Dam to facilitate construction of those works must be completed and the water must be beneficially used on or before December 31, 2019. The licensee shall continue to make regular beneficial use of the water in a manner authorized herein.

- j) The dam authorized under clause (h) is subject to the Dam Safety Regulations and shall be maintained, including any alterations, to the satisfaction of a Dam Safety Officer under the *Water Act* and in accordance with the *Canadian Dam Association Guidelines*.
- k) Before commencing construction or alteration of the works authorized under clause (h) of this licence, the licensee must to the satisfaction of the Comptroller of Water Rights (the "Comptroller"):
  1. retain a professional engineer registered in the province of British Columbia (the "Independent Engineer") who will provide services to the Comptroller for the regulation of construction of the works (details in Attachment A - Scope of Services - Independent Engineer);
  2. retain a person with professional qualifications (the "Environmental Monitor") who will monitor environmental impacts from the construction of the works (details in Attachment B - Scope of Services - Environmental Monitor);
  3. submit the following:
    - a. plans that show the general arrangement of the works;
    - b. criteria for the design of the works;
    - c. criteria for the operation of the works;
    - d. a schedule for the construction of the works; and
    - e. an environmental management plan (EMP) for the management and mitigation of construction impacts, including a Drinking Water Protection Plan; and
  4. obtain Leave to Commence Construction (LCC) in writing from the Comptroller.
- l) Before undertaking construction of any component of works for which LCC is issued under (k) 4), the licensee must:
  1. ensure that the design drawings for the works to be constructed are signed and sealed by a professional engineer registered in the province of British Columbia (the "Design Engineer");
  2. ensure that a professional engineer registered in the province of British Columbia (the "Construction Engineer") supervises the construction of the works; and
  3. obtain a letter from the Independent Engineer that the actual construction of that component of work may proceed.
- m) Before commencing operation of the works authorized under clause (h) the licensee must:
  1. submit a report for acceptance by the Comptroller on the parameters and procedures for the operation of the works authorized under clause (h); and
  2. obtain leave to commence the diversion and use of water authorized in this licence, in writing, from the Comptroller.
- n) The licensee must operate the works authorized under clause (h) above in accordance with:
  1. procedures ordered by the Comptroller, including any order for the regulation of the diversion, rate of diversion and use of water as may be required for the preservation of fish or fish habitat; and
  2. any amendment of the procedures ordered by the Comptroller.

- o) The licensee must submit to the Comptroller, and as directed by the Comptroller, within six months of receiving the leave to commence operation for the last generating unit to come on-line, the drawings of record that show the works as they were constructed.
- p) Final construction drawings, updated Operation, Maintenance and Surveillance Manual and updated Emergency Preparedness Plan must be submitted to the Dam Safety Officer within six months of receiving the leave to commence operation for the last generating unit to come on-line.
- q) This Licence is issued in substitution of Final Water Licence 126713.



Pieter Bekker  
Deputy Comptroller of Water Rights