



# Province of British Columbia

## *Water Sustainability Act*

### CONDITIONAL WATER LICENCE

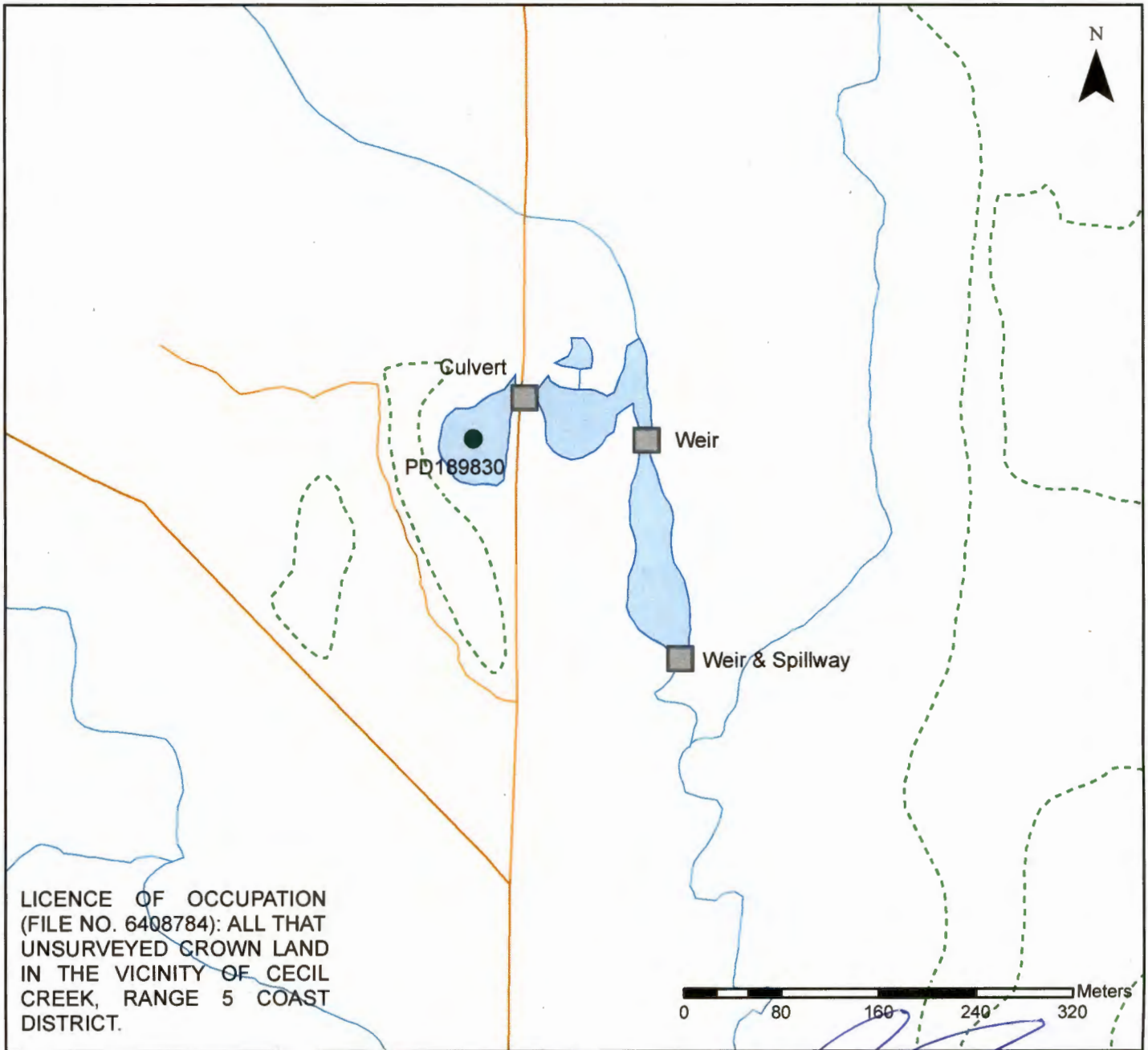
The holder of the Licence of Occupation (File Number 6408784) to which this licence is appurtenant is hereby authorized to divert and use water as follows:

- a) The source on which the rights are granted are the Cecil Ponds.
- b) The point of diversion is located approximately as shown on the attached plan.
- c) The date from which this licence shall have precedence is May 11, 2016.
- d) The purpose for which this licence is issued is conservation.
- e) The maximum quantity of water which may be diverted and used is 0.20 cubic metres per second.
- f) The period of the year during which the water may be used is January 1 to December 31.
- g) The land upon which the water is to be diverted and used and to which this licence is appurtenant is all that unsurveyed Crown Land in the vicinity of Cecil Creek, Range 5, Coast District as per Licence of Occupation File Number 6408784.
- h) The authorized works are a culvert, weir, spillway, and ponds which shall be located approximately as shown on the attached plan, and as shown in the "Preliminary Design Cecil Ponds - Plan and Profile Drawings", prepared by Northwest Hydraulic Consultants for Chevron Canada Ltd. (April, 2016).
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2019. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.
- j) All rights granted under this authorization are subject to the terms and conditions outlined in the Licence of Occupation (File Number 6408784).
- k) All works shall be completed in accordance with the "Cecil Ponds Construction Environmental Management Plan", as prepared by Shawn Hamilton and Associates for Chevron Canada Ltd. (April, 2016) and in accordance with Fisheries and Oceans Canada standards.

- l) The works authorized under clause (h) hereof shall be maintained to the satisfaction of a Water Manager under the *Water Sustainability Act*.
- m) The licensee may be required to install a flow measuring device to the satisfaction and at the request of a Water Manager under the *Water Sustainability Act*.

A handwritten signature in black ink, appearing to be 'S. Staplin', with a long horizontal stroke extending to the right.

S. Staplin  
Assistant Water Manager



|                     |               |
|---------------------|---------------|
| Water District:     | Prince Rupert |
| Precinct:           | Kitimat       |
| Land District:      | Coast         |
| Map Number:         | 103L028       |
| Scale:              | 1:5,000       |
| Point of Diversion: | ●             |
| Approximate Works:  | ■             |
| Cecil Ponds:        | ■             |
| Wetland:            | —             |
| Road:               | —             |

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Water Licence: C133309

File: 6001645



Province of British Columbia  
*Water Sustainability Act*

ORDER

WATER SUSTAINBILTY ACT SECTION 26(1)(2)

IN THE MATTER of Conditional Water Licence C133309.

WHEREAS, Chevron Canada Ltd., 500 5<sup>th</sup> Avenue SW, Calgary Alberta, T2P 3L5 has been authorized to construct works which include a culvert, weir, spillway and ponds at the Cecil Ponds for conservation purposes, conditional to Clauses A to M within Conditional Water Licence C133309.

WHEREAS, Clause K of Conditional Water Licence C133309 stipulates that: "*All works shall be completed in accordance with the 'Cecil Ponds Construction Environmental Management Plan', as prepared by Shawn Hamilton and Associates for Chevron Canada Ltd. (April, 2016) and in accordance with Fisheries and Oceans Canada standards*".

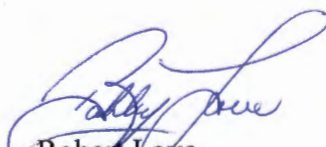
WHEREAS, works must now be completed later in the year than specified in the Cecil Ponds Construction Environmental Management Plan.

WHEREAS I, Robert Love, am a Water Manager, empowered under Section 26(1)(2) of the *Water Sustainability Act* of British Columbia.

I HEREBY ORDER YOU, Chevron Canada Ltd., to undertake the following measures in addition to the terms and conditions stipulated in Conditional Water Licence C133309:

- Conduct a survey of Streams (as defined in the *Water Sustainability Act*) which have the potential to be influenced by construction activities in and about the Cecil Ponds, and which flow into fish-bearing waterbodies prior to the start of construction activities. The survey will be conducted by a Qualified Environmental Professional/Monitor.
- Identify and document the location and extent of any spawning habitat that is present during the aforementioned survey.
- Establish additional water quality monitoring stations as directed by the Qualified Environmental Professional/Monitor, where warranted, to ensure water quality parameters and spawning habitats are not affected as a result of construction activities.
- Conduct additional spawning surveys of Streams which were found to have spawning habitat twice a week starting September 1, 2016 to determine if mature fish are present and if spawning is occurring.
- Lower the turbidity shutdown threshold (as outlined in Cecil Ponds Construction Environmental Management Plan) to ensure the protection of spawning habitat and fish, if spawning is occurring.
- Complete all instream works as authorized in Conditional Water Licence C133309 on or before October 15, 2016.

Dated at the Town of Smithers, British Columbia this 25<sup>th</sup> day of August, 2016.



Robert Love  
Water Manager  
Skeena Region