



Province of British Columbia

Water Sustainability Act

CONDITIONAL WATER LICENCE

The holder of the statutory right of way in favour of the Wuikinuxv Nation as described in Land Titles document CA5711962 to which this licence is appurtenant is hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is the Nicknaqueet River.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is April 20, 2015.
- d) The purpose for which this licence is issued is power (commercial). The power is to be generated with the Nicknaqueet River Generating Station.
- e) The maximum quantity of water which may be diverted for power (commercial) purpose is 0.8 cubic metres per second, subject to a minimum flow of 0.17 cubic metres per second being allowed to pass the intake structure for an instream flow release.
- f) The period of the year during which the water may be used is the whole year.
- g) The land upon which the water is to be used and to which the licence is appurtenant is the Statutory Right of Way on which the powerhouse of the Nicknaqueet River Generating Station is situated, described as the Statutory Right of Way over District Lot 10, Range 2, Coast District.
- h) The works authorized for the Nicknaqueet River Generating Station, which shall be located approximately as shown on the attached plan are:
 1. an intake, berm, headpond;
 2. a penstock;
 3. access road;
 4. a powerhouse, tailrace, switch yard; and
 5. 25Kv transmission line from the powerhouse to Katit IR #1.
- i) The construction of the said works shall be completed and the water shall be beneficially used prior to December 31, 2020. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.

- j) Before commencing construction of the works authorized under clause (h) of this licence, the licensee must to the satisfaction of the Water Manager (WM):
 - 1. retain a professional engineer registered in the province of British Columbia (the Independent Engineer - IE) who will provide services to the WM for the regulation of the construction of the works;
 - 2. retain a person (the Environmental Monitor - EM) who will provide services to the WM, and other agencies to monitor environmental impacts from the construction of the works, and;
 - 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, and;
 - d. submit a Construction Environmental Management Plan (CEMP) for the management and mitigation of construction impacts.
 - 4. obtain Leave to Commence Construction (LCC) in writing from the WM.
- k) Before undertaking construction of any component of works for which the LCC was issued, 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 work may proceed.
- l) Before commencing operation of the works authorized under clause (h), the licensee must:
 - 1. submit a draft Operational Parameters and Procedures Report (OPPR) for the management of operational impacts;
 - 2. submit and implement a plan to the satisfaction of the WM for the measurement of in-stream flows and of the flow of water diverted from the stream under this licence; and
 - 3. obtain Leave to Commence Operation (LCO), in writing from the WM.
- m) The final Operational Parameters and Procedures Report (OPPR) must be submitted to the WM within one year of receiving the leave to commence operation.
- n) This licence will remain valid only for so long as the statutory right of way exists for the land described in clause (g) herein, or the licensee acquires ownership of the said land.
- o) The licensee must operate the works in accordance with the procedures ordered by the Water Manager, including any amendment for the regulation of the diversion, rate of diversion and use of water as may be required for the preservation of aquatic habitat, fish, and wildlife.

- p) The project development term of this licence is up to 10 years from the date of issuance of this licence. If the project has not been completed by the date defined in clause (i), an applications for an extension of time to complete the project must be submitted.
- q) The project operational term is a period of 40 years from the expiry of the project development term, or through the commencement of power production by the issuance of the leave to commence operation, whichever occurs earlier.



Darryl Slater
Water Manager