



February 20, 2019

File: 20006290
vFCBC Tracking No.: 100241700

Beverley Gail Severn

Denman Island BC V0R 1T0

Dear Beverley Severn:

Re: Water Licence Application 106290

The investigation of the above application has been completed. Enclosed is a copy of Conditional Water Licence 500469.

Please read the documents carefully. Any error(s) in these documents should be brought to the attention of this office as soon as possible.

It is my understanding that the Denman Community Land Trust Association (DCLTA) intends to take over the water licence upon subdivision and sale of a portion of Parcel M (DD 6601N) of Section 18, Denman Island, Nanaimo District, except that part in Plan 24807 to service the proposed affordable senior's housing development. Once subdivision is complete, the licensee must apply to apportion the water licence in whole to the new lot.

Please note that Section 58 of the *Water Sustainability Act* requires that a well must not be operated in a manner that causes saltwater intrusion and has significant adverse impacts on a well, aquifer or hydraulically connected stream. Through the adjudication of your water licence application, it was identified that your well may be at risk of salt water intrusion due to the physiography (low hydraulic gradient and proximity to the ocean), historical water quality data indicating potential saline groundwater encountered near this site, and potential cumulative impacts of pumping from a high density of wells in the Denman Island village area. To prevent saltwater intrusion from occurring, the operation of groundwater well WTN 113477 should follow best management practices for prevention of saltwater intrusion, which can be found at https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-wells/saltwaterintrusion_factsheet_flno_web.pdf.

Please note the following requirements as specified in Conditional Water Licence 500469:

1. The licensee must collect water quality samples for saltwater intrusion indicator parameters including chloride, specific electrical conductivity and total dissolved solids from WTN 113477 at a minimum of once annually for the first three years of regular operation of the well. Sampling must take place during the driest time of the year, follow standard procedures for purging and sampling, and be submitted to an accredited laboratory for analysis.

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2. Following the first three years of sampling, the licensee must collect water quality samples for saltwater intrusion indicator parameters as specified above at a minimum of once every five years.
3. Water quality sample results must be compared to the following operational objectives:
 - i. Chloride: ≤ 150 mg/l;
 - ii. Specific electrical conductivity: ≤ 1000 μ S/cm; and
 - iii. Total dissolved solids: ≤ 700 mg/L;
4. If any of the above operational objectives are exceeded, the licensee must notify the West Coast Regional Water Manager within 30 days of receiving the water quality sample analysis results.
5. The licensee must also install a flow measuring device to measure flow diverted from the well prior to treatment of the water. Records of flow must be retained for inspection by the Water Manager upon request.

To protect the quality and safety of our groundwater resources all wells and associated works related to a groundwater diversion, storage and use must comply with the *Water Sustainability Act* and Groundwater Protection Regulation which requires water wells in British Columbia to be properly constructed, maintained, and, at the end of their service, deactivated and decommissioned. For more information on well owner requirements under the Groundwater Protection Regulation please visit <http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/groundwater-wells>.

You are advised that the *Drinking Water Protection Act* and the Drinking Water Protection Regulation under that Act govern the construction, installation, alteration, extension and operation of joint works that form part of a domestic water system supplying more than one single-family residence or any facility or establishment where the public consumes water. It is the responsibility of the licensee to comply with the Act and Regulations noted above. Your local Regional Health Authority will be able to assist you.

You should be aware all archaeological sites are protected under the *Heritage Conservation Act*. Archaeological sites may exist that have not been identified or documented. Please note it is an offence to alter, damage, dig in or excavate an archaeological site, except if authorized by a permit issued under the *Heritage Conservation Act*. If an archaeological site or potential archaeological material is encountered at any time, all activities must cease and you must contact the Archaeology Branch at 250 953-3334 for direction.

Please note the following:

- 1) Water licences do not authorize entry on privately owned land for the construction of works, or flooding. Permission of the affected landowner must be obtained or an easement expropriated. For your protection, permission should be in writing and registered with the appropriate Land Title Office.
- 2) Permission for installing works on lands or roadways which are under the jurisdiction of any government agency, must be obtained from the agency concerned.

Please contact FrontCounter BC to assist you with notifications and any applications required if:

- a) there is any change in your mailing address;
- b) you sell the land to which the licence is appurtenant;
- c) you propose to subdivide the land to which the licence is appurtenant; or
- d) you propose to alter the works authorized under the licence.

In order for you to keep your water licence in good standing, the following must be observed:

- a) continued beneficial use of water, as authorized under your licence;
- b) payment of annual rentals;
- c) compliance with the terms of your licence; and
- d) compliance with the terms of the *Water Sustainability Act*.

One of the obligations of a water licence is the payment of annual rentals and fees to the Crown for the authorization to exercise the rights granted under the licence. Failure to pay water rental invoices by a specified date may result in late-payment penalties, collection action or cancellation of the licence. Any questions in regards to invoices, statements or billing procedures should be directed to the Water Revenue Unit at 1 800 361-8866. Callers from the Victoria area should dial 250 387-9445.

The *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. Information on filing an appeal can be found on the Environmental Appeal Board website at: <http://www.eab.gov.bc.ca/>. A right of appeal from my decision lies to the Environmental Appeal Board. Notice of any appeal must (1) be in writing; (2) include grounds for the appeal; (3) be directed by registered mail to the Chair, Environmental Appeal Board, PO Box 9425 Stn Prov Govt., V8W 9V1 or personally delivered to the office of the Board at 4th Floor, 747 Fort Street in Victoria, BC V8W 3E9, eabinfo@gov.bc.ca; (4) be delivered within 30 days of receiving this letter, and (5) be accompanied by a fee of \$25.00, payable to the Minister of Finance.

If you have any questions or concerns, please contact Cali Melnechenko, Water Officer, by phone 250 751-7117 or email cali.melnechenko@gov.bc.ca.

Yours truly,



Darryl Slater
Water Manager

cc: Harlene Holm (DCLTA) – [REDACTED]
Jamie Dubyna (Islands Trust) – jdubyna@islandstrust.bc.ca