SHORT-TERM WATER USE APPLICATION MANUAL
March | 2016

Version 1.18

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Manual Revisions

Summary of Revisions

The Short-Term Water Use Application Manual has been revised based upon feedback to provide clarity in terms of requirements and process. Structural changes by section are highlighted below.

Applications received on or after the effective date will be required to meet the revised application standards.

Effective Date	Section	Description/Rationale
January 19, 2015	Various	Various edits have been made to this manual, readers are encouraged to review the document in full. For further information regarding the changes, refer to INDB 2014-22 on the Commission's website.
February 1, 2016	Various	This document has been updated to reflect the changes to the Land Act. For more information refer to INDB 2015-34.
March 1, 2016	Various	This document has been updated to reflect the repealing of the Water Act and the implementation of the Water Sustainability Act. For more information, refer to INDB 2016-05 on the Commission's website.

1 Preface

Purpose

This manual has been created to guide users through Commission processes and procedures. It also serves to highlight changes in process, procedure, requirements and terminology for short-term water use approvals of Section 10 of the Water Sustainability Act.

For users familiar with the Commission application process, this manual provides a quick reference outlining the steps required to complete specific tasks. For users unfamiliar with the Commission application process, this manual presents a complete overview of Commission requirements and provides links to more detailed material.

This manual is not intended to replace applicable legislation. The user is encouraged to read the full text of legislation and each applicable regulation and request clarification from Commission staff, if necessary.

Scope

This manual focuses exclusively on requirements and processes associated with the Commission's legislative authorities, and does not provide information on legal responsibilities that the Commission does not regulate. It is the responsibility of the applicant or permit holder to know and uphold its other legal responsibilities.

How to Use This Manual

This manual is divided into sections, which are organized chronologically, and match the order of the steps that applicants and permit holders follow when engaging in oil and gas activities.

Beginning with pre-application, the manual takes the user through the steps of the application preparation, submission, revision and amendment. Each section begins with an overview describing its content.

Section 3 **Pre-Application** outlines what companies new to British Columbia must do before applying for oil and gas permits.

Section 4 **Preparing Applications** outlines how to prepare all required sections of the application.

Section 5 **Application Process** outlines the Commission's application and review process to provide the applicant with an understanding of Commission procedures, and what to expect during the permitting process.

Section 6 **Short term Water Use Application Form** outlines how to complete each information block on the application form, and identifies attachments required for submission.

Section 7 **Revisions, Amendments and Cancellations** outlines the procedures required to make revisions or amendments to an application or permitted activity.

Section 8 **Compliance** outlines contravention of legislation and regulation and administrative penalties.

Additional Guidance

Additional guidance may be found in the Water Sustainability Act, the Water Sustainability Regulation, the Groundwater Protection Regulation, the Dam Safety Regulation, the Environmental Protection and Management Regulation and the Environmental Protection and Management Guideline.

The glossary page on the Commission website provides a comprehensive list of terms.

The appendices contain documents to be used as reference when compiling information required by the Commission.

Feedback

The Commission is committed to continuous improvement by collecting information on the effectiveness of guidelines and manuals. Clients and stakeholders who would like to comment on Commission guidelines and manuals may send constructive comments to OGC.Systems@bcogc.ca.

2 Introduction

Water is a Crown resource, and the use of water for oil and gas activity requires authorization from the BC Oil and Gas Commission (Commission) through the Water Sustainability Act, either with a water license, or with a water use approval for a maximum period of two years through Section 10 of the Water Sustainability Act.

Section 8 of the Oil and Gas Activities Act (OGAA) provides the Commission with authority for Section 10 of the Water Sustainability Act. The purpose is to provide access to short-term water supply for oil and gas operations in British Columbia in a manner consistent with the Commission's responsibility as a single-window regulator.

Any oil and gas operator wishing to withdraw water from a lake, stream, dugout, aquifer or other water source for the purposes of oil and gas activity is required to apply for and obtain an authorization for short term water use or a water license. This manual pertains just to short term water use authorizations.

Oil and gas-related water use activities include, but are not limited to: hydraulic fracturing, drilling and completion of an oil and gas well, road construction, geophysical exploration, rig wash water, coolant for internal combustion engines on rigs, compressors and other equipment, and for sanitary purposes.

Section 10 Short-Term Water Use Policy

The Commission's authorization of short-term water use will be consistent with the provisions of Section 10 of the Water Sustainability Act. The duration of authorization under Section 10 will not exceed 24 months. Upon the expiration of a short-term water use authorization, subsequent applications for authorization will be reviewed and adjudicated as new applications.

In some instances, oil and gas operators will require water licenses issued by the Commission. These instances include:

- Where a company proposes to construct permanent water infrastructure (e.g., a pipeline) as part of its water supply strategy.
- Where a company proposes to store water acquired from a stream or an aquifer in a structure classified as a dam under the Dam Safety Regulation.
- Where a company requires assurance to long-term water access through the "first in time, first in right" principle of the Water Sustainability Act.

If a water license is required, the Commission can provide a short-term water use approval to bridge the company's operational requirements for water while the water license application is being adjudicated.

The Commission applies environmental flow assessment and determination to decisions for short-term water use, consistent with Section 15 of the Water Sustainability Act. These are detailed in various parts of this manual, including Appendix E – Water Supply and Demand Analysis, and Appendix F – Guidance on Water Withdrawals and Environmental Flow Needs.

3 Pre-Application Requirements

ePass accounts are not required for short-term water use submissions.

Companies applying to conduct oil and gas activities in BC for the first time must ensure all pre-application requirements are met, including the New Company or Corporate Structure Change Application Form.

New Company Application Form

The New Company Application Form captures general administrative and corporate registry information.

Completed New Company Application Forms and required attachments must be submitted to the Commission's Corporate Land Management Unit and must be processed by the Commission prior to the submission of any oil and gas activity permits.

For more information on the New Company Application Form, please refer to the Commission's Permit Operations and Administration Manual.

4 Preparing Applications

To conduct water withdrawal activities, companies must first submit a completed Short-Term Water Use Application Form.

A Short-Term Water Use Application Form provides the Commission with the information necessary to conduct a review of the proposed water withdrawal. Upon completion of the review, the Commission may issue an authorization.

Before submitting the application, preparation and planning on behalf of the applicant may be required. Following the instructions provided in this section will help to ensure that the application is complete and correct, which may minimize Commission review timelines.

If required, diversion maps and First Nations packages must be submitted in person or via mail to the BC Oil and Gas Commission in Fort St John.

BC Oil and Gas Commission
Physical: 6534 Airport Road, Fort St. John, B.C. V1J 4M6
Mailing: OGC, Bag 2, Fort St. John, B.C. V1J 2E0

Preparation and Planning

When preparing a Short-Term Water Use Application, specific activities must be completed to ensure that a complete and correct application is submitted.

The following sections describe the steps applicants must take when planning and preparing for well activity.

Every applicant must:

1) Ensure that proposed water withdrawal operations comply with all legislation, including the Water Sustainability Act.
2) If access is located on private land, enter into a surface agreement with the landowner for access to the water withdrawal point.
3) Identify any Additional Information Requirements based on activity or location.
4) Determine if additional authorizations are required to occupy Crown land (for example, work space near water withdrawal point(s)). Applicants must apply for ancillary sites separately, for which they will be issued separate temporary permits under the Petroleum and Natural Gas Act or Land Act tenures. See the Crown Land Application Manual on the Commission website for more information.

A short-term water use approval does not grant any land tenure or access, only the use of water from the approved diversion point.

Additional Considerations

Engaging First Nations

Before submitting an application to the Commission, companies are encouraged to initiate and build relationships with First Nations communities directly by discussing their intended development plans.

It is recommended that companies use an Engagement Log to record all meetings and discussions with First Nations. A sample format for the Engagement Log is located in Appendix B.

An Engagement Log can benefit the process flow when the First Nation has been advised that the applicant's engagement activities will be shared with the Commission. The Engagement Log may be considered in the decision making process.

First Nations Consultation Boundaries maps are available for review at the Commission office. These maps, and advice from the Commission's First Nation Liaison Officers, provide companies a starting point for their engagement responsibilities.

Details regarding engagement and consultation requirements are located in Section 6 First Nations/Aboriginal Communities Consultation and Notice.

Authorization for a short term water use approval is independent of specific projects or operations. Once acquired, the water can be used for the approved purposes specified in the authorization holder.

Engaging Rights Holders

The province makes every effort to ensure resource management is coordinated and the related oil and gas activities will not adversely affect long-term rights holders' interests. The results of the applicant's rights holder engagement activities will be considered as part of the Commission's decision-making process.

For the purposes of short-term water use applications, rights holders as defined in the Water Sustainability Act include: water licensees; applicants for a water licence; riparian owners; and owners whose property may be physically affected by the applicant's works. Applicants will notify and engage with rights holders as defined in the Water Sustainability Act and will provide a summary of that engagement with their application, using the Rights Holder Engagement Line List detailed in the Crown Land Application Manual. The rights holder notification should be completed 14 days prior to submission of the water use application.

A search of the Water Licenses Web Query, along with the North East Water Tool (NEWT), the Omineca Water Tool (OWT), or the North West Water Tool (NWWT) should be completed before submitting a Short-Term Water Use Application, to assist with determining rights on the same water source.

Forms

Forms used in conjunction with First Nations consultation (including First Nation Cover Letters) are found on the Commission website.

Spatial Data

Provincial spatial data is stored in the BC Geographic Warehouse, a central, consolidated repository of land and resource information from across the province. It includes many types of data including cadastral information (tenures,

ownership, boundaries), resource information (vegetation, fisheries, wildlife), provincial atlas (rivers, roads, buildings, topography, surveys), and planning and analysis information (land and resource management plans, sustainable resource management plans).

Spatial data from the BC Geographic Warehouse is available to view through iMapBC discover through the Discovery Service, and download from the Distribution Service.

All services can be accessed through the GeoBC Gateway.

Water Tools

Before submitting an application to the Commission, applicants are encouraged to utilize the NEWT, OWT, or the NWWT to assist in understanding the water supply and determining whether water is likely to be available for permitting within the watershed of the proposed water source. A report can be generated from NEWT, OWT or NWWT, providing information on monthly runoff, environmental flow requirements, existing licenced or approved use, and potentially available water. The Commission recommends that the NEWT report be generated by the applicant and submitted for all short-term water use applications for streams and lakes within northeast BC. NEWT is not useful for estimating the annual or seasonal runoff into water source dugouts, and a NEWT report is not required for a water source dugout application. The OGC Water Information website provides detailed information on the use of the tool, as well as the limitations of NEWT.

Where stream flow measurements exist, such as from the Water Survey of Canada or industry-specific measurements sites, applicants can supplement the NEWT, OWT or NWWT analysis with analysis of the existing data. In addition to NEWT, OWT and NWWT, the Commission has created the Water Portal, which provides access to hydrometric and climate data.

Water Source Types

Water Source Types must be identified before submitting a Short-Term Water Use application.

The Water Sustainability Act vests “the water at any time in a stream” and the “percolation and flow of groundwater” to the Crown. Under the Water Sustainability Act, all groundwater is considered to be from an “aquifer”.

The Water Sustainability Act defines a stream as:

"(a) a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or

(b) a natural source of water supply,

including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer."

A wetland is further defined as "a swamp, marsh, fen or prescribed feature".

Groundwater is defined as "water naturally occurring below the surface of the ground".

An aquifer is defined as:

"(a) a geological formation,
(b) a group of geological formations, or
(c) a part of one or more geological formations
that is groundwater bearing and capable of storing, transmitting and yielding groundwater."

For the purposes of identifying Water Source Types on the Short-Term Water Use Application Form, the following definitions should be used:

Water Source Dugout (Groundwater)

If a borrow pit or other earthen excavation is used as a source of water that has naturally accumulated, it is referred to as a "water source dugout". The water in water source dugouts is predominantly sourced from the percolation and flow of groundwater, and the Commission administers water source dugouts as "aquifers" under the Water Sustainability Act. In some cases, should there be a stream physically connected to the dugout, the more appropriate water source type to include in the application for water use approval may be one for surface water.

Water Storage Sites can include an excavation used to store water acquired from other sources. Water Storage Sites do not require a short-term water use approval.

Lake/Pond (Surface Water)

Lakes and ponds are both “streams” as defined in the Water Sustainability Act. A lake is a body of relatively still fresh water, localized in a basin. Lakes and ponds can be contrasted with rivers or streams, which normally flow. There is no universally accepted criteria to distinguish ponds from lakes, however, as general guidance, ponds can range in size from a few square metres to approximately two hectares, while lakes are generally larger than approximately two hectares. Most lakes are filled and drained by rivers and streams. Ponds can include man-made features. Over time, some pits constructed originally as borrow pits can evolve to develop natural vegetation and habitat characteristics, and become classified as ponds.

River/Stream (Surface Water)

A river/stream is a natural watercourse of freshwater flowing towards an ocean/sea, lake or other river, sometimes flowing towards the ground and drying up prior to reaching another water body. Small rivers may also be called by several other names, including stream, creek, brook, rivulet, tributary, rill and crick. A stream in this manual specifically refers to a “stream” as defined in the Water Sustainability Act, which includes: a lake, pond, river, creek, spring, ravine, gulch, wetland (swamp, marsh or fen) or glacier, whether or not usually containing water, including ice**.**

Basin Authorizations (Surface Water)

It may not always be possible for a company to pre-define all locations of water withdrawal, in which case companies are able to apply for a Basin short term water use authorization (Basin authorization).

A Basin authorization allows withdrawals of up to 45 m^3/day, to a maximum of 5,000 m^3 for the period of approval, specified to a drainage basin or basins depicted on the OGC Water Management Basins map. The applicant is required to identify which basin or basins will be used, however they are not required to identify specific points of diversion.

Basin authorizations are limited to small water uses where it is not possible to predefine withdrawal points, including geophysical exploration, winter ice road construction, dust suppression, and other uses, provided the volume use restrictions can be met. The Commission’s OGC Water

Management Basins map (hardcopy PDF map and shapefiles) can be accessed through the Commission's FTP site.

A company is limited to one Basin authorization in a specified basin, except for geophysical exploration. For geophysical exploration, each separate geophysical exploration program can have a separate Basin approval.

Basin authorizations are generally restricted to northeast BC, in the watersheds defined by the OGC Water Management Basins map. The Commission will consider applications for Basin authorizations outside the northeast on a case-by-case basis. The applications will need to demonstrate a need for only small volumes of water where there is no ability to define specific points of diversion. For locations outside the northeast, applicants are requested to use the watershed polygons delineated in the "Freshwater Atlas Watershed Groups" map coverage, using the 4-letter "Watershed_Group_Code" in the Short-Term Water Use Application Form, Block E. The FWA_Watershed_Groups coverage can be downloaded at:

https://apps.gov.bc.ca/pub/geometadata/metadataDetail.do?recordUID=50651&recordSet=ISO19115

Other

This Water Source Type should be used when the diversion point occurs from a water source where the above definitions do not apply. The applicant will specify the water source type.

Post-Authorization Reporting

Post-authorization reporting requirements are outlined in Appendix A of this manual apply.

5 Application Process

Application Review and Determination

The following process flowchart shows the major steps in the Commission's application screening, review and determination processes.

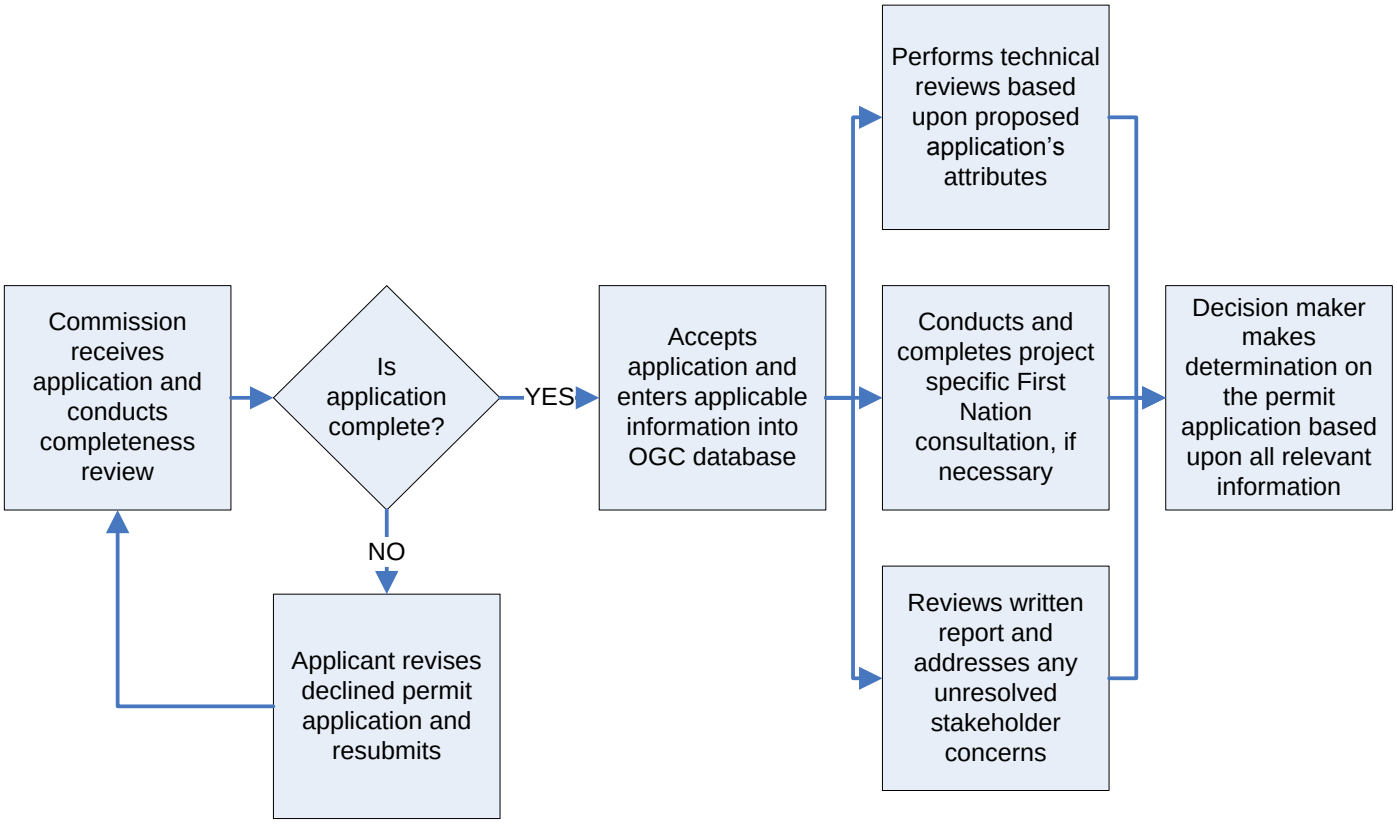

Figure 4.1. An overview of the Commission's role in the application screening, review and determination processes.

Application Screening

Once an application has been received by the Commission, it will be reviewed for completeness.

Declined Applications

Applications missing requirements or containing incomplete information are declined and returned to the applicant. An explanation of why the application was declined is sent to the applicant by email.

Once any deficiencies have been addressed, the application can be resubmitted. Applications that are declined and resubmitted are reviewed in order of their resubmission date, not their original date of submission.

Completed Applications

When all requirements are met, the application is classified as complete, accepted and entered into the processing and review phase.

Application Review Phase

Before making a determination on the application, the Commission consults with First Nations, if applicable, and performs technical reviews.

Application Revisions

Revised applications that change after entering the Commission's review stage are known as "revisions". As with declined applications, revised applications that are resubmitted are reviewed in order of their resubmission date, not their original date of submission.

Application Determination

Once all internal reviews are complete, the Commission may issue an authorization with conditions attached, specifying what activities the permit holder may conduct.

Post-Approval

Term of Authorization

The “term” is the length of time for which the authorization is valid and is defined in Section 10 of the Water Sustainability Act as a term not exceeding 24 months. A short term water use approval term may not be extended such that it would result in an authorization for use of longer than 24 months.

If activities have not started by the end of the permit term, the authorization will expire, and the applicant must re-apply to the Commission if the short term water use is still required.

Authorization Transfers

An authorization for a short-term water use approval can be transferred to another company where there is a sale or transfer of PNG lease and associated OGAA permits.

Amendments

A short-term water use approval can be amended to do any of the following:

- authorize additional or other works than those previously authorized;
- correct an error in the authorization;
- remove a provision of the authorization that is inconsistent with the WSA;
- authorize the use of water for a water use purpose other than a water use purpose specified in the authorization;
- extend the term of the authorization, to a maximum of two years;
- increase or reduce the quantity of water authorized to be diverted if it had been erroneously.

6 Short-Term Water Use Application Form

The Short-Term Water Use Application Form is separated into lettered blocks, containing information specific to particular Commission divisions.

The information in this section provides guidance for completing the form, including each block, and its attachments, and it identifies the procedures and standards that must be followed by the company as a condition of approval. Links and/or references to specific documents are included where further clarification is required.

Block A Commission Information

If the diversion point(s) were previously approved in an authorization issued to the applicant, please indicate the Commission file number. If the diversion point(s) were not previously approved, leave this field blank.

Block B Administration

Administrative information is used to collect applicant and agent contact information.

Applicant Name	Enter the company name as registered with the BC Corporate Registry.
Address	The business address of the applicant company.
City, Province, Postal Code	The City, Province and Postal Code of the applicant company.
Contact	The first and last name of the primary contact for the applicant company.
Email and	The primary phone and email information for

Phone	the contact listed.
Land/Referral Company	The referral company or land agent contracted by the applicant.
Agent Name, Email and Phone	The name, primary email and phone number of the land agent.
Internal File No.	The applicant or the land agent's internal file number for cross-referencing purposes.

Block C Application Information

Information on land status and land use planning allows the Commission to determine how the proposed activity impacts or affects the land base.

Application Type	Indicate the type of Short-Term Water Use application: New, Revision, Amendment or Replacement of Expired Permit.
OGC Zone	The Commission has divided the province into regional zones. Select the appropriate zone for the permit application. To locate the appropriate area, view the Commission's Regional Zones.

Block D First Nations/Aboriginal Consultation and Notice Package

The Province of British Columbia has the duty to consult and, if necessary, accommodate First Nations whenever it proposes a decision or activity that could potentially impact treaty rights or aboriginal rights recognized and affirmed by Section 35(1) of the Constitution Act, 1982. As an agent of the Crown, the Commission fulfills any provincial obligation to consult with First Nations before the authorization of activities under OGAA and related specified enactments.

Consultation

Consultation with Treaty 8 First Nations about any potential impact on their treaty rights by oil and gas activities are, in some cases, determined by agreements between the Commission and First Nation. First Nations agreements with the Commission can be found on the Commission's First Nations web page.

For First Nation Communities who do not have a Consultation Agreement, the Commission relies on its Interim Consultation Procedures which are based on the British Columbia Updated Procedures for Meeting Legal Obligations When Consulting First Nations.

The Commission may consider engagement which has occurred between First Nations and the applicant as part of its decision-making process.

Consultation Timelines

The Commission consults with First Nations through the process and timelines established in the Consultation Agreements and Interim Consultation Procedures where applicable. The consultation process starts once the First Nation community receives the completed package. The Commission's internal reviews occur simultaneously with First Nations reviews.

If concerns are identified in First Nations responses, the Commission will discuss those concerns and potential solutions with the First Nation. In some cases this may include facilitating meetings between the First Nation and applicant to discuss concerns and proposed accommodation measures. The Commission strives to facilitate an efficient and effective consultation process.

Administrative Boundaries
Administrative boundaries established through the Consultation Agreements guide consultation with First Nations. Where there is no agreement in place, the Commission follows the provincial direction and defaults to the boundaries in the Consultative Areas Database.

Aboriginal Community Notice Communities
There are four Aboriginal communities to which the Commission provides information about surrounding oil and gas activities in the form of an Aboriginal Community Notice.

Aboriginal Community Notice packages are different from, and must not be confused with, Notification as defined within some consultation agreements with First Nations.

Aboriginal Community Notice Communities	
Abbreviation	**Aboriginal Community Names**
KLCN	Kelly Lake Cree Nation
KLFN	Kelly Lake First Nation
KLMSS	Kelly Lake Métis Settlement Society
FLFN	Fort Liard First Nation

Package Requirements

The information provided in this block constitutes a complete First Nations/Aboriginal Community package, and the form indicates what information must be included with the permit application.

First Nation Liaison Officers are also available to answer questions and provide guidance on related issues.

Attachments

Attachments for First Nations packages should not be compiled to meet attachment requirements for the permit application.

- **Cover Letter**: Two copies of a Cover Letter with the appropriate application categorization and one copy of the application for each First Nation whose administrative consultation area overlaps the proposed project area.

- **Application Form**: One copy of the completed application form.
- **Mapping Requirements**: A copy of the diversion map.
- **Additional Information**: Any attachments (for example, mitigation plans or justifications) that were submitted as required by Block G, Additional Information Requirements, of the application.

Block E Short-Term Water Use Applications

If the applicant requires more than one diversion point, enter information relevant to Block E and F into the Application for Short term Water Use - Supplemental Table.

Proposed volume per day is not required for Water Source Dugouts.

The Short-Term Water Use Application block requires the applicant to provide the Commission with specific characteristics about the proposed water withdrawal.

Volumes

For each Point of Diversion, indicate the total proposed volume (m^3) of water per day (excluding volumes from water source dugouts), and the proposed total volume (m^3) of water being applied for.

Withdrawal Types

Indicate if the water withdrawal is from a:

- Basin,
- Lake/Pond,
- Stream/River,
- Water Source Dugout,
- Other (specify details)

Withdrawal Details

Complete withdrawal details specific to the chosen Withdrawal Type.

Block F Water Use Details

The Water Use Details block requires the applicant to provide the Commission with specific details about the proposed project.

Period

Enter the length of time for which the water withdrawal is being requested, to a maximum of 24 months.

Purpose

Indicate the purposes for which the withdrawn water will be used (up to 3 purposes).

Purposes include:

- Oil and Gas (which includes hydraulic fracturing and oilfield injection);
- Well Drilling (which does not include hydraulic fracturing);
- Storage;
- Cooling;
- Pressure Testing and Flushing;
- Work Camps;
- Fire Protection;
- Road Maintenance.

Works

Describe the works, if any, as defined in the Water Sustainability Act, which will be used for the water diversion and use. Works include storage. If there are no works required for water diversion and use, indicate that in this field.

Water Supply / Demand Analysis

Indicate if a Water Supply/Demand Analysis is needed. An analysis is required if the application is for:

- a river or lake and contains a point-of-diversion (POD) for greater than 200 m^3/day or greater than 10,000 m^3 in total, or

- a water source dugout where there is reasonable likelihood of hydraulic connection to a stream (which includes swamps, marshes and fens).

If yes, see Appendix E. Where more than one POD is being applied for, these thresholds apply to each POD individually. The Water Supply/Demand Analysis provides Environmental Flow Needs information to be evaluated by the decision-maker.

Permit Over Crown Land

Indicate if a permit over Crown land (Water Sustainability Act, Section 24) is required for temporary water line associated with this short-term water use application. Where temporary water line is required, applicants should use existing rights-of-way and roads to the greatest extent possible. A Section 24 authorization can be issued in the following circumstances:

- where no cut is required;
- where no ground disturbing activities will occur to install or operate;
- where the water line will convey only fresh water diverted for use under this application; and
- Where the applicant has not otherwise been granted permission to occupy or use the Crown land.

If a water line will be located within an existing right-of-way under permit to a different company, an authorization under s. 24 is not required, but agreement with the other company is required.

If a water line will be located on Crown land where new cut is required, a Crown Land Authorization is required. The Commission does not encourage additional cut for temporary water lines associated with short-term water use.

Block G Additional Information Requirements

The additional information block requires the applicant to provide the Commission with additional information about the proposed project.

Additional information requirements, in the form of application attachments, are required when activities are located in areas of environmental sensitivity and/or require exemptions from Commission guidance.

If the proposed program does not fall within any of the "Spatial or Identified Areas" and does not deviate from Commission guidance, the N/A (not applicable) box must be checked.

If the proposed activity will not be conducted in accordance with the Commission's guidance, a written justification must specify what standard is not being met and why, and, where appropriate, a plan to address potential impacts to any identified values for the proposed activity must be included with the application.

For more information about the Commission's requirements for mitigation strategies, refer to the EPMG.

Spatial or Identified Areas

1. Special management or protected development zones, as per a BC Land or Coastal Marine Plan

BC Land or Coastal Marine Plans form the foundation for balanced solutions that meet economic, environmental, social and cultural needs throughout the province. They inform both government decision-makers and people searching for natural resource development opportunities. Proposed oil and gas activities should be reviewed before application in the context of any applicable Land or Coastal Marine Plans. Projects should conform to the objectives of the Plan Management Zone, in which the project is proposed.

All land and marine planning documents are available at the Ministry of Forests, Lands and Natural Resource Operations website.

Where projects fall within Special Management Zones or the equivalent, applicants must provide a justification detailing:

- Why it is necessary to operate within the Special Management Zone or equivalent.
- What actions will be, or have been taken to minimize impacts to the Crown values within the area.
- How the zone objectives will be achieved or maintained.

Parks, protected areas and ecological reserves are viewable through the GeoBC gateway.

2. Park, Protected Area or Ecological Reserve

Oil and gas activity is not generally allowed within parks, protected areas or ecological reserves. However, there are extenuating circumstances where the Commission may consider applications for activities proposed within these areas.

Before submitting an application for activity within a park, protected area or ecological reserve, contact the Commission's Operations Manager for the zone in which the activity is being contemplated to determine whether or not the Commission will consider the application.

If the Commission will consider the application, it must be accompanied by:

- A justification, detailing why it is necessary to operate within the park, protected area or ecological reserve.
- A mitigation strategy, outlining what actions will be taken to minimize impacts to Crown values within the area.

For more information about the Commission's expectations of mitigation strategies, refer to the EPMG.

3. Areas established by the Commission

Applications in areas established by the Commission must be submitted with a mitigation strategy to identify how the application is aligned with the requirements of the area.

4. Indian Reserve Land

If the proposed activity is located on Indian Reserve Land, an Indian Oil and Gas Canada Agreement must accompany the application.

Block H Application Deliverables

The application deliverables block provides a summary of the documents that must be included with the application

Not all deliverables are required for all applications.

Short-Term Water Use Application Form

Include the completed Short-Term Water Use Application Form.

Diversion Map

Include two copies of a map showing the diversion point(s) at any scale.

Mapping Criteria

Every Short-Term Water Use Application Form must be accompanied by a diversion map illustrating in detail the location and extent of planned activities at an appropriate scale. All maps should clearly indicate:

- Map date;
- NTS and BCGS map sheet numbers indicated on a legend and on the maps;
- North arrow;
- Version number (for example, “Revision #1, Amendment #1”).

Supplemental Table

Where the application includes more than one proposed diversion point, the Supplemental Table must be included with the application.

First Nations Packages	Include in package, as per the Package Requirements, for each First Nations community with whom consultation or Aboriginal Community Notice is required.
Water Rights Holder Notification/Engagement	Include a Rights Holder Notification and Engagement Line List, as per Appendix A of the Crown Land Application Manual, for water rights holders.
Water Supply / Demand Analysis	Where the application is for greater than 200 m^3/day per river or lake POD, greater than 10,000 m^3 in total per POD, or for a water source dugout where there is reasonable likelihood of a hydraulic connection to a stream (including a swamp, marsh or fen), submit a Water Supply/Demand Analysis (refer to Appendix E).
Other	Include a complete description of any other application attachments, such as a NEWT, OWT or NWWT report.

Block I Applicant Authorization

This information field may only be signed by an employee or agent of the applicant with signing authority. By signing this block, the applicant or authorized signatory attests that all of the information provided on the application is true and correct.

7 Revision, Amendment and Cancellation

When changes to an application are required, they can be made through the revision process. Changes to an existing approval must be made through the amendment process.

Both revisions and amendments require the submission of a new Short-Term Water Use Application Form.

Application Revision

When a new, revised application is submitted, the original application is negated. In order to revise an application, the applicant must request that the Commission change the application to “pending”. Once the application is pending, the applicant can make the changes to the application, following the same procedures as a new application.

Attach a letter explaining what the revision is and why it is being requested.

Authorization Amendment

Amendments may be made related to an authorization for short-term water use in cases such as:

- authorize additional or other works than those previously authorized;
- correct an error in the authorization, change approval or related permit;
- remove a provision of the authorization, change approval or related permit that is inconsistent with the Water Sustainability Act;
- authorize the use of water for a water use purpose other than a water use purpose specified in the authorization;
- extend the term of the authorization, to a maximum of 24 months
- increase or reduce the quantity of water authorized to be diverted if it appears to have been erroneously estimated

A short-term water use authorization cannot be amended to add or change diversion points, or to change the approved volume (other than to correct an error). These situations require a new Short-Term Water Use application to be submitted to the Commission.

When submitting amendments to a Short-Term Water Use authorization, the following requirements must be met:

- A letter explaining the amendment and why it is required.
- A revised Short-Term Water Use Application Form.
- Applicable First Nations packages.
- Any other information required based on the characteristics of the application.

Cancellation and Expiration

It is the responsibility of the client to ensure accurate reporting of water withdrawals up to the date of cancellation.

Withdrawing an Application

To withdraw an application, submit a request to the appropriate Authorizations Manager. The request must be made by the company representative identified on the application form, or another appropriate employee of the applicant.

After Authorization

If an authorization holder decides not to use a Short-Term Water Use authorization, the client must submit a letter requesting cancellation of the authorization. The cancellation request letter must clearly identify:

- Commission file number;
- Point(s) of diversion;
- Whether or not any water withdrawal has occurred to date.

Once a Short-Term Water Use authorization is cancelled, the client is only responsible for reporting on water withdrawals that occurred up to the cancellation date.

Authorization Expiration

If water withdrawal has not started or is not complete by the end of the approval term, the authorization will expire.

Applicants applying for a short term water use in the location of an expired authorization must submit a new application.

Applicants should use the original Commission file number.

8 Compliance

The Commission has special conservation officer status that allows the Commission to enforce specific sections of the Water Sustainability Act. Enforcement can include:

- Warnings;
- Prosecution (violation tickets or court appearance);
- Restriction of issuance of renewals and cancellation of existing permits.

Section 94 of the Water Sustainability Act states when and why an authorization can be cancelled or suspended by the regulator. Cancellation or suspension by the Commission can occur when a client fails to:

- Make beneficial use of the water;
- Construct within the timeframe;
- Comply with an authorization condition;
- Comply with the Water Sustainability Act;
- And/or other reasons as defined in Section 94 of the Water Sustainability Act.

Appendix A – Post-Authorization Reporting

Companies holding short-term water use authorization are required to submit monthly water withdrawal data to the Commission on a quarterly basis.

By housing and monitoring water use statistics, the Commission is better equipped to manage Short-Term Water Use authorizations that reflect the best interests of the environment, industry and the people of British Columbia. Recording accurate information allows the Commission to better consult with all major stakeholders in addressing water issues and usage.

Water Reporting Details

Water withdrawal data must be reported for each authorized withdrawal location or, in the case of a Basin Authorization, as a cumulative total for each approved basin. Data must be reported in tabular format, as an Excel (CSV) file, and emailed to: OGCWater.VolumeData@bcogc.ca

Data submitted quarterly will comprise the total volume withdrawn each month (cubic metres). If no volume was withdrawn in any month in a quarterly reporting period, a volume of "0 m^3" is reported for those months.

Data will be reported as shown on the following table.

Reporting Period	Report by Date
January – March	April 25th
April - June	July 25th
July - September	October 25th
October - December	January 25th

Failure to Report

Should there be non-compliance with quarterly reporting, the file will go to Commission compliance and enforcement (C&E) staff for investigation and follow-up. If the non-compliance continues

after distributing the C&E notification, the Commission is in a position to take action, based on Oil and Gas Activities Act (OGAA) provisions and depending on the severity of the infraction. Compliance is addressed in Section 8 of this manual.

Appendix B – Engagement Log Example

First Nation Engagement Log

The Commission recommends keeping a log of all engagement and attempts to engage. An engagement log can greatly benefit the process flow when the First Nation has been advised that the applicant's engagement activities will be shared with the Commission. The engagement log may be considered in the decision making process.

Below is a description of the recommended information fields in an Engagement Log, and an example format that may be used.

Communities	List which communities require engagement.
Engagement Attempts	Provide a description of what efforts to engage were made and whether or not engagement occurred.
Meeting Successfully Held	Indicate if meetings resulted from attempts to engage.
Date of Meeting	List the corresponding dates of attempted and actual engagement.
Location	Indicate where the meeting took place; for example, at a specific location or via teleconference.
Attendees/ **Parties to Meeting**	List all of the people who attended, or were involved in the meeting. List is to include all parties on both sides of the discussion.
Topic Discussed	Provide a description of what topics of discussion arose during the meeting.

Analysis, comments, concerns or recommendations from Nation	List any details provided by the First Nation in the analysis, comments, concerns or recommendations provided during discussions.
Commitments Made	List any initiatives, options, mitigation measures or other commitments discussed and/or offered.

First Nation Engagement Log

The following table provides an example template for a First Nations Engagement Log. An electronic version of the engagement log template is also available on the First Nations page of the Commission website.

Company Name:								Company File No.:		Commission File No.:
FIRST NATIONS ENGAGEMENT LOG										
#	Communities	Engagement Attempts	Meeting Successfully Held? Y/N	Date of Meeting DD/MM/YY	Location	Attendees	Topics Discussed	Analysis, comments, concerns, or recommendations from Nation	Commitments to address the Nation's analysis, comments, concerns, or recommendations	Other Related Information
1										
2										
3										
4										
5										

Table B.1 First Nation Engagement Log Example

Appendix C – Water Use First Nations Classification Table

First Nation Consultation Packages are required to be submitted with Section 10 short-term water use applications to the Commission. First Nation Consultation Packages must include the appropriate First Nation Cover Letter found on the Commission's website and any other applicable documentation outlined within the cover letter.

Short-Term Water Use applications are initially classified as "Notification (Information Only)" or "Standard (Notification with Opportunity to Comment)" based on the criteria outlined in the table below.

For more detail on the "Water Use First Nations Classification Table" see the Interim Consultation Process on the Commission's website.

If all of the below criteria are met, the application will be classified: **"Information Only"**	If any of the below criteria are met, the application will be classified: **"Notification with Opportunity to Comment"**
The diversion point is geographically located within Northeastern BC (i.e. Fort Nelson and Peace Forest Districts).	The diversion point is geographically located outside Northeastern BC.
The diversion point is not identified within areas established by Order under the *Oil and Gas Activities Act* Environmental Protection and Management Regulation.	The diversion point is identified within areas established by Order under the *Oil and Gas Activities Act* Environmental Protection and Management Regulation.
The withdrawal rate is less than 500m^3/day **and** 100,000m^3 total, **or** the source is a water source dugout and/or other manmade structure.	The withdrawal rate is equal to or greater than 500m^3/day **or** 100,000m^3 total, **and** the source is not a water source dugout and/or other manmade structure.
Diversion point is not located on an identified sensitive waterbody or area of known significance.	Diversion point is located on an identified sensitive waterbody or area of known significance.

* Applications for Basin Authorizations will be classified "Information Only"

Appendix D – Water Withdrawal Requirements

Item	Requirement
End-of-pipe	End-of-pipe intakes must contain a screen with a mesh size not exceeding one-tenth of an inch. Additional information can be found in the Department of Fisheries Freshwater Intake End-of-Pipe Fish Screen Guideline
Wildlife	A person commits an offence if the person disturbs, molests or destroys (a) a muskrat house or den, except on diked land, or (b) a beaver house or den or beaver dam. More information can be found in the Wildlife Act.
Access	Authorizations or occupation of Crown land (for example, work space near water withdrawal point(s) for placement of non-mobile equipment) must be applied for separately and will be issued separate temporary permits or Land Act tenures. See the Crown Land Application Manual on the Commission website for more information.
Stream bank	When engaging in water withdrawals, motorized vehicles are not permitted within the stream channel as defined in the Water Sustainability Act.

Appendix E – Water Supply/Demand Analysis

A Water Supply/Demand Analysis is required for any short-term water use application for a river or lake source that contains a single point-of-diversion of greater than 200 cubic metres, or greater than 10,000 cubic metres in total, or for a water source dugout where it is reasonably likely that a stream (including a swamp, marsh or fen) is hydraulically connected to the dugout.

Water Supply/Demand Analysis are to be submitted on company letter head and attached to the application. The following provides guidance of the information content of the analysis.

The applicant will provide detail on the hydrology of the river or lake water source from which they are applying to withdraw water. This can include the drainage area of the upstream watershed, mean monthly and annual discharge and runoff, an understanding of seasonal low flow characteristics, existing water use, etc. Indicate the information or data used to develop the assessment of water supply (e.g., Water Survey of Canada gauge record, applicant's hydrometric measurements, North East Water Tool, North West Water Tool, Omineca Water Tool, etc.).

- The applicant will provide detail on their water demand, and rationale to support for the volume of water requested. For example, if applying for water for well completion (which includes hydraulic fracturing), include the well pad(s) and well(s) anticipated to be completed, the volume of water required per well, the anticipated volume of flowback water, the volume of flowback water that is anticipated for reuse, etc. The volume of water requested through a short-term water use approval should be reasonable with respect to the associated activities, and must be consistent with the Commission's "Guidance on Water Withdrawals" as detailed in Appendix F of this manual.
- The applicant will provide detail on the potential for hydraulic connection between a water source dugout and proximal stream (including swamps, marshes and fens) that have a reasonable likelihood of being hydraulically connected to the dugout. The applicant will identify, classify and map all swamps, marshes and fens located proximal to the water source dugout a hydraulic connection to the dugout. Where it is reasonably likely that a hydraulic connection between the dugout and a stream exists, the applicant will provide detail

on mitigation measures to ensure the environmental flow needs of the proximal stream(s) are not impaired.

- The applicant will provide information on associated works or activities, such as water storage, water transportation methodology (pipeline, truck, etc.), intake and pumping system.

Appendix F – Guidance on Water Withdrawals and Environmental Flow Needs

Environmental flow needs, in relation to a stream, means the volume and timing of water flow required for the proper functioning of the aquatic ecosystem of the stream.

Section 15 of the Water Sustainability Act requires that the decision maker must consider the environmental flow needs of a stream in deciding an application in relation to the stream, or an aquifer that the decision maker considers is reasonably likely to be hydraulically connected to a stream.

The Commission manages short-term water use approvals to protect fisheries or aquatic resources, and protect drinking water supply. There is considerable variability in the hydrology of water bodies across northeast BC, varying from east (drier) to west (wetter). There is also very strong seasonality of water supply, varying from high runoff rates during the spring snowmelt period (typically mid-April until late June), to low runoff rates during winter (typically mid-December until late March). To assist applicants for short-term water use approvals, this Appendix provides guidance on aspects of the decision-making framework used by the Commission and to provide a framework for assessing environmental flow needs associated with short-term water use authorizations under Section 15 of the Water Sustainability Act.

A. Winter Season Withdrawals (December 15 – March 31)

Rivers and Streams: Small rivers and streams in northeast BC are subject to deep ice formation and very low flows during the winter period. In some cases, field evidence indicates there can be zero flow. The small quantities of liquid water remaining in small streams during winter can be critical to fish over-winter survival.

Operational policy of the Commission is:

1. Watersheds with drainage areas less than 500 square kilometres are likely to have zero or near zero discharge during most winters, and will generally not support water withdrawals.
2. For watersheds with drainage areas of 500 square kilometres or greater, the following risk-based framework is used to guide winter water withdrawals (this framework is reflected in the NEWT application).
    - Sensitivity is determined by the percentage of winter discharge (Jan-Mar) in relation to Mean Annual Discharge (MAD);

- Stream size is determined from Mean Annual Discharge, where small streams have MAD of less than 10 m^3/s, and medium to large streams have MAD of 10 m^3/s or greater.

Sensitivity	Average Jan-Mar Discharge	Stream Size	Mean Annual Discharge (MAD), m^3/s	Maximum Cumulative Winter Withdrawal
Low	>20% of MAD	Medium-Large	≥10	**15%**
		Small	<10	**15%**
Sensitive	10-20% of MAD	Medium-Large	≥10	**15%**
		Small	<10	**10%**
Very Sensitive	<10% of MAD	Medium-Large	≥10	**10%**
		Small	<10	**5%**

Quantitative values on Mean Annual Discharge (MAD) and Jan-Mar winter discharge can be obtained for all watersheds in northern BC from the North East Water Tool (NEWT), the Omineca Water Tool (OWT) or the North West Water Tool (NWWT).

Lakes: Inflow to most lakes in northeast BC during the winter period is usually zero or near-zero, due to prolonged and sustained temperatures below freezing, frozen ground conditions, and the accumulation of precipitation as snow. The maximum cumulative volume of water (for all short-term use approvals and water licences) that will be approved for withdrawal from lakes during the winter period is limited to a 10 cm maximum drawdown limit as a function of the lake area, regardless of the watershed area for the lake. As examples:

	Lake Area (hectares)	Lake Area (m^2)	Maximum Drawdown (m)	Maximum Cumulative Volume for Approval (m^3)
Lake 1	4.3	43,000	0.10	4,300
Lake 2	27.5	275,000	0.10	27,500
Lake 3	11.6	116,000	0.10	11,600
Lake 4	125.0	1,250,000	0.10	125,000

Water Source Dugouts: There is no restriction on the water withdrawal from water source dugouts during the winter season.

Deviation From This Guidance: Should an applicant wish to apply for withdrawals at times that are not consistent with the above guidance, they must to provide field-based monitoring evidence collected and interpreted by a qualified person that provides clear support to there being sufficient inflow to a lake or discharge in a stream during the winter period to support the requested water withdrawals.

B. Open-Water Season Withdrawals (April 1–December 15)

Rivers and Streams: The maximum volume of water that will be approved for withdrawal from rivers and streams during the open-water season is guided by the water availability as calculated by NEWT (or OWT or NWWT) (which is a maximum of 15 percent average monthly runoff, calculated as a cumulative water demand for all existing water licences and short-term use approvals).

Lakes: The maximum volume of water that will be approved for withdrawal from lakes during the open-water season is guided by the water availability as calculated by NEWT (which is a maximum of 15 percent of average monthly runoff, calculated as a cumulative water demand for all existing water licences and short-term use approvals), limited to the 10 cm maximum drawdown limit.

Water Source Dugouts: The water in water source dugouts is largely acquired through the percolation and flow of groundwater. As such, there is a requirement that authorization for short-term water use for water source dugouts consider the environmental flow needs of streams “reasonably likely” to be connected to the water source dugout. Streams (which includes swamps, marshes and fens) proximal to water source dugouts (e.g., within 50-100 metres of any edge of a water source dugout) may have potential to be hydraulically connected to the dugout. The applicant is required to provide information in the application to the Commission to support the environmental flow needs assessment. The applicant is required to identify, map and classify all swamps, marshes and fens located proximal to the water source dugout where it is reasonably likely the swamp, marsh or fen is hydraulically connected. Where there are no environmental flow needs concerns with a water source dugout, there is no restriction on the water withdrawal from water source dugouts during the open water season. Where there are environmental flow needs concerns, the applicant must provide a mitigation strategy to address those concerns.