



**British Columbia
Ministry of Environment**

**Agency Report to the
Mackenzie River Basin Board**

**Meeting #57 of the
Mackenzie River Basin Board
November 27th to 30th, 2017
Vancouver, British Columbia**

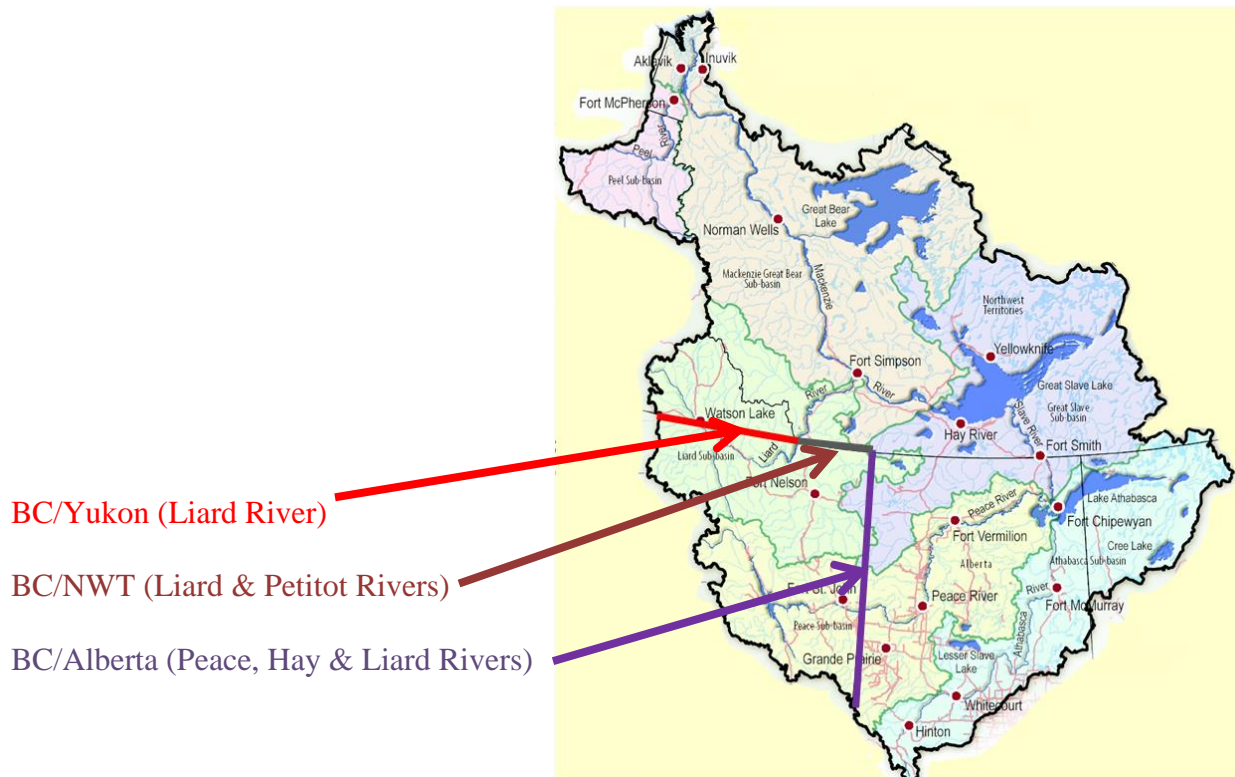
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1. Bilateral Water Management Agreements

(Updates on negotiations / implementation status / Bilateral Water Management Committee activities.)

The *Mackenzie River Basin Transboundary Waters Master Agreement* provides for neighbouring jurisdictions to negotiate Bilateral Water Management Agreements (BWMA) to address shared surface water quantity, quality and groundwater. Under the Master Agreement, British Columbia is required to negotiate three such agreements with the Northwest Territories, Yukon and Alberta.



British Columbia/Northwest Territories:

British Columbia and the Northwest Territories signed their BWMA in October 2015. The Agreement is posted on the MRBB website at: <http://www.mrbb.ca/information/120/index.html>

On August 31, 2017 the British Columbia Government approved implementation of the BC/NWT BWMA through an Order in Council.

British Columbia and the Northwest Territories are now focusing on implementing the terms of the BWMA. The Parties will establish a Bilateral Management Committee to administer the agreement, and will also establish technical committees to support implementation of the agreement.

The British Columbia/Northwest Territories BWMA applies to all transboundary waters shared between British Columbia and the Northwest Territories in the Mackenzie River Basin, primarily the Liard River Watershed.

British Columbia/Yukon:

The British Columbia and the Yukon completed signing of their BWMA on March 30, 2017. The Agreement is posted on the MRBB website at:
<http://www.mrbb.ca/information/126/index.html>

On August 31, 2017 the British Columbia Government approved implementation of the BC/Yukon BWMA through an Order in Council.

The British Columbia/Yukon BWMA applies to all transboundary waters shared between British Columbia and Yukon in the Mackenzie River Basin, primarily the Liard River Watershed. Transboundary waters shared between the jurisdictions outside the Mackenzie River Basin, such as the headwaters of the Yukon River, are not included in the BWMA.

The BC news release on the spring signing may be found here:
<https://news.gov.bc.ca/releases/2017ENV0036-001076>

British Columbia/Alberta:

The British Columbia/Alberta BWMA negotiations are not yet completed. Alberta and British Columbia have shared information, discussed their respective interests, and discussed and drafted a number of the components of the BWMA and have worked on the agreement appendices.

The British Columbia/Alberta BWMA will apply to all transboundary waters shared between British Columbia and Alberta in the Mackenzie River Basin, with the main focus of negotiations on the Peace River Watershed.

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2. Water-Related Legislation / Policy / Regulations / Planning

(New initiatives, updates on existing initiatives and/or key milestones.)

New Government, Ministries and Ministers::

On July 18, 2017, new Premier John Horgan announced his new cabinet including the appointments of the Honourable George Heyman as Minister of Environment and Climate Change Strategy, the Honourable Doug Donaldson as Minister of Forests, Lands, Natural Resource Operations and Rural Development, and the Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation.

Ministry of Environment and Climate Change Strategy:

The Ministry of Environment and Climate Change Strategy is responsible for the effective protection, management and conservation of B.C.'s water, land, air and living resources.

General responsibilities of the Ministry include:

- Parks, Park Enhancement Fund and protected areas;
- Air, land and water quality and water quality standards;
- Pollution prevention and waste management;
- Species and ecosystem policy, science and information management;
- Water-use policy, science and information management;
- Water and air monitoring and reporting;
- Conservation officer service;
- Climate Action and Climate Leadership Plan;
- Environmental monitoring and state of environment reporting;
- Sustainable Environment Fund administration;
- Environmental emergency response; and
- Invasive marine species and integrated pest management.

Specific priorities identified in the Minister's mandate letter include:

- Renew the Climate Leadership Team within the first 100 days of your mandate.
- Implement a comprehensive climate-action strategy that provides a pathway for B.C. to prosper economically while meeting carbon pollution reduction targets, including setting a new legislated 2030 reduction target and establishing separate sectoral reduction targets and plans.
- Work with the Minister of Finance to implement an increase of the carbon tax by \$5 per tonne per year, beginning April 1, 2018 to meet the federal government's carbon-pricing mandate. Take measures to expand the carbon tax to fugitive emissions and to slash-pile burning.
- Revitalize the Environmental Assessment process and review the professional reliance model to ensure the legal rights of First Nations are respected, and the public's expectation of a strong, transparent process is met.
- Employ every tool available to defend B.C.'s interests in the face of the expansion of the Kinder Morgan pipeline, and the threat of a seven-fold increase in tanker traffic on our coast.

- Enact an endangered species law and harmonize other laws to ensure they are all working towards the goal of protecting our beautiful province.

Ministry of Forests, Lands, Natural Resource Operations and Rural Development:

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development is responsible for stewardship of provincial Crown land and natural resources, and protection of B.C.'s archaeological and heritage resources.

General Responsibilities of the Ministry include:

- Forests, grazing and range authorizations and stewardship policy;
- Timber supply, inventory and tree improvement;
- Forest health, enhancement planning and stewardship policy;
- Wildfire management and preparedness;
- Softwood lumber trade;
- Resource roads and bridges;
- Crown land allocations, authorizations, investment strategies, restoration, contaminated site management and Special Account administration;
- Water use planning and authorizations;
- Flood management, dam and dyke safety and regulation;
- Drought management;
- Marine and land use planning and implementation;
- FrontCounter BC;
- Aboriginal consultation and coordination;
- Fish, wildlife and habitat management;
- Angling, hunting and trapping licensing and permitting;
- Provincial maps and air photos;
- Invasive plants and species;
- Resource management compliance and enforcement;
- Regional economic and rural development; and
- Economic and community response to mountain pine beetle.

Specified priorities identified in the Minister's mandate letter include:

- Protect and create jobs by fighting for a fair deal for B.C. wood products in softwood lumber negotiations with the United States.
- Work with communities and industry to develop a fair, lasting strategy to create more jobs by processing more logs in B.C. and to renew our forests by expanding investments in reforestation.
- Expand our innovative wood-products sector by addressing regulatory and capital barriers hampering the growth of engineered wood production and work with other ministers to ensure public projects prioritize the use of B.C. wood. 3
- Work with the Minister of Indigenous Relations, First Nations and communities to modernize land-use planning and sustainably manage B.C.'s ecosystems, rivers, lakes, watersheds, forests and old growth.

- Improve wildlife management and habitat conservation, and collaborate with stakeholders to develop long and short term strategies to manage B.C.'s wildlife resources.

United Nations Declaration on the Rights of Indigenous Peoples:

On September 6, 2017, in a gathering of the BC Cabinet and First Nations leaders, Premier Horgan highlighted the government's strong cross-government commitments to work in partnership with Indigenous peoples to adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission Calls to Action and the Tsilhqot'in Supreme Court decision.

The Ministry of Environment and Climate Change Strategy, the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and other provincial agencies will be responsible for moving forward on the calls to action and reviewing policies, programs, and legislation to determine how to bring the principles of the UNDRIP declaration into action in British Columbia.

Review of Professional Reliance Model:

On October 3, 2017, the BC Government announced a review of the Province's professional reliance model to ensure the highest professional, technical and ethical standards are being applied to resource management in B.C.

The review will assess the current legislation governing qualified professionals (QPs) in the natural resource sector, and the role professional associations play in upholding the public interest. Additionally, the review will look at other jurisdictions to identify best practices and assess whether those practices are being used by QPs doing work on government's behalf. Finally, the review will make recommendations regarding resource decisions made by government, conditions governing the involvement of QPs in those decisions and the appropriate level of government oversight to assure the public their interests are protected.

A final report is expected by spring 2018 with recommendations to inform the following:

- Professional reliance use in the natural resource sector and in-house capacity;
- Government oversight of QPs; and
- Development of an implementation plan with a timeline for tangible steps to increase public trust in government decisions.

Water Sustainability Act:

Since February 29, 2016 British Columbia has been implementing the new *Water Sustainability Act* (WSA). The WSA updates and replaces the old *Water Act* and is designed to better protect B.C.'s water now and in the future. Associated regulations now in effect include:

Water Sustainability Regulation,
Water Sustainability Fees, Rentals and Charges Tariff Regulation,
Groundwater Protection Regulation,

Dam Safety Regulation, and the
Water District Regulation.

With the size and complexity of the WSA and the number of required regulations, government is implementing the new Act in phases. Future work includes the development of policies and regulations associated with Water Objectives, Water Sustainability Plans, Governance and Measuring and Reporting. More information about the *Water Sustainability Act* and regulations can be found at: <http://www.gov.bc.ca/water>.

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3. Science, Monitoring and Information

(Information that may be of interest to the MRBB / new initiatives.)

Groundwater Science Program:

Funding for BC's Groundwater Science Program was initiated in 2015/16 to improve the level of scientific knowledge on provincial groundwater, aquifers and the interactions between surface water and groundwater in order to support the sustainable management of groundwater through the *Water Sustainability Act*.

The following work was completed in 2016/17:

- Aquifer classification and mapping in:
 - the Lower Mainland (starting with the Abbotsford and Chilliwack areas),
 - the North (Prince George, Terrace, Kitimat, McCleese Lake and Quesnel areas),
 - and
 - the Okanagan (North Okanagan and Mission Creek areas);
- Mission Creek Groundwater Monitoring Project (in partnership with the Okanagan Basin Water Board, UBC Okanagan and 3 different Kelowna Water Utilities): an initiative to monitor the interaction between surface water and groundwater along Mission Creek in the Kelowna Area;
- Work towards creating a water budget for the Lower Nicola Valley area Fraser Basin Council on groundwater-surface interactions;

- Aquifer classification and mapping for Salt Spring island was completed in 2016-17 and the water budget will be completed in the coming year;
- A two year study by Simon Fraser University on groundwater-surface water interaction in the Hopington Aquifer/Salmon River Watersheds in the Langley area was brought to completion.
- Ongoing work for the following multiyear projects (these 2 projects are scheduled to be completed at the end of 2017/18):
 - University of Victoria project on mapping pumping stresses on aquifers;
 - University of Northern BC project on groundwater-surface water interactions in the Vanderhoof area.

Northeast Water Strategy

The Northeast Water Strategy was publically released on March 20, 2015 and applies to the Northeast region of British Columbia. (A copy of the Strategy is posted here:

<http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/northeast-water-strategy/2015-northeast-water-strategy.pdf> .)

The Strategy provides a proactive, long-term approach for the sustainable use and management of water resources in the northeast. A number of partners were involved in the development of the strategy, including provincial, local and First Nation governments, and industry. The strategy identifies actions in a number of areas including: information to support decision making, coordinating and streamlining decision making processes, strengthening the regulatory regime, enhancing monitoring and report, and building a water stewardship ethic.

The Northeast Water Strategy 2016 Annual Report outlines the progress in implementing the strategy. The Annual report is found here: http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/northeast-water-strategy/news_2016_annual_report.pdf

Highlights in the Annual Report include actions and successes achieved in the first year, such as:

- Enhanced information and tools to support water decisions
 - Three large collaborative projects were launched for enhanced water monitoring, including measuring surface water quantity in priority watersheds, characterizing water quality in watersheds across Northeast BC, and improving groundwater knowledge through communication, aquifer characterization research and regional research initiatives. Key highlights for groundwater work includes characterizing the Montney Shale Play / South Peace River Regional District aquifers, private well sampling, mapping vulnerable aquifers and improving the provincial groundwater observation well network.
 - Several research initiatives were launched, including development of an online inventory of over 430 water-related research projects underway across Northeast BC, mapping new water bodies (dugouts) in support of future policy development and coordinating a number of studies including —permafrost thaw and ecosystem change,

the effect of land development and climate change on wetlands, and irrigation feasibility.

- Strengthened the regulatory regime
 - Most notably, on Feb 29, 2016, the BC government introduced the *Water Sustainability Act*. (See section 2 above.) Other activities included developing a Northeast Drought Communications and Response Plan and the Northeast Dugout Policy.
- Coordinated water decision-making processes across the natural resource sector
 - An inter-agency Northeast Water Steering Committee was created to guide provincial implementation of the *Northeast Water Strategy* and coordinate water management activities.
 - The Murray River Watershed Partnership is a showcase example of the benefit and value of collaborative partnerships. It stands as a model for collaborative development of water quality objectives and monitoring in watersheds across Northeast BC.
- Enhanced reporting, compliance and enforcement
 - Reporting, including the Water Portal.
 - Compliance and enforcement - with a focus on building capacity in First Nations communities, specifically through the Natural Resource Aboriginal Liaison Program.
- Laid the groundwork for building a water stewardship ethic
 - Completed the forward looking piece – relying on all partners to become fully engaged in identifying priorities and delivering on-the-ground projects.

More information on the Northeast Water Strategy is available here:

<http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-planning-strategies/northeast-water-strategy>.

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4. Major Projects

(Status of major private and public sector activities directly or indirectly related to water, including projects undergoing environmental assessments.)

There are currently nine major projects, in the Mackenzie Basin in BC, listed by the BC Environmental Assessment Office as being in the scoping phase, three listed as under review and two projects listed as in progress. There have been three new projects listed since the last agency report in November 2016. Thirty-nine projects are now listed as being certified / complete.

Three new projects (Heritage Secure Landfill Project, Progress Energy Town Dam and Progress Energy Lily Dam) have been newly listed since the last report.

Register of Environmental Assessment Information Summary:

TITLE	CATEGORY and LOCATION	PHASE	COMMENTS
Progress Energy Lily Dam	Water Management Approximately 180 km north of Fort St. John.	In Progress	The Lily Dam is a water management project to divert fresh water into ponds/storage reservoirs to be used in oil and gas fracking operations.
Progress Energy Town Dam	Water Management Approximately 105 km north of Fort St. John.	In Progress	The Town Dam is a water management project to divert fresh water into ponds/storage reservoirs to be used in oil and gas fracking operations.
Heritage Secure Landfill	Waste Disposal Approximately five kilometres south of Tupper, BC.	Under Review	Secure Energy Services Inc. is proposing to develop the Heritage Secure Landfill Project approximately five kilometres south of Tupper, BC. The Project would provide long-term containment of upstream oil and gas and other industrial waste streams.
Red Willow Wind Project	Energy Approximately 40 km southeast of the District of Tumbler Ridge	Scoping	Red Willow Wind Limited Partnership is proposing to construct and operate a 200 megawatt wind energy facility in the Peace River region in BC. The Project is located southeast of the District of Tumbler Ridge and within the traditional territory of Treaty 8 First Nations.
Aley Mine Project	Mining 140 km N of Mackenzie, 118 km NE of Hudson's Hope	Scoping	10,000 tonne per day open-pit niobium mine situated approximately 20 km northeast of the head of the Ospika Arm of Williston Reservoir.
Pacific Northern Gas Looping Project	Energy Summit Lake to Kitimat	Scoping	The Pacific Northern Gas Looping Project would supply natural gas, via a 525 km long pipeline, from Summit Lake to proposed liquefied natural gas (LNG) export facilities in Kitimat, BC. It would have an initial capacity of 600 million standard cubic feet per day
Taylor Wind Project	Energy 10 km south of the District of Taylor	Scoping	Taylor Wind Project would be located on private land and have a nominal power production capacity of up to 400 MW.
Sundance Wind Project	Energy 20km north of Tumbler Ridge	Scoping	The Sundance Wind Project would have a nominal power production capacity of up to 250 MW.
Echo Hill Coal Project	Mining 44 km north of Tumbler Ridge	Scoping	The proposed Project will involve the development and operation of a thermal coal mine with a planned production of one million tonnes per year of coal over an estimated mine life of 10-14 years. The main components of the proposed Project include access roads, contour highwall-auger mining with progressive reclamation, coal crushing and screening on-site with raw coal stockpile, water management structures and on-site shop, warehouse, office and support facilities.
Sukunka Coal Mine Project	Mining 55km south of Chetwynd	Under Review	Xstrata Coal Canada (Proponent) proposes to develop and operate an integrated surface and underground mining operation and coal handling and processing plant to produce hard coking coal for

	40km west of Tumbler Ridge		export to overseas steel manufacturers. The Sukunka Project will initially produce 1.5 to 2.5 million tons per year (Mt/y) of washed coal, increasing to approximately 6 Mt/y when underground mining begins. The mine life is expected to exceed 20 years.
Carbon Creek Coal Mine Project	Mining Approximately 40 km west of Hudson's Hope	Scoping	Cardero Coal Ltd. proposes to develop a new open-pit surface and underground metallurgical coal mine with an average annual production rate of 2.9 million metric tonnes of clean coal.
Gething Coal Project	Mining 25 km Northwest of Hudson Hope	Scoping	Proposed new underground coal mine with an onsite coal preparation plant. The production rate is 2 million tonnes per year with a mine life estimated at 40 years.
Hackney Hills Wind Project	Energy 100 km West of Fort St. John	Scoping	Aeolis Wind Power Corporation (the proponent) proposes to develop a wind farm east of Fort St. John. The wind park has an estimated generating capacity of 1000 MW.
Wildmare Wind Energy Project	Energy Northwest of Chetwynd	Under Review	Finavera Renewables Inc. proposes to construct and operate 37 wind turbines with an installed capacity of 74 MW. The purpose is to provide clean energy for BC and has a life span of at least 25 years.

Important Links:

- BC Environmental Assessment Office: <http://www.eao.gov.bc.ca/>
- Frequently asked questions: <http://www.eao.gov.bc.ca/FAQ.html>
- EAO Fairness and Service Code: http://www.eao.gov.bc.ca/pdf/EAO_Service_Code_20090115.pdf
- Project Information Centre (e-Registry or ePIC) including links to projects: http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_home.html
- List of projects: <https://projects.eao.gov.bc.ca/>
- Map of projects: <http://maps.gov.bc.ca/ess/sv/epic/>

BC Hydro Site “C” Clean Energy Project:



Source: http://www.bchydro.com/energy-in-bc/projects/site_c.html

Following Provincial and Federal environmental certification in October 2014, on December 16, 2014, Premier Christy Clark announced the Site C Final Investment Decision by the

Province. BC Hydro is now in the construction phase of Site C. Construction started in July 2015. All permits and authorizations are in place for the work currently underway. More information on the Site C Clean Energy Project can be found at:

http://www.bchydro.com/energy-in-bc/projects/site_c.html

On August 2, 2017, the provincial government referred Site C to the British Columbia Utilities Commission (BCUC) for a review. Specifically, Government asked the BCUC to:

- confirm whether or not BC Hydro is on target to complete Site C on budget and by 2024; and
- provide advice on implications for ratepayers associated with completing, suspending or terminating the project.

In completing the review, the BCUC was guided by the understanding that the review is not a reconsideration of decisions made during the environmental assessment process, by statutory decision makers, or in the courts.

The BCUC's review was concluded on November 1, 2017 with the release of the Final Report. Government will consider the BCUC's advice, along with environmental, First Nations and other considerations, and make a final decision on the future of Site C.

Further information, about the BCUC review, including the BCUC's Final Report, can be found at: <http://www.bcuc.com/sitecinquiry.html>

More information on the Site C Clean Energy Project can be found at: http://www.bchydro.com/energy-in-bc/projects/site_c.html

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5. Events, Conferences and Seminars

(Key government/non-government meetings related to water management in the Mackenzie River Basin.)

None applicable for this report.

6. Other

British Columbia/Alaska Statement of Cooperation on the Protection of Transboundary Waters

On October 6, 2016, BC and Alaska signed a Statement of Cooperation (SoC) on the Protection of Transboundary Waters. The SoC established a bilateral working group (BWG), directed to build on and enhance water quality monitoring, environmental assessments and permitting, and communications relating to trans-boundary mines and development in both jurisdictions.

The SoC implements Section 2 of the Memorandum of Understanding (MOU), originally signed between British Columbia and Alaska in November 2015. The MOU recognized and formalized the mutual commitment of Alaska and British Columbia to protect and enhance the shared environment, including trans-boundary rivers, watersheds and fisheries – for the benefit of both jurisdictions.

The BWG consists of the commissioners of the Alaska Departments of Environmental Conservation, Fish and Game and Natural Resources and the deputy ministers of the British Columbia ministries of Energy, Mines and Petroleum Resources and Environment. Deputy Minister of Environment, Mark Zacharias, acts as Co-Chair of the BWG.

The BWG is responsible for:

- Overseeing a technical working group on water monitoring (TWG-M);
 - Since signing the SoC, the TWG-M has prepared a draft preliminary program description and two-year workplan intended to identify reliable and accurate process for the collection, summary and distribution of baseline, regional and project-specific water quality data. Following additional consultation with stakeholders, the BWG will receive an updated version of the program description and workplan this fall. The Ministry of Environment is engaging First Nations and site reconnaissance for monitoring sites is already underway.
- Looking for opportunities to build on and enhance participation in environmental assessments and permitting relating to mines and development through adoption of a set of reciprocal procedures. Alaska representatives are currently participating in all EAs and permitting processes for mining projects in the transboundary area; and,
- Identifying and share reports on mine discharges, operations and closure. A communications plan, newsletter and web portal are being finalized.

In addition, the bilateral working group will build on collaboration between Alaska and British Columbia that is already taking place in the transboundary region, and continue to facilitate constructive dialogue and the cooperative and mutually beneficial relations it engenders.

For the complete backgrounder on the Statement of Cooperation see:

BC News Release:

https://news.gov.bc.ca/files/BC_Alaska_Statement_of_Cooperation_MOU.pdf and

AK Transboundary Webpage: <https://Itgov.alaska.gov/services/transboundary-relations/>

Oil & Gas Activity in the Northeast:

The BC Oil and Gas Commission (OGC) is the single-window regulatory agency with responsibilities for overseeing oil and gas operations in B.C., including exploration, development, pipeline transportation and reclamation. The Commission's core roles include reviewing and assessing applications for industry activity, consulting with First Nations, ensuring industry complies with provincial legislation and cooperating with partner agencies. The public interest is protected through the objectives of ensuring public safety, protecting the environment, conserving petroleum resources and ensuring equitable participation in production.

The OGC reports quarterly on the volume of water used for oil and gas activity. The report presents data and information on water approvals, water withdrawal and water use related to the oil and gas industry, including hydraulic fracturing. It contains short-term water use data from the calendar year, including the cumulative volume of water approved for use and the volume reported as actually used by permit holders and includes similar data on water licences in northeast B.C., which are valid for periods greater than two years. Information on water source wells, a well drilled to obtain water for the purpose of injection into underground formations to enhance oil and natural gas recovery, is included in the report. Finally, details on the volume of water used specifically for hydraulic fracturing are summarized.

The most recent, currently available report from the OGC is the 4th Quarterly Oil & Gas Water Management Summary for October to December 2016. Issued on August 31, 2017, the report may be found here: <http://www.bcogc.ca/node/14322/download>

Highlights of the Quarterly Report, included:

Long-term water licences and use:

- In the first quarter of 2016, there were 21 active oil and gas related water licences, representing 37 withdrawal locations, held by ten companies.
- The total annual licenced water volume was 17,825,759 m³.
- A total of 862,790 m³ of licenced water was reported as withdrawn for the year (2016).
- During the fourth quarter of 2016, three companies withdrew water by way of water licences, totaling 167,789 m³.

Short-term water approval and use:

- At the end of the fourth quarter of 2016, there were a total of 278 short-term water use approvals in place, representing 746 withdrawal locations, held by 44 companies (Table 3).
- The total water volume associated with short-term approvals that were active on the last day of the quarter was 8,905,774 m³.
- A total of 798,752 m³ was reported as withdrawn by oil and gas operators during the 2016 year.

For more information on the Oil & Gas Commission, see: <http://www.bcogc.ca/>