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Water Risks in the Mining Sector Canada – British Columbia¹

As of August 2016

1. Overview

Mining in British Columbia

British Columbia is Canada's largest exporter of metallurgical coal (used in steelmaking), one of its largest copper producers and its only producer of molybdenum.² The province also produces significant amounts of gold, silver, lead, and zinc, and more than 30 industrial minerals including gypsum and limestone. At the start of 2016, there were seven metal mines, including Mount Polly which resumed operations again in August 2015 after its tailings dam failure a year before, and five coal mines in operation.

Legal framework

Canada is a federal system with ten provinces and three territories. Canada's provinces have exclusive jurisdiction over mining within their borders, but have concurrent jurisdiction with the federal government over environmental matters. In fact, in about 70% of major projects in British Columbia, a federal environmental assessment under the Canadian Environmental Assessment Act will be required in addition to a provincial assessment.

Federal environmental assessments must be conducted prior to a project proceeding if:

- A federal authority is the proponent of the project;
- Federal money is involved;
- The project involves land in which a federal authority has an interest; or
- Some aspect of the project requires federal approval or authorization.

This document maps out the relevant federal and provincial laws that govern mine water use and discharge in British Columbia.

Please see the Annexures for a description of the relevant legislation and institutions regulating water use in British Columbia.

¹ This project was managed by CCSI Senior Legal Researcher, Sophie Thomashausen. Research was conducted by Christina Tecson and Sophie Thomashausen.

² PriceWaterhouseCoopers: "Looking Forward – The mining industry in British Columbia in 2015", available at: <http://www.pwc.com/ca/en/mining/publications/pwc-mining-industry-british-columbia-2016-en.pdf>.



2. Regulation of water use in the mining sector in British Columbia

Water Quantity questions		
No	Question	Answer
1.	Which authority is responsible for water allocation?	The Ministry of Forests, Lands and Natural Resource Operations (FLNR) authorizes licences and approvals, and holders must comply with provincial, local and in some cases federal regulations.
2.	Water allocation process - How is water granted to a mining concessionaire/ permit holder? Is there a water licensing/ permitting process? A water market?	A water right is the authorized use of surface water and, since 2016, groundwater under a water licence or approval. All water in British Columbia is owned by the Crown on behalf of the residents of the province. There are authorized uses of water outside of the licensing system, such as the use of groundwater for domestic purposes. All other ground* or surface water uses, including for mining, require a license. <i>*With the coming into force of the Water Sustainability Act on February 29, 2016, any person who diverts and uses groundwater for non-domestic purposes, must now obtain a water licence and pay water fees and rentals.</i>
3.	Scope of a water allocation permit/ license	
	(a) Requirements separate water permit – is a separate water permit required? What is the process for obtaining the permit	Yes – Separate licenses are required for all non-domestic uses of surface and ground water. Applications for a surface or ground water license be made through FrontCounterBC , who will process the application and then send it to a Water Manager at the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) for final review and approval, request for further information, or rejection. ³ The information required to be submitted with the application is set out on FrontCounterBC’s website ⁴ . Applications undergo a technical review to assess whether there is enough water at the source to issue a licence without affecting the existing water rights of others (the WSA requires environmental flow to be taken into account), or harming the water supply and aquatic ecosystem. Other government agencies, affected landowners and licensees may be notified of the application and given

³ See the British Columbia Government website page on applying for a water licence, available at: <http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals/apply-for-a-water-licence>.

⁴ FrontCounterBC’s page on “What you need to apply”, available at: <http://www.frontcounterbc.gov.bc.ca/guides/surface-water/new-water-licence/what-you-need-to-apply/>.



		<p>the chance to respond.⁵ Where First Nations are among the landowners, the relevant First Nation’s Band Office must be notified, and a consultation may also take place with the First Nation representatives before a decision is made.</p> <p>Typical terms and conditions associated with water licences include:</p> <ul style="list-style-type: none"> • The name and location of the stream from which water may be taken or stored. • The location of the intake on the stream. • The priority date of the licence. • The purpose(s) for which the water may be used. • The maximum quantity of water that may be stored. • The time of year during which the water may be used. • The property where the water is to be used and to which the licence is attached. • Authorization to construct works to divert and convey the water from the stream to the place of use. • Other clauses that define special terms for a particular authorization. <p><i>There is a three-year transition period to bring the approximately 20,000 existing (prior to February 2016) non-domestic users of ground water users into the current water licensing scheme and its first-in-time, first-in-right (FITFIR) priority system.</i></p>
	<p>(b) Time required to obtain permits – how long does it generally take?</p>	<p>There are no prescribed time periods for the application of a water licence for surface or ground water use. However, see the prescribed time limits for an environmental assessment below.</p>
	<p>(c) Duration of water permit</p>	<p>There does not seem to be a time limit under the WSA, though there is a compulsory review of the water licence after 30 years.</p>
	<p>(d) process for permit renewal</p>	<p>N/A</p>
<p>4.</p>	<p>How does the process of securing a water allocation relate to the general mining permit approval process (i.e. is a water permit required before a mining permit, or is</p>	<p>Determining water allocation is necessary to obtain or complete the environmental assessment. The environmental assessment is necessary to obtain the mine permit.</p> <p>The mine permit is obtained from the Ministry of Energy and Mines (provincial level), and the environmental assessment may be handled</p>

⁵ See the “Water applicant’s agency guide,” for more details on other agencies implicated in a water licence, available at: http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-rights/agency_resource_oct-2011.pdf.



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	information about water use required for an EIA which is required for a mining permit)?	either provincially or federally, depending on the size of the project. If it is handled federally, then British Columbia may recognize such environmental assessment for the purpose of granting the mine permit.
5.	Tariffs for water use Do mines have to pay for water usage? If yes, who sets the tariffs?	<p>Yes. This is set by the Ministry of Forests, Lands and Natural Resource Operations.</p> <p>New fees and rentals, announced in February 2015, are intended to recover the costs of implementing the new Water Sustainability Act (See Annex A for more details).⁶</p> <p>All rates are the same for surface water and groundwater use. Mining companies will be charged \$1.3 per 1000 m3 for water used in their operations in 2016.⁷</p> <p>Annual water rentals for existing non-domestic groundwater users accrue starting February 29, 2016, regardless of when an application for a licence is submitted within the three-year transition period.</p>
6.	Requirements for recycling water	There are no specific laws that require water recycling in mining operations. However, under the <i>Water Sustainability Act</i> , the government will have powers to create and enforce water sustainability plans, which could include restrictions on water use under licences in certain conditions.
7.	What rights, if any, does the relevant Authority have to change the amount of water allotted to a mine? Is the mining company allowed compensation for such changes?	<p>There is a statutory review period every 30 years under the section 23 of the WSA.</p> <p>Under the WSA, government is also given authority to claw back or scale back any water rights under certain circumstances, such as drought.</p>

⁶ See the brochure: “Water Sustainability Act: New Rules now in Effect – February 29, 2016,” available at: http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/new_rules_in_effect_under_wsa_brochure.pdf.

⁷ See “Overview of fees and rentals” (February 2015), available at: https://engage.gov.bc.ca/watersustainabilityact/files/2016/02/Overview-of-Fees-and-Rentals_Feb2015.pdf



3. Regulation of water quality and waste water discharge in the mining sector in British Columbia

Water Quality questions		
No	Topic	Answer
1.	<p>Requirements for a permit for mine waste discharge: Does a mine have to apply for a permit to discharge waste/ waste water into surrounding water courses? If so, what permits are required? What is the permitting process?</p>	<p>Yes – water discharge permits are required to be obtained pursuant to the Metal Mining Effluent Regulations (MMER) and the Fisheries Act.</p> <p>Transitional authorizations under the MMER: Pursuant to section 4 of the MMER, a mine is required to have a transitional authorization to deposit an effluent that contains a deleterious substance in any water frequented by fish or place referred to in subsection 36(3) of the Fisheries Act.</p> <p>The holder of a transitional authorization is subject to the following obligations:</p> <ol style="list-style-type: none"> comply with testing and reporting obligations, including reporting any change in the information provided in its application for the authorization; start the construction of the facilities and implement the procedures necessary to deposit the effluent, in a timely manner; and comply with the levels of effluent allowed to be discharged, as specified in the transitional authorization, and to notify an inspector in the event that effluents in unauthorized concentrations or acutely lethal effluents are deposited. <p>The transitional authorization may be revoked if</p> <ol style="list-style-type: none"> the information provided to support the application for the transitional authorization is false or incomplete; or any of the obligations or reporting requirements are not complied with. <p>Under the Fisheries Act: A separate permit is required under the Fisheries Act to carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fisher (Section 35(2)(b) Fisheries Act)</p> <p><i>Time period for obtaining a licence:</i> 150 days (60 days for the Minister to confirm receipt of the application and to confirm that the application is complete or requires further documentation, and a further 90 days from the date the Minister sends notification that the application is complete).</p>



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		<p>The permits issued under the Fisheries Act and the MMER are not operating permits per se, but a permit to perform what would otherwise be prohibited activities.</p>
<p>2.</p>	<p>Other licensing/permitting processes that cover water quality/discharge</p>	<p>Yes - under the Mines Act and Health, Safety and Reclamation Code of British Columbia: An additional permit, issued by the chief inspector, must be obtained prior to starting any work in, on, or about a mine. As part of the application for the permit, a plan outlining the (a) proposed work, (b) conservation program for cultural heritage resources, (c) protection and reclamation program for the land, watercourses, and cultural heritage affected by the mine, must be submitted.</p>
<p>3.</p>	<p>Nexus with environmental impact assessments/statements</p> <p>What is the process for obtaining an environmental impact assessment? At which stage of the mining process must it be obtained? To what extent are water issues covered in it?</p>	<p>Assessing a mine’s water requirements and which sources it proposes to obtain the water is an important part of an environmental assessment, which in turn is required to be completed to obtain a mine permit.</p> <p>There is a prescribed timeline for the permitting process for an environmental assessment:</p> <p>Pre-Application Stage: Usually it takes 12 months to gather the required environmental baseline information needed at the pre-application stage. The pre-application stage typically takes 12 to 18 months to complete depending on a variety of circumstances, including the technical complexity of the project and consultation requirements.</p> <p>Application Review Stage: The application review stage, which is governed by legislated timelines, may take up to one month for screening the application to ensure it contains the required information and six months for reviewing the application once it has been accepted by the Environmental Assessment Office (EAO).</p> <p>Upon acceptance of a complete project description, the EAO has 45 calendar days, including a 20-day public comment period, to determine whether a federal environmental assessment is required.</p> <p>An environmental assessment conducted by the EAO must be completed within 365 days. This timeline starts when a notice of the commencement of the environmental assessment is posted on the Registry Internet site and ends when the Minister of the Environment makes a decision as to whether the designated project is likely to cause significant adverse environmental effects.</p> <p>The Minister of the Environment may refer a project to a review panel within 60 days of the notice of commencement of an environmental assessment. An environmental assessment by a review panel needs to be</p>



		<p>completed within 24 months. This timeline starts when the proposed project is referred to a review panel and ends when the Minister of the Environment issues the environmental assessment decision statement.</p> <p>For every environmental assessment:</p> <ul style="list-style-type: none"> • The Minister may extend the time limits by an additional three months, to facilitate cooperation with another jurisdiction or to take into account other circumstances specific to the project. • Upon recommendation of the Minister of the Environment, the Governor in Council may also extend the time limit (in addition to the three-month extension granted by the Minister). <p>The period that is taken by the mining company to respond to a request from the EAO or a review panel (conduct studies, prepare environmental impact statement, collect further information, etc.), is not counted in the timelines.</p>
<p>4.</p>	<p>Are there regulations regarding the storage of tailings/ waste water by mines?⁸</p>	<p>Tailings storage facilities are regulated the Ministry of Energy & Mines under the Mines Act and the Health, Safety and Reclamation Code for Mines in British Columbia (HSRC). The HRSC includes the requirement to use the Canadian Dam Association Dam Safety Guidelines.⁹</p> <p>The Canadian Dam Association (CDA) guidelines are comprehensive design guidelines that include a Consequence of Failure classification. Dams are rated according to the potential effect of failure and dams are assigned risk ratings of low, medium, high, very high or extreme. Design guidelines vary by the risk rating.¹⁰</p> <p>Many mining companies operating in British Columbia also use the Towards Sustainable Mining Tailings Management Protocol and Guides in managing their operations.¹¹</p>

⁸ Tailing are crushed rock particles that are transported hydraulically in a slurry form to a tailing impoundment or storage facility. The tailing solids are a mixture of sand, silt, and clay size particles. Tailings are sent to a tailing impoundment for disposition.

⁹ The Guidelines are available at: <http://www.cda.ca>.

¹⁰ Mining Association of British Columbia: “FAQ” available at: <http://mining.ca/towards-sustainable-mining/protocols-frameworks/tailings-management>.

¹¹ The Towards Sustainable Mining Tailings Management Protocol and Guides are available at: <http://mining.ca/towards-sustainable-mining/protocols-frameworks/tailings-management>.



5.	Acid mine drainage regulations	<p>The Fisheries Act, which is a federal legislation, prohibits the deposit of a deleterious substance into waters frequented by fish. This is a very stringent statute which has limited permitting. There is also no bottom threshold on the quantity of harmful substances that will give rise to the offence.</p> <p>At the provincial level, British Columbia’s Environmental Management Act prohibits the deposit of waste into the environment, except in accordance with permits and regulations. Also, the new Water Sustainability Act prohibits the introduction of contaminants that cause significant adverse impact to a stream.</p> <p>There are also provincial guidelines and policy on metal leaching and acid mine drainage to be followed by mining operations.¹²</p>
6.	Recycling requirements – Are there any requirements/ incentives for mines to recycle water/ minimize water discharge?	There are no specific laws that require this. However, under the Water Sustainability Act, the government will have powers to create and enforce water sustainability plans, which could include restrictions on water use under licences in certain conditions.

4. Monitoring requirements

General questions		
No	Question	Answer
1.	Who monitors a mining operation’s water quality to ensure compliance with legislation? And how often does such monitoring occur?	As a general matter, British Columbia has minimal regulations on monitoring mines. ¹³ Monitoring of mines depends to a large extent to the size of the mining company, and the public’s perception on the operations of the mine. Over the last 10 years, British Columbia has been enforcing cuts on ground inspections, and has increased its reliance on reports filed by mining companies.

¹² Guidelines and policy are available at: <http://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/permitting/ml-ard>.

¹³ Interviews.



2.	Are there any reporting requirements?	<p>Yes – there are annual reporting requirements, the prescribed forms for which are available here.¹⁴</p> <p>Finally, pursuant to the MMER, a mining company must also keep all records, books of account, or other required documents at a mine for not less than five years from the day that these are made.</p>
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5. Regulation of mine issues post-mine closure

Post-mine closure questions		
No	Question	Answer
1.	Requirements for closure	<p>The laws of British Columbia require that upon mine closure, land, watercourses, and cultural heritage resources are returned to a safe and environmentally sound state.</p> <p>Post-closure requirements are addressed in a permit that must be required pursuant to the Mines Act and Health, Safety and Reclamation Code of British Columbia. The permit must be obtained prior to a mine starting work in, on, or in relation to a mining operation.</p> <p>As part of the application for the permit, a plan outlining the:</p> <ol style="list-style-type: none"> a. proposed work; b. Conservation program for cultural heritage resources; c. protection and reclamation program for the land, watercourses; and d. cultural heritage affected by the mine, must be submitted. <p>Specifically, the plan must include:</p> <ol style="list-style-type: none"> a. the design and details of, among others, water management structures, water storage and/or water treatment facilities, compatible with environmental protection, reclamation, and mine closure; b. water disposal procedures; c. source, use, and water balance for any water required in the operation; d. overall site water balance; and

¹⁴ The annual reporting requirement forms are available at: <http://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/permitting/annual-reporting-forms>.



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		<p>e. a plan for environmental protection, which includes monitoring and surveillance to meet reclamation and protection of land watercourses standards.</p>
	<p>(a) Closure plan: What are the requirements for a closure plan?? Who approves it, if anybody?</p>	<p>The plan / program must take into account the health and safety of the public and persons involved in the work, and be designed to make it as practicable as possible in the future to mine zones affected by the plan. It must also be designed to protect land and watercourses, and when required, by the chief inspector, be prepared by licensed professionals, or persons who in the opinion of the chief inspector are qualified to perform the work.</p>
	<p>(b) Bond requirements</p>	<p>Mining companies must place a security with the province to ensure reclamation obligations are kept. This security is only returned once the mine site has been reclaimed to a satisfactory level and there are no ongoing monitoring or maintenance requirements. The intent of the province’s reclamation legislation is to ensure that modern mine sites in British Columbia do not leave an ongoing legacy or require public funds for clean-up activities.</p> <p>The assessment of financial security is done on a site-specific basis to take into account each mine’s unique management requirements and operational constraints. The security is set at a level that reflects all outstanding reclamation and closure obligations. For example, mines that require long-term drainage treatment for metal leaching and/or acid rock drainage require full security to cover outstanding liability and ongoing management.</p> <p>The Chief Inspector of Mines accepts the following forms of reclamation security: cash, certified checks, bank drafts, term deposits (i.e., GICs), Government of Canada bonds and irrevocable standby letters of credit (ISLOCs).¹⁵</p>
2.	<p>Post-mine closure monitoring requirements</p>	<p>Monitoring programs shall be undertaken as required by the chief inspector to demonstrate that reclamation and environmental protection objectives (including water quality) are being achieved. If all conditions of the Mines Act, Health, Safety and Reclamation Code, and permit have been fulfilled and there are no on-going inspection, monitoring, mitigation, or maintenance requirements, then the owner, agent or manager will be released from all further obligations under the Mines Act.</p>
4.	<p>Are there any reporting requirements in relation to a</p>	<p>Yes - Annual reclamation reports must be submitted that detail the following:</p>

¹⁵ Reference: <http://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/permitting/reclamation-closure/securities>



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	mine's preparation for post-closure?	<ul style="list-style-type: none">- Mine development, including surface disturbance, stripping, stockpiling and disposal and storage of all materials.- Activities, research and monitoring results associated with the development and implementation of the Environment Protection Program.- Activities, research and monitoring results associated with the development and implementation of the Reclamation Program.- A projection of mining and reclamation activities planned for the following 5 years. <p>The prescribed forms to be completed for these reports can be found here.</p>
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Enforcement/ Regulatory actions

General questions		
No	Question	Answer
1.	What enforcement actions, if any, can the government/ public authorities/ citizens take for breach of any of the relevant laws/ regulations?	<p>Imposition of fines: The government may impose fines for failure to comply with any of the obligations in the Fisheries Act, or a breach of any of the requirements of the law. The amount of the fine depends on whether the offender is an individual, a small revenue corporation, or a corporation, and whether the offense was a first or second / subsequent offense. (Section 40, Fisheries Act). Additional penalties are set out under the WSA.</p> <p>Other actions: If a mine owner or operator fail to perform and complete the reclamation program or comply with the conditions of the permit, then the chief inspector, after giving notice to remedy the failure may do any of the following: (a) order the stoppage of mining operations, (b) apply all or part of the security toward payment of the cost of the work required to be performed or completed, (c) close the mine, or (d) cancel the permit (Mines Act).</p>
2.	Which body is responsible for taking regulatory enforcement actions against mines? What is the procedure?	The Chief Inspector appointed under the Public Service Act, or anyone whom he delegates to.
3.	Is there a database that collates information on any penalties/ fines that mining companies have to pay for a breach of legislation in relation to water use in the mining sector?	While there is no central database for environmental cases related to water violations, Environment Canada has created an Environmental Offenders Registry , which contains convictions obtained for offences committed since June 18, 2009 .
4.	Briefly outline the procedure for bringing a case and specify which court the case would be brought to.	In Canada, environmental offences are “quasi-criminal” in nature. Summary matters are brought to the provincial court – criminal division. Indictable offences are brought to the provincial Supreme Court.
5.	Who has standing to bring a case?	Only those who have been directly injured have standing to bring a case.
6.	What is the relevant statute of limitations?	Fisheries Act: 5 years Environmental Management Act: 3 years Water Sustainability Act: 3 years



Annexures

A. Legislation (policies, laws, and regulations) governing water issues in the mining sector in British Columbia

No.	Name of Legislation	Brief description of how it applies
FEDERAL LEGISLATION		
1.	Canadian Environmental Assessment Act of 2012	A federal legislation respecting the environmental assessment of certain activities and the prevention of significant adverse environmental effects
2.	Canadian Environmental Protection Act of 1999	A federal legislation respecting pollution prevention and the protection of the environment and human health in order to contribute to sustainable development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.
3.	Canada Water Act of 1985	For the management of the water resources of Canada, including research and the planning and implementation of programs relating to the conservation, development and utilization of water resources
4.	Department of Environment Act of 1985	Assigns the national leadership for water management to the Minister of Environment (or Environment Canada)
5.	Fisheries Act and its implementing regulations of 1985	For the granting of fishery leases, and for the protection of fisheries.
6.	International Rivers Improvement Act of 1985	For the construction, operation and maintenance of international river improvements
7.	Metal Mining Effluent Regulations of 2002	Allows disposal of mine effluents into surface water so long as standards for certain parameters are met
PROVINCIAL LEGISLATION		
Mining legislation		
8.	Mines Act ([RSBC 1996] CHAPTER 293)	An act that governs all mines during exploration, development, construction, production, closure, reclamation and abandonment.
Environmental legislation		
9.	Environmental Management Act ("EMA") ([SBC 2003] CHAPTER 53)	The principal environmental legislation in British Columbia, the EMA provides a framework for the protection of human health and the quality of water, land and air in British Columbia. It prohibits the discharge of waste into the environment in such a way as to damage the environment without a permit.



10.	<u>Environmental Assessment Act</u> (“EAA”) ([SBC 2002] CHAPTER 43)	The EAA establishes a comprehensive process for the assessment of environmental impacts of projects in British Columbia. It is administered by the B.C. Environmental Assessment Office. respecting the <u>environmental assessment process</u> in British Columbia
11.	<u>Health, Safety and Reclamation Code for Mines in British Columbia</u>	A regulation enacted pursuant to the Environmental Assessment Act that protects workers and the public through provisions for minimizing the health, safety and environmental risks related to mining activities.
Water legislation		
	<u>Water Protection Act</u> of 1996	The purpose of the Water Protection Act is to “foster sustainable use of British Columbia's water resources in continuation of the objectives of conserving and protecting the environment” (s.2). The Act affirms the Province's ownership of surface water and groundwater, and sets limits for bulk water exports.
12.	<u>Water Sustainability Act</u> of 2014 (“WSA”)	<p>The 2016 Water Sustainability Act and accompanying regulations came into effect on February 29, 2016 and provide rules, guidance and standards for gaining the right to use water, and for using water safely, responsibly and sustainably.</p> <p>For the first time, it requires users of groundwater for non-domestic purposes including mining to obtain a water licence and pay fees and annual water rentals just like surface water users. For existing groundwater users, the regulations provide a three-year transition period in which to apply for a licence; application fees will be waived during the first year.</p> <p>http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights</p>
	<u>Water Sustainability Regulation</u> of 2016	This regulation sets out the application requirements for water permits in relation to the use of both ground and surface water and identifies the requirements for using water or making changes to a stream in accordance with the regulation.
	<u>Water Sustainability Fees, Rentals and Charges Tariff Regulation</u> of 2016	This regulation specifies the water-related fees for all water uses, including water power. This regulation replaces Parts 3 and 4 and Schedules A and B of the former Water Regulation under the old Water Act.
	<u>Groundwater Protection Regulation</u> of 2016	This regulation addresses protection of the groundwater resource and identifies requirements for the construction of wells. This regulation replaces the historic Ground Water Protection Regulation under the old Water Act, and sets out standards to safeguard and maintain the integrity and efficient use of



		groundwater and to ensure activities related to wells are undertaken in an environmentally safe manner.
	Dam Safety Regulation of 2016	This regulation identifies what dams are regulated and the requirements which must be met by dam owners.
	Water District Regulation of 2016	This regulation establishes Water Districts administrative units used in licensing and management. It was a schedule in the former Water Regulation and is now a separate regulation under the WSA.
	Violation Ticket and Fines Regulation (under the Offence Act) –	This administrative regulation prescribes fines, victim surcharge levies and maximum amounts for violation tickets issued by enforcement officers for offences under a number of provincial statutes. Government updated this regulation to align language with the Water Sustainability Act, to change fine amounts for some offences, and to introduce new offences identified in the WSA and its regulations.

B. List of relevant ministries/ departments/ agencies/ authorities involved in the regulation of water in the mining sector

No.	Name (In English and local language)	Brief description of its role
FEDERAL AGENCIES		
1.	Major Projects Management Office (“MPMO”)	The MPMO is a Government of Canada organization whose main roles are to provide overarching project management and accountability for major resource projects in the federal regulatory review process, and to facilitate improvements to the regulatory system for major resource projects.
2.	Environment Canada	Department within the Minister of the Environment responsible for preserving and enhancing the quality of the natural environment, providing meteorological services, and coordinating policies and programs to achieve environmental objectives. Environment Canada administers the Mining Metal Effluent Regulations .
3.	Fisheries and Oceans Canada	Lead federal role in managing Canada’s fisheries and safeguarding waters, and has the primary responsibility of administering the Fisheries Act (also known as the Department of Fisheries and Oceans)
4.	Canadian Environmental Assessment Agency	Responsible for administering the Canadian Environmental Assessment Act, maintaining a public registry of environmental assessments , and providing leadership and coordination of the federal environmental assessment process, which includes defining the project scope, consulting with the public where appropriate, conducting a study to



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		determine environmental effects, and ensuring mitigation where required.
PROVINCIAL AGENCIES		
5.	<u>Ministry of Energy and Mines</u>	Provincial ministry responsible for British Columbia’s electricity, alternative energy, mining and mineral exploration sectors. Administers the Mines Act.
6.	<u>Ministry of Environment</u>	Provincial ministry responsible for the environment management of British Columbia. Administers the EMA.
7.	<u>Environmental Assessment Office (“EAO”)</u>	<p>The EAO manages the environmental assessment of proposed major projects in British Columbia as required by the Environmental Assessment Act.</p> <p>The assessment process examines major projects for potentially adverse environmental, economic, social, heritage and health effects that may occur during the life cycle of these projects. The process includes:</p> <ul style="list-style-type: none"> • Opportunities for the involvement of all interested parties; • Consultations with First Nations; • Technical studies to identify and examine potential significant adverse effects; • Strategies to prevent, or reduce, adverse effects; and • The development of comprehensive reports summarizing input and findings.¹⁶
8.	<u>Ministry of Forests, Lands & Natural Resource Operations</u>	<p>The Ministry:</p> <ul style="list-style-type: none"> • Is responsible for stewardship of Provincial Crown land and natural resources, and protection of B.C.’s archaeological and heritage resources. • Supports the sustainable management of forest, mineral and land resources, the prosperity, viability and competitiveness of industries that use them, and public access for a wide range of activities such as hunting, fishing and recreation. • Administers the Water Act.
9.	<u>FrontRunnerBC</u>	FrontCounter BC is a single window service for clients of provincial natural resource ministries and agencies. It provides natural resource clients obtain all the information and authorizations they need to start or expand a business.

¹⁶ For more information, see the EAO User Guide (2015), available at:
<http://www.eao.gov.bc.ca/pdf/EAO%20User%20Guide%20-%20June%202015%20final.pdf>.