



Enabling Statute: [Northwest Territories Waters Act](#)

Northwest Territories Waters Regulations (SOR/93-303)

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Regulation current to May 1st, 2007

Attention: See coming into force provision and notes, where applicable.

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## Northwest Territories Waters Regulations

SOR/93-303

Registration June 8, 1993

### NORTHWEST TERRITORIES WATERS ACT

#### Northwest Territories Waters Regulations

P.C. 1993-1213 June 8, 1993

His Excellency the Governor General in Council, on the recommendation of the Minister of Indian Affairs and Northern Development, the Treasury Board, the Northwest Territories Water Board and the Yukon Territory Water Board, is pleased hereby

(a) pursuant to section 29 of the *Northern Inland Waters Act*, to revoke the *Northern Inland Waters Regulations*, C.R.C., c. 1234, and

(b) pursuant to section 33 of the *Northwest Territories Waters Act*<sup>\*</sup> and section 33 of the *Yukon Waters Act*<sup>\*\*</sup>, to make the annexed Regulations respecting inland water resources in the Northwest Territories and the annexed Regulations respecting inland water resources in the Yukon Territory, in substitution therefor, effective June 15, 1993. \* S.C. 1992, c. 39

\*\* S.C. 1992, c. 40

Regulations Respecting Inland Water Resources in the Northwest Territories

### SHORT TITLE

1. These Regulations may be cited as the *Northwest Territories Waters Regulations*.

## INTERPRETATION

2. In these Regulations,

"Act" means the *Northwest Territories Waters Act*, ( *Loi* )

"groundwater" means all water in a zone of saturation beneath the land surface, regardless of its origin; ( *eau souterraine* )

"undertaking" means an undertaking in respect of which water is to be used or waste is to be deposited, of a type set out in Schedule II; ( *entreprise* )

"watercourse" means a natural watercourse, body of water or water supply, whether usually containing water or not, and includes groundwater, springs, swamps and gulches. ( *cours d'eau* )

## WATER MANAGEMENT AREAS

3. The geographical areas of the Northwest Territories set out in Schedule I are established as water management areas.

## APPLICATION

4. These Regulations apply in respect of the water management areas established under section 3.

## WATER USE OR WASTE DEPOSIT WITHOUT A LICENCE

5. (1) A person may use water and deposit waste without a licence if the proposed use or deposit

(a) has no potential for significant adverse environmental effects;

(b) would not interfere with existing rights of other water users or waste depositors; and

(c) satisfies the criteria set out

(i) in respect of an industrial undertaking, in column II of Schedule IV;

(ii) in respect of a mining and milling undertaking, column II of Schedule V;

(iii) in respect of a municipal undertaking, in column II of Schedule VI;

(iv) in respect of a power undertaking, in column II of Schedule VII; and

(v) in respect of an agricultural, conservation, recreational or miscellaneous undertaking, in column II of Schedule VIII.

(2) An individual may, without a licence, deposit waste that is sewage from a residential building, in accordance with the *General Sanitation Regulations* of the Northwest Territories.

(3) A ship within the meaning of section 654 of the *Canada Shipping Act* may, without a licence, deposit waste if the deposit of that waste is not prohibited under Part XV of that Act.

## APPLICATIONS FOR LICENCES

6. (1) An application for a licence or for the amendment or renewal of a licence shall be the form set out in Schedule III and shall contain the information identified therein and be accompanied by a deposit equal to any water use fee that would be payable under subsection 9(1) in respect of the first year of the licence that is being applied for.

(2) An application referred to in subsection (1) shall also include

(a) where the proposed undertaking consists of a dam,

(i) a plan showing the length, height, cross-sections and elevations of the dam and the location and preliminary designs of spillways, canals, sluice pipes and any other outlet works, and

(ii) data respecting the type and composition of the material to be used in the construction of the dam;

(b) where the proposed undertaking consists of a storage reservoir,

(i) an estimate of the number of hectares of land to be flooded, the surface area, in hectares, of the reservoir when filled and the contemplated total storage capacity of the reservoir, and

(ii) a plan showing representative cross-sections of the reservoir;

(c) where the proposed undertaking consists of a watercourse crossing,

(i) a plan of the crossing showing cross-sections and elevations,

(ii) a description of the existing bed and banks of the watercourse, and

(iii) any available data on the water flow of the watercourse;

(d) where the water is proposed to be used for a municipal undertaking in respect of a camp or lodge or in respect of a municipality or settlement,

(i) a plan showing the location of the camp or lodge or the location, area and boundaries of the municipality or settlement,

(ii) an indication of the approximate capacity of the camp or lodge or population of the municipality or settlement, and

(iii) a plan of the intended water or sewage system, showing cross-sections and elevations;

(e) where the water is proposed to be used for an industrial or mining and milling undertaking, a description of the undertaking and of all wastes produced and chemicals used in the operation of the undertaking;

(f) where the proposed undertaking involves a deposit of waste,

(i) the location, rate, timing, frequency and duration of deposit,

(ii) the anticipated constituents of the deposit and the concentration thereof,

(iii) the methods proposed for the storage and treatment thereof, and

(iv) an assessment of the qualitative and quantitative effects on the waters into which the waste is to be deposited;

(g) where the undertaking involves the handling or storage of petroleum products or hazardous materials,

(i) a plan for the safe handling, storage and disposal thereof, and

(ii) a contingency plan for their containment and for the clean-up thereof in the event of a spill; and

(h) in any case, plans for the abandonment, or any temporary closing, of the proposed undertaking.

## APPLICATION FEES

7. The fee payable on the submission of an application for a licence or for the amendment, renewal, cancellation or assignment of a licence or of an application under section 31 of the Act is \$30.

## LICENSING CRITERIA

8. (1) Subject to subsection (2), a licence issued under subsection 14(1) of the Act shall be a type B licence for one or more uses of water or deposits of waste set out in column I of any of Schedules IV to VIII, where any one of those uses or deposits

(a) meets a criterion set out in column III thereof; or

(b) meets a criterion set out in column II thereof, but does not meet the requirements of paragraphs 5(1)(a) and (b).

(2) A licence issued under subsection 14(1) of the Act shall be a type A licence for one or more uses of water or deposits of waste set out in column I of any of Schedules IV to VIII, where any one of those uses or deposits meets a criterion set out in column IV thereof.

## WATER USE FEES

9. (1) Subject to subsections (4) and (5), the fee payable by a licensee for the right to the use of water, calculated on an annual basis, is

(a) in respect of an agricultural undertaking, the greater of

(i) \$30, and

(ii) \$0.15 for each 1 000 m<sup>3</sup> authorized by the licence;

(b) in respect of an industrial, mining and milling or miscellaneous undertaking, the greater of \$30 and the aggregate of

(i) for the first 2 000 m<sup>3</sup> per day that is authorized by the licence, \$1 for each 100 m<sup>3</sup> per day,

(ii) for any quantity greater than 2 000 m<sup>3</sup> per day but less than or equal to 4 000 m<sup>3</sup> per day that is authorized by the licence, \$1.50 for each 100 m<sup>3</sup> per day, and

(iii) for any quantity greater than 4 000 m<sup>3</sup> per day that is authorized by the licence, \$2 for each 100 m<sup>3</sup> per day; and

(c) in respect of a power undertaking,

(i) for a Class 0 power undertaking, nil,

(ii) for a Class 1 power undertaking, \$1,500,

(iii) for a Class 2 power undertaking, \$4,000,

(iv) for a Class 3 power undertaking, \$10,000,

(v) for a Class 4 power undertaking, \$30,000,

(vi) for a Class 5 power undertaking, \$80,000, and

(vii) for a Class 6 power undertaking, \$90,000 for the first 100 000 kW of authorized production and \$1,000 for each 1 000 kW of authorized production in excess of 100 000 kW.

(2) For the purposes of paragraph (1)(b), where a licence authorizes the use of water on a basis other than a daily basis, the licence fee payable shall be calculated by converting the rate of authorized use to an equivalent daily rate.

(3) Where the volume of water is specified in a licence to be total watercourse flow, the licence fee will be calculated using the mean daily flow of the watercourse, calculated on an annual basis.

(4) Licence fees are payable only for the portion of the year during which the licence is in effect.

(5) No fees are payable under subsection (1) in respect of a diversion of water where the water is not otherwise used.

(6) Licence fees shall be paid or, in the case of an initial payment, deducted from the deposit

(a) in respect of a licence for a term of one year or less, at the time the licence is issued; and

(b) in respect of a licence for a term of more than one year,

(i) for the first year of the licence, at the time the licence is issued, and

(ii) for each subsequent year of the licence, or for any portion of the final year of the licence, in advance, on the anniversary of the date of issuance of the licence.

(7) Where the licence fee payable under this section is less than the amount of the deposit remitted under subsection 6(1), the difference shall be refunded accordingly.

## APPLICATIONS FOR ASSIGNMENT

10. (1) An application for authorization for the assignment of a licence pursuant to subsection 19(2) of the Act shall be submitted to the Board, accompanied by the fee set out in section 7, not less than 45 days before the date on which the applicant proposes to assign the licence.

(2) An application referred to in subsection (1) shall be signed by the assignor and the assignee and shall include the name and address of the assignee.

## APPLICATIONS FOR CANCELLATION

11. An application for cancellation of a licence shall be in writing and set out the reason for the requested cancellation and a description of the measures taken or proposed to be taken, prior to cancellation, for abandonment of the appurtenant undertaking.

## SECURITY

12. (1) The Board may fix the amount of security required to be furnished by an applicant under subsection 17(1) of the Act in an amount not exceeding the aggregate of the costs of

- (a) abandonment of the undertaking;
- (b) restoration of the site of the undertaking; and
- (c) any ongoing measures that may remain to be taken after the abandonment of the undertaking.

(2) In fixing an amount of security pursuant to subsection (1), the Board may have regard to

- (a) the ability of the applicant, licensee or prospective assignee to pay the costs referred to in that subsection; or
- (b) the past performance by the applicant, licensee or prospective assignee in respect of any other licence.

(3) Security referred to in subsection (1) shall be in the form of

- (a) a promissory note guaranteed by a bank in Canada and payable to the Receiver General;
- (b) a certified cheque drawn on a bank in Canada and payable to the Receiver General;
- (c) a performance bond approved by the Treasury Board for the purposes of paragraph (c) of the definition "security deposit" in section 2 of the *Government Contract Regulations*;
- (d) an irrevocable letter of credit from a bank in Canada; or
- (e) cash.

## APPLICATION FOR EXPROPRIATION

13. An application under section 31 of the Act shall include

(a) a legal description of the lands or interest in respect of which the application is made and the name and address of the owner of every registered interest therein; and

(b) a statement of any efforts made by the applicant to acquire the lands or interest.

## PUBLIC REGISTER

14. (1) The register referred to in section 25 of the Act shall be in the form of one or more files in respect of each licence application.

(2) Each file referred to in subsection (1) shall contain

(a) a copy of the application and of all supporting documents;

(b) all records from any public hearing held in connection with the application;

(c) a copy of any licence issued in respect of the application and the reasons for the decision of the Board in respect of its issuance; and

(d) all correspondence and documents submitted to the Board in respect of compliance with the conditions of any licence issued in respect of the application.

## REPORTS

15. (1) Every licensee shall maintain accurate and detailed books and records, and shall submit a report to the Board each year, on or before the anniversary of the date of issuance of the licence, setting out the quantity of water used under the licence and the quantity, concentration and type of any waste deposited under the licence.

(2) A report submitted pursuant to subsection (1) shall be signed by

(a) the licensee, where the licensee is an individual; or

(b) an authorized agent of the licensee, where the licensee is not an individual.

## SCHEDULE I (Section 3)

### WATER MANAGEMENT AREAS

1. Great Slave Lake and all waters and river basins draining into Great Slave Lake
2. Great Bear Lake, all waters and river basins draining into Great Bear Lake, the Great Bear River and its tributaries and all the river basins of the Great Bear River and its tributaries
3. The Mackenzie River, its tributaries and all river basins of the Mackenzie River and its tributaries
4. All the islands in James Bay, Hudson Bay, Ungava Bay and Hudson Strait and all the Arctic Islands except Baffin Island
5. Baffin Island
6. All waters and river basins of the mainland draining into Hudson Bay or Foxe Basin
7. All other waters and river basins draining into the Arctic Ocean or adjacent waters

SCHEDULE II  
(Section 2)

CLASSIFICATION OF UNDERTAKINGS

Item	Column I Type of Undertaking	Column II Description of Undertaking
1.	Industrial undertaking	Any industrial activity other than mining and milling, including manufacturing processes, hydrostatic testing, fluming, the exploration for, and production and transportation of oil and gas, cooling systems, food processing, tanneries, smelters, sawmills, pulp mills, metal finishing and tailings reprocessing
2.	Mining and milling undertaking	Operation of a mine within the meaning of the <i>Canada Mining Regulations</i> or the <i>Territorial Coal Regulations</i> , and any milling related thereto
3.	Municipal undertaking	Any activity  (a) in a municipality, or in a settlement comprising a multiplicity of residential units, that uses only a municipal water and sewage system, including domestic, horticultural, fire protection, commercial or industrial activities, or  (b) in a camp or lodge
4.	Power undertaking	Authorized hydro or geothermal electrical generation of

(a) Class 0	150 or fewer kilowatts
(b) Class 1	More than 150 kW but less than 5 000 kW
(c) Class 2	5 000 or more kilowatts but less than 10 000 kW
(d) Class 3	10 000 or more kilowatts but less than 20 000 kW
(e) Class 4	20 000 or more kilowatts but less than 50 000 kW
(f) Class 5	50 000 or more kilowatts but less than 100 000 kW
(g) Class 6	100 000 or more kilowatts
5. Agricultural undertaking	Nourishing crops or the providing of water for livestock
6. Conservation undertaking	Construction of works for the preservation, protection or improvement of the existing natural environment
7. Recreational undertaking	A commercial or public recreational development
8. Miscellaneous undertaking	Any other undertaking

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SCHEDULE III  
(*Subsection 6(1)*)

APPLICATION FOR LICENCE, AMENDMENT OF LICENCE, OR RENEWAL OF LICENCE

APPLICATION/LICENCE NO: (amendment or renewal only)

1. NAME AND MAILING ADDRESS OF APPLICANT

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

2. ADDRESS OF HEAD OFFICE IN CANADA IF

INCORPORATED

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

3. LOCATION OF UNDERTAKING (describe and attach a map, indicating watercourses and location of any proposed waste deposits)

Latitude \_\_\_\_\_

Longitude \_\_\_\_\_

4. DESCRIPTION OF UNDERTAKING (describe and attach plans)

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5. TYPE OF UNDERTAKING

1. Industrial
2. Mining and milling
3. Municipal
4. Power
5. Agriculture
6. Conservation
7. Recreation
8. Miscellaneous (describe) \_\_\_\_\_

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6. WATER USE

- To obtain water
- Flood control
- To cross a watercourse
- To divert water
- To modify the bed or bank of a watercourse
- To alter the flow of, or store, water
- Other (describe) \_\_\_\_\_

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7. QUANTITY OF WATER INVOLVED (litres per second, litres per day or cubic metres per year, including both quantity to be used and quality to be returned to source)

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8. WASTE DEPOSITED (quantity, quality, treatment and disposal)

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9. OTHER PERSONS OR PROPERTIES AFFECTED BY THIS UNDERTAKING (give name, mailing address and location; attach list if necessary)

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10. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION

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11. CONTRACTOR AND SUB-CONTRACTORS (names, addresses and functions)

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12. STUDIES UNDERTAKEN TO DATE (attach list if necessary)

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13. PROPOSED TIME SCHEDULE

Start date \_\_\_\_\_

Completion date \_\_\_\_\_

NAME (Print) TITLE (Print) SIGNATURE DATE  
\_\_\_\_\_

## FOR OFFICE USE ONLY

APPLICATION FEE Amount: \$ \_\_\_\_\_ Receipt No.: \_\_\_\_\_

WATER USE DEPOSIT Amount: \$ \_\_\_\_\_ Receipt No.: \_\_\_\_\_

SCHEDULE IV  
(Sections 5 and 8)

## LICENSING CRITERIA FOR INDUSTRIAL UNDERTAKINGS

	Column I	Column II	Column III	Column IV
Item	Water Use/ Deposit of Waste	Water Use and Deposit of Waste Permitted Without a Licence	Water Use and Deposit of Waste Requiring a Type "B" Licence	Water Use and Deposit of Waste Requiring a Type "A" Licence
1.	Direct water use in respect of  (a) oil and gas exploration; and  (b) any other industrial undertaking	Use of less than 100 m <sup>3</sup> per day*	Use of 100 or more cubic metres per day*	None  Use of 300 or more cubic metres per day*
2.	(1) Watercourse crossings, including pipelines, bridges and roads	Construction of a structure across a watercourse less than 5 metres wide at ordinary high water mark at point of construction	Construction of a structure across a watercourse 5 or more metres wide at ordinary high water mark at point of construction	None

(2) Watercourse training, including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion	Training	All other watercourse training	None
	(a) of intermittent watercourses,		
	(b) of watercourses that are less than 5 m wide at the ordinary high water mark at the point of training,		
	(c) involving infilling of a watercourse with no inflow or outflow and with a surface area of less than 0.5 ha, or		
	(d) involving removal or placement of less than 100 m <sup>3</sup> of material, where cross-sectional area not significantly changed at point of removal or placement		
(3) Flood Control	Construction of a temporary structure	Construction of a permanent in-stream structure	None
(4) Diversions	Diversion of a watercourse that is less than 2 m wide at ordinary high water mark at point of diversion	All other diversions	None
(5) Alteration of flow or storage by means of dams or dikes.	Off-stream storage of a quantity of water less than or equal to 2 500 m <sup>3</sup>	Off-stream storage of a quantity of water greater than 2 500 m <sup>3</sup> and less than 60 000 m <sup>3</sup> , or instream storage of a quantity of water less than 60 000 m <sup>3</sup>	All other alterations or storage

3.	Deposit of waste in conjunction with (a) oil and gas exploration,	None	Deposit of drill waste to a sump	Deposit of drill waste in a manner other than to a sump
	(b) oil and gas production, processing and refining,	None	None	All deposits of waste
	(c) quarrying and gravel washing,	Deposit of waste in conjunction with quarrying above ordinary high water mark where there is no direct or indirect deposit of waste to surface water	Deposit of waste in conjunction with quarrying below ordinary high water mark or deposit of waste in conjunction with quarrying above ordinary high water mark where there is a direct or indirect deposit of waste to surface water	None
	(d) hydrostatic testing,	Any deposit of waste associated with cleaning or testing of previously unused storage tanks or pipelines	Any deposit of waste associated with cleaning or testing of used storage tanks or pipelines	None
	(e) cooling, or	Any deposit of waste that does not contain biocides or conditioners	Any deposit of biocides or conditioners	None
	(f) other industrial undertakings	None	All	None

\* Does not include water taken from an artificial reservoir with no natural inflow.

SCHEDULE V  
(Sections 5 and 8)

LICENSING CRITERIA FOR MINING AND MILLING UNDERTAKINGS

Item	Column I Water Use/ Deposit of Waste	Column II Water Use and Deposit of Waste Permitted Without a Licence	Column III Water Use and Deposit of Waste Requiring a Type "B" Licence	Column IV Water Use and Deposit of Waste Requiring a Type "A" Licence
1.	Direct water use	Use of less than 100 m <sup>3</sup> per day*	Use of water for milling at a rate of less than 100 tonnes of ore per day, use of water for leaching other than production leaching or use of 100 or more cubic metres per day for undertakings other than milling or production leaching*	Use of water for milling at a rate of 100 or more tonnes of ore per day or use of water for production leaching
2.	(1) Watercourse crossings, including pipelines, bridges and roads	Construction of a structure across a watercourse less than 5 metres wide at ordinary high water mark at point of construction	Construction of a structure across a watercourse 5 or more metres wide at ordinary high water mark at point of construction	None
	(2) Watercourse training including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion	<p data-bbox="446 1375 885 1417">Training</p> <p data-bbox="446 1470 885 1554">(a) of intermittent watercourses,</p> <p data-bbox="446 1606 885 1816">(b) of watercourses that are less than 5 m wide at the ordinary high water mark at the point of training,</p> <p data-bbox="446 1879 885 2005">(c) involving infilling of a watercourse with no inflow or outflow and with</p>	All other watercourse training	None

a surface area of less than 0.5 ha, or

(d) involving removal or placement of less than 100 m<sup>3</sup> of material, where cross-sectional area not significantly changed at point of removal or placement

(3) Flood Control	Construction of a temporary structure	Construction of a permanent in-stream structure	None
(4) Diversions	Diversion of a watercourse that is less than 2 metres wide at ordinary high water mark at point of diversion	All other diversions	None
(5) Alteration of flow or storage by means of dams or dikes	Off-stream storage of a quantity of water less than or equal to 2 500 m <sup>3</sup>	Off-stream storage of a quantity of water greater than 2 500 m <sup>3</sup> and less than 60 000 m <sup>3</sup> , or instream storage of a quantity of water less than 60 000 m <sup>3</sup>	All other alterations or storage
3. Deposit of waste in conjunction with (a) placer mining, or	Any deposit of waste in conjunction with non-mechanized in-stream placer operations or with out-of-stream watercourse placer or testing operations, where no chemical additives are used and there is no direct or indirect deposit of waste to surface water	Any deposit of waste in conjunction with mechanized in-stream placer operations or with any operations where chemical additives are used	None

(b) other mining and milling	Any deposit of waste, other than from milling, where there is no direct or indirect deposit to surface water	Any direct or indirect deposit of waste to surface waters, or any deposit of waste from milling at a rate of less than 100 tonnes of ore per day	Deposit of waste from milling at a rate of 100 tonnes or more of ore per day
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\* Does not include water taken from an artificial reservoir with no natural inflow.

SCHEDULE VI  
(Sections 5 and 8)

LICENSING CRITERIA FOR MUNICIPAL UNDERTAKINGS

Item	Column I Water Use/ Deposit of Waste	Column II Water Use and Deposit of Waste Permitted Without a Licence	Column III Water Use and Deposit of Waste Requiring a Type "B" Licence	Column IV Water Use and Deposit of Waste Requiring a Type "A" Licence
1.	Direct water use	Use of less than 50 m <sup>3</sup> per day*	Use of 50 or more cubic metres and less than 2,000 m <sup>3</sup> per day*	Use of 2,000 or more cubic metres per day*
2.	(1) Watercourse crossings, including pipelines, bridges and roads	Construction of a structure across a watercourse less than 5 m in width at ordinary high water mark at point of construction	Construction of a structure across a watercourse 5 or more metres in width at ordinary high water mark at point of construction	None

	Training	All other watercourse training	None
(2) Watercourse training, including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion	<p>(a) of intermittent watercourses,</p> <p>(b) of watercourses that are less than 5 m wide at the ordinary high water mark at the point of training,</p> <p>(c) involving infilling of a watercourse with no inflow or outflow and with a surface area of less than 0.5 ha, or</p> <p>(d) involving removal or placement of less than 100 m<sup>3</sup> of material, where cross-sectional area not significantly changed at point of removal or placement</p>		
(3) Flood control	Construction of a temporary structure	Construction of a permanent in-stream structure	None
(4) Diversions	Diversion of a watercourse that is less than 2 m wide at ordinary high water mark at point of diversion	All other diversions	None
(5) Alteration of flow or storage by means of dams or dikes	Off-stream storage of a quantity of water less than or equal to 2 500 m <sup>3</sup>	Off-stream storage of a quantity of water greater than 2 500 m <sup>3</sup> and less than 60 000 m <sup>3</sup> , or instream storage of a quantity of water less than 60 000 m <sup>3</sup>	All other alterations or storage

3.	Deposit of waste by (a) municipalities or settlements	Any deposit of waste in accordance with the <b><i>Public Sewerage Systems Regulations</i></b> of the Northwest Territories by a city, town, village or settlement serving 50 or fewer people where there is no direct or indirect deposit of waste to surface waters	Any deposit of waste by means of sewage collection or treatment system serving a population of between 50 and 2,000	Any deposit of waste by means of a sewage collection or treatment system serving a population of 2,000 or more
	(b) camps or lodges	Any deposit of waste in accordance with the <b><i>General Sanitation Regulations</i></b> of the Northwest Territories by a camp or lodge serving 50 or fewer people, where there is no direct or indirect deposit to surface waters	Any deposit of waste by a camp or a lodge with capacity of more than 50 occupants per day or any direct or indirect deposit of waste to surface waters	None

\* Does not include water taken from an artificial reservoir with no natural inflow.

## SCHEDULE VII (Sections 5 and 8)

### LICENSING CRITERIA FOR POWER UNDERTAKINGS

	Column I	Column II	Column III	Column IV
Item	Water Use/ Deposit of Waste	Water Use and Deposit of Waste Permitted Without a Licence	Water Use and Deposit of Waste Requiring a Type "B" Licence	Water Use and Deposit of Waste Requiring a Type "A" Licence
1.	Direct water use	None	Class 0	Classes 1 through 6

2.	(1) Watercourse crossings, including pipelines, bridges and roads	Construction of a structure across a watercourse less than 5 metres wide at ordinary high water mark at point of construction	Construction of a structure across a watercourse 5 or more metres wide at ordinary high water mark at point of construction	None
	(2) Watercourse training including channel and bank alterations, culverts, spurs, erosion control, and artificial accretion	<p>Training</p> <p>(a) of intermittent watercourses,</p> <p>(b) of watercourses that are less than 5 m wide at the ordinary high water mark at the point of training,</p> <p>(c) involving infilling of a watercourse with no inflow or outflow and with a surface area of less than 0.5 ha, or</p> <p>(d) involving removal or placement of less than 100 m<sup>3</sup> of material, where cross-sectional area not significantly changed at point of removal or placement</p>	All other watercourse training	None
	(3) Flood Control	Construction of a temporary structure	Construction of any permanent in-stream structure	None
	(4) Diversions	Diversion of a watercourse that is less than 2 metres wide at ordinary high water mark at point of diversion	All other diversions	None

(5) Alteration of flow or storage by means of dams or dikes	Off-stream storage of a quantity of water less than or equal to 2 500 m <sup>3</sup>	Off-stream storage of a quantity of water greater than 2 500 m <sup>3</sup> and less than 60 000 m <sup>3</sup> , or instream storage of a quantity of water less than 60 000 m <sup>3</sup>	All other alterations of flow or storage
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SCHEDULE VIII  
(Sections 5 and 8)

LICENSING CRITERIA FOR AGRICULTURAL, CONSERVATION, RECREATIONAL AND MISCELLANEOUS UNDERTAKINGS

	Column I	Column II	Column III	Column IV
Item	Water Use/ Deposit of Waste	Water Use and Deposit of Waste Permitted Without a Licence	Water Use and Deposit of Waste Requiring a Type "B" Licence	Water Use and Deposit of Waste Requiring a Type "A" Licence
1.	Direct water use	Use of less than 100 m <sup>3</sup> per day or use for construction of an ice bridge where the water used is removed directly from the watercourse*	Use of 100 or more cubic metres per day and less than 300 m <sup>3</sup> per day*	Use of 300 or more cubic metres per day*
2.	(1) Watercourse crossings, including pipelines, bridges and roads	Construction of a structure across a watercourse that is less than 5 metres wide at ordinary high water mark at point of construction	Construction of a structure across a watercourse that is 5 metres or more in width at ordinary high water mark at point of construction	None

(2) Watercourse training including channel and bank alterations, spurs, culverts, erosion control, and artificial accretion	<p>Training</p> <p>(a) of intermittent watercourses,</p> <p>(b) of watercourses that are less than 5 m wide at the ordinary high water mark at the point of training,</p> <p>(c) involving infilling of a watercourse with no inflow or outflow and with a surface area of less than 0.5 ha, or</p> <p>(d) involving removal or placement of less than 100 m<sup>3</sup> of material, where cross-sectional area not significantly changed at point of removal or placement</p>	All other watercourse training	None
(3) Flood Control	Construction of a temporary structure	Construction of a permanent in-stream structure	None
(4) Diversions	Diversion of a watercourse that is less than 2 metres wide at ordinary high water mark at point of diversion	All other diversions	None
(5) Alteration of flow or storage by means of dams or dikes	Off-stream storage of a quantity less than or equal to 2 500 m <sup>3</sup>	Off-stream storage of a quantity of water greater than 2 500 m <sup>3</sup> and less than 60 000 m <sup>3</sup> or instream storage of a quantity of water less than 60 000 m <sup>3</sup>	All other alterations of flow or storage

