



File: 0206435

Water Licences: C022864, C023085 and C029542

Date: July 26, 2021

Via Email: [Brian.Houle@catalystpaper.com](mailto:Brian.Houle@catalystpaper.com)

Paper Excellence Canada  
Catalyst Crofton  
Box 70, 8541 Hay Road  
Crofton, BC V0R 1R0

Dear Brian Houle:

**Re: Order to reduce flows below the currently authorized 7.08 cubic metres per second to a minimum of 4.5 cubic metres per second in the Cowichan River**

Please see the attached Order which authorizes Paper Excellence Canada (dba Catalyst Paper Crofton) to reduce flows below the weir on Cowichan Lake and into the Cowichan River to a minimum of 4.5 cubic metres per second. This reduction in flow rate is below the currently authorized 7.08 cubic metres per second in water licences C023085 and C029542, which are in support of C022864.

This Order authorizes the reduction in flow in order to conserve the remaining available storage of water in Cowichan Lake during the extreme drought conditions that are currently being experienced. It is expected that the reduction in flows will help to prolong the available storage of water for later release through the summer months.

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

Yours truly,

A handwritten signature in black ink, appearing to read "Cali Mel". The signature is fluid and cursive, with the first name "Cali" being more prominent than the last name "Mel".

Cali Melnechenko  
Water Manager



## **ENGINEER'S ORDER**

### **SECTION 93 OF THE *WATER SUSTAINABILITY ACT***

**WHEREAS** Paper Excellence Canada (dba Catalyst Paper Crofton), are the holders of Conditional Water Licences (CWL) C022864, C023085 and C029542;

CWL 022864 (issued on February 13th, 1956) authorizes the diversion and use of a maximum of 100 cubic feet per second ("cfs") from Cowichan River for industrial purpose on Sections 2, 3, 4 and 5, Range 10, Chemainus District ("the Crofton pulp mill");

CWL 023085 (issued June 15th, 1956) and CWL 029542 (issued January 4th, 1965), together the "storage licences", authorize the storage of water in Cowichan Lake in the amounts of 32,000 and 17,700 acre feet per annum of water respectively, in support of CWL 022864;

Clause (k) of the storage licences states: "The licensee herein shall maintain at its own expense a minimum flow of 250 cubic feet per second (7.08 cubic metres per second) below the control weir as shown on Exhibit "A" hereto attached";

**AND WHEREAS** on July 14, 2021, an application was made via email from Paper Excellence Canada (dba Catalyst Paper Crofton), to the Ministry of Forests, Lands and Natural Resource Operations and Rural Development (Water Authorizations) to authorize the reduction of flows to below the specified minimum licensed 7.08 cubic metres per second, to a minimum flow of 4.5 cubic metres per second, as a result of this current year drought conditions and current reduced supply of stored water in Cowichan Lake;

**AND WHEREAS** the Ministry of Forests, Lands and Natural Resource Operations and Rural Development (Water Authorizations) does not oppose this reduction in order to manage flows through the conservation of the remaining available stored water in Cowichan Lake.

**THEREFORE, Under Section 93(1)(c) of the *Water Sustainability Act*, I, Cali Melnechenko, Water Manager, exercising the powers of an Engineer, HEREBY ORDER Paper Excellence Canada (dba Catalyst Paper Crofton) the leave to maintain a minimum flow of 4.5 cubic metres per second below the Cowichan Lake control weir for the period July 26, 2021 to November 5, 2021.**

Dated at Nanaimo, British Columbia, this July 26, 2021.

A handwritten signature in black ink, appearing to read "Cali Mel". The signature is written in a cursive, flowing style.

**Cali Melnechenko**  
**Water Manager, exercising the powers of an Engineer** under the  
*Water Sustainability Act*