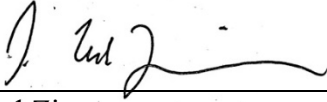




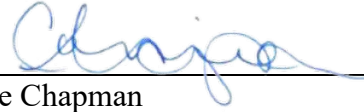
## Ministry of Water, Land and Resource Stewardship

<b>NAME OF POLICY:</b>	Construction Dewatering under the Water Sustainability Regulation
<b>APPLICATION:</b>	This policy assists in understanding construction dewatering under sections 32.1 – 32.3 of the Water Sustainability Regulation.
<b>ISSUANCE:</b>	Executive Director, Watershed Stewardship and Security Branch, Ministry of Water, Land and Resource Stewardship (WLRS), and Executive Director, Water Management Branch, WLRS
<b>IMPLEMENTATION:</b>	WLRS, BC Energy Regulator, and Ministry of Transportation and Transit
<b>LEGISLATIVE REFERENCES:</b>	Water Sustainability Act (Ch. 15, S.B.C 2014) [WSA] Water Sustainability Regulation (B.C. Reg. 36/2016) [WSR] Water Sustainability Fees, Rentals and Charges Tariff Regulation (B.C. Reg. 37/2016) [WSFRCTR] Groundwater Protection Regulation (B.C. Reg 39/2016) [GWPR] Professional Governance Act (Ch. 47, S.B.C. 2018) [PGA]
<b>RELATED POLICIES:</b>	Dewatering and Drainage Wells Water Policy Bulletin  Describing the Aquifer, Point of Groundwater Diversion and Point of Well Diversion in Authorizations for Diversion and Use of Groundwater  Refunds for Applications
<b>RELATIONSHIP TO PREVIOUS POLICIES:</b>	This is new guidance regarding construction dewatering related amendments to the Water Sustainability Regulation.
<b>POLICY AMENDMENT PROCESS:</b>	To amend this policy a request must be made in writing to the Executive Director, Watershed Stewardship and Security Branch, WLRS, and the Executive Director, Water Management Branch, WLRS



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Ted Zimmerman  
Executive Director  
Watershed Stewardship and Security  
Ministry of Water, Land and Resource  
Stewardship



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Connie Chapman  
Executive Director  
Water Management Branch  
Ministry of Water, Land and Resource  
Stewardship

February 24, 2026

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Date

February 26, 2026

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Date

<b>APPROVED AMENDMENTS:</b>		
<b>Effective date</b>	<b>Approval date</b>	<b>Description/Summary of Changes:</b>

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## 1. POLICY STATEMENT

[Sections \(ss\) 32.1 - 32.3 of the Water Sustainability Regulation](#) (WSR) establish exemptions for certain construction dewatering activities, with different conditions according to daily maximum diversion rates. This guidance clarifies these exemptions and provides links to relevant resources.

## 2. REASON FOR GUIDANCE

Order-in-Council 55-2026, deposited on Feb. 27, 2026, amended the WSR to establish exemptions from section (s) 6(1) of the *Water Sustainability Act* (WSA, or “Act”) for certain groundwater dewatering activities associated with construction dewatering. This guidance has been developed to inform proponents, registered professionals, decision makers and other users, on how to understand and apply the new exemption requirements.

## 3. DEFINITIONS

Relevant terms defined under WSA [s 1 \[definitions\]](#): **applicant, aquatic ecosystem, aquifer, authorization, decision maker, divert, drill, drilling authorization, engineer, environmental flow needs, groundwater, officer, order, owner, public officer, sensitive stream, stream, stream channel, use approval, water use purpose, well, well pump, works.**

Relevant terms defined in the WSR: **point of diversion, construction dewatering, diversion period.**

Relevant terms defined in the Groundwater Protection Regulation (GWPR): **dewatering well, permanent, temporary, unconsolidated aquifer.**

Other terms used in this document, which are not defined in the Act or its regulations, have the following meanings:

**Aquifer hydraulic properties** means properties related to the aquifer’s ability to store, transmit and yield groundwater.

**eLicensing** refers to the electronic licensing application system used by the government of British Columbia to process water authorization applications

**Hydraulic connection** means the reasonable likelihood that pumping of groundwater will eventually result in a change in the flow of a stream or spring or change in the level of a stream (such as a lake) that overlies or border the aquifer, over a time period and to an extent, that the decision maker must take into account in considering the environmental flow needs of the stream or whether the rights of other authorized users on the stream are likely to be detrimentally affected or land to be physically affected.

**Non-vested water** means water that is not vested water as per the WSA. See definition of vested water below.

**Unconsolidated aquifer** means an aquifer composed of sediment, such as gravel or sand.

**Vested water** means water that is vested in the government of British Columbia, which includes water in a stream and groundwater, wherever groundwater is found in British Columbia (B.C.), as set out in WSA s 5 [*Vesting water in government*].

#### **4. LEGISLATION**

The following information from the WSA and WSR applies and the implications of each section summarized. Please refer to the Act or regulation for the specific wording of a section.

[WSA s 5](#) [*Vesting water in government*] establishes that the use and flow of all the water in a stream or an aquifer is vested in the government of British Columbia, except insofar as private rights have been established under authorizations.

[WSA s 6](#) [*Use of water*] establishes that a person must hold an authorization for the diversion or use of water from a stream or an aquifer, unless the diversion or use is authorized under regulations or is otherwise allowed as described in s 6(2), (3) and (4).

[WSA s 9](#) [*Licences*] establishes who may be issued a water licence.

[WSA s 10](#) [*Use approvals*] establishes who may be issued a use approval.

[WSA s 12](#) [*Application and decision maker initiative procedures*] describes application processes and information a decision-maker may require for a decision.

[WSA s 14](#) [*Powers respecting applications and decision maker initiatives*] describes the powers of the decision maker in respect of an application, which includes refusing, amending and granting all or part of an application, as well as powers to order the applicant to provide additional information as may be necessary to consider the application.

[WSA s 46](#) [*Prohibition on introducing foreign matter into a stream*] prohibits, unless authorized, a person from introducing foreign matter into a stream, stream channel or area adjacent to a stream, or cause or allow foreign matter to get into a stream in such quantities or in such a manner as to cause a significant adverse impact to the stream and associated rights and ecosystems.

[WSA Division 3](#) [*Wells and Groundwater Protection*] establishes requirements for the drilling, management, and decommissioning of wells, and sets out requirements for the protection of groundwater.

[WSA s 59](#) [*Prohibition on introducing foreign matter into a well*] prohibits a person from introducing or allowing to be introduced refuse, carcasses, human or animal waste, pesticides or fertilizers, construction or demolition material, or any prescribed matter or substance into a well, and also prohibits introducing any other contaminant or material such as clay, silt, rock, or

similar matter when this is likely to cause a significant adverse impact on water quality or existing uses in the well, connected wells, connected aquifers, or hydraulically connected streams.

[WSR ss 32.1 – 32.3](#) [*Exemption – low-volume construction dewatering; Exemption – mid-volume construction dewatering; Failure to Comply*] describes the conditions under which a person is exempt from WSA s 6(1) authorization requirements when diverting water associated with construction dewatering, requirements associated with diverting water for construction dewatering under exemption, definitions, and direction for cases of non-compliance.

## **5. PROCEDURES**

### **5.1 Low-Volume Construction Dewatering**

A person is exempt from the requirement to hold an authorization for the diversion of water for construction dewatering not exceeding 300 cubic metres per day ( $\text{m}^3 / \text{day}$ ) if all of the following conditions are met:

- (a) No more than 300  $\text{m}^3 / \text{day}$  is diverted from a single aquifer, whether from a single diversion points or multiple diversion points.
  - For clarity, if multiple diversion points are used, the cumulative diversion must not exceed 300  $\text{m}^3 / \text{day}$ .
- (b) The diversion does not exceed 24 months.
- (c) The diversion does not adversely affect the water supply and works of other water users.
- (d) There is no use of groundwater for a water use purpose, as set out in WSA s 2 [*Water use purposes*], between the time of diversion and discharge.
- (e) Groundwater is diverted and discharged without causing a significant risk of harm to public safety, the environment, land or other property.

If a person is unable to meet all the above conditions, diversion of groundwater from a construction site is not exempt and an authorization must be obtained.

Note: If a construction project is diverting groundwater from multiple aquifers, the total volume of water diverted from each aquifer is calculated independently. For example, a project diverting less than 300  $\text{m}^3 / \text{day}$  from Aquifer A and less than 300  $\text{m}^3 / \text{day}$  from Aquifer B would be considered exempt under the low-volume construction dewatering exemption if all other conditions are met.

### **5.2 Mid-Volume Construction Dewatering**

A person is exempt from the requirement to hold an authorization for the diversion of water for construction dewatering greater than 300  $\text{m}^3 / \text{day}$  but not exceeding 1000  $\text{m}^3 / \text{day}$  if all the following conditions are met:

- (a) The construction dewatering activities are designed and performed, or directly supervised by, a registrant within the meaning of the [Professional Governance Act](#) of B.C. with a competency in hydrogeology or geotechnical engineering.
- (b) No more than 1,000  $\text{m}^3 / \text{day}$  is diverted from a single aquifer, whether from a single diversion points or multiple diversion points.

- For clarity, if multiple diversion points are used, the cumulative diversion must not exceed 1,000 m<sup>3</sup> / day.
- (c) The diversion does not exceed 24 months.
- (d) The diversion does not adversely affect the water supply and works of other water users.
- (e) There is no use of groundwater for a water use purpose, as set out in WSA s 2 [*Water use purposes*], between the time of diversion and discharge.
- (f) Groundwater is diverted and discharged without causing a significant risk of harm to public safety, the environment, land or other property.

Further, the professional who is designing and performing or directly supervising this activity must prepare a record which includes:

- (a) The dates on which the diversion period begins and ends;
- (b) The location description in relation to the aquifer, and each point of diversion and discharge;
- (c) The volume of groundwater diverted each day;
- (d) Details of the professional's assessment regarding the conditions that:
  - i. There will not be an adverse effect on the water supply and works of other water users; and,
  - ii. The diversion and discharge will not cause a significant risk of harm to public safety, the environment, land or other property.

A person who is exempt under the mid-volume construction dewatering exemption must keep the record prepared by the professional(s) for 3 years after the end of the diversion period.

If the professional designing and performing or directly supervising the activities is not competent to assess the risk of harm to the environment, a registrant within the meaning of the *Professional Governance Act* of B.C. who has a competency in the field of applied biology must provide an assessment of that risk to be included in the hydrogeologist or geotechnical engineer's assessment, and retained with the aforementioned records.

These circumstances may arise if, for example, the hydrogeologist or geotechnical engineer identifies hydraulic connection with likely drawdown impacts on a nearby stream. The hydrogeologist or geotechnical engineer would not necessarily be qualified to comment on how this drawdown would impact the aquatic ecosystem, necessitating the involvement of a professional biologist to assess those impacts.

### **5.3 Non-exempt Construction Dewatering**

Any diversion of groundwater associated with construction dewatering that does not align with the conditions described in ss 5.1 or 5.2 of this policy, which are established in WSR ss 32.1 or 32.2, must apply for an authorization (i.e., a water licence or use approval). A decision maker will review and decide on the application in accordance with WSA s 14 [*Powers respecting applications and decision maker initiatives*].

The water use purpose for non-exempt construction dewatering should indicate the purpose use of "Miscellaneous industrial (construction dewatering)", per WSR [Schedule A](#) [*Industrial Water Use Purposes*].

## **5.4 Wells**

Construction dewatering may occur with or without the use of a well, but if a well is being used, additional requirements may apply as set out in the [Groundwater Protection Regulation](#) (GWPR). These requirements apply regardless of whether an authorization for diversion of groundwater is required or is authorized under the regulations.

The GWPR defines dewatering wells as in section 3 of this document. Of note, the GWPR establishes a distinction between “temporary” and “permanent” wells as follows:

- A **permanent** well or well pump is intended to be in service for a period of more than 90 days after construction and installation;
- A **temporary** well is a well or a well pump that is intended to be in service for a period of not more than 90 days after construction and installation.

Permanent and temporary dewatering wells used for the purposes of construction dewatering may require ID Plating and Well Report submissions. The [Dewatering and Drainage Wells Water Policy Bulletin](#) and accompanying [flowchart](#) provide more information on requirements for dewatering wells.

## **5.5 Failure to Comply**

If a person to whom the construction dewatering exemptions under WSR ss 32.1 or 32.2 applies finds themselves out of compliance by:

- (a) diverting more groundwater than permitted according to the applicable exemption; or
- (b) diverting groundwater for longer than 24 months.

That person must report their noncompliance to the closest regional FrontCounterBC office within 72 hours after the matter occurs and take any measures that a water officer may specify to remedy the impacts of the non-compliance.

Reporting non-compliance as directed does not relieve a person of consequences that may be imposed for their failure to comply.

## **5.6 Diversions of Non-vested Water**

WSA s 6(1) establishes that a person must not divert water from a stream or an aquifer, or use water diverted from a stream or an aquifer by the person, unless (a) that person holds an authorization authorizing the diversion or use, or (b) the diversion or use is authorized under the regulations. An authorization is not required to divert, use or store non-vested water (examples of non-vested water may include precipitation, snowmelt, and non-channelized overland flow).

If water diverted from a construction excavation is comprised entirely of non-vested water, then an authorization under the WSA is not required.

If water diverted from a construction excavation is comprised of mixture of vested and non-vested water, then requirements under WSA s 6(1) and conditional exemptions under WSR ss 32.1 – 32.3 apply.

If an operator is using the low-volume or mid-volume construction dewatering exemptions, and there is a sudden increase in the amount of water that must be diverted to an extent that the operator is now out of compliance with the exemption conditions (for example, due to a precipitation event) the operator must report their non-compliance within 72 hours and take any remedial measures specified by a water officer, as described in section 5.5 of this document.

## **5.7 Local Government Authorizations**

The exemptions established for low-volume and mid-volume construction dewatering apply to the diversion of water from a construction site, and to the discharge of the water. Local governments may have local permitting requirements in place, particularly if water is to be discharged into a stormwater system. Persons undertaking construction dewatering are responsible for ensuring compliance with local government bylaws.

## **5.8 Water Discharge**

Discharge of water from a construction dewatering site must not cause a significant risk of harm to public safety, the environment, land or other property. Further, WSA s 46 prohibits the introduction of foreign matter into a stream in such a quantity or in such a manner as to cause a significant adverse impact to any of the following:

- The stream or stream channel,
- The existing uses of water from the stream,
- The property of riparian owners on the stream,
- An aquifer that is hydraulically connected to the stream or the existing uses of water from that aquifer, or
- The aquatic ecosystem of the stream.

Discharge of groundwater diverted for the purposes of construction dewatering may require treatment for safe discharge. Best practices on discharge can be found in the following resources:

- [Requirements and Best Management Practices for Making Changes In and About a Stream in British Columbia](#)
- [Erosion and Sediment Control Association of BC Best Management Practices](#)

## 5.9 Additional Resources

Resources linked below may provide additional information and best practices guidelines for users of this policy.

### Resource

[Groundwater Wells and Aquifers \(GWELLS\)](#)

### Description

The B.C. government maintains a database of registered water wells and provincially mapped aquifers. This database is publicly available.

This database may assist users of construction dewatering exemptions in identifying the aquifer(s) their activities interact with, including aquifer characteristics, and possible impacts to well users.

[Provincial Groundwater Observation Well Network \(PGOWN\)](#)

PGOWN collects and reports information about groundwater quantity and chemistry through the provincial network of observation wells.

This database may assist users of construction dewatering exemptions in identifying data and trends pertaining to the aquifer(s) with which their activities interact may interact.

[Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia](#)

The purpose of this document is to provide guidance to the applicant and professionals so that they may provide the appropriate level of analysis that decision makers typically require to make a decision on an application for groundwater use.

For users considering the application of construction dewatering exemptions, this document may assist in the identification of relative risk and whether significant risk of harm may occur.

[Describing the Aquifer, Point of Groundwater Diversion and Point of Well Diversion in Authorizations for Diversion and Use of Groundwater](#)

This policy provides guidance on how to describe an aquifer and point of diversion in eLicensing.

This policy may also inform users of the mid-volume construction dewatering exemption on best practices for noting the aquifer and points of diversion for the purposes of record retention requirements established in WSR s.32.2(1)(d).

[Best Practices for Prevention of Saltwater Intrusion](#)

This factsheet provides information on saltwater intrusion, identification of high-risk areas, and prevention.

It is recommended that all users of construction dewatering exemptions in high-risk areas review this policy and maintain best practices for preventing saltwater intrusion and subsequent adverse impacts.

[Regional Groundwater Contacts](#)

Regional Groundwater staff can help to address groundwater questions and concerns. This page shares contact information for regional groundwater contacts.

[Guide to the Standard for Direct Supervision](#)

Engineers and Geoscientists British Columbia (EGBC) developed this guidance to explain the standards of practice, conduct, and competence for Professional Registrants related to the Direct Supervision of Subordinates in Regulated Practice.

For users of the mid-volume construction dewatering exemption, this document may help clarify requirements for direct supervision.