



INFORMATION SHEET

APPLICATION OF THE DAM SAFETY REGULATION

The **British Columbia Dam Safety Regulation 44/2000** has been repealed and replaced with the **Dam Safety Regulation, dated February 29, 2016**. This Information Sheet provides general information about the new Regulation. Dam owners must familiarize themselves with the Regulation. In case of discrepancy between information contained here and the Regulation, the Regulation takes precedent.

INTRODUCTION

The BC Dam Safety Regulation (Regulation) was first passed into law as Regulation 44/2000 under the *Water Act* effective February 11, 2000, and amended as B.C. Reg. 108/2011 (June 9, 2011) and subsequently as B.C. Reg. 163/2011 (September 12, 2011 with enactments on November 30, 2011). The latest Regulation was passed into law under the *Water Sustainability Act (WSA)* effective February 29, 2016.

The objective of the Regulation is to mitigate loss of life and damage to property and the environment from a dam breach by requiring dam owners to inspect their own dams, undertake proper maintenance on them, and ensure that these dams meet ongoing engineering standards.

TO WHOM THE REGULATION APPLIES

The Regulation applies to owners of dams that store or divert water from a stream or aquifer or both (see Section 1 of the Regulation for a full definition of “owner” and “dam”). The height and storage capacity of the dam determines which parts of the Regulation, if any, apply to owners as follows (see Figure A):

1. Owners of ***Minor Dams***, that meet the following criteria are **exempt** from the entire Regulation unless the Comptroller of Water Rights or water manager determines otherwise:
 - less than 7.5 metres in height, and
 - able to impound no more than 10,000 m³ of water.
2. With the exception of the exempted dams above and regardless of dam height, storage volume or failure consequence classification

all dam owners must comply with all parts of the Regulation except **Part 3**.

3. The entire Regulation, including **Part 3**, applies to owners of dams that meet the following criteria as specified in Part 3, Section 7:
 - 1 metre or more in height and capable of impounding a volume of water greater than 1,000,000 m³,
 - 2.5 metres or more in height and capable of impounding a volume of water greater than 30,000 m³,
 - 7.5 metres or more in height, or
 - Classified as significant, high, very high or extreme failure consequence (see Schedule 1 of the Regulation).

WATER SUSTAINABILITY ACT REQUIREMENTS

The WSA has authority over dams (considered works) and holds owners of dams liable for any damage caused by the construction, operation or failure of their dam. Under the WSA, owners of dams are responsible for obtaining a water licence and complying with its terms and conditions.

CLASSIFICATION SYSTEM

All owners of dams are responsible for estimating the potential consequences of failure of their dam and determining the appropriate classification for their dam, subject to verification by the Dam Safety Officer.. Owners of dams have varying levels of obligations under the Regulation which are directly related to the dam’s failure consequence classification (see Schedule 1 of the Regulation).

REGULATION REQUIREMENTS

All owners of dams, other than owners of *minor dams*, must satisfy the requirements specified in **Part 2** of the Regulation, and may also need to meet the regulatory requirements in **Part 4** and **Part 5** of the Regulation.

1. The ongoing regulatory requirements for all dams, except the exempt *minor dams* include:
 - determine the dam failure consequence classification (and review annually and revise if necessary) and submit to the Dam Safety Officer for acceptance,
 - comply with the provisions of the regulation that apply to a dam having that consequence classification,
 - properly inspect, maintain and repair their dam in a manner that keeps the dam in good operating condition, and
 - prevent unauthorized operation of their dam.
2. Owners of dams meeting the criteria set out in Part 3, Section 7 must undertake the following:
 - prepare, review and update the operation, maintenance and surveillance plan and the dam emergency plan (except for low consequence dams) and submit to the Dam Safety Officer for acceptance,
 - As part of the Dam Emergency Plan, prepare a record containing information to be submitted to the local emergency authorities for the purpose of their preparing local emergency plans,
 - prepare and erect signage at all dams located on Crown Land (except for low consequence dams) notifying passersby to report any problems to the owner of the dam and/or the emergency response authorities,
 - obtain *Water Sustainability Act* authorization when alternations, improvements to or replacements of their dam is considered,
 - operate their dam in a manner, and initiate remedial actions, that will safeguard the public and dam in response to hazardous conditions at their dam,
3. Additional requirements for all dam owners may include:
 - prepare a plan in response to any potential safety hazard,
 - notify and get authorization from the Dam Safety Officer prior to removing, decommissioning, deactivating or stopping normal operation of their dam.
 - Report all significant findings resulting from inspections and/or dam safety reviews to the Dam Safety Officer,
 - install any instrumentation necessary to adequately monitor the performance of a dam,
 - carry out dam safety reviews (except for low and significant consequence dams), and
 - submit to the Dam safety Officer, upon request, records relating to the inspection, test or review carried out in relation to their dam including recorded data on the dam, reservoir, downstream area, or watershed upstream of the dam.

geotechnical, mechanical or structural analysis.

ROLE OF THE RESPONSIBLE MINISTRY

The Comptroller of Water Rights instituted the Provincial Dam Safety Program in 1967. The program's goal is to set design, construction, maintenance, and surveillance standards, and assist dam owners in meeting these standards.

Dam Safety Officers located in each region and in Victoria protect public safety by auditing and monitoring the activities of dam owners, providing education and awareness training and taking enforcement/compliance action when necessary.

The Dam Safety Regulation is an important component of the Provincial Dam Safety Program objective to minimize the impact of dam failures.

MORE INFORMATION

More information on dam safety can be obtained from the Responsible Ministry by contacting:

Dam Safety Section
Water Management Branch
PO Box 9340 Stn Prov Govt
Victoria BC V8W 9M1

Or Dam Safety Website:

<http://www2.gov.bc.ca/gov/content?id=60AD5E15F2B943B192222DD348AED117>

The Canadian Dam Associations' Dam Safety Guidelines and website at <http://www.cda.ca/>

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Figure A

