



Ministry of Forests, Lands and Natural Resource Operations and Ministry of Environment

NAME OF POLICY: When to Conduct Site Inspections
APPLICATION: This policy applies to the adjudication of water applications.
ISSUANCE: Director, Water Management Branch, Ministry of Forests Lands and Natural Resource Operations and Executive Director, Water Protection and Sustainability Branch, Ministry of Environment
IMPLEMENTATION: Ministry of Forests, Lands and Natural Resource Operations and the Ministry of Environment
REFERENCES: Water Act (Ch. 483, R.S.B.C 1996) and Water Regulation (B.C. Reg. 204/88)
RELATED POLICIES: Beneficial Use Declaration and Refusal on Water Licence Applications on Over-subscribed Water Sources
RELATIONSHIP TO PREVIOUS POLICIES: Changes made are as result of updating water policies. Replaces policy titled: "Use of a site inspection in the adjudication of a water licence application or an application for amendment of a water license." dated January 8, 1996 (Section 2, subsection .03.01.05 and .03.02.03).
POLICY AMENDMENT: To amend this policy a request must be made in writing to the Director, Water Management Branch, Ministry of Forests Lands and Natural Resource Operations.

Glen Davidson
Director
Water Management Branch
Ministry of Forests Lands and Natural Resource Operations

Lynn Kriwoken
Executive Director
Water Protection and Sustainability Branch
Ministry of Environment

13/11/26
Date

2013/11/27
Date:

When to Conduct Site Inspections

APPROVED AMENDMENTS:		
Effective date	Briefing Note /Approval	Summary of Changes:
June 1, 2009	BN 105976 May 19, 2009	Changes made are as a result of updating water policies. Updates to the policy include: the use of complexity levels for water licence applications to determine when to conduct a site inspection; cross referencing of related policies; and the use of a Beneficial Use Declaration to assist with water licence amendments.
December 1, 2013	BN 198568 October 2, 2013	Policy amended in order to provide the current water management agencies of Ministry of Forests, Lands and Natural Resource Operations and the Ministry of Environment.

Table of Contents

1. POLICY STATEMENT1
2. DEFINITIONS.....1
3. REASON FOR POLICY1
4. PROCEDURES.....1
 4.1 Complexity Levels1
 4.2 Recommended Site Inspections2
 4.3 Additional Considerations2
 4.3.1 New Applications.....2
 4.3.2 Use of Beneficial Use Declaration for Licence Amendments3
APPENDIX 1: COMPLEXITY LEVELS4

1. POLICY STATEMENT

A site inspection should only be conducted when it provides essential technical information that will allow an application to be adjudicated in a quicker timeframe, or where it may provide an opportunity to develop relationships that will facilitate a timely decision on the application.

2. DEFINITIONS

None

3. REASON FOR POLICY

As site inspections require significant staff and financial resources to undertake they should only be used where other methods of application review are not sufficient to obtain information or consultation.

4. PROCEDURES

The following procedures are intended to provide further guidance on whether to conduct a site inspection and to indicate additional factors which may need to be considered.

4.1 Complexity Levels

Site inspections can generally be considered according to the complexity level of the application.

- (a) Complexity Level 1: Site inspections rarely required.
- (b) Complexity Level 2: Site inspections will be carried out when there is a lack of critical information which can be acquired through a site inspection that is preventing a decision from being made.
- (c) Complexity Level 3: It is assumed that a site inspection will be carried out on all level 3 applications, unless an alternate process such as the provincial *Environmental Assessment Act* or the *Canadian Environmental Assessment Act* will address the majority of concerns.

Appendix 1 provides the characteristics for each complexity level.

4.2 Recommended Site Inspections

Irrespective of the risk level, a site inspection should be considered when the following occurs:

- The visit provides a valuable training opportunity that will facilitate and improve the quality and processing of similar applications in the future;
- The inspection provides an opportunity to develop and improve working relationships with provincial agencies or major clients. For example, visiting an application site provides an opportunity to discuss future applications and factors that may affect those applications;
- The inspection provides an opportunity to develop or improves working relationships with other agencies or First Nations. For example, a site inspection provides other agencies with an opportunity to explain and show examples of factors that affect their referral decisions; and
- Granting a new permit over Crown land may have the potential to adversely affect First Nation interests.

4.3 Additional Considerations

A key factor in determining whether or not to conduct a site inspection for a new water licence application is the availability of water to support the proposed withdrawal. Where the water source has previously been determined to be over-subscribed applications may be refused without a site investigation (refer to the policy Refusal of Applications on Over-subscribed Sources).

In regard to applications to amend a water licence, the use of a Beneficial Use Declaration may be able to supply sufficient information (refer to the policy Beneficial Use Declaration).

The presence of a Water Allocation Plan may also provide sufficient information to replace a site investigation.

4.3.1 New Applications

The following additional factors should also be considered on whether to conduct a site inspection:

- There is a clear purpose and defensible reason for conducting an inspection;
- The benefits of the site inspection justify the cost;
- The inspection will be joint inspections with other agencies;

- A site inspection will facilitate a decision being made, or at the very least, initiate a process that will contribute to a timely decision;
- Site inspections will be conducted at a strategic time in the application process. Depending on the scope and nature of the issues involved, a site inspection should be carried out sooner than later; and
- Wherever practical, more than one site will be inspected on any inspection run.

4.3.2 Use of Beneficial Use Declaration for Licence Amendments

Traditionally, water management staff have conducted site inspections in order to determine the location and nature of constructed works, and the beneficial use of water. However, works may be buried or portable, and the use of water may be seasonal in nature. This may limit the usefulness of the inspections or it may require that site inspections occur at a specific time of the year.

Use of the Beneficial Use Declaration may provide sufficient information for amending or monitoring a water licence without the use of field inspections. Refer to the policy Beneficial Use Declaration of details on how to apply the form.

Appendix 1: Complexity Levels

This appendix provides additional information on site inspections and application complexity levels.

Complexity Level 1 Applications

Site inspections rarely required.

For example the water licence application may qualify for [Quick Licensing](#) under the *Water Act*. Also a water application, may also be of low complexity, of high familiarity to the office, and contain similar characteristics to recent proposals that have already been assessed.

Complexity Level 2 Applications

It is recommended that site inspections will be carried out when there is a critical lack of information that prevents a decision from being made.

Level 2 applications will have characteristics of higher complexity, for example an application for irrigation where the location of proposed use, availability of water and the demands from other water users should be assessed on site.

Situations where a site inspection is needed would include the following:

- Maps, air photos and other sources of spatial data, stream flow records, or best management practices are insufficient or inadequate to address the need for additional information or possible concerns;
- A need exists to see and understand concerns identified by legally-recognized objectors, other agencies, local governments and First Nations. When the concern involves one of these groups, a joint inspection with concerned stakeholders should be considered wherever practical.
- An affected landowner registers an objection to proposed works crossing his or her land. In these situations the decision-maker is obliged to make a determination that the land is, or is not, reasonably required;
- There is a need to verify the exact location of existing/proposed works or improvements in relation to legal property boundaries.
- There is a need to see the land or stream because of the impacts from previous uses and activities;
- A need exists to see the stream, stream channel and riparian areas potentially affected in order to determine appropriate mitigation requirements;

- The proposed location of works to divert and use, or store water may alienate future use of adjacent private land; or
- The implications of granting a new permit over Crown land are unknown.

Complexity Level 3 Applications

It should be assumed that site inspections would be carried out on all Level 3 applications.

For example, applications for the production of hydro electric power would typically require inspections.

However, site inspections may not necessarily be needed if:

- An alternate process for the review of the application, such as a review under the provincial *Environmental Assessment Act* or the *Canadian Environmental Assessment Act*) will occur;
- The area of the application is extensive, and the number and complexity of the issues is high. In this case a site inspection may not be warranted unless the inspection is equally extensive; or
- It is likely that one particular component of the application will be visited (such as a base camp or powerhouse) which will provide an opportunity to discuss other issues with agencies and or the applicant.