

ABOUT QUICK LICENSING

What is “quick licensing”?

Quick licensing is a “fast track” process for adjudicating water licence applications. It is used for both new licences and amendments to existing licences.

When is quick licensing used?

Quick licensing is only used for applications for small quantities on sources where the withdrawal would have no impact on other water users. Further, there must be no significant environmental, First Nations, or fisheries concerns. Water managers may include additional criteria.

What applications are eligible?

To be eligible for quick licensing, an application must **not** be on an “excluded stream” and it must either be:

- for a domestic use with an allocation volume not exceeding 500 gallons/day, or
- for “minor agricultural” use with an allocation volume not exceeding 2,500 gallons/day or 1 acre-foot/year.

In addition, if the proposed works will cross, flood or otherwise affect another person’s land, the landowner(s) must provide prior written consent.

If an application does not meet these criteria, it is adjudicated by the standard process.

What are the benefits of quick licensing?

An application can be processed in a shorter time under quick licensing. This allows applicants to construct works, divert water, or make approved changes sooner. Also, attaching the landowner’s consent to the application indicates that the proposal is non-controversial and saves time.

Why is the quick licensing process shorter than the standard adjudication process?

Since applications eligible for quick licensing are uncomplicated and have a negligible impact, they do not require investigations and referrals and can be dealt with efficiently.

The *Water Act* has been amended to permit time savings. For example, previous restrictions on the exercise of various licensing powers have been relaxed for quick licensing. This allows more flexibility and improves efficiency for simple proposals. Since quick licensing is used only for non-controversial applications, previous requirements for such time-consuming activities as providing downstream notification, considering objections and hearing appeals have been omitted from the process.

Why was a shorter adjudication process developed?

It was developed to provide better client service while not compromising water resources. A backlog of applications causes delays for clients and potentially hinders economic development and resource management.

Quick licensing allows some applications to be fast-tracked, by bypassing certain

technical and clerical processes and streamlining the legal requirements.

What is a “minor agricultural use”?

Minor agricultural uses for quick licensing include irrigation, stockwatering, greenhouses, nurseries, residential lawn or garden watering, flood harvesting, crop suppression and frost protection.

What is an excluded stream?

If quick licensing is not appropriate for a particular stream, the stream is designated as an “excluded stream” and all applications on that stream proceed by the standard adjudication process rather than by quick licensing.

The reasons for designation vary, but many relate to concerns about the overall supply of water and the interests of other users or First Nations.

“Sensitive streams” designated under the *Fish Protection Act* are excluded.

If a stream is excluded, its tributaries are automatically excluded as well.

How can I find out which are the excluded streams in my region?

Lists of excluded streams can be obtained from regional offices of the Ministry of Environment, Lands and Parks or viewed on the ministry Website. (See the last page of this brochure for addresses.)

Does a water licence or licence amendment cost more if it is issued by quick licensing?

No. The application fees and annual rentals are identical for quick licensing and the standard adjudication process.

Are the rights under a quick licence different from those under a “standard licence”?

No. The adjudication process used has no affect on the legal status of the licence. Once the licence is issued, the licensee has exactly the same legal rights and obligations under the *Water Act* as all other licensees.

Can third parties object to a quick licence?

No. Provisions in the *Water Act* about third party objections do not apply to quick licensing.

To be valid, an objection must show that another person’s rights would be prejudiced if the licence was issued. Since quick licensing is used only for small volumes on sources where water is relatively plentiful, the impact on others is negligible.

How does the quick licensing process begin?

Regional staff will review your water licence application and determine whether your water use proposal qualifies under quick licensing.

ABOUT LANDOWNER'S CONSENT

What is "landowner's consent"?

It is simply a written form of an informal agreement between an applicant and a neighbouring landowner.

To be eligible for quick licensing, applications must be accompanied by a signed Landowner's Consent Form for each parcel of land that may be "physically affected" by the proposed works.

What does "physically affected" land mean?

Typically it means land which the applicant is planning to cross by a pipe to be authorized by a water licence. Less frequently, a licensee's works may flood another person's land.

Is a Landowner's Consent Form needed if the works affect Crown land?

No. However, to avoid trespass the applicant must acquire some form of permit or authority to occupy Crown land, such as a Permit across Crown Land (PCL). In addition, a licensee should advise Crown land occupants of the water licence.

Must a landowner sign the form?

No, a landowner is not legally obliged to sign the Consent Form.

The form provides two options – a landowner may consent or a landowner may object.

If a landowner objects, room is provided on the Form for detailing the basis of the objection.

When a landowner objects, the application is processed by the standard adjudication process rather than by quick licensing.

Does signing the Landowner's Consent Form affect title to the land?

No. The consent is not an easement and does not result in any registration against the title. It merely advises water management officials that the landowner does not object to the proposed works.

The form has no legal validity apart from its role in quick licensing.

Why is the Landowner's Consent Form required?

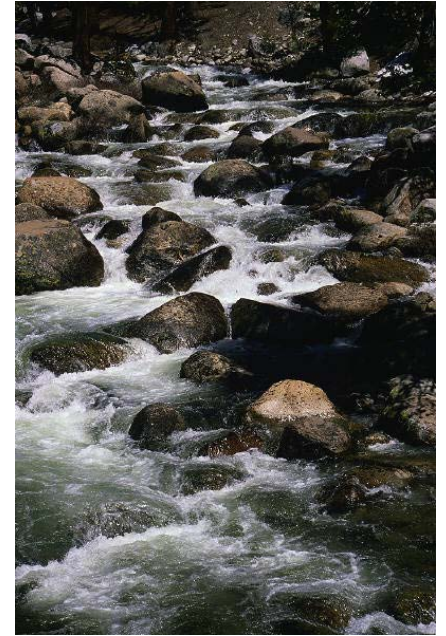
The form ensures fairness to affected landowners.

If the third party uses water from the same source, there is no need for notification since a quick licence would have a negligible impact on the source. However, if the third party owns land that would be crossed or flooded by the proposed works, there is an impact and the landowner deserves to know in advance.

Can landowners withdraw their consent?

Yes. However, if a water licence had been issued under Quick Licensing before the consent was removed the withdrawal of consent would not invalidate the licence. If the licence had not been issued, the application would be adjudicated under the standard process. The landowners involved are advised to negotiate a mutually satisfactory agreement.

For more information, visit: [FrontCounter BC](#)



Water Management

Quick Licensing

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