ORDER

SECTION 93 OF THE *WATER SUSTAINABILITY ACT*

WHEREAS The Regional District of Nanaimo, City of Parksville and Town of Qualicum Beach, are the holders of Conditional Water Licence (CWL) C134068;

WHEREAS CWL C134068 (October 26, 2017) authorizes the storage of 9,000,000 cubic metres per year in Arrowsmith Lake and the diversion and use of 7,000,000 cubic metres per year from Englishman River for waterworks purpose on all the lands within the boundaries of the Regional District of Nanaimo, City of Parksville, and Town of Qualicum Beach.

WHEREAS Clause (l) of the licence states: "The licensee shall release adequate water from storage in Arrowsmith Lake during the period of June 1 to October 31 to fully support the diversion of water from the Englishman River for the waterworks purpose";

WHEREAS Clause (m) of the licence states: "The diversion of water authorized under this licence may be regulated at any time by an order in writing from the Water Manager under the *Water Sustainability Act* in order to maintain a minimum flow in the stream";

AND WHEREAS on January 2, 2008, an Order under Section 18 of the *Water Act* set out the Provisional Operation Rule for Arrowsmith Lake Reservoir*;*

Clause 2 of the Order states: "The Arrowsmith Lake Reservoir shall be maintained at the full supply by July 1 of each year"; and

Clause 3 of the Order states: "Between the period of June 1 and October 31 in any year, the flow releases shall be made from the Arrowsmith Lake Reservoir if the Englishman River flow is below 1.6 m^3/sec, a flow release shall be made to maintain the flow in the Englishman River above 1.6 m^3/sec at the Englishman River near Parksville (08HB002) hydrometric gauge. (Note – 1.6 m^3/sec is a quantity greater than instream fish flow maintenance plus future maximum monthly water withdrawal demand)";

AND WHEREAS on April 21, 2026, an application was made via email from the City of Parksville to the Ministry of Water, Land and Resource Stewardship (WLRS) to authorize a reduction of the required flow of 1.6 m^3/sec at the Englishman River near Parksville Water

Survey of Canada hydrometric gauge (08HB002) that was necessitated by the current year's water scarcity conditions and reduced supply of stored water in the Arrowsmith Reservoir;

AND WHEREAS on July 30, 2026, as a result of the continuation of persistent drought conditions and limited remaining supply of stored water in Arrowsmith Reservoir, an application was made via email from the City of Parksville to WLRS to authorize further reduction of flows at 08HB002 in order to ration and extend flow releases from the Arrowsmith Lake Reservoir;

AND WHEREAS on October 21, 2026, at a meeting of the Arrowsmith Water Service (AWS) Working Group as a result of the continuation of persistent drought conditions and limited remaining supply of stored water in Arrowsmith Lake Reservoir, Provincial Fisheries and the Department of Fisheries and Oceans supported further reduction of flows at 08HB002 to reflect the maximum flow that can be released from the siphon zone in the Arrowsmith Lake Reservoir;

AND WHEREAS a flow reduction less than 1.6 m^3/sec but not less than 0.7 m^3/sec at 08HB002 would ensure the licensees could maintain a minimum flow of 0.7 m^3/sec at 08HB002 for the remainder of the flow release period;

AND WHEREAS the Englishman River is designated as a Sensitive Stream under the *Water Sustainability Act* and anadromous salmonid species spawn in the Englishman River;

AND WHEREAS the licensees will maximize the release of stored water above the low-level outlet of the dam to achieve a steady flow rate greater than 0.7 m^3/sec at 08HB002 with the intent to gradually ramp down to 0.7 m^3/sec only if necessary to preserve that minimum flow through October 31, 2026;

AND WHEREAS the licensees are implementing watering restrictions as per their bylaws when water from Englishman River is being diverted and used for their water supply;

AND WHEREAS the licensees have agreed to provide weekly updates to WLRS, including notification of the intent and rationale to ramp down or ramp up flow releases to a value above or at 0.7 m^3/s;

THEREFORE, Under Section 93(1)(c) of the *Water Sustainability Act*, I, Cali Melnechenko, Water Manager, HEREBY ORDER the holders of Conditional Water Licence C134068 the leave to maintain a minimum targeted flow of 0.7 cubic metres per second at the Englishman River near Parksville (08HB002) hydrometric gauge for

the period October 22, 2026 to October 31, 2026, or until further order of the Water Manager.

Dated at Nanaimo, British Columbia, this October 22, 2026.

Cali Melnechenko
Water Manager, under the
Water Sustainability Act