



November 15, 2013

Water Sustainability Act  
Ministry of Environment  
Water Protection and Sustainability Branch  
PO Box 9362 Stn Prov Gov  
Victoria BC V8W 9M2

Sent via e-mail: [livingwatersmart@gov.bc.ca](mailto:livingwatersmart@gov.bc.ca)

Dear Sir or Madam:

**Re: Feedback on A Water Sustainability Act for B.C. Legislative Proposal**

---

Progress Energy Canada Ltd. (Progress) supports the government of British Columbia's initiative to update and replace the existing *Water Act* with a modernized water management framework and welcomes the opportunity to provide feedback on *A Water Sustainability Act for B.C. Legislative Proposal*. We support the November 15, 2013 submission made by The Canadian Association of Petroleum Producers (CAPP) on behalf of its membership, and would like to draw particular attention to two items.

1. The request for an exemption of saline groundwater from groundwater regulation. Water wells are already regulated as part of the well licensing process.
2. Our substantial concern with the proposed definition of saline groundwater as: "*groundwater found under 600 metres below the ground surface that contains either: >10,000 mg/L total dissolved solids; or >4,000 mg/L total dissolved solids and contains amounts of hydrocarbons or hydrogen sulfide*". It is recommended that groundwater that is not usable for human consumption or agricultural and livestock use, regardless of depth or total dissolved solids concentration, be exempted from regulation to encourage its use by industry who incurs costs for its extraction, transport, storage and treatment. Additionally, the proposed definition may have unintended implications for compliance with Section 18 of the Drilling and Production Regulation under the *Oil and Gas Activities Act* (OGAA). The proposed definition could be interpreted to conflict with the current requirement that requires well casing to be set below the base of all porous strata that contain usable groundwater or to a minimum depth of 600 metres. Currently, wells are cased to depths ranging from 300 metres to 600 metres depending on the depth of non-saline groundwater in the area.

Please contact the undersigned at [mjohnson@progressenergy.com](mailto:mjohnson@progressenergy.com) or 403-539-1759 if you would like to discuss this submission.

Sincerely,

Marie Johnson, P. Eng.  
Regulatory Affairs Advisor  
Progress Energy Canada Ltd.