



January 21, 2013

Files: 76915-20/D720001-00/Middle Chase
D720002-00/Lower Chase

Bill Sims, A.Sc.T.
Manager, Water Resources
City of Nanaimo
2020 Labieux Road
Nanaimo BC V9T 6J9

Dear Bill:


Re: Middle and Lower Chase River Dams

Thank you for your letter of October 29, 2012 advising our office of the City of Nanaimo's decision to proceed with removal of Middle Chase River Dam and Lower Chase River Dam. Our office accepts this decision as a viable option to eliminate the unacceptable risk to the downstream community posed by these two dams.

Due to the recent engineering studies, the consequence rating of the Middle Chase River Dam and Lower Chase River Dam were both raised to our highest level of 'Extreme' and the failure probability rating raised to our highest level of 'Large'. The combination of these have resulted in the province assigning Middle Chase River Dam and Lower Chase River Dam our highest risk level; 'Level 1 – Alert'. The definition of Risk Level 1 is as follows:

Risk Level 1 Highest level of corrective action required. Comptroller of Water Rights and Regional Water Manager and support staff are regularly notified and actively involved. Any evidence of deteriorating conditions is grounds for utmost concern. Emergency Management BC and downstream residents are informed. Emergency preparedness is a high priority. An alert may be justified.

.../2

Ministry of Forests, Lands & Natural Resource Operations Resource Stewardship Division	Water Management Branch Dam Safety Section	Mailing Address: PO Box 9340 Stn Prov Govt Victoria BC V8W 9M1 Telephone: 250-387-3265 Facsimile: 250-952-6792	Location: 3 rd Floor, 395 Waterfront Cres Victoria BC V8T 5K7 
---	---	--	---

Our office is presently satisfied with City of Nanaimo's on-going response and emergency preparedness to this high level risk. For your information, there are 1649 regulated dams in the province, 38 of which are rated extreme consequence. Of the 1649 dams only the Middle Chase River Dam and Lower Chase River Dam are currently at risk Level 1.

Please proceed with your planned removal of Middle Chase River Dam and Lower Chase River Dam as soon possible. Ensure the process for dam removal outlined in the BC Dam Safety Regulation, Section 9 'Suspension of normal operation or removal of a dam' is followed. See excerpt of regulation below:

Suspension of normal operation or removal of a dam

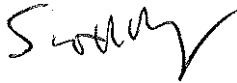
- 9** (1) A dam owner must give the comptroller or regional water manager at least 60 days written notice before undertaking any of the following activities:
- (a) removing all or a significant part of a dam;
 - (b) decommissioning or abandoning a dam;
 - (c) stopping the normal operation of a dam for a period of time longer than one year.
- (2) The dam owner must prepare, and submit to a dam safety officer for approval,
- (a) a plan respecting an activity under subsection (1) (a) or (b), or
 - (b) if required by the dam safety officer, a plan respecting an activity under subsection (1) (c).
- (3) The dam owner must, at least 14 days before the date on which the work is expected to commence, notify a dam safety officer before commencing any work under the approved plan.
- (4) The dam owner must submit to a dam safety officer, on the completion of the work performed under the approved plan, a report on the work and the manner in which it was performed.
- (5) The dam owner must undertake any further actions that the comptroller or regional water manager requires to alleviate any adverse consequences to any person, the infrastructure or works, other property or the environment that may be affected by any work performed on the dam.
- (6) An approval under subsection (2) respecting the decommissioning of a dam is subject to the Environmental Assessment Act and to approvals, if any, required under that Act.

Page 3

Bill Sims, A.Sc.T.

Please note that all dams in BC must conform to the standards set by 2007 Canadian Dam Association (CDA) Guidelines. The CDA guidelines were created by a body of dam professionals, owners and regulators and outline the best dam safety practices in Canada. For example, extreme consequence dams such as the Middle Chase River Dam and Lower Chase River Dam must, among other things, be able to withstand the 1:10,000 earthquake design ground motion and safely pass the probable maximum flood. For more information on the CDA please visit their website at: www.cda.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Scott Morgan", with a checkmark at the end.

Scott Morgan
Dam Safety Section Head

pc: John Baldwin, Dam Safety Officer, West Coast Region

