

# **MINES ACT PERMIT REGULATION: USER GUIDE FOR DEEMED AUTHORIZATIONS**

This user guide is intended to assist proponents in electronically submitting required information to the Ministry of Energy and Mines (Ministry) through Virtual FrontCounter BC prior to starting an activity that is 'deemed authorized' under the *Mines Act* Permit Regulation. Activities referred to in the regulation, including term extensions, can be undertaken where a proponent has an existing *Mines Act* permit, and following required notification to a Mines Inspector.

## **A. Activities Deemed Authorized in the Permit Regulation**

### **Induced Polarization Surveys Using Exposed Electrodes (IP Surveys) Where an Exploration Permit is Held:**

IP surveys are a safe, non-invasive way to better understand the availability and location of subsurface resources. Under the regulation, IP surveys may be undertaken through notification to a Mines Inspector where a proponent holds a mineral or coal exploration permit.

### **Exploration Drill Programs and IP Surveys in the Permitted Area of Disturbance of an Operating, Producing Mineral or Coal Mine:**

Over the course of the life of a mine, a proponent may need to conduct additional exploration within the mine site, to extend the production life of the mine or discover additional mining opportunities. Under the regulation, exploration drill programs and IP surveys may be undertaken through notification to a Mines Inspector where the activity will occur within the permitted area of a producing mine that is currently operating.

### **Extending the Term of Mineral or Coal Exploration Activities by up to Two Years:**

In undertaking mineral or coal exploration activities, proponents often cannot complete permitted activities within the permit timeframe due to various conditions. Under the regulation, the timeframe for permitted activities may be extended by up to two years through notification to a Mines Inspector where a proponent holds a mineral or coal exploration permit.

## **B. Notification to Ministry of Energy and Mines**

Proponents are required to notify the Ministry prior to undertaking an activity that is deemed authorized. Notification must be submitted electronically through Virtual FrontCounter BC at least 30 days prior to undertaking the activity, or in the case of permit term extensions, at least 30 days before the end date of the permit.

Once a notification is received, a Ministry regional Operations Coordinator will conduct an administrative review. The review ensures the Permit Regulation applies to the proponent's activity and that the proponent's notification meets the information requirements outlined in the Chief Inspector of Mines' Directive on Information and Notification Requirements for Deemed Authorizations.

If the review finds information deficiencies the proponent will be advised to re-submit the notification with the required information. If the regulation does not apply to the proponent's activity, or if a Mines Inspector orders that the deemed authorization does not apply with respect to the proponent's permit, the proponent will be advised during the notification period. In these cases, the proponent will need to apply for a permit revision in order to undertake the activity.

If there are no concerns raised by a Mines Inspector with respect to a proponent's notification and the 30 day notification period is complete, the proponent may begin the activity on or after the start date indicated in the notification.

## C. Notification and Information Requirements

The following summarizes information required in Virtual FrontCounter BC that is specific to deemed authorizations. All standard steps must also be completed by the proponent.

**Step 1: Introduction** – Proponents may log on or sign up for a BCeID or 'apply' without logging in. It is recommended that proponents sign up for a BCeID which provides ongoing access to information about the proponent's natural resource applications and submissions, including deemed authorizations.

**Step 2: Setup** – Basic applicant information is common to all submissions through Virtual FrontCounter BC.

**Step 3 (Part 1): Technical Information** – Proponents must choose the type of deemed authorization notification they would like to submit. Proponents may only submit one deemed authorization notification at a time.

**Step 3 (Part 2): Selected Deemed Authorization –**

### A. Induced Polarization (IP) Survey Using Exposed Electrodes Where an Exploration Permit is Held

- **Permit Number and Mine Number:** This helps Ministry staff confirm the associated *Mines Act* permit and mine for administrative purposes. If multiple mines are

associated with the permit number the proponent will be asked to select the correct mine number. Once selected, the system will display the name of the property.

- **Geo Reference File:** Geo reference files are required for IP surveys. These files must outline as a polygon the area within which the survey will occur and the specific location of the survey within that area. “Shapefiles” are the preferred format, and any format of geo referenced file submitted must be in NAD 83 Albers Projection<sup>1</sup>. Options for submitting a geo reference file:

1. **Using Map Tool to Generate and Upload File:** Proponents must first download free Google Earth software; once installed the program can create a digital map with polygons, lines or point information. Proponents should save the notification information with their BCeID before using Map Tool to ensure the notification information is not lost. The Create Geomark Tool enables map files to be saved in a Shapefile format that can be uploaded to the notification.

- **Link to the FrontCounter BC Discovery Tool Page:**

- <http://www.frontcounterbc.gov.bc.ca/mapping/>

- **Link to the Geomark Tool Tutorial:**

- <http://www.frontcounterbc.gov.bc.ca/help/pdf/GeoReferenceFilesTutorial.pdf>

2. **Upload an Existing File:** Existing spatial files from a GIS system can be uploaded.

For help creating a Geo Reference File please contact a [FrontCounter BC Office](#).

- **Start Date and End Date:** The proposed start and end date of the IP survey is required. The start date must be at least 30 days after the notification date. Notifications submitted less than 30 days prior to the proposed start date will not be accepted.
- **Total Line Kilometers:** The total cumulative IP survey length is required.
- **Description of Planned IP Survey:** A detailed description of the survey that clearly outlines size and scope is required. Additional documents may be provided at Step 6.

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<sup>1</sup> NAD 83 Albers Projection is the projection that the BC government uses for all spatial data. Overlaying a Shapefile in Albers projections ensures that it will align correctly with all other data layers.

## **B. Exploration Drill Program and IP Survey in the Permitted Area of Disturbance of an Operating, Producing Mineral or Coal Mine**

- **Permit Number and Mine Number** – This helps Ministry staff confirm the associated *Mines Act* permit and mine for administrative purposes. If multiple mines are associated with the permit number, the proponent will be asked to select the correct mine number. Once selected, the system will display the name of the property.
- **Planned Activities:** Select the planned activities (Exploration Drill Program, IP Survey, or both).
- **Geo Reference File:** Geo reference files are required for drill programs and IP surveys. These files must outline as a polygon the area within which the drill program or survey will occur and the specific location of the program or survey within that area. The specific locations must be within the permitted area of disturbance of a producing mine that is currently operating. “Shapefiles” are the preferred format, and any format of geo referenced file submitted must be in NAD 83 Albers Projection. Options for submitting a geo reference file:
  1. **Using Map Tool to Generate and Upload a File:** Proponents must first download free Google Earth software; once installed the program can create a digital map with polygons, lines or point information. Proponents should save the notification information with their BCeID before using Map Tool to ensure the notification information is not lost. The Create Geomark Tool enables map files to be saved in a Shapefile format that can be uploaded to the notification.
    - **Link to the FrontCounter BC Discovery Tool Page:**  
<http://www.frontcounterbc.gov.bc.ca/mapping/>
    - **Link to the Geomark Tool Tutorial:**  
<http://www.frontcounterbc.gov.bc.ca/help/pdf/GeoReferenceFilesTutorial.pdf>
  2. **Upload an Existing File:** Existing spatial files from a GIS system can be uploaded.

For help creating a Geo Reference File please contact a [FrontCounter BC Office](#).
- **Start Date and End Date:** The proposed start and end date of the drill program or IP survey (or both) is required. The start date must be at least 30 days after the notification date. Notifications submitted less than 30 days prior to the proposed start date will not be accepted.

- **Description of Planned Activities:** A detailed description of the drill program or IP survey (or both) that clearly outlines size and scope is required. Additional documents may be provided at Step 6.

### **C. Exploration Permit Term Extensions by up to Two Years**

- **Permit Number and Notice of Work Number:** This helps Ministry staff confirm the associated *Mines Act* permit and Notice of Work number for administrative purposes. If multiple Notices of Work are associated with your permit number you will be asked to select the correct one. Once you have selected a Notice of Work, the system will display its current end date.
- **Current End Date:** The current end date is displayed for the Notice of Work identified. Notifications submitted less than 30 days prior to the current end date will not be accepted by the system. In these cases, you must apply for a revision to your permit.
- **New End Date:** Enter a new end date up to two years beyond the current end date.
- **Reason for Extension:** Please provide a reason for the term extension.

**Step 3 (Part 3): Other Information about Proponent Application** – Proponents may provide any additional information about their notification. This step is standard for all Virtual FrontCounter BC submissions.

**Step 4-10:** These steps are standard for all Virtual FrontCounter BC submissions.

### **D. Proponent Confirmation**

The system will provide confirmation once all of the required information is submitted. It is highly recommended that proponents print off the confirmation particularly if a proponent does not have a BCeID and cannot track their submission in the Virtual FrontCounter BC system.

### **E. Referral to First Nations**

In order to meet the Province's duty to consult with First Nations regarding potential adverse effects of activities on treaty rights, or claimed or proven Aboriginal rights or title, all proponent notifications will be referred to potentially-affected First Nations at least 15 business days (21 calendar days) prior to the end of the 30 day notification period. The referral information will include contact information for Ministry regional inspections staff. If a First Nation has concerns with a deemed authorized activity, they may contact a Mines Inspector directly.

A Mines Inspector has the authority to order that a deemed authorization does not apply in respect of a particular permit if necessary to protect health, safety, the environment or a cultural heritage resource. If a Mines Inspector orders that a deemed authorization does not apply, the proponent will be advised prior to the end of the 30-day notification period.

## **F. Compliance with the *Mines Act*, Code and Other Legislation**

All activities deemed authorized under the regulation remain subject to the requirements of the *Mines Act* and the Health, Safety, and Reclamation Code for Mines in British Columbia, including other required reports and notifications and being subject to inspections and enforcement. Each activity becomes a component of the existing *Mines Act* permit and is subject to all conditions of the permit including any reclamation security requirements. Compliance with all other applicable statutes and regulations is also required.

## **G. Starting Work**

If there are no concerns raised by a Mines Inspector with respect to a proponent notification and the 30 day notification period is complete, the proponent may begin the activity on or after the start date indicated in the notification.