



## MULTI-YEAR AREA-BASED PERMITTING (MYAB) PROPONENT GUIDE for MINERAL and COAL EXPLORATION

### 1. What is a Multi-Year Area-Based Permit?

Multi-year area-based (MYAB) permitting is the practice of authorizing exploration activities, typically for up to 5 years within identified activity area(s) underlain by the mineral or coal tenure area of the project. Proponents have the flexibility to execute exploration programs over the entire area of the authorization and over the lifecycle of the authorization as field results and market conditions dictate.

Whether or not a MYAB approach is acceptable is determined at the discretion of the inspector of mines based on the nature of the proposed work, including the geographic or geologic conditions of the work area, their experience with the proponent, wildlife or other values on the land base or any other information deemed important. Applicants should work closely with the inspector to determine whether MYAB permitting makes sense for their proposed activities.

### 2. Advantages of a MYAB Approach

- Ability for proponent to adapt work program (e.g., in response to hidden resource, market pressures)
- Reduces repetitive referrals and consultation for an ongoing exploration activity
- Reduces the administrative burden on First Nations communities
- Increased consistency with other Crown land application processes
- Increased certainty for proponents to commit to a longer-term work program
- Reduced administrative work for inspectors, providing more time for field inspections

### 3. Components of a MYAB Notice of Work Application

Use the existing Notice of Work (NOW) form and include the following information where appropriate.

#### 1) TERM

- Maximum term for a MYAB permit is typically 5 years. At the discretion of the inspector, the MYAB work term may be reduced or extended.
- Set a completion date that is 5 years or less from the proposed start date of the work program (e.g., if a work program is proposed to begin on April 1, 2010, the latest completion date is March 31, 2015).

#### 2) SCOPE

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- The scope clarifies the types of activities (e.g., drilling, trenching, etc.) and the overall site disturbance, including tree cutting, proposed in the multi-year work program.
  - Describe physical works, not the geology.
- Provide details of the scope under “Description of Exploration Program” in the NOW and in applicable schedules.

### 3) **MAPPING**

- All maps must use standard map scales (e.g., 1:250,000, 1:5,000, etc.) and have a clear geographic base illustrating major watercourses, lakes and roads. Additional mapping may be requested by the inspector as part of the MYAB application review.
- Depending upon the program, a minimum of **three** map files (.pdf or .docx) are required:
  - **Regional Location Map:** Shows the property in relation to the nearest community.
  - **Tenure Map:** Shows the tenures on which exploration activity is proposed.
  - **Application Work Area(s):** Shows an area or areas within the tenures on which exploration activities are proposed, encompassing all activities proposed over the term of the MYAB work program.

#### **Specifics of Work area map:**

- **Both a map file (.pdf or .docx) and shapefile are required**
  - The work area must be located within tenured areas to which the proponent has mineral rights either through tenure ownership or an option agreement. Work on mineral or coal tenures not held by the applicant requires a letter of authorization from the tenure holder.
  - The work area must encompass the area(s) of proposed exploration activities. More than one area may be defined in the MYAB application. The work area boundaries do not need to coincide with tenure boundaries; it is not recommended that proponents apply for the entire tenure block unless work activity is proposed throughout the block.

#### **Map File specifics:**

- The map file must have a good topographic base (TRIM or equivalent).
- The map must illustrate existing roads and trails as well as existing site disturbance from earlier exploration activity (e.g., existing camp, old mine workings, etc.) or forestry activity (e.g., clear cuts), and contain a legend to make the disturbances easily distinguishable (by colour, etc).
- The location of exploration activities, as defined under Part 9 of the Code (ie. drill sites, exploration and excavated trails, etc.) is not required on the map.
- The location of proposed temporary roads (“P” line location and major stream crossings), proposed bulk sample, and proposed underground developments must be illustrated on the map.
- Shapefile specifics:
  - A shapefile of the boundary of the work area(s) is required.
  - The shapefile must be ArcGIS in NAD 83 Albers Projection (the Front Counter BC Geomark tool can be utilized to create an appropriate shapefile).

#### **4) FIRST YEAR OF PROPOSED WORK**

- A description of the exploration activities proposed in first year must be provided either as a separate attachment to the NOW, or identified within the project description section of the NOW. This description must include the following:
  - A list of the number of sites, estimated site disturbance, and estimated timber cutting for proposed exploration activities (e.g., drilling, trenching, etc).
  - Additional information, including additional mapping, may be requested by the inspector as part of the MYAB application review.

#### **5) ARCHAEOLOGICAL CHANCE FIND PROCEDURE (CFP)**

- An Archaeological Chance Find Procedure (CFP) is a tool for the protection of unidentified cultural heritage resources. The primary purpose of a CFP is to raise the awareness of all personnel working onsite regarding the potential for discovery of cultural heritage resources, and to establish a protocol for the protection of these resources.
- The CFP is a documented set of actions that will be followed if any archaeological or heritage resource, artifact or item is found during the activities of a proponent.
- A CFP must be prepared and implemented for the work program, with a copy provided to the inspector as part of the application package. Ensure the CFP is tailored to the work program as necessary, and that it is presented on company letterhead such as to reinforce this responsibility for a permittee.
- For more information on CFPs, please visit <http://www.empr.gov.bc.ca/Mining/Permitting-Reclamation/Guidance/Pages/ArchaeologicalSites.aspx> or <http://www.for.gov.bc.ca/archaeology/index.htm>

#### **6) MINE EMERGENCY RESPONSE PLAN (MERP)**

- A copy of the MERP must be provided to the inspector prior to the permit being issued.
- For more information, please visit <http://www.empr.gov.bc.ca/Mining/HealthandSafety/EmergencyPreparedness/>

#### **7) CUTTING AUTHORIZATIONS**

- **Free Use Permit (FUP):** If cutting of timber is required in an amount up to 50 m<sup>3</sup> of merchantable timber, no stumpage is charged, but a FUP is issued for the permitted area. Inspectors have delegated authority to issue FUPs for mining purposes.
- **Occupant License to Cut (OLTC):** If cutting of timber is required for greater than 50 m<sup>3</sup> of merchantable timber, stumpage is paid to the Crown. An OLTC is issued for the permitted area for the timber volume stated in the NOW or as determined by the forest tenures officer. The OLTC is issued for the same term and area as the MYAB permit. The Ministry of Forests, Lands, and Natural Resource Operations issues and administers the OLTC.

#### **8) EXPLOSIVES STORAGE AND USE PERMIT**

- The blasting section of the NOW must be completed if it is anticipated that an Explosives Storage and Use Permit may be required as part of the MYAB program.
- If an Explosives Storage and Use Permit is required in the first year of the MYAB program, attach a completed application for this permit to your NOW application.

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- If an Explosives Storage and Use Permit is required in subsequent years of the MYAB program, an application must be submitted as part of the annual reporting.

### 4. Assessment of Reclamation Securities

The inspector adjudicating the proposed exploration activities will assess securities based on the proposed work program and a risk assessment of the proponent.

For proponents who have demonstrated compliance with environmental regulations and consistency in conducting approved work programs, securities will initially be assessed on the work proposed for the first year of the MYAB program. Over the term of the permit, securities will be re-assessed annually, based on reclamation recorded in the ASEA, proposed new site disturbance recorded in the MYAB Work Program Annual Update, field inspections by staff from the Ministry or other authorized government agencies (e.g., Compliance & Enforcement staff from the Ministry of Forests, Lands and Natural Resource Operations), or any other information deemed relevant by the inspector.

### 5. Permit Issuance and Annual Review

If the MYAB application is approved, a *Mines Act* permit is issued for the full work program. As a condition of a MYAB permit, in subsequent years of the MYAB work program, the proponent is required to submit an Annual Summary of Exploration Activities and a MYAB Work Program Annual Update. If required, a proponent must also submit an Explosives Storage and Use Permit application. The inspector uses this information to ensure the completed and/or proposed work is within the scope of the approved MYAB permit, and to determine whether additional securities are required.

**Work may not commence in subsequent years of a MYAB permit until the proponent has written notification that the annual reporting has been received by an inspector and has received any additional permits needed for the upcoming work.**

If an inspector determines that work documented in the MYAB Work Program Annual Update is outside of the scope of the permit, the inspector may require the proponent to apply for a permit revision.

### 6. Annual Notification and Reporting Requirements

#### 1) INSPECTOR NOTIFICATION

- Written notification must be provided to the inspector **10 days** prior to commencing and no less than **7 days** prior to completing exploration activities each season. An inspector may also request a map of planned activities and access routes to be included with the notice of commencement, or at other times, such as to be used in field inspections.
- If exploration activities are conducted in several separate time periods within the calendar year (e.g., a spring work program and a fall work program), notification must be provided for each work program.
- If the scope of the work in any program year increases beyond the scope outlined in the MYAB Work Program Annual Update, the proponent must notify the inspector in writing prior to carrying out the work and clarify that the expanded annual program remains within

the scope of the approved permit.

### **2) ANNUAL REPORTING**

Both an ASEA and a MYAB Work Program Annual Update must be submitted annually for MYAB permits. These documents are to be submitted concurrently no later than March 31. If new work activities are planned to commence in the new calendar year prior to the annual reporting due date of March 31, the annual reporting must be submitted 30 days prior to the proposed commencement of new exploration activities in the new calendar year.

#### **Annual Summary of Exploration Activities (ASEA)**

The ASEA provides the inspector with a summary of the exploration activities that were conducted over the previous year for the purpose of tracking the level of disturbance on the site. The following must be submitted with an ASEA:

- “As Built” mapping of exploration and reclamation activities if onsite work was conducted. The following standards are to be utilized in the mapping:
  - The map(s) must have a TRIM or equivalent topographic base.
  - The map legend(s) must clearly identify existing roads/trails, new site disturbance that has been reclaimed, new site disturbance that is not reclaimed and, if applicable, reclaimed historic site disturbance.
  - **Do not include geologic information on the ASEA map(s).**
- A representative sample of site photos, illustrating new site disturbance and completed reclamation.

#### **MYAB Work Program Annual Update**

The MYAB Work Program Annual Update tracks what activities have been completed under the MYAB permit and what activities are proposed in the upcoming field season. It also identifies ancillary permits that are required for the upcoming field season (e.g., Explosives Storage and Use Permit).

If an Explosives Storage and Use Permit is required, submit an application with the MYAB Work Program Annual Update form. Submit an updated MERP if changes in service providers, site access, or other safety factors have changed from the previous year.

## **7. Agency/Stakeholder Referral and First Nations Consultation**

The Ministry implements an initial assessment status (IAS) of all NOW applications. The IAS report is a search of government databases to identify other land uses, including other agency tenures/authorizations, identified wildlife habitat, and/or identified First Nations interests, that are located in or proximal to the area(s) of proposed exploration activities. The IAS report provides key information to the inspector for determination of potential impacts of the proposed exploration activities and potential mitigation. The IAS is also used in agency referrals and First Nations consultation.

**Proponents are strongly encouraged to submit all NOW applications substantially in advance of the field season to reduce the potential for delays in obtaining work approvals.**

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Agency/stakeholder referrals and First Nations consultation is conducted to address the entire multi-year work program, with a focus on identifying any potential issues associated with working in the area(s) noted on the maps and the overall site disturbance associated with the multi-year work program.

Upon completion of First Nations consultation and when the MYAB application is approved, information sharing with First Nations may be conducted in subsequent years of the MYAB work program. The ASEA and MYAB Annual Update are the primary components of this annual information sharing.