BC GUIDANCE DOCUMENT

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Health, Safety and Reclamation Code for Mines in British Columbia

Exploration Activities

BRITISH COLUMBIA

Ministry of Mining and Critical Minerals

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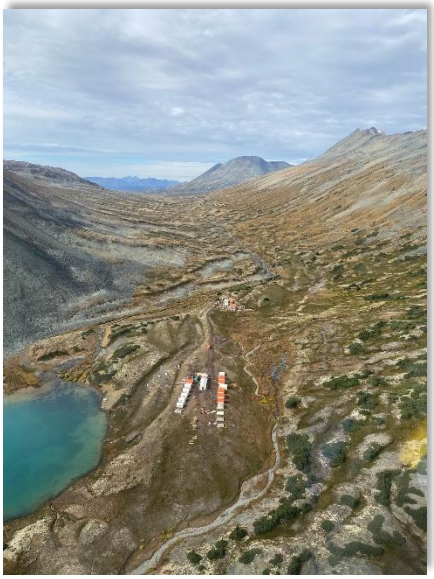
Purpose of Guidance Document



This document provides guidance regarding the revisions related to exploration activities in the Health, Safety and Reclamation Code for Mines in British Columbia (the Code).

This guidance document is intended to be general and not prescriptive in nature and provide context to clarify the Code requirements. The provisions of the Mines Act and the Code prevail in cases where differences may occur in interpretations of the guidance.

The responsibility and authority for interpretation of this guidance document rests with the Chief Inspector of Mines.

Background

In 2024, the Code Review Committee (the Committee) established the Part 9 Exploration Sub-Committee (the Sub-Committee) to address the topic of exploration activities in the Health, Safety and Reclamation Code for Mines in BrC (the Code). Historically, Part 9 was a standalone regulation for exploration activities that was later incorporated into the Code. As a result, Part 9 included some duplication of topics addressed in other parts of the Code. The Sub-Committee's revisions focused on four key areas:

- Removing duplicated content
- Relocating provisions to other more appropriate parts of the Code
- Updating existing requirements in Part 9, and
- Introducing new requirements

The revisions provide clearer, more concise, and better-organized requirements for exploration activities. By removing duplication and relocating broadly applicable provisions to other parts of the Code, the updates help ensure consistency across all mine types.

Another key objective of the revisions is to reinforce that exploration proponents are responsible for complying with the entire Code—not just Part 9—ensuring a more comprehensive approach to safety and environmental protection.

Definitions

NEW *Active Flood Plain*

"Active flood plain", in relation to a stream, means land that is

(a) adjacent to the stream,

(b) covered by the stream at least once every 5 years, and

(c) capable of supporting plant species that are typical of inundated or saturated soil conditions and distinct from plant species on freely drained upland sites adjacent to the land.

Guidance: The new definition of "active flood plain" describes land next to a stream that is regularly covered by the stream at least once every 5 years and that supports vegetation adapted to saturated or flooded soil conditions. This definition provides a clear and consistent basis for identifying flood-prone areas and supports the application of the updated riparian setback distances set out in Table 9.1.

Bridge

"Bridge" in Part 9, means a structure that carries an exploration access above a stream, topographic depression or other human-made structure.

Guidance: The updated definition of "bridge" clarifies that, in addition to spanning streams or natural topographic depressions, a bridge may also carry exploration access over other human-made structures such as rail lines or pipelines and provides clearer, more inclusive language without changing how the term is applied.

Culvert

"Culvert" means one or more pipes, pipe arches or structures that are covered with soil, lie below an exploration access surface and are used to carry water, but does not include log structures for stream culverts.

Guidance: The revised definition of "culvert" clarifies that culverts consist of pipes, pipe arches, or similar structures that are buried beneath an exploration access surface to allow water to flow, maintain drainage patterns, and it explicitly excludes log-constructed stream culverts which are not accepted practice under the *Water Sustainability Act*. Removing log structures from the definition aligns the terminology and acceptable construction methods with the requirements of

the *Water Sustainability Act*, providing clearer consistency between the Code and provincial water management legislation.

Exploration activities

"Exploration activities" means the activities that are undertaken in the search for, and development of coal and minerals as defined in the *Mineral Tenure Act,* excluding placer minerals, which activities

(a) include the following:
  (i) disturbance of the ground by mechanical means such as drilling, excavation trenches or test pits;
  (ii) blasting;
  (iii) construction, modification, maintenance, deactivation and reclamation of an exploration access;
  (iv) construction, modification, maintenance and reclamation of a camp;
  (v) induced polarization surveys using exposed electrodes;
  (vi) site reclamation, and

(b) do not include the following:
  (i) prospecting using hand tools;
  (ii) geological or geochemical surveying;
  (iii) airborne surveying;
  (iv) ground geophysical surveying without the use of exposed, energized electrodes;
  (vi) establishment of exploration grid lines that do not require the felling of trees, with the exception of trees and shrubs that create a hazard to safe passage and dangerous trees as defined in Part 26 of the Occupational Health and Safety Regulation, B.C. Reg. 296/97.

Guidance: "Exploration activities" are activities carried out to explore for and support the development of coal and other minerals regulated under the *Mineral Tenure Act*, excluding placer minerals. These activities include physical ground disturbances such as drilling, trenching, test pits, and blasting; the construction, modification, maintenance, deactivation, and reclamation of exploration access and camps; induced polarization surveys that use exposed, energized electrodes; and site reclamation.

The term does not include low-disturbance activities such as prospecting with hand tools, geological or geochemical surveys, airborne surveys, ground geophysical surveys that do not use exposed energized electrodes, hand trenching without explosives, or the establishment of exploration grid lines where tree felling is not required, except for trees and shrubs that pose a safety hazard or are classified as dangerous trees under occupational health and safety regulations. The definition has been updated to include test pits and maintenance activities on roads and at camp sites. Maintenance of a camp specifically was added to clarify that the site needs to be maintained until reclaimed.

NEW *Natural boundary*

"Natural boundary" means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water is so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks in vegetation, as well as in the nature of the soil itself.

Guidance: "Natural boundary" refers to the visible high-water mark of a lake, river, stream, or other body of water, identified by clear and lasting evidence of regular water presence, such as changes in vegetation and soil that distinguish the waterbed from the surrounding land. This definition has been added to support the implementation of Table 9-1 Riparian Setback Distances, replacing the previously ambiguous reference to measuring setbacks from the "top of bank." The table has been updated to require that riparian setback distances be measured horizontally from the natural boundary, ensuring consistency with permit conditions and with other legislation, including the *Land Act*. The natural boundary is the reference point for measuring riparian setback distances on streams, lakes, and wetlands.

Watercourse

"Watercourse" means a natural stream or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, ravine, wetland, and gulch.

Guidance: A "watercourse" refers to a natural stream or source of water, whether it regularly contains water or only flows intermittently, and includes features such as lakes, rivers, creeks, springs, ravines, wetlands, and gulches. The term *swamp* has been removed from the definition and replaced with *wetland* to improve clarity and accuracy, as a swamp represents only one type of wetland. The use of *wetland* ensures the definition captures the full range of wetland types and aligns with the updated definition of "wetland," which provides greater detail on the characteristics and classifications of wetlands.

Wetland

"Wetland" means land that is saturated with water, permanently or intermittently, long enough for the excess water and resulting low oxygen levels to produce conditions characterized by water-altered soils, dominance of water-loving plants and various kinds of biological activity that are adapted to a wet environment, including bogs, fens, marshes, swamps, shallow waters or other similar areas.

Guidance: A wetland is land that is permanently or periodically saturated with water for long enough to create low-oxygen conditions in the soil, resulting in distinctive wetland characteristics such as water-altered soils, the presence of water-loving plant species, and biological processes adapted to wet conditions. This includes areas such as bogs, fens, marshes, swamps, shallow water bodies, and other similar environments. The definition has been updated to ensure it is inclusive of all wetland types. Proponents seeking additional information on identifying and classifying wetlands are encouraged to consult *Wetlands of BC: Guide to Identification* for further guidance.

NEW *Wetland complex*

"Wetland complex" means an area of combined wetlands that

(a) contains

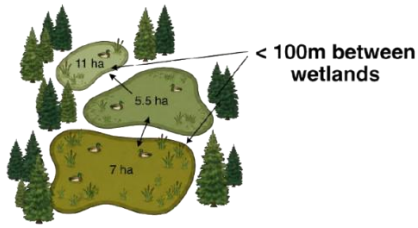
(i) two or more wetlands, each greater than 5 ha in size, that are all located within 100 m of each other,

(ii) one wetland, greater than 5 ha in size, and one or more wetlands, each less than 5 ha in size, that are all located within 80 m of each other, or

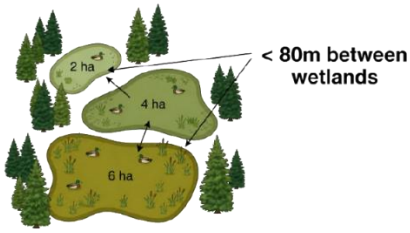
(iii) two or more wetlands, each less than 5 ha in size, that are all located within 60 m of each other, and

(b) is 5 ha or larger, excluding upland areas.

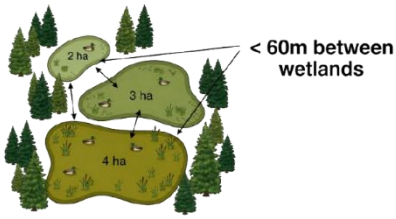
Guidance: A wetland complex is an area where multiple wetlands occur close together and, when combined, function as a single ecological unit with a total wetland area of 5 ha or more, excluding any upland areas between them. Depending on their individual sizes, wetlands are considered part of a complex when they fall within specified distances of one another:



Larger wetlands (greater than 5 ha) within 100 metres,



A mix of large and small wetlands within 80 metres,



Or smaller wetlands (less than 5 ha) within 60 metres.

This definition has been added to recognize that closely spaced wetlands—particularly smaller ones—are be considered together rather than individually, helping ensure that the ecological value and function of small wetlands are not overlooked.

First Aid & Emergency Response

First Aid Supplies

3.6.1 The manager must ensure that first aid supplies and services, as required by the Workers' Compensation Board, are provided and maintained at the mine site.

Guidance: The revisions to Section 3.6.1 do not change the original intent; the updates focus solely on improving clarity of language. Section 3.6.1 First Aid Supplies and Services apply to all mine types, including exploration activities.

Historically, Part 9 was a standalone regulation that applied only to exploration sites before it was incorporated into the Code. Because Section 3.6.1 establishes first aid requirements for all mine types, Section 9.3.1 *First Aid* in Part 9 has been repealed. For exploration-specific first aid requirements, please refer to the new section 3.6.4, Exploration First Aid.

Means of Communication

3.6.3 The manager must ensure that a means of communication that is acceptable to an inspector, and by which the services of a physician can be obtained expeditiously, is provided at the mine site.

Guidance: Section 3.6.3 Means of Communication requires the manager to ensure that a communication system—acceptable to an inspector and capable of obtaining the services of a physician without delay—is available at the mine site.

The revisions to Section 3.6.3 do not change the original intent; the updates focus solely on improving clarity of language. For exploration-specific first aid requirements, please refer to the new section 3.6.4, Exploration First Aid.

Exploration First Aid

3.6.4 The manager for exploration activities must ensure that,

(a) at a mine site with mechanical disturbance, there are

(i) a stretcher, a naloxone kit, an automated external defibrillator and an epinephrine auto injector, and

(ii) provision for continuous and consistent emergency communication,

(b) at each drill at exploration drill sites, and during each shift, at least 2 members of the drill crew who have

(i) a valid intermediate first aid certificate and transportation endorsement, or
(ii) an equivalent standard acceptable to the chief inspector, and

(c) at each drill or drilling area at helicopter supported drilling exploration sites, there is an emergency shelter, appropriate for the site environment, that has necessary provisions for at least 2 days.

Guidance: Section 3.6.4 is a new provision addressing exploration first aid and replaces the repealed 9.3.1. This change was introduced in Part 3 to group similar topics together, eliminate duplication within the Code, and reinforce that the entire Code applies consistently to all mine types, including exploration.

Subsection 3.6.4 (a) introduces first aid requirements when considering the remote nature of exploration mine sites. These requirements align with WorkSafe BC methodology for determining first aid requirements for remote work locations.

Subsection 3.6.4 (b) requires at least 2 members of a drill crew to have first aid training. This ensures that if a person who has first aid training is injured, someone else who is trained will be able to provide aid.

Subsection 3.6.4 (c) requires emergency shelters and provisions for 2 days. Emergency shelters might look different depending on the sites' environment.

Mine Emergency Response Plan

3.7.1 (1) The manager must ensure that a Mine Emergency Response Plan (MERP) is developed, filed with the chief inspector, followed in the case of emergency, and kept up to date and kept at the mine.

(2) The Mine Emergency Response Plan must

(a) outline the response procedures that are essential for effective and timely management of an emergency situation,

(b) contain all of the elements required in the "*Mine Emergency Response Plan Guidelines for the Mining Industry*", as amended from time to time,

(c) include the emergency preparedness and response plans as required under section 10.6.10 of this code regarding tailings storage facilities, and

(d) include affected communities and First Nations in the identification of potential hazards, emergency communications and responses.

(3) The manager must ensure that annual testing of the effectiveness of the Mine Emergency Response Plan is conducted and that First Nations are included in the annual testing of the plan for hazards identified.

(4) A record of the annual testing referred to in subsection (3) must be included in the annual report submitted to the chief inspector.

Guidance: The Mine Emergency Response Plan outlines key emergency response procedures, contains all elements required in the "Mine Emergency Response Plan Guidelines for the Mining Industry", addresses tailings storage facilities, and supports involvement of affected communities and First Nations in identifying hazards and emergency communications.

Annual testing of the plan is described to confirm its effectiveness, with records of that testing included in the annual report to the chief inspector.

The revisions clarify the language and confirm that the plan is kept at the mine, a practice that was previously addressed through permit conditions, without changing the original intent of the section and exploration-specific first aid is now addressed separately under section 3.6.4.

The revisions to subsection (3) do not change the original intent; the updates focus solely on improving clarity of language. No changes were made to subsections (2) and (4).

Excavations

Manager's Requirement

4.17.3 The manager must ensure that no person enters an excavation over 1.2 m in depth, unless

(a) immediately before the person is allowed to enter the excavation,

(i) a qualified person inspects the excavation, and

(ii) any hazards identified by the qualified person under subparagraph (i) are made safe, and

(b) at least one of the following has been done in the excavation:

(i) the sides have been sloped to a safe angle not exceeding 3 horizontal to 4 vertical;

(ii) the sides have been supported in accordance with the minimum requirements specified in Tables 4-2 and 4-3;

(iii) the sides have been sloped or supported in accordance with the written instructions of a professional engineer.

Guidance: The excavation requirements under 4.17.3 describe the conditions under which workers may enter excavations deeper than 1.2 m, which includes an inspection by a qualified person, addressing identified hazards, and using sloping, shoring, or engineered designs to control the risk of collapse. This section consolidates requirements that were previously set out in section 9.3.3, which has been repealed to remove duplication in the Code, and incorporates added protections that now apply to all mine types. Portions of the former exploration-specific requirements were not carried forward where they are already addressed under section 1.6.9 of the Code, which establishes requirements for safe working procedures within mine health and safety programs.

Sloping or Combination of Sloping and Shoring

4.17.4 The manager must ensure that when using sloping, or a combination of sloping and shoring, the protection provided to a person is, at the least, equivalent to that of meeting the minimum code requirements for the overall depth of the excavation.

Guidance: Section 4.17.4 outlines how excavations that use sloping, or a combination of sloping and shoring, are designed to provide a level of worker protection that is equivalent to meeting the minimum Code requirements for the

full depth of the excavation. It clarifies that alternative protection methods are acceptable if the overall level of safety is comparable to the standard requirements. This supports flexibility in excavation design while maintaining consistent protection against collapse and related hazards.

Repealed sections 9.3.3 (4) and (5) are now covered under this section. This update makes the combination of sloping and shoring, that was previously only applicable to exploration through Part 9, applicable to all mine sites.

Exploration Activities

Repealed Sections

Notice Requirements 9.2.1, First Aid 9.3.1, Training 9.3.2 and Pits, Trenches & Excavations 9.3.3 are repealed.

Guidance: Sections 9.2.1, 9.3.1, 9.3.2 and 9.3.3 were repealed to remove duplication or move content into other parts of the Code so that like-topics are grouped together.

- Section 9.2.1 Notice Requirements has been repealed and replaced in Part 10 under section 10.1.3 Proposed Exploration Activities.
- Section 9.3.1 First Aid has been repealed, and a new provision has been added under Part 3, section 3.6.4 Exploration First Aid.
- Section 9.3.2 Training has been repealed because it was redundant with the requirements already set out under section 1.11.1 Training.
- Section 9.3.3 Pits, Trenches & Excavations has been repealed because it duplicated requirements already established under section 4.17 Excavations, and elements from 9.3.3(4) and (5) have been relocated to sections 4.17.3 and 4.17.4.

Induced Polarization Geophysical Survey Systems

9.3.5 (1) The manager must ensure that, where an induced polarization geophysical survey system is being operated,

(a) energized wires are sufficiently insulated to prevent electric shock,

(b) induced polarization electrodes have visible warning stickers stating “Danger – High Voltage”,

(c) signs are posted to warn other persons who may enter the area, and

(d) a continuous and consistent means of communication is provided to every member of the crew whose movements are out of sight and sound of the other crew members.

(2) The manager must ensure that all wires and signs used during the survey work described in subsection (1) are removed from the site after the survey work is completed.

(3) The manager must ensure that electric blasting activities are coordinated with active induced polarization and active electromagnetic survey work.

Guidance: Section 9.3.5 outlines safety and site management measures associated with operating energized survey equipment, including insulation of wires, warning labels, signage, crew communication, and coordination with electric blasting activities. The language was updated for clarity without changing the original intent of the provision with the exception of a new addition subsection (2) which was added to address site cleanup by specifying that all wires and signs used during survey activities are removed once the work is completed, helping to reduce residual safety hazards and environmental or land use conflicts after the survey ends.

Use & Storage of Explosives 9.3.6 is repealed.

Guidance: Section 9.3.6, Use and Storage of Explosives, is repealed because it duplicated requirements already set out in Part 8 of the Code, which addresses explosives and blasting for all mine types. Removing this section also supports clearer organization of the Code by grouping related topics together in a more logical and intuitive manner.

Community Watersheds

9.4.1 The manager must ensure that exploration activities in community watersheds are carried out in a manner that

(a) maintains surface and subsurface drainage patterns within the range of natural variability,

(b) protects stream channel stability, and

(c) does not degrade water quality at a potable water supply intake so that it fails to meet the potable water requirements of the *Drinking Water Protection Act* and regulations as amended from time to time.

Guidance: Section 9.4.1 outlines how exploration activities within community watersheds are carried out to maintain natural surface and subsurface drainage patterns, protect stream channel stability, and prevent degradation of water quality at potable water supply intakes as set out by the *Drinking Water Protection Act* and regulations. No changes were made to the language, other than adding the term “community watersheds” directly into the provision, which previously

appeared only in the section header. This change clarifies the application of the provision while maintaining the original intent and requirements.

Notification Requirements

9.4.2 The owner, agent or manager responsible for exploration activities in a community watershed must ensure that,

(a) at least 48 hours before the start date of the exploration activities, the water license holder of record or the representative of record is notified,

(b) before commencing the exploration activities, a contingency plan is in place to restore potable water in the event those activities adversely impact potable water quality or quantity, and

(c) if the exploration activities adversely impact potable water quality or quantity, those activities are immediately ceased and remedial action taken.

Guidance: Section 9.4.2 sets out notification and contingency planning requirements for exploration activities conducted within a community watershed. The language has been updated for clarity without changing the original intent of the provision. The owner, agent, or manager responsible for the exploration activities ensures that the notification and planning requirements set out in Section 9.4.2 are addressed before work begins and are maintained throughout the duration of the activities.

The requirements under Section 9.4.2 are proactively addressed in the Mine Emergency Response Plan (MERP). While the MERP and water-related contingency planning are the responsibility of the manager, early referrals and forward-looking guidance may assist applicants in identifying water license holders or representatives of record and in supporting effective planning. Community watershed locations can be identified using the Explore by Location web tool; however, additional steps may be required to determine the appropriate water purveyor contact information.

Contingency plans include procedures for restoring potable water if exploration activities adversely affect water quality or quantity. Monitoring plans and emergency contact lists are included in the MERP and relevant management plans and may be further addressed through permit conditions. It is recommended that contingency plans identify notification procedures for water license holders, water purveyors, and affected First Nations in the event of an incident that impacts water

sources. Contingency plans are kept onsite together with the MERP and made available upon request.

Thresholds for water impacts or discharges are established under other legislation, such as the *Environmental Management Act* and associated regulations, and notification requirements under that legislation apply when spills or discharges occur. While these thresholds are set outside the Code, it is recommended that they be clearly referenced in the MERP to provide clarity for operations and to ensure timely and appropriate responses when water-related incidents occur.

Riparian Management

Table 9-1. Riparian Setback Distances

Streams

Average Stream Width (m)	Helicopter-Supported Drilling (m)	Ground-Based Drilling, Trenching & Exploration Access (m)
>100*	50	100
>20–≤100	50	70
>5–≤20	30	50
>1.5–≤5	20	40
≤1.5	5	30
<0.5 (alpine above timberline)	5	15

* Applies where the stream averages, over a continuous 1 km reach, either a stream width or an active floodplain width of 100 m or greater.

Wetlands

Wetland Size (ha)	Helicopter-Supported Drilling (m)	Ground-Based Drilling, Trenching & Exploration Access (m)
>5.0	10	50
>1.0–≤5.0	10	30
>0.25–≤1.0	10	30
≤0.25	10	10
Wetland complexes	10	50

Lakes

Helicopter-Supported Drilling (m)	Ground-Based Drilling, Trenching & Exploration Access (m)
10	30

Guidance: Table 9-1 sets out minimum setback distances from riparian features for exploration activities, based on the type of exploration method used and the sensitivity of the adjacent water feature. The exploration categories have been updated to clearly distinguish between helicopter-supported drilling, which generally involves less ground disturbance, and ground-based drilling, trenching, and exploration access, which typically involve greater soil disturbance and potential risk to water resources. This clarification is intended to improve consistency in application and interpretation of setback requirements.

The table has been updated to require that riparian setback distances be measured horizontally from the natural boundary, ensuring consistency with permit conditions and with other legislation, including the *Land Act*.

The table continues to account for differences in stream width, wetland size, and lake presence, recognizing that larger or more sensitive riparian features require increased protection.

The addition of wetland complexes reflects the recognition that groups of interconnected wetlands function as a single ecological system and may be more sensitive to disturbance than individual wetlands considered in isolation. Including wetland complexes in the table helps ensure that exploration activities appropriately account for cumulative effects and protect water quality, hydrological function, and associated aquatic and riparian habitat.

Where a stream averages, over a one-kilometre in length, either a stream width or an active floodplain width of 100 metres or greater, the setback distances identified for the largest stream category apply, as noted in the table. These requirements support a precautionary approach to exploration activities near water features and help reduce the risk of adverse environmental impacts.

Riparian Setbacks

9.5.1	(0.1)	The manager must ensure that the riparian setback distance for each watercourse set out in Table 9-1 is measured horizontally from the natural boundary.
	(1)	The following activities may be carried out within the setback distances noted in Table 9-1
		(a) construction, maintenance, deactivation and reclamation of stream crossings;

(b) access from water landings for the purpose of servicing exploration camps and equipment;
(c) access to set up and service water supply pumps and lines; and
(d) access to service drill sites.

(2) Exploration activities in addition to those in (1) may occur within the riparian setback distances noted in Table 9-1 when one or more of the following conditions apply
(a) no other practicable option exists;
(b) risk to health and safety can be reduced; or
(c) risk of adverse impact to the environment can be reduced.

(3) When there is an intent to operate within the riparian setback distances noted in Table 9-1 pursuant to subsection (2), the owner, agent or manager must ensure that a management plan is prepared for, and approved by, an inspector and the plan must show how the proposed activities will to the extent practicable
(a) maintain the integrity of the stream, lake or wetland;
(b) prevent the introduction of deleterious substances into a stream, lake or wetland; and
(c) minimize the disturbance caused by the activity.

Guidance: Section 9.5.1 sets out requirements for managing exploration activities within riparian setback distances identified in Table 9-1. Subsection 9.5.1(0.1) has been added to clarify and support enforceability of the requirement that setback distances are measured horizontally from the natural boundary of a stream, lake, or wetland. The concept of the natural boundary previously appeared only as a table header, and this subsection makes the measurement requirement explicit and consistent. The language in this section was updated for clarity and enforceability, including the addition of subsection 9.5.1(0.1), without changing the original intent of the requirements.

Subsection 9.5.1(1) identifies specific activities that may occur within riparian setback distances, recognizing that certain limited and necessary activities—such as construction and maintenance of stream crossings, access from water landings, installation and servicing of water supply systems, and access to drill sites—may require proximity to water features. This section provides prescriptions for salvage and management of soil to minimize soil loss to ensure reclamation success.

Subsection 9.5.1(2) allows additional exploration activities within riparian setbacks only when clearly justified, such as when no practicable alternative exists, when

risks to health and safety can be reduced, or when environmental risk can be mitigated. This provision is intended to allow flexibility while maintaining a precautionary approach to protecting riparian areas.

Where activities are proposed within riparian setback distances under subsection 9.5.1(2), subsection 9.5.1(3) requires that a management plan be prepared and approved by an inspector before work proceeds. The plan demonstrates how the proposed activities will, to the extent practicable, maintain the integrity of the affected stream, lake, or wetland, prevent the introduction of deleterious substances, and minimize disturbance.

Together, these requirements are intended to ensure that riparian areas are protected while allowing necessary exploration activities to proceed under controlled and well-planned conditions.

Soil Conservation

9.6.1 The manager must ensure that exploration activities are carried out in the following manner:

(a) soil loss is minimized so that the site can be reasonably reclaimed to support appropriate self-sustaining vegetation;

(b) all available soil and coarse woody debris in the disturbance area are salvaged and stockpiled for use in reclamation;

(c) salvaged and stockpiled materials are protected from erosion, degradation and contamination.

Guidance: Section 9.6.1 outlines how exploration activities are to be carried out to support effective reclamation by minimizing soil loss so that sites can be reasonably reclaimed to support appropriate self-sustaining vegetation, salvaging and stockpiling available soil and coarse woody debris from the disturbance area for later use in reclamation, and managing those salvaged materials in a way that protects them from erosion, degradation, and contamination. The term “available” reflects varying site conditions and acknowledges that there may be situations where soil is not present or cannot reasonably be salvaged, in which case clear documentation explaining why soil was not considered available will support consistent interpretation during field inspections.

Terrain

9.7.1 (1) The manager must ensure that exploration activities are designed and implemented in a way that minimizes the risk of those activities causing any of the following events

(a) landslide,
(b) channelized debris or mud flow,
(c) gully bank destabilization,
(d) debris fan,
(e) snow avalanche, or
(f) destabilization of an alluvial fan.

(2) If an exploration activity causes an event as set out in subsection (1), the owner, agent or manager must ensure that

(a) necessary steps are taken immediately to protect human life and safety, and
(b) as soon as practicable,
  (i) any disturbed areas are stabilized, and
  (ii) the event is reported to an inspector.

(3) If an exploration activity causes an event set out in subsection (1) and that event

(a) places human life or safety at risk,
(b) damages property or infrastructure,
(c) adversely affects water quality or flow or damages water supply infrastructure,
(d) results in harmful alteration to fish habitat, or
(e) results in harmful alteration of regionally significant wildlife habitat,

the owner, agent or manager must ensure that a remediation plan acceptable to an inspector is prepared by a qualified professional within 30 days of the start of the event and the plan is implemented within the time frame specified by the inspector.

Guidance: This section has been reorganized into three parts for clarity and enforceability. Terminology has been updated to align with the *Professional Governance Act*, including the use of the term “qualified professional,” and a provision has been added requiring implementation of the remediation plan within a specified timeframe. The intent of the requirements remains unchanged.

9.7.1(1)
Exploration activities are planned and carried out with attention to reducing the likelihood of terrain-related hazards. These hazards include landslides, channelized debris or mud flows, gully bank destabilization, debris fans, snow avalanches, and the destabilization of alluvial fans. Considering terrain stability during project planning and implementation helps to reduce the potential for these events to occur.

9.7.1(2)
When an exploration activity results in a terrain-related event, actions focus first on protecting human life and safety. Following the initial response, disturbed areas are stabilized as soon as practicable, and the occurrence of the event is brought to the attention of an inspector. These actions support timely response and help limit further impacts associated with the event.

9.7.1(3)
Events that have more serious consequences—such as those that place human life or safety at risk, damage property or infrastructure, adversely affect water quality or flow, damage water supply infrastructure, impact fish habitat, or result in harmful alteration of regionally significant wildlife habitat—are addressed through the preparation and implementation of a remediation plan. The plan is developed by a qualified professional and reviewed by an inspector. The 30-day timeframe allows time for mines to identify, contract, and engage an appropriately qualified professional and to develop a technically sound remediation plan. The plan is carried out within the timeframe specified by the inspector.

For clarity, the term “regionally significant wildlife habitat” is defined by the Code and includes habitat for Species at Risk and Regionally Important Wildlife. Information on Wildlife Habitat Areas is available through the Identified Wildlife Management Strategy website.

Government Action Regulation Orders identifying regionally important wildlife and occurrences of Species at Risk can be identified using spatial tools, including the Explore by Location tool.

Water Management

9.8.1	The manager must ensure that where exploration activities or exploration access may impact the natural surface and subsurface drainage of an area, structurally sound, functional and stable drainage systems are constructed in a way that minimizes

(a) water flowing uncontrolled onto the exploration site,
(b) erosion or destabilization of the exploration site,
(c) water being directed onto, or creating, potentially unstable slopes or soil materials, and
(d) water flowing onto reclaimed areas unless the reclaimed areas are protected with the use of riprap or other effective means or the water flow is an integral part of the reclamation program.

Guidance: The water management provisions under section 9.8.1 describe the manager's role in situations where exploration activities or access have the potential to affect natural surface or subsurface drainage, and outline how drainage systems are to be constructed so they remain structurally sound, functional, and stable while minimizing uncontrolled water flow onto exploration sites, erosion or destabilization of those sites, the redirection of water onto or the creation of unstable slopes or soil materials, and the movement of water onto reclaimed areas unless those areas are adequately protected with riprap or other effective measures or the water flow forms an integral part of the reclamation program.

Fuels and Lubricants

9.9.1 (1) The owner, agent or manager must ensure that liquid hydrocarbon products are stored in a manner that minimizes the possibility of accidental discharge to the environment.
(2) Unless authorized by an inspector, the owner, agent or manager must ensure that liquid hydrocarbon products are not stored within 30 metres of a watercourse.
(3) The manager must ensure that ground-based machinery is not fueled or serviced within the riparian setback distances set out under Column 3 of Table 9-1, other than
(a) pumps, or
(b) machinery that is
(i) hand held,
(ii) required for fire-fighting,
(iii) broken down and requiring fueling or servicing to be moved, or
(iv) authorized by an inspector to be fueled or serviced in the area.

(4) The owner, agent or manager must ensure that all liquid hydrocarbon containers, whether empty or full, are removed from every exploration site by the end of each field season, unless otherwise authorized by an inspector.

Guidance:

9.9.1(1)
Storage and handling practices for liquid hydrocarbon products are intended to minimize the possibility of accidental discharge to the environment. Appropriate storage reduces the risk of spills and associated environmental impacts during exploration activities.

9.9.1(2)
The location of fuel storage in relation to watercourses is intended to reduce the potential for hydrocarbons to enter aquatic environments. Storing liquid hydrocarbon products at least 30 metres from watercourses provides a buffer that limits risk to water quality. Authorization by an inspector allows flexibility where site-specific circumstances warrant an alternative approach.

9.9.1(3)
Fueling and servicing activities for ground-based machinery within riparian setback distances identified in Column 3 of Table 9-1 are limited to specific circumstances. The updated language clarifies that all pumps are included, meaning pumps may be fueled within the riparian zone. Other allowable situations include hand-held equipment, fire-fighting machinery, equipment that has broken down and requires fueling or servicing in order to be moved, and machinery authorized by an inspector. These provisions recognize operational needs while limiting disturbance in sensitive riparian areas.

9.9.1(4)
Removal of liquid hydrocarbon containers, whether empty or full, from exploration sites by the end of each field season reflects the uncertainty associated with the resumption of operations. Prolonged inactivity can increase the likelihood of container deterioration, disturbance, or unintended environmental exposure. Authorization by an inspector allows containers to remain onsite where appropriate.

Overall, updates to this section clarify responsibilities and improve consistency in application without changing the intent of the provisions. While the Code typically identifies the manager as the party responsible, Section 9.9.1 also references the

owner or agent to account for situations where responsibility for fuel storage or handling may rest with other parties, such as during specific exploration activities or contracting arrangements.

Exploration Access

9.10.1 (1) The owner, agent or manager must ensure that construction, maintenance, deactivation and reclamation of exploration access and bridges or any other form of a stream, lake or wetland crossing results in exploration access and crossings that are stable, safe for the intended use, and which

(a) minimize erosion, mass wasting or the degradation of a stream, lake or wetland by the introduction of sediment, debris or deleterious substances,

(b) minimize adverse impacts on stream channels,

(c) make provision for drainage systems that maintain stability of the road prism,

(d) do not cause harmful alteration, damage or destruction of fish habitat, and

(e) has the minimum surface disturbance necessary to complete the proposed work.

(2) The owner, agent or manager must ensure that the clearing of standing timber does not exceed the minimum required to accommodate the road prism, user safety and other operational requirements.

(3) The owner, agent or manager must ensure that material known to be capable of generating acid rock drainage is not used for exploration access surfacing or ballasting unless approved by an inspector.

(4) The owner, agent or manager must ensure that exploration access does not interfere with the subsurface flow of a drainage area that contributes to a water supply used for licensed domestic consumption unless

(a) there is no other practicable option, and

(b) the impacts of the access construction can be mitigated.

(5) The owner, agent or manager must ensure that a program is developed and implemented to routinely monitor and maintain exploration access so that the exploration access is stable and safe

for the intended use until it is reclaimed to the satisfaction of an inspector.

(6) The owner, agent or manager must ensure that the deactivation of exploration sites and access results in

(a) stabilization of the exploration site, access road prism and clearing widths,

(b) restoration or maintenance of drainage patterns, and

(c) minimization of soil erosion to the extent practicable.

(7) The owner, agent or manager must ensure that reclamation of exploration access results in

(a) restoration of drainage patterns to as close to natural predisturbance conditions as possible,

(b) removal of bridge superstructures,

(c) removal of bridge substructures if failure would affect downstream values,

(d) removal of all culverts,

(e) a stable surface that minimizes future erosion, which may include recontouring if so directed by an inspector, and

(f) the establishment of self-sustaining vegetation appropriate for the site which may include reforestation if so directed by an inspector.

(8) The manager must ensure that stream crossings are constructed, maintained, deactivated and reclaimed in a manner that allows safe fish passage and protects fish habitat at, above and below the stream crossing.

(9) The manager must ensure that stream crossings on streams that are not fish streams are constructed, maintained, deactivated and reclaimed in a manner that does not adversely affect downstream fish values.

(10) The owner, agent or manager must ensure that bridge design, fabrication and installation are certified or approved by a qualified professional.

(11) The owner, agent, or manager must ensure that

(a) metal and concrete bridges are inspected by a qualified professional at least once every three years, and other bridges at least once every two years, or as prescribed by the designer,

(b) inspection records are maintained for the life of any bridge structure, and

(c) any deficiencies identified during an inspection referred to in paragraph (a), or identified in any other way, are
  (i) addressed immediately, if they pose a significant risk to public or worker safety or the environment, or
  (ii) corrected as soon as practicable, if subparagraph (i) does not apply

(12) The owner, agent or manager must ensure that bridges, stream culverts and their approaches are designed, constructed and maintained to pass the peak flows set out in Table 9-2.

(13) Despite subsection (12), a temporary bridge or stream culvert may be constructed at a crossing to meet the expected flow during the period of use if
  (a) the stream is not a fish stream,
  (b) the installation and use will be in a period of low seasonal stream flows, and
  (c) the culvert or temporary bridge is removed before the period of high seasonal stream flows.

Guidance:

9.10.1(1)

Construction, maintenance, deactivation, and reclamation of exploration access and crossings are carried out with the objective of creating access that is stable, safe for its intended use, and minimizes adverse environmental effects. This includes reducing erosion, mass wasting, and the introduction of sediment, debris, or deleterious substances into streams, lakes, or wetlands; minimizing impacts to stream channels; maintaining road prism stability through appropriate drainage; avoiding harmful alteration, damage, or destruction of fish habitat; and limiting surface disturbance to the minimum necessary to complete the work. The update from “matter” to “substance” aligns terminology with definitions used elsewhere in the Code.

9.10.1(2)

Clearing of standing timber is limited to what is necessary to accommodate the road prism, user safety, and operational needs. Limiting clearing supports slope stability, reduces erosion risk, and minimizes disturbance beyond the area required for access construction and use.

9.10.1(3)

Materials known to be capable of generating acid rock drainage are avoided for

use as surfacing or ballast on exploration access unless approval has been provided. This approach reduces the risk of acidic drainage affecting water quality or downstream environments.

9.10.1(4)

Exploration access is planned to avoid interference with subsurface drainage that contributes to licensed domestic water supplies. Where avoidance is not practicable, exploration access only proceeds where impacts can be mitigated, and mitigation measures are implemented to reduce potential effects on water supply quantity or quality.

9.10.1(5)
Routine monitoring and maintenance of exploration access supports ongoing stability and safe use throughout the operational life of the access. These activities continue until reclamation is completed to the satisfaction of an inspector.

9.10.1(6)
Deactivation of exploration sites and access focuses on stabilizing disturbed areas, maintaining or restoring drainage patterns, and minimizing soil erosion to the extent practicable. These measures help prevent further degradation following cessation of active use until the road is ultimately reclaimed.

9.10.1(7)
Reclamation of exploration access aims to restore drainage patterns as close to natural pre-disturbance conditions as possible. Reclamation activities include removal of bridge superstructures, removal of bridge substructures where failure could affect downstream values, removal of all culverts—including cross-drain culverts—and establishment of a stable surface that minimizes future erosion. Recontouring may be included where directed, consistent with permit conditions. Reclamation also includes establishing self-sustaining vegetation appropriate for the site, which may include reforestation where directed.

9.10.1(8)
Stream crossings on fish streams are constructed, maintained, deactivated, and reclaimed in a manner that allows for safe fish passage and protects fish habitat at, above, and below the crossing.

9.10.1(9)
Stream crossings on streams that are not fish streams are managed in a manner that avoids adverse effects on downstream fish values. Updated wording aligns with defined terms in the Code while maintaining existing expectations.

9.10.1(10)
Bridge design, fabrication, and installation are supported through certification or approval by a qualified professional. This update aligns with professional reliance requirements under the *Professional Governance Act*.

9.10.1(11)
Bridge inspection frequencies vary by bridge type and design and are supported by inspections conducted by a qualified professional. Inspection records are maintained for the life of the structure. Deficiencies identified through inspections or by other means are addressed based on the level of risk, with higher-risk deficiencies prioritized for immediate response.

9.10.1(12)
Bridge and culvert structures, including approaches, are designed, constructed, and maintained to pass the peak flows identified in Table 9-2, supporting infrastructure integrity and downstream protection.

9.10.1(13)
Temporary bridges or stream culverts may be used on non-fish streams for short-term access where installation and use occur during low seasonal flows and removal occurs before periods of high seasonal stream flows. The reference to seasonal rather than annual flows accounts for situations where more than one peak flow event may occur in a year.

Overall, updates to 9.10.1 clarify responsibility, improve alignment with defined terms and professional governance requirements, and enhance clarity and enforceability without substantively changing the original intent of the provisions.

Table 9-2
Minimum Design Peak Flow

Crossing Type	Return Period (years)
Permanent bridges	100
Temporary bridges	50
All stream culverts	100

Guidance: "Table 9.2" is reformatted to "Table 9-2" for consistency in the Code. No other changes have been made to the content of the table.

Drilling

9.11.1 (1) The owner, agent or manager must ensure that drill sites are not located

(a) within a stream,

(b) within a lake or wetland unless a management plan, including provision for management of drilling discharge, has been approved by an inspector, or

(c) repealed

(d) within a riparian setback area as defined in Table 9-1, unless

(i) authorization has been obtained pursuant to the provisions of sections 9.5.1(2) and 9.5.1(3), and

(ii) management plans include provision for management of drilling discharge.

(2) An owner, agent or manager must ensure that pumps and pump fuel supplies use absorbent mats and containment devices to prevent spilled liquid hydrocarbons from escaping.

(3) Unless otherwise authorized by an inspector, the owner, agent or manager must ensure that practicable measures are taken during exploration drilling operations that effectively manage the flow of drilling discharge to a sump or containment, and minimize the impact on streams, wetlands or lakes.

(4) The owner, agent or manager must ensure that appropriate emergency spill kits are readily available at all active drill and water supply pump sites.

(5) Despite subsections (5.1) and (5.2), the owner, agent or manager must ensure that groundwater does not flow from completed drill holes without the written authorization of an inspector.

(5.1) Unless otherwise authorized in writing by an inspector, the owner, agent or manager must ensure that

(a) within one year of cessation of exploration activities, exploration drill holes are effectively sealed, and

(b) before abandoning the exploration drill holes, each one is

(i) decommissioned,

(ii) effectively sealed below ground level, and

(iii) covered with soil, if soil is available in the local area, or, if soil is not available, with other material in the local area.

(5.2) Subsection (5.1) does not apply to an exploration drill hole if, on or before June 22, 2026, the exploration drill hole was

(a) decommissioned, or
(b) not required to be sealed by condition of a permit.

(6) Repealed

(7) The owner, agent or manager must ensure that, for exploration drilling operations in coal or coal-bearing formations,
(a) measures are taken to manage the risk of loss of control of an exploration drill hole due to an uncontrolled release of pressurized fluids,
(b) safe operating procedures
(i) are developed by a qualified professional, implemented and made available to inspector on request, and
(ii) include the following matters:
(A) gas detection and monitoring, including for flammable and toxic gases;
(B) any preventative equipment to be used to divert gases or prevent the uncontrolled release of pressurized fluids;
(C) training requirements for field and drilling personnel regarding procedures, assignment of responsibilities and operation of monitoring and preventative equipment;
(D) requirements and procedures for decommissioning, which may include capping or cementing, to ensure that fluids will not leak from the exploration drill hole, and
(c) if control of an exploration drill hole is lost or compromised, all actions necessary must be taken without delay to safely bring the exploration drill hole under control.

Guidance:

9.11.1(1)
Drill site location is planned to avoid streams and to limit potential impacts to lakes, wetlands, and riparian areas. Drilling within lakes or wetlands, including wetlands without standing water or wetlands that are frozen, is addressed through the use of a management plan approved by an inspector. Drilling within riparian setback distances identified in Table 9-1 is addressed through the authorization and management planning process set out in sections 9.5.1(2) and 9.5.1(3), including provisions for managing drilling discharge.

9.11.1(2)
Fueling arrangements at drill and pump sites incorporate absorbent mats and containment devices. These measures reduce the likelihood that spilled liquid hydrocarbons from pumps or fuel supplies will escape into the environment.

9.11.1(3)
During exploration drilling operations, drilling discharge is managed through practicable measures that direct flow to a sump or other form of containment, unless otherwise authorized. “Unless otherwise authorized by an inspector” allows the inspector to authorize an alternative for drilling discharge. The use of sumps or containment reduces the potential for drilling fluids, cuttings, or water to enter streams, wetlands, or lakes and helps limit environmental impacts associated with drilling activities.

9.11.1(4)
Emergency spill kits are readily available at all active drill sites and water supply pump locations. Having spill response equipment onsite supports timely response to accidental releases of fuels or other substances.

9.11.1(5)
Groundwater control at completed drill holes is addressed by restricting uncontrolled groundwater flow unless written authorization is provided. This provision applies despite the sealing and abandonment requirements set out in subsections 9.11.1(5.1) and 9.11.1(5.2) and is intended to prevent unmanaged artesian or groundwater discharge.

9.11.1(5.1)
Exploration drill holes are addressed following cessation of exploration activities. In this context, “cessation” refers to the point at which exploration activities have been brought to an end, and “exploration activities” has the meaning set out in the Code. Within one year of cessation, drill holes are effectively sealed unless authorization allows otherwise. Effective sealing is intended to prevent inadvertent access by animals and to ensure that water does not enter or exit the hole.

This subsection also distinguishes between interim conditions and final abandonment. Where there is an intent to return to a drill hole for additional studies prior to abandonment, the hole is capped to prevent inadvertent access and groundwater flow, while casing may remain above ground to allow for future downhole surveys. Before abandonment of the exploration drill hole, final reclamation includes decommissioning, sealing the hole below ground level, and covering it with soil or other locally available material where soil is not present.

The specific method of sealing varies depending on site conditions, the type of hole, the materials encountered, and regulatory or permit requirements. Examples include sealing in accordance with the *Groundwater Protection Regulation* for holes drilled as or converted to wells, additional requirements for holes in coal-bearing formations under subsection 9.11.1(7), sealing requirements for uranium or thorium mineralization under section 9.3.4, or cementing requirements for holes associated with underground mining proposals. The expectation is that casing is cut below ground level and the surface covered using adjacent material.

9.11.1(5.2)
Drill holes completed before this section comes into force are not subject to the sealing requirements in subsection 9.11.1(5.1) unless sealing is otherwise required under existing legislation, Code provisions, or permit conditions. This clarification confirms that the new sealing timelines do not apply retroactively.

9.11.1(7)
Exploration drilling in coal or coal-bearing formations addresses the added risk of uncontrolled release of pressurized fluids or gases. Measures are incorporated to manage this risk, and safe operating procedures are developed by a qualified professional. These procedures address gas detection and monitoring, use of preventative equipment, training of drilling and field personnel, assignment of responsibilities, and decommissioning practices to prevent future fluid migration. Where loss of control of a drill hole occurs or is compromised, prompt action supports safe recovery and stabilization of the hole.

Overall, updates to this section clarify responsibility, improve consistency in application, and provide clearer direction for managing drilling activities and drill hole closure. The intent of the requirements has not changed; the revisions support clearer expectations and alignment with other regulatory frameworks and professional governance requirements.

Camps

9.12.1	(1)	The manager must ensure that an exploration camp required to support future exploration activities is left in a clean and safe condition and where practicable secured from wildlife access at the end of each field season.
	(2)	The manager must ensure that an exploration camp not required to support future exploration activities is dismantled, removed and the site reclaimed, unless otherwise exempted in writing by an inspector.

(3) The manager must ensure that, before leaving a camp for the season or reclaiming a camp site, all refuse and animal attractants are properly disposed of or removed from the site.

Guidance: Revisions to 9.12.1 clarifies responsibility by identifying the manager in each subsection. Subsection (3) was revised to remove references to burning or burying waste, as waste disposal may be subject to other regulatory authorities. The revised wording continues to reflect the intent that refuse and animal attractants are either removed from the site or disposed of appropriately. References for explosives were removed, as those matters are addressed under Part 8 of the HSRC.

Waste and Refuse

9.13.01 The owner, agent or manager must ensure that, on cessation of exploration activities, all waste and other refuse is disposed of properly.

Guidance: Section 9.13.01 is a new addition to the Code that addresses waste and refuse generated by all exploration activities. This addition expands on previous requirements under section 9.12.1(3), which only applied specifically to camps.

Proposed Exploration Activities

10.1.3 (1) Prior to undertaking exploration activities and pursuant to section 10 of the Mines Act, the owner, agent, manager or any other person must submit to an inspector a Notice of Work, unless otherwise directed by the chief permitting officer, which must include
- (a) information required pursuant to the Mines Act and code and any other information as directed by an inspector,
- (b) maps and schedules of the proposed exploration activities,
- (c) tenure information relevant to the exploration activities,
- (d) details of actions designed to minimize any adverse impacts of the proposed activities.

(2) A copy of all permits and authorizations issued with respect to the exploration activities must be maintained at the mine while exploration activities are taking place.

(3) An annual summary of exploration activities, as directed by the chief permitting officer, must be submitted by March 31 of the following year.

Guidance: The language from repealed section 9.2.1, Notice Requirements, was moved under the new section 10.1.3, Proposed Exploration Activities. This change groups all permit application and notification provisions within Part 10 for improved organization and usability. The text was revised to clarify the responsibilities of the owner, agent, or manager in subsections (1)(a) through (c), which previously did not clearly identify who was responsible for providing that information.

10.1.3(1)(a)

This section refers to information identified in the *Mines Act*, the Code, and any additional information identified by an inspector. This provision highlights that the content accompanying a Notice of Work aligns with information sources already set out in legislation and regulatory instruments, as well as any further information identified through regulatory review.

10.1.3(1)(b)

Section (1)(b) relates to the inclusion of maps and schedules that describe the proposed exploration activities. These materials provide a way to present the location and timing of the activities being described in the Notice of Work.

10.1.3(1)(c)

Any tenure information that is relevant to the proposed exploration activities is addressed in this section. This information links the activities described in the Notice of Work to the applicable tenure.

10.1.3(1)(d)

Any information describing actions intended to minimize adverse impacts associated with the proposed exploration activities is addressed by this section. This provision focuses on identifying those actions as part of the description of the proposed work. This information could be in the description of work, associated management plans or the reclamation plans.

10.1.3(2)

This section refers to keeping copies of permits and authorizations related to the exploration activities at the mine while those activities are occurring. This supports access to issued approvals during exploration.

10.1.3(3)

This section addresses the submission of an annual summary of exploration activities, as directed by the chief permitting officer, and identifies the timing of that summary.