



MINERAL TENURE ACT
MODERNIZATION OFFICE

Mineral Claims Consultation Framework

All Nations Session

January 9, 2025

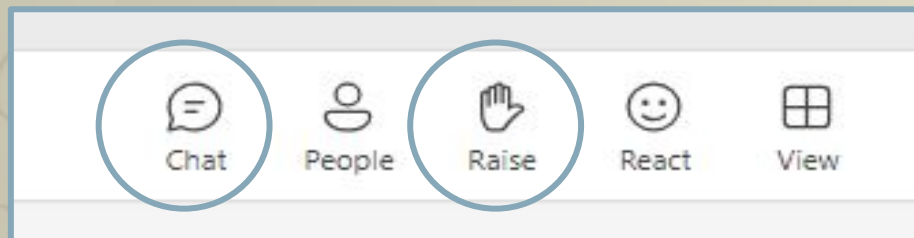
Welcome

- Land Acknowledgement
- Introductions
 - Welcome introductions in the chat box on the right side of your screen.



Meeting Information

- Session is being recorded.
- Questions & Answers
 - Inviting multiple perspectives
 - Open dialogue and chat function
- Reference documents
 - Tblack-lock@kpmg.ca
 - Direct message tech moderator



Agenda

1. Mineral Claims Consultation Framework (MCCF)

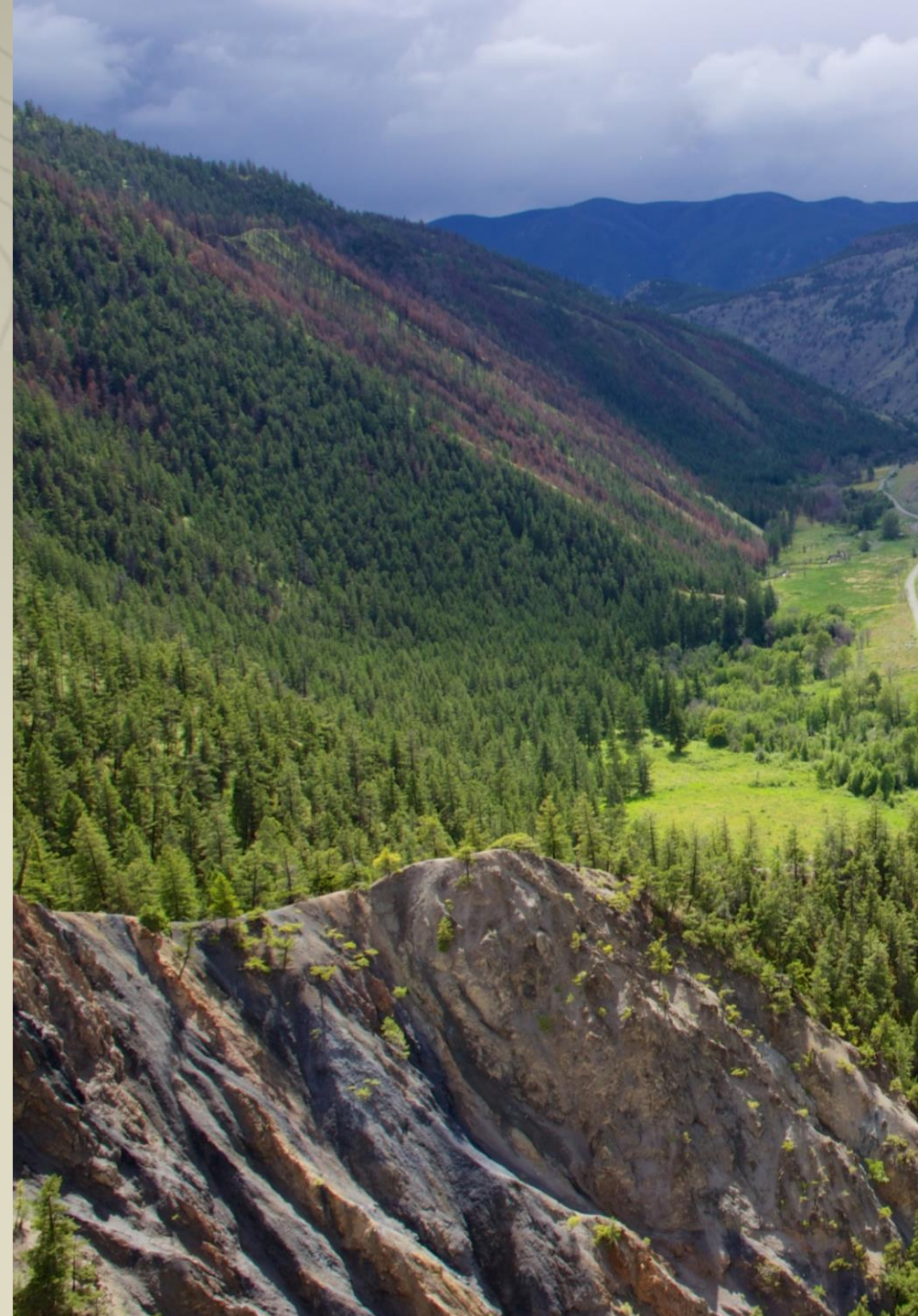
- Review of two tracks of work and timeline

2. Draft MCCF

- Overview of a Draft Framework
 - Application and Review
 - Consultation process
 - Accommodation Tools
 - Decision process

3. Open Discussion

4. Next Steps



Why Are We Here Today?

- Describe the draft Mineral Claims Consultation Framework (MCCF)
- Discuss the implementation of the draft MCCF
- Gather feedback that can be used to improve the prospective implementation of the draft MCCF, both at its launch, and beyond





Mineral Claim Consultation Framework (MCCF)

Two Tracks of Work: MCCCF and MTA Reform

1 Mineral Claims Consultation Framework (MCCCF)

- Respond to the September 2023, BC Supreme Court decision (*Gitxaala v. British Columbia*) to implement a consultation framework for mineral claim registration throughout the Province of BC by March 26, 2025.
- Continuous improvement informed by consultation and cooperation with First Nations and engagement with Industry.

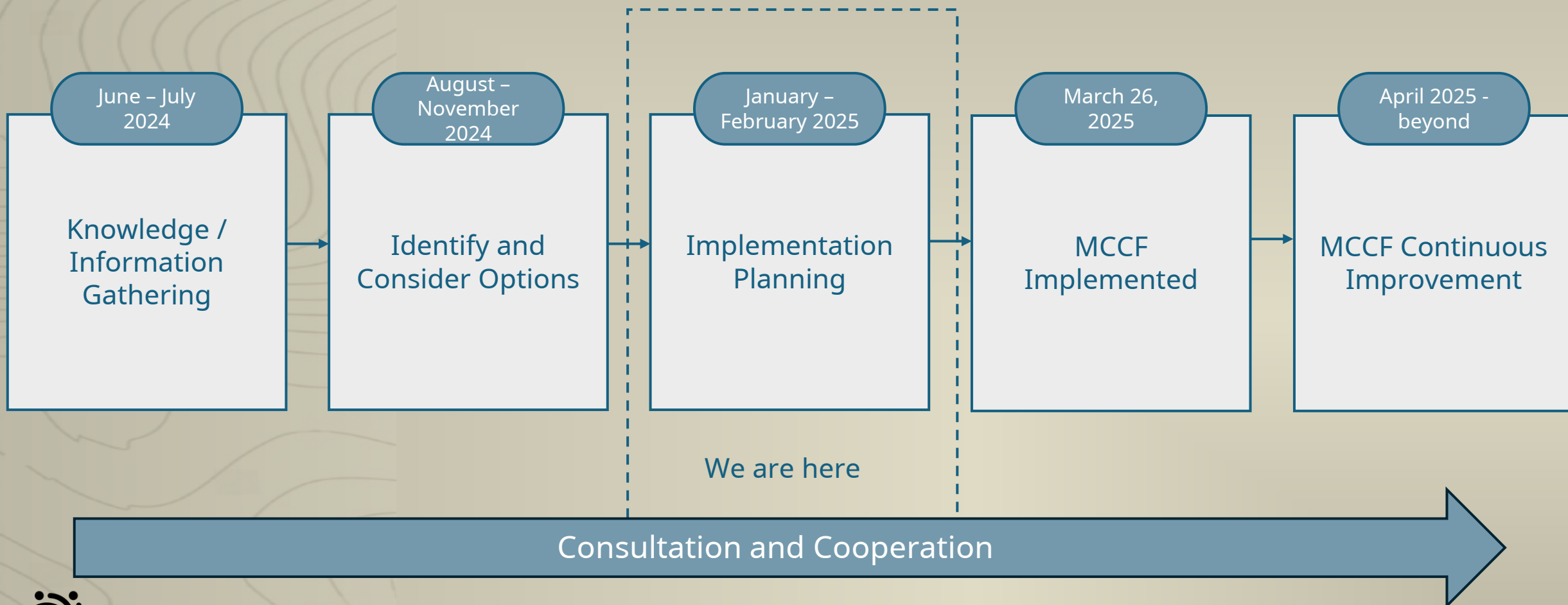
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Mineral Tenure Act Reform

- Reform the *Mineral Tenure Act* to align with the United Nations Declaration on the Rights of Indigenous Peoples.
- Consultation and cooperation with First Nations occurs throughout entire legislative process.

Our focus today

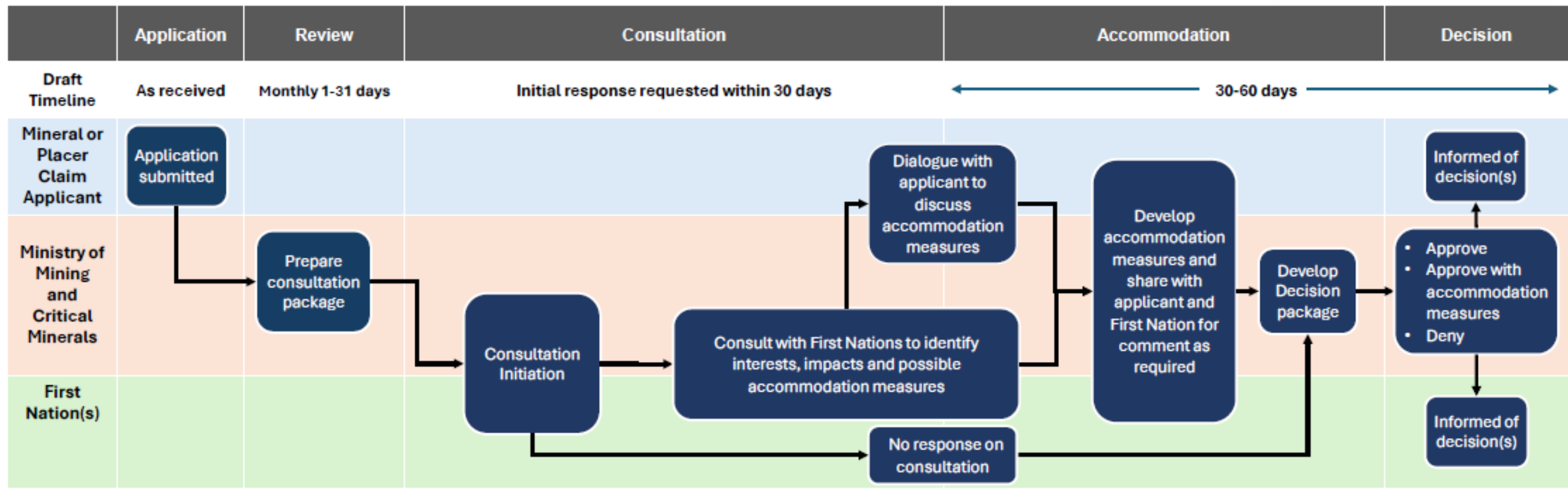
MCCF Project Timeline



Overview – Draft MCCF



Draft MCCF Process



Application and Review

Application Process

- Applicant has a Free Miner Certificate.
- Applicant uses Mineral Titles Online (MTO) to submit claim application.
- Claim area is required to be identified.
 - Cells will be held until decision.

* Additional application requirements may be included in the future.

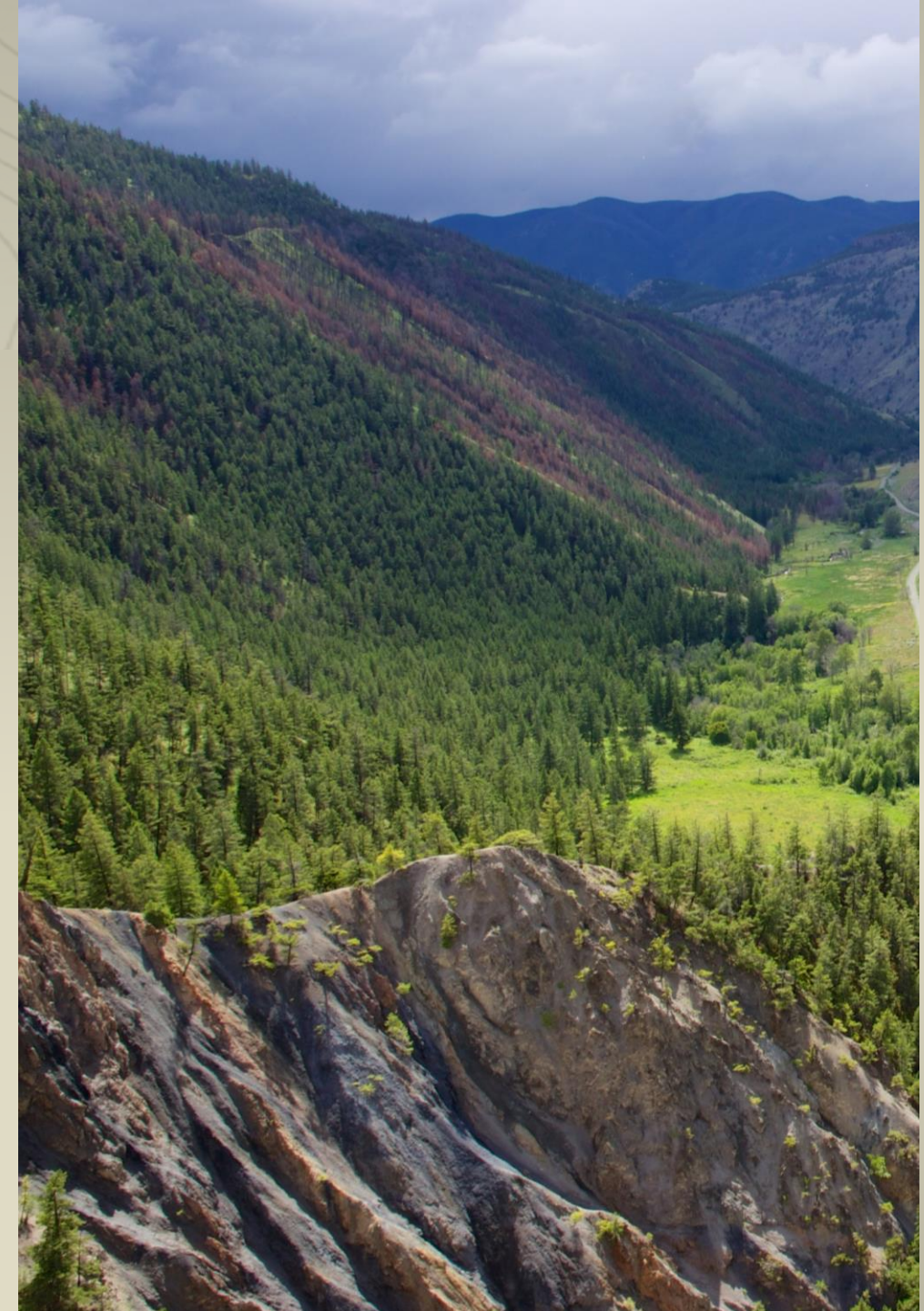
Review Process

- The Province develops consultation packages for mineral and placer claim applications.
- The province will send consultation packages for claim application to First Nations monthly.

What questions, feedback, or suggestions do you have pertaining to the *Application and Review* stage of the draft MCCF?

Consultation Initiation

- First Nations provided consultation packages monthly, in a batch.
- Consultation packages include mineral and placer claim applications in the prior month.
- First Nations are provided 30 days to respond to the consultation package.
 - Request an extension.
 - Commence consultation.



Consultation Package

- Monthly batched claim applications.
Information included:
 - Applicant Name and application dates.
 - Claims areas of interest.
 - Links to MTO online map and system views of information.
 - Outline of activities and interest that a mineral or placer claim grants within the *Mineral Tenure Act*, and *Mineral Tenure Act Regulation*.

Potential additions, informed by implementation of MCCF

- If known, initial exploration plans (e.g., timing of activities, methods of access, exploration activities).
- If available, pre-application engagement or agreement with First Nation(s).

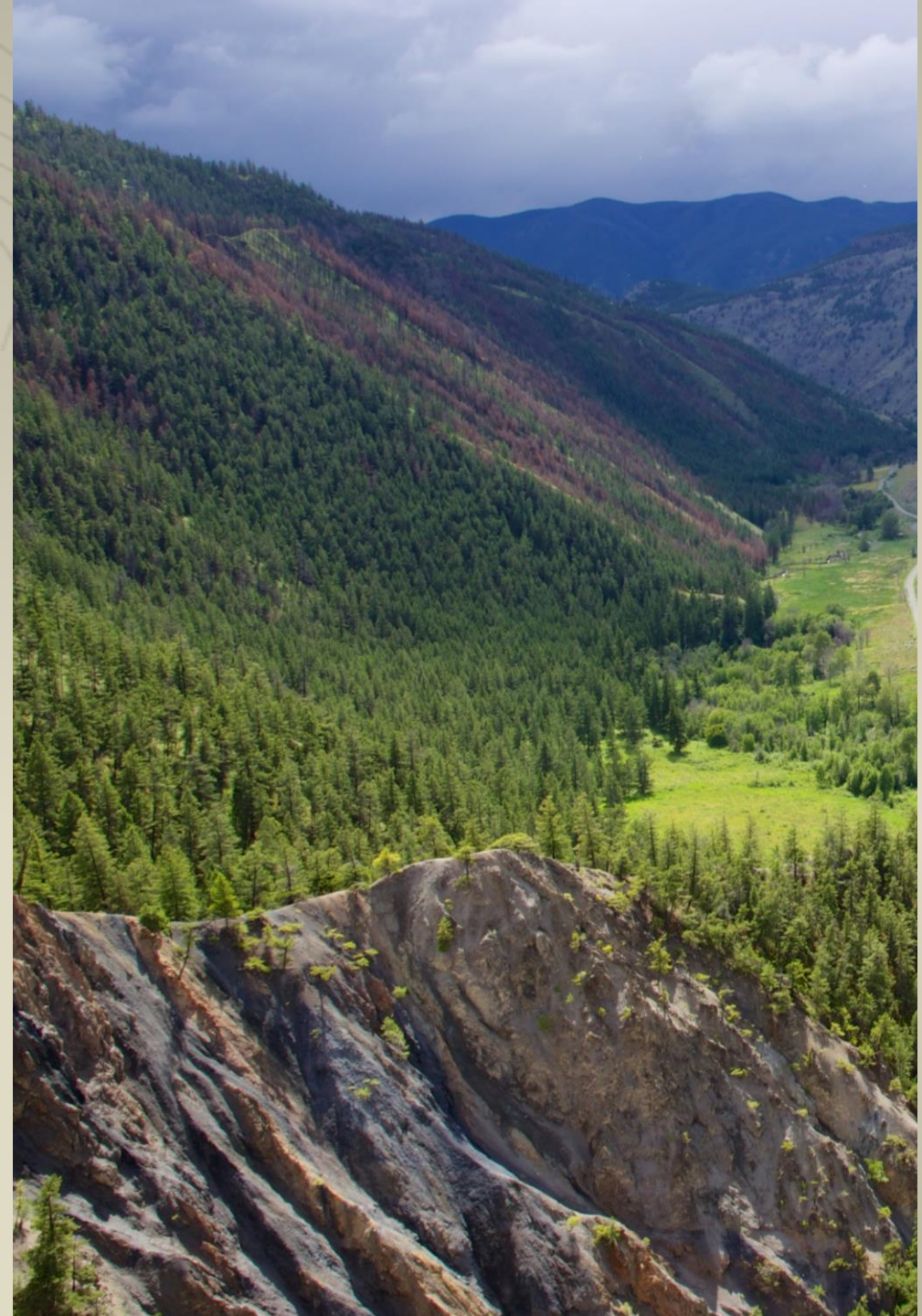
G2G Agreements


- The Ministry is aware of numerous existing agreements that define engagement approaches with First Nations (e.g. Strategic Engagement Agreements).
- The Ministry is also interested in developing G2G agreements that include claim consultation in addition to other mining regulatory processes.



Discussion #2:

What questions, feedback, or suggestions do you have pertaining to the *Consultation* stage of the draft MCCF?





BREAK – 10 min



Accommodation Tools

- **Ministerial Order (MTA s.17)**
 - May restrict mineral exploration in areas where there are cultural heritage resources.
 - Requires a registered claim to take affect and ends if a claim is cancelled
- **Mineral Reserves (MTA s.22)**
 - Mineral Reserves apply to areas – not individual mineral or placer titles.
 - May prohibit the registration of mineral or placer titles or impose conditions on titles in an area.
 - Where applied as an accommodation, MCM must seek to implement Mineral Reserves prior to registration of a claim.
- **Accommodations from Agreements:**
 - May include agreements between the Province and First Nation or Proponent and First Nation.
 - Specifics are to be determined by the agreement.

What questions, feedback, or suggestions do you have pertaining to the *Accommodation Tools* available for the draft MCCF?

Decision package

- Once consultation is completed, and where applicable, accommodations developed, the Ministry prepares a decision package for the Chief Gold Commissioner.
- The package includes:
 - Record of consultation.
 - Proposed accommodation measures.
 - Summary of discussions with proponent.
 - Other relevant information.



Decision

- After considering if the duty to consult has been fulfilled, and accommodations adequate, the Chief Gold Commissioner makes a statutory decision.
 - Approve registration of the claim(s).
 - Approve with Accommodation(s).
 - Deny registration of the claim(s).
- First Nations and the claim applicant are informed of decision(s).
- Decisions are registered in the MTO registry and made public.

What questions, feedback, or suggestions do you have pertaining to the *Decision* stage of the draft MCCF?

Summary of Draft MCCF

- Automatic registration → Registration is a statutory decision.
- Consultation process with First Nations, prior to decision on claim application.
- Conditions may be applied (directly to claims or to areas) as accommodations.
- No regulatory or legislative amendments.
- Significant capacity requirements to implement new process.



DISCUSSION



Actions and Next Steps

- From January 2025 - February 2025 the Ministry will engage First Nations to gain input on the implementation of the draft framework.
- All First Nations are invited to request bilateral meetings with the Ministry to discuss the draft MCCF.
- Ministry staff will be participating in Natural Resources forum in Prince George, AME Roundup, and FNLG in Vancouver, and is available to meet in person.
- Written submissions can be sent to: MTA@gov.bc.ca
- After the framework is implemented (March 26th, 2025), C&C with First Nations will continue to support continual improvement.



Staying Connected

MINERAL CLAIMS CONSULTATION FRAMEWORK

[HTTPS://WWW2.GOV.BC.CA/GOV/CONTE
NT/INDUSTRY/MINERAL-EXPLORATION-
MINING/MINERAL-CLAIMS-
CONSULTATION-FRAMEWORK](https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/mineral-claims-consultation-framework)



MINERAL TENURE ACT

[HTTPS://ENGAGE.GOV.BC
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