

AGGREGATE MANAGEMENT PRINCIPLES

Mining and Minerals Division
Ministry of Energy, Mines and Petroleum Resources
November 2009



The Ministry of Energy, Mines and Petroleum Resources (MEMPR) acknowledges the critical importance of a reliable and economic supply of aggregate for the construction of private and public infrastructure, including roads, schools, hospitals, factories and residential homes. Approximately 70% of the aggregate consumed annually in British Columbia's populated areas is used for the maintenance and replacement of the province's existing infrastructure.

MEMPR seeks to ensure that aggregate activities are undertaken in compliance with health and safety standards and environmental protection requirements.

Principles

The following principles will be considered whenever aggregate activities are approved under a Mines Act permit:

1. Facilitate a reliable and economic supply of aggregate for the citizens of British Columbia.
2. Ensure that both aggregate applications and approved activities meet the health and safety standards and environmental protection requirements contained in the Mines Act and the Health, Safety and Reclamation Code for Mines in British Columbia (the Code).
3. Ensure that the applicant has incorporated efficient extraction of the aggregate resource and appropriate reclamation of the land and watercourses.
4. Work with local governments to reduce potential conflicts that can develop when aggregate activities are proposed in urban and populated rural areas.
5. Seek, consider and accommodate wherever possible the concerns and interests of communities respecting aggregate activities.
6. Consult with First Nations about any potential Aboriginal rights or title that may be adversely impacted by aggregate activities, and accommodate for impacts as appropriate.

Tenure Acquisition

Appropriate tenure is a prerequisite for applying for a permit under the Mines Act.

If a proposed operation is sited on fee-simple land (private property), the land owner must grant approval before a permit can be issued. Resource tenure is acquired from the Crown Lands Division of the Ministry of Agriculture and Lands for aggregate activities on Crown land.

Application of Principles

The Aggregate Management Principles apply to the blasting and extraction, screening, washing and crushing of sand, gravel and quarry rock for all aggregate mines as defined in the Mines Act, on both Crown land and private land, with the following exceptions:

- Specified development sites approved and managed under approvals issued by other agencies (i.e., local government).
- Aggregate sites exempted from the requirement for a permit by the Chief Inspector of Mines under section 10(2) of the Mines Act.
- Aggregate activities carried out on private land with extracted materials being used exclusively within the boundaries of that specific private property.

Application Review Process

A completed application in accordance with Section 10(1) of the Mines Act and Part 10.1 of the Code must be accepted by MEMPR in order for a project to be reviewed. Application forms are available at <http://www.empr.gov.bc.ca/Mining/Permitting-Reclamation/ApplicationForms>. Completed forms may be submitted to any MEMPR or FCBC office for processing.

In addition to the above requirements, proponents may also be required to submit additional studies and information in support of related issues, including engineering, roads and traffic, and water and air quality during the application review process.

An application may be referred to the local Regional Mine Development Review Committee (RMDRC) for multi-agency discussion. RMDRC s provide recommendations to MEMPR for consideration by the Chief Inspector of Mines. Representation can also include the federal Department of Fisheries and Oceans, First Nations and local governments.

Application Referral

An application may be referred by MEMPR to other provincial and federal agencies for input on the project's potential impacts and how these impacts might be reduced, and to advise on whether or not any additional permits and approvals from the referral agencies are required.

Referrals are sent to the relevant government (i.e., federal, provincial and local) agencies and First Nations, which are asked to respond within 30 days.

First Nations Consultation

Government consults with First Nations on proposed aggregate activities that may adversely impact Aboriginal rights or title and, as appropriate, works with the proponent and affected First Nation(s) to develop accommodation options. Aggregate applications are referred to First Nations for review and input to ensure that MEMPR is well informed about First Nations interests and concerns.

Potential aggregate developers are encouraged to meet with the appropriate First Nations early in the application process to begin to build a working relationship for the benefit of both parties through the life of the project.

Public Involvement

Applicants may be required to advertise their proposals in local newspapers and to seek public comment. They may also be required to hold open houses or public meetings to provide local community residents with opportunities to discuss potential issues, concerns and solutions.

Early and ongoing consultative work by operators with local communities is encouraged and required by MEMPR in order to identify and accommodate local issues and concerns wherever possible.

Site Inspections

Once an application is approved and a permit issued, MEMPR ensures that the operator and the operation are in compliance with the terms and conditions of the Mines Act permit and with the Code. Regular site inspections are carried out by Mines Inspectors.

Operations out of compliance with permit conditions, the Mines Act, or the Code will be ordered by the Inspector of Mines to comply within a specified time frame. Operations can be issued with a stop work order by the Inspector of Mines where there are urgent health and safety or environmental infractions.

Site Reclamation

As a condition of their permits, aggregate operators are required to post a reclamation security in the amount specified by the Chief Inspector to reclaim the site in a prescribed manner once operations have concluded. A permit is not issued until the reclamation security is received by MEMPR.

The amount of a reclamation security for an approved aggregate operation within the Agricultural Land Reserve is administered by the Agricultural Land Commission.

Returning the site to an appropriate end land use can involve the monitoring of air and water quality, the replacing of topsoil, revegetation and ongoing maintenance to ensure that reclamation techniques are and continue to be successful.