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# **Overview of B.C.'s Regulatory Framework Governing Mining**

## **Juneau Mining Forum March 7, 2023**

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# Overview

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# Jurisdictional Overview

- Canada's [Constitution Acts, 1867 to 1982](#) establish a division of powers between the federal government, provinces and territories
- Provinces are responsible for managing natural resources within their jurisdictions, including mining
- Including the full lifecycle of mining projects: exploration and environmental impact assessments, construction and operational permitting, compliance and enforcement, closure and reclamation
- B.C. and the Government of Canada have a framework in place to cooperatively exercise our respective powers and duties through a single environmental assessment process
- The Federal government can set regulatory floors for discharges to the environment

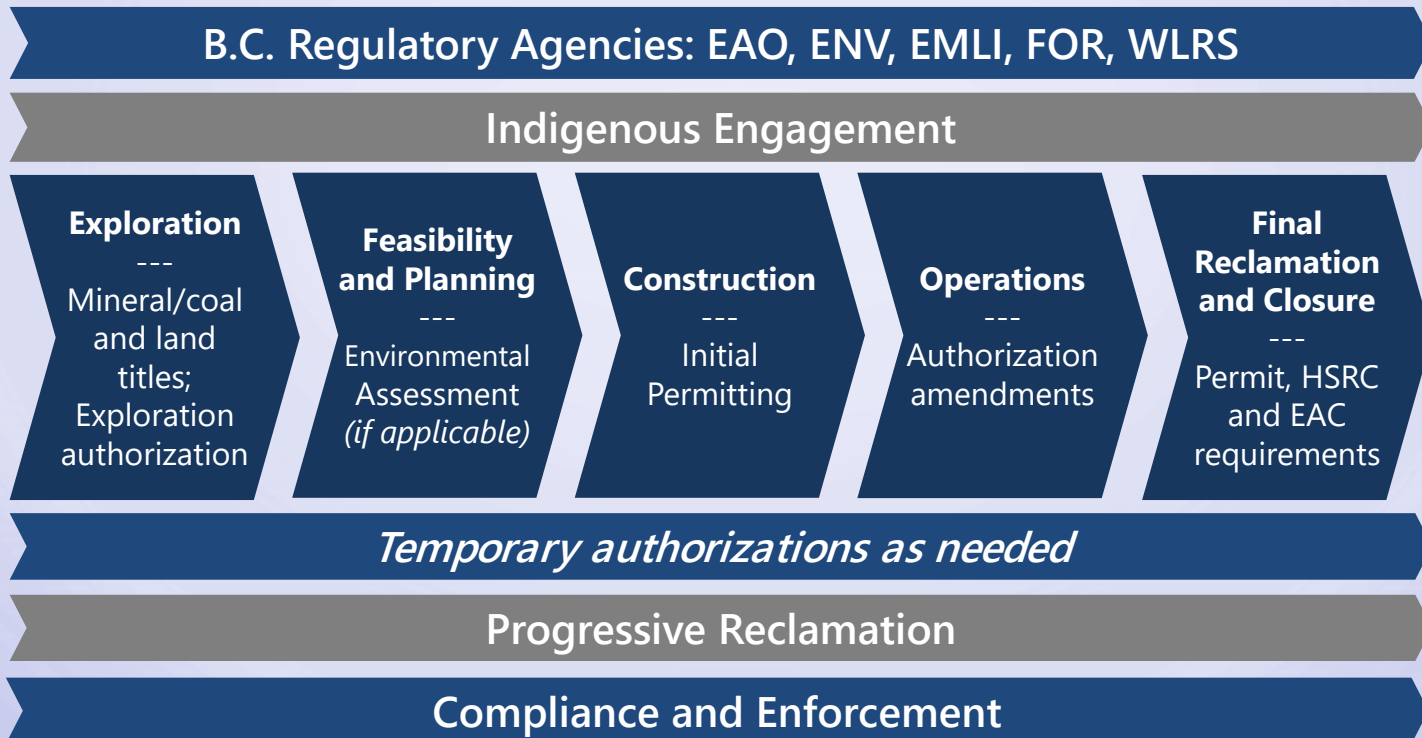


## B.C.'s Regulatory Framework

- Regulatory efforts follow adaptive management and continuous improvement principles
  - Set requirements using regulatory instruments
  - Check for compliance and conduct enforcement
  - Monitor and evaluate effectiveness, and adjust as needed
- Organizational structures include separation of permitting and compliance functions

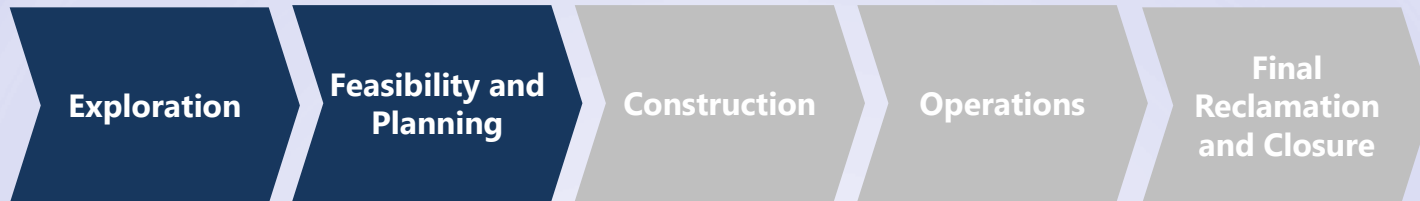


# Provincial Inter-agency Coordination





## Pre-development



### Exploration

- Ministry of Energy, Mines and Low Carbon Innovation (EMLI) authorizes exploration and manages issuing of mineral, coal and land titles
- Authorizes proponents to gather information to inform development of project proposals

### **Feasibility and Planning**

- The Environmental Assessment Office (EAO) Conducts reviews of major projects and administers the B.C. [Environmental Assessment Act](#)



# Construction & Operations



## Permitting for Construction and Operation

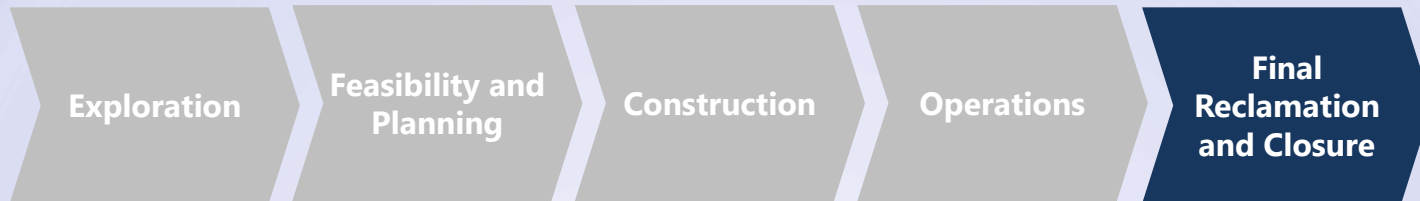
- Multi-agency application review process under [Environmental Management Act](#), [Mines Act](#), [Forest Act](#), and [Water Sustainability Act](#)
- Includes approvals for a mine plan, a program for protection of the land and watercourses, and a reclamation program
- US agencies notified and provided opportunity to input, where applicable
- [Independent tribunal](#) considers appeals

## Compliance and Enforcement (C&E)

- All agencies are involved in implementing a robust [C&E framework](#) guided by ministry-specific policies and procedures, using a risk-based approach
- If non-compliance is discovered, [a matrix](#) determines the appropriate tool to achieve future compliance. Ongoing non-compliance results in escalation of response.



## Final Reclamation and Closure



### Reclamation & Closure

- Approval of a Reclamation Plan is required as part of earlier permitting phase
- Progressive reclamation with annual reclamation reports required
- Proponents must place a security with the Province to ensure reclamation obligations are kept
- Security is only returned once the mine site has been reclaimed to a satisfactory level and there are no ongoing monitoring or maintenance requirements





# Enhancements to Regulatory Effectiveness

- Standing [Code Review Committee](#) is in place to ensure B.C. has strong, updated protections for health, safety and the environment at mine sites
- Restructuring of mining divisions to separate health, safety, compliance and enforcement activities from permitting activities
- Amending the [Mines Act](#) to strengthen and modernize compliance and enforcement
- Public Interest Bonding Strategy



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# B.C.- Alaska Transboundary Water Quality

British Columbia and Alaska  
Joint Water Quality Program for Transboundary Waters  
Data Report

Final Report



January 2021

- Technical Working Group on Monitoring established under the BWG
- Two-year Alaska – B.C. transboundary waters sampling project (2017-2019)

## Results:

- Some sites in B.C. had elevated concentrations of cadmium, copper, selenium and zinc relative to long-term B.C. Water Quality Guidelines. Elevated levels are found in areas with mineralized geology.
- No exceedances of Alaska Water Quality Standards were observed in water samples downstream of the B.C. - Alaska border.



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## Resources:

British Columbia Mine Information

<https://mines.nrs.gov.bc.ca/>

Environmental Assessment Office Project Information Centre:

<https://www.projects.eao.gov.bc.ca/>

B.C.-Alaska Transboundary Waters Information

<https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/further-information/bc-alaska-transboundary-waters>

BC Declaration on the Rights of Indigenous Peoples Act:

<https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples>