From: Mccuaig, Michael EMPR:EX
To: Evans, Andrea FLNR:EX

Subject: RE: Volcanic Road Zoning Issues 4405975

Date: October 30, 2019 9:05:00 AM

Good morning Andrea,

Nice to hear from you. Mines will not issue a *Mines Act* Permit for the temporary LoO time period. The proponent will need to re-apply with a Notice of Work application when the apply for the LoO.

I am not sure if we can return the application fee, but will certainly return the reclamation security deposit. The application fee is paid to review the application, not issue the permit so we may not be able to do that. Can I confirm this with you by the end of the day?

Yes please direct Erwin to contact me regarding the NOW application.

Thanks, Andrea

From: Evans, Andrea FLNR:EX <Andrea.Evans@gov.bc.ca>

Sent: October 29, 2019 5:12 PM

To: Mccuaig, Michael EMPR:EX < Michael. Mccuaig@gov.bc.ca>

Subject: RE: Volcanic Road Zoning Issues 4405975

Hi Michael,

I'm drafting an email to Erwin about my recommendation to move forward with a temporary licence of further investigative works. My understanding is that the Mines Permit cannot be attached to the temporary licence because the proponent will not be authorized to do any quarrying activities.

Glen Hendrickson verbally told me that in this circumstance Mines is willing to return the Notice of work application, application fee, and security with no penalty to the client.

In my letter I am directing Erwin to contact you for information on next steps for his NOW application.

Let me know if you agree with this approach.

Thanks, Andrea

From: Mccuaig, Michael EMPR:EX < Michael. Mccuaig@gov.bc.ca >

Sent: September 26, 2019 10:20 AM

To: Evans, Andrea FLNR:EX < Andrea.Evans@gov.bc.ca > **Subject:** RE: Volcanic Road Zoning Issues 4405975

Hi Andrea,

Sounds good, I understand these things take time.

From: Evans, Andrea FLNR:EX

Sent: September 26, 2019 10:23 AM

To: Mccuaig, Michael EMPR:EX < Michael. Mccuaig@gov.bc.ca >

Subject: RE: Volcanic Road Zoning Issues 4405975

Absolutely. It shouldn't be too long for me to finish my report, but it will take a while for documentation to happen after that.

From: Mccuaig, Michael EMPR:EX **Sent:** September 26, 2019 8:34 AM

To: Evans, Andrea FLNR:EX < Andrea. Evans@gov.bc.ca >

Subject: Volcanic Road Zoning Issues 4405975

Hi Andrea,

Thank you for the update. Once your decision is made can you forward it onto me?

Have a great day.

Michael McCuaig, P. Geo.
Inspector of Mines, Permitting
Southeast Region
Ministry of Energy and Mines and Petroleum Resources

Willistry of Effergy and Willes and Fetroleum Resources

Phone: 250.420.6150

From: Evans, Andrea FLNR:EX Sent: September 26, 2019 9:28 AM

To: Mccuaig, Michael EMPR:EX < Michael. Mccuaig@gov.bc.ca >

Subject: Volcanic Road Zoning Issues 4405975

This is my most recent communication about zoning is here. Should the project move forward, the proponent will need to apply for a zoning and OCP amendment. When I get another chance to work on this file, my next steps will be to reach out to the client and let them know what all the referral responses said.

s.22 this one forward yet.

I haven't had a chance to move

Thanks,

Andrea

From: Mccuaig, Michael EMPR:EX **Sent:** September 25, 2019 2:55 PM

To: Evans, Andrea FLNR:EX < Andrea. Evans@gov.bc.ca >

Subject: Mccuaig, Michael EMPR:EX sent you a message in Skype for Business while you were

offline

Mccuaig, Michael EMPR:EX 3:52 PM:

Hi Andrea, Happy Wednesday:)

Mccuaig, Michael EMPR:EX 3:53 PM:

Hey have you reached out to the proponent for the Volcanic Road Mine to discuss the zoning issues with the Regional District?

Need Skype for Business? Try the Skype for Business mobile app.

 From:
 Mccuaig, Michael EMPR:EX

 To:
 Evans, Andrea FLNR:EX

Subject: RE: Volcanic Creek Pit Letter - 4405975

Date: November 14, 2019 3:24:00 PM

Attachments: <u>image001.jpg</u>

Good afternoon Andrea,

Thank you for the update on the Volcanic Creek Pit. I have no questions at this time.

We will wait for the formal decision to come down from your administration team.

Have a great day,

Michael McCuaig, P. Geo. Inspector of Mines, Permitting Southeast Region Ministry of Energy and Mines and Petroleum Resources Phone: 250.420.6150

From: Evans, Andrea FLNR:EX <Andrea.Evans@gov.bc.ca>

Sent: November 14, 2019 3:18 PM

To: Mccuaig, Michael EMPR:EX < Michael. Mccuaig@gov.bc.ca>

Subject: FW: Volcanic Creek Pit Letter - 4405975

Hi Michael,

I just sent this letter to Erwin concerning Volcanic Creek Pit. The decision is not final at this time, and I will request that the administration team contacts you when the file is finalized so that you can initiate your NOW cancellation and refunds at that time.

Any questions, please let me know!

Andrea

From: Evans, Andrea FLNR:EX **Sent:** November 14, 2019 2:12 PM

To: 'SPLETZER, Erwin (SUTCL)' < <u>erwin.spletzer@terusconstruction.ca</u>>

Subject: Volcanic Creek Pit Letter - 4405975

Hi Erwin,

Please see the attached letter.

Thanks,



Andrea Evans
Authorizations Specialist
Ministry of Forests, Lands, Natural Resource Operations & Rural Development
1907 Ridgewood Road, Nelson, BC, V1L 6K1
Tel: 250-825-1158 | Fax: 250-825-9657

Andrea.Evans@gov.bc.ca

Reid, Bruce EMPR:EX

From: Evans, Andrea FLNR:EX

Sent: Thursday, June 6, 2019 12:18 PM

To: Wiles, Ian G FLNR:EX

Cc: Mulvihill, Chris FLNR:EX; Siemens, Alisa FLNR:EX; Mitchell, Travis FLNR:EX; Leslie, Scott

R FLNR:EX; Reid, Bruce EMPR:EX

Subject: RE: Referral Number: 113710730-003 Reference Number: 385857- Volcanic Creek

Gravel pit

Hi lan,

Thanks for the response. I'll start working on the list of people to contact. Just an FYI I've cc'd Bruce Reid, the Mines Inspector for the Notice of Works application. We currently do not have a process for bundled agency referrals for our two business lines so I wanted to bring Bruce into the loop about what I'm going to be working on for the lands application. Hopefully this can streamline the Mines referral process.

Thanks,

Andrea Evans Authorizations Specialist 250-825-1158

From: Wiles, Ian G FLNR:EX Sent: June 6, 2019 10:58 AM To: Evans, Andrea FLNR:EX

Cc: Mulvihill, Chris FLNR:EX; Siemens, Alisa FLNR:EX; Mitchell, Travis FLNR:EX; Leslie, Scott R FLNR:EX Subject: Referral Number: 113710730-003 Reference Number: 385857- Volcanic Creek Gravel pit

Hi Andrea.

There are a number of issues that the applicant will need to address before approval can take place on this application. See the following:

This proposal impacts two research plots. Other plots in the area have already been destroyed by a MOTI gravel pit nearby which makes the maintenance of these plots more important. A 65 m buffer needs to be maintained from the center of the plots. I have attached a map of the plot location. Therefor the application should be modified to maintain these plots. Chris Mulvihill must be contacted regarding this situation. Chris.Mulvihill@gov.bc.ca 250-354-6222.

The application overlaps a number of range tenures and a cattleguard. The application could increase access of livestock to the North Fork Rd. There needs to be a discussion with the range officer Alisa Siemens to address concerns she has with fencing and creating possible access for cattle to 2 PODs on Volcanic creek just south of the proposed area. It is important that livestock do not access this area.

Approximately 200m of the popular Volcanic mountain bike trail runs through the south portion of the block. This is an approved rec trail # REC 1909441. Travis Mitchell with Rec sites and trails in Nelson must be contact at travis.mitchell1@gov.bc.ca, 250-825- 1211. The Kettle River Mountain Bikers' Association should also be contact as they are responsible for the development and maintenance of the trail. Josh Strezlik is the president and he can be reached at 250-718-3474

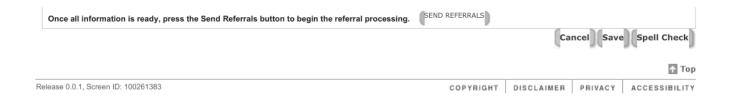
A occupant license to cut is required to cut >50m3 of trees on the site. Contact Ed Nagy at 250-365-8638, Edward.nagy@gov.bc.ca.

The applicant will need to obtain a road use permit for use of the volcanic creek FSR. Contact Darren Henshaw at <u>Darren.henshaw@gov.bc.ca</u>. 9250) 442-9421

This application is in the operating area of BC Timber sales. They must also be sent a referral and provided an opportunity to comment if they have not already. Contact Scott Leslie at scott.leslie@gov.bc.ca 250-442-9717

Ian Wiles, RPF Stewardship Officer Selkirk Resource District 250-825-1170

New	Referral												
Re	ferral Type:	Notice of Work		Referral Number: 10854286	0								
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Sta	atus:	In Preparation											
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* MINISTRY Ministry of Energy and Mines													
Wo	Working Notes (shows in To Do list):												
ATS Project Name: Interoute Construction Ltd Notice of Work (Volcanic Road Pit) Description: INTEROUTE CONSTRUCTION - Notice of Work Location: Volcanic Road Pit - Volcanic Road Pit Proponent - Interoute Construction Ltd.										~			
Ref	ferral Descriptio	n:											
This	is a Notice of W	ork for Sand and Gra	avel.			^ [+]							
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S	Subject:	Province of BC Noti	fication on a Notice of Work fo	r a Mines Act Permit									
P	Preamble:	Please find attached	d a Notification on the following	g application(s) for your inform	ation. No response	is required b	y you.			0			
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Response Roll-up Report

FrontCounter BC

Referral Type: Notice of Work Referral Number: 108542860 Reference Number: 394896 **Referral Status:** In Summary

Legislated Only: No

Recommendations

Request	Other	
0	0	Approval of project is supported.
0	0	Interests unaffected.
0	0	N/A
1	0	No objection to approval of project subject to the conditions outlined below.
0	0	No objection to approval of project.
0	0	Recommend refusal of project due to reasons outlined below.

Requests



Organization: Transportation and Infrastructure - N Request Number: 006 Respondent: Christine Nichol Legislated: No Closed By: Referral Level: Optional

Recommendation: No objection to approval of project subject to the conditions outlined below.

Yes	No	N/A	Question
V			Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
V			If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
	Y		Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
		~	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.
		>	For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for rezoning, please also provide the estimated time required for this decision. Your comments can be entered in the response text box at the bottom of the page.

Explanation of Reponse

The proposed gravel pit will require an industrial access permit through the Ministry of Transportation and Infrastructure - West Kootenay District. Please let the proponent know to contact our Development Services Group in the Nelson office for more information. Bcmot.wkd@gov.bc.ca



Organizati	on:			Request Number:	008					
Responde	nt:			Legislated:	No					
Closed By	: <u>E</u>	lisabeth l	<u>Morello</u>	Referral Level:	Notification					
Y	es N	o N/A	Question							
			responsibilities? If ye responsibility and plea and what mitigative m	oplication impact your agency's legislated itees? If yes, how will the proposal impact your legislated by and please identify the relevant legislation (section) itigative measures will be required to address these he response text box at the bottom of the page.						
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Ministry of Energy and Mines Reference Number: 394896 Mailing Address:

Phone: Fax: Toll Free: Website: **New Referral**

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Edit	Forests Lands & Natural Resource Operations - FrontCounter BC - Castlegar			✓		Authenticated Web 🗸	Optional				X
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Edit	Forests Lands and Natural Resource Operations - Recreation and Trails - Castlegar			✓		Authenticated Web 🗸	Optional				X
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Our File: 4405975

14/11/2019

Terus Construction
Erwin.Spletzer@terusconstruction.ca

Dear Erwin Spletzer:

RE: CROWN LAND TENURE APPLICATION "Volcanic Pit"

Your Crown land tenure application is currently being reviewed. During the referral and consultation process, concerns, questions, and potential conflicts were raised. As such, further information is required prior to allowing any quarry development. A Temporary Licence is being considered to allow you two years to satisfy the following requirements.

Outstanding items requiring more information or mitigation are as follows:

- Your application area overlaps with Volcanic Trail (REC190944). Rec Sites and Trails BC (RSTBC) does not support this application, as it overlaps with 200 m of the trail. Please contact the Kettle River Mountain Bikers' Association as they are responsible for the development and maintenance of the trail. Josh Strezlik is the president and he can be reached at 250-718-3474.
- The application area is zoned Rural Resource 1 (RR1) by the Regional District of Kootenay Boundary. RR1 does not allow for quarrying activities. You must apply to the RDKB to amend the zoning to Rural Resource 2.
- Your application area overlaps with high and moderate archaeological potential polygons. As per the Archaeology Procedure you must hire a registered archaeologist to do a Preliminary Field Reconnaissance (PFR) and Archaeological Overview Assessment (AOA).
- 4. You are required to hold a public meeting in order to address concerns identified by the public during the referral period. Please consider the attached Public Meeting Guidelines when you hold your meeting. The public concerns identified to us during the referral period were:
 - Dust, noise, sediment runoff into nearby creeks and the Granby River, road degradation from industrial use, use of engine breaks in neighbourhoods, and safety concerns for the proposed turnout (bad sightlines).
 - Please note that other concerns may be brought forward before or at the public meeting that should also be addressed.

Page 1 of 2

5. Our regional policy is to limit new quarry tenures to a size limit of 5 ha. more or less. Your application area was 6 ha. Through referrals, a forestry research plot was removed from the north corned of your application area, reducing the final area to 5.80 ha. more or less. The tenure area for your temporary licence is 5.80 ha. In order to move this application forward to a licence of occupation, you must reduce the tenure size to 5 ha.

You must meet the above five requirements prior to the expiry of the temporary licence. You will have two years from the commencement date of your tenure to satisfy these requirements. After the requirements are complete you may reapply for a licence of occupation. Please submit proof that you have satisfied the above requirements with your next application.

Please create an "Investigative Plan" that has a brief project summary and lists the "investigative schedule". The five requirements in the letter should all be identified in the investigative plan. Feel free to use this template as guidance: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/investigative_plan.pdf. Submit the investigative plan to Andrea. Evans@gov.bc.ca.

Please contact Michael Mccuaig, Inspector of Mines, at Michael.Mccuaig@gov.bc.ca for information on how the temporary permit will affect your Notice of Work application.

If you have any questions about this letter and the requirements for your application to proceed in the adjudication process, please contact me at 250-825-1158 or Andrea.Evans@gov.bc.ca.

Yours Truly,

Andrea Evans

Authorizations Specialist – Land Authorizations

Kootenay Boundary Region

Attached: Public Meeting Guidelines

cc: Michael Mccuaig, Inspector of Mines

Ref: Mine File 1631059

CONDUCTING A PUBLIC MEETING IN ASSOCIATION WITH A LAND ACT APPLICATION FOR TENURE Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD)

INTENT

The intent of a conducting a public meeting is to:

- Provide an opportunity for the proponent to present their proposal to the public and obtain feedback.
- Provide an opportunity for the proponent to advise the public and the ministry on how they will address/mitigate any concerns raised.

VENUE SUGGESTIONS

- The public meeting should be held in a location in the community closest to the proposed site.
- The venue should have adequate parking and wheelchair access.
- The meeting should be held in the evening to allow full participation.

MEETING SUGGESTIONS

- The proponent should provide a complete overview of the proposal, including location maps and site plans.
- Advise the attendees of any known concerns with respect to the proposal and how those concerns will be mitigated.
- Canvas the attendees for any further concerns and mitigation strategies.
- Undertake minutes of the meeting for submission to FLNRORD.
- Advise attendees that minutes of the meeting will be submitted to FLNRORD to consider in the review of the application.
- Advise attendees that minutes are subject to Freedom of Information requests.
- Offer to make minutes of meeting available to attendees.

ADVERTISING SUGGESTIONS

- The notice of the public meeting should be advertised in a local newspaper at least 2 times, preferably one time per week, at least 2 weeks prior to the public meeting.
- Consider door to door handouts, posters in local gathering spots, social media etc. to ensure you reach a wide audience of those that may be impacted by the proposal.

SUBMISSIONS TO FLNRORD

- Submit copies of advertising material and minutes of the meeting to the Authorizations
 Specialist assigned to your Land Act application.
- Minutes should include time and date of the meeting; approximate number of attendees; list of all concerns/issues raised at the meeting; discussion of mitigation strategies; commitments; resolutions and any other relevant information.