

## MINISTRY OF ENERGY, MINES AND LOW CARBON INNOVATION

### BRIEFING NOTE FOR DECISION

**PREPARED FOR:** Honourable Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation

**ISSUE:** s.13

#### BACKGROUND:

In November 2022, Cabinet approved the Ministry of Environment and Climate Change Strategy's (ENV) request to establish a 56,000 hectare conservancy in the Incomappleux Valley, which included an approach to protect the area to the south of the proposed conservancy (~16,475 hectares) due to variety of high biodiversity values (the area contains a portion of the Province's rare inland temperate rainforest, which supports old growth forest, 250 lichen species, habitat for grizzly bears, and it historically supported southern mountain caribou). Prior to Cabinet endorsement, four Cabinet Ministers<sup>1</sup> expressed their support to enter into an agreement with Interfor and the Nature Conservancy of Canada (NCC) to advance protection measures in the Incomappleux Valley.

s.12; s.13; s.17; s.21

s.12; s.13; s.16; s.21

#### DISCUSSION:

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<sup>1</sup> Minister George Heyman, Minister Josie Osborne, Minister Bruce Ralston, and Minister Katrine Conroy  
s.16; s.21

Under section 22 of the *Mineral Tenure Act* (MTA), the Chief Gold Commissioner (CGC) has the sole authority to establish mineral reserves through regulation (under the MTA, the registration of new mineral claims may also be prohibited by Lieutenant Governor in Council regulation). These include NRRs, which prohibit the registration of mineral or placer claims in an area. In the past, reserves have been established for a variety of reasons, including preventing additional tenure registration and coal licence applications while the necessary steps are taken towards establishing long-term protections (e.g., park, conservancy) [s.13](#); [s.14](#)

[s.13](#); [s.14](#)

[s.12](#); [s.13](#); [s.16](#)

To support the commitments set out within the agreement, EMLI staff submitted a request to establish an NRR over the Incomappleux area in October 2022; the NRR came into effect in December 2022. [s.13](#); [s.16](#)

[s.13](#); [s.16](#)

[s.13](#); [s.14](#); [s.16](#); [s.17](#); [s.21](#)

s.13; s.14; s.16; s.17; s.21

**OPTIONS:**

s.13; s.14

**RECOMMENDATION:**

Approved / Not Approved

\_\_\_\_\_  
Honourable Josie Osborne, Minister  
Ministry of Energy, Mines and Low Carbon Innovation

\_\_\_\_\_  
Date

**Attachments:**

- Attachment I – Briefing Note
- Attachment II – Cabinet Submission

**DRAFTED BY:**

Gabriel Barwin, Director, PAIR

**APPROVED BY:**

Jen Stuart, ED, PAIR ✓

Peter Robb, ADM, MCAD ✓

Shannon Baskerville, DM, EMLI ✓

## DECISION NOTE

**DATE:** August 29, 2022

**PREPARED FOR:** Honourable George Heyman, Minister of Environment and Climate Change Strategy  
Honourable Katrine Conroy, Minister of Forests  
Honourable Josie Osborne, Minister of Land, Water and Resource Stewardship  
Honourable Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation

**ISSUE:** Approval to enter into an agreement with Interfor and the Nature Conservancy of Canada to advance protection measures in the Incomappleux Valley.

### RECOMMENDED OPTION:

**Option 1: Sign the attached agreement between the Province, Interfor and the Nature Conservancy of Canada (NCC) which provides that:**

s.12; s.13; s.21

### BACKGROUND:

- The Incomappleux Valley is in southeastern BC, adjacent to the southern border of Glacier National Park in the bioregion known as the Interior Wet Belt. On September 11th, 2020, harvesting was deferred under Part 13 of the *Forest Act* in a 40,194 hectare (ha) parcel in the Incomappleux Valley which is part of Interfor's TFL 23.
- Interfor has not harvested in the area for 15 years due to access constraints. The only road into the valley was legally closed by the Ministry of Forests in 2021 due to significant public safety concerns regarding a failed bridge and rockfall hazard. There are currently no active Cutting Permits in the Incomappleux Valley
- The Incomappleux Valley contains old growth cedar forests, caribou and grizzly bear habitat, and has been the subject of extensive lobbying from ENGO community to protect the area for many years.
- s.13; s.21

- In April 2022, the Deputy Ministers Committee on Natural Resources approved proceeding with negotiations with NCC and Interfor to meet those objectives.

**DISCUSSION:**

s.13; s.16; s.17; s.21

s.12; s.13; s.16; s.17; s.21

**OPTIONS:**

s.13

**RECOMMENDATION**

: Option 1

Approved / Not Approved:

	<u>September 20, 2022</u>
_____ Honourable George Heyman	_____ Date

Approved / Not Approved:

_____ Honourable Katrine Conroy	_____ Date
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Approved / Not Approved:

_____ Honourable Josie Osborne	_____ Date
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Approved / Not Approved:

_____ Honourable Bruce Ralston	_____ Date
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**Attachment:**

- 1. Incomappleux Agreement, dated September 1, 2022



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