



September 10, 2008

File:1610430

Bruce Smith  
D. W. Smith (1984) Ltd.  
31 - 17 Cadillac Avenue  
Victoria BC V8Z 1T3

Dear Mr. Smith:

**Re: Application for Mines Act Approvals  
Proposed Sand and Gravel Pit or Quarry  
Located at: 42K Sand & Gravel Operation**

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Your application Notice of Work and Reclamation Program dated July 21, 2008 for the above was received on August 20, 2008.

Due to the scope and nature of the proposed project your application has been referred to other Government Resource Agencies. This procedure takes thirty days, pursuant to part 10.3.3 of the Health, Safety and Reclamation Code for Mines in BC.

It will be a condition of your permit that you post a security deposit of \$18,500.00 prior to commencement of work. You may wish to take the opportunity to post your security at this time to avoid any delays. Term deposits are preferred and may be posted through your bank with the enclosed Safekeeping Agreement. Complete the form with your banker, using the "Instructions on Completing a Safekeeping Agreement" and return it to this office for our signature. A copy of the completed form will be returned to you and your financial institution. Letters of Irrevocable Credit or a certified cheque made payable to the Minister of Finance, at the undernoted address, are also acceptable. Please do not send cash.

In addition, prior to approval and issuance of a permit, you must provide to this office, an Emergency Preparedness Plan, which will be posted at the work site at all times, and which must include the name of the designated Mine Manager. All employees must be advised and trained in the use of this plan. Enclosed is a copy of our MERP (Mine Emergency Response Plan) guidelines for your use.

Other legislation may be applicable to the operation and you (the Permittee) may be required to obtain approvals or permits under that legislation. It is your responsibility to comply with the terms and conditions of all other permits and authorizations which you may have been issued and other applicable legislation including the Wildfire Act and Wildfire Regulation.

You are reminded that no work may commence until you have posted the necessary security and received your reclamation permit

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Part 10.2.1. of the Health, Safety and Reclamation Code for Mines in BC requires that you publish a "Notice of Filing" in the B.C. Gazette and the local newspaper. Please forward a draft of the "Notice of Filing" and the names of the local newspapers for my approval. When the draft has been approved you may then submit the "Notice of Filing" for publication. Failure to obtain an approval for the "Notice" may be considered as a failure to comply with Part 10.2.1 of the Code. For your convenience a form letter is enclosed for your use in publishing in the B.C. Gazette.

Would you please provide this office with proof of publication by forwarding sheets from the Gazette and newspaper as we must allow 30 days for response by any person interested in or affected by your proposed program. It is only necessary to publish the notice once.

Upon receipt of proof of publication and following the 30-day waiting period you will be advised regarding the issuance of a permit.

Yours Truly,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encl. Safekeeping Agreement form & instructions  
Gazetting Information  
MERP

September 2, 2008

File: 1610430

Chief Gord Planes  
T'Sou-ke Nation  
PO Box 307  
2154 Lazzar Road  
Sooke BC V0S 1N0

Dear Chief Planes:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operation**

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An application for a Mines Act permit for quarry activities dated July 21, 2008 has been received by this office.

The Ministry of Energy and Mines seeks input from First Nations regarding potential impacts on aboriginal interests and considers these interests prior to a decision being made regarding the issuance of a Mines Act permit. Copies of the Notice of Work and Reclamation Program have been enclosed for your information and response.

A timely review of all factors related the application by October 16, 2008 would be appreciated.

If you require further information or clarification, please do not hesitate to contact this office.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps



September 2, 2008

File: 1610430

Chief Arthur Chipps  
Beecher Bay  
4901B East Sooke Road  
Sooke BC V0S 1N0

Dear Chief Chipps:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operation**

---

An application for a Mines Act permit for quarry activities dated July 21, 2008 has been received by this office.

The Ministry of Energy and Mines seeks input from First Nations regarding potential impacts on aboriginal interests and considers these interests prior to a decision being made regarding the issuance of a Mines Act permit. Copies of the Notice of Work and Reclamation Program have been enclosed for your information and response.

A timely review of all factors related the application by October 16, 2008 would be appreciated.

If you require further information or clarification, please do not hesitate to contact this office.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps





September 2, 2008

File: 1610430

Jack Smith  
Executive Director  
Hul'qumi'num Treaty Group  
RR1 12611B Trans Canada Highway  
Ladysmith BC V9G 1M5

Dear Mr. Smith:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operations**

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An application for a Mines Act permit for quarry activities dated July 21, 2008 has been received by this office.

The Ministry of Energy and Mines seeks input from First Nations regarding potential impacts on aboriginal interests and considers these interests prior to a decision being made regarding the issuance of a Mines Act permit. Copies of the Notice of Work and Reclamation Program have been enclosed for your information and response.

A timely review of all factors related the application by October 16, 2008 would be appreciated.

If you require further information or clarification, please do not hesitate to contact this office.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps



November 28, 2008

File: 1610430

Bruce Smith  
D. W. Smith (1984) Ltd.  
31 - 17 Cadillac Avenue  
Victoria BC V8Z 1T3

Dear Bruce Smith:

**Re: Mines Act Permit G-8-329  
Approval # 08-1610430-1030  
Property 42K Sand & Gravel Operation**

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Please find enclosed your Mines Act permit which authorizes quarry activities as detailed in the Notice of Work and Reclamation Program dated Monday, July 21, 2008. The Notice of Work and Reclamation Program forms part of the permit and you are reminded that you may not depart from the permitted program without written authorization.

Please ensure that you and all persons who are carrying out activities in accordance with this permit comply with all terms and conditions of the permit and are familiar with the permitted work program.

This permit applies only to the requirements under the *Mines Act* and Health, Safety and Reclamation Code for Mines in British Columbia (Code). Other legislation may be applicable to the operation and you (the Permittee) may be required to obtain approvals or permits under that legislation.

Also enclosed is an executed copy of the Safekeeping Agreement dated November 6, 2008, covering securities described as . The amount of your security deposit may be adjusted on the basis of reclamation performance, field inspections by this Ministry, and on reports which may be requested. By copy of this letter, we are forwarding an executed copy of the Safekeeping Agreement to the Bank of Nova Scotia.

Health and safety inspections fall under the jurisdiction of this Ministry. A Mine Health and Safety Inspection Fee is collected for this service. The fee structure is based on annual production in metric tonnes for the period January 1st through December 31st. You will receive the remittance forms and a payment schedule in December of each year, with payment due by January 31st of the New Year.

For further information regarding the Health and Safety Inspection Fee please contact your regional office or Trevor Miller at the Resource Revenue Branch in Victoria at (250) 952-0220.

When activity on the site is finished and reclamation completed, please forward to this office a request for cancellation of permit and return of security.

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Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encl. Permit/NOW  
SKA

cc: Reclamation Section, Victoria  
Bank of Nova Scotia



The Best Place on Earth

## MEMORANDUM

September 2, 2008

File: 1610430

Dwayne Kalynchuk  
General Manager - Environmental Service  
Capital Regional District  
PO Box 1000  
Victoria BC V8W 2S6

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

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You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

Your comments may be disclosed to the public to justify decisions made.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

INTERESTS UNAFFECTED BY PROPOSED USE \_\_\_\_\_

APPROVAL RECOMMENDED SUBJECT TO CONDITIONS - ATTACHED \_\_\_\_\_

APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

**SIGNED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

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Ministry of Energy, Mines and  
Petroleum Resources

Mining & Minerals Division  
Southwest Region

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria



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## MEMORANDUM

September 2, 2008

File: 1610430

Duncan Field Office  
South Island Forest District  
Ministry of Forests and Range  
5785 Duncan Street  
Duncan BC V9L 5G2

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

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You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

Your comments may be disclosed to the public to justify decisions made.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

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**SIGNED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

---

Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division  
Southwest Region

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria



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## MEMORANDUM

September 2, 2008

File: 1610430

Dr. Grant Bracher  
Ecosystem Biologist  
Ministry of Environment  
2080 Labieux Road  
Nanaimo BC V9T 6J9

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

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Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

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APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

**SIGNED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

---

Ministry of Energy, Mines and  
Petroleum Resources

Mining & Minerals Division  
Southwest Region

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria





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## MEMORANDUM

September 2, 2008

File: 1610430

Island District Office  
Ministry of Transportation  
Saanich Area  
Suite 240 - 4460 Chatterton Way  
Victoria BC V8X 5J2

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

Your comments may be disclosed to the public to justify decisions made.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

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APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

**SIGNED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

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Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division  
Southwest Region

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria



The Best Place on Earth

## MEMORANDUM

September 2, 2008

File: 1610430

Duncan Area Office  
Referral Clerk  
Fisheries & Oceans Canada  
PO Box 241  
5653 Club Road  
Duncan BC V9L 3X3

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

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Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

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**SIGNED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

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Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division  
Southwest Region

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Location:  
Suite 340  
1675 Douglas Street  
Victoria

PROVINCE OF BRITISH COLUMBIA  
MINISTRY OF ENERGY, MINES AND PETROLEUM RESOURCES

**SAND AND GRAVEL PERMIT**  
**APPROVING WORK SYSTEM AND RECLAMATION PROGRAM**  
(Issued pursuant to Section 10 of the **Mines Act** R.S.B.C. 1996, C.293)

Permit: **G-8-329**

Mine No.: **1610430**

Issued to: **D. W. Smith (1984) Ltd.**

s. 22

for work located at the following property:

**42K Sand & Gravel Operation**

This approval and permit is subject to the appended conditions.

Issued this 28th day of November in the year 2008.



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For, Ed Taje  
Senior Inspector of Mines

## PREAMBLE

Notice of intention to commence work on a sand and gravel pit, including a plan of the proposed work system and a program for the protection and reclamation of the surface of the land and watercourses affected by the Notice of Work dated Wednesday, August 20, 2008 was filed with the Inspector of Mines on Wednesday, August 20, 2008. Notice of such filing was published in Goldstream News Gazette on *September 19, 2008* and in the BC Gazette on *September 18, 2008*.

This permit contains the requirements of the Ministry of Energy, Mines and Petroleum Resources for reclamation. It is also compatible, to the extent possible, with the requirements of other provincial ministries for reclamation issues. The amount of security required by this permit, and the manner in which this security may be applied, will also reflect the requirements of those ministries. Nothing in this permit, however, limits the authority of other provincial ministries to set other conditions, or to act independently, under their respective permits and legislation.

Decisions made by staff of the Ministry of Energy, Mines and Petroleum Resources will be made in consultation with other ministries.

## CONDITIONS

The Chief Inspector of Mines (Chief Inspector) hereby approves the work plan and the program for protection and reclamation of the land surface and watercourses subject to compliance with the following conditions:

Unless modified by this permit all terms and conditions of the submitted Notice of Work and supporting documents shall be considered a integral part of this permit.

### 1. Reclamation Security

- (a) The owner, agent or manager (herein called the Permittee) shall maintain with the Minister of Finance securities in the amount of Eighteen Thousand and Five Hundred dollars (\$18,500.00). The security will be held by the Minister of Finance for the proper performance of the approved program and all the conditions of this permit in a manner satisfactory to the Chief Inspector.
- (b) The Permittee shall conform to all forest tenure requirements of the Ministry of Forests. Should the Permittee not conform to these

requirements then all or part of the security may be used to cover the costs of these requirements.

- (c) The Permittee shall conform to all Ministry of Environment approval, licence and permit conditions, as well as requirements under the **Wildlife Act**. Should the Permittee not conform to these conditions, then all or part of the security may be used to fulfill these requirements.

2. Land Use

Land will be reclaimed back to forestry.

3. Productivity

The level of land productivity to be achieved on reclaimed areas shall not be less than existed prior to mining on an average property basis unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.

4. Revegetation

Land shall be re-vegetated to a self-sustaining state using appropriate plant species.

5. Use of Suitable Growth Medium

- (a) On all lands to be revegetated, the growth medium shall satisfy land use, productivity, and water quality objectives. Topsoil and overburden (to rooting depth) shall be removed from operational areas prior to any disturbance of the land and stockpiled separately on the property for use in reclamation programs, unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, that reclamation objectives can otherwise be achieved.
- (b) No topsoil shall be removed from the property without the specific written permission of the Inspector of Mines.

6. Buffer Zones and Berms

Buffer zones and/or berms shall be established between the mine and the property boundary unless exempted in writing by the Inspector of Mines.

7. Treatment of Structures and Equipment

Prior to abandonment, and unless the Chief Inspector has made a ruling otherwise, such as heritage project consideration or industrial use,

- (a) all machinery, equipment and building superstructures shall be removed,
- (b) concrete foundations shall be covered and revegetated unless, because of demonstrated impracticality, they have been exempted by the Inspector, and
- (c) all scrap material shall be disposed of in a manner acceptable to the Inspector.

8. Watercourses

- (a) Watercourses shall be reclaimed to a condition that ensures
  - (1) long-term water quality is maintained to a standard acceptable to the Chief Inspector,
  - (2) drainage is restored either to original watercourses or to new watercourses which will sustain themselves without maintenance, and
  - (3) use and productivity objectives are achieved and the level of productivity shall not be less than existed prior to mining unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.
- (b) Water which flows from disturbed areas shall be collected and diverted into settling ponds.

9. Roads

- (a) All roads shall be reclaimed in accordance with land use objectives unless permanent access is required to be maintained.



(b) Individual roads will be exempted from the requirement for total reclamation under condition 9(a) if either:

- (1) the Permittee can demonstrate that an agency of the Crown has explicitly accepted responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road, or
- (2) the Permittee can demonstrate that another private party has explicitly agreed to accept responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road and has, in this regard, agreed to comply with all the terms and conditions, including bonding provisions, of this reclamation permit, and to comply with all other relevant provincial government (and federal government) regulatory requirements.

10. Disposal of Fuels and Toxic Chemicals

Fuels, chemicals or reagents which cannot be returned to the manufacturer/supplier are to be disposed of as directed by the Chief Inspector in compliance with municipal, regional, provincial and federal statutes.

11. Temporary Shutdown

If this sand and gravel pit ceases operation for a period longer than one year the Permittee shall either continue to carry out the conditions of the permit or apply for an amendment setting out a revised program for approval by the Chief Inspector.

12. Safety Provisions

All safety and other provisions of the **Mines Act** shall be complied with to the satisfaction of the Chief Inspector.

13. Monitoring

The Permittee shall undertake monitoring programs, as required by the Inspector of Mines, to demonstrate that reclamation objectives are being achieved.

14. Alterations to the Program

Substantial changes to the program must be submitted to the Inspector of Mines for approval.

15. Notice of Closure

Pursuant to Part 10.6.1 of the Health, Safety and Reclamation Code for Mines in British Columbia, a Notice of Completion of Work shall be filed with the Inspector of Mines not less than seven days prior to cessation of work.

16. Annual Report

Annual reports shall be submitted in a form and containing the information as and if required by the Inspector of Mines.

17. Site Stability

- a) The inspector shall be advised in writing at the earliest opportunity of any unforeseen conditions that could adversely affect the extraction of materials, site stability, erosion control or the reclamation of the site.
- b) The stability of the slopes shall be maintained at all times and erosion shall be controlled at all times.
- c) The discovery of any significant subsurface flows of water, seeps, substantial amounts of fine textured, soils, silts and clays, shall be reported to the inspector as soon as possible and work shall cease until the inspector advises otherwise.

**ADDITIONAL CONDITIONS:**

- 18. Property boundaries shall be marked and maintained and pit boundaries shall be marked and maintained. All persons working on the property will be instructed as to the meanings of the markings.
- 19. Operator shall ensure that the proposed mining activities do not affect nesting birds, especially under Section 34 of the **Wildlife Act**. Typical species of interest would be Heron, Eagle, Peregrine Falcon, Spotted Owl and primary cavity nesters.

### Sediment and Erosion Control

20. Sediment control and water management structures shall be constructed and operational prior to soil disturbance which has the potential to result in sediment release. This shall be monitored.
21. The Permittee shall initiate progressive reclamation where possible to control erosion around the mine area.
22. Sediment laden water resulting from excavation activities, including drainage, shall not be allowed free access to creeks or watercourses but shall be suitably contained and/or treated to produce a final effluent not exceeding 25mg/l total suspended solids prior to discharge.

### Groundwater / Aquifer Protection

23. A minimum of 2 meters of gravel/sand shall be left in place above the high water table. This buffer will be maintained to prevent disruption of groundwater. The elevation of the high water table shall be established by a suitable professional hydrologist registered in the Province of British Columbia. A copy of the hydrologists report shall be forwarded to the Inspector within 45 days of receipt of this permit.

### Hours of Operation

24. Operating hours shall be from 7:00 AM to 5:00 PM Monday to Friday. There shall be no work on Saturday, Sunday or Statutory Holidays.
25. Notwithstanding the hours of work provisions of G-8-329, the Permittee is authorized to conduct work outside of this provision should:
  - a) An agency having jurisdiction declare an emergency and the product from this site is required to mitigate an emergency;
  - b) A safety concern on site is such that a failure, to complete necessary work can result in harm or risk to workers, or member of the public;
  - c) If an environmental incident on site has occurred and a failure to address or mitigate the incident can result in harm to the receiving environment.

## Others

26. Waste containers and garbage shall be removed from site weekly.
27. Pit walls shall be sloped to obtain a uniform slope of 2H:1V or less. The pit wall and slopes shall be uniformly sloped into the adjacent landforms in such a manner as to conform to the adjacent landscape.
28. Topsoil shall be stockpiled and remain on site for future reclamation.
29. Measures shall be established and practiced to mitigate the propagation of fugitive dust from the operation.
30. Measures shall be established and practiced to control dust and mitigate noise from the operation.
31. Measures shall be taken to mitigate noise created as a result of processing of aggregate.
32. Appropriate measures shall be taken to protect against inadvertent access to the settling pond(s) & pond/well
33. Construction of suitably high & thick berms shall be provided to prevent inadvertent access by wheeled equipment to the above noted ponds.
34. Access through the pit shall be granted to Capital Regional District staff who require through traffic for the performance of their duties.
35. A suitable vegetation buffer shall be maintained or established between the pit and the adjacent Galloping Goose Trail.
  - This buffer shall not be less than 10 metres.
36. Fuel and hydrocarbon shall only be stored at a site designated for such storage by the manager.
  - The site shall be designed such that leaking or spilled hydrocarbons are contained and are not allowed to percolate into the aquifer.
37. Repairs to equipment shall only be undertaken in a designated area and such area shall be protected by an impervious material such that fluids which may be

spilled or leaked from the equipment are contained and do not have access to the aquifer.

- Any spill of a substance regulated under the **Transportation of Dangerous Goods Act and Regulations** shall be reported to an inspector within 4 hours.





BRITISH  
COLUMBIA

Ministry of Energy, Mines and  
Petroleum Resources

Sand and Gravel/Quarry Operation  
Notice of Work and  
Reclamation Program

The information on this form and any supporting documents are subject to the *Freedom of Information and Protection of Privacy Act*. The information requested on this form is collected and used for the purpose of administering the *Mines Act* of British Columbia and the *Health, Safety and Reclamation Code for Mines in British Columbia*. The *Mines Act* authorises the collection of the requested information on this form. The completed form is routinely available to the public. Questions about how the *Freedom of Information and Protection of Privacy Act* applies to the information collected on this form can be directed to the Office of the Information and Privacy Commissioner—phone: (250) 387-5629; fax: (250) 387-1696; mailing address: PO Box 9038 Stn. Prov. Govt. Victoria, British Columbia, V8W 9A4

Application is for: ☒ Sand and Gravel Mine ☐ Rock Quarry

This application is for (check one):

☒ Development ☐ Amendment to existing permit Permit # \_\_\_\_\_

Application is being made by:

☐ Owner (Private property)

☒ Operator/Agent (Person or company making application on Crown land or on private property not owned by applicant)

Name BRUCE SMITH E-mail Address s. 22

Company (if applicable) D. W. Smith (1984) Ltd. 10152 8925 RT 0001

Address 31-17 CADILLAC AVENUE

City VICTORIA

Province B.C. Postal Code V8Z 1T3 Bus. Phone (250) 475-2888

Fax (250) 475-1842

LOCATION INFORMATION - Maps are mandatory under Schedule A

Name of Mine (What will the operation be called when in production?): 42 K Sand & Gravel Operation

Legal Description of Property: See attached

Street Address of Property, if applicable: \_\_\_\_\_

Access route from nearest town to property: HIGHWAY #1 from LANGFORD 8km. to KARPOOR MAIN RD then 24 km to site

B.C. Geographic System Map Sheet Number(s) [i.e. TRIM 093L.006] \_\_\_\_\_

Northing: \_\_\_\_\_ Easting: \_\_\_\_\_ UTM Zone: \_\_\_\_\_

or NTS Map Sheet Number(s) [i.e. NTS 093L/14E]: NTS 92B042

Latitude: 48° 29' 25" Longitude: 123° 42' 50"

OWNERSHIP (Complete a, b or c if the land is not privately held by applicant)

a) Proposed mine is on private land:

Name of property owner Karpoor Lumber Co. Ltd % D.W. Smith (1984) Ltd.

Address 31-17 CADILLAC AVENUE

City VICTORIA

Province B.C. Postal Code V8Z 1T3 Bus. Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_

Signature of owner agreeing to the mining operation proposed in this application (or attach letter of authorization signed by owner):

Name: See attached letter of authorization Date: Aug. 15<sup>th</sup> 2006

b) Proposed mine is on Crown land:

Assets and Lands Corporation (BCAL) file reference number: \_\_\_\_\_

License of Occupation/Lease number: \_\_\_\_\_ Expiry date of License/Lease (y/m/d): \_\_\_\_\_

c) Proposed mine is a mineral quarry (as defined under the Mineral Tenure Act):

What mineral is proposed to be mined? \_\_\_\_\_

Mineral Claim/Lease Tenure Number(s): \_\_\_\_\_

MANAGEMENT

Correspondence regarding this application should be sent to: ☐ Owner or ☒ Operator/Agent

The mine manager (*Mines Act* Sections 21 and 22) responsible for management and operation of the mine will be:

Name: Bruce Smith Bus. Phone: ( s. 22

Revised: 05/24/02



**LAND USE**

**1) Cultural Heritage Resources** (A cultural heritage resource is defined as "an object, a site or the location of a traditional societal practice that is of historical, cultural or archaeological significance to British Columbia, a community or an aboriginal people". B.C. law requires the conservation of these resources. It is the responsibility of the applicant to identify these resources.

Are you aware of any cultural heritage resources present on the property?

- ☐ Yes - please attach a plan for the conservation of cultural heritage resources on the property  
☒ No - if cultural heritage resources are discovered while mining, you are required to report them to the Mining Division.

**2) Soil Conservation**

Average depth of overburden (material, including topsoil, overlying sand, gravel and/or rock): \_\_\_\_\_ cm, or \_\_\_\_\_ m

Average depth of topsoil (Surface to maximum rooting depth of plants, plus 15 cm.): 60 cm, or \_\_\_\_\_ m

Measures to stabilize soil/overburden stockpiles and control noxious weeds: The stockpiles will be compacted, seeded with an approved seed mix to prevent erosion & dust creation, and sprayed with an approved herbicide

Topsoil must be conserved for reclamation of the mine site.\* This is absolutely necessary for the reforestation.

**3) End Land Use**

Is the site within the Agricultural Land Reserve?

- ☒ No ☐ Yes - authorization for soil removal from the Land Reserve Commission and Regional District must be obtained. Provide permit application number if available: \_\_\_\_\_

Is the site within the Forest Land Reserve?

- ☐ No ☐ Yes - authorization from the Land Reserve Commission must be obtained\* see below

Is the site within a Tree Farm License?

- ☒ No ☐ Yes - state the TFL number: \_\_\_\_\_  
 Name of TFL holder: \_\_\_\_\_

Does the local government have a Soil Removal Bylaw?

- ☐ No ☒ Yes - please be aware that a Soil Removal Permit may be required by the local government

Official Community Plan designation for the site is: \_\_\_\_\_

Current land use zoning for the site is: \* FORESTRY - MANAGED FOREST N° 78

Proposed end land use is: The site is to be reclaimed and replanted with trees

**4) Reclamation of Site** (If space provided below is insufficient, please attach separate sheet describing proposed reclamation)

Reclamation measures and schedule proposed to achieve end land use objectives as per part 10.7.4 and 10.7.5 of the Health Safety and Reclamation Code for Mines in British Columbia (hereafter referred to as the Code):

Final pit slopes will be graded to ensure stable tree growth

A berm will be left between the extracted area and Wolf Creek to ensure the protection of the creek

If backfilling of pits or pit slopes is proposed in the final configuration for reclamation, provide details of materials to be used and placement procedure:

It is proposed to cover the entire excavated area with soil and suitable forest debris to a suitable depth from the topsoil stockpiles, to ensure that there is a good growth medium for tree growth.

**MINE DEVELOPMENT PLAN (Maps are mandatory - please refer to Schedule A)**

Unless otherwise required by the Inspector, complete the following mine development plan and prepare development maps and cross sections based on a period of 5 years or less. Mines operating for longer than 5 years, may be required to file updated Notices of Work every 5 years over the life of the mine at the discretion of the District Inspector.

Proposed start date (y/m/d): 2008/09/01 Proposed finish date (y/m/d): When worked out

The mining operation will generally be (check one) ☐ Continuous (operates throughout the year)  
☐ Seasonal, usually operates from \_\_\_\_\_ to \_\_\_\_\_  
☒ Intermittent (occasionally operates with extended periods of inactivity)

Estimate total mineable reserves over the life of the mine: + 1,000,000 tonnes, or \_\_\_\_\_ m<sup>3</sup>

Estimated annual extraction from site: Initially low but rising to 100,000 tonnes/yr. when market is established tonnes/yr, or \_\_\_\_\_ m<sup>3</sup>/yr

Application must be made to the Environmental Assessment Office if estimated extraction for sand/gravel production is 500,000 tonnes/yr. or 1,000,000 tonnes over 4 years; or if estimated extraction is 250,000 tonnes/yr. for quarried product.

Mineral quarries producing more than 1000 tonnes per year per claim require a mining lease.

Description of Work (Check appropriate boxes):

- ☒ Excavation of Pit Run ☒ Washing\* - please complete Schedule B  
☒ Crushing ☐ Blasting - please complete Schedule C  
☒ Mechanical Screening - WCT\* ☐ Timber Clearing\* - estimate volume of timber: \_\_\_\_\_ m<sup>3</sup>

\* Timber Clearing on Crown Land requires a Free Use Permit or License to Cut from the Ministry of Forests

Provide a brief description of operation, including proposed work schedule (i.e. hours, days of usual operation):

It is proposed to remove the sand and gravel to a depth of 8m, in two benches. Excavation will continue to a deeper horizon if the material below 8m is suitable, but will stop 1m to 1.5m above a water table.

It is proposed to work 5 days/week, 7 a.m. to 7 p.m. each day. The site is remote hence there will be no social disruption.

**Equipment List:** (Please attach separate list if space provided below is insufficient)

Type of Machine	Make/Model	Size/Capacity	# on Site
Frontend loader	Case 980 or type	4 m <sup>3</sup>	1
Excavator	Hitachi 370 or type	1 - 1.5 m <sup>3</sup>	1

**Surface Disturbance** - Information provided must be documented in development maps submitted under Schedule A

(Note that 10,000 m<sup>2</sup> = 1 hectare)

Existing Disturbance (Work areas, unreclaimed areas, access roads, etc.) \_\_\_\_\_ m<sup>2</sup>, or \_\_\_\_\_ hectares

Proposed Mining Disturbance (New work areas, settling ponds, access roads, buildings, etc. to be developed within the time frame of this Notice of Work) \_\_\_\_\_ m<sup>2</sup>, or 6.2 hectares

Total Disturbed Area (Existing + Proposed Disturbance) \_\_\_\_\_ m<sup>2</sup>, or 6.2 hectares

Will any portion of this disturbance be reclaimed within the time frame of this Notice of Work?

☒ No ☐ Yes - state size of area to be reclaimed: \_\_\_\_\_ m<sup>2</sup>, or \_\_\_\_\_ hectares

Estimated Cost of Reclamation: Applicant \$ \_\_\_\_\_  
Mining Division \$ \_\_\_\_\_

Are settling ponds or other structures proposed to control sedimentation in surface run off?

☒ No

☐ Yes - please complete Schedule B

What is the average depth to the high groundwater table at the proposed excavation? Not known m

Elevation of the groundwater table was determined from (check applicable boxes):

☐ Existing area wells

☐ Test wells drilled for this purpose

☐ Test pits

☐ Other (describe) \_\_\_\_\_

Describe measures proposed to protect groundwater quantity and quality from potential impacts of the proposed mining activity (i.e. fuel management program, buffer above water table, etc.): A buffer will be left to protect

Wolf Creek

*Note that excavations below the groundwater table may require special approval from the Inspector*

Will fuel/lubricants be stored on site?

☒ No

☐ Yes

If yes, handling, transportation and storage must adhere to B.C. Environment standards as detailed in "Summary of Environmental Standards and Guidelines for Fuel Handling, Transportation and Storage, 2<sup>nd</sup> edition"

Shortest distance between proposed excavation to nearest residence: \_\_\_\_\_ m, or 10 km estimated

Shortest distance between proposed excavation to nearest residential water source: \_\_\_\_\_ m, or 2.4 km

Describe measures proposed to prevent inadvertent access of unauthorized persons on the mine site (i.e. fencing, vegetative barriers, berms, etc.): The site lies within the C.R.D. watershed lands, but not the catchment area. The C.R.D. prevents access by locked gates and fencing at critical points of access. At the Goldstream access there is a manned guard house

Are measures proposed to minimize noise impacts of the operation? (i.e. equipment selection, restrictions on hours of operation, noise barriers, etc.)

☐ No

☒ Yes - Please describe:

The excavation is surrounded by trees, and will be below ground level for the most part.

Are measures proposed to minimize dust impacts of the proposed operation? (i.e. apply dust suppressants, water sprays, wind breaks, vegetation, etc.)

☐ No

☒ Yes - Please describe:

There will be wind breaks provided by a treed barrier around the site - (see attached aerial photograph).

Are measures proposed to minimize visual impacts of the proposed operation? (i.e. vegetative barriers, berms, green belts, etc.)

☐ No

☒ Yes - Please describe:

As stated above there is a treed barrier around the site.

### OCCUPATIONAL FIRST AID

First Aid Supplies and communication at the mine site are required as per Parts 3.6.1 to 3.6.3 of the Code.

Describe the means of communication from the mine site: C.R.D. - Repeater Channel / Goldstream Gate

Location of nearest hospital: Victoria General Hospital

Travel time to hospital: > 20 mins Estimated number of employees on site (includes contractors): 3

Describe First Aid Level and supplies: As prescribed in Worksafe manual

Schedule I

I, BRUCE SMITH, hereby make application to undertake the mining activities described in this Notice, and in accordance with the Mines Act and the Health, Safety and Reclamation Code for Mines in British Columbia.

Applicant Signature: \_\_\_\_\_

Date: July 21, 2008

Schedule B  
**Washing of Aggregate on Site/Sediment Control Structures**

Mark the location(s) of all proposed settling ponds and/or sediment control structures on the appropriate map(s) under Schedule A.

Describe the source of water supply: Well

Estimate volume of water to be used: \_\_\_\_\_ (cu. ft./sec), or 0.4 (liters/sec)

Complete the following table for existing and proposed settling ponds:

Pond #	Water Source (i.e. surface run off, wash plant, etc.)	Width (m)	Length (m)	Depth (m)	Construction Method (excavated, dyked, etc.)

Water from ponds will (check one): ☐ be recycled ☒ exfiltrate to ground ☐ discharge to environment

**If discharged to the environment, a *Waste Management Act* permit is required.**

Where there is a discharge to the environment:

- provide a cross section illustrating the sediment control structure(s), decant structure(s), and point of discharge to environment
- describe the type of sediment control structure(s): \_\_\_\_\_

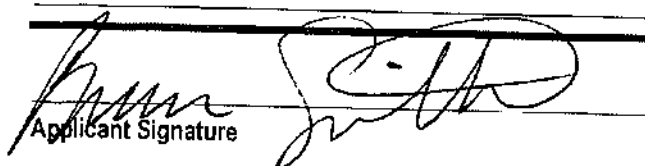
- describe the type and construction of the decant structure: \_\_\_\_\_

- describe area into which water is discharged: \_\_\_\_\_

For all settling ponds describe:

- Spillway design: \_\_\_\_\_
- Clean out method: \_\_\_\_\_
- Disposal of fines from clean out (i.e. use as a subsoil material): \_\_\_\_\_

Describe proposed reclamation activities and timing of reclamation work: \_\_\_\_\_

  
Applicant Signature

July 21, 2008  
Date

## MAIN PART BLOCK 103

TITLE NO: EN111528  
FROM TITLE NO: EN111527  
ROOT OF TITLE: EN87752

APPLICATION FOR REGISTRATION RECEIVED ON: 24 SEPTEMBER, 1999  
ENTERED: 07 DECEMBER, 1999

REGISTERED OWNER IN FEE SIMPLE:  
KAPOOR LUMBER CO. LIMITED, INC. NO. 9699  
1349 MARINE DRIVE  
WEST VANCOUVER, BC  
V7T 1B6

FINAL POST

TAXATION AUTHORITY:  
CAPITAL ASSESSMENT AREA

## DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 004-890-574  
BLOCK 103, MALAHAT DISTRICT, INCLUDING THE UNNUMBERED PORTION OF MALAHAT DISTRICT, BEING THE AREA SURROUNDED BY BLOCK 103, MALAHAT DISTRICT AND MARKED LAKE ON THE PLAN OF SAID BLOCK DEPOSITED UNDER D.D. 19431 EXCEPT THE RIGHT OF WAY 100 FEET WIDE, AND CONTAINING 12.6 ACRES MORE OR LESS, FOR THE CITY OF VICTORIA PIPE FLOW LINE, AS SHOWN ON PLAN DEPOSITED UNDER 132691; AND EXCEPT THE RIGHT OF WAY OF THE CANADIAN NORTHERN PACIFIC RAILWAY COMPANY THROUGH SAID BLOCK, CONTAINING 27.86 ACRES, MORE OR LESS, AS SHOWN ON PLAN DEPOSITED UNDER NO. 313531 EXCEPT THOSE PARTS IN PLANS VIP69459, VIP69460 AND VIP69461 AND INCLUDING THOSE PARTS OF BLOCK 103, MALAHAT DISTRICT BEING CLOSED ROAD ON PLANS VIP69466 AND VIP69469

MAIN PART OF 103

get Flowline R/W back in Flowline Block 103 (see next)

## LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY THE FOREST LAND RESERVE ACT,  
SEE EN16484

HERETO INTER ALIA IS ANNEXED EASEMENT EN87801 OVER THAT PART OF LOT A, PLAN VIP69459 IN EASEMENT AREA A ON PLAN VIP69468 AND THAT PART OF LOT A, PLAN VIP69458 IN EASEMENT AREA B ON PLAN VIP69468

HERETO INTER ALIA IS ANNEXED EASEMENT EN87805 OVER:

SECTION 4, GOLDSTREAM DISTRICT;  
PARCEL A (DD 51801I) OF SECTION 4, GOLDSTREAM DISTRICT;  
SECTION 5, GOLDSTREAM DISTRICT; AND  
THAT PART OF:

SECTION 68, GOLDSTREAM DISTRICT IN EASEMENT AREA E ON PLAN VIP69470;  
SECTION 15, GOLDSTREAM DISTRICT IN EASEMENT AREA C ON PLAN VIP69470;  
SECTION 14, GOLDSTREAM DISTRICT IN EASEMENT AREA B ON PLAN VIP69470;  
SECTION 16, GOLDSTREAM DISTRICT IN EASEMENT AREA A ON PLAN VIP69470;  
DISTRICT LOT 22 MALAHAT DISTRICT IN EASEMENT AREA A ON PL VIP69471,  
EASEMENT AREA B ON PL VIP69472, AND EASEMENT AREA B ON PL VIP69474;  
DISTRICT LOT 10, MALAHAT DISTRICT IN EASEMENT AREA A ON PL VIP69472,  
EASEMENT AREA B ON PL VIP69473 AND EASEMENT AREA A ON PL VIP69474;  
DISTRICT LOT 20 MALAHAT DISTRICT IN EASEMENT AREA A ON PLAN VIP69473;  
LOT A, PLAN VIP69461 IN EASEMENT AREA B ON PLAN VIP69477; AND  
DISTRICT LOT 108, MALAHAT DISTRICT IN EASEMENT AREA A ON PLAN VIP69477

## CHARGES, LIENS AND INTERESTS:

## NATURE OF CHARGE

CHARGE NUMBER	DATE	TIME
---------------	------	------

## EXCEPTIONS AND RESERVATIONS

CONTINUED ON PAGE 2

M76300

REGISTERED OWNER OF CHARGE  
ESQUIMALT AND NANAIMO  
RAILWAY COMPANY  
M76300

REMARKS: INTER ALIA  
AFB 9.693.7434A DD 19431 DD 315230I  
SECTION 172(3) 269984G FOR ACTUAL DATE AND  
TIME SEE ORIGINAL GRANT FROM ESQUIMALT AND  
NANAIMO RAILWAY COMPANY

RIGHT OF WAY

230870G 1959-06-17 12:08

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107639

REMARKS: INTER ALIA  
PART IN PLAN 1039 RW

RIGHT OF WAY

230871G 1959-06-17 12:08

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107640

REMARKS: INTER ALIA  
PART OUTLINED IN RED ON PLAN 1040RW  
DD 230870G

PROFIT A PRENDRE

230874G 1959-06-17 12:09

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107643

REMARKS: INTER ALIA  
DD 230870G

STATUTORY RIGHT OF WAY

EN87800 1999-09-24 10:26

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87800

REMARKS: INTER ALIA  
PARTS IN PLANS 1039RW AND VIP69467 AND  
THAT PART OF CLOSED ROAD IN PLAN VIP69466  
(SEE MINISTERIAL ORDER EN87752)

STATUTORY RIGHT OF WAY

EN87802 1999-09-24 10:28

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87802

REMARKS: INTER ALIA  
PT BEING CLOSED ROAD IN PLAN VIP69469  
(SEE MINISTERIAL ORDER EN87752)

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

CONTINUED ON PAGE 3



PENDING APPLICATIONS: NONE

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*

*PIPELINE / FLOWLINE PART*TITLE NO: EN87796  
FROM TITLE NO: EL107442APPLICATION FOR REGISTRATION RECEIVED ON: 24 SEPTEMBER, 1999  
ENTERED: 06 DECEMBER, 1999*FINAL POST*REGISTERED OWNER IN FEE SIMPLE:  
KAPOOR LUMBER CO. LIMITED, INC. NO. 9699  
1349 MARINE DRIVE  
WEST VANCOUVER, BC  
V7T 1B6TAXATION AUTHORITY:  
CAPITAL ASSESSMENT AREADESCRIPTION OF LAND:  
PARCEL IDENTIFIER: 009-369-147  
THAT PART OF BLOCK 103, MALAHAT DISTRICT, CONTAINING 12.6 ACRES MORE OR  
LESS AS SHOWN ON PLAN DEPOSITED UNDER DD 13269I

## LEGAL NOTATIONS:

HERETO INTER ALIA IS ANNEXED EASEMENT EN87801 OVER THAT PART OF LOT A,  
PLAN VIP69459 IN EASEMENT AREA A ON PLAN VIP69468 AND THAT PART OF  
LOT A, PLAN VIP69458 IN EASEMENT AREA B ON PLAN VIP69468

## CHARGES, LIENS AND INTERESTS:

## NATURE OF CHARGE

CHARGE NUMBER      DATE      TIME

## EXCEPTIONS AND RESERVATIONS

M76300

REGISTERED OWNER OF CHARGE  
ESQUIMALT AND NANAIMO  
RAILWAY COMPANY  
M76300

REMARKS: INTER ALIA

AFB 9.693.7434A 308730I SECTION 172(3)  
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE  
ORIGINAL GRANT FROM ESQUIMALT AND NANAIMO  
RAILWAY COMPANY

## STATUTORY RIGHT OF WAY

EN43951      1999-05-21      11:40

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN43951

REMARKS: INTER ALIA

## STATUTORY RIGHT OF WAY

EN87800      1999-09-24      10:26

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87800

REMARKS: INTER ALIA

PART IN PLAN VIP69467

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

CONTINUED ON PAGE 2

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*



September 2, 2008

File: 1610430

Chief Gord Planes  
T'Sou-ke Nation  
PO Box 307  
2154 Lazzar Road  
Sooke BC V0S 1N0

Dear Chief Planes:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operation**

---

An application for a Mines Act permit for quarry activities dated July 21, 2008 has been received by this office.

The Ministry of Energy and Mines seeks input from First Nations regarding potential impacts on aboriginal interests and considers these interests prior to a decision being made regarding the issuance of a Mines Act permit. Copies of the Notice of Work and Reclamation Program have been enclosed for your information and response.

A timely review of all factors related the application by October 16, 2008 would be appreciated.

If you require further information or clarification, please do not hesitate to contact this office.

Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps



September 2, 2008

File: 1610430

Chief Arthur Chipps  
Beecher Bay  
4901B East Sooke Road  
Sooke BC V0S 1N0

Dear Chief Chipps:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operation**

---

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Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps



September 2, 2008

File: 1610430

Jack Smith  
Executive Director  
Hul'qumi'num Treaty Group  
RR1 12611B Trans Canada Highway  
Ladysmith BC V9G 1M5

Dear Mr. Smith:

**Re: Application for Mines Act Permit – 42K Sand & Gravel Operations**

---

An application for a Mines Act permit for quarry activities dated July 21, 2008 has been received by this office.

The Ministry of Energy and Mines seeks input from First Nations regarding potential impacts on aboriginal interests and considers these interests prior to a decision being made regarding the issuance of a Mines Act permit. Copies of the Notice of Work and Reclamation Program have been enclosed for your information and response.

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Sincerely,

Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encls. Notice of Work & Maps

September 2, 2008

File: 1610430

Dwayne Kalynchuk  
General Manager - Environmental Service  
Capital Regional District  
PO Box 1000  
Victoria BC V8W 2S6

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

Please summarize your comments according to the categories below. Unless you are informed by us to the contrary, the application will be adjudicated in a manner consistent with your response. Also, be advised that we may forward your comments directly to the applicant for action or implementation.

Your comments may be disclosed to the public to justify decisions made.

Sincerely,



Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

INTERESTS UNAFFECTED BY PROPOSED USE \_\_\_\_\_

APPROVAL RECOMMENDED SUBJECT TO CONDITIONS - ATTACHED \_\_\_\_\_

APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

SIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_

September 2, 2008

File: 1610430

Duncan Field Office  
South Island Forest District  
Ministry of Forests and Range  
5785 Duncan Street  
Duncan BC V9L 5G2

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

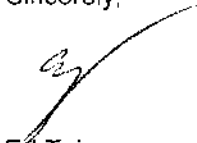
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Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

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APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

SIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_



September 2, 2008

File: 1610430

Dr. Grant Bracher  
Ecosystem Biologist  
Ministry of Environment  
2080 Labieux Road  
Nanaimo BC V9T 6J9

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

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Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

INTERESTS UNAFFECTED BY PROPOSED USE \_\_\_\_\_

APPROVAL RECOMMENDED SUBJECT TO CONDITIONS - ATTACHED \_\_\_\_\_

APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

SIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_

September 2, 2008

File: 1610430

Island District Office  
Ministry of Transportation  
Saanich Area  
Suite 240 - 4460 Chatterton Way  
Victoria BC V8X 5J2

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

---

You are requested to comment on the attached Notice of Work and Reclamation Program within thirty days. If no reply is received in my office within the 30-day time period, we will consider that to be a positive response.

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Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

INTERESTS UNAFFECTED BY PROPOSED USE \_\_\_\_\_

APPROVAL RECOMMENDED SUBJECT TO CONDITIONS - ATTACHED \_\_\_\_\_

APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

SIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_

September 2, 2008

File: 1610430

Duncan Area Office  
Referral Clerk  
Fisheries & Oceans Canada  
PO Box 241  
5653 Club Road  
Duncan BC V9L 3X3

**PROPERTY: 42K Sand & Gravel Operation**  
**APPLICANT'S NAME: Bruce Smith**

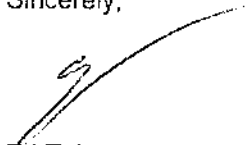
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Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

**RESPONSE SUMMARY**

APPROVAL RECOMMENDED \_\_\_\_\_

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APPROVAL RECOMMENDED SUBJECT TO CONDITIONS - ATTACHED \_\_\_\_\_

APPROVAL NOT RECOMMENDED - REASONS ATTACHED \_\_\_\_\_

SIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_



September 10, 2008

File:1610430

Bruce Smith  
D. W. Smith (1984) Ltd.  
31 - 17 Cadillac Avenue  
Victoria BC V8Z 1T3

Dear Mr. Smith:

**Re: Application for Mines Act Approvals  
Proposed Sand and Gravel Pit or Quarry  
Located at: 42K Sand & Gravel Operation**

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Your application Notice of Work and Reclamation Program dated July 21, 2008 for the above was received on August 20, 2008.

Due to the scope and nature of the proposed project your application has been referred to other Government Resource Agencies. This procedure takes thirty days, pursuant to part 10.3.3 of the Health, Safety and Reclamation Code for Mines in BC.

It will be a condition of your permit that you post a security deposit of \$18,500.00 prior to commencement of work. You may wish to take the opportunity to post your security at this time to avoid any delays. Term deposits are preferred and may be posted through your bank with the enclosed Safekeeping Agreement. Complete the form with your banker, using the "Instructions on Completing a Safekeeping Agreement" and return it to this office for our signature. A copy of the completed form will be returned to you and your financial institution. Letters of Irrevocable Credit or a certified cheque made payable to the Minister of Finance, at the undernoted address, are also acceptable. Please do not send cash.

In addition, prior to approval and issuance of a permit, you must provide to this office, an Emergency Preparedness Plan, which will be posted at the work site at all times, and which must include the name of the designated Mine Manager. All employees must be advised and trained in the use of this plan. Enclosed is a copy of our MERP (Mine Emergency Response Plan) guidelines for your use.

Other legislation may be applicable to the operation and you (the Permittee) may be required to obtain approvals or permits under that legislation. It is your responsibility to comply with the terms and conditions of all other permits and authorizations which you may have been issued and other applicable legislation including the Wildfire Act and Wildfire Regulation.

You are reminded that no work may commence until you have posted the necessary security and received your reclamation permit

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Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria

Part 10.2.1. of the Health, Safety and Reclamation Code for Mines in BC requires that you publish a "Notice of Filing" in the B.C. Gazette and the local newspaper. Please forward a draft of the "Notice of Filing" and the names of the local newspapers for my approval. When the draft has been approved you may then submit the "Notice of Filing" for publication. Failure to obtain an approval for the "Notice" may be considered as a failure to comply with Part 10.2.1 of the Code. For your convenience a form letter is enclosed for your use in publishing in the B.C. Gazette.

Would you please provide this office with proof of publication by forwarding sheets from the Gazette and newspaper as we must allow 30 days for response by any person interested in or affected by your proposed program. It is only necessary to publish the notice once.

Upon receipt of proof of publication and following the 30-day waiting period you will be advised regarding the issuance of a permit.

Yours Truly,



*For:* Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encl. Safekeeping Agreement form & instructions  
Gazetting Information  
MERP

## **EMERGENCY PLAN**

Name of Mine: 42K SAND and GRAVEL OPERATION

1(a) This is a Mine as defined in the Mines Act R.S.B.C. 1996c. 263 (updated July 15, 2003).

(b) Name of Mine- 42K Sand and Gravel Operation

Company: Kapoor Lumber Co. Ltd.

C/o D.W. Smith (1984) Ltd.

#31-17 Cadillac Ave.

Victoria, B.C.

V8Z 1T3

Phone: 250-475-2888

Cell: s. 22

Fax: 250-475-1842

E-mail: s. 22

(c) Name of Manager: Bruce Smith, RPF

D.W.Smith (1984) Ltd.

Contact information as per above.

(d) Mine Number:

(e) Type of Mine: Surface Sand and Gravel extraction.

(f) Location: Map #: 092B 042

Latitude: 48° 29' 25" N

Longitude: 123° 42' 50" W

(g) Number of Employees: Do not expect to have more than 3 at the mine site. There will also be 2-4 truck drivers depending on production levels.

(h) Mine Plans: Will be posted at site.

## **CONTACT INFORMATION IN THE EVENT OF AN EMERGENCY**



**(TO BE POSTED ON SITE)**

For any emergency (if unable to contact the Mine Manager—by CRD radio or on cell @ 250-380-8932) using the CRD radio “REPEATER” channel call the “GOLDSTREAM GATE” for assistance (there is a certified first aid attendant with ambulance there) and to make any required phone calls if cell and/or satellite phones do not work from the mine site. Kapoor Lumber has a reciprocal first aid and fire response arrangement with the CRD.

Outside of CRD regular working hours contact (if no radio contact can be made with CRD security patrols) the Watershed Emergency Duty Officer (WEDO) Pager @ 1-866-301-4075.

Minor Injury: CRD first aid attendant will respond--call “Goldstream Gate”

Serious Injury: CRD--Repeater Channel call Goldstream Gate  
Langford Ambulance: 250-727-2400  
Langford Fire Hall: 250-478-9555

Death: Police: 250-474-2264

Fire: As per above call CRD “Goldstream Gate”  
Langford Fire Hall: 250-478-9555  
Ministry of Forests: 1-250-951-4200

Spill of Inflammable/Toxic Substance: Call Ministry of Environment /Provincial  
Emergency Agency ----1-800-663-3456

As soon as possible, after making the necessary contacts as listed above, call the Mines  
Inspector ----- Phone: Ed Taje, Inspector of Mines 1-250-952-0732  
Cell: 1-250-889-3112  
Maryann Bouffard: 1-250-387-4825  
Operations Coordinator, Southwest Region

Manager to also note his responsibilities under Part 1 Section 1.7.3 regarding Dangerous Occurrences.

## **EMERGENCY SITUATIONS**

What are the emergencies that could occur?

When might they occur?

How might they occur?

**FOR ANY REASON, IF A CELL/SATELLITE PHONE DOES NOT WORK FROM THE SITE AND OUTSIDE ASSISTANCE IS REQUIRED, CALL THE GOLDSTEAM GATE ON THE CRD REPEATER CHANNEL AND INSTRUCT THE ATTENDANT ON WHAT TYPE OF HELP IS REQUIRED AND WHOM TO CALL.**

An incident is an EMERGENCY when:

1(a) A person suffers a serious injury and the injury is beyond the ability of the trained First Aid person at the site and is not able to cope with the injury and a normal passenger vehicle is not capable of transporting the injured person to the nearest hospital or

1(b) A person collapses and is unconscious.

**ACTION** – Call the Ambulance Station

1(c) A person is trapped and cannot be released by persons at the operation.

**ACTION**- Call the Fire Hall and Ambulance Station

2(a) There is a fire which cannot be extinguished by the personnel on site.

**ACTION**- Call the Goldstream Gate on the CRD Repeater Channel for assistance from the CRD fire fighting initial attack crews. Have the gate attendant contact the Langford Fire Hall and the Ministry of Forests (if it is a forest fire).

**But** If the fire concerns equipment or a building associated with the operation and the fire will not affect the forest the Ministry of Forests need not be contacted.

2(b) If a fire is caused in the surrounding forest (e.g. by a lightning strike) it should be treated as an emergency and the **ACTION-2(a)** outlined above must be followed.

3. There is a collapse of a face that buries a machine and the operator is trapped, or a machine has overturned and the operator is trapped and additional equipment is needed to free the operator.

**ACTION**-Call the Fire Hall and Ambulance Station

4. There is a collision between pieces of mobile equipment and one or both operators are trapped.

**ACTION**- Call the Fire Hall and Ambulance Station

5. There is a major spill of a petroleum product or a toxic substance.

**ACTION-** Call the Fire Hall, Provincial Emergency Agency and Ministry of Environment.

6. A person is killed at the operation.

**ACTION-** Call the Mines Inspector, the Police and the nearest Ambulance Station.

For further first aid/ambulance assistance, whether for injury or death, call the CRD first aid attendant (located at the Goldstream Gate) on the CRD Repeater Channel.

## **OPERATING PROCEDURES AT 42K SAND AND GRAVEL**

### **MINE THAT SHALL BE FOLLOWED:**

Mine Haul Roads: (see 6.9.1 B.C.H.S.&R.C.)

- a) Dual lane traffic- 3 times width of widest vehicle
- b) Single lane traffic – 2 times width of widest vehicle
- c) A shoulder barrier that is  $\frac{3}{4}$  height of the largest tire of any vehicle using the road, constructed to accepted engineering practice, shall be located and maintained along the edge of the haul road, wherever there is a drop-off of greater than 3 metres.

N.B. The barrier width is in addition to the haul road width.

Mobile Equipment Maintenance – (B.C.H.S.&R.C.6.19.1, 4.9.1 and subsequent sections)

Improper or inadequate mobile equipment maintenance can result in loss of steering and/or brake failure. Roll-Over Protection (ROPS) must not be tampered with unless the work is in accordance with instructions from a Registered Professional Engineer.

Back-up alarms shall be fitted to all vehicles in excess of 7000kg. (7 tonnes) gross vehicle weight.

Every vehicle shall carry at least one fire extinguisher and have approved safety belts.

All rubber-tired equipment over 7000kg. (7 tonnes) shall have a minimum of two wheel locks. These are to be used whenever necessary and when the vehicle is being inspected.

A logbook system shall be provided by the Manager for mobile equipment over 7000 kg. (7 tonnes). The vehicle operator shall read the logbook and examine and check the equipment before putting it to use.

Operator Responsibilities- (H.S&R.C. 6.19.1- 6.19.4)

The operator of any unit of mobile equipment shall be directly responsible for its safe operation and for maintaining full control of the unit, and complying with all the provisions of the Mines Act. The operator shall wear the seat belt at all times.

No person shall operate a unit of mobile equipment where their field of vision is restricted unless that person has inspected the area to where the equipment is to be moved or that operator is directed by a person who is in a safe position or there is a traffic control system.

If a rubber tired vehicle is disabled and is parked in a traveled roadway, the operator shall ensure that the vehicle cannot run away if on a slope.



#### Working at the Face –(H.S.&R.C. 6.23.4)

The operator of a front-end loader must ensure that the height of the face is not more than 2 metres above the reach of the equipment.

#### Emergency Equipment-(H.S.& R.C. 4.9.3 and 3.9.1)

Fire extinguishers (duly serviced- date of service tagged to the extinguisher) shall be attached to all mobile equipment.

Fire extinguishers are to be sited at strategic locations (e.g.-electric motors, belt drive heads etc.) around stationary equipment.

First-aid equipment required by Worksafe regulations is to be housed in the site office

Necessary equipment for towing disabled mobile equipment shall be stored in an accessible storage place.

#### First Aid Personnel

There shall be at least one person trained to Worksafe Level-1, with transportation endorsement, on site when persons are working at the site.

Also, the first aid attendant stationed at the Goldstream Gate, can be called on the CRD Repeater Channel for assistance.

### Accident or Dangerous Occurrence

A system, appropriate for the operation, shall be put in place to alert all employees of a serious accident or dangerous occurrence. The essentials of such a system are an audible warning and two-way radios.

When such a serious incident occurs and is made known to the Manager (or designate), that person must assess the situation as quickly as possible and if appropriate, inform the OHSC or the Safety Representative.

If outside assistance is required, the Emergency Plan shall be followed and the necessary agencies informed.

The Manager (or designate) shall ensure that access to the accident site is kept as clear as possible.

A person(s) shall be made available at a selected access point to guide the responders.

Employees at the site shall be given tasks by the Manager (or designate) to alleviate problems caused by the incident and will be instructed in the safe manner of performing such tasks.

### Investigation of Accident/Dangerous Occurrence-(H.S.&R.C. 1.7.1-1.7.3)

In the event of any accident resulting in loss of life or a dangerous occurrence, the Manager (or designate) shall inform the Mines Inspector and the local Police as soon as possible. Except for the purpose of saving life or relieving human suffering, the Manager (or designate) shall ensure that the

scene of the accident or dangerous occurrence is not disturbed without the approval of the Chief Mines Inspector/Police if it is a fatal accident, or the approval of an Inspector or the Safety Representative if it is not a fatal accident.

The Manager's accident investigation report shall be sent to the Inspector and the Safety Representative.

Distribution of the Emergency Plan and Health, Safety and Reclamation Code—B.C. 2003.

Before any person is employed at the 42K Operation they must be given a copy of the Emergency Plan and instructed about its contents.

Each employee shall sign a form to show that they understand the Emergency Plan and that they have received a copy of the H.S.&R Code.

All employees shall be instructed in the parts of the H.S.&R Code that apply to their assigned job, e.g. loading at the face, haul truck driving, operating stationary screen plant etc. Each employee will also receive adequate training for the work they are to perform.

The 42K Operation Manager shall:

- 1) Have a copy of the Emergency Plan posted at the CRD Goldstream Gate Office. A copy will also be provided to the CRD Field Office.

2) Instruct the attendant at the Goldstream Gate Office as well as the appropriate personnel (field Managers) at the CRD Field Office in the procedures to be followed when an Emergency Situation call is received from the 42K mine site.

3) Be satisfied that the appropriate CRD staff that work at the CRD Gatehouse/Field Office are capable of following the correct procedure.

#### Records to be Kept at the Operation

The following records shall be kept at the site office:

Names and addresses of all employees.

Details of training received by each employee.

Logbooks for all equipment used at site.

SAFE WORKING PROCEDURES such as:

- lock-out of stationary powered equipment.

- proper use of lifting equipment.

- proper use of ladders.

- measures to prevent movement of mobile equipment that is parked

- proper use of firefighting equipment.

### **GENERAL**

The B.C. Health, Safety and Reclamation Code (B.C.H.S.R.C.) extracts that summarize some important operating requirements.

It must be emphasized that all persons employed at the 42K Sand and Gravel Operation must ensure that all work shall be carried out without undue risks to the health or safety of any person.

Sec. 1.7.1 In the event of

- (a) any accident resulting in loss of life or
- (b) any dangerous occurrence as specified in Sec. 1.7.3. such as
  - (i) a mine vehicle going out of control,
  - (ii) an outbreak of fire if it endangers persons or threatens or damages equipment,
  - (iii) any electrical equipment failure or incident that causes or threatens to cause injury to persons or damage to equipment or property,
  - (iv) any other unusual accident or unexpected event which has the potential to result in serious injury.

The Manager (or designate) shall inform the Mines Inspector and the O.H.S.C. as soon as possible

PROVINCE OF BRITISH COLUMBIA  
MINISTRY OF ENERGY, MINES AND PETROLEUM RESOURCES

**SAND AND GRAVEL PERMIT**  
**APPROVING WORK SYSTEM AND RECLAMATION PROGRAM**  
(Issued pursuant to Section 10 of the **Mines Act** R.S.B.C. 1996, C.293)

Permit: **G-8-329**

Mine No.: **1610430**

Issued to: **D. W. Smith (1984) Ltd.**  
**s. 22**

for work located at the following property:

**42K Sand & Gravel Operation**

This approval and permit is subject to the appended conditions.

Issued this 28th day of November in the year 2008.



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For, Ed Taje  
Senior Inspector of Mines



## PREAMBLE

Notice of intention to commence work on a sand and gravel pit, including a plan of the proposed work system and a program for the protection and reclamation of the surface of the land and watercourses affected by the Notice of Work dated Wednesday, August 20, 2008 was filed with the Inspector of Mines on Wednesday, August 20, 2008. Notice of such filing was published in Goldstream News Gazette on *September 19, 2008* and in the BC Gazette on *September 18, 2008*.

This permit contains the requirements of the Ministry of Energy, Mines and Petroleum Resources for reclamation. It is also compatible, to the extent possible, with the requirements of other provincial ministries for reclamation issues. The amount of security required by this permit, and the manner in which this security may be applied, will also reflect the requirements of those ministries. Nothing in this permit, however, limits the authority of other provincial ministries to set other conditions, or to act independently, under their respective permits and legislation.

Decisions made by staff of the Ministry of Energy, Mines and Petroleum Resources will be made in consultation with other ministries.

## CONDITIONS

The Chief Inspector of Mines (Chief Inspector) hereby approves the work plan and the program for protection and reclamation of the land surface and watercourses subject to compliance with the following conditions:

Unless modified by this permit all terms and conditions of the submitted Notice of Work and supporting documents shall be considered a integral part of this permit.

### 1. Reclamation Security

- (a) The owner, agent or manager (herein called the Permittee) shall maintain with the Minister of Finance securities in the amount of Eighteen Thousand and Five Hundred dollars (\$18,500.00). The security will be held by the Minister of Finance for the proper performance of the approved program and all the conditions of this permit in a manner satisfactory to the Chief Inspector.
- (b) The Permittee shall conform to all forest tenure requirements of the Ministry of Forests. Should the Permittee not conform to these

requirements then all or part of the security may be used to cover the costs of these requirements.

- (c) The Permittee shall conform to all Ministry of Environment approval, licence and permit conditions, as well as requirements under the **Wildlife Act**. Should the Permittee not conform to these conditions, then all or part of the security may be used to fulfill these requirements.

2. Land Use

Land will be reclaimed back to forestry.

3. Productivity

The level of land productivity to be achieved on reclaimed areas shall not be less than existed prior to mining on an average property basis unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.

4. Revegetation

Land shall be re-vegetated to a self-sustaining state using appropriate plant species.

5. Use of Suitable Growth Medium

- (a) On all lands to be revegetated, the growth medium shall satisfy land use, productivity, and water quality objectives. Topsoil and overburden (to rooting depth) shall be removed from operational areas prior to any disturbance of the land and stockpiled separately on the property for use in reclamation programs, unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, that reclamation objectives can otherwise be achieved.
- (b) No topsoil shall be removed from the property without the specific written permission of the Inspector of Mines.

6. Buffer Zones and Berms

Buffer zones and/or berms shall be established between the mine and the property boundary unless exempted in writing by the Inspector of Mines.

7. Treatment of Structures and Equipment

Prior to abandonment, and unless the Chief Inspector has made a ruling otherwise, such as heritage project consideration or industrial use,

- (a) all machinery, equipment and building superstructures shall be removed,
- (b) concrete foundations shall be covered and revegetated unless, because of demonstrated impracticality, they have been exempted by the Inspector, and
- (c) all scrap material shall be disposed of in a manner acceptable to the Inspector.

8. Watercourses

- (a) Watercourses shall be reclaimed to a condition that ensures
  - (1) long-term water quality is maintained to a standard acceptable to the Chief Inspector,
  - (2) drainage is restored either to original watercourses or to new watercourses which will sustain themselves without maintenance, and
  - (3) use and productivity objectives are achieved and the level of productivity shall not be less than existed prior to mining unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.
- (b) Water which flows from disturbed areas shall be collected and diverted into settling ponds.

9. Roads

- (a) All roads shall be reclaimed in accordance with land use objectives unless permanent access is required to be maintained.

(b) Individual roads will be exempted from the requirement for total reclamation under condition 9(a) if either:

- (1) the Permittee can demonstrate that an agency of the Crown has explicitly accepted responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road, or
- (2) the Permittee can demonstrate that another private party has explicitly agreed to accept responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road and has, in this regard, agreed to comply with all the terms and conditions, including bonding provisions, of this reclamation permit, and to comply with all other relevant provincial government (and federal government) regulatory requirements.

10. Disposal of Fuels and Toxic Chemicals

Fuels, chemicals or reagents which cannot be returned to the manufacturer/supplier are to be disposed of as directed by the Chief Inspector in compliance with municipal, regional, provincial and federal statutes.

11. Temporary Shutdown

If this sand and gravel pit ceases operation for a period longer than one year the Permittee shall either continue to carry out the conditions of the permit or apply for an amendment setting out a revised program for approval by the Chief Inspector.

12. Safety Provisions

All safety and other provisions of the **Mines Act** shall be complied with to the satisfaction of the Chief Inspector.

13. Monitoring

The Permittee shall undertake monitoring programs, as required by the Inspector of Mines, to demonstrate that reclamation objectives are being achieved.

14. Alterations to the Program

Substantial changes to the program must be submitted to the Inspector of Mines for approval.

15. Notice of Closure

Pursuant to Part 10.6.1 of the Health, Safety and Reclamation Code for Mines in British Columbia, a Notice of Completion of Work shall be filed with the Inspector of Mines not less than seven days prior to cessation of work.

16. Annual Report

Annual reports shall be submitted in a form and containing the information as and if required by the Inspector of Mines.

17. Site Stability

- a) The inspector shall be advised in writing at the earliest opportunity of any unforeseen conditions that could adversely affect the extraction of materials, site stability, erosion control or the reclamation of the site.
- b) The stability of the slopes shall be maintained at all times and erosion shall be controlled at all times.
- c) The discovery of any significant subsurface flows of water, seeps, substantial amounts of fine textured, soils, silts and clays, shall be reported to the inspector as soon as possible and work shall cease until the inspector advises otherwise.

**ADDITIONAL CONDITIONS:**

- 18. Property boundaries shall be marked and maintained and pit boundaries shall be marked and maintained. All persons working on the property will be instructed as to the meanings of the markings.
- 19. Operator shall ensure that the proposed mining activities do not affect nesting birds, especially under Section 34 of the **Wildlife Act**. Typical species of interest would be Heron, Eagle, Peregrine Falcon, Spotted Owl and primary cavity nesters.



### Sediment and Erosion Control

20. Sediment control and water management structures shall be constructed and operational prior to soil disturbance which has the potential to result in sediment release. This shall be monitored.
21. The Permittee shall initiate progressive reclamation where possible to control erosion around the mine area.
22. Sediment laden water resulting from excavation activities, including drainage, shall not be allowed free access to creeks or watercourses but shall be suitably contained and/or treated to produce a final effluent not exceeding 25mg/l total suspended solids prior to discharge.

### Groundwater / Aquifer Protection

23. A minimum of 2 meters of gravel/sand shall be left in place above the high water table. This buffer will be maintained to prevent disruption of groundwater. The elevation of the high water table shall be established by a suitable professional hydrologist registered in the Province of British Columbia. A copy of the hydrologists report shall be forwarded to the Inspector within 45 days of receipt of this permit.

### Hours of Operation

24. Operating hours shall be from 7:00 AM to 5:00 PM Monday to Friday. There shall be no work on Saturday, Sunday or Statutory Holidays.
25. Notwithstanding the hours of work provisions of G-8-329, the Permittee is authorized to conduct work outside of this provision should:
  - a) An agency having jurisdiction declare an emergency and the product from this site is required to mitigate an emergency;
  - b) A safety concern on site is such that a failure, to complete necessary work can result in harm or risk to workers, or member of the public;
  - c) If an environmental incident on site has occurred and a failure to address or mitigate the incident can result in harm to the receiving environment.

## Others

26. Waste containers and garbage shall be removed from site weekly.
27. Pit walls shall be sloped to obtain a uniform slope of 2H:1V or less. The pit wall and slopes shall be uniformly sloped into the adjacent landforms in such a manner as to conform to the adjacent landscape.
28. Topsoil shall be stockpiled and remain on site for future reclamation.
29. Measures shall be established and practiced to mitigate the propagation of fugitive dust from the operation.
30. Measures shall be established and practiced to control dust and mitigate noise from the operation.
31. Measures shall be taken to mitigate noise created as a result of processing of aggregate.
32. Appropriate measures shall be taken to protect against inadvertent access to the settling pond(s) & pond/well
33. Construction of suitably high & thick berms shall be provided to prevent inadvertent access by wheeled equipment to the above noted ponds.
34. Access through the pit shall be granted to Capital Regional District staff who require through traffic for the performance of their duties.
35. A suitable vegetation buffer shall be maintained or established between the pit and the adjacent Galloping Goose Trail.
  - This buffer shall not be less than 10 metres.
36. Fuel and hydrocarbon shall only be stored at a site designated for such storage by the manager.
  - The site shall be designed such that leaking or spilled hydrocarbons are contained and are not allowed to percolate into the aquifer.
37. Repairs to equipment shall only be undertaken in a designated area and such area shall be protected by an impervious material such that fluids which may be

spilled or leaked from the equipment are contained and do not have access to the aquifer.

- Any spill of a substance regulated under the **Transportation of Dangerous Goods Act and Regulations** shall be reported to an inspector within 4 hours.





November 28, 2008

File: 1610430

Bruce Smith  
D. W. Smith (1984) Ltd.  
31 - 17 Cadillac Avenue  
Victoria BC V8Z 1T3

Dear Bruce Smith:

**Re: Mines Act Permit G-8-329  
Approval # 08-1610430-1030  
Property 42K Sand & Gravel Operation**

---

Please find enclosed your Mines Act permit which authorizes quarry activities as detailed in the Notice of Work and Reclamation Program dated Monday, July 21, 2008. The Notice of Work and Reclamation Program forms part of the permit and you are reminded that you may not depart from the permitted program without written authorization.

Please ensure that you and all persons who are carrying out activities in accordance with this permit comply with all terms and conditions of the permit and are familiar with the permitted work program.

This permit applies only to the requirements under the *Mines Act* and Health, Safety and Reclamation Code for Mines in British Columbia (Code). Other legislation may be applicable to the operation and you (the Permittee) may be required to obtain approvals or permits under that legislation.

Also enclosed is an executed copy of the Safekeeping Agreement dated November 6, 2008, covering securities described as . The amount of your security deposit may be adjusted on the basis of reclamation performance, field inspections by this Ministry, and on reports which may be requested. By copy of this letter, we are forwarding an executed copy of the Safekeeping Agreement to the Bank of Nova Scotia.

Health and safety inspections fall under the jurisdiction of this Ministry. A Mine Health and Safety Inspection Fee is collected for this service. The fee structure is based on annual production in metric tonnes for the period January 1st through December 31st. You will receive the remittance forms and a payment schedule in December of each year, with payment due by January 31st of the New Year.

For further information regarding the Health and Safety Inspection Fee please contact your regional office or Trevor Miller at the Resource Revenue Branch in Victoria at (250) 952-0220.

When activity on the site is finished and reclamation completed, please forward to this office a request for cancellation of permit and return of security.

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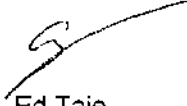
Ministry of Energy, Mines  
and Petroleum Resources

Mining & Minerals Division

Mailing Address:  
PO Box 9395 Stn Prov Govt  
Victoria, BC V8W 9M9  
Telephone: (250) 387-4825  
Facsimile: (250) 953-3878

Location:  
Suite 340  
1675 Douglas Street  
Victoria

Sincerely,



Ed Taje  
Senior Inspector of Mines  
Health and Safety, Underground Coal Specialist

Encl. Permit/NOW  
SKA

cc: Reclamation Section, Victoria  
Bank of Nova Scotia

PROVINCE OF BRITISH COLUMBIA  
MINISTRY OF ENERGY, MINES AND PETROLEUM RESOURCES

**SAND AND GRAVEL PERMIT**  
**APPROVING WORK SYSTEM AND RECLAMATION PROGRAM**  
(Issued pursuant to Section 10 of the **Mines Act** R.S.B.C. 1996, C.293)

Permit: **G-8-329**

Mine No.: **1610430**

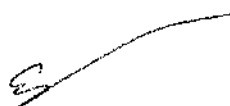
Issued to: **D. W. Smith (1984) Ltd.**  
**31 - 17 Cadillac Avenue**  
**Victoria BC V8Z 1T3**

for work located at the following property:

**42K Sand & Gravel Operation**

This approval and permit is subject to the appended conditions.

Issued this 28th day of November in the year 2008.

---

Ed Taje  
Senior Inspector of Mines, for  
Douglas E Sweeney  
Chief Inspector of Mines

## PREAMBLE

Notice of intention to commence work on a sand and gravel pit, including a plan of the proposed work system and a program for the protection and reclamation of the surface of the land and watercourses affected by the Notice of Work dated Wednesday, August 20, 2008 was filed with the Inspector of Mines on Wednesday, August 20, 2008. Notice of such filing was published in *Goldstream News Gazette* on *September 19, 2008* and in the *BC Gazette* on *September 18, 2008*.

This permit contains the requirements of the Ministry of Energy, Mines and Petroleum Resources for reclamation. It is also compatible, to the extent possible, with the requirements of other provincial ministries for reclamation issues. The amount of security required by this permit, and the manner in which this security may be applied, will also reflect the requirements of those ministries. Nothing in this permit, however, limits the authority of other provincial ministries to set other conditions, or to act independently, under their respective permits and legislation.

Decisions made by staff of the Ministry of Energy, Mines and Petroleum Resources will be made in consultation with other ministries.

## CONDITIONS

The Chief Inspector of Mines (Chief Inspector) hereby approves the work plan and the program for protection and reclamation of the land surface and watercourses subject to compliance with the following conditions:

Unless modified by this permit all terms and conditions of the submitted Notice of Work and supporting documents shall be considered a integral part of this permit.

### 1. Reclamation Security

- (a) The owner, agent or manager (herein called the Permittee) shall maintain with the Minister of Finance securities in the amount of Eighteen Thousand and Five Hundred dollars (\$18,500.00). The security will be held by the Minister of Finance for the proper performance of the approved program and all the conditions of this permit in a manner satisfactory to the Chief Inspector.
- (b) The Permittee shall conform to all forest tenure requirements of the Ministry of Forests. Should the Permittee not conform to these

requirements then all or part of the security may be used to cover the costs of these requirements.

- (c) The Permittee shall conform to all Ministry of Environment approval, licence and permit conditions, as well as requirements under the **Wildlife Act**. Should the Permittee not conform to these conditions, then all or part of the security may be used to fulfill these requirements.

2. Land Use

Land will be reclaimed back to forestry.

3. Productivity

The level of land productivity to be achieved on reclaimed areas shall not be less than existed prior to mining on an average property basis unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.

4. Revegetation

Land shall be re-vegetated to a self-sustaining state using appropriate plant species.

5. Use of Suitable Growth Medium

- (a) On all lands to be revegetated, the growth medium shall satisfy land use, productivity, and water quality objectives. Topsoil and overburden (to rooting depth) shall be removed from operational areas prior to any disturbance of the land and stockpiled separately on the property for use in reclamation programs, unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, that reclamation objectives can otherwise be achieved.
- (b) No topsoil shall be removed from the property without the specific written permission of the Inspector of Mines.

6. Buffer Zones and Berms

Buffer zones and/or berms shall be established between the mine and the property boundary unless exempted in writing by the Inspector of Mines.

7. Treatment of Structures and Equipment

Prior to abandonment, and unless the Chief Inspector has made a ruling otherwise, such as heritage project consideration or industrial use,

- (a) all machinery, equipment and building superstructures shall be removed,
- (b) concrete foundations shall be covered and revegetated unless, because of demonstrated impracticality, they have been exempted by the Inspector, and
- (c) all scrap material shall be disposed of in a manner acceptable to the Inspector.

8. Watercourses

- (a) Watercourses shall be reclaimed to a condition that ensures
  - (1) long-term water quality is maintained to a standard acceptable to the Chief Inspector,
  - (2) drainage is restored either to original watercourses or to new watercourses which will sustain themselves without maintenance, and
  - (3) use and productivity objectives are achieved and the level of productivity shall not be less than existed prior to mining unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.
- (b) Water which flows from disturbed areas shall be collected and diverted into settling ponds.

9. Roads

- (a) All roads shall be reclaimed in accordance with land use objectives unless permanent access is required to be maintained.

(b) Individual roads will be exempted from the requirement for total reclamation under condition 9(a) if either:

- (1) the Permittee can demonstrate that an agency of the Crown has explicitly accepted responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road, or
- (2) the Permittee can demonstrate that another private party has explicitly agreed to accept responsibility for the operation, maintenance and ultimate deactivation and abandonment of the road and has, in this regard, agreed to comply with all the terms and conditions, including bonding provisions, of this reclamation permit, and to comply with all other relevant provincial government (and federal government) regulatory requirements.

10. Disposal of Fuels and Toxic Chemicals

Fuels, chemicals or reagents which cannot be returned to the manufacturer/supplier are to be disposed of as directed by the Chief Inspector in compliance with municipal, regional, provincial and federal statutes.

11. Temporary Shutdown

If this sand and gravel pit ceases operation for a period longer than one year the Permittee shall either continue to carry out the conditions of the permit or apply for an amendment setting out a revised program for approval by the Chief Inspector.

12. Safety Provisions

All safety and other provisions of the **Mines Act** shall be complied with to the satisfaction of the Chief Inspector.

13. Monitoring

The Permittee shall undertake monitoring programs, as required by the Inspector of Mines, to demonstrate that reclamation objectives are being achieved.

14. Alterations to the Program

Substantial changes to the program must be submitted to the Inspector of Mines for approval.

15. Notice of Closure

Pursuant to Part 10.6.1 of the Health, Safety and Reclamation Code for Mines in British Columbia, a Notice of Completion of Work shall be filed with the Inspector of Mines not less than seven days prior to cessation of work.

16. Annual Report

Annual reports shall be submitted in a form and containing the information as and if required by the Inspector of Mines.

17. Site Stability

- a) The inspector shall be advised in writing at the earliest opportunity of any unforeseen conditions that could adversely affect the extraction of materials, site stability, erosion control or the reclamation of the site.
- b) The stability of the slopes shall be maintained at all times and erosion shall be controlled at all times.
- c) The discovery of any significant subsurface flows of water, seeps, substantial amounts of fine textured, soils, silts and clays, shall be reported to the inspector as soon as possible and work shall cease until the inspector advises otherwise.

**ADDITIONAL CONDITIONS:**

- 18. Property boundaries shall be marked and maintained and pit boundaries shall be marked and maintained. All persons working on the property will be instructed as to the meanings of the markings.
- 19. Operator shall ensure that the proposed mining activities do not affect nesting birds, especially under Section 34 of the **Wildlife Act**. Typical species of interest would be Heron, Eagle, Peregrine Falcon, Spotted Owl and primary cavity nesters.



#### Sediment and Erosion Control

20. Sediment control and water management structures shall be constructed and operational prior to soil disturbance which has the potential to result in sediment release. This shall be monitored.
21. The Permittee shall initiate progressive reclamation where possible to control erosion around the mine area.
22. Sediment laden water resulting from excavation activities, including drainage, shall not be allowed free access to creeks or watercourses but shall be suitably contained and/or treated to produce a final effluent not exceeding 25mg/l total suspended solids prior to discharge.

#### Groundwater / Aquifer Protection

23. A minimum of 2 meters of gravel/sand shall be left in place above the high water table. This buffer will be maintained to prevent disruption of groundwater. The elevation of the high water table shall be established by a suitable professional hydrologist registered in the Province of British Columbia. A copy of the hydrologists report shall be forwarded to the Inspector within 45 days of receipt of this permit.

#### Hours of Operation

24. Operating hours shall be from 7:00 AM to 5:00 PM Monday to Friday. There shall be no work on Saturday, Sunday or Statutory Holidays.
25. Notwithstanding the hours of work provisions of G-8-329, the Permittee is authorized to conduct work outside of this provision should:
  - a) An agency having jurisdiction declare an emergency and the product from this site is required to mitigate an emergency;
  - b) A safety concern on site is such that a failure, to complete necessary work can result in harm or risk to workers, or member of the public;
  - c) If an environmental incident on site has occurred and a failure to address or mitigate the incident can result in harm to the receiving environment.

Others

26. Waste containers and garbage shall be removed from site weekly.
27. Pit walls shall be sloped to obtain a uniform slope of 2H:1V or less. The pit wall and slopes shall be uniformly sloped into the adjacent landforms in such a manner as to conform to the adjacent landscape.
28. Topsoil shall be stockpiled and remain on site for future reclamation.
29. Measures shall be established and practiced to mitigate the propagation of fugitive dust from the operation.
30. Measures shall be established and practiced to control dust and mitigate noise from the operation.
31. Measures shall be taken to mitigate noise created as a result of processing of aggregate.
32. Appropriate measures shall be taken to protect against inadvertent access to the settling pond(s) & pond/well
33. Construction of suitably high & thick berms shall be provided to prevent inadvertent access by wheeled equipment to the above noted ponds.
34. Access through the pit shall be granted to Capital Regional District staff who require through traffic for the performance of their duties.
35. A suitable vegetation buffer shall be maintained or established between the pit and the adjacent Galloping Goose Trail.
  - This buffer shall not be less than 10 metres.
36. Fuel and hydrocarbon shall only be stored at a site designated for such storage by the manager.
  - The site shall be designed such that leaking or spilled hydrocarbons are contained and are not allowed to percolate into the aquifer.
37. Repairs to equipment shall only be undertaken in a designated area and such area shall be protected by an impervious material such that fluids which may be

spilled or leaked from the equipment are contained and do not have access to the aquifer.

- Any spill of a substance regulated under the **Transportation of Dangerous Goods Act and Regulations** shall be reported to an inspector within 4 hours.

**From:** Bouffard, Maryann J MEM:EX(f5655562-03a8-4f84-9a1e-672db878ffae@gov.bc.ca/O=BCGOVT/OU=Victoria1/cn=Recipients/cn= s. 15, s. 22  
**To:** Bruce Smith s. 22  
**Subject:** RE: Change of Address  
**Sent:** 12/11/2014 20:11:52  
**Attachments:** Permit G-8-329 Address Updated Dec 10 2014.pdf

Hello Bruce,

Attached you will find the Mines Act permit G-8-329, updated to reflect your change of address.

Cheers,

**Maryann J. Bouffard**

*Operations Coordinator/Inspector of Mines*

Ministry of Energy & Mines

Southwest Region Mining Office

6th Floor- 1810 Blanshard

Victoria BC V8W 9N3

**T:** 250-387-4825

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**From:** Bruce Smith [mailto:s. 22]

**Sent:** Wednesday, December 10, 2014 2:02 PM

**To:** Bouffard, Maryann J MEM:EX

**Subject:** Change of Address

Hi Maryann....nice to chat with you today.....as per our conversation I wish to inform you that I have moved my office to s. 22 so please note the change of address etc.:

-Permit # 1610430

-Name: 42K Sand and Gravel Operation

-DW Smith (1984) Ltd.

s. 22

Phone s. 22

-e-mail: s. 22

Much appreciated....Bruce Smith

PROVINCE OF BRITISH COLUMBIA  
MINISTRY OF ENERGY, MINES AND PETROLEUM RESOURCES

**SAND AND GRAVEL PERMIT**  
**APPROVING WORK SYSTEM AND RECLAMATION PROGRAM**  
(Issued pursuant to Section 10 of the **Mines Act** R.S.B.C. 1996, C.293)

Permit: **G-8-329**

Mine No.: **1610430**

Issued to: **D. W. Smith (1984) Ltd.**

*s. 22*

for work located at the following property:

**42K Sand & Gravel Operation**

This approval and permit is subject to the appended conditions.

Issued this 28th day of November in the year 2008.



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For, Ed Taje  
Senior Inspector of Mines

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BRITISH  
COLUMBIA

Ministry of Energy, Mines and  
Petroleum Resources

Sand and Gravel/Quarry Operation  
Notice of Work and  
Reclamation Program

The information on this form and any supporting documents are subject to the *Freedom of Information and Protection of Privacy Act*. The information requested on this form is collected and used for the purpose of administering the *Mines Act* of British Columbia and the *Health, Safety and Reclamation Code for Mines in British Columbia*. The *Mines Act* authorises the collection of the requested information on this form. The completed form is routinely available to the public. Questions about how the *Freedom of Information and Protection of Privacy Act* applies to the information collected on this form can be directed to the Office of the Information and Privacy Commissioner—phone: (250) 387-5629; fax: (250) 387-1696; mailing address: PO Box 9038 Stn. Prov. Govt. Victoria, British Columbia, V8W 9A4

Application is for: ☒ Sand and Gravel Mine ☐ Rock Quarry

This application is for (check one):

☒ Development ☐ Amendment to existing permit Permit # \_\_\_\_\_

Application is being made by:

☐ Owner (Private property)

☒ Operator/Agent (Person or company making application on Crown land or on private property not owned by applicant)

Name BRUCE SMITH E-mail Address: s. 22  
Company (if applicable) D. W. Smith (1984) Ltd. 10152 8925 RT 0001  
Address 31-17 CADILLAC AVENUE  
City VICTORIA Bus. Phone (250) 475-2888  
Province B.C. Postal Code V8Z 1T3 Fax (250) 475-1842

LOCATION INFORMATION - Maps are mandatory under Schedule A

Name of Mine (What will the operation be called when in production?): 42 K Sand & Gravel Operation  
Legal Description of Property: See attached

Street Address of Property, if applicable: \_\_\_\_\_

Access route from nearest town to property: HIGHWAY #1 from LANGFORD 8km. to KARPOOR MAIN RD then 24 km to site

B.C. Geographic System Map Sheet Number(s) [i.e. TRIM 093L.006] \_\_\_\_\_

Northing: \_\_\_\_\_ Easting: \_\_\_\_\_ UTM Zone: \_\_\_\_\_

or NTS Map Sheet Number(s) [i.e. NTS 093L/14E]: NTS 92B042

Latitude: 48° 29' 25" Longitude: 123° 42' 50"

OWNERSHIP (Complete a, b or c if the land is not privately held by applicant)

a) Proposed mine is on private land:

Name of property owner Karpoor Lumber Co. Ltd % D.W. Smith (1984) Ltd.

Address 31-17 CADILLAC AVENUE

City VICTORIA Bus. Phone ( ) \_\_\_\_\_

Province B.C. Postal Code V8Z 1T3 Fax ( ) \_\_\_\_\_

Signature of owner agreeing to the mining operation proposed in this application (or attach letter of authorization signed by owner):

Name: See attached letter of authorization Date: Aug. 15<sup>th</sup> 2006

b) Proposed mine is on Crown land:

Assets and Lands Corporation (BCAL) file reference number: \_\_\_\_\_

License of Occupation/Lease number: \_\_\_\_\_ Expiry date of License/Lease (y/m/d): \_\_\_\_\_

c) Proposed mine is a mineral quarry (as defined under the Mineral Tenure Act):

What mineral is proposed to be mined? \_\_\_\_\_

Mineral Claim/Lease Tenure Number(s): \_\_\_\_\_

MANAGEMENT

Correspondence regarding this application should be sent to: ☐ Owner or ☒ Operator/Agent

The mine manager (*Mines Act* Sections 21 and 22) responsible for management and operation of the mine will be:

Name: Bruce Smith Bus. Phone: s. 22

(cell)

Revised: 05/24/02

**LAND USE**

**1) Cultural Heritage Resources** (A cultural heritage resource is defined as "an object, a site or the location of a traditional societal practice that is of historical, cultural or archaeological significance to British Columbia, a community or an aboriginal people". B.C. law requires the conservation of these resources. It is the responsibility of the applicant to identify these resources.

Are you aware of any cultural heritage resources present on the property?

- ☐ Yes - please attach a plan for the conservation of cultural heritage resources on the property  
☒ No - if cultural heritage resources are discovered while mining, you are required to report them to the Mining Division.

**2) Soil Conservation**

Average depth of overburden (material, including topsoil, overlying sand, gravel and/or rock): \_\_\_\_\_ cm, or \_\_\_\_\_ m

Average depth of topsoil (Surface to maximum rooting depth of plants, plus 15 cm.): 60 cm, or \_\_\_\_\_ m

Measures to stabilize soil/overburden stockpiles and control noxious weeds: The stockpiles will be compacted, seeded with an approved seed mix to prevent erosion & dust creation, and sprayed with an approved herbicide

Topsoil must be conserved for reclamation of the mine site.\* This is absolutely necessary for the reforestation.

**3) End Land Use**

Is the site within the Agricultural Land Reserve?

- ☒ No ☐ Yes - authorization for soil removal from the Land Reserve Commission and Regional District must be obtained. Provide permit application number if available: \_\_\_\_\_

Is the site within the Forest Land Reserve?

- ☐ No ☐ Yes - authorization from the Land Reserve Commission must be obtained\* see below

Is the site within a Tree Farm License?

- ☒ No ☐ Yes - state the TFL number: \_\_\_\_\_  
 Name of TFL holder: \_\_\_\_\_

Does the local government have a Soil Removal Bylaw?

- ☐ No ☒ Yes - please be aware that a Soil Removal Permit may be required by the local government

Official Community Plan designation for the site is: \_\_\_\_\_

Current land use zoning for the site is: \* FORESTRY - MANAGED FOREST N° 78

Proposed end land use is: The site is to be reclaimed and replanted with trees

**4) Reclamation of Site** (If space provided below is insufficient, please attach separate sheet describing proposed reclamation)

Reclamation measures and schedule proposed to achieve end land use objectives as per part 10.7.4 and 10.7.5 of the Health Safety and Reclamation Code for Mines in British Columbia (hereafter referred to as the Code):

Final pit slopes will be graded to ensure stable tree growth

A berm will be left between the extracted area and Wolf Creek to ensure the protection of the creek

If backfilling of pits or pit slopes is proposed in the final configuration for reclamation, provide details of materials to be used and placement procedure:

It is proposed to cover the entire excavated area with soil and suitable forest debris to a suitable depth from the topsoil stockpiles, to ensure that there is a good growth medium for tree growth.

**MINE DEVELOPMENT PLAN (Maps are mandatory - please refer to Schedule A)**

Unless otherwise required by the Inspector, complete the following mine development plan and prepare development maps and cross sections based on a period of 5 years or less. Mines operating for longer than 5 years, may be required to file updated Notices of Work every 5 years over the life of the mine at the discretion of the District Inspector.

Proposed start date (y/m/d): 2008/09/01 Proposed finish date (y/m/d): When worked out

The mining operation will generally be (check one) ☐ Continuous (operates throughout the year)  
☐ Seasonal, usually operates from \_\_\_\_\_ to \_\_\_\_\_  
☒ Intermittent (occasionally operates with extended periods of inactivity)

Estimate total mineable reserves over the life of the mine: + 1,000,000 tonnes, or \_\_\_\_\_ m<sup>3</sup>

Estimated annual extraction from site: Initially low but rising to 100,000 tonnes/yr. when market is established tonnes/yr, or \_\_\_\_\_ m<sup>3</sup>/yr

Application must be made to the Environmental Assessment Office if estimated extraction for sand/gravel production is 500,000 tonnes/yr. or 1,000,000 tonnes over 4 years; or if estimated extraction is 250,000 tonnes/yr. for quarried product.

Mineral quarries producing more than 1000 tonnes per year per claim require a mining lease.

Description of Work (Check appropriate boxes):

- ☒ Excavation of Pit Run ☒ Washing \* - please complete Schedule B  
☒ Crushing ☐ Blasting - please complete Schedule C  
☒ Mechanical Screening - WCT? ☐ Timber Clearing \* - estimate volume of timber: \_\_\_\_\_ m<sup>3</sup>

\* Timber Clearing on Crown Land requires a Free Use Permit or License to Cut from the Ministry of Forests

Provide a brief description of operation, including proposed work schedule (i.e. hours, days of usual operation):

It is proposed to remove the sand and gravel to a depth of 8m, in two benches. Excavation will continue to a deeper horizon if the material below 8m is suitable, but will stop due to 1 1/2 m above a water table.

It is proposed to work 5 days/week, 7 a.m. to 7 p.m. each day. The site is remote hence there will be no social disruption.

**Equipment List:** (Please attach separate list if space provided below is insufficient)

Type of Machine	Make/Model	Size/Capacity	# on Site
Frontend loader	Case 980 or type	4 m <sup>3</sup>	1
Excavator	Hitachi 370 or type	1 - 1 1/2 m <sup>3</sup>	1

**Surface Disturbance** - Information provided must be documented in development maps submitted under Schedule A

(Note that 10,000 m<sup>2</sup> = 1 hectare)

Existing Disturbance (Work areas, unreclaimed areas, access roads, etc.) \_\_\_\_\_ m<sup>2</sup>, or \_\_\_\_\_ hectares

Proposed Mining Disturbance (New work areas, settling ponds, access roads, buildings, etc. to be developed within the time frame of this Notice of Work) \_\_\_\_\_ m<sup>2</sup>, or 6.2 hectares

Total Disturbed Area (Existing + Proposed Disturbance) \_\_\_\_\_ m<sup>2</sup>, or 6.2 hectares

Will any portion of this disturbance be reclaimed within the time frame of this Notice of Work?

☒ No ☐ Yes - state size of area to be reclaimed: \_\_\_\_\_ m<sup>2</sup>, or \_\_\_\_\_ hectares

Estimated Cost of Reclamation: Applicant \$ \_\_\_\_\_  
Mining Division \$ \_\_\_\_\_



Are settling ponds or other structures proposed to control sedimentation in surface run off?

☒ No

☐ Yes - please complete Schedule B

What is the average depth to the high groundwater table at the proposed excavation? Not known m

Elevation of the groundwater table was determined from (check applicable boxes):

☐ Existing area wells

☐ Test wells drilled for this purpose

☐ Test pits

☐ Other (describe) \_\_\_\_\_

Describe measures proposed to protect groundwater quantity and quality from potential impacts of the proposed mining activity (i.e. fuel management program, buffer above water table, etc.): A buffer will be left to protect

Wolf Creek

*Note that excavations below the groundwater table may require special approval from the Inspector*

Will fuel/lubricants be stored on site?

☒ No

☐ Yes

If yes, handling, transportation and storage must adhere to B.C. Environment standards as detailed in "Summary of Environmental Standards and Guidelines for Fuel Handling, Transportation and Storage, 2<sup>nd</sup> edition"

Shortest distance between proposed excavation to nearest residence: \_\_\_\_\_ m, or 10 km estimated

Shortest distance between proposed excavation to nearest residential water source: \_\_\_\_\_ m, or 2.4 km

Describe measures proposed to prevent inadvertent access of unauthorized persons on the mine site (i.e. fencing, vegetative barriers, berms, etc.): The site lies within the C.R.D. watershed lands, but not the catchment area. The C.R.D. prevents access by locked gates and fencing at critical points of access. At the Goldstream access there is a manned guardhouse

Are measures proposed to minimize noise impacts of the operation? (i.e. equipment selection, restrictions on hours of operation, noise barriers, etc.)

☐ No

☒ Yes - Please describe:

The excavation is surrounded by trees, and will be below ground level for the most part.

Are measures proposed to minimize dust impacts of the proposed operation? (i.e. apply dust suppressants, water sprays, wind breaks, vegetation, etc.)

☐ No

☒ Yes - Please describe:

There will be wind breaks provided by a treed barrier around the site - (see attached aerial photograph).

Are measures proposed to minimize visual impacts of the proposed operation? (i.e. vegetative barriers, berms, green belts, etc.)

☐ No

☒ Yes - Please describe:

As stated above there is a treed barrier around the site.

### OCCUPATIONAL FIRST AID

First Aid Supplies and communication at the mine site are required as per Parts 3.6.1 to 3.6.3 of the Code.

Describe the means of communication from the mine site: C.R.D. - Repeater Channel / Goldstream Gate

Location of nearest hospital: Victoria General Hospital

Travel time to hospital: > 20 mins Estimated number of employees on site (includes contractors): 3

Describe First Aid Level and supplies: As prescribed in Worksafe manual Schedule I

I, BRUCE SMITH, hereby make application to undertake the mining activities described in this Notice, and in accordance with the Mines Act and the Health, Safety and Reclamation Code for Mines in British Columbia.

Applicant Signature: \_\_\_\_\_

Date: July 21, 2008

Schedule B  
**Washing of Aggregate on Site/Sediment Control Structures**

Mark the location(s) of all proposed settling ponds and/or sediment control structures on the appropriate map(s) under Schedule A.

Describe the source of water supply: Well

Estimate volume of water to be used: \_\_\_\_\_ (cu. ft./sec), or 0.4 (liters/sec)

Complete the following table for existing and proposed settling ponds:

Pond #	Water Source (i.e. surface run off, wash plant, etc.)	Width (m)	Length (m)	Depth (m)	Construction Method (excavated, dyked, etc.)

Water from ponds will (check one): ☐ be recycled ☒ exfiltrate to ground ☐ discharge to environment

**If discharged to the environment, a *Waste Management Act* permit is required.**

Where there is a discharge to the environment:

- provide a cross section illustrating the sediment control structure(s), decant structure(s), and point of discharge to environment
- describe the type of sediment control structure(s): \_\_\_\_\_

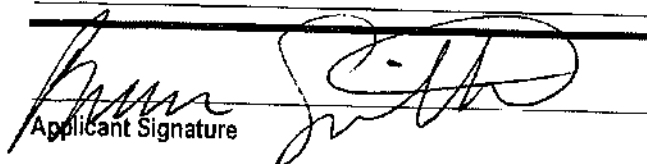
- describe the type and construction of the decant structure: \_\_\_\_\_

- describe area into which water is discharged: \_\_\_\_\_

For all settling ponds describe:

- Spillway design: \_\_\_\_\_
- Clean out method: \_\_\_\_\_
- Disposal of fines from clean out (i.e. use as a subsoil material): \_\_\_\_\_

Describe proposed reclamation activities and timing of reclamation work: \_\_\_\_\_

  
Applicant Signature

July 21, 2008  
Date

## MAIN PART BLOCK 103

TITLE NO: EN111528  
FROM TITLE NO: EN111527  
ROOT OF TITLE: EN87752

APPLICATION FOR REGISTRATION RECEIVED ON: 24 SEPTEMBER, 1999  
ENTERED: 07 DECEMBER, 1999

REGISTERED OWNER IN FEE SIMPLE:  
KAPOOR LUMBER CO. LIMITED, INC. NO. 9699  
1349 MARINE DRIVE  
WEST VANCOUVER, BC  
V7T 1B6

FINAL POST

TAXATION AUTHORITY:  
CAPITAL ASSESSMENT AREA

## DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 004-890-574  
BLOCK 103, MALAHAT DISTRICT, INCLUDING THE UNNUMBERED PORTION OF MALAHAT DISTRICT, BEING THE AREA SURROUNDED BY BLOCK 103, MALAHAT DISTRICT AND MARKED LAKE ON THE PLAN OF SAID BLOCK DEPOSITED UNDER D.D. 19431 EXCEPT THE RIGHT OF WAY 100 FEET WIDE, AND CONTAINING 12.6 ACRES MORE OR LESS, FOR THE CITY OF VICTORIA PIPE FLOW LINE, AS SHOWN ON PLAN DEPOSITED UNDER 132691; AND EXCEPT THE RIGHT OF WAY OF THE CANADIAN NORTHERN PACIFIC RAILWAY COMPANY THROUGH SAID BLOCK, CONTAINING 27.86 ACRES, MORE OR LESS, AS SHOWN ON PLAN DEPOSITED UNDER NO. 313531 EXCEPT THOSE PARTS IN PLANS VIP69459, VIP69460 AND VIP69461 AND INCLUDING THOSE PARTS OF BLOCK 103, MALAHAT DISTRICT BEING CLOSED ROAD ON PLANS VIP69466 AND VIP69469

MAIN PART OF 103

get Flowline R/W back in Flowline Block 103 (see next)

## LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY THE FOREST LAND RESERVE ACT,  
SEE EN16484

HERETO INTER ALIA IS ANNEXED EASEMENT EN87801 OVER THAT PART OF LOT A, PLAN VIP69459 IN EASEMENT AREA A ON PLAN VIP69468 AND THAT PART OF LOT A, PLAN VIP69458 IN EASEMENT AREA B ON PLAN VIP69468

HERETO INTER ALIA IS ANNEXED EASEMENT EN87805 OVER:

SECTION 4, GOLDSTREAM DISTRICT;  
PARCEL A (DD 51801I) OF SECTION 4, GOLDSTREAM DISTRICT;  
SECTION 5, GOLDSTREAM DISTRICT; AND  
THAT PART OF:

SECTION 68, GOLDSTREAM DISTRICT IN EASEMENT AREA E ON PLAN VIP69470;  
SECTION 15, GOLDSTREAM DISTRICT IN EASEMENT AREA C ON PLAN VIP69470;  
SECTION 14, GOLDSTREAM DISTRICT IN EASEMENT AREA B ON PLAN VIP69470;  
SECTION 16, GOLDSTREAM DISTRICT IN EASEMENT AREA A ON PLAN VIP69470;  
DISTRICT LOT 22 MALAHAT DISTRICT IN EASEMENT AREA A ON PL VIP69471,  
EASEMENT AREA B ON PL VIP69472, AND EASEMENT AREA B ON PL VIP69474;  
DISTRICT LOT 10, MALAHAT DISTRICT IN EASEMENT AREA A ON PL VIP69472,  
EASEMENT AREA B ON PL VIP69473 AND EASEMENT AREA A ON PL VIP69474;  
DISTRICT LOT 20 MALAHAT DISTRICT IN EASEMENT AREA A ON PLAN VIP69473;  
LOT A, PLAN VIP69461 IN EASEMENT AREA B ON PLAN VIP69477; AND  
DISTRICT LOT 108, MALAHAT DISTRICT IN EASEMENT AREA A ON PLAN VIP69477

## CHARGES, LIENS AND INTERESTS:

## NATURE OF CHARGE

CHARGE NUMBER	DATE	TIME
---------------	------	------

## EXCEPTIONS AND RESERVATIONS

CONTINUED ON PAGE 2

M76300

REGISTERED OWNER OF CHARGE  
ESQUIMALT AND NANAIMO  
RAILWAY COMPANY  
M76300

REMARKS: INTER ALIA  
AFB 9.693.7434A DD 19431 DD 315230I  
SECTION 172(3) 269984G FOR ACTUAL DATE AND  
TIME SEE ORIGINAL GRANT FROM ESQUIMALT AND  
NANAIMO RAILWAY COMPANY

RIGHT OF WAY

230870G 1959-06-17 12:08

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107639

REMARKS: INTER ALIA  
PART IN PLAN 1039 RW

RIGHT OF WAY

230871G 1959-06-17 12:08

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107640

REMARKS: INTER ALIA  
PART OUTLINED IN RED ON PLAN 1040RW  
DD 230870G

PROFIT A PRENDRE

230874G 1959-06-17 12:09

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EL107643

REMARKS: INTER ALIA  
DD 230870G

STATUTORY RIGHT OF WAY

EN87800 1999-09-24 10:26

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87800

REMARKS: INTER ALIA  
PARTS IN PLANS 1039RW AND VIP69467 AND  
THAT PART OF CLOSED ROAD IN PLAN VIP69466  
(SEE MINISTERIAL ORDER EN87752)

STATUTORY RIGHT OF WAY

EN87802 1999-09-24 10:28

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87802

REMARKS: INTER ALIA  
PT BEING CLOSED ROAD IN PLAN VIP69469  
(SEE MINISTERIAL ORDER EN87752)

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

CONTINUED ON PAGE 3

PENDING APPLICATIONS: NONE

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*

*PIPELINE / FLOWLINE PART*TITLE NO: EN87796  
FROM TITLE NO: EL107442APPLICATION FOR REGISTRATION RECEIVED ON: 24 SEPTEMBER, 1999  
ENTERED: 06 DECEMBER, 1999*FINAL POST*REGISTERED OWNER IN FEE SIMPLE:  
KAPOOR LUMBER CO. LIMITED, INC. NO. 9699  
1349 MARINE DRIVE  
WEST VANCOUVER, BC  
V7T 1B6TAXATION AUTHORITY:  
CAPITAL ASSESSMENT AREADESCRIPTION OF LAND:  
PARCEL IDENTIFIER: 009-369-147  
THAT PART OF BLOCK 103, MALAHAT DISTRICT, CONTAINING 12.6 ACRES MORE OR  
LESS AS SHOWN ON PLAN DEPOSITED UNDER DD 13269I

## LEGAL NOTATIONS:

HERETO INTER ALIA IS ANNEXED EASEMENT EN87801 OVER THAT PART OF LOT A,  
PLAN VIP69459 IN EASEMENT AREA A ON PLAN VIP69468 AND THAT PART OF  
LOT A, PLAN VIP69458 IN EASEMENT AREA B ON PLAN VIP69468

## CHARGES, LIENS AND INTERESTS:

## NATURE OF CHARGE

CHARGE NUMBER      DATE      TIME

## EXCEPTIONS AND RESERVATIONS

M76300

REGISTERED OWNER OF CHARGE  
ESQUIMALT AND NANAIMO  
RAILWAY COMPANY  
M76300

REMARKS: INTER ALIA

AFB 9.693.7434A 308730I SECTION 172(3)  
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE  
ORIGINAL GRANT FROM ESQUIMALT AND NANAIMO  
RAILWAY COMPANY

## STATUTORY RIGHT OF WAY

EN43951      1999-05-21      11:40

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN43951

REMARKS: INTER ALIA

## STATUTORY RIGHT OF WAY

EN87800      1999-09-24      10:26

REGISTERED OWNER OF CHARGE  
CAPITAL REGIONAL DISTRICT  
EN87800

REMARKS: INTER ALIA

PART IN PLAN VIP69467

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

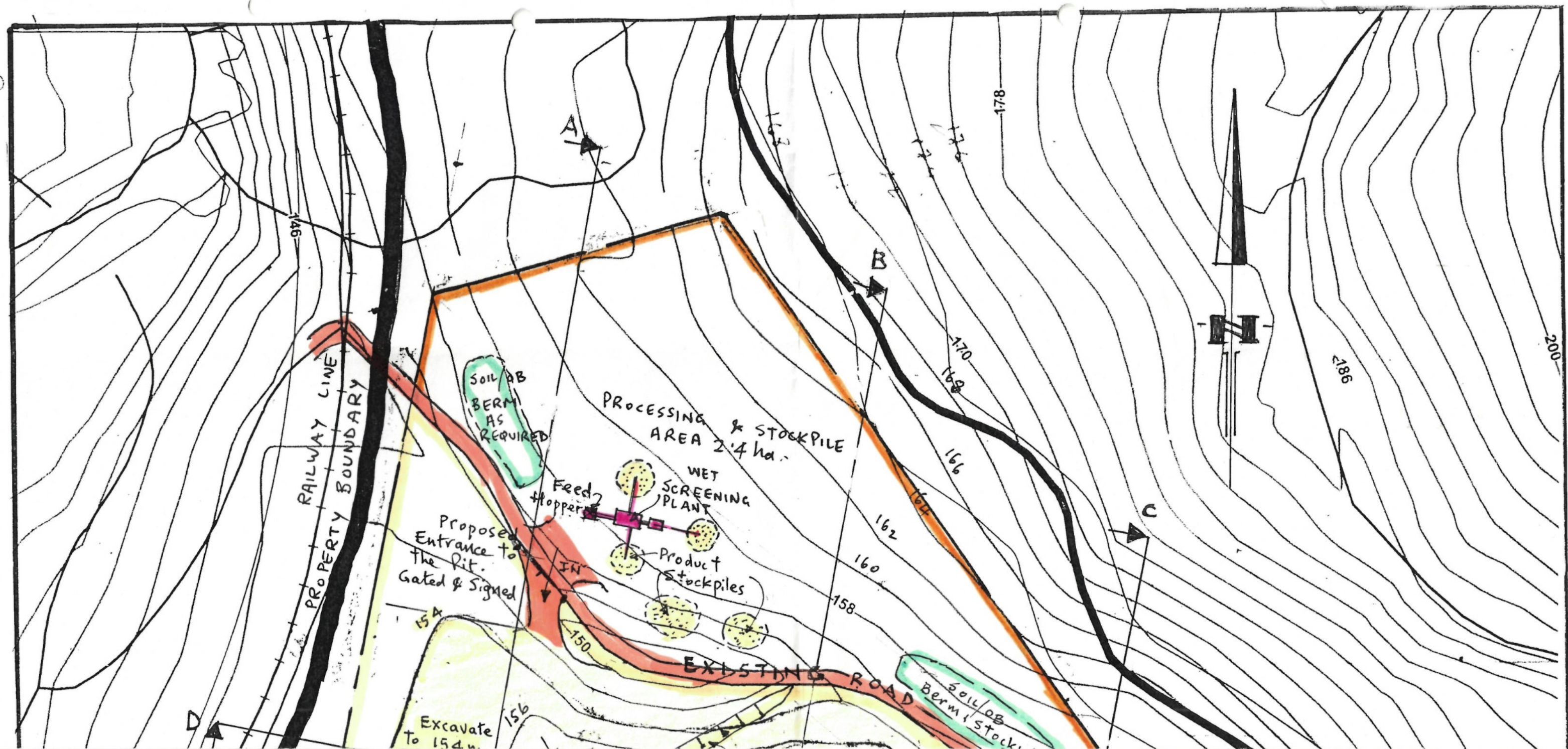
CONTINUED ON PAGE 2

TRANSFERS: NONE

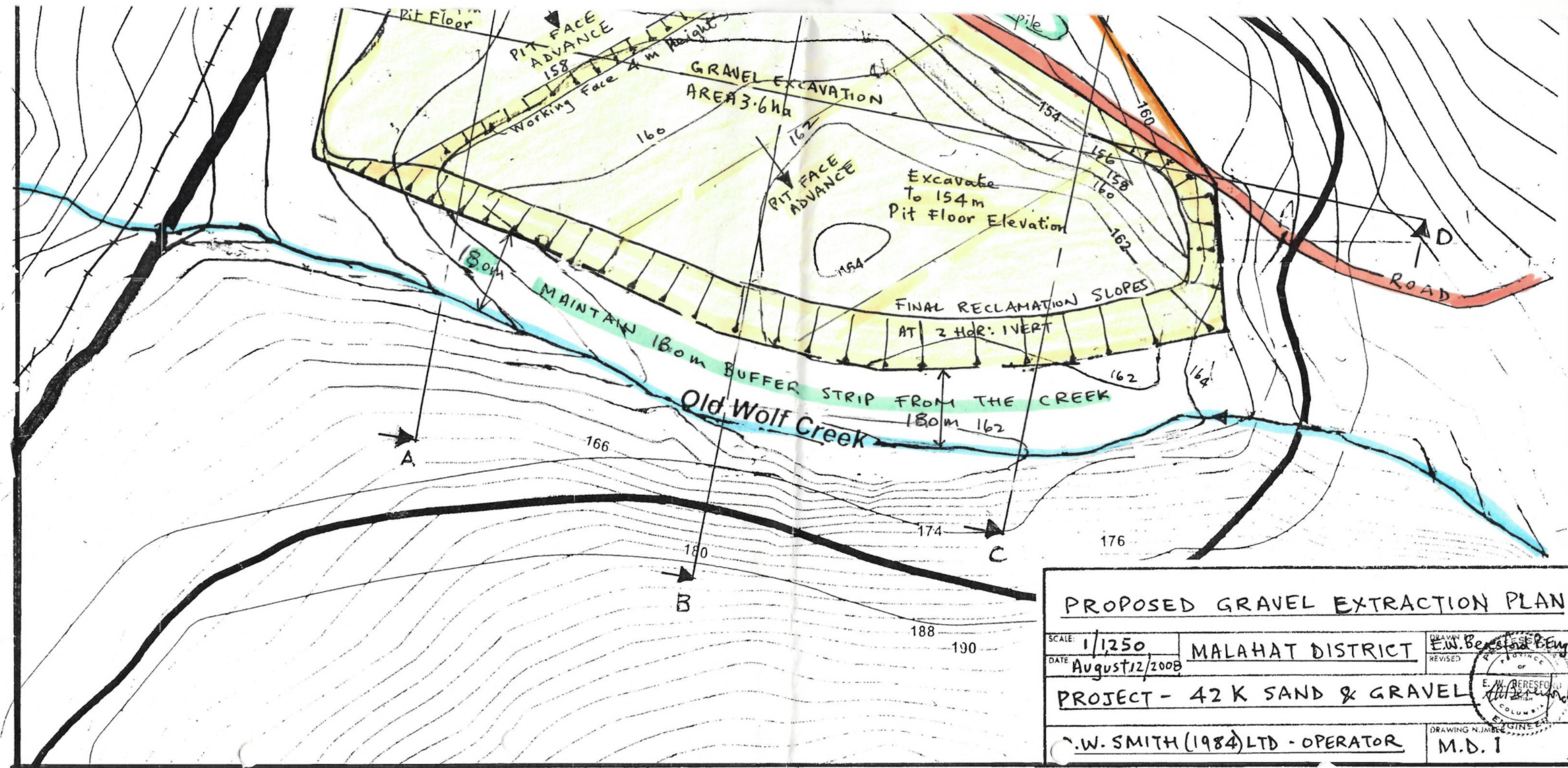
PENDING APPLICATIONS: NONE

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*

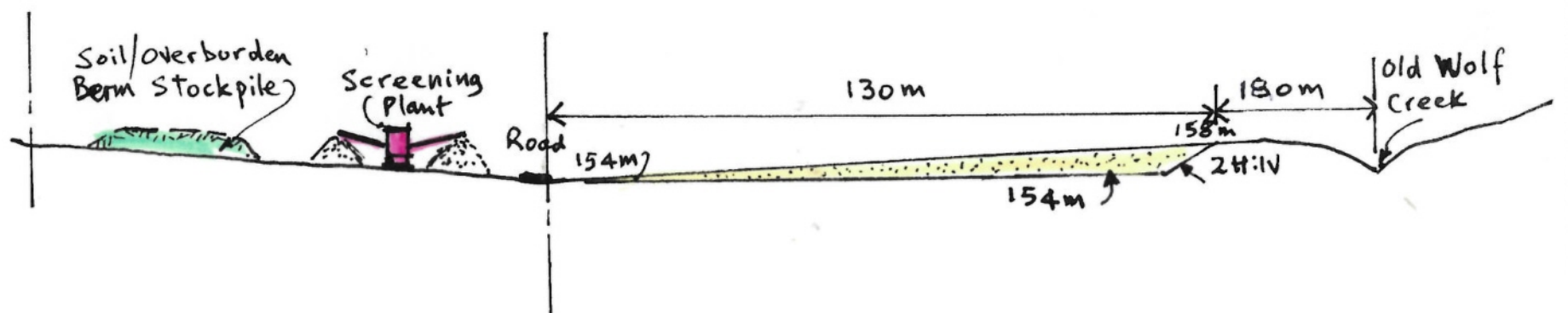




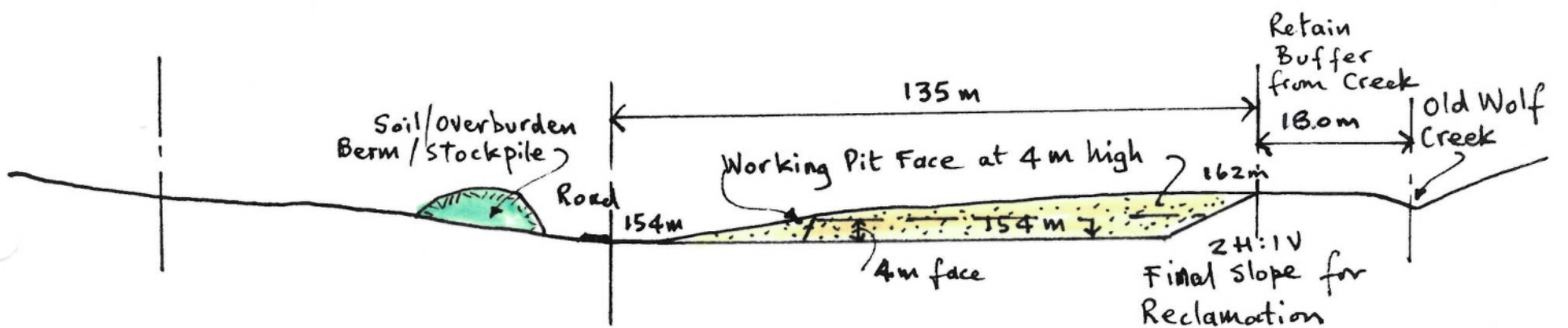




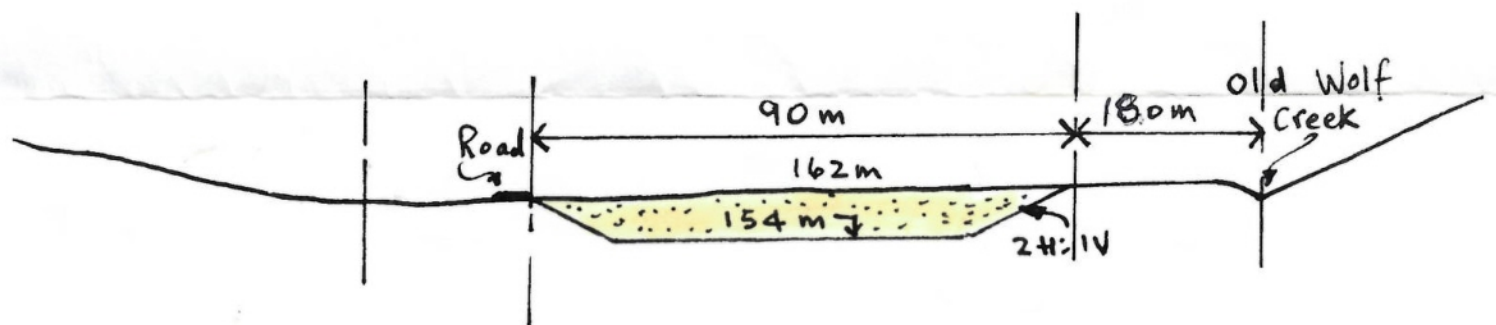




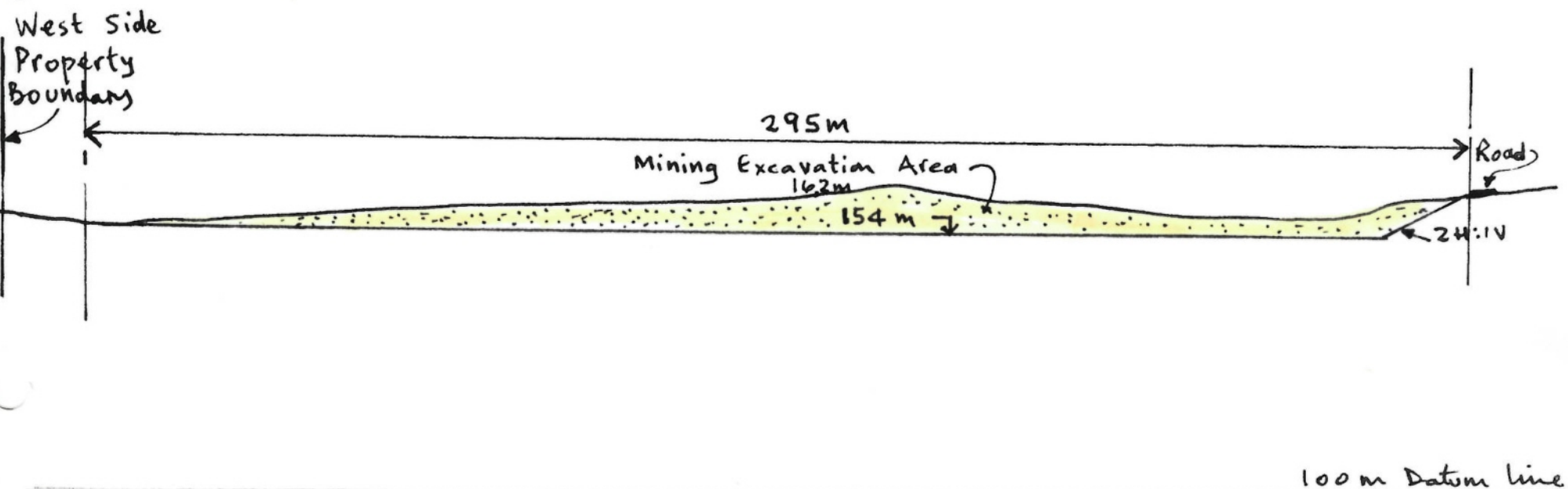
SECTION A-A



SECTION B-B



SECTION C-C



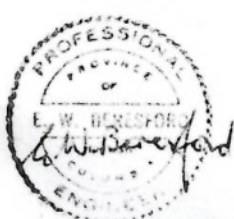
LONGITUDINAL SECTION D-D

# 42 K SAND & GRAVEL PROJECT

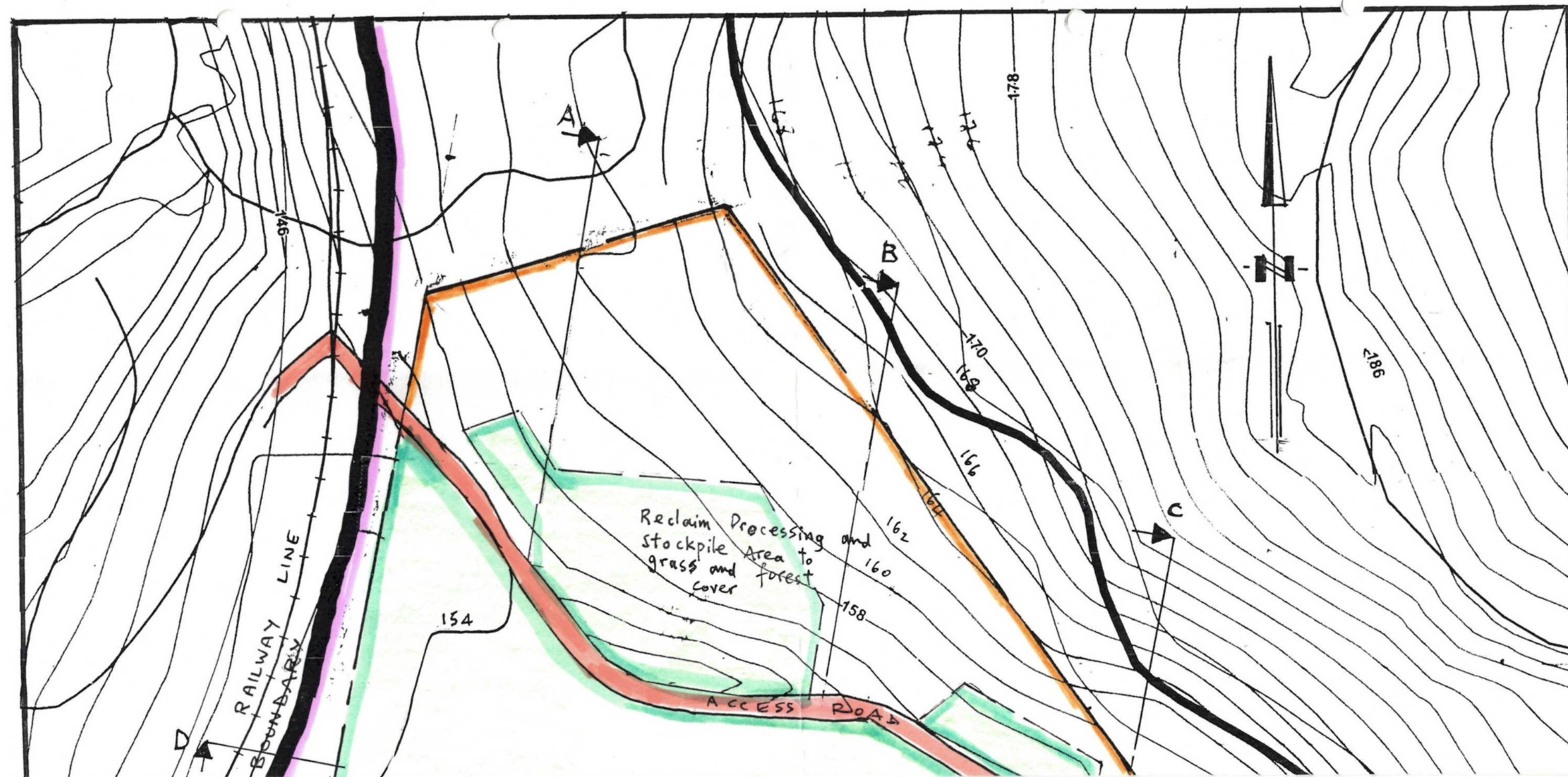
## SECTIONS THROUGH MINING & PLANT AREA

NATURAL SCALE 1/1250 HORIZ. & VERTICAL.

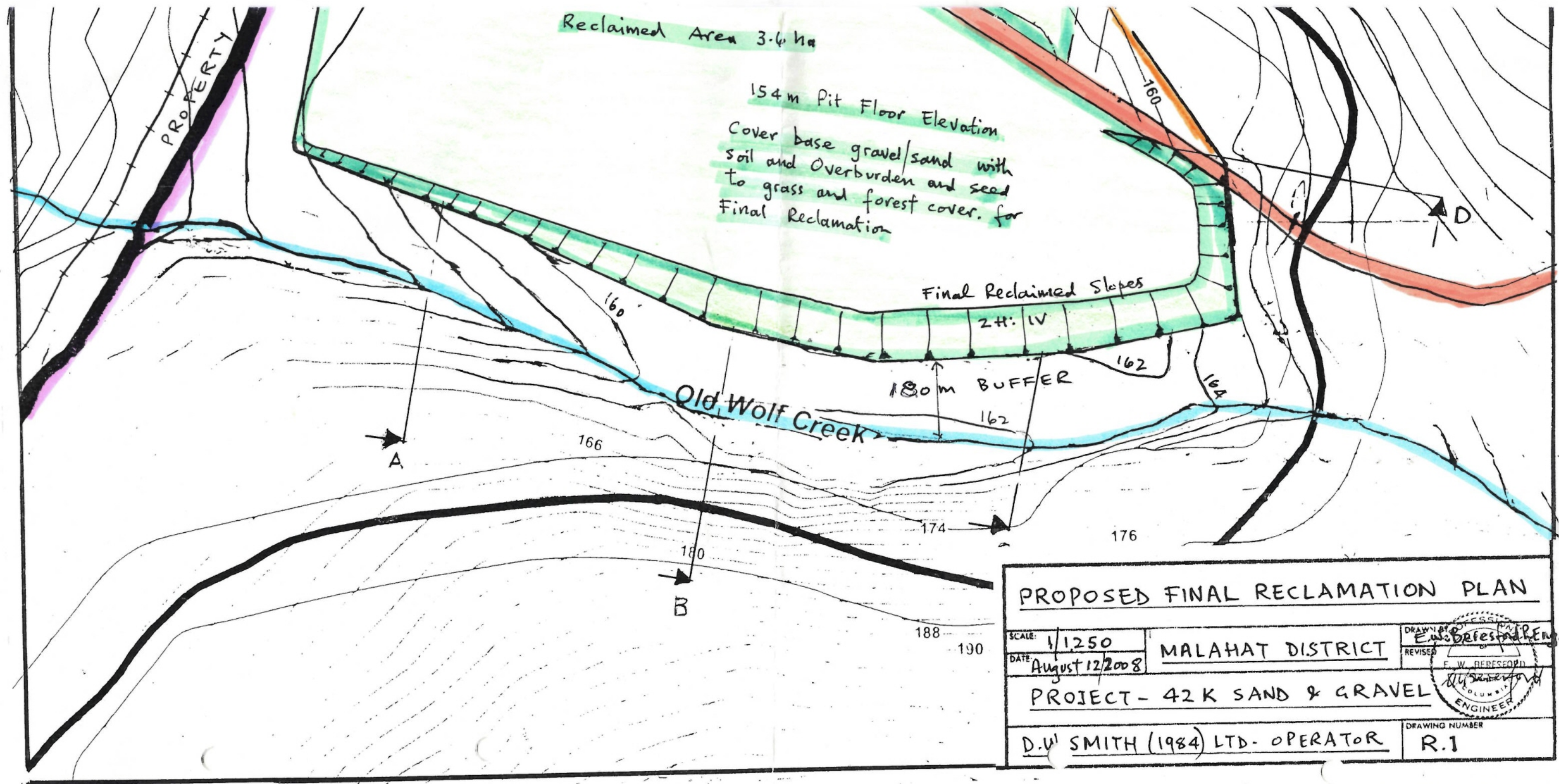
E.W. Benefield P. Eng. August 12/2008



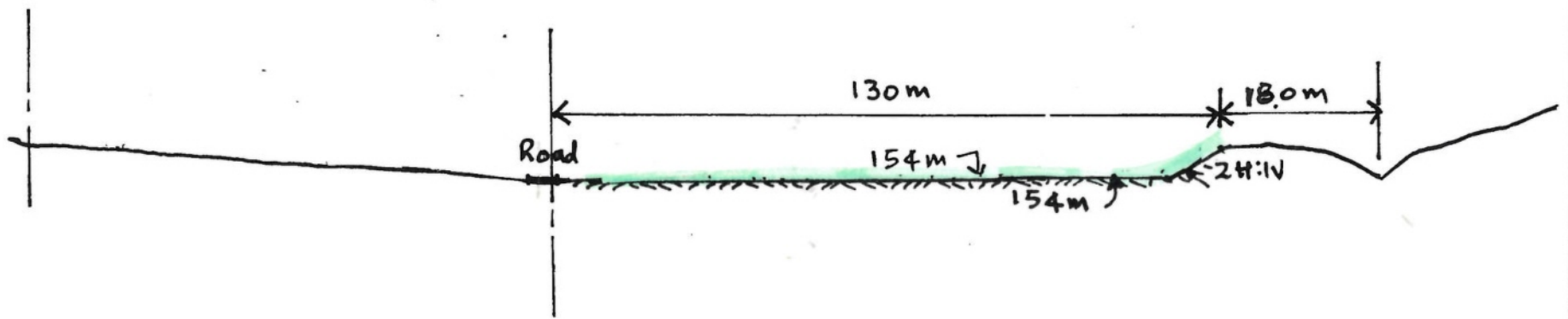




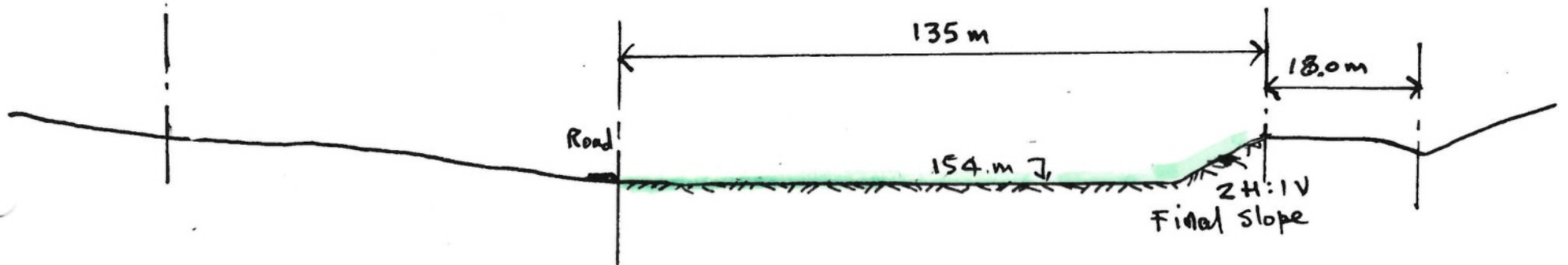




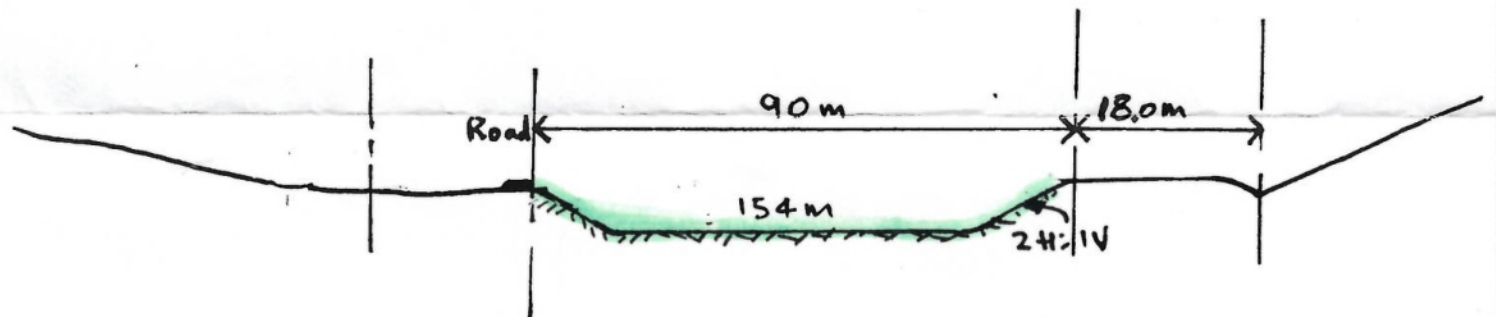




SECTION A-A

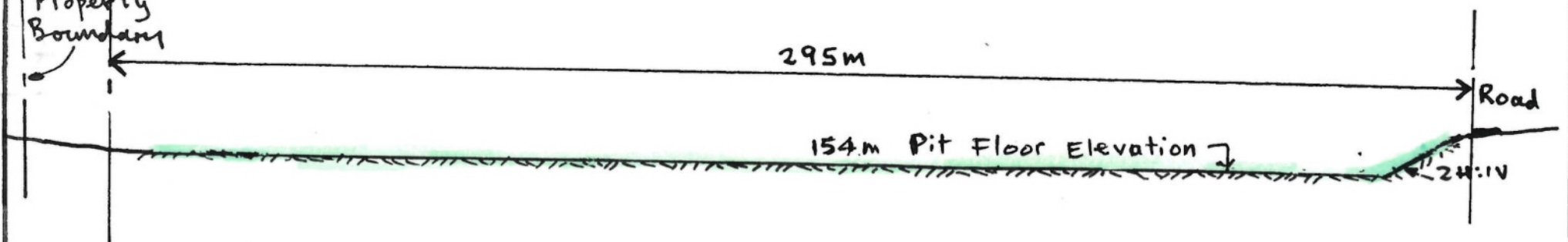


SECTION B-B



SECTION C-C

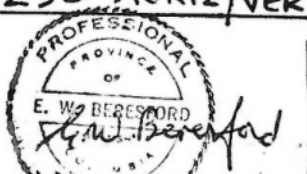
West side  
Property  
Boundary



LONGITUDINAL SECTION D-D

NATURAL SCALE 1/1250 HORIZ/VERT.

FINAL RECLAMATION SECTIONS



E.W. Beresford P. Eng.  
August 12/2008